



**Thursday, October 22, 2020, 4:00 p.m.**

Pursuant to Governor Newsom's Executive Order N-71-20, the Personnel Commission's regular meeting will be held virtually, and all Commissioners will attend the meeting via teleconference. Members of the public may participate in the meeting via Zoom, as follows:

Zoom Link: <https://cajonvalley.zoom.us/j/93160929251?pwd=S0lpZVBiaGZxQVdmc3dZaS9UTGxCZz09>

Meeting ID: 931 6092 9251

Passcode: KXK4Z0Ch2g

Dial-in: +16699009128,,93160929251#,,,,,0#,,8785623410#

Employees or members of the public who wish to make a public comment regarding items on this agenda must submit comments to [bishopa@cajonvalley.net](mailto:bishopa@cajonvalley.net), **no later than 12:00 p.m. on October 22, 2020**. Please label all comments submitted for public comment as "FOR PUBLIC COMMENT." Comments will be read aloud to the Personnel Commission during the Public Comment section of the agenda or before action on the item if the public comment submission indicates preference for the comment to be read before the specific item.

The Personnel Commission will accommodate individuals with disabilities who wish to submit public comments. If you require accommodation, please email Maritza Diaz at [diazm@cajonvalley.net](mailto:diazm@cajonvalley.net).

## **MEETING AGENDA**

### **1. REGULAR MEETING OPEN SESSION**

- a. Call to Order/Pledge of Allegiance
- b. Roll Call/Establishment of Quorum

Virginia Levenson, Chairperson

☐ present

☐ absent

Victor Garcia, Co-Chairperson

☐ present

☐ absent

Timothy McKay, Member

☐ present

☐ absent

- 2. PUBLIC COMMENT** – Members of the public shall have the opportunity to address the Personnel Commission regarding items on the agenda or matters directly related to the Commission's business. In accordance with the Brown Act, the Commissioners may not act upon, or engage in a discussion of, non-agenda items or issues raised during public comment except to: 1) acknowledge receipt of the information, 2) refer to staff for further study, or 3) refer the matter to the next agenda.

### **3. APPROVAL OF PROPOSED AGENDA**

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**Cajon Valley Union School District Personnel Commission Meeting**

**October 22, 2020**

**Page**

- a. Approve the agenda of the Regular Meeting on October 22, 2020

**Motion by:**\_\_\_\_\_, **Seconded by**\_\_\_\_\_. **Vote:**\_\_\_\_\_

**4. APPROVAL OF MINUTES**

- a. Approve the unadopted minutes of the Regular Meeting on August 27, 2020

**Motion by:**\_\_\_\_\_, **Seconded by**\_\_\_\_\_. **Vote:**\_\_\_\_\_

- b. Approve the unadopted minutes of the Special Meeting on September 17, 2020

**Motion by:**\_\_\_\_\_, **Seconded by**\_\_\_\_\_. **Vote:**\_\_\_\_\_

- c. Approve the unadopted minutes of the Special Meeting on September 23, 2020

**Motion by:**\_\_\_\_\_, **Seconded by**\_\_\_\_\_. **Vote:**\_\_\_\_\_

- d. Approve the unadopted minutes of the Regular Meeting on September 24, 2020

**Motion by:**\_\_\_\_\_, **Seconded by**\_\_\_\_\_. **Vote:**\_\_\_\_\_

**5. ACTION ITEMS**

- a. Rules and Regulations Update/Revision

- i. Third Reading of Revisions to Chapters 20 – The Personnel Commission and Chapter 30 – Position Classification Plan

**Motion by:**\_\_\_\_\_, **Seconded by**\_\_\_\_\_. **Vote:**\_\_\_\_\_

- ii. Second Reading of Proposed Revision to Rule 20.100.5 – Meeting Attendance

**Motion by:**\_\_\_\_\_, **Seconded by**\_\_\_\_\_. **Vote:**\_\_\_\_\_

**6. INFORMATION/DISCUSSION ITEMS**

- a. Response to Public Comment – Commission Meeting of September 24, 2020

- b. Update on Requests for New/Revised/Reclassification of Positions

- i. Child Nutrition Lead–Serving Kitchen reclassification requests

- ii. Request for New Classification–Educational Services

- iii. Request for Classification Study–Secretary (Bilingual), Student Services

- iv. Instructional Assistant/Special Education Classroom Assistant

- c. Vacancies/Recruitments/Personnel Activity

- i. Staff will review status of current vacancies, ongoing recruitment, and establishment and status of eligibility lists.

**7. REPORTS/COMMUNICATION**

- a. CSEA

- b. CVAA/CVSA

- c. Cajon Valley Union School District Report(s)

- i. Staff will provide update information on current negotiations with CSEA and its
-

Chapter 179.

- d. Personnel Director Report
  - i. The Personnel Director will provide information on AB 2234 – Act to Amend Education Code § 45313
- e. Commission Members' Report(s)

**8. ADJOURN TO EXECUTIVE SESSION**

- a. Conference with Legal Counsel – Threatened Litigation: One Case [Gov. Code §54956.9(d)(2)]

**9. RECONVENE TO OPEN SESSION**

- a. Call to Order

**10. REPORT OUT EXECUTIVE SESSION**

**11. NEXT PERSONNEL COMMISSION MEETING**

- a. November 17, 2020

**12. ADJOURNMENT**

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# **CAJON VALLEY UNION SCHOOL DISTRICT**

## **Minutes of the Regular Meeting**

### **P E R S O N N E L   C O M M I S S I O N**

Date: August 27, 2020                      Zoom Meeting

MEMBERS PRESENT:                      Virginia Levenson, Commission Chair  
Victor Garcia, Vice-Chair  
Timothy McKay, Member

STAFF REPORTING:                      Michelle Hayes, Assistant Superintendent/Director  
Maritza Diaz, Personnel Specialist-Classified  
Kerrie E. McNally, Attorney, Adams Silva & McNally, Counsel to the  
Commission

STAFF ABSENT:                              Angela Bishop, Director

#### **1. REGULAR MEETING OPEN SESSION:**

The August 27, 2020 Personnel Commission meeting was called to order at 4:00 p.m., by Virginia Levenson, Chair. She welcomed the audience.

- a.            Tim McKay led the salute to the flag.
- b.            Roll Call/Establishment of Quorum  
                Virginia Levenson, Chair – Present  
                Victor Garcia, Vice-Chair – Present  
                Timothy McKay, Member - Present

#### **2. PUBLIC COMMENTS:**

Tamera Otero, CVUSD, Governing Board President asked that the Commission delay the hiring process for the position of Director until time was taken to reevaluate the duties of the position.

#### **3. APPROVAL OF PROPOSED AGENDA:**

Motion was made to approve proposed agenda for the August 27, 2020 Personnel Commission meeting.

Motion: Victor Garcia  
Second: Tim McKay  
Vote: Unanimous

#### **4. APPROVAL OF MINUTES:**

The minutes of the regular meeting for July 23, 2020 were presented for approval.

Motion was made to approve minutes for July 23, 2020.

Motion: Tim McKay  
Second: Victor Garcia  
Vote: Unanimous

The minutes of the special meeting for August 13, 2020 were presented for approval.

Motion was made to approve minutes for August 13, 2020.

Motion: Victor Garcia  
Second: Tim McKay  
Vote: Unanimous

## 5. CORRESPONDENCE

Correspondence from the San Diego County Office of Education confirming approval of the Cajon Valley Personnel Commission budget for the 2020-2021 school year was received.

## 6. ACTION ITEMS

### a. Approval of New Classification and Reclassification Recommendation

1. Approve job description of Planning Assistant and allocate classification to range 27 on the Classified Employees' Salary Schedule, Technical/Paraprofessional job family.
2. Reclassify position #5633, along with the incumbent, Empl ID #122420, from Administrative Assistant I (Range 24) to Planning Assistant (Range 27), effective following Governing Board approval.

Motion: Tim McKay  
Second: Victor Garcia  
Vote: Unanimous

### b. Approval of New Classification and Job Description

1. Approve job description of Manager-Extended Day Programs and allocate classification to Range 4 on the Classified Administrators' Salary Schedule.

Motion: Tim McKay  
Second: Victor Garcia  
Vote: Unanimous

### c. Approval of Dual Certifications

1. Approve the dual certification of candidates from the Director-Fiscal Services eligibility list.

Tim McKay made a motion to deny Dual certification for the Director-Fiscal Services eligibility list.

Motion: Tim McKay  
Second: Victor Garcia

Vote: Motion passed, Tim McKay and Victor Garcia in favor; Virginia Levenson voted no.

2. Approve the dual certification of candidates from the Manager-Extended Day Programs eligibility list.

Tim McKay made a motion to deny Dual certification for the Manager-Extended Day Programs eligibility list.

Motion: Tim McKay

Second: None

Vote: Motion did not pass for lack of second.

Virginia Levenson made a motion to approve Dual certification for the Manager-Extended Day Programs.

Motion: Virginia Levenson

Second: Victor Garcia

Vote: Motion passed with Virginia Levenson and Victor Garcia in favor; Tim McKay voted no.

## 7. INFORMATION/DISCUSSION ITEMS:

### a. Rules and Regulations Update/Revision

1. First Reading of Proposed Revision to Chapters 20 – The Personnel Commission and Chapter 30 – Position Classification Plan

Ms. McNally, Counsel to the Commission, reported the revisions attached to the agenda would bring rules up to date. She stated Angela Bishop, Personnel Director, prepared surveys, reached out to other districts regarding rules and prepared the proposed revisions. Ms. Bishop sought input from the District and received feedback that was incorporated.

Ms. McNally stated she received a request from CSEA to add an additional rule. CSEA is requesting to add language to Chapter 20 that would allow removal by the appointing body if a Commissioner fails to attend three meetings or more in the year ..

The Commissioners requested additional time to review the proposed revisions.

Michael Breyette, CSEA Senior Labor Relations Representative, stated CSEA was not asked to provide input prior to the meeting.

Ms. McNally informed Mr. Breyette that CSEA would be provided the proposed rules as required by the current Rules and Regulations after today's meeting.

### b. Vacancies/Recruitments/Personnel Activity

1. Staff will review status of current vacancies, ongoing recruitment, and establishment and status of eligibility lists.

Maritza Diaz, Personnel Specialist-Classified, reported that there were several changes in vacancies reported from the previous month. Recruitment for Payroll and Benefits Supervisor

and School Bus Driver have been posted. Eligibility list information reflected removal of any expired lists.

c. Minimum Wage Classification Study

1. The Personnel Director will provide information to the Commission regarding classifications that will be affected by the minimum wage increase beginning January 1, 2021.

Ms. Levenson suggested that this item be discussed at the next meeting due to the Director's absence.

Ms. Levenson stated item c as well as item d would be discussed next month.

d. Update on Requests for New/Revised/Reclassification of Positions

1. Instructional Assistant/Special Education Classroom Assistant
2. Child Nutrition Lead – Serving Kitchen reclassification requests
3. Request for New Classification – Educational Services

No discussion.

e. Negotiations Activity

1. Staff will provide information on current negotiations with CSEA and its Chapter 179:
  - i. Staff will review Memorandum of Understanding – Opening of the 2020-201 School Year, dated August 6, 2020 and CSEA Exhibit A – COVID-19 Safety Protocols
  - ii. Staff will review Memorandum of Understanding, dated July 24, 2020

Michelle Hayes, Assistant Superintendent-Personnel Services, stated she did not have new information regarding CSEA negotiations. Ms. Hayes stated they are focusing on students' return and are excited to do that work in partnership with the group.

## 8. REPORTS/COMMUNICATION

a. Commission Members' Report(s)

No comments.

b. Personnel Director Report

None.

c. Cajon Valley Union School District Report(s)

Ms. Hayes stated the district is days away from being approved to have students back on campus. She reported that plenty of conversations have been held with Principals, staff and parents, on how reopening would look.

Mr. McKay asked when schools will be reopened; Ms. Hayes replied that is still to be determined; however, the District is looking at a rolling start.

d. CSEA

Mr. Breyette stated he has some concerns and the meeting has yielded more concerns. He stated he looks forward to working with Commissioners in the near future.

Mark Reagles, CSEA Chapter 179 President, commented that he loves the foundation of merit, but has been actively engaged in conversations with the members about decommissioning the merit system. Mr. Reagles asserted that the Commissioners are disconnected to the members.

Mr. Reagles stated he does not agree with any Dual certification and indicated his feeling that this harms the internal membership. He asked that the Commission postpone the recruitment schedule for Director and to consider CSEA's involvement with the recruitment, including development of questions to the person who will oversee the membership of the classified service. Mr. Reagles also expressed concerns over legal counsel participation during meetings.

Ms. McNally responded on behalf of the Commission, that the Commission is very much interested in speaking with CSEA of any concerns and to resolve those issues. She explained that due to legality of issues to be discussed, the Chair of the Commission has asked her to be present.

Mr. Reagles replied that in order to repair the relationships, a conversation without legal representative is needed.

Ms. Levenson and Ms. McNally thanked Mr. Reagles for his comments.

#### 9. ADJOURN TO EXECUTIVE SESSION

The Commission adjourned to Executive Session at 4:26 p.m.

- a. Public Employment – Title: Director-Classified Personnel (Gov. Code § 54957)

#### 10. RECONVENE OPEN SESSION

The meeting was reconvened to Open Session at 5:27 p.m. by Mrs. Levenson.

#### 11. REPORT OUT OF EXECUTIVE SESSION

Mrs. Levenson reported that the Personnel Commission will pause the recruitment for the Personnel Director position, in order to seek additional input from stakeholders, and to review the job description and salary. A special meeting will be held on September 17, 2020, to discuss these items.

#### 12. NEXT PERSONNEL COMMISSION MEETING:

September 24, 2020

#### 13. ADJOURNMENT:

The meeting was adjourned at 5:33 p.m.

Respectfully submitted,



Virginia Levenson, Commission Chair



A handwritten signature in black ink, appearing to be 'MD' with a small 'y' or flourish at the end.

Maritza Diaz, Recording Secretary

**CAJON VALLEY UNION SCHOOL DISTRICT**

**Minutes of the Regular Meeting**

**P E R S O N N E L   C O M M I S S I O N**

Date: September 17, 2020    Zoom Meeting

MEMBERS PRESENT:       Virginia Levenson, Commission Chair  
Victor Garcia, Vice Chair  
Timothy McKay, Member

STAFF REPORTING:       Angela Bishop, Director  
Michelle Hayes, Assistant Superintendent/Director  
Maritza Diaz, Personnel Specialist-Classified  
Kerrie E. McNally, Attorney, Adams Silva & McNally, Counsel to the  
Commission

1. SPECIAL MEETING OPEN SESSION:

The September 17, 2020 Personnel Commission meeting was called to order at 4:00 p.m., by Virginia Levenson, Chair. She welcomed the audience.

- a.       Angela Bishop, Personnel Director, led the salute to the flag.
- b.       Roll Call/Establishment of Quorum  
Virginia Levenson, Chairperson – Present  
Victor Garcia, Co-Chairperson – Present  
Timothy McKay, Member - Present

2. PUBLIC COMMENTS:

No comments.

3. APPROVAL OF PROPOSED AGENDA:

Motion was made to approve the proposed agenda for the August 27, 2020 Personnel Commission meeting.

Motion: Tim McKay  
Second: Victor Garcia  
Vote: Unanimous

4. DISCUSSION / INFORMATION ITEMS:

- a.       Presentation of questions and answers regarding the Personnel Commission and Merit System

Virginia Levenson, Chair, stated that she emailed the questions and answers to classified staff through District email.

b. Presentation by Phillip Gordillo regarding Personnel Director job description and salary allocation

Phillip Gordillo, CSPCA Executive Director, provided a presentation on the salary study conducted for the Personnel Director. Mr. Gordillo explained in detail the comparison district salaries, minimum salary, maximum salary, and comparison of longevity.

Mr. Gordillo also provided the results of the study he conducted for the job description of the Personnel Director position. He stated he emailed with Michael Breyette, CSEA Senior Labor Relations Representative, and spoke with Michelle Hayes, Assistant Superintendent – Personnel Services. Mr. Gordillo specified the position would be a “single hat” position, his recommendations of changes were provided on the CSPCA input job description attached to the agenda.

c. CSEA input and comment regarding Director-Classified Personnel job description and recruitment process

Mr. Breyette stated he submitted a public comment. Ms. Bishop stated the comment was not received the before 10:00 a.m. deadline and explained CSEA has a slot allotted for comments. Ms. Levenson informed Mr. Breyette that public comments are due before 10:00 a.m., and that CSEA is next in providing input and comments regarding the job description and recruitment process.

Mr. Breyette introduced himself and addressed the following concerns: commissioners refusing to meet or talk with constituents; email sent with inaccurate, misleading information and false propaganda; emails regarding this situation from the Personnel Director to others in the state; and alleged deferment of duties to an attorney at Districts’ expense.

Kerrie McNally, Counsel to the Commission, interrupted Mr. Breyette to remind him that his comments needed to relate to the posted agenda items because this is a special meeting.

Mr. Breyette stated his comments regarding the job description were provided in writing and were attached to the agenda. Mr. Breyette defined the need for a “bright line” between the District and the Personnel Commission. Mr. Breyette also asserted that failure to do so is a violation of Education Code 45109.

Mr. Reagles declared it has been a practice in the District to retain a median pay rate in comparison to other districts and that being at the top of the maximum is not the practice.

d. District input and comment regarding Director-Classified Personnel job description and recruitment process

Ms. Hayes stated that many of the recommendations provided by the District were not included in the revised job description provided by Mr. Gordillo. Ms. Bishop clarified that the input by CSPCA, District and CSEA are represented separately.

Ms. Hayes asked for clarification on the input provided by Mr. Gordillo. Ms. Levenson explained the Commission would consider the input from all.

e. Classified employee comment regarding Personnel Director job description and recruitment process

Ms. Levenson called for public comments. Ms. Bishop confirmed no comments were received.

f. Commissioner discussion regarding Personnel Director job description and recruitment process

Ms. Levenson asked Mr. McKay if the job description should be discussed later. Mr. McKay responded that Commissioners should meet to discuss every part of the job description, to review and protect the Classified employees. Mr. Garcia and Ms. Levenson agreed with Mr. McKay.

Ms. McNally stated the Commission could have a workshop to discuss the job descriptions suggestions.

Mr. McKay asserted he would like to hear more from members.

Maritza Diaz, Personnel Specialist, shared there may be confusion from the classified employees in attendance regarding their ability to provide public comment on the job description since she didn't realize so herself.

Michaela Verran, Special Education Classroom Assistant (SECA)t, affirmed Ms. Diaz was correct; Ms. Verran stated she was also unaware of her opportunity to speak. Ms. Diaz inquired if there is still the opportunity to comment. Mr. McKay and Ms. Levenson allowed the comment.

Ms. Diaz commented on item 4. E. as a classified employee. Ms. Diaz asked why the salary study had not been conducted in the October 2019 revision removing bargaining and discipline. She asserted that typically, when significant duties are removed from a job description, a salary study will be conducted. Mr. McKay also stated he does not know why that was not done and that the District and CSEA should have requested it at that point.

Ms. Bishop commented stated her role in negotiations was neutral available to both the district and CSEA, removal of this did not affect her duties. Ms. Bishop stated other management employees are part of negotiations team, including Mr. Guertin, Chief Technology Officer and Mr. Buxbaum, Assistant Superintendent – Business Services.

Ms. Levenson interrupted and stated there will be a workshop to discuss this item.

Christina Cooperman, SECA, stated Mr. Reagles speaks for them. Ms. Levenson countered that he does not speak for all classified employees and the Commission would like to hear from all classified employees not just those represented by CSEA.

David Miyashiro, Ed.D., Superintendent, stated the comments made by the two classified employees demonstrates their confusion on their ability to address concerns. Mr. Miyashiro stated the presentation, preparation and lack of transparency for all members does not allow for that to happen.

Mr. McKay and Ms. Levenson disagreed with Mr. Miyashiro's statement.

Mr. McKay stated he expected to hear from classified employees, not only CSEA, during item 4 E.

Ms. Diaz reiterated that there may have been a confusion on their ability to comment. She added that some classified employees have just begun to hear about these meetings and may not be aware they have a forum to speak.

Maria Morales-Jimenez, Administrative Assistant I–Bilingual (Spanish), also stated classified staff have just started hearing about Commission.

Michelle Loibl, School Bus Driver, stated she submitted a question via email. Ms. Bishop indicated that she responded to Ms. Loibl's email as she did not realize it was intended for public comment.

Naomie Rodrigues, Executive Coordinator—Superintendent's Offices, asked that the public comments pertaining to today's meeting be read. Mr. McKay agreed.

Ms. Bishop read Mr. Breyette's public comment stating that he had a public comment and report for the meeting.

Ms. Bishop read Ms. Loibl's public comment regarding [SUMMARIZE]

Ms. Bishop read her response provided to Ms. Loibl regarding [SUMMARIZE]

The Commissioners discussed a study/discussion meeting to review the Director –Classified Personnel job description. Commissioners agreed to host a Commission workshop at 4:00 p.m. on Wednesday, September 23, 2020

Ms. Levenson informed attendees that any questions may be submitted to Ms. Bishop or Ms. Diaz prior to the beginning of the special meeting.

#### 5. NEXT PERSONNEL COMMISSION MEETING:

Special meeting workshop, scheduled for Wednesday, September 23, 2020 from 4:00 p.m. to 5:30 p.m. via Zoom.

Next regular meeting scheduled for September 24, 2020 at 4:00 p.m., via Zoom.

#### 6. ADJOURNMENT:

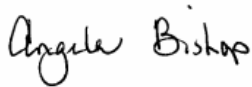
Motion to adjourned at 5:12 p.m.

Motion: Tim McKay

Second: Virginia Levenson

Vote: Unanimous


Respectfully submitted,



Angela Bishop, Director



Virginia Levenson, Commission Chair



Maritza Diaz, Recording Secretary

# CAJON VALLEY UNION SCHOOL DISTRICT

## Minutes of the Regular Meeting

### PERSONNEL COMMISSION

Date: September 23, 2020      Zoom Meeting

MEMBERS PRESENT:      Virginia Levenson, Chair  
Victor Garcia, Vice-Chair  
Timothy McKay, Member

STAFF REPORTING:      Angela Bishop, Personnel Director  
Maritza Diaz, Personnel Specialist-Classified  
Michelle Hayes, Assistant Superintendent/Director  
Kerrie E. McNally, Attorney, Adams Silva & McNally, Counsel to the  
Commission

#### 1. SPECIAL MEETING OPEN SESSION:

The September 23, 2020 special meeting of the Personnel Commission was called to order at 4:08 p.m., by Virginia Levenson, Chair. She welcomed the audience.

a. Tim McKay led the salute to the flag.

b. Roll Call/Establishment of Quorum

Virginia Levenson, Chair – Present  
Victor Garcia, Vice-Chair – Present  
Timothy McKay, Member – Present

#### 2. PUBLIC COMMENTS:

Michelle Loibl commented that she reviewed the job description and thanked the Commission for the format/spreadsheet view provided for the recommended changes to the director job description.

Brooke Madden commented on the recruitment process for filling the Director-Classified Personnel's upcoming vacancy.

Naomie Rodrigues inquired as to why changes to the job description for the Director-Classified Personnel were not shared with CVAA, commented on changes to the Director-Classified Personnel job description, and requested salary history information related to the Director-Classified Personnel position, including the results of the 2010 study.

Mark Reagles commented to ask the Commission to hear from members directly.

#### 3. APPROVAL OF PROPOSED AGENDA:

Motion was made by TIMOTHY MCKAY and seconded by VICTOR GARCIA to approve the proposed agenda for the September 23, 2020 Personnel Commission special meeting.

The motion was unanimously approved.

#### 4. DISCUSSION ITEMS:

- a. Commission to receive comment from classified employees regarding suggested revision to the job description for Director-Classified Personnel.

Michael Breyette addressed the Commission on the requirements to ensure assigned duties maintain the impartiality of the Director, that a clear distinction of assigned duties is made to separate the director from the management of the district, including discipline and negotiations. Mr. Breyette requested that the job description reflect that the director is equally available as a technical resource to management and classified employees, including their representatives, and that the recruitment be Open/Promotional.

Maria Morales-Jimenez requested information related to the recruitment process/procedures, the pay raises for the past five years, and the supervision of the classified director.

Michelle Loibl asked for the meaning of CSPCA and “single hat,” and expressed her agreement on the recommendations provided by CSEA and the district for the changes to the Director-Classified Personnel job description.

Kerrie McNally provided definitions of CSPCA and “single hat” director in response to the comment.

Philip Gordillo clarified “dual hat” director and provided examples of the duties of a “dual-hatter.”

- b. Commission discussion regarding Director-Classified Personnel job description. The Commission will discuss the following questions/issues related to the Director-Classified Personnel position:
  - i. Consideration of input from stakeholders on job description.
  - ii. Modification of position to serve as “single-hat” position responsible to only the Personnel Commission.
  - iii. Full-time/part-time status of position.
  - iv. Review and revision of current job description

Mrs. Levenson confirmed the Commission’s interest in a “single-hat” position. Mrs. Levenson opened the discussion of the review and revision of the current job description for the Director-Classified Personnel by reading from the comparison chart, which identified current assigned job functions and recommendations submitted by CSEA, the district and CSPCA, and solicited comments from the other Commissioners.

Ms. McKay provided clarification regarding the intent of the comparison chart.

Mr. McKay shared that he spent a lot of time reviewing the comparison chart and has prepared a job description that includes suggestions from CSEA, the district and CSPCA that he feels is pertinent to the position. Mr. McKay requested to share the revised job description that he prepared. Mrs. Levenson and Mr. Garcia agreed.

Commissioners commenced discussion and consideration of Mr. McKay’s proposed revisions to the job description. Considerable discussion was given to the matter of processing disciplinary action; Ms. Bishop and Ms. McNally provided clarification to assist in clarifying that function.

After review of each provision in the job description, Commissioners made additional revisions and reached consensus on the duties. Mrs. Levenson inquired if the recruitment could begin based on the revised job description. Ms. McNally clarified that the adoption of the draft job description and

revised recruitment process is scheduled to be presented for approval at the September 24, 2020 meeting.

Ms. Bishop noted that two attendees had questions and apologized for overlooking their raised hands. Commissioners agreed to answer questions pertaining to the agenda item.

Naomie Rodrigues expressed concern that attendees were unable to interact with the Commission and that the attorney was made the co-host on the meeting. Mrs. Levenson thanked Ms. Rodrigues for her input and clarified the meeting was a work session for the Commission. Mr. McKay also requested that Ms. Rodrigues not spread misinformation that employees were unable to communicate with the Commissioners.

Michelle Hayes, Assistant Superintendent indicated the job description that was reviewed were not the district's recommendations, stated the suggestions were inaccurate, misinterpretations and misunderstandings of the district's feedback. Ms. Hayes indicated that a variety of other tasks were suggested to maintain the full-time status were overlooked. Ms. Hayes stated the district's intention of a single-hat position was not accurately reflected and the job description needed more changes.

Ms. McNally shared that suggestions were incorporated in the manner the Commission thought appropriate and Mrs. Levenson confirmed the Commission's intent to maintain the full-time status.

Maria Morales-Jimenez commented to explain Ms. Hayes' position related to duties to support a full-time position.

Mrs. Levenson thank both Ms. Hayes and Ms. Morales-Jimenez for their input.

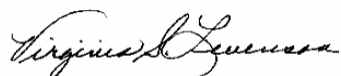
#### 5. NEXT PERSONNEL COMMISSION MEETING:

September 24, 2020

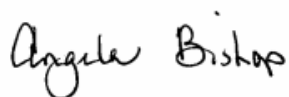
#### 13. ADJOURNMENT:

The meeting was adjourned at 5:43 p.m.

Respectfully submitted,



Virginia Levenson, Commission Chair



Angela Bishop, Director-Classified Personnel / Recording Secretary



# **CAJON VALLEY UNION SCHOOL DISTRICT**

## **Minutes of the Regular Meeting**

### **P E R S O N N E L   C O M M I S S I O N**

Date: September 24, 2020    Zoom Meeting

MEMBERS PRESENT:    Virginia Levenson, Chair  
Victor Garcia, Vice-Chair  
Timothy McKay, Member

STAFF REPORTING:    Angela Bishop, Personnel Director  
Maritza Diaz, Personnel Specialist-Classified  
Michelle Hayes, Assistant Superintendent/Director  
Kerrie E. McNally, Attorney, Adams Silva & McNally, Counsel to the  
Commission

#### **1. REGULAR MEETING OPEN SESSION:**

The September 24, 2020 meeting of the Personnel Commission was called to order at 4:00 p.m., by Virginia Levenson, Chair. She welcomed the audience.

a. Virginia Levenson led the salute to the flag.

b. Roll Call/Establishment of Quorum

Virginia Levenson, Chair – Present  
Victor Garcia, Vice-Chair – Present  
Timothy McKay, Member – Present

#### **2. PUBLIC COMMENTS:**

Michelle Gonzalez inquired about the revisions to the Director-Classified Personnel job duties and if the Commission will respond to questions about raises in the last five years.

Brooke Madden commented to address the classified employees' desire for promotional only recruitment for the Director-Classified Personnel vacancy.

Naomie Rodrigues commented on her involvement in an investigation into allegations against a Commission employee and urged the Commission to share the district's report with all classified employees.

Michelle Loibl commented on Commissioners' conduct during the meetings of September 17, 2020 and September 23, 2020.

Cailey Rodrigues commented on the Commission's responsibility to maintain neutrality in promotion, eliminate favoritism and inquired regarding the reclassification process.

Stephanie Nelson commented regarding the attendance of legal counsel at meetings, revision of the job description and salary of the Director-Classified Personnel. Ms. Nelson urged the Commission to slow down and listen to classified staff.

Paulette Dole commented regarding two personnel reclassification studies and stated her endorsement of decommissioning the Personnel Commission.

Jessica Guerra inquired regarding legal counsel participation, meeting format and modification to the job description for the Director-Classified Personnel.

Howard Shen commented on the concept of the Personnel Commission and the need for change.

Caitlin Svoboda commented regarding legal counsel presence at meetings and requested information mentioned by Naomie Rodrigues pertaining to records of the events involving the Commission employee.

Maria Morales-Jimenez requested the Commission not approve the Director-Classified Personnel job description, asked that all individual questions and concerns be answered, and inquired as to the attorney's involvement. Ms. Morales-Jimenez also commented that while the Commission has the final say, they should be humble in addressing concerns being expressed.

Michelle Hayes remarked on numerous topics, including the procedures of the September 23, 2020 Commission meeting, functions of the Personnel Commission, proposed changes to the job duties of the Director-Classified Personnel, and the benefits that classified employees are provided in working for the district.

Karen Rossignol made statements on employee perceptions of the Commission, job duties and qualifications of the Director-Classified Personnel position, and informed the Commission needs more time to consider all input.

Chris Ayers remarked on several topics, including public comments deadline, technology suggestions for sharing documents between Commissioners and access for meeting participants, checks/balance of Commission budget, and Commissioner meeting conduct.

Michele Duymich questioned the classification study and pay increase for the Director-Classified Personnel.

Akilah Pineda commented on the need to adjust the salary of the Director-Classified Personnel position.

C.A. asked that the Commission consider ways classified employees can/should be promoted, raises that were issued and the hiring process for the new Director-Classified Personnel.

Tamia Gordon commented on the role of Personnel Commission as an executive board and the meeting procedures that allow participants to listen to the meeting, but not ask questions.

### 3. APPROVAL OF PROPOSED AGENDA:

A MOTION was made by VICTOR GARCIA and second by VIRGINIA LEVENSON to approve the proposed agenda for the September 24, 2020 Personnel Commission special meeting.

Vote: Motion passed with Ms. Levenson and Mr. Garcia in favor; Mr. McKay voted No.

### 4. ACTION ITEMS:

- a. Approved Revised Job Description
  - i. Review and approve recommended revisions to the job description for Director-Classified Personnel

Mr. McKay indicated his disagreement with the revised job description. Mrs. Levenson stated she reviewed the agreed upon job description and that all changes were included. Mr. McKay suggested that based on feedback received the Commission needs to table the job description and the stay on the recruitment plan. He affirmed his view that the original job description should be posted within the district.

Mr. Garcia asked Mr. McKay what changes were not included. Mr. McKay responded that he'd need to go back to the job description to make that determination, but that the Commission needed to move in a different direction.

Ms. McNally, Counsel to the Commission, stated a motion was necessary to either approve or disapprove of the recommended job description and then a subsequent motion could be made if appropriate. Ms. McNally also clarified that separate votes must be taken on action items after discussion takes place. Mr. McKay disagreed.

A MOTION was made by TIM MCKAY not to approve action item (a) and (b). There being no second, motion died.

A MOTION was made by TIM MCKAY not to act on item (a). There being no second, the motion died.

Mrs. Levenson inquired if the meeting could be postponed to a later date.

A MOTION was made by VICTOR GARCIA and second by VIRGINIA LEVENSON to approve the recommended revisions to the job description for Director-Classified Personnel.

Vote: Motion passed with Ms. Levenson and Mr. Garcia in favor; Mr. McKay voted No.

b. Approve Stay of Recruitment Plan

i. Approval to stay recruitment plan for Director-Classified Personnel approved on August 13, 2020

A MOTION was made by TIM MCKAY not to approve to stay recruitment plan at this time. Mr. Garcia indicated he did not second; Mrs. Levenson also affirmed she did not second. Motion did not pass for lack of second.

Ms. Bishop clarified that if the stay is not approved, the recruitment plan reverts to the plan that was already approved on a previous public agenda. Mr. McKay affirmed his understanding and his belief that the plan could be brought back with changes.

Mrs. Levenson once again called upon Ms. McNally to answer if the meeting could be postponed until the Commission could come together on this matter. Ms. McNally responded that a motion was pending and required a second before Mrs. Levenson's question could be addressed.

Ms. McNally recommended the Commission take formal action to stay the prior plan that is now outdated in order to approve a new plan.

A MOTION was made by TIM MCKAY to table the stay of the recruitment plan. Motion did not pass for lack of second.

A MOTION was made by VIRGINIA LEVENSON and second by VICTOR GARCIA to approve the stay of the recruitment plan for Director-Classified Personnel approved on August 13, 2020.

Vote: Motion passed with Ms. Levenson and Mr. Garcia in favor; Mr. McKay voted No.

c. Approve Recruitment Plan

i. Presentation and approval of revised recruitment plan for the Director-Classified Personnel

Mr. Gordillo, Executive Director-CSPCA, reviewed the revisions to the recruitment plan, including the revised schedule, potential advertisements and associated costs, changes to the composition of the general fitness panel to include two representatives from CSEA and the selection committee.

The Commission expressed their appreciation of the detailed plan and thanked Mr. Gordillo for his work.

Ms. Hayes inquired at what point the Commission would be taking the revised job description to the Governing Board for approval. Ms. Bishop responded that changes to job description have not been submitted to the Governing Board for any unit, only new classifications or new job titles have been submitted in the past. Ms. Hayes indicated she would check into the matter. Ms. Bishop offered to answer any questions on the matter.

A MOTION was made by VICTOR GARCIA and second by TIM MCKAY to approve revised recruitment plan for the Director-Classified Personnel.

Vote: Motion passed with Ms. Levenson and Mr. Garcia in favor; Mr. McKay voted No.

d. Rules and Regulations Update/Revision

i. First Reading of Proposed Revision to Rule 20.100.5 – Meeting Attendance

Mr. Breyette, CSEA Senior Labor Relations Representative, read a new rule proposed by CSEA related to Personnel Commissioner attendance requirements. Mr. Breyette's recitation stressed the importance of approving the rule as it was proposed to ensure the appointing body is afforded the right remove an appointee under this rule.

Ms. McNally provided a summary of the proposed Rule 20.100.5 included in the Second Reading. (See Item 4(d)(ii).) Ms. McNally noted that the proposed rule is a version of CSEA's proposal that has been modified to allow for unexpected circumstances, including absences due to illness or excused absence. Ms. McNally recommended the Commission not move the rule forward as CSEA has proposed, but as it is presented in the overall revisions in next agenda item.

Mr. Breyette disagreed with Ms. McNally's position.

Mr. McKay stated the excused absences make sense but affirmed his agreement with Mr. Breyette that the remainder of the revision reads as though the other two Commissioners would have a say in the removal of an appointee, which is not the intent.

Mr. Breyette acknowledged CSEA's agreement with absences prevented by illness but does not agree with excused absences because the appointing body must decide if the absence is excused.

A MOTION was made by VIRGINIA LEVENSON and second by VICTOR GARCIA to make revisions and resubmit the rule for a Second Reading.

Vote: Unanimous

ii. Second Reading of Revisions to Chapters 20 – The Personnel Commission and Chapter 30 – Position Classification Plan

Ms. Bishop provided background on the proposed revisions and stated that input was received from CSEA by way of the proposed rule change as discussed in 20.100.5. Ms. Bishop stated the recommendation would be for the Commission bring the revisions for a Third Reading.

Mrs. Levenson called on Michelle Hayes for comment. Ms. Hayes had no comment.

A MOTION was made by VICTOR GARCIA and second by TIM MCKAY to bring back the revisions to chapter 20 – The Personnel Commission and Chapter 30 – Position Classification Plan for a Third Reading.

Vote: Unanimous

## **5. INFORMATION/DISCUSSION ITEMS**

### **a. Minimum Wage Salary Study**

Mr. Breyette was called upon to comment on behalf of CSEA. Mr. Breyette provided background and legal references pertaining to the matter.

Ms. Bishop shared that CSEA's feedback was greatly appreciated and was taken into consideration, resulting in a revised report which was currently being presented.

Mr. Breyette asked why his letter to the Commission was not included in the agenda and why a new version of the report was presented at the meeting. Ms. Bishop clarified that CSEA's response was not received prior to the agenda posting and that the revised report was posted and presented the Commission in accordance with Brown Act requirements. Mr. Breyette requested opportunity to review changes and bring the item back for further discussion. Mrs. Levenson confirmed the report was provided information only.

Ms. Bishop confirmed the draft report was provided to inform the Commissioners on the matter and will be presented again for action once negotiations between the parties have concluded.

### **b. Update on Requests for New/Revised/Reallocation of Positions**

#### **i. Instructional Assistant/Special Education Classroom Assistant**

Ms. Bishop shared this item has been reflected on previous agendas. Mr. McKay inquired on the timeline of this project and staff provided information related to the discussions and meetings that have occurred.

#### **iii. Child Nutrition Lead – Serving Kitchen**

Ms. Bishop informed the Commissioners that she recently contacted incumbents to schedule a meeting date/time to discuss the reclassification request.

#### **iv. Request for New Classification – Educational Services**

Ms. Bishop shared that she is waiting to receive information from the Assistant Superintendent-Educational Services on the new position.

#### **v. Request for Classification Review – Secretary-Bilingual, Student Services**

Ms. Bishop informed the Commission that a new reclassification request was received from the Secretary-Bilingual responsible for support Empower program.

### **c. Vacancies/Recruitments/Personnel Activity**

Maritza Diaz summarized the information regarding current recruitments she plans to open and reported on recruitments pending due to changes in job descriptions.

## 6. REPORTS/COMMUNICATION

### a. Commission Members' Report(s)

Mr. McKay reported that he personally believes the Commission is moving too quickly on the Director-Classified Personnel recruitment and that the Commission should take a step back. Mrs. Levenson thanked participants. Mrs. Levenson indicated the Commission will be addressing all comments and the response will be communicated at a later date.

### b. Personnel Director Report

Ms. Bishop responded to Mr. McKay's comment that the Director-Classified Personnel job description was updated last year and that all parties were in agreement with the revisions. Ms. Bishop stated that despite submitting her retirement in June, concerns about job duties are still occurring in September. Ms. Bishop indicated concerns are now being raised in an effort to further delay the recruitment.

### c. Cajon Valley Union School District Report(s)

Ms. Hayes stated the job description was changed for specific reason and that conversation took place with Commissioner Levenson and Ms. McNally and is not surprised that conversations are happening. Ms. Hayes admonished the Commission for proceeding with the recruitment. Ms. Hayes inquired when the job description would be submitted to the Governing Board for approval. Ms. Hayes stated she would not recommend approval of the revised job description at the current salary range.

### d. CSEA

Mark Reagles, CSEA Chapter President, thanked classified staff for their public comment, expressed his displeasure that members were not allowed to speak freely during the special meeting of September 23, 2020, and responded to Ms. Bishop's report regarding discussions related to the Director-Classified Personnel job description.

Michael Breyette, CSEA Senior Labor Relations Representative, spoke on behalf of the members regarding communications and conduct of the Personnel Commission and its staff.

## 7. NEXT PERSONNEL COMMISSION MEETING

October 22, 2020

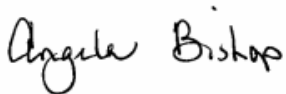
## 8. ADJOURNMENT:

The meeting was adjourned at 6:07 p.m.

Respectfully submitted,



Virginia Levenson, Commission Chair



Angela Bishop, Director-Classified Personnel / Recording Secretary

**RULES AND REGULATIONS  
FOR THE  
CLASSIFIED SERVICE**



**CAJON VALLEY UNION SCHOOL DISTRICT  
PERSONNEL COMMISSION  
ESTABLISHED IN CAJON VALLEY 1967  
REVISED 6/87**

**(CSEA recognized 04/30/76; Agency Shop 10/82; Janus v. AFSCME 6/27/18)**

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## CHAPTER 20

### THE PERSONNEL COMMISSION

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## CHAPTER 20

### THE PERSONNEL COMMISSION

#### 20.100 ORGANIZATION OF COMMISSION

##### 20.100.1 Appointment and Terms of Personnel Commissioners

In any school district which has a three-member personnel commission, one **(1)** member of the Commission shall be appointed by the Governing Board of the district and one **(1)** member, nominated by the classified employee representative of the ~~D~~istrict, shall be ~~appointed~~ **approved** by the Governing Board. Those two **(2)** members shall, in turn, appoint the third **(3<sup>rd</sup>)** member. The term of each of the three Commissioners is for three years and expires at noon, December 1. The term of one **(1)** Commissioner expires each year. On or about September 1 of each year, the Personnel Director shall notify the Governing Board of the name and home address of the Commissioner whose term will expire and whether or not they will accept reappointment. The notification shall also list the appointing authority and indicate that the Board must follow the provisions of Education Code Sections 45245, 45246-~~(b)(2)~~, 45247, and 45248.

##### 20.100.2 Qualifications and Restrictions

- A. To be eligible for appointment or reappointment to the Commission, a candidate must have the following qualifications:
1. Must be a registered voter.
  2. Must be a resident of the school district.
  3. Must be a known adherent to the principle of the Merit System.
- B. A Personnel Commissioner may not be:
1. An employee of the same school district.
  2. A board member of the same school district or the same county board of education.
- C. A “known adherent to the principle of the Merit System” shall mean a person who, by nature of prior public or private service, has given evidence of supporting the concept of employment, continuance in employment, in-service promotional opportunities, and other related matters on the basis of merit and fitness. With respect to a candidate for reappointment, it shall also mean a Commissioner who has clearly demonstrated support of the Merit System and its operation through meeting attendance and action. (EC § 45244)

##### 20.100.23 Officers

At its first meeting following December 1 of each year, the Commission shall elect one of its members as Chairman and another member as Vice Chairman, to serve a term of one year or until their successors are duly elected. The term of the Chairman and Vice Chairman then will begin on January 1 and end on December 31 of the following calendar year.

#### 20.100.34 Quorum and Majority

Two members shall constitute a quorum for any regular or special meeting of the Commission. The affirmative vote of at least two **(2)** members of the Commission shall be necessary to carry any motion or action.

#### **20.100.5 Meeting Attendance**

**Personnel Commissioners are expected to attend all regular and special meetings of the Personnel Commission. To ensure a quorum, if a member is unable to attend a scheduled meeting, the member shall notify the Personnel Director of the expected absence.**

**Any Personnel Commissioner who fails to attend three (3) or more meetings in one (1) year, except when prevented by illness, may be removed by the appointing body in each case after written notification to the Personnel Director and the Commissioner in question.**

### **20.200 MEETINGS**

#### 20.200.1 Regular Meetings

Subject to cancellation or proper change, the Commission shall meet on the fourth Thursday in each month at 4:30 **4:00** p.m. in the Board Room of the District Office, 750 East Main Street, El Cajon. (Rev 04/15; **09/20**)

The Commission may meet at other times and places, provided that at least 72-hours' notice is given to representatives of recognized employee organizations, the administration, ~~administration~~ and any persons(s) which have formally requested notification. A copy of the notice shall be posted in a location accessible to the public and sent to employees via the District's "World" email. (Rev 04/15; **09/20**)

#### **20.200.2 Special Meetings**

The Commission may meet at other times and places, provided that at least 48 **24** hours' notice is given to all work sites. (**EC § 45260; Gov. Code § 54956**)

#### 20.200.23 Adjourned Meetings

The Commission may adjourn any meeting to a time and place specified in the order of adjournment. When so adjourned, the adjourned meeting is a regular meeting for all purposes. When an order of adjournment of a meeting fails to state the hour at when the meeting is to be held, it shall be held at the hour designated for regular meetings. (**EC § 45260; Gov. Code § 54955**)

#### 20.200.34 Public Meetings

- A. All regular and special meetings of the Commission shall be open and public, and all persons shall be permitted to attend any meetings of the Commission, except as provided in ~~Rule 20.200.4~~ **these rules**. This rule shall not be construed as permitting employees to be absent from duty to attend Commission meetings **without their supervisor's approval.**
- B. Insofar as possible, at least 48 **72** hours prior to every regular or 24 hours prior to every special Commission meeting, the agenda shall be provided to the designated representatives of all employee

organizations representing District classified employees. When practical, supporting data will be furnished in advance. The agenda will also be posted on the Commissions' official bulletin board and website (if a website is maintained), and will be distributed to employees via District email and to any news media which have requested it.

- C. Individual employees, employee organizations, and other interested parties may submit their written views on any matter before the Commission, except those matters listed in rule 20.200.45, and will be provided reasonable opportunity to present their views orally. The Commission will consider their comments and recommendations prior to arriving at a course of action.  
**(EC § 45260; Gov Code § 54954.3)**

- D. A person wishing to address the Commission shall first be recognized by the chairperson and shall then proceed to comment as briefly as the subject permits. Individual speakers shall be allowed three (3) minutes to address the Commission on each agenda or non-agenda item. The Commission shall limit the total time for public input on each item to 30 minutes. With Commission's consent, the chairperson may increase or decrease the time allowed for public comment, depending on the topic and the number of persons wishing to be heard. The chairperson may take a poll of speakers for or against a particular issue and may ask that additional persons speak only if they have something new to add.**

#### **20.200.45 Closed-Executive Sessions**

~~Closed-Executive Sessions may be held at any meeting of the Commission and are closed to the public. The Commission may hold~~ **hold closed/executive sessions to consider any matter permitted by law, including but not limited to** the employment or dismissal of any employee or to hear complaints or charges brought against ~~such an~~ **an** employee, ~~unless such employee requests a public hearing. The Commission shall not consider any matter in~~ **complaint or charge against an employee in closed executive session relating to an employee unless the employee has been notified of his or her right to a public hearing and has declined the public hearing or properly failed to request same. The Commission may hold executive sessions also to consider administrative matters relative to its own staff and matters relative to negotiations, and to consider examination materials as provided in these rules. (Gov. Code §§ 54950-54963)**

#### **20.200.56 Amendment, Deletion, or Addition to Rules**

- A. All proposals, from any source, to amend, delete, or add to these rules will be considered a "first reading" at the meeting in which they are first presented to the Commission. They will not, unless a critical emergency exists, be acted upon at that meeting.
- B. At the "first reading" the Commission will set a date for Commission action on the proposal, which date shall not be less than two weeks later. It shall also instruct the Personnel Director to refer the proposal to interested persons or organizations for comment and recommendation.
- C. Insofar as possible, interested parties shall submit their reactions to proposals in writing on or before the stipulated agenda deadline



date and shall have the right to present reactions to the Commission orally at the appropriate Commission meeting. **(EC § 45260)**

20.200.67 Minutes

The Personnel Director shall record in the minutes the time and place of each meeting, the names of the Commissioners present, all official acts of the Commission, and the votes of the Commissioners. When requested by ~~him~~ a Commissioner's, **the Personnel Director shall record that Commissioner's dissent or approval and his reasons shall be recorded any expressed reasons, therefore.** The minutes shall be written and presented for correction and approval at the next regular meeting. The minutes or a true copy thereof shall be open to public inspection. Copies of the official minutes shall be distributed to the recognized employee organization representatives ~~who have requested them.~~

**20.300 COMMISSION EMPLOYEES**

20.300.1 Status of Commission Employees

The Personnel Director and other persons required to carry out the responsibilities of the Commission shall be appointed by and responsible to the Personnel Commission. However, they shall be considered part of the classified service, and the rules, procedures, benefits, and burdens pertinent to the classified service shall apply to Commission employees, except as the Commission may specifically direct. (EC§ § 45264)

20.300.2 General Duties of the Personnel Director

- A. The Personnel Director shall perform all of the duties and carry out all of the functions imposed ~~upon him~~ by law and these rules. ~~He~~ **The Personnel Director** shall act as secretary to the Commission and shall issue and receive all notifications on its behalf. ~~He~~ **The Personnel Director** shall direct and supervise the employees of the Commission and conduct administrative transactions consistent with the law and necessary to the proper functioning of the office and staff of the Commission.
- B. The Personnel Director shall conduct classification, salary, and rules studies and shall make such other investigations as directed by the Commission or as he **or she** deems necessary to his **or her** responsibilities.
- C. In cases where two **(2)** or more rules appear to be in conflict, or when no rule provides a clear-cut answer to a problem, the matter shall be decided by the Personnel Director, and the Personnel Commission notified at the next regularly scheduled meeting. **(EC §§ 45260-45261 and 45266)**

**20.300.3. Legal Counsel**

**The legal counsel for the Governing Board shall also aid and represent the Personnel Commission in all legal matters. If such counsel refuses, or if the Commission or legal counsel determines that a conflict of interest may exist, the Commission may employ its own legal counsel and the reasonable cost thereof shall constitute a legal charge against the District's general funds, whether or not the costs of such legal services appear in the Commission's budget. (EC § 45313)**

## 20.400 MISCELLANEOUS PROVISIONS

### 20.400.1 Communications

- A. Communications and requests shall, insofar as practicable, be in writing. Communications and requests shall be acknowledged and replied to, noting official Commission action when appropriate.
- B. Individuals or groups who wish to present proposals for action by the Commission shall be encouraged to present them to the Personnel Director for Placement on the Commission agenda. It is against the policy of the Commission to take up proposals except at open meetings, although the Commission may designate one of its members to investigate a specific subject.
- C. **Individuals or groups who seek interviews with particular Commissioner(s) as to matters which may later be placed before the Personnel Commission for decision shall be referred to the Personnel Director with the explanation that it is against the policy of the Commission to take up such matters except at open meeting with the majority of the Commission present. The Commission may designate one of its members to investigate a specific subject. (EC § 45260)**

### 20.400.2 Budget

The Commission shall prepare an annual budget for its own office which, upon the approval of the County Superintendent of Schools, shall be included by the Governing Board in the regular budget of the School District. The budget shall be prepared for a public hearing by the Commission to be held not later than May 30 **31** of each year. The Commission shall forward a copy of its proposed budget to the Governing Board indicating the time, date, and place for the budget and shall invite Board and district administration representatives to attend and present their views. **(EC § 45253 and 45260)**

### 20.400.3 Annual Report

- A. The Personnel Director shall prepare, as required by Education ~~C~~ode Section 45266, an annual report of Commission activities. When approved by the Commission, the annual report shall be submitted to the **Governing** Board of ~~Education~~.
- B. The report shall be prepared for Commission approval as soon after each fiscal year as possible and no later than a meeting in November. The report shall cover Commission activities for the preceding fiscal year.

### 20.400.4 AD HOC Committee of One Commissioner

The Committee Chairperson may appoint one Commissioner to serve on working committees from time-to-time, as need arises.

## CHAPTER 30

### POSITION CLASSIFICATION PLAN

#### 30.100 THE CLASSIFIED SERVICE

- 30.100.1 Positions Included and Restricted Positions
- 30.100.2 **Restricted Positions**
- 30.100.3** Exemption From the Classified Service
- 30.100.34** "Part-Time" Defined
- 30.100.45** Effect of Exemption
- 30.100.56** Professional Expert Assignments

#### 30.200 GENERAL CLASSIFICATION RULES

- 30.200.1 Assignment of Duties
- 30.200.2 General Nature of the Classification Plan
- 30.200.3 Class Specifications
- 30.200.4 Interpretation of Class Specifications
- 30.200.5 Allocation of Positions to Classes
- 30.200.6 Changes in Duties of Positions
- 30.200.7 Working Out of Classification
- 30.200.8 Review of Positions
- 30.200.9 Creation of New Positions (~~ECS-45276~~)

#### 30.300 RECLASSIFICATION

- 30.300.1 Requests for Study
- 30.300.2 Effective Date of Reclassification
- 30.300.3 **Notification of Reclassification**
- 30.300.4** Effects on Incumbents
- 30.300.45** Reemployment List for Displaced Incumbents

#### 30.400 ~~MISCELLANEOUS RELATED RULES~~ SENIOR MANAGEMENT EXEMPTIONS

- 30.400.1 ~~Decreases in Assigned Time~~ **Designation of Positions as Senior Management**
- 30.400.2** **Senior Management as Part of the Classified Service**
- 30.400.3** **Filling Senior Management Positions**
- 30.400.4** **Impact of Senior Management Designation on Incumbents**
- 30.400.5** **Abolition of Senior Management Position**
- 30.400.6** **Notice of Reassignment or Dismissal**

## CHAPTER 30

### POSITION CLASSIFICATION PLAN

#### 30.100 THE CLASSIFIED SERVICE

##### 30.100.1 Positions Included

All positions established by the Governing Board which are not exempt from the classified service by law shall be a part of the classified service of the District. All employees serving in classified positions shall be classified employees. ~~The~~ employees and positions shall be known as the classified service (EC § 45256)

##### 30.100.2 Restricted Positions

Positions not requiring certification qualifications created by a ~~G~~B governing board of a school district under any future federal or state legislative enactment, or any other special funding, and which are not a part of the regular school program shall, nevertheless, be a part of the classified service as established by Section 45256 of the Education Code.

Persons employed in such positions shall be classified employees and shall enjoy all of the rights, burdens, and benefits accorded other classified employees. Their selection and retention shall be made on the same basis as that of persons selected for positions as part of the regular school program.

If specially funded positions are restricted to employment of persons in low ~~income~~ income groups, from designated impoverished areas and other criteria which restricts the privilege of all citizens to compete for employment in such positions, all such positions shall in addition to the regular class title, be classified as "restricted."

If any time, after completion of six months satisfactory service, a person serving in a "restricted" position may take such qualifying examinations as are required for all other persons serving in the same class in the regular classified service. If such person satisfactorily completes the qualifying examination, he shall be accorded full rights, benefits, and burdens of any other classified employee serving in the regular classified service shall be counted from the original date of employment in the "restricted" position. (EC § 45105)

##### 30.100.23 Exemption From the Classified Service

The following are exempt from the classified service:

- A. Positions which require certification qualifications;
- B. ~~Part-time playground positions;~~
- C. Full-time students employed part-time;
- D. Part-time students employed part-time in any college work, study program, or in a work experience education program conducted by a community college district and which is financed by state or federal funds.
- E. Apprentice positions.

- F. Positions established for the employment of professional experts on a temporary basis for a specific project by the Governing Board or by the Commission when so designated by the Commission.

**30.100.34** "Part Time" Defined

A part-time position is one for which the assigned time, when computed on an hourly, daily, weekly, or monthly basis, is less than 87.5 percent of the normally assigned time of the majority of employees in the classified service. (EC § 45256)

**30.100.45** Effect of Exemption

Any position or employee lawfully exempted from the classified service shall be excluded from the benefits and burdens imposed by these Rules, except as provided by law, or the Governing Board or these Rules and Regulations.

**30.100.56** Professional Expert Assignments

- A. When a professional expert assignment is to be made, the administration shall submit to the Personnel Director a description of the project, its duration, and the duties to be performed. Professional expert assignments shall not be made to avoid payment of overtime to the assigned employee, nor shall a limited-term position be filled by a professional expert assignment if the duties and responsibilities fit an existing class for which reemployment or eligibility list exists.
- B. When the person is known who is to be appointed as a professional expert, his name and data relative to his qualifications shall be submitted to the Personnel Director. In order to be exempted from the classified service as a professional expert, an individual must be recognized as such by reputable members of his own profession. Evidence of professional qualifications must be presented to the Commission at the time the written request for temporary appointment is made. Authorization for service as a professional expert shall not exceed six months. Additional required service shall be submitted to the Commission for approval. (EC §§ 45256 and 45260)

**30.200 GENERAL CLASSIFICATION RULES**

**30.200.1** Assignment of Duties

The Governing Board shall fix and prescribe the duties and responsibilities to be performed by all persons in the classified service, except those on the Personnel Commission staff. When the duties being performed by an employee are found to be inconsistent with the duties officially assigned to a specific position, the Personnel Director shall report the facts to the responsible administrator in order that appropriate action may be taken. (EC §§ 45109 and 45276)

**30.200.2** General Nature of the Classification Plan

- A. The Personnel Commission shall establish and maintain a plan of classification for all positions in the classified service. Classes will be placed according to general occupational nature and shall be listed in a series by specific occupation.

- B. The Personnel Commission may create new classes and abolish, divide or combine existing classes within the classification plan as the needs of the Classified Service require as determined by the Personnel Commission.

#### 30.200.3 Class Specifications

For each class of positions, there shall be established and maintained a class specification, which shall include:

- A. The official class title;
- B. A definition of the class, indicating the type of duties and responsibilities, and the amount of supervision received and exercised.
- C. A statement of essential or representative functions to be performed by persons holding positions allocated to the class.
- D. A statement of the minimum qualifications for service in the class. The minimum qualifications may include education, experience, knowledge, skills, abilities, and personal and physical traits and characteristics.
- E. A statement of distinguishing characteristics which differentiates the class from other related or similar classes.
- F. License or other special requirements for employment of service in the class.
- G. A statement about any physical requirements and working conditions of positions in the class.
- H. Any additional qualifications considered so desirable that any person considered for employment who possesses them may be given additional credit in the evaluation of his or her qualifications, even though such additional qualifications are not a prerequisite to consideration for employment. (EC § 45276)

#### 30.200.4 Interpretation of Class Specifications

The class specifications and their various parts are declared to have the following force and effect:

- A. The basic function and representative duties are descriptive and explanatory only and not restrictive. They indicate the kinds of positions by their duties, responsibilities, and qualification requirements, and do not prescribe what these details shall be in respect to any position. The use of a particular expression or illustration as attributes to typical or descriptive of the class and does not exclude others not mentioned but of similar kind and/or quality as determined by the Personnel Commission.
- B. In determining the class to which any position shall be allocated, the specification for each class is considered as a whole. Consideration is given, not to isolated clauses, phrases, or words, apart from their context and from illustrative information in other parts of the specifications, but to the general duties, responsibilities, specific functions, and qualification requirements as affording a picture of the positions that the class includes.
- C. Each class specification is construed in its proper relationship to

other class specifications, particularly those of classes in the same series and group of classes, in such manner as to maintain a proper graduation in the series in which the class is located and proper differentiation within the group of classes.

- D. Qualifications commonly required of all positions and incumbents within the District, such as ability to perform the essential functions of the job with or without reasonable accommodation, citizenship or other legal right of employment in this country (see Labor Code Section 1940 et seq for exceptions), and honesty, sobriety, freedom from drug addiction, and personal industry, even though not specifically mentioned in the specifications, are implied in the qualification requirements.
- E. The statement of qualification requirements, when considered with other parts of the specification, is to be used as a guide in the announcement and preparation of tests and in the evaluation of the qualification of candidates seeking appointment to positions allocated to the class, but does not require a particular form or content of test or testing (selection) procedure.

30.200.5 Allocation of Positions to Classes

All positions substantially similar as to the duties performed and the responsibilities exercised by the incumbents of such positions and as to their qualification requirements shall be allocated to the same class.

30.200.6 Changes in Duties of Positions

When it comes to the attention of the Personnel Director there have been substantial changes in the duties of existing positions, the Personnel Director shall determine whether the positions should be allocated to different classes. Should a change in classification be warranted or necessary, the Personnel Director shall submit recommendations to the Personnel Commission for action. (EC § 45256)

30.200.7 Working Out of Classification

When an employee is required to work out of classification for any period of time which exceeds five working days within a 15-calendar day period, the fact shall be reported to the Personnel Director, who shall immediately investigate and take action as necessary based upon the facts, the notify the Personnel Commission of the facts and action taken. The rule shall not be construed as permitting an employee to refuse to perform duties legally assigned by competent authority. (EC § 45110)

30.200.8 Review of Positions

The Personnel Director shall review the duties and responsibilities of positions as necessary to determine their proper classification. For the years 2024-2029, the review of positions will be conducted on a five (5) year cycle. The financial impacts of the implementation will be discussed at the onset of the study. If the Personnel Director finds that a position or positions should be reclassified, the Director shall advise the Administration of the findings. If the Administration verifies the duties of the position, or if the duties are not revised to fit within the current classification, the Director shall report the findings and recommendations to the Association and the Commission. The Personnel Director shall also report the findings in cases where the review indicates that no change in classification is necessary. (Rev 03/14)

#### 30.200.9 Creation of New Positions (ECS 45276)

When the Governing Board or Personnel Commission creates a new position, it shall submit to the Personnel Director, in writing, the duties to be performed by the position. The Personnel Director shall present recommendations to the Commission which shall:

- A. Classify the position and determine whether the position should be allocated to an existing class or to a new class.
- B. If a new class is recommended, prepare and approve the qualification requirements for the new class, ensuring that they reasonably relate to the duties of the position and will admit an adequate field of competition.
- C. Designate the proper salary placement on the appropriate classified salary schedule if a new class is established.
- D. Notify the Governing Board of its action.

### **30.300 RECLASSIFICATION**

#### 30.300.1 Requests for Study

Requests for classification study of existing positions shall be presented to the Personnel Director together with a statement of the reasons for requesting study. Such requests may be initiated by the Administration, with approval of the Superintendent, by the Commission, and by employees or employee organizations. Requests to be submitted in writing on an appropriate district form(s). (EC § 45285)

#### 30.300.2 Effective Date of Reclassification

Reclassification of a position shall be effective on the date prescribed by the Commission and shall not have retroactive effect. Effective dates may be set sufficiently in the future to allow time for examinations to be completed, but for not more than three (3) months from the date of the Commission's action.

#### 30.300.3 Notification of Reclassification:

Notification of a recommendation for the classification or reclassification of a position or employee shall be given to the employee(s) affected, their exclusive representative, the employee's supervisor, and the District Administration before the classification proposal is adopted.

#### 30.300.4 Effects on Incumbents

- A. When all of the positions in a class are reclassified to a higher class, the incumbents of the positions who have been in the class for two (2) or more years may be reclassified with their positions by the Personnel Commission without any further competitive examination process. When a portion of the positions within a class are reclassified to a higher class an incumbent who has a continuous employment record of two (2) or more years in one or more of the positions being reclassified may be reclassified with his or her position as provided by Personnel Commission rule. If a person is in a position which is being reclassified and has not been in the position for two (2) or more years, he or she must complete in a new examination and place in the top three ranks to be promoted.



The basis for reclassification of the position shall be a gradual accretion of duties and not a sudden change occasioned by a reorganization or the assignment of completely new duties and responsibilities.

An employee who has been reclassified with his or her position is ineligible for subsequent reclassification with his or her position for a period of at least two years from the initial action. (EC § 45285)

- B. When a position or group of positions is reclassified to a class with an equal or lower wage or salary range, an incumbent shall have the following rights:
1. The right to bump the employee in the same class with the lowest seniority in the class, provided that the incumbent has greater seniority in the class;
  2. The right to bump the employee with the least seniority in any equal or lower class in which the incumbent formerly served, provided that he had greater seniority in the class;
  3. The right to be demoted or to transfer, without examination, to the class to which his position is reclassified; and

The employee may choose to transfer, demote, or exercise bumping rights at his option, and his choice shall not affect his right under Rule 30.300.5 below.

#### 30.300.5 Reemployment List for Displaced Incumbents

- A. The reclassification of all positions in a class automatically reclassifies the mandatory reemployment list (if any) for that class. The Personnel Commission shall also review the appropriateness of the current eligibility list for the class to determine whether or not it should be reclassified. Salary reallocations of classes shall have no effect on lists unless a specific finding to the contrary is made by the Personnel Commission.
- B. Any displacement of a regular employee resulting from a reclassification of a position, positions, or class of positions shall be considered a layoff for lack of work, and an appropriate reemployment list will be established in accordance with these rules with regard to the period of eligibility. (EC § 45298)
- C. This rule shall be followed in all instances of reclassification whether it results in upgrading, downgrading, lateral class movement, bumping, or complete displacement of incumbents.
- D. Persons laid off or who take voluntary demotions or voluntary reductions in assigned time in lieu of layoff because of reclassification are eligible for reemployment and shall be reemployed in preference to new applicants. In addition, such laid-off persons have the right to participate in promotional examinations within the District during the reemployment period. (EC § 45298)

### 30.400 ~~MISCELLANEOUS RELATED DUTIES~~ SENIOR MANAGEMENT EXEMPTIONS

#### 30.400.1 ~~Decreases in Assigned Time~~

- A. ~~When a permanent position is to be reduced in assigned time per~~

~~day, week, months, or year, the incumbent shall have the right to transfer into any vacant position in the class which is not greater in assigned time than his or her former position. If a vacant, permanent position of equal time is not available, the incumbent may bump the incumbent of a position with equal time who has the least seniority in the class, provided that he has greater seniority~~

~~If no such option is available, he or she may bump the employee with the least seniority among those occupying positions of less time than the original position and greater time than the reduced position, provided that he has great seniority. An employee so bumped shall have similarly bumping rights.~~

- ~~B. When an employee is faced with a reduction in assigned time, the rules on transfer and demotion shall be given a liberal interpretation in order to relieve the effect of such reduction.~~

#### **30.400.1 Designation of Positions as Senior Management**

**The Governing Board may adopt a resolution designating certain positions as senior management of the Classified Service. Notwithstanding the provisions of Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code (The Rodda Act), the decision of the Governing Board shall not be deemed a matter subject to negotiation with any exclusive certified employee organization. The decision of the Governing Board to make a position senior management shall be subject to review by the Public Employment Relations Board. (EC §§ 45256.5, 45260, 25261 and Gov. Code §§ 3540-3549.3)**

- A. No position funded in whole or in part by the Personnel Commission shall be made a part of senior management of the Classified Service by the Governing Board without the concurrence of the Personnel Commission.**

#### **30.400.2 Senior Management as Part of the Classified Service**

**Employees whose positions are designated as senior management of the classified service shall be a part of the classified service and shall be afforded all rights, benefits, and burdens of other classified employees, except that they shall be exempt from all provisions relating to obtaining permanent status in a senior management position.**

#### **30.400.3 Filling Senior Management Positions**

**Positions in the senior management of the classified service shall be filled from an unranked list of eligible persons who have demonstrated managerial ability who have been found qualified for the positions as specified by the district superintendent and determined by the personnel commission.**

#### **30.400.4 Impact of Senior Management Designation on Incumbents**

**Any classified employee already serving in a position which is subsequently designated senior management of the Classified Service shall retain all rights, burdens and benefits of employment in the Classified Service, including the right to obtain or retain**

permanency and tenure. The incumbent's eventual successor in the position shall not be entitled to permanency rights in the senior management position.

**30.400.5 Abolition of Senior Management Position**

The Governing Board may adopt a resolution abolishing any or all positions of the senior management of the classified service. If the employee in the senior management of the classified or certificated service had been a member of the regular Classified Service, he or she shall be entitled to a position which is the same as, or similar to, the position to which he or she holds rights outside of the senior management of the classified service.

**30.400.6 Notice of Reassignment or Dismissal**

Notice of reassignment or dismissal from a position in the senior management of the classified service shall be provided in accordance with the provisions of Education Code § 35031.



Angela Bishop (DO) &lt;bishopa@cajonvalley.net&gt;

## Re: Personnel Commission Rules Update Chapters 20 & 30 - Third Reading

1 message

Angela Bishop (DO) &lt;bishopa@cajonvalley.net&gt;

Mon, Oct 19, 2020 at 1:40 PM

To: "Naomie Rodrigues (DO)" &lt;rodriguesn@cajonvalley.net&gt;

Cc: Virginia Levenson <ginnee@me.com>, Timothy McKay <tmjm1228@yahoo.com>, Victor Garcia <vicgarcia41@yahoo.com>, MICHELLE HAYES <hayesm@cajonvalley.net>, PRINCIPAL AMANDA SILVA <silvaa@cajonvalley.net>, "Sarah Robinson (MG)" <robinsons@cajonvalley.net>, "Michael Johnson (DO)" <johnsonme@cajonvalley.net>, "Miyashiro, David (DO)" <miyashiroad@cajonvalley.net>, "Mark Reagles (DO)" <reaglesm@cajonvalley.net>, Contact <mbreyette@csea.com>, "Maritza Diaz (DO)" <diazm@cajonvalley.net>, "Tamara Otero (GB)" <oterot@cajonvalley.net>

Naomie,

As I stated in my response to you on October 15, 2020, I have provided your feedback to the Commissioners for their consideration.

Angela Bishop  
Director, Classified Personnel

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On Mon, Oct 19, 2020 at 8:58 AM Naomie Rodrigues (DO) <rodriguesn@cajonvalley.net> wrote:

Good morning,

I am confused. I thought I was sending my questions/concerns to be addressed and discussed during the meeting by the commissioners. Is this not the case?

So these items never get discussed at the meeting by the commissioners? You review and respond only? Seems like a colossal waste of everyone's time sending this out to if you don't let it go through the discussion process and shoot everything down.

Good to know. Will be sharing this important piece with our groups.



**Naomie Rodrigues**  
Executive Coordinator  
Superintendent's Office



Tel: 619-588-3005

Address: 750 East Main St., El Cajon, CA 92020

[rodriguesn@cajonvalley.net](mailto:rodriguesn@cajonvalley.net) | [www.cajonvalley.net](http://www.cajonvalley.net)



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On Thu, Oct 15, 2020 at 1:19 PM Angela Bishop (DO) <[bishopa@cajonvalley.net](mailto:bishopa@cajonvalley.net)> wrote:

Hi Naomie,

I appreciate the time you spent on behalf of CVAA/CVSA, reviewing the proposed rule revisions and providing feedback on them. I have shared your questions, comments and concerns with the Commission for their consideration.

### Rule Revisions

With respect to your inquiry regarding the historical review of the rules, please be assured that the Rules and Regulations have been updated periodically based on changes in legislation and corresponding Education Code and negotiated agreements, among other things, over the years. However, a comprehensive review has not been undertaken during my tenure as the Director. The Personnel Commission requested that I review and revise the rules in advance of my retirement to ensure that accurate and up-to-date rules were established prior to the new director assuming the position. It was the Personnel Commission's desire to have an experienced director review the rules and make changes as appropriate to set the incoming director up for success.

### Alleged Violation of Brown Act and Rules

With respect to your assertions that the Commission and I have violated the Brown Act and the Rules and Regulations, I respectfully disagree. Nevertheless, I forwarded your concerns to the Commissioners and they will review them and take appropriate action, if necessary.

### Commission Meetings

With respect to your questions about the time of the Commission meetings, prior to December 2014, the Commission meetings were held at 4:30 p.m. on the fourth Thursday of the month (with the exception of November and December). In December 2014, the Commission changed the meeting time to 4:00 p.m., in response to feedback received from employees that regularly attended in-person Commission meetings. Rules are being updated to correspond with this change.

## Legal Counsel

With respect to your questions regarding legal counsel, in response to recent legislation that amended Education Code § 45313, this section is being added to clarify the Personnel Commission's ability to declare conflict with the District and obtain counsel separate from that which is provided by District counsel. General counsel to the Commission may attend meetings at the invitation of the Commission Chair to advise on legal matters. Legal matters are not confined to pending litigation.

## Senior Management

With respect to your questions related to senior management designation, the proposed section **30.400.1** does not assert the personnel director is part of senior management. In fact, 30.400.1 (A) specifically states "no position funded by the Personnel Commission.... shall be made senior management without the concurrence of the Personnel Commission."

However, this section relates to Senior Management positions designated by Education Code and the District. Education Code section 45108.5 identifies which positions that may be identified as senior management and the number of senior management positions available to the District. Education Code section 45256.5 identifies the rights of senior management employees.

Given that the District has expanded the number of senior management positions and has designated the Chief Innovation and Engagement Office and the Chief Technology Officer, in addition to the CBO already identified in the Education Code as exempt, it was important to clarify the rights of all senior management in the rules.

You also assert that 30.200.1 states the Personnel Director is not part of the District. You are incorrect. Education Code 45264 clearly states that the personnel director shall be a "classified employee of the district and be accorded all the rights, benefits, and burdens of any other classified employee serving in the regular service of the district..." Rule 30.200.1 simply makes clear that the Governing Board shall "fix and prescribe duties and responsibilities of all classified employees, **except** those of the personnel commission staff." This includes any position that supports personnel commission functions, including the personnel director.

However, with respect to your question about whether the director should be a part of CVAA, based on Education Code section 45264, it is appropriate, and not a conflict of interest, for the personnel director to be part of CVAA. Education Code section 45264 is copied below for your reference. The bold portion is directly relevant to this issue.

As I've mentioned previously, the District is fortunate to have you supporting our efforts as you bring a wealth of knowledge and experience to the position. Thank you for your feedback on the proposed rules.

In the spirit of teamwork and collaboration,

Angela

## RELEVANT EDUCATION CODE PROVISIONS

**45108.5.** (a) Senior management employee means either of the following:

(1) An employee in the highest position in a principal district program area, as determined by the governing board, which does not require certification qualifications, and which has districtwide responsibility for formulating policies or

administering the program area.

**(2) An employee who acts as the fiscal advisor to the district superintendent.**

(b) The maximum number of positions which may be designated as senior management positions shall be as follows:

(1) For districts with less than 10,000 units of average daily attendance, two positions.

**(2) For districts with 10,000 to 25,000 units of average daily attendance, inclusive, three positions.**

(3) For districts with 25,001 to 50,000 units of average daily attendance, inclusive, 4 positions.

(4) For districts with more than 50,000 units of average daily attendance, 5 positions.

(c) This section shall apply to districts that have adopted the merit system in the same manner and effect as if it were a part of Article 6 (commencing with Section 45240), as well as to districts which have not adopted the merit system.

(Added by Stats. 1983, Ch. 498, Sec. 72. Effective July 28, 1983.)

**45256.5.** (a) The governing board of a school district may adopt a resolution designating certain positions as senior management of the classified service. Notwithstanding the provisions of Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, the decision of the governing board shall not be deemed a matter subject to negotiation, but shall be subject to review by the Public Employment Relations Board.

(b) Employees whose positions are designated as senior management of the classified service shall be a part of the classified service and **shall be afforded all rights, benefits, and burdens of other classified employees, except that they shall be exempt from all provisions relating to obtaining permanent status in a senior management position.**

(c) Positions in the senior management of the classified service shall be filled from an unranked list of eligible persons who have demonstrated managerial ability who have been found qualified for the positions as specified by the district superintendent and determined by the personnel commission.

(d) Notice of reassignment or dismissal from a position in the senior management of the classified service shall be provided in accordance with the provisions of Section 35031.

**45264.**

The commission shall appoint a personnel director within 90 days after the adoption of a merit system from an eligibility list established from a competitive examination given under the auspices of the commission. The commission shall appoint all employees paid from funds budgeted for the support of the commission and shall supervise the activities of those employees that are performed as part of the functions of the commission. Such employees shall be appointed from eligibility lists established pursuant to the provisions of this article, **be classified employees of the school district and be accorded all the rights, benefits, and burdens of any other classified employee serving in the regular service of the district, including representation by the appropriate exclusive representative, if any.**

Angela Bishop  
Director, Classified Personnel

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On Mon, Oct 12, 2020 at 1:50 PM Naomie Rodrigues (DO) <[rodriguesn@cajonvalley.net](mailto:rodriguesn@cajonvalley.net)> wrote:  
Good afternoon,

I have concluded the first reading of the Rules and Regulation for CVAA/CVSA. I have a few questions, comments and concerns listed below for responses:

#### **20.200.1 Regular Meetings (page 9)**

Why is the meeting time being changed to 4:00pm? This is a time when the majority of the classified employees cannot attend because they are at work. They are unable to attend the meeting as they are required to ask for their supervisor's approval in 20.200.4. This meeting time needs to be changed to 5:30pm so classified employees would be able to attend.

#### **20.300.3 Legal Counsel (page 11)**

Why is this paragraph even being added? The Personnel Commission is not currently in litigation so the need for the attorney to attend the current meetingS at district cost is excessive. The need for an attorney outside the district was only to navigate the investigation results. Why does this attorney attend the current meetings?

#### **30.400.1A Designation of Positions as Senior Management (page 20)**

Please clarify this sentence. Is the Personnel Commission asserting the Personnel Director is part of the senior management when in 30.200.1, it states the Personnel Director is not part of the district. The Personnel Director is only an employee of the Personnel Commission. Should the Personnel Director be a part of CVAA? Seems to be a conflict of interest.

Why are these Rules and Regulations just now being revised when they have not been touched since 1982? Perhaps a last-ditch effort to clean up some messes. After reading these changes, I have noticed the Personnel Director has failed to do a few items that were required in existing rules. Below are just a few items:

1. The prior posting of the Personnel Commission meetings was a clear Brown Act violation. The meeting schedule is not shared with the classified employees nor the notices of the meetings. Only after questioning in April why these meetings were held in secret and not subject to the Brown Act posting did things change.
2. Meetings are scheduled at a time when a majority of classified employees are unavailable to attend unless they get approval from their supervisor. Some are with students and cannot leave or take time off. Meetings should be held when the classified staff is available, not conducive to the schedule of the Personnel Director.
3. The Personnel Commission/Personnel Director is to call for the annual joint meeting with the Governing Board and Personnel Commission. To date, (since I have been here



in 2014), we have only had two joint meetings: 6/23/15 and 9/12/17. This would be an important meeting to have each year to share the budget and annual report which is a legal requirement.

4. The Personnel Commission budget has not been posted/approved correctly previously which also violated the law. This year was the first time it was done correctly after legal counsel advised of their legal obligations.

5. The Personnel Director failed to notify the Governing Board through the Superintendent's Office of the term expiration of Mr. Garcia by on or about September 1<sup>st</sup> which is in the Rules and Regulations (20.100.1). In the past we have received notice of this but this year we were not notified. Luckily with all that happening with the classified staff questioning the practice of the Personnel Commission, the Governing Board was able to meet the legal timeline to find another representative. This last one was extremely troubling.

Thank you and looking forward to the Personnel Commission addressing the concerns above.



**Naomie Rodrigues**  
Executive Coordinator  
Superintendent's Office



Tel: 619-588-3005

Address: 750 East Main St., El Cajon, CA 92020

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On Mon, Oct 5, 2020 at 2:47 PM Angela Bishop (DO) <[bishopa@cajonvalley.net](mailto:bishopa@cajonvalley.net)> wrote:

Good afternoon,

Based on input and the Personnel Commissioner's review of the Second Reading of the proposed rules updates for the Chapters 20 and 30, attached please find revisions that will be submitted to the Commission for a Third Reading at their October 22 meeting.

If you have any questions or comments, please let me know no later than Tuesday, October 13, 2020.

Angela Bishop  
Director, Classified Personnel

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**Personnel Commission**  
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October 2, 2020

Dear Classified Team Members:

In response to the questions posed by classified employees at last week's Personnel Commission meetings, attached please find a comprehensive set of Questions and Answers that I promised would be provided.

As a reminder the Personnel Commission of the Cajon Valley Union School District typically holds regular public meetings on the fourth Thursday of every month. The schedule of meetings is posted on our website at [www.cajonvalley.net/Domain/65](http://www.cajonvalley.net/Domain/65).

If you have any questions regarding Commission meetings, please contact Angela Bishop at [bishopa@cajonvalley.net](mailto:bishopa@cajonvalley.net).

Thank you all for your attention and participation.

On behalf of the Commission,

  
Virginia Levenson, Chair

VL:AB

Attachments

**CAJON VALLEY UNION SCHOOL DISTRICT**  
**PERSONNEL COMMISSION**  
**QUESTIONS POSED BY EMPLOYEES**

**GENERAL QUESTIONS REGARDING PERSONNEL COMMISSION**

- 1. Question: Is the Personnel Commission New? How is the Personnel Commission connected to the classified employees?**

**Answer:** The Personnel Commission was established in 1967 by vote of the classified employees in Cajon Valley. The Personnel Commission is responsible for the rules and regulations related to the hiring process for classified employees and is responsible for ensuring that the District hires employees and applicants based on a competitive hiring process, rather than favoritism, and promotes and disciplines classified employees in a fair and equitable, rather than in an arbitrary manner.

- 2. Question: Why have long-standing employees not heard about the Commission or from the Commission?**

**Answer:** The Commission is independent from the District. It is responsible for the oversight of limited employment related matters. For the Commission to speak at District events, it must be invited. In years past, the District has invited the Commission to make presentations and participate in events held at the beginning of year, employee appreciation festivities, visit school sites, principal meetings, etc. The Commission welcomes the opportunity to be invited to do the same in the future.

- 3. Question: Have you ever stepped foot in a front office of a school? Do you know how hard we had to fight to be reclassified?**

**Answer:** All three members of the Commission have visited and/or have worked at a school site. All three members understand and appreciate how hard all classified employees work for the District.

**DIRECTOR'S JOB DESCRIPTION**

- 4. Question: What does it mean to have a "single hat" director?**

**Answer:** As the term has been used in recent Personnel Commission meetings, a "single hat" director is one that is exclusively funded by and responsible to the Commission. The "single hat" director will be responsible for only those things that are within the jurisdiction or authority of the Commission, which includes the selection, evaluation, and classification of employees.

The Commission is also responsible for ensuring that the District demotes, suspends, or terminates permanent employees for “just cause” only. When the District imposes such disciplinary actions, employees may have the right to request a fair and impartial appeal hearing before the Personnel Commission. The Commission has the authority to overturn Governing Board action if the disciplinary action is unjustified.

**5. Question: Why is the Personnel Commission fighting so hard to keep the Director-Classified Personnel position?**

**Answer:** The Personnel Commission administers the merit system. The day-to-day operations of the Personnel Commission are conducted primarily by the Director. Without a Director, it will be very difficult to ensure that all operations are conducted appropriately. Without a Director, other Commission employees may be required to perform the duties of the Director.

**6. Question: Why is the Personnel Commission moving forward to approve the job description with such urgency?**

**Answer:** The current Director-Classified Personnel is retiring at the end of December 2020. The Commission must recruit for and fill the position prior to her departure. A job description that accurately describes the duties of the position must be identified before the position can be advertised.

Prior to August 2020, the Commission had no intention of changing the job description. In fact, in May 2020, the Commission and the District agreed that the position that was in place in September 2019 would be in place in January 2021. It was not until August 2020 that the District expressed a desire to have a “single hat” position, thereby changing course on their prior agreed upon position.

**7. Question: How does the revised Director-Classified Personnel job description which contains a “significant reduction on its duties and responsibilities” justify a “significant raise in salary?”**

**Answer:** The job description adopted by the Personnel Commission on September 24, 2020 does not reflect a “significant reduction of duties and responsibilities,” nor is the Director-Classified Personnel receiving any pay raise. Attached, please find the job description approved by the Personnel Commission on September 24, 2020. The bold and underlined language was added to the job description current job description and the strike through language was removed to clarify the job duties as requested by stakeholders. As the document shows, very few job responsibilities were removed from the job description.

Further, other than COLA increases provided to all employees and step increases contained in the salary schedule, the Director-Classified Personnel salary has not been increased since 2011. See Questions #17-19, below.

- 8. Question: Discipline is a major duty of the director. The salary should be reduced to reflect less duties. Why did the Personnel Commission not request a study at the time of this change?**

**Answer:** The discipline of District classified employees has never been considered a “major” duty of the Director-Classified Personnel. In September 2019, some responsibilities regarding discipline were removed from the Director-Classified Personnel job description. Prior to that time, the Director-Classified Personnel provided advice and guidance to other members of management regarding progressive discipline and the discipline process. However, the Director-Classified Personnel was not the party responsible for issuing disciplinary documents to classified employees. Since September 2019, the Director-Classified Personnel has had no role in disciplining classified employees.

No changes were made to the salary of the Director-Classified Personnel in September 2019 because, as stated above, the disciplinary duties previously assigned to the Director-Classified Personnel did not constitute a “major” duty of the position.

- 9. Question: Does the Director-Classified Personnel attend meetings on behalf of the Commission and/or District?**

**Answer:** It is the responsibility of the Director-Classified Personnel to attend meetings on behalf of the Commission and to perform the job functions as outlined in the Director’s job description. The Director attends meetings relevant to the Commission as directed by the Commission.

- 10. Question: Why were the changes to Classified Director job description not shared with CVAA for review and feedback? Why are we not part of the process to review and provide feedback?**

**Answer:** Until recently, the Cajon Valley Administrator’s Association (CVAA) has never expressed a desire to be actively involved in Commission matters. However, all members of CVAA have received the agendas for the regular and special meetings held since May 2020 and have had the opportunity to comment on agenda topics, including new and revised job descriptions.

- 11. Question: Was there a classification study conducted on the current Director-Classified Personnel position? If so, when?**

**Answer:** Between 2010-2015, a district-wide study of all classified job classifications was conducted by the consulting firm of Ewing & Associates. The Director-Classified Personnel classification was studied in 2010-2011 and the Governing Board took action at the meeting of [May 24, 2011](#) to adopt the consultant’s recommendations. No other classification studies have been conducted on the Director position since that time.

**12. Question: Is the District's Governing Board required to approve the revised job description for the Director-Classified Personnel position?**

**Answer:** Pursuant to the Education Code, the District's Governing Board is not required to approve, and the Personnel Commission is not required to seek approval from the Governing Board of the Director-Classified Personnel job description. This position is solely responsible to the Personnel Commission. (See Educ. Code § 45276 and 45264.)

**CLASSIFIED RECRUITMENT PROCESS**

**13. Question: Who decides how the Classified Director position is posted? (Ex. Promotional Only, Dual, Open, etc.)**

**Answer:** The Personnel Commission decides whether and how to post the soon-to-be vacant Director-Classified Personnel position. Based on past-practice, at the August 13, 2020 special meeting, the Commission voted to post the position as a Dual certification.

A Dual certification recruitment means candidates who attain a passing score on each examination part of a Promotional/Open recruitment will be placed in rank order on an eligibility list after seniority credits are added to the composite test scores of promotional candidates. These examinations are open to current employees and the public.

**14. Question: What are the current procedures to identify CVUSD/internal qualified candidates?**

**Answer:** In a Dual certification recruitment, internal candidates will be evaluated on the same basis as outside candidates to determine their experience related to the minimum qualifications required of the position. Additionally, internal candidates will also receive seniority points based on years of service.

**15. Question: What does CSPCA stand for?**

**Answer:** CSPCA stands for the California School Personnel Commissioners' Association. CSPCA is a state-wide association that provides support and training for personnel commissions and their staff. Its website is: [meritsystem.org](https://meritsystem.org). CSPCA's published vision is: *"The CSPCA is a professional service organization committed to providing high quality support to members in their efforts to get the most out of the Merit System. The CSPCA promotes the Merit System as a comprehensive human resource system for classified employees. We are focused on promoting positive relationships between personnel commissions, boards, directors, employees and employee organizations for the benefit of the instructional programs for students."*

## QUESTIONS RELATED TO DIRECTOR'S SALARY

### 16. Question: Who negotiates and approves the Classified Director's salary increases/pay raise?

**Answer:** The District meets with representatives of the administrator's association (CVAA) on an annual basis to discuss salary increases (COLA) as they do with other bargaining units, including CSEA, CVSA and CVEA. Other than COLA increases provided to all employees and step increases contained in the salary schedule, the Director-Classified Personnel has not received any other salary increases since 2011. See response to #17-18 below.

### 17. Question: What were the current classified director's pay raises for the past five years (separated by year and percentage)?

**Answer:**

UNIT	2016/17			2017/18			2018/19			2019/20			2020/21		
	COLA INCREASE	STEP INCREASE	TOTAL INCREASE	COLA INCREASE	STEP INCREASE	TOTAL INCREASE	COLA INCREASE	STEP INCREASE	TOTAL INCREASE	COLA INCREASE	STEP INCREASE	TOTAL INCREASE	COLA INCREASE	STEP INCREASE	TOTAL INCREASE
CSEA	2.69%	1.124 -5%	<b>3.8-7.69%</b>	3%	1.124 -5%	<b>4.124-8%</b>	0%	1.124 -5%	<b>1.124-5%</b>	3%	1.124 -5%	<b>4.124-8%</b>	2%	1.124 -5%	<b>3.124-7%</b>
CVSA	3.76%	6%	<b>9.76%</b>	3%	6%	<b>9%</b>	0%	6%	<b>6%</b>	3%	6%	<b>9%</b>	2%	6%	<b>8%</b>
CVAA-CL	3.10%	2.7-5.3%	<b>5.8-8.3%</b>	3%	2.7-8%	<b>5.7-11%</b>	0%	2.7-8%	<b>2.7-8%</b>	3%	2.7-8%	<b>5.7-11%</b>	2%	2.7-8%	<b>4.7-10%</b>
CONFIDENTIAL	3.10%	2.9-5%	<b>5.1-8.1%</b>	3%	2.9-5%	<b>5.9-8%</b>	0%	2.9-5%	<b>2.9-5%</b>	3%	2.9-5%	<b>5.9-8%</b>	2%	2.9-5%	<b>4.9-7%</b>
CABINET-CL^	3.10%	4.0-5%	<b>7.10-8.1%</b>	3%	4.0-5%	<b>7-7.5%</b>	0%	4.0-5%	<b>4%</b>	3%	4.0-5%^	<b>7.0 - 7.5%</b>	2%	4.0-5%^	<b>6.0 - 6.5%</b>
SUPERINTENDENT^	3.10%	4.5%	<b>7.6%</b>	3%	4.5%	<b>7.5%</b>	0%	4.5%	<b>4.5%</b>	3.0%	4.5%^	<b>7.5%</b>	2%	4.5%^	<b>6.5%</b>
DIRECTOR-CL	3.10%	2.7%	<b>5.8%</b>	3%	2.7%	<b>5.7%</b>	0%	2.59%	<b>2.59%</b>	3%	0	<b>3%</b>	2%	0%	<b>2.0%</b>

COLA increases vary based on negotiated agreements by bargaining unit

Step increases vary based unit salary schedule; CSEA = Steps 1-5 = 5%; longevity = 1.124% each year

^Contract includes negotiated items plus any increases provided to CVAA

^^ Steps 8-10 added to salary schedule, eff 7/1/19

### 18. Question: When was the most recent salary study conducted related to the Director-Classified Personnel position?

**Answer:** The Director has not received any pay raises other than negotiated COLA increase provided to all employees and step increases provided on the salary schedule. See response to questions #17 and #18 above for pay increases over the past five (5) years.

## QUESTIONS RELATED TO SUPERVISION OF DIRECTOR

### 19. Question: Who supervises the Classified Director?

**Answer:** Presently, as a "dual hat" position, the Director-Classified Personnel is supervised by both the Assistant Superintendent of Personnel Services and the Personnel Commission. Beginning January 1, 2021, as a "single-hat" position, the Director-Classified Personnel will be supervised by the Personnel Commission.



**20. Question: Who audits the Classified Director/Personnel to confirm the Merit system is followed?**

**Answer:** The Personnel Commission is responsible for supervising the Director-Classified Personnel and ensuring that the merit system is implemented appropriately.

**21. Question: Who determines what the Personnel Commission budget is?**

**Answer:** The Personnel Commission establishes its budget on an annual basis based on the prior year's budget and with input from the District's Assistant Superintendents of Business Services and Personnel Services. The Commission reviews the draft budget twice during a public meeting before adoption. The Governing Board and the public, including employees, are invited to comment prior to adoption. After adoption by the Commission, the San Diego County Office of Education reviews and approves the budget.

#### **QUESTIONS RELATED TO PERSONNEL COMMISSION MEETING PROCEDURES**

**22. Question: I was wondering if during the PC meeting, they are considered as executive board members? Therefore, after the Q and A everyone else are allowed to be at the meeting to listen, but are not allowed to ask questions?**

**Answer:** Like the District's Governing Board, the Personnel Commission is a legislative body that must comply with the Ralph M. Brown Act. As a result, with limited exception, the Personnel Commission must conduct its meetings in public. The meetings of the Personnel Commission must be conducted in an orderly and efficient manner. To ensure this, the Personnel Commission has implemented a format similar the webinar format utilized by the Governing Board when their meetings were being held virtually. At this time, attendees are able to submit public comment by emailing the Director, at [bishopa@cajonvalley.net](mailto:bishopa@cajonvalley.net), in advance of the virtual meeting and by the deadline posted on the published meeting agenda. See response to question #27 below.

**23. Question: Do you have a guide or outlined procedures/protocols for classified members who want to submit an agenda item for discussion?**

**Answer:** The rules related to Personnel Commission meetings and the related agendas are located in Chapter 20 of the [Rules and Regulations](#). Specifically, Rule 20.400.1 states that individuals and groups wishing to present proposals to the Commission should present them to the Personnel Director for placement on the agenda.

**24. Question: What are the guidelines/procedures if a classified member wants to give a presentation or be a guest speaker?**

**Answer:** The Commission periodically invites individuals as guest speakers to present to them on department activities, programs and individual job functions throughout the District. If there is a topic an employee would like to present on, or if an employee would like to see a presentation on a particular topic, please let notify the Director and she will inform the Commission of the interest.

**25. Question: Why is there a limit on the type of comments that can be offered at a special meeting of the Personnel Commission?**

**Answer:** The Personnel Commission is responsible for conducting orderly meetings to accomplish the business on the agenda. Employees are welcome and encouraged to submit public comments in advance of the meetings as identified on the agenda. Employees may choose to have their public comments read during the public comment item on the agenda or in advance of the specific agenda item related to comment.

**26. Question: Why does the Personnel Commission impose a deadline of 10:00 a.m. to submit public comments?**

**Answer:** The Personnel Commission requires sufficient time to compile the comments and deliver them to the Commission Chairperson.

**27. Question: Why were participants muted during the discussion item on September 23, 2020?**

**Answer:** The Personnel Commission is responsible for conducting orderly meetings to accomplish the business on the agenda. The mute function was used to ensure order in the meeting. Employees were welcome and encouraged to submit public comments in advance of the meetings as identified on the agenda. This meeting format is similar to that of the District's Governing Board, which conducts its virtual meetings via a webinar platform, preventing employees and members of the public from providing spontaneous comment and limiting interruption.

**28. Question: Is the Personnel Commission violating Rule 20.200.3 by limiting public comment to only that received by email in advance of the meeting?**

**Answer:** Given the COVID-19 pandemic, Governor Newsom's executive orders, and local health orders, the Personnel Commission appropriately limited in-person meetings and instituted reasonable requirements for the submission of public comment. The Personnel Commission desires to reconvene in-person meetings as soon as possible. In fact, the Personnel Commission meetings regularly held in the Board room and scheduled one year in advance were cancelled by the District. The Commission made several requests to hold the September 23, 2020, September 24, 2020, and all future meetings in person in the District Governing Board room. To date, the requests have been denied.

**QUESTIONS RELATED TO ATTORNEY'S PARTICIPATION**

**29. Question: Why was there a lawyer, paid by district funds, public funds, co-hosting the meeting? Is the Personnel Commission in current litigation? Is that lawyer currently representing the P.C. against us, the stakeholders? If that is not the case, why the need to have this attorney participating so actively in this meeting?**

**Answer:** Under the Education Code, the Personnel Commission is entitled to legal representation at District expense. Legal representation includes providing legal advice and guidance on non-litigation matters. At Personnel Commission meetings, legal counsel is primarily present to ensure

compliance with the Education Code and Government Code (Brown Act). The attorney was made a co-host of the September 23, 2020 meeting in the event she needed to share her screen to assist in the facilitation of the discussion on the job description.

- 30. Question: Why is the lawyer performing a job, working on a job description, getting paid by district funds, when there are qualified staff, at the district, to perform that job, and maybe, consult with an attorney for some legalities every so often?**

**Answer:** The Education Code specifically identifies the jurisdiction of the Personnel Commission. Therefore, it is appropriate for the counsel for the Commission to provide input on the duties of the Director-Classified Personnel to ensure that job description identifies duties to ensure the appropriate functioning of the Commission and merit system.

### **QUESTIONS RELATED TO POTENTIAL TERMINATION OF MERIT SYSTEM**

- 31. Question: Can changes be made to the composition of the Personnel Commission? Who initiates the process?**

**Answer:** Under the Commission's Rules and Regulations, Commissioners are appointed for a term of three years. One Commissioner is appointed by CSEA, one Commissioner is appointed by the District, and together, the CSEA and District Commissioners appoint the third Commissioner. The District has the option to appoint a new Commissioner this year.

- 32. Question: Can the Personnel Commission/merit system be terminated? How/Who initiates the process?**

**Answer:** The merit system can be terminated. In order to terminate the merit system, several events must occur including a vote of the District's classified employees. However, before a vote can take place, the District's Governing Board must receive a petition demonstrating that 40% of the District's classified employees desire to terminate the merit system.

- 33. Question: Out of concern for the new hire, if a new Director of PC is hired under the PC's *inevitable* new job description, what would happen to that person's position if the PC is altered or disbanded?**

**Answer:** *All* Personnel Commission staff *could* be impacted by the elimination/termination of the merit system. It is uncertain what would happen to the newly appointed Director-Classified Personnel if the merit system is terminated. If a current employee is hired into the position, he/she may be returned to a position which he/she previously held. If an individual who is not a current employee is hired, the individual may be laid off. At this time, it is uncertain.

#### **QUESTIONS RELATED TO RECLASSIFICATION STUDIES**

**34. Question: The District asserted that in August 2019, it requested that the Personnel Commission reclassify the SECA position. Why has this not occurred?**

**Answer:** In August 2019, the District and the Director-Classified Personnel met to initially discuss a “reimagined” SECA position to address the changing needs of District students. At the conclusion of the initial meeting, the District was going to conduct some preliminary research on the requirements of the “reimagined” position and schedule a second meeting. The District did not schedule a follow-up meeting. In May 2020, the District identified several priorities for the Personnel Commission with respect to staffing and staffing levels. The “reimagined” SECA position was the fourth item on the list. The list of priorities did not identify the minimum wage study that was required to be completed before the end of September pursuant to an agreement between the District and CSEA. At this time, the top three priorities of the District, as identified in May 2020, and the minimum wage study are complete.

#### **QUESTIONS RELATED TO CLASSIFIED PROMOTIONS**

**35. Question: How can classified employees be provided opportunities to receive promotions in the District?**

**Answer:** The majority of the District’s vacancies are filled through a Promotional/Open recruitment process, which provides opportunity for internal candidates to advance before outside candidates are hired. Classified employees are eligible to be reimbursed for professional growth courses taken outside work time and are also able to attend Spring and Summer academies offered through the District. Personnel Commission staff are available by appointment to discuss growth opportunities. The Personnel Commission is open to exploring and implementing additional programs to support classified employee development and training for job advancement opportunities.

**CAJON VALLEY UNION SCHOOL DISTRICT**  
**PERSONNEL COMMISSION**

**CLASS TITLE: DIRECTOR-CLASSIFIED PERSONNEL**

**BASIC FUNCTION:**

Under the direction of Personnel Commission, plan, organize, control and direct operations and activities involved in the District's classified personnel management program in accordance with the Merit System rules and regulations, applicable State and federal laws, codes, rules, regulations, policies and procedures; serve as secretary to the Personnel Commission; prepare, administer and monitor expenditures of the Commission's budget; interview, recommend selection, supervise, train, and evaluate employees assigned to the Personnel Commission office.

**REPRESENTATIVE DUTIES:**

**ESSENTIAL DUTIES:**

Plan, organize, control and direct the District's classified personnel management program and operations, including recruitment, examination, selection, appointment, promotion, demotion, transfer, resignation, layoff, reemployment, leaves, classification and compensation, evaluations, disciplinary appeals, reasonable accommodation, tuition reimbursement and other related programs as provided for in the Merit System rules and regulations.

Serve as secretary to the Personnel Commission; prepare and distribute Personnel Commission agenda and minutes; prepare and coordinate agenda and supporting documents for Commission meetings; attend meetings and record proceedings in a prescribed manner; oversee the preparation of the Classified Personnel assignment report for the Governing Board; maintain account of Personnel Commission activities and prepare annual report.

Oversee recruitment, examination, eligibility determination and selection activities; direct and participate in the preparation of recruitment programs and applicant examinations, including written tests, interviews, supplemental applications and related performance examinations; assure the validity and reliability of employment examination components; conduct job analyses to determine relevant job examination content.

Prepare classified staffing and seniority lists and administer layoff notices; administer eligibility lists and transfer lists and recommend and approve transfers, reassignments and reinstatement.

Oversee the preparation of eligibility, transfer and reemployment lists and confidential files and records; direct the preparation and maintenance of a variety of narrative and statistical reports, records and files related to assigned activities and personnel.

Administer the classification and salary plans for the classified service; respond to requests for advanced salary step placement; conduct classification and wage studies.

Serve as technical resource for questions and counsel to the Personnel Commission, Superintendent,

Administrator's Salary Schedule: Range M-8

Approved: 3/90; Rev. 8/92, 10/98, 11/03, 05/05; 06/11 (Ewing);  
Rev 10/19 (remove bargaining/discipline); Rev 09/20

District managers, employees and employee group representatives; respond to questions; discuss classified labor agreements/merit system rules and employment policies and practices; implement and provide rationale for decisions; resolve-and address Personnel Commission complaints or issues; communicate with other administrators and personnel to coordinate activities and programs, resolve issues and conflicts, and exchange information; provide data and neutral information to classified negotiations as requested by the appointed negotiations teams.

Supervise and evaluate the performance of assigned Personnel Commission personnel; interview and select employees; recommend transfers, and reassignments; recommend termination and disciplinary actions of Personnel Commission personnel as provided for in the Merit System rules and regulations; plan, coordinate and arrange for appropriate training of subordinates.

Prepare, administer and monitor expenditures of the Commission's budget; analyze and review budgetary and financial data; control and authorize expenditures in accordance with established guidelines.

Plan, organize and implement long- and short-term programs to meet objectives of the Personnel Commission and to support the classified service.

Attend a variety of meetings and participate on assigned committees, that are consistent with Merit System rules and regulations, including the District's Local Control and Accountability Plan (LCAP) Committee and others; maintain current knowledge of changes or trends in the human resources or personnel management field.

Serve as a technical resource to District administration, classified employees, and bargaining unit representatives, on matters related to the classified personnel program and the Personnel Commission Rules and Regulations.

**OTHER DUTIES:**

Perform related duties as assigned.

**KNOWLEDGE AND ABILITIES:****KNOWLEDGE OF:**

Principles, theories and practices of personnel administration including position classification, salary administration, recruitment, examination and selection.

Principles and practices of labor-management relations including negotiation and contract administration techniques.

Principles of Merit System of personnel management applicable to California public schools.

Provisions of the Education Code applicable to personnel practices and procedures.

Principles and practices of sound business communications.

Federal, State and local laws and regulations related to assigned areas.

Research methods and analysis techniques.

Budget preparation and control.

Report writing methods and techniques.

Labor relations, laws, practices and procedures.

Financial and statistical record-keeping techniques.  
Interpersonal skills including tact, patience and courtesy.  
Oral and written communication skills.  
Operation of a computer and assigned software.

**ABILITY TO:**

Plan, organize and direct a Merit System as described by California Education Code and the Personnel Commission Rules and Regulations and a comprehensive human resources management program.  
Interpret and apply a wide variety of rules and regulations relating to the operation of the Classified Personnel department under the Education Code and Merit System and other applicable laws, rules and regulations.  
Perform a variety of professional and technical duties involved in the conduct of the classification, salary, recruitment, examination, selection, and employee disciplinary programs.  
Supervise, train and evaluate assigned personnel.  
Obtain, organize, analyze and evaluate a wide range of data and information and make appropriate recommendations to the Personnel Commission, Board of Education, Superintendent, Bargaining Unit representatives, District managers and employees.  
Establish and maintain effective working relationships with a wide variety of groups and individuals, including but not limited to, elected officials,  
District administrators, union representatives, employees, parents, community members, and individuals of other public organizations.  
Prepare and present comprehensive, effective oral and written reports.  
Maintain current knowledge of trends and practices in human resources management.  
Plan and organize work.  
Meet schedules and timelines.  
Work independently.  
Prepare comprehensive narrative and statistical records and reports.  
Direct the maintenance of a variety of reports and files related to assigned activities.  
Operate a computer and other office equipment.

**EDUCATION AND EXPERIENCE:**

Any combination equivalent to: bachelor's degree in human resources, public administration or related field and five years' increasingly responsible experience in the administration of public personnel, including two years in a supervisory capacity preferably within a public school district. Merit System principles and practices within a school system is desirable.

**LICENSES AND OTHER REQUIREMENTS:**

Valid California driver's license.  
Ability to qualify and maintain qualification for District vehicle insurance coverage.

**WORKING CONDITIONS:**

ENVIRONMENT:  
Office environment.

Driving a vehicle to conduct work.

**PHYSICAL DEMANDS:**

Hearing and speaking to exchange information and make presentations.

Seeing to read a variety of materials.

Dexterity of hands and fingers to operate a computer keyboard.

Sitting or standing for extended periods of time.

Bending at the waist, kneeling or crouching to file and retrieve materials.

Reaching overhead, above the shoulders and horizontally.

Regularly lift and/or move up to 10 pounds and occasionally lift and/or move up to 25 pounds.

**CLEARANCES:**

Criminal Justice Fingerprint/Background

Tuberculosis

Pre-placement Physical and Drug Screen



## **VACANCIES REPORT**

<b>Position Title:</b>	<b>Number of positions:</b>	<b>Hours and Sites:</b>
Behavior Intervention Specialist	6	7.0-7.5 hours per day, Emerald, Empower, Greenfield and Special Education
Bus Attendant	5	5.0 hours per day. Transportation
Campus Aide	21	.50-2.0 hours per day Anza, Bostonia, Crest, Cajon Valley, Emerald, Greenfield, Lexington, Los Coches Creek, Montgomery, Madison, Naranca and WD Hall
Child Nutrition Worker I	16	2.5-3.5 hours per day, Child Nutrition, Greenfield, Hillsdale, Meridian, Montgomery and WD Hall
Director, Fiscal Services	1	8.0 hours per day, Fiscal Services
Director, Classified Personnel	1	8.0 hours per day, Personnel Commission
English Language Development Assistant Bilingual (Arabic)	2	3.0 hours per day, Anza Preschool and Chase Preschool
English Language Development Assistant Bilingual (Spanish)	5	2.0-7.0 hours per day, Johnson Preschool Los Coches Creek, and Educational Services
Extended Day Program Aide	22	1.5-3.2 hours per day, Blossom Valley, Bostonia, Flying Hills, Hillsdale, Johnson, Lexington, Magnolia, Meridian, Naranca, and Vista Grande
Extended Day Program Site Lead	2	4.2 hours per day, Los Coches Creek and Naranca
Extended Day Program Supervisor	1	8.0 hours per day, Extended Day Program
Grounds/Irrigation Technician	1	8.0 hours per day, Maintenance & Operations
Guidance Technician	1	6.25 hours per day, Johnson
Health Care Specialist	4	7.5 hours per day, Health Services (Special Education)
Instructional Assistant	3	2.0 hours per day, Bostonia Preschool, Meridian Preschool and Sevick
Lead Heavy Duty Mechanic	1	8.0 hours per day, Transportation
Library Media Technician I	1	3.0 hours per day, Chase
Night Custodian	1	8.0 hours per day, Maintenance & Operations
Office Assistant II	2	3.0-6.0 hours per day Fuerte and Sevick
Office Assistant II Bilingual (Arabic)	1	3.0 hours per day, Anza
Office Assistant II Bilingual (Spanish)	2	3.0 hours per day, Chase and Lexington
School Bus Driver I	2	5.0 hours per day, Transportation
Special Education Classroom Assistant / Trainee	28	3.5-6.5 hours per day, Anza, Chase, Crest Emerald, Flying Hills, Greenfield, Hillsdale, Johnson, Lexington, Madison, Rancho San Diego, and Sevick.
Special Education Classroom Assistant / Trainee Bilingual (Arabic)	2	6.0 hours per day, Cajon Valley and Sevick

# VACANCIES REPORT

Personnel Commission Meeting – October 22, 2020

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Special Education Classroom Assistant / Trainee Bilingual (Spanish)	1	6.0 hours per day, Cajon Valley
Special Education Classroom Assistant / Trainee Bilingual (American Sign Language)	1	6.0 hours per day, Special Education

## **ELIGIBILITY LISTS**

<b>Position:</b>	<b>Type of Recruitment:</b>	<b>Expiration:</b>
Administrative Assistant I	Promotional / Open	November 2020
Alternative Learning Program Assistant	Promotional / Open	October 2020
Assistant Buyer	Promotional / Open	February 2021
Behavior Intervention Specialist	Dual	January 2021, March 2021
Bilingual-Bicultural Interpreter (Spanish)	Dual	October 2020
Bus Attendant	Promotional / Open	November 2020
Campus Aide	Open	October 2020, November 2020, December 2020, January 2021, February 2021, March 2021
Campus Safety Lead	Promotional / Open	January 2021, August 2021
Child Nutrition Worker I	Promotional / Open	February 2021
Community Liaison Bilingual (Spanish)	Promotional / Open	February 2021
Custodial Crew Leader	Promotional	August 2021
Director, Fiscal Services	Promotional / Open	October 2021
District Receptionist	Promotional / Open	January 2021
Extended Day Program Aide	Promotional / Open	November 2020, December 2020, January 2021, March 2021
Extended Day Program Assistant	Promotional / Open	December 2020
Extended Day Program Site Lead	Promotional / Open	January 2021, February 2021
Extended Day Program Supervisor	Promotional	October 2021
English Language Development Assistant (Arabic)	Promotional / Open	October 2020
English Language Development Assistant (Spanish)	Promotional / Open	February 2021
Graphic Arts Technician	Promotional / Open	March 2021
Grounds Supervisor	Promotional	September 2021
Health Assistant	Promotional / Open	January 2021
Health Care Specialist	Promotional / Open	February 2021, March 2021
Heavy Duty Mechanic	Promotional / Open	November 2021, August 2021
Lead Heavy Duty Mechanic	Promotional / Open	January 2021
Occupational Therapist	Dual	August 2021
Office Assistant II	Promotional / Open	December 2020
Office Assistant II Bilingual (Arabic)	Promotional / Open	February 2021
Office Assistant II Bilingual (Spanish)	Promotional / Open	February 2021
Payroll & Benefits Supervisor	Dual	September 2021
Personnel Assistant II	Promotional / Open	January 2021
School Bus Driver	Promotional / Open	November 2020

**Eligibility Lists****Page 2**

Special Education Classroom Assistant Trainee	Promotional / Open	November 2020, December 2020, January 2021, February 2021
Special Education Classroom Assistant Trainee Bilingual (Arabic)	Promotional / Open	November 2020
Special Education Classroom Assistant Trainee Bilingual (Spanish)	Promotional / Open	January 2021
Secretary	Promotional / Open	November 2020
Transportation Operations Supervisor	Promotional	November 2020
Transportation Operations Assistant	Promotional / Open	July 2021
Transportation Safety & Training Supervisor	Promotional / Open	December 2020, February 2021

Note: Several positions have multiple eligibility lists associated with the position because multiple recruitments were run to ensure that a complete eligibility list was established.