

# Santa Clara County Office of Education

PLEASE POST

PLEASE POST

**\*PUBLIC NOTICE  
PERSONNEL COMMISSION  
AGENDA  
REGULAR MEETING #379  
NOVEMBER 18, 2010  
BOARD ROOM  
10:00 A.M.**

- I. CALL TO ORDER
- II. ROLL CALL
  - President - Rodney Martin
  - Vice President - Libby Spector
  - Member - Nicholas Gervase
- III. APPROVAL OF AGENDA #379 – November 18, 2010 \_\_\_\_\_ ACTION
- IV. APPROVAL OF MINUTES #378 – October 14, 2010 \_\_\_\_\_ ACTION
- V. HEARING OF PERSONS DESIRING TO ADDRESS THE COMMISSION OR TO PRESENT PETITIONS
- VI. UNFINISHED BUSINESS – Employee Appeal: Rejection of Seniority Hours – Manager, Payroll Services \_\_\_\_\_ ACTION
- VII. NEW BUSINESS
  - A. Approval of Classification Specifications: Health Technician, Environmental Education (OTBS Unit) \_\_\_\_\_ ACTION
  - B. Approval of Classification Specifications: Administrator, Special Education Fiscal Services (Classified Supervisory) \_\_\_\_\_ ACTION
  - C. Approval of Revised Classification Specifications: Student Assessment Technician (Paraprofessionals Unit) \_\_\_\_\_ ACTION
  - D. Approval of Eligibility Lists \_\_\_\_\_ ACTION
  - E. Monthly Vacancy Status Report \_\_\_\_\_ INFORMATION
- VIII. SECRETARY'S REPORT
- IX. FUTURE MEETINGS OR DISCUSSION ITEMS
- X. ADJOURNMENT

**NOTE:** This agenda is posted on all County Office of Education bulletin boards. Additional information regarding items on this agenda is available from Classified Personnel Services. Personnel Commission reserves the right to receive issues which are brought up from the floor and refer them to staff for further attention. Oral presentations to the Personnel Commission are limited to five (5) minutes.

# Santa Clara County Office of Education

PERSONNEL COMMISSION  
UNADOPTED MINUTES  
REGULAR MEETING #378  
October 14, 2010

**Members Present:** Rodney Martin, President  
Libby Spector, Vice President  
Nicholas Gervase, Member

**Staff Present:** Philip J. Gordillo, Ex-Officio Secretary  
Barbara Monges, Administrative Assistant to the Director  
Sheila Lopez, Personnel Analyst

**Others Present:** Laura Kidwiler, Chief Human Resources Officer  
Alicia Salas, Manager, Human Resources  
Pat Miklica, Manager, Payroll Services  
Amy Rivera, Payroll Specialist  
Matthew Cottrell, SEIU, #521

The meeting was called to order by President Martin at 10:00 A.M.

Approval of Agenda

**MOTION #378-1** by Ms. Spector, seconded by Mr. Gervase to approve Agenda #378, October 14, 2010  
**MOTION #378-1** carried unanimously.

Approval of Minutes #377 – September 9, 2010

**MOTION #377-2** by Mr. Gervase, seconded by Ms. Spector to approve minutes #377, September 9, 2010.  
**MOTION #377-2** carried unanimously.

Hearing of Persons Desiring to Address the Commission to Present Petitions - None

Unfinished Business - None

New Business

- A. Public Hearing - Appointment of Mr. Rodney Martin as Personnel Commissioner  
**MOTION #378-3** by Ms. Spector, seconded by Mr. Gervase to announce the reappointment of Mr. Rodney Martin as Commissioner. Mr. Martin will begin his fourth three (3) year term as Personnel Commissioner commencing on December 1, 2010.  
**MOTION #378-3** carried unanimously.
- B. Appointment Mr. Rodney Martin as Personnel Commissioner  
**MOTION #378-4** by Mr. Gervase, seconded by Ms. Spector the reappointment of Mr. Rodney Martin as Joint Appointee to the Personnel Commission.  
**MOTION #378-4** carried unanimously.
- C. Approval of Classification Specifications: Health Technician, Environmental Education (OTBS)  
After a brief discussion regarding the above subject matter, it was decided not to take action at this time. This item will be taken to the next Personnel Commission meeting, November 18, 2010

D. Employee Appeal: Rejection of Seniority Hours – Manager, Payroll Services

**MOTION #378-5** Calculations regarding the seniority for the Manager, Payroll Services were reviewed, specifically the hours accruing in a previous held class (Application Support Coordinator). The seniority hours for the Application Support Coordinator should have ceased to accrue upon accepting the position in the lateral job classification of Manager, Payroll Services. The Director notified the Ms. Miklica of his intent to revise the seniority calculations for this previous held class.

**MOTION #378-5** The Commission tabled the decision of this appeal until the next Commission meeting on November 18, 2010.

E. Head Start Teacher Assistant Transition Plan

**MOTION #378-7** The mandate that by 2015 all Teacher Assistant's in Head Start have an AA degree in Early Childhood Education was reviewed, specifically the timelines that the Teacher Assistant's must meet at the end of this 5 year plan.

F. Approval of Eligibility Lists

Merit Rule 9.02 states that "Eligibility Lists shall be presented to the Personnel Commission for approval." Therefore, the Director respectfully recommends the Personnel Commission approve the establishment of the following lists:

	<i>Classification</i>	<i>Date</i>	<i>Unit</i>	<i>Number Eligible Persons</i>	<i>Number Ranks</i>
1.	Administrator, Financial Analyst	09/23/2010	MGT	1	1
2.	Director, Digital Design & Media Services	10/04/10	MGT	6	6
3.	Education Assistant, Special Education–NCLB	09/22/2010	AIDES	8	8
4.	Communication/Staff Liaison	09/22/2010	OTBS	8	7
5.	Education Interpreter/Tutor, DHOH	10/08/10	AIDES	1	1
6.	Teacher Assistant III-Restricted	09/22/10	AIDES	10	9

(ACS): Alternate Class Series

G. Monthly Vacancy Status Report – October 14, 2010

Ex-Officio Secretary Gordillo gave an oral report on the Monthly Vacancy Status Report and Positions Filled Report. The Commissioners accepted the report as delivered.

H. Secretary's Report

Ex-Officio Secretary Gordillo reported on the following:

- The current Head Start Parent Policy will meet on October 25 regarding the new, incoming, parents who will be participating in the Parent Policy Council. Philip will review the role of the new parents who will be serving on the Council, and the role of Classified Personnel.
- The Safety Officer training for Alternative Schools is being conducted, this week, at the SCCOE. There are five candidates who are being training by certified master trainer Sgt. Jeff Profio from the San Jose Police Department. Final interviews will be conducted on October 15, 2010.
- The Head Start Planning Task Force will be meeting to discuss Head Start staffing changes for 2011. The Planning Task Forces includes members from Santa Clara County, San Benito County, First 5 and State Preschool.
- Mr. Bill Ewing is completing the classification and compensation study and has sent out updated job descriptions to the Leadership Team. Included with the job descriptions was a feedback form which is due on October 22, 2010 to Secretary Gordillo.
- Ex-Officio Secretary Gordillo shared with the Commissioners how happy he was with the outcome of the SPCA conference on October 8, 2010, here at SCCOE. There were 45 participants and the conference was well received.

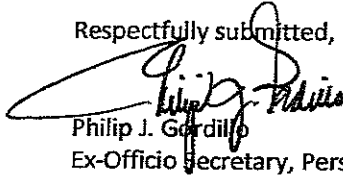
I. Future Meetings or Discussion Items

The Personnel Commission will not meet on November 11, 2010 (Holiday). The next meeting is scheduled for November 18, 2010.

J. Adjournment

The meeting adjourned at 11:00 A.M.

Respectfully submitted,



Philip J. Gordillo

Ex-Officio Secretary, Personnel Commission

PJG/icon

**AGENDA ITEM VI – (A) (UNFINISHED BUSINESS)**

**(ACTION)**

**EMPLOYEE APPEAL: REJECTION OF SENIORITY HOURS**

**Manager, Payroll Services**

**BACKGROUND**

On August 2, 2010, the Director officially notified Ms. Pat Miklica, Manager, Payroll Services, that an error had been discovered regarding her seniority calculation for her previous held classification of Applications Support Coordinator (Classified Management, Range 7.0). Following an administrative review, the Director notified Ms. Miklica of his intent to revise the seniority calculations for her previous held classification of Applications Support Coordinator. See the following attached documents for additional information:

- a. Memorandum to Ms. Miklica from the Personnel Director, Dated August 2, 2010;
- b. Classified Seniority Roster by Employee Name (A-Z) – Page 29 (Attachment I);
- c. Chapter XIII: Layoff and Reemployment (Merit Rules) - Pages 65-69 (Attachment II);
- d. Memorandum from Richard M. Noack (Hopkins & Carey), Dated July 2, 2010 (Attachment III)

The Director and Ms. Miklica had previously discussed this issue and this potential outcome. At which time, Ms. Miklica had notified the Director of her intent to appeal should any action be taken to change her seniority calculations.

On October 14, 2010, the Commission heard arguments from both the Director and Ms. Miklica, and agreed to table their decision until the next Personnel Commission meeting on Thursday, November 18, 2010.

**ADDITIONAL INFORMATION**

The Director intends to present additional information during the hearing relating to the seniority oversight responsibilities of both Classified Personnel Services and Payroll Services; impact of outcome(s); occupational groups; and applicable Rules. It is anticipated that Ms. Miklica may also present additional information.

Santa Clara County  Office of Education

Classified Personnel Services  
1290 Ridder Park Drive, MC 265, San Jose, CA 95131

August 2, 2010

TO: Pat Miklica, Manager  
Payroll Services

FROM: Philip J. Gordillo, Director  
Classified Personnel Services



SUBJ: Administrative Review – Seniority

This communication is to notify you that I have discovered in error in your accrued seniority for the prior held class of Applications Support Coordinator (Classified Management, Range 7.0). Your seniority hours for the class of Applications Support Coordinator are listed as 18,528.00. It appears that current seniority hours (10,848.00) accrued in your present class of Manager, Payroll Services (Classified Management, Range 7.0), have been mistakenly added to your prior held class. See attachment I.

Merit Rule 13.03(B3) (Computation of Seniority) stipulates the following:  
*"In a layoff, employee's seniority for his/her current class shall be upwardly adjusted to include all prior seniority earnings in any class with a higher maximum salary rate as well as a related class with the same maximum salary rate. Related classes shall, in addition to the same salary rate, both belong to the same group ("family") and the same employee unit."* See attachment II.

Both classes have the same maximum salary rate (Classified Management, Range 7.0); however, they are not members of the same group "class family." The class of Applications Support Coordinator is member of the Technology Class Family while the Manager, Payroll Services, is a member of the Accounting-Fiscal Services Class Family. Your seniority hours for Applications Support Coordinator should have ceased to accrual upon accepting the position in the (lateral) classification of Manager, Payroll Services.

In discussions and email messages with you regarding this matter, you have indicated that I should not be allowed to correct your seniority due to a statute of limitations as five (5) years have lapsed. Please know that I have consulted with counsel regarding my ability to correct seniority errors. A copy of the legal opinion is attached for your review. See attachment III.

### FINDINGS

Therefore, it is my finding that the most recent seniority roster for each class shall be corrected to read as follows:

Class	Seniority Hours
Manager, Payroll Services	10,848.00
Applications Support Coordinator	7,680.00

It is understood that for the purposes of layoff, you will continue to accrue seniority rosters in your current class and in prior held classes at lower maximum salary rates. Your seniority hours for class of Applications Support Coordinator shall not be changed unless you return to a position in this class.

### APPEAL

You have informed me of your intent to appeal this decision to the Personnel Commission. I understand you will be on leave during the months of August and September 2010. Therefore, I am scheduling this matter for the Personnel Commission meeting on Thursday, October 14, 2010.

If you have any questions, please contact my office.

- C:     Laura Kidwiler, Chief Human Resources Officer  
       Cathy Grovenburg, Chief Business Officer  
       Doug Coffman, Director, Internal Business Services  
       Libby Spector, Personnel Commission  
       Nicholas Gervase, Personnel Commission  
       Rodney Martin, Personnel Commission

Attachments (3)

SANTA CLARA COUNTY OFFICE OF EDUCATION  
Classified Personnel Services - Payroll Services

CLASSIFIED SENIORITY ROSTER BY EMPLOYEE NAME (A - Z)  
April 28, 2010

Hire Date	Name	Grade	Classification	Range	ST	Hrs	Seniority	Memo	Notes
07/04/05	Miele, Judy		Specialized Physical Health Care Assistant	40.0	P	6.0	6,903.75		
07/04/05	Miele, Judy		Education Assistant, Special Education	37.0			7,068.75		
09/02/88	Miguel, Janice		School Office Coordinator	43.0	P	8.0	26,048.00		
09/02/88	Miguel, Janice		School Secretary	38.5			39,798.76		
11/01/73	Mikilica, Patricia		Education Assistant, Special Education	37.0			43,012.68		
11/01/73	Mikilica, Patricia		Applications Support Analyst	51.0			23,667.50		
11/01/73	Mikilica, Patricia		Associate DIP Systems Coordinator	48.0			67,005.50		
11/01/73	Mikilica, Patricia		Account Clerk III/Pre '84	38.5			73,005.50		
11/01/73	Mikilica, Patricia		Account Clerk II/Pre '84	36.5			74,246.50		
11/01/73	Mikilica, Patricia		Typist Clerk III/Pre '84	34.5			76,741.50		
11/01/73	Mikilica, Patricia		District Services Supervisor	11.0			35,998.00		
09/28/07	Miller, Sharon		Applications Support Coordinator	7.0			16,628.00		99
11/08/05	Millikin, Debbie		Manager, Payroll Services	7.0			10,848.00		
11/01/07	Mills, Demar		Education Assistant, Special Education (NCLB)	37.0	P	8.0	3,340.50		
09/04/02	Minjares, Mira		Education Assistant, Special Education (NCLB)	37.0	P	6.5	6,683.37		
02/20/02	Mirio, Michelle	B/B	Education Assistant, Special Education (NCLB)	37.0	P	6.5	2,927.00		
01/12/09	Mitchell, Alexander		Education Assistant, Special Education (NCLB)	37.0	P	5.5	10,706.00		
01/12/09	Mitchell, Alexander		Education Assistant, Special Education (NCLB)	37.0	P	5.5	10,011.43		
02/26/01	Milome, Sabrina	B	Education Assistant, Special Education (NCLB)	37.0	P	5.5	1,087.50	Rehired: 01/18/10	
02/26/01	Milome, Sabrina	B	Family Advocate III - Restricted (ACS)	37.0	P	5.5	0.00		
10/22/86	Milome, Steven	B	Family Support Specialist III - Restricted (ACS)	42.5	R	8.0	6,528.00		20,21
10/22/86	Milome, Steven		Telecommunications Analyst	40.0			17,440.25		20,21
11/1/87	Mohlajee, Jyotista		Technology Support Specialist	53.5	P	8.0	8,024.00		
10/31/00	Moiwa, Finda		Education Assistant, Special Education (NCLB)	46.0			28,402.60		
02/10/93	Mok, Sokhan		Education Assistant, Special Education (NCLB)	37.0	P	5.5	15,276.50		
02/10/93	Mok, Sokhan	B	Teacher Assistant II - Restricted	37.0	P	5.5	11,648.98		
07/02/07	Molano, Pauline		Teacher Assistant I - Restricted	34.5	R	8.0	20,076.00		21
08/28/00	Molina, Blanca		Education Assistant, Special Education	33.0			30,825.20		21
05/26/95	Molina, Jess	B	Teacher Assistant I	37.0	P	6.5	3,589.50		
09/26/95	Molina, Jess		Utility Person	33.0	P	8.0	20,136.78		
11/03/86	Monges, Barbara		Custodian	38.5	P	8.0	27,012.30		
11/03/86	Monges, Barbara		Classified Personnel Specialist III (ACS)	38.0			30,779.53		
11/03/86	Monges, Barbara		Staffing Assistant, Human Resources	48.0	P	8.0	20,168.00		7,20
11/03/86	Monges, Barbara		Seminar Assistant	40.0			24,784.00		30
11/03/86	Monges, Barbara		Administrative Assistant III (ACS)	39.5			26,864.00		
11/03/86	Monges, Barbara		Education Assistant, ASD	38.0			40,192.00		20,30
				37.0			47,076.00		30

CHAPTER XIII  
LAYOFF AND REEMPLOYMENT

13.01 Definitions

Classified employees in permanent or probationary status shall be subject to layoff for lack of work or lack of funds.

- A. "Layoff" shall be defined as a separation from a regular position or reduction in assigned (time) hours, days, or work year.
- B. "Lack of work" shall be defined as a reduction or elimination of (classified) services.
- C. "Lack of funds" shall be deemed to exist when specified funds budgeted to pay the salaries and other costs of positions belonging to classified employees have expired or are to be terminated.

13.02 Seniority (Order of Layoff)

When classified positions, belonging to regular employees, are to be eliminated or reduced, the order of layoff shall be determined by the length of service. The employee who has been employed the shortest time in the class plus higher classes shall be laid off first (Education Code Section 45308).

13.03 Computation of Seniority

- A. For employees hired before July 1, 1971, seniority shall be determined by "hire date."
  1. Length of service shall be granted for time spent on military leave, illness and industrial accident leave.
  2. When two or more employees in the same class have the same hire date, seniority shall be determined by a casting of lots.
- B. For employees hired after July 1, 1971, seniority shall be determined by "hours in paid status." Hours in paid status shall include all leaves of absence with pay, such as sick leave, vacation and time spent on military leave of absence.

1. Exclusions

Hours compensated solely on an overtime basis or prior to appointment in a regular classified position (e.g., provisional or substitute status) as well as breaks in continuity of regular paid service that occur for less than twelve month employees shall be excluded from seniority.

2. Equal Hours

When two or more employees in the same class have equal seniority, the employee with the longest total service shall be considered as more senior. The casting of lots shall break a subsequent tie.

3. Prior Held Classes

In a layoff, employee's seniority for his/her current class shall be upwardly adjusted to include all prior seniority earnings in any class with a higher maximum salary rate as well as a related class with the same maximum salary rate. Related classes shall, in addition to the same salary rate, both belong to the same group ("family") and the same employee unit.

4. Extended Work Year

Notwithstanding the provisions of Sub Rule C(1), above, when the work year of a less than twelve-month employee is extended, to work in his/her class, such time worked shall be eligible for seniority accrual.

5. Position Reclassification

When all or a portion of the positions in a class are reclassified to a higher class pursuant to Rules 6.14-6.17, the employees, in such positions, shall commence seniority accrual in that higher class in accordance with the approval date by the Commission, or when examinations are required, the date employment standards were successfully attained.

6. Probationer's Change in Class

No probationary employee and no permanent employee in probationary status shall retain the seniority earned in a class, when prior to the expiration of his/her probationary period, that employee elects to:

- Terminate his/her employment with the County Office of Education
- Discontinue his/her service in that class to accept appointment in another class as a probationary employee
- Voluntarily demote or reinstate to a prior held class where he/she has achieved permanency
- Notwithstanding the provisions of this sub rule, seniority earned by a permanent employee in a class prior to permanency shall be applied to the class.

7. Non-Permanent (Work Out-of-Class) Assignments

- A regular employee shall continue seniority accrual during a temporary work out-of-class or non-permanent assignment, unless that employee has permanently held the latter (out-of-class) class.
- Effective January 1, 1985, a regular employee shall continue to earn classified seniority (in his/her class) during a non-permanent assignment in a certificated position.

8. Extra Hours

A part-time regular employee shall accrue seniority for all additional (extra) hours worked up to eight (8) hours per day in his/her class; however, additional hours (extra) hours worked in a different class shall not be credited.

9. Transfer/Reassignment

A transfer to a position in the same class shall not affect a regular employee's seniority.

When a regular employee transfers to a position in a related class, his/her seniority shall commence in the latter (related) class at appointment; however, he/she shall also earn seniority in the former class.

10. Certificated Return to Classified Service

A regular classified employee who accepts a position as a temporary teacher and returns to (the classified service) his/her prior class within 39 months, shall have his/her classified seniority upwardly adjusted with the seniority that employee would have normally earned.

13.04 Seniority Lists

Prior to issuance of notices of layoff, two (2) seniority lists shall be prepared by Payroll Services. The Director, prior to the approval of the Assistant Superintendent, Human Resources or his/her designee, shall review both lists. Copies of the approved lists shall be presented to the Commission and made available to employees and other interested parties.

A. List for Each Class

Seniority list for each class listing the names and date of hire of all employees who have earned seniority in that class, placed in descending order according to the number of hours in paid status in the class plus higher or related classes. Class incumbents shall be identified. The order for tied placements shall be determined pursuant to Rule 13.03 (B)(2).

B. List for Each Employee

An alphabetical list identifying each employee by name, every class held (in alphabetical order), date of hire, seniority hours earned in paid status for each class plus higher or related classes. Class incumbents shall be identified.

C. Other Employee and Position Data

Each seniority list shall also identify bilingual or bilingual certified employees and previously laid off employees as well as those former employees who have exhausted medical or industrial leave provisions.

### 13.05 Reductions in Force (RIF)

When classified employees are to be laid off for lack of work or lack of funds, the layoff shall be made in reverse order of seniority in the class where the layoff occurs.

The County Superintendent of Schools or his/her administrative personnel shall: 1) determine the positions and classes to be affected by the layoff; 2) notify the Director at least 60 days, in advance, of the effective date of the reduction; and 3) work with the Director, who shall determine the impact on the classified service, to mitigate the effect of eliminated or reduced positions on employees.

- A. Employees in positions designated by the County Superintendent of Schools to be eliminated or reduced in assigned time due to lack of work or lack of funds shall be given not less than 30 days prior notice by personal service or certified mail. Such notice shall include the following information:
  - Effective date
  - Reason for layoff
  - Positions in the classification being eliminated
  - Options in lieu of layoff, if any
  - Reemployment rights
  - Other relevant information
- B. Employees, who have been employed the shortest time in class, plus higher classes, shall be laid off first. Employees affected by displacement due to seniority may exercise bumping rights in a lateral, equal or lower class in which they hold seniority credit greater than that of the least senior incumbent pursuant to Rule 13.06. Displaced employees shall receive not less than 30 days prior notice by personal service or certified mail. Such notice shall include the following information:
  1. Effective date
  2. Reason for layoff
  3. Positions in the classification being eliminated
  4. Options in lieu of layoff, if any
  5. Reemployment rights
  6. Other relevant information
- C. Employees, whose positions are to be reduced in assigned hours, days, or work year, shall be given the same rights as employees whose positions have been eliminated.
- D. The names of permanent or probationary employees laid off or who accept a reduction in assigned time shall be placed on the layoff reemployment list for their class, in the relative order of seniority, for a period of thirty-nine (39) months. The reemployment list for a class shall be used before other employment lists and after transfers to position openings that occur in the class.
- E. The County Superintendent of Schools shall notify the employee, in writing, when circumstances no longer warrant the action.
- F. Any employee who is improperly laid off shall be re-employed immediately upon discovery of the error and shall be reimbursed for all loss of salary or benefits.

### 13.06 Rights in Lieu of Layoff

When a permanent position is to be eliminated or reduced in assigned time per day, week, month, or year, the employee shall have the right to:

- A. Transfer (bump) into a permanent position opening in the class, at equal or comparable assigned time; however, not greater in assigned time than his/her former position.

- B. In the absence of an equal or comparable permanent position opening, the employee may exercise bumping rights to displace the incumbent of the position with equal or comparable time who has the least seniority in the class, provided the employee has greater seniority. If no such position is available, he/she may displace the incumbent with the least seniority among those occupying positions of less time than the original position and greater time than the eliminated/reduced position, provided the employee has greater seniority. An incumbent so bumped from his/her position shall have similar rights.
- C. When the employee is the least senior in the class or occupies the only position in a class, he/she may demote (bump) into any permanent position opening in an equal or next lower class in which he/she previously served in probationary and permanent status.
- D. In the absence of a position opening in the former class, the employee may exercise bumping rights in an equal or the next lower class in which he/she has seniority credit greater than that of the least senior incumbent in the class. An incumbent so bumped from his/her position shall have similar rights.
- E. Employees unable to exercise bumping rights to transfer within the class or demote to a class in which they previously served may request appointment to available position openings in related equal or lower classes for which the Commission determines they are qualified.
- F. Eligible employees may elect service retirement in lieu of layoff through the California Public Employees Retirement System (CALPERS). If the employee subsequently accepts reemployment in an appropriate position opening, the position shall be held until the Public Employees Retirement System has processed the employee's request to return to work (Education Code 45115).

### 13.07 Reemployment

- A. The names of regular employees (in probationary or permanent status) who are laid off shall be placed on the reemployment list in the class in which the layoff occurred and in order of seniority.
- B. Employees who have been laid off shall be eligible for reemployment for a period of thirty-nine (39) months from the date of layoff.
- C. Employees who accept voluntary demotions or reductions in assigned time in lieu of layoff shall have reemployment rights for a period of sixty-three (63) months, after the effective date of the demotion or reduction, provided that tests of fitness under which they qualified for appointment to the class still apply. Intervening reassignments to other classes shall not abrogate that right.
- D. Failure to accept two equal offers of reemployment in the class for which the layoff occurred, shall cause for removal of name from the layoff reemployment list.
- E. Employees are eligible to participate in promotional examinations during the specified period of reemployment rights, and to have seniority points credited to their final passing score (Education Code 45298).
- F. Employees on the reemployment list, who have expressed interest in limited-term, provisional or substitute employment, shall be re-employed as limited-term and provisional employees or in substitute assignments (in the same class or another class exhibiting similar characteristics) in preference to other employees, eligible persons or substitute workers (Refer to Rule 10.13(B)).

### 13.08 Notice of Layoff Due to Expiration of Restricted Funded Programs

- A. When, as a result of the expiration of a restricted funded program, classified positions must be eliminated and classified employees will be subject to layoff for lack of funds, the employees to be laid off and shall be given written notice not less than thirty (30) days prior to the effective date of their layoff, and informed of their displacement rights, if any, and reemployment rights pursuant to Rules 13.05-13.07.
- B. When, as a result of a bona fide reduction or elimination of the service being performed by any department, classified employees shall be subject to layoff for lack of work, affected employees shall be given notice of layoff not less than thirty (30) days prior to the effective date of layoff, and informed of their displacement rights, if any, and reemployment rights pursuant to Rules 13.05-13.07.
- C. Nothing herein provided shall preclude a layoff for lack of funds in the event of an actual and existing financial inability to pay salaries of classified employees, nor layoff for lack of work resulting from causes not foreseeable or preventable by the governing board, without the notice required by Sub Rules A or B, above.

**13.09 Emergency, Provisional or Limited-term Positions**

- A. No regular employee shall be laid off from any position while employees serving in emergency, provisional or limited-term positions are retained in the same class unless the regular employee declines assignment to such temporary positions.
- B. A provisional, emergency or limited term employee may be terminated without regard to the procedures set forth in these rules and without reemployment rights.

SAN JOSE  
THE LETTILA BUILDING  
70 S FIRST STREET  
SAN JOSE, CA 95113-2406  
T 408.285.9600  
F 408.996.4790

PALO ALTO  
435 TASSO STREET  
PALO ALTO CA 94301  
T 650.804.7600  
F 650.804.7630



MAILING ADDRESS  
PO BOX 1469  
SAN JOSE CA 95109-1469  
hopkinscarley.com

## MEMORANDUM

### *Privileged & Confidential*

TO: Philip Gordillo  
FROM: Richard M. Noack  
DATE: July 2, 2010  
RE: Whether The County Office Of Education Is Precluded From Correcting An Error In Seniority By Any Statute Of Limitations

This memorandum considers the issue of whether the County Office of Education is precluded from correcting an error in seniority by any statute of limitations. It is my opinion that the County Office of Education is not precluded from correcting an error in seniority by any statute of limitations.

As I understand the facts that generated the question, a classified manager who took a lateral position approximately five years ago was credited with the seniority of the lateral position from which she transferred. It was a mistake for the seniority from the lateral position to be credited to the classified manager's seniority in her current position. Under Education Code Section 45308, seniority is determined only by time served in classification plus higher classifications. A lateral position is not a higher classification and cannot be used to enhance the seniority in the classified manager's current position.

Apparently when this error was brought to the attention of the Classified Personnel Department, the classified manager was given notice that the Office intended to correct the error. In response, the classified manager contended that the Office was precluded from doing so due to a "statute of limitations." This contention is incorrect. Statutes of limitation limit the ability of a

*Privileged & Confidential*

litigant to bring a cause of action in court to remedy some civil wrong. There is no time limitation in the Education Code or any other statute that precludes an employer from correcting a mistake in seniority, even one that occurred several years before. If the classified manager believes that her rights were not respected by the correction of this mistake, she would need to initiate legal action within the applicable statute of limitations period or be precluded from any recourse.

Please contact me if you have any questions concerning this opinion.

SANTA CLARA COUNTY  OFFICE OF EDUCATION

1290 Ridder Park Drive, San Jose CA 95131-2398  
Dr. Charles Weis, County Superintendent of Schools

October 15, 2010

TO: Rodney Martin,  
Libby Spector,  
Nicholas Gervase,  
SCCOE Personnel Commissioners

FROM: Pat Miklica, Manager, Payroll Services

SUBJECT: Additional Information Regarding My Appeal to Seniority Issue

After yesterday's meeting, I did some research on classified lateral transfers. What I discovered was a clear definition of action documented in the OTBS/OSS contract. Section 13.7.2, **Impact on Seniority of a Transfer** (which is a lateral transfer), states the following:

*Transfers shall have the following impact on seniority for purposes of layoffs:*

- *Within the same class: None*
- *From one class to another: The new unit workers shall not receive seniority credit in the new class for service in other classes, but seniority credit service in the new class **shall accrue in both the new class and the old class as it would in a promotion**, and the worker shall retain the credit as applicable to the worker's seniority.*

Please note that this contract section makes no reference to Job Families and describes my exact situation under current consideration. Also, as you are aware, all benefits and agreements negotiated for classified bargaining unit employees always apply to classified Leadership Team employees. This clearly stated language is what the Payroll Department has followed in accruing seniority to both the bargaining unit and Leadership Team employees whose job changes fall under this section. So I believe Philip was mistaken when he said that seniority "never falls back into the previous position (class) on lateral transfers". I am enclosing a copy of the contract section for your reference. Also, I do not believe lateral transfers are addressed in the Education Code so that is why bargaining unit language was agreed upon to address this situation.

As a result, I am requesting that you take this updated information into consideration in making your decision. It appears that my seniority in my current position of the Manager, Payroll Services class, should apply to my previous position of Application Support Coordinator class.

Thank you.

Attachment

Cc: Ken Shelton, Chief Business Officer  
Laura Kidwiler, Chief Human Resources Officer  
Doug Coffman, Director, Internal Business Services  
Philip Gordillo, Director, Classified Personnel Services

**Philip Gordillo**

---

**From:** Philip Gordillo  
**Sent:** Friday, October 22, 2010 4:43 PM  
**Cc:** Pat Miklica; Doug Coffman; Laura Kidwiler; Kenneth Shelton  
**Subject:** Seniority Follow-up From Pat Miklica  
October 22, 2010

ATTN: Members of the Personnel Commission

I am in receipt of the follow-up memorandum, dated October 15, 2010, from Ms. Pat Miklica, Manager-Payroll Services regarding her appeal to accrual seniority in a prior held classification. While I expect to discuss my response in more detail at the next Commission meeting, on November 18, 2010, I thought I would provide some clarifying points and information:

- a. Section 13.7.2, Impact on Seniority of the SCCOE/SEIU - OTBS/OSS/Paraprofessional Unit contract does not apply to (unrepresented) Leadership team members.
- b. A lateral transfer is the movement of an employee from one position to another position in the same or related class. Position openings made available for lateral transfers are filled differently than competitive position openings made available to both internal and external candidates. A lateral transfer does not require an individual to participate in the application, testing and certification processes.
- c. Ms. Miklica did not obtain her present position as Manager, Payroll Services through the lateral transfer process but rather through the normal competitive application, testing, oral panel interview and certification processes.
- d. Again, I maintain the class of Manager, Payroll Services is NOT related to the class of Applications Support Coordinator as they do not belong to the same class family.

In closing, I believe I did notify the Commission, on October 14, 2010, of certain provisions for certain employees within the SEIU bargaining unit(s) that allow for seniority to continue accrual in prior held classes; however, again, those provisions do not apply to Leadership Team members.

Respectfully,

**Philip J. Gordillo**

*Director of Classified Personnel Services*

**SANTA CLARA COUNTY OFFICE OF EDUCATION**

1290 Ridder Park Drive, Mail Code 265

San Jose, CA 95131-2398

TELEPHONE: 408.453.6845 FAX: 408.453.6785

**AGENDA ITEM VII – A (NEW BUSINESS)  
(ACTION)**

**Establishment of Classification  
HEALTH TECHNICIAN, ENVIRONMENTAL EDUCATION  
(OTBS UNIT)**

**BACKGROUND**

Ms. Anita Parsons, Director-Environmental Education, requested Classified Personnel Services to create class specifications to perform a variety of health care activities involved in administering first aid, dispensing medications and providing medical treatment and emergency care services to students enrolled in programs operated by the Environmental Education Department.

**JOB CLASSIFICATION**

The proposed classification of Health Technician, Environmental Education will dispense medications, administer first aid, ensure the completion of parent permission and health authorizations, supervise ill students, maintain records and transport students who are hurt or become ill to nearby hospital facilities when necessary. A copy of the proposed classification specifications are attached for the Commission's review.

This proposed classification is similar to the responsibilities and job description for the existing classification of Health Care Specialist at the San Mateo COE (see attached). Based on this information the Health Services Specialist – Environmental Education is recommended to be placed at OTBS Unit, Range 39.5, (\$3,298 - \$3,910).

**RECOMMENDATION**

The Director, Classified Personnel Services recommends the Personnel Commission approve the following personnel actions:

1. Establish the classification of Health Technician, Environmental Education, and assign this classification to OTBS Unit, Range 39.5, (\$3,298 - \$3,910).
2. Establish this classification effective November 1, 2010.

**SANTA CLARA COUNTY OFFICE OF EDUCATION**  
**Personnel Commission**

CLASS TITLE: Health Technician, Environmental Education

DESCRIPTION OF BASIC FUNCTION AND RESPONSIBILITIES

Performs a variety of health care activities involved in administering first aid, dispensing medications and providing medical treatment and emergency care services to students enrolled in programs in Environmental Education; maintains records of medication and medical treatment; and perform other (non-medical) environmental education duties as assigned.

DISTINGUISHING CHARACTERISTICS

Employees in this job class must possess a valid California Emergency Medical Technician Certificate, or certification as a Wilderness First Responder or Wilderness First Aid. First aid and CPR certification is also required. Employees in this job class receive general supervision within a specified framework on policies and procedures.

ESSENTIAL/TYPICAL DUTIES

Administers prescribed (per doctors orders) and non-prescribed (per parent orders, with doctor approval) medication and implements medical orders for the care of students

Administers first aid treatment for injuries and illnesses at camp and on the trail

Ensures the Parent Permission and Health Authorization forms are properly filled out

Maintains records of medication and medical treatment

Supervises students under isolation in the health office

Communicates in person and/or by phone with physicians, nurses, parents, teachers, and staff concerning treatment and handling of sick or injured students

Provides first-aid education to staff and students

Keeps accurate records of medical supplies

Makes arrangements for and monitors students on special diets as per guardian and/or doctor's instructions

Makes arrangements for and monitors students with special sleeping needs (i.e. sleepwalking, bedwetting)

Works with parents, teachers, and Walden West staff to provide medical care for students

Assists in the transportation of students who are hurt or have become ill to home or a nearby hospital when necessary

- Assists with instruction of natural science and other program activities
- Responds to situations involving students and student behavior on a routine basis
- Assists in the organization and supervision of high school cabin leaders
- Checks all cabins for cleanliness to meet health and safety standards
- Assists visiting teachers in their duties
- Performs all other related duties as assigned.

### EMPLOYMENT STANDARDS

#### Possession of:

- A valid California Driver's License and driving record which meets the County Office of Education's insurance requirements
- Current California Emergency Medical Technician Certificate, or Wilderness First Responder Certificate, or Wilderness EMT Certificate, or Wilderness First Aid
- A valid First Aid and CPR certification

#### Ability to:

- Supervise and provide appropriate health services to school-age (primary & secondary) students and staff in a residential outdoor science school
- Interact cooperatively and effectively with school officials, parents, students, staff, and the general community
- Ability to make independent decisions and respond to emergency situations and provide guidance to staff
- Establish, maintain, and foster positive and harmonious working relationships with those contacted in the course of work and deal constructively with conflict
- Ability to meet accuracy and productivity requirements in order to perform the outlined tasks of this position
- Ability to manage time efficiently
- Ability to operate standard school health office equipment
- Ability to do simple math including addition, subtraction, multiplication, and division, calculate percentages and decimals
- Ability to communicate in the English language

Establish and maintain effective work relationships with those contacted in the performance of required duties.

### EDUCATION AND EXPERIENCE

Generally, any combination equivalent to: associates degree with course work in health science, nursing, or a related field and one year experience providing nursing or emergency services preferably in a residential outdoor school in a position interacting with similar student populations.

BARGAINING UNIT: Office, Technical and Business Services (OTBS) Unit

### WORKING CONDITIONS

**ENVIRONMENT:** School site office and surrounding campus; indoors and outdoors in all weather conditions; all areas of a school campus including fields, school buses, hallways, classrooms, and restrooms, trails, etc.

**PHYSICAL REQUIREMENTS:** Agility and strength to protect self from attack; hearing and speaking to exchange information in person and on the telephone, or by two-way radio; seeing to read various documents related to assigned activities; seeing to read small print in adverse lighting and at night; depth perception, prepare, and proofread documents, perform assigned duties; walking, sitting or standing for extended periods of time; dexterity of hands and fingers to operate a computer keyboard and other office equipment; kneeling, bending at the waist, and reaching overhead, above the shoulders and horizontally, to retrieve and store files and supplies; lifting heavy objects, traversing across uneven surfaces such as stairs, pavement, etc.

### SPECIAL REQUIREMENTS

Be readily available Monday through Friday in order to provide 24-hour medical related care to staff and students and must be on-call in the evenings

Occasional to frequent lifting and carrying 20-40 lbs; load and unload supplies, and set up equipment

Ability to stoop, climb, grasp, push, pull, reach above and below shoulder level, squat, and bend; and to traverse uneven terrain that may include mud or dirt

Ability to hike on trails for up to two miles, and traverse steep, narrow trails and on uneven terrain while carrying equipment

Lead and help students on hikes to the various teaching locations

Ability to use computers and other technological equipment, telephone, and fax machine

Ability to safely and efficiently operate and automobile

Approved by the Personnel Commission:

## **SAN MATEO COUNTY OFFICE OF EDUCATION**

### **CLASS TITLE: HEALTH CARE SPECIALIST**

#### **BASIC FUNCTION:**

Under the direction of the Manager, Outdoor Education, perform a variety of health care activities involved in administering first aid, dispensing medications and providing medical treatment and emergency care services to students enrolled in the Outdoor Education program.

#### **REPRESENTATIVE DUTIES:**

##### **ESSENTIAL DUTIES:**

Perform a variety of health care activities involved in administering first aid, dispensing medications and providing medical treatment and emergency care services to students enrolled in the Outdoor Education program.

Screen and evaluate medical conditions of students; examine students and identify illnesses, injuries and medical emergencies; provide treatment and administer first aid and emergency medical care as necessary; coordinate response to emergency situations.

Dispense medications to students according to physician instructions; maintain medication logs and records; review student medical forms to verify completeness and identify student health care needs; implement services to assure health care needs are being met.

Counsel students concerning health care, personal and other issues as directed; assist students by answering questions, providing proper examples, emotional support, friendly attitude and general guidance.

Monitor students with specialized health conditions and dietary needs; assure students receive adequate medical services to assure optimal health; advise students, parents and staff concerning special medical and dietary needs among students.

Prepare and maintain various records, reports and files related to students, treatment, accidents and assigned activities.

Utilize a variety of medical instruments and equipment such as an oxygen breathing apparatus and nebulizer.

Communicate with personnel, parents and outside agencies to exchange information and resolve issues or concerns.

Monitor and maintain adequate inventory levels of first aid and emergency medical supplies; order, receive and assure proper storage of supplies.

Maintain the health office and other work areas in a clean, orderly, sanitary and safe condition.

**January 18, 2006**

**San Mateo County Office of Education**

**OTHER DUTIES:**

Assist staff with resolving student discipline issues as directed.

Perform related duties as assigned.

**KNOWLEDGE AND ABILITIES:**

**KNOWLEDGE OF:**

Health office practices, terminology, procedures and equipment.  
Diagnostic methods for illnesses, injuries and medical emergencies.  
Medical procedures associated with special health care needs.  
First aid and CPR procedures.  
Health and safety regulations.  
General health care practices and procedures.  
Clean and sterile treatment techniques.  
Operation of a computer and assigned software.  
Record-keeping and filing techniques.  
Oral and written communication skills.  
Interpersonal skills using tact, patience and courtesy.

**ABILITY TO:**

Screen and evaluate medical conditions of students.  
Examine students and identify illnesses, injuries and medical emergencies.  
Provide treatment and administer first aid and emergency medical care as necessary.  
Counsel students concerning health care, personal and other issues as directed.  
Dispense medications to students according to physician instructions.  
Learn policies and objectives of assigned programs and activities.  
Operate a variety of medical equipment and instruments.  
Maintain records and files.  
Meet schedules and time lines.  
Observe health and safety regulations.  
Work independently with little direction.  
Communicate effectively both orally and in writing.  
Establish and maintain cooperative and effective working relationships with others.

**EDUCATION AND EXPERIENCE:**

Any combination equivalent to: associate's degree with course work in health science, nursing or related field and one year experience providing nursing or emergency medical services.

**LICENSES AND OTHER REQUIREMENTS:**

Valid California certification as an Emergency Medical Technician or Licensed Vocational Nurse.  
Valid First Aid and CPR Certificate issued by an authorized agency.  
Valid California driver's license.

**WORKING CONDITIONS:**

**ENVIRONMENT:**

Health office environment.

**PHYSICAL DEMANDS:**

Dexterity of hands and fingers to operate a computer keyboard.  
Hearing and speaking to exchange information.  
Sitting or standing for extended periods of time.  
Seeing to read a variety of materials and screen student health conditions.  
Walking.

**HAZARDS:**

Exposure to blood-borne pathogens and bodily fluids.

Step 1 (starting) = \$17.83  
Step 2 ( 6 months) = \$18.72  
Step 3 (18 months) = \$19.66  
Step 4 (30 months) = \$20.64  
Step 5 (42 months) = \$21.68

**AGENDA ITEM VII - B (NEW BUSINESS)**

**(ACTION)**

**ESTABLISHMENT OF CLASSIFICATION**

**Administrator, Special Education Fiscal Services  
(Classified Supervisory Unit)**

**BACKGROUND**

Mr. Doug Coffman, Director-Internal Business Services in conjunction with Ms. Mary-Anne Bosward, Director-Special Education, requested Classified Personnel Services to develop supervisory classification specifications similar to those belonging to the classification of Administrator, SELPA Fiscal Services, Classified Supervisory Unit (Range 6.0-\$81,681-\$101,656). The proposed classification would be responsible for the provision of complex reporting functions, technical expertise to Special Education, SELPA and school districts for the programs operated by the Special Education Department.

**CLASSIFICATION SPECIFICATIONS**

Classified Personnel developed specifications for Administrator, Special Education Fiscal Services and completed a salary point factor rating. A copy of the proposed class specifications and point factor rating are attached for the Commission's review.

**RECOMMENDATIONS**

The Director, Classified Personnel Services recommends the Personnel Commission approve the following personnel actions:

1. Establish the class specifications for Administrator, Special Education Fiscal Services, and assign this classification to LT Range 6.0 (\$81,681-\$101,656), effective November 1, 2010.

*Classified Personnel Services*

**Administrator, Special Education Fiscal Services**

November 18, 2010

Management, supervisory, and confidential positions are evaluated and assigned to the salary schedule based on a point factor rating using the following major areas: I) decision making and problem solving; II) skills and abilities; III) training and education; IV) prior experience; V) interaction with others; VI) supervision; and VII) extenuating circumstances. Each major factor may be comprised of several sub-factor criteria.

The ratings for each factor/sub-factor for the current classification of the proposed classification of Administrator, Special Education Fiscal Services are outlined below. The specific points for each factor/sub-factor are enumerated below.

MANAGEMENT POINT FACTOR CRITERIA RATING CATEGORIES	PROPOSED Administrator, SPED Fiscal Services	Factor Level	Points
A. Scope/Level of Planning		5	30
B. Scope/Level of Decisions		5	40
C. Types of Situations		5	30
D. Impact of Decisions		5c	30
E. Communication Skills		4	30
F. Finance and Statistical Skills		5	40
G. Program/Procedure Abilities		4	30
H. Personnel Management Skills		4	30
I. Skill in Working w/Others		4	30
J. Required Training/Education		6	150
K. Required Prior Experience		4	85
L. Nature of Contact Structure		3	15
M. Types of Contacts		3	15
N. Purpose of Contacts		4	25
O. Skill Level-Employees Supervised		3	25
P. No. of Employees Supervised		1	10
Q. Extenuating Circumstances		N/A	0
<b>Total Point Factor Rating(s):</b>			<b>615</b>

### Internal Management Job Classifications Comparisons

	MANAGEMENT JOB CLASS TITLE	POINTS	RANGE	SALARY
1.	Administrator, Special Projects (cl)	620	6.0	\$81,681-\$101,656
2.	Coordinator, Media Services (ce)	620	6.0	\$81,681-\$101,656
3.	Coordinator, Regional AVID (ce)	620	6.0	\$81,681-\$101,656
4.	Coordinator, Special Projects (ce)	620	6.0	\$81,681-\$101,656
5.	Administrator, SELPA Financial Services (cl)	615	6.0	\$81,681-\$101,656
6.	<b>Administrator, Special Education Fiscal Services (cl) (P)</b>	<b>615</b>	<b>6.0</b>	<b>\$81,681-\$101,656</b>
7.	Manager, Human Resources Operations (cl)	605	7.0	\$77,968-\$96,816
8.	Manager, Payroll Services (cl)	590	7.0	\$77,968-\$96,816
9.	Administrator, Financial Analyst (cl)	585	7.0	\$77,968-\$96,816
10.	Applications Support Coordinator (cl)	585	7.0	\$77,968-\$96,816
11.	Advisor, Business Services (cl)	575	7.0	\$77,968-\$96,816
12.	Manager, Unemployment Insurance (cl)	570	7.0	\$77,968-\$96,816
13.	Coordinator, Disabilities Services – Head Start (ce)	565	8.0	\$74,217-\$92,204
14.	Foster Youth Services Coordinator (cl)	555	8.0	\$74,217-\$92,204
15.	Manager, Career and Work Development Programs (cl)	555	8.0	\$74,217-\$92,204
16.	Manager, Credential Services (cl)	545	8.0	\$74,217-\$92,204
17.	Coordinator, Instructional Support (State Preschool) (ce)	540	8.0	\$74,217-\$92,204
18.	Coordinator, Inclusion Training (ce)	535	8.0	\$74,217-\$92,204
19.	Coordinator, Instructional Support (HS/EHS) (ce)	535	8.0	\$74,217-\$92,204
20.	Public Information Coordinator (cl)	535	8.0	\$74,217-\$92,204
21.	Manager, Television-Media Productions (cl)	530	8.0	\$74,217-\$92,204
22.	Coordinator, Early Head Start/Transition (ce)	525	8.0	\$74,217-\$92,204

Legend:

(cl): Classified

(ce): Certificated

(P): Proposed salary range

#### Recommendation

Based the total ratings of 615 for the Administrator, Financial Analyst, the Director recommends this class be assigned to MT Range 6.0 (\$81,681-\$101,656).

11/08/10; PJG

## SANTA CLARA COUNTY OFFICE OF EDUCATION

### ADMINISTRATOR, SPECIAL EDUCATION FISCAL SERVICES

**SUMMARY:** Administers, coordinates, and plans the development, allocation, and reporting of complex financial results and activities for the Special Education program; advises, coordinates and serves as expert resource on special education financial and business related matters; prepares, reviews and distributes a wide variety of financial reports including quarterly fund balance analyses, reimbursement reports to various finance and school district administrators; and perform all other duties as assigned.

#### **ACTIVITIES:**

##### **40% FISCAL SERVICES**

Reviews, audits and authorizes Special Education funding and administrative reports submitted to and received from the California Department of Education and other regulatory agencies; ensures compliance with generally accepted accounting practices and applicable regulations and policies; prepares and maintains a variety of narrative and statistical reports, correspondence, worksheets, records and related files; performs responsible tasks in connection with financial interim and adopted budgets, unaudited actuals, accounting and fiscal reports; reviews and analyzes adopted and working budgets, monthly projections, and allocation plans; reviews special education certification documents and County Excess Tax distribution; advises county office administration, school districts, and SELPA of financial implications of adopted budgets and projections during various meetings and correspondence. Based on data suggest solutions to deal with various financial challenges; works with county office business officials to complete fiscal review of Special Education programs; reviews and approves requisitions, terms of contracts and other transactions initiated by administrative staff and program managers.

##### **35% ADVISORY SERVICES**

Leads and facilitates discussions regarding program funding and expenditures; advises on appropriate use of funding; monitors and interprets school business legislation to communicate implications; serves as an information source regarding fiscal procedures, policies, requirements, and standards for Special Education in accordance with applicable law, regulations and policies and procedures; interprets and analyzes policies and regulations and participates in the analysis of legislation disseminated by SELPA and other regulatory agencies; plans, directs and monitors special projects; confers with auditors; advises and responds to inquires related to program funding and expenditures.

##### **10% DIRECT SERVICES TO EXTERNAL AGENCIES**

Meets and confers with administrators and program managers at school districts and charter schools as needed to provide direction, technical and procedural assistance on special education fiscal matters; reviews state, regional, and administrative reports impacting school district and charter school funding and reimbursements owed for services; provides district special education administrators with financial updates on the status and use of specialized funding in accordance with established guidelines.

##### **10% SUPERVISION**

Plans for, selects, trains, coordinates, assigns work to, and evaluates support staff; determines workload priorities and adjust assignments as needed to meet established time lines.

##### **5% RELATED ACTIVITIES**

Performs all other related duties.

**DECISION-MAKING AND PROBLEM SOLVING:** Researches, analyzes, interprets, and ensures Special Education Administrative office and district instructed actions are in compliance with Education Code, laws, regulations, and court decisions; determines data needs for various financial reports; tests validity of collected data; and reconciles Special Education reports, tax, and apportionment to state and county reports. Develops and implements short-term and long-term plans; provides data for long-term planning in own branch; situations are varied and sometimes highly complex; requires independence and autonomy in decision-making within framework of broadly stated policy guidelines, precedents, specialized knowledge, and prior research; and participates in decisions that frequently have major impact across Office branches and school districts.

**REQUIRED MINIMUM SKILLS AND ABILITIES:** Knowledge of accounting, budgeting, financial analysis and research techniques as related to special education within school districts; ability to interpret, analyze, and apply laws, codes, regulations and court decisions affecting schools and special education; ability to design and implement computer worksheets and programs; ability to produce detailed projections for varied audiences; advanced skill and experience in communicating both orally and in writing with large and small audiences; advanced skill in financial and other statistical analysis; ability to administer programs; skill in personnel management through coordination and cooperation; and advanced skill in adapting style to divergent situations with groups on a frequent basis.

**REQUIRED MINIMUM TRAINING, EDUCATION, AND LICENSING:** Bachelor's degree from an accredited college or university with major course work in accounting, business administration or a related field; and a valid California driver's license.

**REQUIRED MINIMUM PRIOR WORK EXPERIENCE:** Four years of job-related experience with demonstrated competence.

**REQUIRED INTERACTION (NON-AUTHORITY):** Contacts are somewhat unstructured, and are frequently with high-level individuals inside and outside the work unit, such as auditors, state and county officials, school district administrators and staff; and contacts require planning, promoting, strategy development, decision-making, and problem-solving.

**SUPERVISION:** Directly supervises highly skilled staff.

**WORKING CONDITIONS:**

**ENVIRONMENT:** Indoor office environment. The incumbent in this position will be required to work hours beyond the normal workday and participate in meetings, conferences and professional development activities locally and outside the area; frequent driving of a car may also be required.

**PHYSICAL ABILITIES:** Hearing and speaking to exchange information in person and on the telephone; seeing to read, prepare and proofread documents, perform assigned duties; sitting or standing for extended periods of time; dexterity of hands and fingers to operate a computer keyboard and other office equipment; kneeling, bending at the waist, and reaching overhead, above the shoulders and horizontally as needed; lifting light objects.

Approved by the Personnel Commission:

**AGENDA ITEM VII - C (NEW BUSINESS)**  
(Action)

**REVISION OF CLASSIFICATION SPECIFICATIONS**

**Student Assessment Technician**  
(Paraprofessionals Unit)

**BACKGROUND**

Dr. Bill Conrad, Director-Assessment and Accountability, requested Classified Personnel Services to revise the classification specifications belonging to Student Assessment Technician (Paraprofessionals Unit, Range 41.0/\$3,503-\$4,147). The requested revisions are in response to a change in supervision of all positions belonging to this classification.

Positions and incumbents in the classification of Student Assessment Technician were transferred from the Alternative Education Department to the Assessment and Accountability Department. The change in supervision will enhance coordinated assessment activities, assure compliance for the varied assessment requirements in the Alternative Education Department and provide incumbents with staff development and training opportunities associated with the responsibilities of their positions.

**REVISED CLASSIFICATION SPECIFICATIONS**

Classified Personnel Services prepared revised classification specifications based on the needs of the Assessment and Accountability Department. The changes are minor in scope and within the existing class specifications. The revisions will not require any change in the current salary range assignment; however, the Director recommends the class be reviewed for future reassignment from the Paraprofessionals Unit to the OTBS Unit before June 1, 2011.

**RECOMMENDATION**

The Director, Classified Personnel Services recommends the Personnel Commission approve the following personnel action:

1. Revise the classification specifications belonging to Student Assessment Technician (Paraprofessional Unit, Range 41.0/\$3,503-\$4,147).
2. This action shall be effective December 1, 2010.

**SANTA CLARA COUNTY OFFICE OF EDUCATION**  
**Personnel Commission**

CLASS TITLE: Student Assessment Technician

DESCRIPTION OF BASIC FUNCTION AND RESPONSIBILITIES

To administer and score examinations of student enrollees or referred students in such areas as English language assessment, English language acquisition, ~~achieved academic level~~, math, reading, writing, high school equivalency and/or other individual/group achievement and aptitude assessments as assigned. Employees in this classification receive limited supervision within a framework of policies and procedures utilizing a high degree of initiative, problem-solving, and independent judgment. Employees in this classification receive use a high degree of initiative, problem solving, and independent judgment. This job class requires organizational skills and exercises responsibility for coordinating and providing both routine and technical examination administration, record-keeping, and instructional support functions related to academic, achievement, and aptitude assessment activities.

ESSENTIAL AND TYPICAL DUTIES

Administers examinations of student enrollees or referred students in such areas as English language assessment, English language acquisition, math, reading, writing, high school equivalency and/or other individual/group achievement and aptitude assessments as needed reviews and interprets results with students; and identifies students for specific tests

Supports state testing requirements through ordering of testing materials, distribution of testing materials, proctor support during administration, collecting and sorting testing materials and returning testing materials to the testing company

~~Scores examinations assessments forwards results using either a manual or scanning system and forwards results to appropriate student, school, or County Probation, or district personnel~~

Prepares testing reports for County Probation, County Office, and district administrative staff

Observes the performance and behaviors of students during examination sessions and informs school staff when necessary

Motivates and encourages students to perform at maximum efficiency on examinations

Participates in the development of examination policies and procedures

Coordinates testing activities with external agencies in the course of assigned duties

Organizes and prepares examination rooms; reviews daily enrollment; schedules students for examinations and informs school staff of examination schedule; coordinates student drop off/pick-up with staff

Regularly participates in meetings of the assessment and accountability department to support planning, implementation, and monitoring of assessments

Requests and interprets student assessment records from districts and schools; collects preliminary data; inputs, retrieves, and edits student assessment data using a desktop computer and software applications

Supports the scanning and organization of electronic assessment information for school, district, and County Probation administrative staff

Identifies students for reexamination when necessary

Maintains accurate, detailed records of examination results and related observations; prepares routine and special reports as assigned

Attends and participates in meetings to review examination results, assessments, and observations

Trains instructional support staff in examination administration and in the operation of related equipment

Communicates with testing software publishers and technical support; maintains accurate inventory of examination materials and supplies; purchases and reorders materials as needed

Performs a variety of related clerical and record-keeping duties including keyboarding/typing, data entry, and filing

May direct the work of others as assigned

May assist teacher in individual and group instruction, supervision, and training of students in various learning situations including academic subjects and related activities

Performs other job related duties as assigned.

## EMPLOYMENT STANDARDS

### Possession of:

A valid and appropriate California Driver's License

A driving record which meets the County Office of Education insurance requirements

### Knowledge of:

Standard office procedures, practices, and equipment

Basic information technology and related equipment

Basic examination administration procedures, principles, and practices

The needs and behaviors of at risk, court-supervised, or special needs students

Correct English usage, grammar, spelling, vocabulary, and punctuation

Basic math and record-keeping techniques

Ability to:

Administer various examinations, with differing requirements, in such areas as English language assessment, achieved academic level, reading, writing, and math

Score student examinations both manually and electronically

Interpret and explain assessment results

Collect data and prepare reports relating to examinations and assessments

Establish and maintain a variety of testing, learning assessment, and instructional resource records and files

Multi-task a variety of work-related assignments simultaneously

Train and direct the testing work of others as assigned

Keyboard or type at a rate of speed that ensures the completion of assigned duties related to the input, edit, and retrieval of examination results and/or statistical information

Interact with court supervised or special needs students in a sensitive and positive manner

Make appropriate referrals and recommendations

Effectively operate standard office and testing equipment such as a desktop computer, fax machine, calculator, copier and/or scanner

Effectively use word processing, scanning, and database software application programs

Communicate effectively in both oral and written form

Understand and carry out both oral and written instructions in an independent manner

Perform accurate mathematical calculations

Work independently with limited supervision

Establish and maintain effective work relationships with those contacted in the performance of required duties.

May require:

Some positions in this class require oral and/or written skills in a second language other than English as designated by the County Office of Education; some positions in this classification may require travel between school sites; some positions may require attention to safety in the classroom where students may have self-abusive tendencies or could cause serious injuries to others.

### EDUCATION AND EXPERIENCE

#### Education:

Candidates must meet one of two conditions:

- Possession of a high school diploma or equivalent and at least 48 semester units earned at an institution of higher learning that is accredited by one of the seven accrediting associations authorized by the U.S. Department of Education; or
- Possession of a high school diploma or equivalent and the ability to obtain a passing score on the County Office of Education No Child Left Behind (NCLB) Paraprofessional Examination; and

#### Experience:

- One-year experience in testing administration and/or instructional support serving students in at-risk, community, court-supervised and/or special needs programs.

BARGAINING UNIT: Aides Paraprofessional

WORKING ENVIRONMENT: Indoor and classroom environments.

PHYSICAL DEMANDS: Hearing and speaking to exchange information; seeing to read, prepare, and proofread documents, perform assigned duties; sitting or standing for extended periods of time; dexterity of hands and fingers to operate a computer keyboard and other equipment; kneeling, bending at the waist, and reaching overhead, above the shoulders and horizontally, to retrieve and store files and supplies; and lifting light objects.

Personnel Commission Approval: 08/13/84  
Revised: 02/10/86; 08/31/99; 03/23/00; 2/14/08

**AGENDA ITEM VII (D) - NEW BUSINESS  
(ACTION)**

**Approval of Eligibility Lists**

**BACKGROUND**

The Director is responsible for preparing eligibility lists containing the names of eligible persons successfully who have passed required examinations and are available to accept employment in the Classified Service of the Santa Clara County Office of Education. The names of eligible persons have been arranged on each eligibility list in accordance with its examination rules.

**RECOMMENDATION**

Merit Rule 9.02 states that "*Eligibility Lists shall be presented to the Personnel Commission for approval.*" Therefore, the Director respectfully recommends the Personnel Commission approve the establishment of the following lists:

<i>Classification</i>	<i>Date</i>	<i>Unit</i>	<i>Number Eligible Persons</i>	<i>Number Ranks</i>
1. Administrative Assistant III	10/27/10	OTBS	6	6
2. Education Assistant, ASD	10/27/10	AIDES	5	5
3. Education Assistant, Special Education (NCLB)	11/02/10	AIDES	6	6
4. Fiscal Technician	10/28/10	OTBS	10	7
5. School Safety Officer	10/14/10	OTBS	10	7

(ACS): Alternate Class Series