

**SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT  
PERSONNEL COMMISSION  
District Office Board Room  
1651 Sixteenth Street, Santa Monica CA 90404**

**MINUTES**

**REGULAR MEETING  
February 12, 2013 @ 4:00 p.m.  
District Office Board Room**

Electronically Recorded

**PERSONNEL COMMISSIONERS:** Mrs. Barbara Inatsugu, Mr. Joseph Pertel and Mr. Michael Sidley

**I. General Functions:**

- A. Call to Order:** The Regular Meeting of the Personnel Commission was called to order at 4:05 p.m.
- B. Roll Call:** Commissioners Inatsugu, Pertel and Sidley were present.
- C. Pledge of Allegiance:** Mr. Brandon Tietze, Director of Classified Personnel led all in attendance in the Pledge of Allegiance.
- Commissioner Inatsugu reported out of the Closed Session from January 9, 2013. At its meeting of January 9, 2013, in Closed Session, the Personnel Commission approved the appointment of Brandon Tietze as the Director of Classified Personnel for the Santa Monica-Malibu Unified School District pending his acceptance. The vote was two to zero (2 ayes: 0 noes) with Commissioner Pertel not in attendance.
  - Commissioner Inatsugu welcomed Mr. Tietze and formally presented him as the new Director of Classified Personnel.

**D. Motion to Approve Agenda:**

Motion by: **Michael Sidley**  
Seconded by: **Joe Pertel**  
Vote: **3 – 0**

**It was moved and seconded to approve the agenda as presented.**

**E. Motion to Approve Minutes:**

1. Special Personnel Commission Meeting – January 9, 2013

Motion by: **Michael Sidley**  
Seconded by: **Barbara Inatsugu**  
Vote: **2 – 0**

**It was moved and seconded to approve the minutes as presented.**

2. Regular Personnel Commission Meeting – January 15, 2013

Motion by: **Joe Pertel**  
Seconded by: **Barbara Inatsugu**  
Vote: **2 – 0**

**It was moved and seconded to approve the minutes with revisions on page 5.**

**F. Public Comments:** Public Comments is the time when members of the audience may address the Personnel Commission on items not scheduled on the meeting's agenda. All speakers are limited to three (3) minutes. When there are a large number of speakers, the Personnel Commission may reduce the allotted time to two (2) minutes per speaker. The Brown Act (Government Code) states that Personnel Commission members may not engage in discussion of issues raised during "Public Comments" except to ask clarifying questions, make a brief announcement, make a brief report on his or her own activities, or to refer the matter to staff.

1. Request to Speak on Agenda Items
2. Request to Speak on Non-agenda Items

**None**

**G. Communications:** The Communications section provides an opportunity for the Personnel Commission to hear from the individuals or representatives listed below. All reports are limited to 5 minutes or less.

1. SEIU Report

- **Ms. Anette Bolan, the SEIU Steward, on behalf of Ms. Keryl Cartee-McNeely, reported to the Personnel Commission on SEIU's current events and political activities including improvement of processes and communication with various District departments.**
- **She welcomed Mr. Tietze to the District.**
- **SEIU has been preparing for negotiations with the District. The full contract is open at this time.**

2. Board of Education Report

- **Ms. Debra Moore Washington, Assistant Superintendent of Human Resources, welcomed Mr. Tietze to the District.**
  - **She informed the Personnel Commission about the District's current events and activities including staffing for the next school year, student enrollment projections, summer school, and the Board of Education budget seminar.**
  - **The District administration is also conducting meetings with each department and school site to discuss their budget for the next school year.**
  - **The District is currently engaged in the negotiations with the SMMCTA. Negotiations with SEIU will follow in the near future.**
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- **Commissioner Sidley welcomed Mr. Tietze to the Personnel Commission. On behalf of the Personnel Commissioners, he stated that they are very pleased to have selected Mr. Tietze as the incoming Director of Classified Personnel and Secretary to the Personnel Commission. Commissioner Sidley is enthusiastic about Mr. Tietze's direction of leadership for the department.**

**II. Report from the Director of Classified Personnel:** This is an opportunity for the Director of Classified Personnel to present informational items of interest to the members of the Personnel Commission, which are not action items on the agenda.

**A. Approved Professional Experts Request (less than 90 working days or total of 720 work hours per Personnel Commission Rule §3.1.5.(C): *Professional Expert Program*) by the Director of Classified Personnel**

- Ms. Elizabeth Baker, Technical Specialist II, Music Instructor, from December 3, 2012 to June 11, 2013, Grant Elementary School
- Ms. Catherine Cassone, Technical Specialist II, Instructor for Science, Art, Music and Computer, from January 22, 2013 to June 24, 2013, Cabrillo Elementary School
- Mr. Stephen Hufford, Technical Specialist II, Band Coach, from January 18, 2013 to June 30, 2013, Educational Services
- Ms. Norma LaTuchie, Technical Specialist II, Voice Coach, from December 10, 2012 to June 30, 2013, Educational Services
- Ms. Norma LaTuchie, Technical Specialist II, Music Coach, from January 8, 2013 to June 11, 2013, Santa Monica School House
- Ms. Kelly Weaver, Technical Specialist II, Band Instructor, from January 8, 2013 to June 11, 2013, Lincoln Middle School
  
- Mr. Tietze presented a prepared statement:  
First, I would like to thank the Personnel Commissioners for giving me the opportunity to manage this critical, yet often misunderstood department. It is my goal that you never regret that decision.

For this meeting, I felt that it was important for me to outline some initial thoughts and observations to provide a vision of what I see and where I'd like to go based on my preliminary findings. Please note that I don't plan on making many long statements like this in the future and will typically try to be brief. This is an exception.

Over the last week I've been fortunate to meet with many managers, staff members, labor leaders, and the Superintendent. Although I've only begun to scratch the surface in terms of gathering perspectives in the District, I'm confident that I already have a good sense of the big picture as many see it. The primary theme that almost everyone seems to agree with is that this is a unique and amazing school district and I have to agree. I have frankly never seen anything quite like it. The amount of attention and care put into the smallest nuances of the student experience is very impressive. Many employees have given me highlights about how the District is nationally ranked in this or best in the state at that and how they are well known for countless achievements in countless areas. In my opinion, this District has managed to take the best of both public and private education and sew it into the fabric of two unique communities. This is a District that I would be proud to send my kids and that is exactly what I've heard from literally everyone. The amount of pride and care displayed by the community and staff has affected me deeply as I now feel the weight of the District regarding where the Personnel Commission may contribute to the District's success in its own ways.

Another thing that has hit me in my conversations is that many managers, and probably staff members, view the Commission as just that department dealing with Merit something or other. Many have mentioned Merit system at the beginning of our

discussion as the primary association with my department. I would like to submit a new understanding of what the Personnel Commission is and can be. In my mind, the PC is the ultimate authority on most classified employee issues that just happens to follow Merit system principles, which is typically a good thing. The PC is a critical department for so many reasons that I fear go unnoticed. For employees, the PC addresses duty or classification concerns, serves as the appeal body for discipline, protects their rights regarding job opportunities, and ensures objective fairness with position control and due process. For the District, the PC fills classified vacancies, creates new positions, modifies positions, and importantly protects the District from legal liability regarding recruitment processes. Just one case of an applicant suing for unvalidated testing or biased selection can lead to massive legal costs or settlements. For the community, the PC ensures that their tax money is being used appropriately in terms of job opportunities, pay rates, and position control.

The PC is ultimately a critical tool that should be properly utilized by employees, managers, and the public to basically keep things fair and operational. However, even though the PC has a critical role in so many important areas, it is easy to minimize its reputation to just Merit system enforcer, which is simply an incomplete understanding. The Merit rules do guide many of our processes, but so do best practices in organizational development and innovation in personnel selection. At the end of the day, the PC just wants to protect employee rights and District operations, and I refuse to believe that the architects of the Education Code felt otherwise. The Code is clear that the District, through its Board, determines what positions and duties are needed to run a successful school district, and that the PC is simply there to make sure it happens in an appropriate and efficient manner. I believe the philosophy behind this structure is that many employment issues deserve a neutral caretaker. For example, if there is a disagreement about what duties should be performed or what compensation rate the duties should warrant, it is easy to perceive bias if a neutral body is not present. If a District representative was in charge of the decision, the employee group may feel any decision is biased towards management, even if unbiased. If the Union had the final say, the District could argue they are overly biased towards the employee. Sometimes, it simply makes good sense to have a neutral person make the decision who is not susceptible to negative consequences by a certain stakeholder group. The public deserves to have a neutral body monitoring employment issues without pressure to lean a certain way. This is exactly why the Commission Director answers to Commissioners rather than the District administration or union leadership. Moreover, the neutral body minimizes the appearance of bias for both the Union and the District, which helps to protect their delicate relations.

Beyond all the difficult classification and compensation issues, someone needs to fill classified vacancies whether you're a merit system or not, and there are always vacancy issues. On the certificated end, teachers and counselors come in with their credentials, ready to start after a selection interview. On the classified side, we must validate applicants through multiple levels of qualification and assessment. To do well, this takes a great deal of time and work, and I assume everyone wants this done well. In fact, I feel most people want the exact same thing we want and just don't realize how much we're on the same page. We simply want to bring in the best new classified workers possible and to protect the rights of our current classified employees. I'd be interested to hear from anyone who doesn't share this goal. Unless you're asking for me to ignore someone's

rights or look out for a favorite cousin, we probably all literally want the same thing for our District.

I feel that the best support for a merit system is a well-run PC and that is what I intend to produce. I'm already very encouraged by my staff, who I've quickly grown to value on a professional and personal level. I thank Dr. Young and previous Directors for helping to get the PC this far, sincerely, but it is now time to take it above and beyond. I would like the PC to maintain its independence and neutrality, while also working closer with both District management and SEIU to serve as a strategic partner on the big picture level. I believe we can prevent lost time and money through collaboration and compromise on difficult issues. Sometimes the law is simply the law and must be followed precisely, but often there is room for creative solutions that still meet legal requirements.

Over the next year, I will be proposing tweaks and changes to ensure that we're operating at our optimal level of effectiveness. I need to first establish where we are before determining where to go, so I will be continuing my research into what has and has not worked regarding department practices. I encourage input and feedback from everyone, including employees, Commissioners, SEIU, Principals, Managers, Administrators, and Board Members. Our department reaches District wide and we must consider equally wide feedback. For this purpose we will be introducing an online feedback survey in addition to paper surveys that will be provided to applicants, interview raters, and hiring managers. As feedback accumulates we will bring to the Commissioners and include in our annual report. I will be bringing many ideas and suggestions to the Commission over the coming months and I look forward to receiving input.

Our PC deserves to be appreciated for the important role it plays and I will aim to make that easy for others to do. The PC does not want to tie our District's hands. It only wants to keep them clean.

**III. Consent List:** It is recommended that the Personnel Commission consider approving a number of Agenda Items as a Consent List. Consent Items are routine in nature, and can be enacted in one motion without further discussion. This procedure conserves meeting time for a full discussion of significant issues.

**A. Approve Classified Personnel Eligibility List(s):**

<u>Classification</u>	<u># Eligibles</u>
Instructional Assistant – Physical Education	15

**List Extension (Personnel Commission Rule §6.1.3.: *Duration of Eligibility Lists*)**

Custodian	22
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Motion by: **Michael Sidley**  
Seconded by: **Joseph Pertel**  
Vote: **3 – 0**

**It was moved and seconded to approve the Eligibility List and the List Extension as submitted.**

**IV. Action Items/ Discussion/or Other Information:**

**A. Action Item(s):**

1. Advanced Step Placements:

- a. It is recommended that the Personnel Commission approve Advanced Step Placement for new employee Steve Brown in the classification of Bus Driver pursuant to Personnel Commission Rule §12.2.4.(B): *Salary on Employment* based on criteria for the minimum experience and education.

Recommendation: *Approve*

- b. It is recommended that the Personnel Commission approve Advanced Step Placement for new employee Tyrone Lockett in the classification of Gardener pursuant to Personnel Commission Rule §12.2.4.(B): *Salary on Employment* based on criteria for the minimum experience and education.

Recommendation: *Approve*

- c. It is recommended that the Personnel Commission approve Advanced Step Placement for new employee Brandon Tietze in the classification of Director of Classified Personnel pursuant to Personnel Commission Rule §12.2.4.(B): *Salary on Employment* based on criteria for the minimum experience and education.

Recommendation: *Approve*

Motion by: **Michael Sidley**

Seconded by: **Joseph Pertel**

Vote: **3 – 0**

**The entire agenda item was moved and seconded to approve the recommendation as submitted in one motion.**

- **Commissioner Sidley shared his concern with the annual fiscal impact of the Advanced Step Placement approval on the District. He requested a report from this time moving forward regarding this issue.**

**Commissioner Pertel inquired from Ms. Washington about how the Personnel Commission obtains information regarding the fiscal impact of approved Advanced Step Placements.**

**Ms. Washington stated that the District expressed its concern with the frequency of approved Advanced Step Placements for new classified employees. The District doesn't have cumulative data related to this matter.**

**Commissioner Pertel asked Mr. Tietze about his experience in his previous District.**

**Mr. Tietze stated that in his previous experience, the Advanced Step Placement was rare. It was granted only if high educational and experience criteria were met. Based on his observations, the District faces compensation issues related to the current job market because the salaries are below market. Eventually,**

**Professional Expert and substitute assignments as well as the Advanced Step Placement will have to be addressed as they relate to the compensation matter.**

**B. Discussion Item(s):** These items are submitted for discussion only. Any action that might be required will generally be scheduled for the next regularly scheduled meeting of the Commission.

1. Discussion of Monthly Exam Bulletin per California Education 45278

- **Mr. Tietze presented the Monthly Exam Bulletin of current vacancies as an example of how the Personnel Commission can expedite recruitments as needed. The Bulletin can substitute for the fifteen day posting requirement as it is electronically distributed to school sites and District's departments. The need to shorten the job posting period may be due to strategic position that needs to be filled immediately, or when a large number of applications is anticipated. The procedure for shortening the posting period using the Monthly Exam Bulletin is also described in the Merit Rules 4.4.**

**C. Information Item(s):** These items are placed on the agenda as information and do not require discussion.

1. Personnel Requisition Status Report
2. Classified Personnel – Merit Report - No. A.18
  - January 17, 2013Classified Personnel – Merit Report - No. A. 16
  - February 7, 2013
3. Classified Personnel – Non-Merit Report – No. A.19
  - January 17, 2013Classified Personnel – Non-Merit Report – No. A.17
  - February 7, 2013
4. Personnel Commission's Twelve-Month Calendar of Events
  - 2012 – 2013

**V. Personnel Commission Business:**

**A. Personnel Commissioner Comments:** This is time during which a Personnel Commissioner may make a brief announcement or report on his/her own activities relative to Commission business. This is not a time for discussion.

- **Commissioner Sidley requested additional information in Personnel Requisition Status Report for vacancies that present specific challenges.**
- **Commissioner Inatsugu suggested moving the Personnel Commissioner Comments section before the Public Comments.**

**B. Future Items**

<b>Subject</b>	<b>Action Steps</b>	<b>Tentative Date</b>
Classification Specification Revisions	Instructional Assistant – Developmental Health Instructional Assistant – Special Education Occupational Therapist Production Kitchen Coordinator Site Food Services Coordinator	March 2013 April 2013
Merit Rules Revisions	Second Reading of Changes to Merit Rules: <i>Chapter XI: Vacation, Leaves of Absence and Holidays</i> <i>Chapter XII: Salaries, Overtime Pay, and Benefits</i> <i>Chapter XIV Disciplinary Action and Appeal</i> <i>Chapter Chapter XV: Resignation and Reinstatement</i> <i>Chapter XVI: Grievance Procedure</i> First Reading of Changes to Merit Rules: <i>Chapter I: Preliminary Statement and Definition of Terms</i>	March 2013  May 2013  June 2013

**VI. Public Comments for Closed Session Items ONLY:** Persons wishing to address the Personnel Commission regarding an item scheduled for closed session must submit the “Request to Address” card prior to the start of closed session.

**VII. Closed Session:**

- Public Employee, to consider appointment, employment, performance evaluation, or dismissal of employee pursuant to GC §54957 as cited in the Brown Act
  - ND0687668

**TIME ADJOURNED TO CLOSED SESSION: 4:47 p.m.**

**TIME RETURNED TO OPEN SESSION AT: 5:30 p.m.**

**The Commission reported out of Closed Session at 5:30 p.m. The Personnel Commission adopted The Findings and Decision of the Personnel Commission as submitted.**

Motion by: **Michael Sidley**  
 Seconded by: **Joseph Pertel**  
 Vote: **3 – 0**



**VIII. Next Regular Personnel Commission Meeting:**

Tuesday, March 12, 2013, at 4:00 pm - *District Office Board Room*

**IX. Adjournment:** There being no further business to come before the Personnel Commission, it is recommended that the meeting be adjourned.

Motion by: **Joseph Pertel**  
Seconded by: **Michael Sidley**  
Vote: **3 – 0**

**TIME ADJOURNED: 5:32 p.m.**

Submitted by:

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Brandon Tietze  
Secretary to the Personnel Commission  
Director of Classified Personnel

If you wish to receive a full copy of the Personnel Commission Agenda Packet, please contact the Personnel Commission Office at (310) 450-8338, ext. 70-279.