

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

MINUTES

SPECIAL MEETING
August 23, 2012 @ 4:00 p.m.
District Office Board Conference Room

Electronically Recorded

PERSONNEL COMMISSIONERS: Mrs. Barbara Inatsugu and Mr. Michael Sidley

I. General Functions:

A. Call to Order: The Special Meeting of the Personnel Commission was called to order at 4:02 p.m.

B. Roll Call: Commissioners Inatsugu and Sidley were present.

C. Pledge of Allegiance:

D. Motion to Approve Agenda:

Motion by: **Barbara Inatsugu**

Seconded by: **Michael Sidley**

Vote: **2 – 0**

Commissioner Sidley amended the agenda removing agenda item I.C.

E. 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

II. Action/Discussion Items/or Other Information:

A. Action Item(s):

1. Classification Specification Revision – Director-Classified Personnel
Director’s Recommendation: *Approve*

Dr. Young reviewed amendments in the classification specifications for Director of Classified Personnel.

Commissioner Inatsugu moved Agenda Item II.A., to be effective beginning with the employment of the new Director of Classified Personnel, with the following amendments:

1. **Under BASIC FUNCTIONS:** Delete the last sentence that reads “Duties performed may involve supervision and direction from the Assistant Superintendent of Human Resources.”
2. **Under ESSENTIAL DUTIES:** Revise the next to the last bullet point by deleting the words “Report regularly to” and amend the point to read as follows: *“Regularly brief the Assistant Superintendent of Human Resources on the status of the Classified Service to assure efficient, timely communication”* and move the point up to follow the bullet point that begins “Communicate with administrators...”
3. **Under SUPERVISION:** Put a period after the word “Commission” and delete the proposed language that reads “..and/or in conjunction with the Assistant Superintendent of Human Resources.” The language would then read: *“Supervision is received from the Personnel Commission. Supervision is exercised over the Personnel Commission staff.”*

The motion died for lack of a second.

Commissioner Sidley moved the agenda item as printed in the agenda. The motion died for lack of a second.

Commissioner Sidley proposed to adjourn the meeting. He moved to adjourn, and Commissioner Inatsugu did not second it requesting an opportunity to explain her motion.

Commissioner Inatsugu presented her rationale for removing the dual reporting structure from the classification specification due to the fact that the Commission has not agreed on these provisions nor has it had the in-depth discussion needed. She further stated that what the commissioners had agreed on was the need to have discussions about structures and alignment together with the new Personnel Commission Director. The possibility of such reporting structure is well communicated in the job bulletin used in the recruitment.

Mrs. Washington, the Assistant Superintendent of HR, concurred with the proposed amendments as a starting point for the recruitment so that the applicants are aware of the planned change in a reporting relationship.

Mrs. Cartee-McNeely, the Chief Steward, stated that the Union does not support the proposed revisions. She expressed the Union's concerns about the Personnel Commission's ability to be objective if the Director would report to the District's Administration as well as to the Personnel Commission. The fact that the District and the Personnel Commission are independent bodies does not mean that there is no effective collaboration.

Mrs. Washington presented several examples of reporting structures from various merit school districts.

Superintendent Lyon expressed her support for the dual reporting structure so that the Human Resources Department and the Personnel Commission work more collaboratively.

Ms. Stephanie Perry commented on the examination process and selection criteria in the recruitment for the Director of Classified Personnel.

Commissioner Sidley provided a rationale for the Personnel Commission being objective in disciplinary hearings.

Commissioner Inatsugu expressed her concern about the Director's role if a conflict of interests occurs between the District's actions and merit principles.

Mrs. Washington stated that the ultimate responsibility to make decisions would lie with the Personnel Commission regarding the Director's supervision. Commissioner Inatsugu agreed with Mrs. Washington regarding the ultimate authority of the Personnel Commission, but she was concerned about the Director's role and insubordinate to the Assistant Superintendent of Human Resources if he makes decisions that are not in line with the Assistant Superintendent's.

Dr. Young pointed out that a memorandum of understanding would be developed for specific duties and scenarios to provide cover for the Director so that he/she would not be charged with insubordination.

Commissioner Sidley moved and Commissioner Inatsugu seconded a motion to move the language regarding the Assistant Superintendent's supervision from the basic functions to the ability section.

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

In the essential duties section, the language regarding regular reporting to the Superintendent of Human Resources was amended by General Agreement to read as proposed by Commissioner Inatsugu: "Regularly brief the Assistant Superintendent of Human Resources on the status of the classified service to assure efficient, timely communication." The sentence would be moved to follow the point that begins "Communicate with administrators..."

It was moved by Commissioner Sidley and seconded by Commissioner Inatsugu that under the supervision section, there would be a revision stating “Supervision is received from the Personnel Commission and/or in conjunction with any designee or delegatee of the Personnel Commission.”

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

Mrs. Washington requested to revise language regarding the Director reviewing criminal conviction information. The current practice is that this information is limited only to the Human Resources Department. Dr. Young stated that in the past the Director of Classified Personnel was able to review the Department of Justice reports in order to generate correspondence to the applicant regarding his inability to be employed by the District. If the applicant appealed the decision, the Director of Classified Personnel was able to provide explanation. Based on a legal opinion, the Assistant Superintendent of Human Resources is prohibited to share specifics of any criminal conviction.

Commissioner Sidley moved and Commissioner Inatsugu seconded a motion to revise the language. A motion to revise the language that the Director of Classified Personnel would receive, the criminal conviction information from authorized District representatives.

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

III. Next Regular Personnel Commission Meeting:

Tuesday, September 11, 2012, at 5:00 pm - District Office Board Room

IV. Adjournment:

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

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

TIME ADJOURNED: 5:20 p.m.

Transparency: characterized by visibility or ability to access information especially concerning business practices. It may include open meetings, financial disclosure statements, the freedom of information legislation, budgetary reviews, audits, etc.

The Personnel Commission's intention is to create a safe environment to be able to ask unpopular questions. The Personnel Commission is committed to accomplish its work in a transparent manner.

Submitted by:

Wilbert Young, Ph.D.
Secretary to the Personnel Commission
Director, 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.