



PERSONNEL COMMISSION
AGENDA OF REGULAR MEETING
Wednesday, July 12, 2023 - 5:30 P.M.
37230 37th Street East, Room 125
Palmdale, CA 93550

In compliance with the American with Disabilities Act, if special assistance is required to participate in this meeting, contact the Personnel Commission Office at 661-285-2902. Notification 48 hours prior to the meeting will enable the Commission to make reasonable arrangements to ensure accessibility to this meeting.

Pursuant to Government Code 54954.2 (a) (1), the District is required to make documents (revised or otherwise) distributed to the Personnel Commission within 72 hours of a meeting, simultaneously available for public review, provided such documents are not otherwise exempt from public disclosure. Such documents will be available may for review at the Personnel Commission Office.

CALL TO ORDER

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL: Mrs. Kathleen Duren, Chairperson
Mrs. Deneese Thompson, Vice Chairperson
Dale Speights, Commissioner

I. PRELIMINARY BUSINESS

ACTION

- | | |
|-------------------------------------------------------|----------|
| A. Approve Minutes of Regular Meeting - June 14, 2023 | 01-23/24 |
| B. Approve Minutes of Special Meeting - June 27, 2023 | 02-23/24 |

II. PUBLIC COMMENTS

- A. Comments Referencing Items on the Agenda
- B. Comments Referencing Non-Agenda Items

Actions proposed for the Consent Agenda are items consistent with adopted rules and regulations of the Personnel Commission and are deemed routine in nature. They will be acted upon in one motion, without discussion, unless members of the Personnel Commission, staff, or a member in the audience requests an items removal. The item will be removed from the motion to approve and will be discussed immediately following the Consent Agenda.

III. CONSENT AGENDA

ACTION

- | | |
|--------------------------------------------------------------------------------------|----------|
| A. Approve Consent Agenda | 03-23/24 |
| 1. Ratification of Eligibility Lists
(Open, Substitute, Promotional Recruitments) | |
| 2. Extension of Eligibility Lists | |
| 3. Nullification of Eligibility Lists | |
| 4. Ratification of Transfer | |

IV. NEW BUSINESS

ACTION

- | | |
|-------------------------------------------------------------------------------------------------------------------------------------|----------|
| A. Approve Agreement for Legal Services
Fagen Friedman & Fulfroost, LLP | 04-23/24 |
| B. Approve Job Description Revision for Substitute Classes
Exclude Language Re: Driver's License Probationary Period Requirement | 05-23/24 |
| C. Approve Eligibility List with Less Than Three Ranks
Bilingual Early Childhood Teacher Assistant | 06-23/24 |

- D. Consider and Classify Positions to Schematic List of Classes:
 - Social Emotional Learning Specialist
 - Noon Duty/Campus Assistant

DISCUSSION/ACTION

07-23/24

V. COMMENTS

- A. Personnel Commission Director - Recruitment/Staffing Updates
- B. Commissioners

VI. RECESS TO CLOSED SESSION

- A. With respect to every item of business to be discussed in closed session, pursuant to Government Code, Section 54957.
 - 1. Confidential/Personnel Matters

VII. RECONVENE TO OPEN SESSION

VIII. REPORT OUT ANY ACTIONS TAKEN IN CLOSED SESSION

- A. With respect to every item of business to be discussed in closed session, pursuant to Government Code, Section 54957.
 - 1. Confidential/Personnel Matters

IX. DATE/TIME OF NEXT PERSONNEL COMMISSION MEETING: August 09, 2023 at 5:30 P.M.

OPEN SESSION ADJOURNMENT _____ P.M

Personnel Commission
Palmdale School District
MINUTES OF REGULAR MEETING OF JUNE 14, 2023

37230 37th Street East, Room 125
Palmdale, CA 93550

The Personnel Commission Chairperson called the meeting of the Personnel Commission to order at 5:30 P.M., followed by the Pledge of Allegiance led by Commissioner Speights.

ROLL CALL:

Member(s) Present: Mrs. Kathleen Duren, Chairperson
Mrs. Deneese Thompson, Vice-Chairperson
Mr. Dale Speights, Member

Staff Present: Ms. Mary Theus, Personnel Commission Director
Mrs. Esthefany Iraheta, Administrative Secretary

PRELIMINARY BUSINESS

- A. The Personnel Commission took action to approve the minutes recorded at the May 10, 2023, regular meeting.

Motion:	Deneese Thompson	Vote:	Kathleen Duren	Aye
Second:	Dale Speights		Dale Speights	Aye
			Deneese Thompson	Aye

- B. The Personnel Commission took action to approve the minutes recorded at May 23, 2023, special meeting.

Motion:	Deneese Thompson	Vote:	Kathleen Duren	Aye
Second:	Dale Speights		Dale Speights	Aye
			Deneese Thompson	Aye

PUBLIC COMMENTS

- A. **Referencing Agenda Items**

Solange Henriquez, Director-Classified Personnel, spoke regarding the discussion item on the agenda. She reminded the Commission of the discussion held at the March 8, 2023 meeting regarding the District's intent to increase salary for substitute classes. She reported that the Substitute Paraeducator Certified Interpreter classification was inadvertently omitted. Therefore, she is addressing the Commission to convey the District's intent to correct the oversight by increasing the salary to align with step one of the appropriate range on the classified salary schedule. The same placement occurred for other substitute classes. Ms. Henriquez welcomed any questions or discussion from the Commission.

Francisco Padilla Director of Transportation, thanked the Commission for their consideration of the proposed Specialty Trip Driver job description. He stated that he will be available to answer any questions.

REPORTS/INFORMATIONAL ITEMS/DISCUSSION

- A. **Salary Rate Increase for Substitute Paraeducator Certified Interpreter**
Commissioner Duren thanked Solange Henriquez for the background information and asked if the previous item contained all substitutes positions. Ms. Henriquez stated that it contained highly needed positions. The Commission had no further questions and supported the District's decision to remedy the salary oversight for this substitute classification.

CONSENT AGENDA

- A. The Personnel Commission took action to approve the Consent Agenda as presented. The item passed unanimously.

Motion:	Deneese Thompson	Vote:	Kathleen Duren	Aye
Second:	Dale Speights		Dale Speights	Aye
			Deneese Thompson	Aye

UNFINISHED BUSINESS

- A. **Approval of New Classification - Specialty Trip Driver**
The Commission took action to approve the new classification titled Specialty Trip Driver, as well as the description and proposed salary placement, and new Transportation series job family. As no member was willing to second the motion, the motion dies for a lack of a second. The item failed, and the Commission proceeded to the next item.

Motion:	Dale Speights	Vote:	None
Second:	None		

NEW BUSINESS

- A. **Approval of ADA Compliant Job Analysis - Specialty Trip Driver**
The Personnel Commission took action to approve the ADA Compliant Job Analysis for Specialty Trip Driver. As no member was willing to second the motion, the motion dies for a lack of a second. The item failed, and the Commission proceeded to the next item.

Motion:	Deneese Thompson	Vote:	None
Second:	None		

- B. **Approval of the 2023-2024 Agreement for Services - Shreds Unlimited**
The Personnel Commission took action to approve the 2023-2024 Agreement for Services with Shreds Unlimited. The item passed unanimously.

Motion:	Deneese Thompson	Vote:	Kathleen Duren	Aye
Second:	Dale Speights		Dale Speights	Aye
			Deneese Thompson	Aye

C. Approval of the Eligibility List with Fewer Than Three Ranks

Bilingual Early Childhood Education Teacher Assistant

The Personnel Commission took action to approve the eligibility list with fewer than three ranks for Bilingual Early Childhood Education Teacher Assistant. The item passed unanimously.

Motion:	Deneese Thompson	Vote:	Kathleen Duren	Aye
Second:	Dale Speights		Dale Speights	Aye
			Deneese Thompson	Aye

D. Approval of the Provisional Appointment – Assistant Director, Business Services

The Personnel Commission took action to approve the appointment of Ann Modlin to serve provisionally as Assistant Director, Business Services, commencing June 15, 2023. Commissioner Duren conveyed concern regarding an absent Board item to indicate a leave of absence for the incumbent to support the District's request for a provisional appointment. Therefore, the Commission finds itself in a position to deny the appointment until the Board approves a leave. Ms. Theus stated that she confirmed the leave and period of absence for the incumbent prior to processing the District's request. The Commission acknowledged the verification, and hopes to see the leave of absence on a future Board agenda for approval. The item passed unanimously.

Motion:	Deneese Thompson	Vote:	Kathleen Duren	Aye
Second:	Dale Speights		Dale Speights	Aye
			Deneese Thompson	Aye

E. Approval of the Regular Meeting Calendar for Fiscal Year 2023-2024

The Personnel Commission took action to approve the regular meeting calendar for fiscal year 2023-2024. The item passed unanimously.

Motion:	Deneese Thompson	Vote:	Kathleen Duren	Aye
Second:	Dale Speights		Dale Speights	Aye
			Deneese Thompson	Aye

COMMISSION/STAFF COMMENTS

A. DIRECTOR

Ms. Theus outlined staff recruitment and testing activities. A copy is included as part of the official minutes. She mentioned that the Commission staff continues to onboard candidates, and test and interview as much as possible through the summer months. As per the Commission's request, Ms. Theus presented data for the 2021-2022 year to outline the number of new hires to the district and the associated costs for pre-employment processing (i.e. fingerprint, physical exams, drug testing as applicable).

B. COMMISSION

Commissioner Duren reviewed the data report provided by Ms. Theus, and expressed that the total pre-employment costs were far more than she expected it to be. She asked if the rates have increased, with Ms. Theus noting there have been no increases to date. Mrs. Duren thanked Ms. Theus and conveyed her appreciation for the time taken to complete the report.

Commissioner Thompson commented as well to acknowledge the amount of new hires processed by the Commission staff and the significant costs incurred by the District to bring classified employees on board.

RECESS TO CLOSED SESSION

Pursuant to Government Code Section 54957, the Commission recessed to a Closed Session at 5:49 p.m. and reconvened to Open Session at 6:34 p.m. There was no action taken to report out.

DATE OF NEXT MEETING

The next regular meeting of the Personnel Commission is scheduled July 12, 2023, at 5:30 p.m., Site 18 location; 37230 37th Street East, Room 125, Palmdale CA 93550.

OPEN SESSION ADJOURNMENT

On a motion by Commissioner Thompson, the meeting adjourned at 6:35 p.m.

Kathleen Duren
Chairperson
Approved: July 12, 2023

Deneese Thompson
Vice - Chairperson
Approved: July 12, 2023

Dale Speights
Member
Approved: July 12, 2023

Mary Theus
Director, Personnel Commission

REPORT FROM THE PERSONNEL COMMISSION DIRECTOR

RECRUITMENT UPDATE

OPEN RECRUITMENTS

Administrative Secretary	Expires 6/21/2023
AVID Tutor (Casual)	Continuous
Bilingual Administrative Clerk II	Expires 6/16/2023
Bilingual Administrative Secretary	Expires 6/21/2023
Bilingual Attendance Clerk	Expires 6/23/2023
Bilingual ECE Teacher Assistant	Continuous
Campus Security Assistant	Continuous
Certified Occupational Therapy Assistant	Continuous
Child Nutrition Assistant III	Continuous
ECE Teacher Assistant	Continuous
Mental Health Intensive Case Manager	Continuous
Noon Duty/Campus Assistant	Expires 6/22/2023
Occupational Therapist	Continuous
Paraeducator Certified Interpreter I/II	Continuous
Paraeducator LVN	Continuous
Paraeducator Moderate to Severe	Continuous
School Secretary	Expires 6/23/2023
Social Emotional Learning Specialist	Continuous
Special Education Instructional Assistant I	Continuous

EXAMINATION

Bilingual / ECE Teacher Assistant	6/15/2023
Bilingual Instructional Assistant	6/16/2023
Bilingual Typist Clerk	6/28/2023, 6/29/2023
Campus Security Assistant	6/22/2023
Family Services Advocate	6/23/2023, 6/28/2023
Noon Duty/Campus Assistant	7/5/2023
Paraeducator/LVN	6/26/2023
Paraeducator Moderate to Severe	6/20/2023, 6/26/2023
Special Education Instructional Assistant	6/20/2023, 6/26/2023

Personnel Commission
Palmdale School District
MINUTES OF SPECIAL MEETING OF JUNE 27, 2023
37230 37th Street East, Room 125
Palmdale, CA 93550

The Personnel Commission Chairperson called the meeting of the Personnel Commission to order at 11:10 a.m., followed by the Pledge of Allegiance.

ROLL CALL:

Member(s) Present: Mrs. Kathleen Duren, Chairperson
Mrs. Deneese Thompson, Vice-Chairperson
Mr. Dale Speights, Member

Staff Present: Ms. Mary Theus, Personnel Commission Director
Legal Representative: Mr. James Fernow, Attorney for the Personnel Commission

Commissioner Kathleen Duren read the hearing procedures for a hearing of appeal. The hearing began with an introduction of pertinent parties. One person attended and was excused when closed session commenced.

CLOSED SESSION

Pursuant to Government Code Section 54957:

- A. **Discipline/Dismissal/Release**
Dismissal appeal hearing, Employee No. 11-E2-22/23, according to
Personnel Commission Rules and Regulation, Chapter 9, Item 9.3

RECESS TO CLOSED SESSION: 11:11 a.m.

RECONVENE TO OPEN SESSION: 11:18 a.m.

CALL TO ORDER: Commissioner Kathleen Duren called the meeting to order at 11:18 a.m.

REPORT OUT

Employee No. 11-E2-22/23, received notice of the hearing on June 27, 2023, at 11:00 a.m. As the employee was not present, the Commission granted an extra ten (10) minutes for arrival. The employee was not present at 11:10 a.m. for the hearing to commence.

As required by the Personnel Commission Rules and Regulations, Item 9.3, Hearing Procedure, Paragraph F, the Personnel Commission took action to sustain the Board's disciplinary action.

Motion:	Deneese Thompson	Vote:	Kathleen Duren	Aye
Second:	Dale Speights		Dale Speights	Aye
			Deneese Thompson	Aye

ADJOURNMENT

On a motion by Commissioner Deneese Thompson, the meeting adjourned at 11:19 a.m.

Kathleen Duren
Chairperson
Approved: July 12, 2023

Deneese Thompson
Vice - Chairperson
Approved: July 12, 2023

Mary Theus
Director, Personnel Commission

Dale Speights
Member
Approved: July 12, 2023

**PALMDALE SCHOOL DISTRICT
PERSONNEL COMMISSION
AGENDA ITEM**

DATE	July 12, 2023	REPORT
TO:	Personnel Commission	<u> X </u> ACTION
FROM:	Mary Theus Director, Personnel Commission	
RE:	RATIFICATION OF SUBSTITUTE LIST(S)	

STATUS

The testing procedure for establishment of an eligibility list for the classifications on the attached "Substitute/Casual Recruitment Summary Report" have been completed and the list(s) established as presented.

RECOMMENDATION

It is recommended that the eligibility list(s) for the attached classification(s) be ratified.

**PALMDALE SCHOOL DISTRICT
PERSONNEL COMMISSION
July 12, 2023**

SUBSTITUTE/CASUAL RECRUITMENT SUMMARY REPORT

Job Classification	Recruitment Open Date	Recruitment Close Date	Written Exam Date	Number of Applicants	Passed MQs invited to test	Exam Participants	Participant No Shows / Declined	Passed Performance	Passed Written	Number on Referral List	Sent Referral List to Human Resources
Substitute Administrative Clerk	05/31/2023	Continuous	06/26/2023 06/27/2023	64	43	20	23	10	10	10	06/27/2023
Substitute Custodian	05/31/2023	06/13/2023	06/23/2023	75	38	20	18	N/A	16	16	06/26/2023 07/05/2023
Substitute Instructional Assistant	05/31/2023	Continuous	06/29/2023	18	15	10	5	N/A	8	8	Yes
Substitute Paraeducator Translator (DHH)	05/12/2022	Continuous	05/12/2023	1	1	1	0	N/A	1	1	06/23/2023

The eligibility list process is complete and in compliance with pertinent Education Codes (merit system) and Personnel Commission Rules and Regulations.

Director, Personnel Commission
July 12, 2023

**PALMDALE SCHOOL DISTRICT
PERSONNEL COMMISSION
AGENDA ITEM**

DATE	July 12, 2023	REPORT
TO:	Personnel Commission	<u> X </u> ACTION
FROM:	Mary Theus Director, Personnel Commission	
RE:	RATIFICATION OF ELIGIBILITY LIST(S)	

STATUS

The testing procedure for establishment of an eligibility list for the classifications on the attached "Classified Recruitment Summary Report" have been completed and the list(s) established as presented.

RECOMMENDATION

It is recommended that the eligibility list(s) for the attached classification(s) be ratified.

Palmdale School District
Personnel Commission

July 12, 2023

CLASSIFIED RECRUITMENT SUMMARY REPORT

Job Classification	Recruitment Open Date	Recruitment Close Date	Written Exam Date	QAI Date	Number of Applicants	Passed MQs invited to test	Exam Participants	Participant No Shows / Declined	Passed Performance	Passed Written	Passed QAI	Number Eligible	List Effective Date	List Expiration Date	Merged *Yes/No	Total # of Ranks
Campus Security Assistant	03/30/2023	Continuous	06/09/2023 06/22/2023	06/29/2023	66	12	9	3	N/A	6	4	4	07/05/2023	07/04/2024	*Yes	8
Crossing Guard	05/03/2023	05/24/2023	06/07/2023	N/A	52	37	17	20	N/A	13	N/A	13	06/09/2023	06/08/2024	*Yes	12
ECE Teacher Asst	07/08/2022	Cont.	06/15/2023	NA	12	3	1	2	NA	1	NA	1	06/22/2023	06/21/2024	*Yes	5
Instructional Assistant I	05/11/2023	05/31/2023	06/14/2023	NA	64	61	30	31	NA	17	NA	17	06/15/2023	06/14/2024	*Yes	11
Lead Library Aide	04/28/2023	05/19/2023	05/25/2023	06/27/2023	22	10	8	2	8	8	7	7	06/27/2023	06/26/2024	No	6

*Only new eligibles have the expiration date of the merged eligibility list; previous eligibles maintain the original expiration date.

The eligibility list process is complete and in compliance with pertinent Education Codes (merit system) and Personnel Commission Rules and Regulations.

Director, Personnel Commission
July 12, 2023

**PALMDALE SCHOOL DISTRICT
PERSONNEL COMMISSION
AGENDA ITEM**

DATE July 12, 2023 REPORT

TO: Personnel Commission X ACTION

FROM: Mary Theus
Director, Personnel Commission

RE: EXTENSION OF ELIGIBILITY LIST(S)

STATUS

The eligibility list(s) for the following classifications still contain(s) a sufficient number of qualified ranks.

Job Classification	Effective Date	Expiration Date	Date Extended
Attendance Clerk	08/01/2022	07/31/2023	01/31/2024
Reprographics Technician	07/27/2022	07/26/2023	01/26/2024

RECOMMENDATION

It is recommended that the eligibility list(s) stated above be extended for a period of six months.

**PALMDALE SCHOOL DISTRICT
PERSONNEL COMMISSION
AGENDA ITEM**

DATE July 12, 2023 REPORT

TO: Personnel Commission X ACTION

FROM: Mary Theus
Director, Personnel Commission

RE: NULLIFICATION OF ELIGIBILITY LIST(S)

STATUS

The eligibility list(s) for the following classifications have expired or have insufficient ranks remaining.

Job Classification	Effective Date	Expiration Date
Bilingual ECE Teacher Assistant	06/07/2023	06/06/2024
Campus Security Assistant	05/12/2023	05/11/2024
Crossing Guard	03/14/2023	01/13/2024
ECE Teacher Assistant	06/07/2023	06/06/2024
Instructional Assistant I	04/07/2023	04/06/2024

RECOMMENDATION

It is recommended that the eligibility list(s) stated above be nullified.

**PALMDALE SCHOOL DISTRICT
PERSONNEL COMMISSION
AGENDA ITEM**

DATE	July 12, 2023	REPORT
TO:	Personnel Commission	<u> X </u> ACTION
FROM:	Mary Theus Director, Personnel Commission	
RE:	RATIFICATION OF TRANSFER(S)	

STATUS

As provided for in the Personnel Commission Rules and Regulations and the Collective Bargaining Agreement, the Personnel Commission shall ratify transfers.

RECOMMENDATION

It is recommended that the Personnel Commission ratify the transfer(s) included as "Change of Status" from the Board Agenda.

Transfers and Reassignments**7/12/2023**

	<u>Employee Name</u>	<u>Effective Date</u>	<u>Classification(s)</u>	<u>Comments</u>
a.	Ayala Armenta, Ana L.	07/07/2023	From Special Ed. Instructional Assistant I (TA) 6.5 hrs/182 days, to Translator (Sp Ed) 8.0 hrs/ 12 mo.	Promotion Replacement for Laura Escalante
b.	Barrios, Rosa C.	05/22/2023	From Special Ed. Instructional Assistant I (CA) 6.5 hrs/182 days, to Parent/Community Liaison (BS) 8.0hrs/182 days	Promotion Replacement for Susan Flores
c.	Becerra, Wilman A.	08/03/2023	From Instructional Assistant I (DR) 5.75 hrs/182 days, to Bilingual Instructional Assistant (DR) 5.75 hrs/182 days	Promotion Replacement for Alondra Palacios
d.	Esquivel, Stacey D.	08/03/2023	Bilingual Instructional Assistant, from (TW) to (LA) 5.75 hrs/182 days	Voluntary transfer Replacement for Iris Molina
e.	Short, Kendrick L.	07/05/2023	Technology Support Liaison, from (BV) to (TA) 8.0 hrs/11 mo.	Voluntary transfer Replacement for Felix Ramos
f.	Villalva, Martha E.	08/03/2023	From Noon Duty/Campus Assistant (DC) 5.75 hrs/182 days, to Bilingual Instructional Assistant (DC) 5.75 hrs/182 days	Promotion Replacement for Candelaria Avina Perales

**PALMDALE SCHOOL DISTRICT
PERSONNEL COMMISSION
AGENDA ITEM**

DATE	July 12, 2023	<u> </u> REPORT
TO:	Personnel Commission	<u> X </u> ACTION
FROM:	Mary Theus Director, Personnel Commission	
RE:	APPROVE 2023-2024 AGREEMENT FOR LEGAL SERVICES FAGEN FRIEDMAN & FULFROST LLP	

BACKGROUND

Mr. Jay Fernow of the law firm of Fagen Friedman & Fulfrost, has served as the primary legal counsel for the Personnel Commission for many years.

STATUS

The Agreement for Legal Services to retain Fagen Friedman & Fulfrost as legal counsel for the Personnel Commission commencing July 1 is attached for approval. The professional rate schedule for services and associated expenses shows a slight increase from last year's schedule. This expense was projected in the approved Personnel Commission budget.

RECOMMENDATION

It is recommended that the Personnel Commission approve the 2023-2024 Agreement for Legal Services with Fagen Friedman & Fulfrost LLP as presented.



AGREEMENT FOR LEGAL SERVICES

This agreement is by and between Palmdale School District Personnel Commission (“Client”) and the law firm of Fagen Friedman & Fulfroft LLP (F3 Law) (“Attorney”). In consideration of the promises and the mutual agreements hereinafter contained, Attorney agrees to provide legal services to Client on the terms set forth below effective July 1, 2023:

1. **CONDITIONS.** This Agreement will not take effect, and Attorney will have no obligation to provide legal services, until Client returns a signed copy of this Agreement.

2. **SCOPE OF SERVICES.** Client hires Attorney as its legal representative/counsel with respect to matters Client specifically refers to Attorney. Attorney will provide those legal services reasonably required to represent Client. Attorney will take reasonable steps to keep Client informed of progress and to respond to Client’s inquiries.

3. **CLIENT’S DUTIES.** Client agrees to cooperate with Attorney and to communicate with candor while keeping the Attorney apprised of any information or developments which may come to Client’s attention, to abide by this Agreement, to pay Attorney’s bills on time and to keep Attorney advised of Client’s address and telephone number. Client will assist Attorney in providing information and documents necessary for the representation in the described matter.

4. **CONSULTANT SERVICES.** Attorney may provide consulting services, which may be referred to as Next Level Client Services, in addition to or in support of the legal services provided pursuant to this Agreement, through qualified non-attorney consultants, including but not limited to: governance training and assistance; communications services; education program planning and implementation; mentoring, coaching, and leadership; strategic planning and solutions; and advocacy at the local and state level.

5. **EMAIL COMMUNICATIONS/CLOUD-BASED COMPUTING.** In order to provide Client with efficient and convenient legal services, Attorney will frequently communicate and transmit documents using e-mail. In addition, Attorney uses a cloud computing service with servers located in a facility other than Attorney’s office. Most of Attorney’s electronic data, including emails and documents, are stored in this manner. Although Attorney will take reasonable precautions to keep email and other electronic data confidential and secure, because technology and cyber threats continue to evolve, there may be risks communicating and storing electronic data in this manner, including risks related to confidentiality and security. By entering into this Agreement, Client is consenting to such e-mail transmissions with Client and Client’s representatives and agents, as well as to having communications, documents and electronic data pertinent to Client’s matter(s) stored through a cloud-based service.

6. **LEGAL FEES AND BILLING PRACTICES.** Client agrees to pay by the hour, in minimum units of one tenth (.1) of an hour, at Attorney’s prevailing rates for all time spent on Client’s matter by Attorney’s legal personnel. Current hourly rates are noted in an attached rate schedule and the actual rate billed is based on the attorney’s number of years of experience.

The rates on this schedule, as well as the current job title designations/ classifications listed hereon, are subject to change on 30 days’ written notice to client. If Client declines to pay any increased

rates, Attorney will have the right to withdraw as Attorney for Client. The time charged will include the time Attorney spends on telephone calls relating to Client's matter, including calls with Client and other parties and attorneys. The legal personnel assigned to Client's matter may confer among themselves about the matter, as required and appropriate. When they do confer, each person will charge for the time expended, as long as the work done is reasonably necessary and not duplicative. Likewise, if more than one of the legal personnel attends a meeting or other proceeding, each will charge for the time spent.

7. COSTS AND OTHER CHARGES. (a) Attorney will incur various costs and expenses in performing legal services under this Agreement. Except as otherwise stated, Client agrees to pay for all costs, disbursements and expenses in addition to the hourly fees. These include fees fixed by law or assessed by public agencies, messenger and other delivery fees, out of office copying/reproduction costs, and travel costs (including mileage charged at the standard IRS rate, parking, transportation, meals and hotel costs, if applicable), and other similar items. The following costs shall not be charged:

In office Photocopying	No Charge
Facsimile Charges	No Charge
Postage	No Charge
On-line Legal Research Subscriptions	No Charge
Administrative Overhead	No Charge

(b) Out of town travel. Client agrees to pay transportation, meals, lodging and all other costs of any necessary out-of-town travel by law firm personnel. Client will also be charged the hourly rates for the time legal personnel spend traveling.

(c) Consultants and Investigators. To aid in the representation in Client's matter, it may become necessary to hire consultants or investigators. Client agrees to pay such fees and charges.

8. BILLING STATEMENTS. Attorney will send Client monthly statements for fees and costs incurred. Each statement will be payable within thirty (30) days of its mailing date. An interest charge of one percent (1%) per month shall be assessed on balances that are more than thirty (30) days past due. Client may request a statement at intervals of less than 30 days. If Client requests a bill, Attorney will provide one within 10 days. The statements shall include the amount, rate, basis of calculation or other method of determination of the fees and costs, which costs will be clearly identified by item and amount.

9. DISCHARGE AND WITHDRAWAL. Client may discharge Attorney at any time. Attorney may withdraw with Client's consent, for good cause or as allowed or required by law upon ten (10) days written notice. Good cause includes Client's breach of this Agreement, refusal to cooperate or to follow Attorney's advice on a material matter or any fact or circumstance that would render Attorney's continuing representation unlawful or unethical. When Attorney's services conclude, all unpaid charges will immediately become due and payable. Following the conclusion of Attorney's representation of Client, Attorney will, upon Client's request, deliver to Client the Client file(s) and property in Attorney's possession, whether or not Client has paid for all services. If Client has not requested delivery of the files, Attorney may destroy all such files in its possession seven (7) years after the conclusion of the representation.

10. DISCLAIMER OF GUARANTEE AND ESTIMATES. Nothing in this Agreement and nothing in Attorney's statements to Client will be construed as a promise or guarantee about the outcome of the matter. Attorney makes no such promises or guarantees. Attorney's comments about the outcome of the matter are expressions of opinion only. Actual fees may vary from estimates given.

11. ENTIRE AGREEMENT. This Agreement contains the entire agreement of the parties. No other agreement, statement, or promise made on or before the effective date of this Agreement will be binding on the parties.

12. MODIFICATION BY SUBSEQUENT AGREEMENT. This Agreement may be modified by subsequent agreement of the parties only by an instrument in writing signed by both of them or an oral agreement only to the extent that the parties carry it out.

13. SEVERABILITY IN EVENT OF PARTIAL INVALIDITY. If any provision of this Agreement is held in whole or in part to be unenforceable for any reason, the remainder of that provision and of the entire Agreement will be severable and remain in effect.

14. MEDIATION CLAUSE. If a dispute arises out of or relating to any aspect of this Agreement between the Client and Attorney, or the breach thereof, and if the dispute cannot be settled through negotiation, Attorney and Client agree to use mediation before resorting to arbitration, litigation, or any other dispute resolution procedure.

15. EFFECTIVE DATE. This Agreement will govern all legal services performed by Attorney on behalf of Client commencing with the date Attorney first performed services. The date at the beginning of this Agreement is for reference only. Even if this Agreement does not take effect, Client will be obligated to pay Attorney the reasonable value of any services Attorney may have performed for Client.

THE PARTIES HAVE READ AND UNDERSTOOD THE FOREGOING TERMS AND AGREE TO THEM AS OF THE DATE ATTORNEY FIRST PROVIDED SERVICES. THE CLIENT SHALL RECEIVE A FULLY EXECUTED DUPLICATE OF THIS AGREEMENT.

IN WITNESS WHEREOF, the parties have signed this Agreement for Legal Services.

Palmdale School District Personnel
Commission

Fagen Friedman & Fulfroft LLP

Namita S. Brown

Type or Print Name

Name

Managing Partner

Type or Print Title

Title



District Authorized Signature

Signature

DATE: _____

DATE: May 17, 2023



Fagen Friedman & Fulfroft LLP

**Please Return
Professional Rate
Schedule With
Contract**

PROFESSIONAL RATE SCHEDULE

Palmdale School District Personnel Commission
July 1, 2023

1. HOURLY PROFESSIONAL RATES

Client agrees to pay Attorney by the following standard hourly rate:

Associate	\$280 - \$310 per hour
Partner	\$345 - \$380 per hour
Senior Partner*	\$405 per hour
Senior Counsel/Of-Counsel	\$360 - \$380 per hour
Paralegal	\$195 - \$280 per hour
Law Clerk	\$280 per hour
Next Level Client Services	\$180 per hour
Education Consultant	\$285 per hour
Communications Services Consultant	\$305 per hour
Communications Services Associate	\$100 per hour
Technology Discovery Associate	\$50 per hour

**Partners with 25+ years of experience.*

Travel time shall be charged only from the Attorney's nearest office to the destination and shall be prorated if the assigned Attorney travels for two or more clients on the same trip. If Client requests a specific Attorney, Client agrees to pay for all travel time of that specific Attorney in connection with the matter. For matters concerning compliance with state and federal voting rights laws and/or related subjects, Client agrees to pay for all travel time of assigned Attorney in connection with those matters.

2. ON-SITE LEGAL SERVICES

At Client's discretion and by prior arrangement of Client and Attorney, Attorney may provide regularly scheduled on-site legal services ("Office Hours") to address legal issues that may arise in Client's day-to-day operations. Office Hours, which include time Attorney spends at Client's facility as well as travel time, shall be provided at a reduced hourly rate of 90% of the Attorney's standard hourly rate.

3. COSTS AND EXPENSES

In office Photocopying	No Charge
Facsimile Charges	No Charge
Postage	No Charge
On-line Legal Research Subscriptions	No Charge
Administrative Overhead	No Charge
Mileage	IRS Standard Rate

Other costs, such as messenger, meals, and lodging shall be charged on an actual and necessary basis.

**PALMDALE SCHOOL DISTRICT
PERSONNEL COMMISSION
AGENDA ITEM**

DATE:	July 12, 2023		REPORT
TO:	Personnel Commission	<u> X </u>	ACTION
FROM:	Mary Theus Director, Personnel Commission		
RE:	JOB DESCRIPTION REVISION: DRIVER'S LICENSE AND PROBATIONARY PERIOD REQUIREMENT FOR SUBSTITUTE CLASSES		

BACKGROUND

Job descriptions for the following substitute classes contain language regarding the requirement of a California driver's license prior to the completion of a probationary period.

Substitute Custodian	Substitute Paraeducator Moderate to Severe
Substitute Paraeducator/LVN	Substitute Special Education Instructional Assistant

STATUS

The existing license and certification language in each job description is as follows:

- Possession of an appropriate, valid driver's license.
- Possession of an appropriate, valid California driver's license prior to the completion of the probationary period.
- Ability to be covered under the District property/liability insurance

As a probationary period is not pertinent to substitute staff, the language shown in the second bullet point will be removed from the job descriptions.

RECOMMENDATION

It is recommended that the Commission approve the proposed job description revision for the referenced substitute classes.

**PALMDALE SCHOOL DISTRICT
PERSONNEL COMMISSION
AGENDA ITEM**

DATE:	July 12, 2023		REPORT
TO:	Personnel Commission	<u> X </u>	ACTION
FROM:	Mary Theus Director, Personnel Commission		
RE:	APPROVE ELIGIBILITY LIST WITH LESS THAN THREE RANKS: BILINGUAL EARLY CHILDHOOD EDUCATION TEACHER ASSISTANT		

BACKGROUND

A primary function of the Personnel Commission is to recruit and select qualified candidates for employment with the District based on the merit system. Through the selection process, candidates are tested and ranked on the basis of their overall knowledge, skills, and abilities.

STATUS

Recruitment efforts for the Bilingual Early Childhood Education Teacher Assistant classification is challenging. The classification is posted continuously with positions difficult to fill because of the stringent minimum qualifications. There is one rank containing one eligible who met all minimum qualifications and successfully completed the competitive examination process.

To support the Early Childhood Education needs of the District, it is requested that an eligibility list be approved when qualified candidates are identified. The candidate will be merged to ranks on the existing list.

RECOMMENDATION

It is recommended that the Personnel Commission approve the eligibility list with fewer than three ranks for Bilingual Early Childhood Education Teacher Assistant as presented.

Palmdale School District
Personnel Commission

July 12, 2023

CLASSIFIED RECRUITMENT SUMMARY REPORT

Job Classification	Recruitment Open Date	Recruitment Close Date	Written Exam Date	QAI Date	Number of Applicants	Passed MQs invited to test	Exam Participants	Participant No Shows / Declined	Passed Performance	Passed Written	Passed QAI	Number Eligible	List Effective Date	List Expiration Date	Merged *Yes/No	Total # of Ranks
Bilingual ECE Teacher Asst	07/08/2022	Cont.	06/15/2023	NA	12	1	1	0	NA	1	NA	1	06/22/2023	06/21/2024	*Yes	1

*Only new eligibles have the expiration date of the merged eligibility list; previous eligibles maintain the original expiration date.

** Remaining applicants from Hiring Event recruitment who did not meet deadline for testing and interviews.

The eligibility list process is complete and in compliance with pertinent Education Codes (merit system) and Personnel Commission Rules and Regulations.

Director, Personnel Commission
July 12, 2023

**PALMDALE SCHOOL DISTRICT
PERSONNEL COMMISSION
AGENDA ITEM**

DATE: July 12, 2023 X REPORT

TO: Personnel Commission X ACTION

FROM: Mary Theus
Director, Personnel Commission

RE: CONSIDER AND CLASSIFY POSITIONS TO SCHEMATIC LIST OF CLASSES

BACKGROUND

The Education Code gives authority to the Personnel Commission to classify positions. To classify, shall include, but not be limited to, arranging classes into occupational hierarchies, and determining reasonable relationships within the hierarchies.

STATUS

The District and CSEA Chapter 296, entered into a Memorandum of Understanding regarding the addition of Social Emotional Learning Specialist and Noon Duty/Campus Assistant positions to the CSEA bargaining unit. The classifications were previously unrepresented and excluded from the unit.

A reorganization of the Schematic List of Classes, an internal document of the Personnel Commission, is necessary to include the referenced groups. The current version of the Schematic is presented for review and discussion.

RECOMMENDATION

It is recommended that the Personnel Commission consider, classify, and approve placement of the referenced positions on the Schematic List of Classes after discussion and as determined.

Palmdale School District
SCHEMATIC LIST OF CLASSES / SALARY RANGES
 (Classified)

**CURRENT VERSION FOR
 COMMISSION REVIEW &
 DISCUSSION ONLY**

ACCOUNTING AND RELATED CLASSES

	<u>RANGE</u>
Senior Payroll Clerk	39
Accounting/Data Processing Technician	35
Benefits/Payroll Clerk	35
Data Processing/Accounting Technician	35
Purchasing Technician	33
Accounting Clerk II	32
Accounting Clerk I	25

SECRETARIAL, CLERICAL, AND RELATED CLASSES

Credentials Analyst	38
Leaves Analyst	38
Personnel Analyst	38
Risk Management Specialist	38
Executive Assistant (Non Confidential)	38
Bilingual Registrar - High School	32
Administrative Secretary	31
Bilingual Administrative Secretary	31
Bilingual School Secretary	31
School Secretary	31
Personnel Administrative Clerk II	30
Personnel Administrative Clerk	27
Administrative Clerk II	26
Bilingual Administrative Clerk II	26
Attendance Clerk	26
Bilingual Attendance Clerk	26
Translator	26
Fingerprint Technician	25
District Receptionist	24
Project/Curriculum Center Clerk	22
Administrative Clerk I	21
Bilingual Typist Clerk	21

TECHNICAL, SPECIALIZED & RELATED CLASSES

IT Technician	40
Network Technician	40
Technology Technician	34
Facilities Planning Technician	34
Internet and Media Communications Specialist	34
Technology Support Specialist	34
Technology Support Liaison	30
Transportation Technician	27
Reprographics Technician	26
Lead Library Aide	21
Library Aide	19

HEALTH RELATED CLASSES

	<u>RANGE</u>
Certified Occupational Therapy Assistant	36
Health Technician - LVN	35
Health Assistant - LVN	35
Family Health Provider	35
Health Assistant	22

FOOD SERVICE CLASSES

Inventory/Procurement Specialist	33
Child Nutrition Manager	28
Child Nutrition Assistant III	20
Child Nutrition Assistant II	19
Child Nutrition Assistant I	17

INSTRUCTIONAL ASSISTANT CLASSES

Paraeducator - Certified Interpreter II	39
Paraeducator - Certified Interpreter	37
Paraeducator / LVN	35
Paraeducator - Translator	27
Paraeducator-Moderate to Severe	26
Speech/Language Pathology Assistant	24
Special Education Instructional Assistant III	21
Speech Education Assistant	20
Instructional Assistant III	20
Bilingual Instructional Assistant	19
Special Education Instructional Assistant II	18
Bilingual Early Childhood Education Teacher Assistant	17
Early Childhood Education Teacher Assistant	17
Instructional Assistant II	17
Special Education Instructional Assistant I	16
Instructional Assistant I	16

UTILITY CLASSES

Maintenance Worker II - Certified	40
Maintenance Worker III	40
Maintenance Worker II	36
Grounds/Utility Maintenance Worker II - Certified	33
Maintenance Worker I	32
Grounds/Utility Maintenance Worker II	29
Custodian II	28
Warehouse Worker/Delivery Driver II	27
Custodian I	26

SOCIAL SERVICE ASSISTANT CLASSES

	<u>RANGE</u>
Student Engagement Advocate	30
Student Interventionist	27
Family Services Advocate	23
Parent/Community Liaison	21

STUDENT SAFETY CLASSES

Campus Security Assistant	22
Crossing Guard	15

UNREPRESENTED

	<u>RATE</u>
Noon Duty/Campus Assistant	Min. Wage
Occupational Therapist	Hourly
Social Emotional Learning Specialist	Hourly