

STATE OF OHIO
STATE PERSONNEL BOARD OF REVIEW

CONNIE L. WEAVER,

Appellant,

v.

Case No. 05-REC-01-0030

BOWLING GREEN STATE UNIVERSITY,

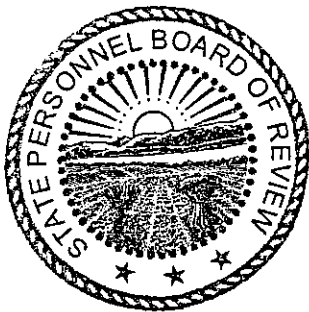
Appellee.

ORDER

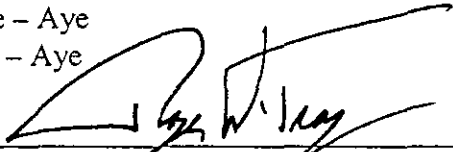
This matter came on for consideration on the Report and Recommendation of the Administrative Law Judge in the above-captioned appeal.

After a thorough examination of the record and a review of the Report and Recommendation of the Administrative Law Judge, along with any objections to that report which have been timely and properly filed, the Board hereby adopts the Recommendation of the Administrative Law Judge.

Wherefore, it is hereby **ORDERED** that Appellee's determination that Appellant's position is properly classified as Student Services Counselor, classification code 69751C, be **AFFIRMED**, and that Appellant's position remain classified as Student Services Counselor, pursuant to sections 124.03 and 124.14 of the Ohio Revised Code.



Tracy – Aye
Lumpe – Aye
Booth – Aye

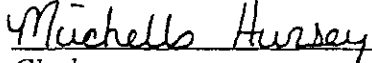


Roger W. Tracy, *Chairman*

CERTIFICATION

The State of Ohio, State Personnel Board of Review, ss:

I, the undersigned clerk of the State Personnel Board of Review, hereby certify that the foregoing is ~~(the original)~~ a true copy of the original) order or resolution of the State Personnel Board of Review as entered upon the Board's Journal, a copy of which has been forwarded to the parties this date, December 22, 2006.



Clerk

NOTE: Please see the reverse side of this Order or the attachment to this Order for information regarding your appeal rights.

**STATE OF OHIO
STATE PERSONNEL BOARD OF REVIEW**

Connie L. Weaver

Case No. 05-REC-01-0030

Appellant

v.

November 15, 2006

Bowling Green State University

Marcie M. Scholl

Appellee

Administrative Law Judge

REPORT AND RECOMMENDATION

To the Honorable State Personnel Board of Review:

This cause came on for record hearing on September 21, 2005. Present at the hearing were the Appellant, Connie L. Weaver, appearing *pro se* and Appellee Bowling Green State University designee Marsha Serio, Office of Human Resources, and Craig Cornell, Director of the Student Financial Aid Office.

The subject matter jurisdiction of the Board was established pursuant to sections 124.03 and 124.14 of the Ohio Revised Code.

STATEMENT OF THE CASE

Appellant Weaver has been employed by Bowling Green State University since 1997 and has been in the Office of Student Financial Aid since June, 1999. Her current classification is Student Services Counselor. She filed for a job audit on July 8, 2004 and Appellee determined she was properly classified as a Student Services Counselor.

Appellant Weaver's immediate supervisor is Tina Coulter, Assistant Director for Client Services. Appellant Weaver has no supervisory duties. There are approximately twenty-five employees in the Office of Student Financial Aid, which is responsible for processing Federal and private student loans and scholarships for approximately twenty thousand students. Appellant Weaver testified she works with students, parents, faculty and minority recruitment. She also does approximately ten presentations per year.

Appellant's Exhibit A was identified as information concerning Hispanic Focus Day in the fall with approximately eighty to one hundred and twenty people who were prospective students. Minority Recruitment coordinated the presentation which discussed being a Bowling Green State University Alumni and explained the process for loans and scholarships. Appellant Weaver created the Power Point presentation for this. She is also involved with a new grant called GearUp and is working with the Toledo Public Schools on this project as the contact person from Appellee.

On a daily basis, Appellant Weaver talks with students who have made appointments with her and who also are walk-ins. She talks with and educates them on all aspects of the cost of attending Appellee and gives every student the Free Application Student Aid (FASA) form to complete. She works with students who are receiving aid as well as those students who are not and need to apply. Appellant Weaver is also fluent in Spanish.

Appellant Weaver works with twenty different budgets including graduate, undergrad, part-time, etc. As part of the budget process, she analyzes these accounts and constantly has to work with the admissions department to see if the student's GPA makes them eligible for additional monies. She also reviews Federal tax forms, social security forms, 401K programs and unemployment documentation.

Appellant's Exhibit B was identified as an example of an on-line documentation. Appellant Weaver meets with parents and students, which she stated requires inter-personal skills in explaining the different types of financial aid and discussing their financial status. Sometimes she will meet several times with the same family. She completes HUD forms and performs credit checks. Appellant's Exhibit C was identified as a table of organization for the office. Appellant Weaver and two other people in the office do similar duties.

Appellant Weaver does not distribute the funds. She stated that last year, the Office of Student Financial Aid dealt with \$172 million dollars in financial aid and Appellant Weaver stated this as an example of the impact that her office has on the bottom financial line of the University. She opined that professional judgment is very important in her job.

Appeals from students regarding their unsatisfactory academic progress are approved or denied by Appellant Weaver. She maintains files and logs into the department of education's website to ensure students complete exit and entrance counseling. Appellant Weaver creates monthly reports on these counselings, the academic performance of students and the presentations which she does. She keeps records of every form she sends out, including the HUD housing forms. Appellant Weaver speaks with high school guidance counselors as well as going to the high schools and speaking with the students about financial aid. She takes her Power Point presentation with her regarding the FASA forms, etc.

Upon questioning by Ms. Serio, Appellant Weaver identified Appellee's Exhibit 2 as the job analysis questionnaire which she completed. Appellant Weaver testified that seventy-five percent of her time is spent doing financial counseling. She then identified Appellant's Exhibit D as a new job analysis questionnaire which she completed after she was notified of the results of her job audit.

Craig Cornell has been employed by Appellee for approximately two and one half years as Director of the Student Financial Aid Office. Appellee's Exhibit 4 was identified as a table of organization showing that Appellant Weaver reports to the Assistant Director, who reports to the Associate Director, who reports to him. Mr. Cornell testified he agrees with Appellant Weaver's description of her job duties and added that there are three other people in the office who do the same duties as Appellant Weaver. He stated the majority of Appellant Weaver's duties concern financial counseling and referring people to other areas of support. He stated three other employees in the office also do walk-in counseling and students are referred to the counseling center on campus.

Marsha Serio stated she has been employed by Appellee for approximately three years and nine months and is the manager of Employment and Employee Relations. She testified she conducted the audit of Appellant Weaver's position, reviewing the information Appellant Weaver submitted as well as the two state specifications contained in Appellee's Exhibits 5 and 6.

Ms. Serio testified she found that approximately seventy-five percent of Appellant Weaver's time is spent counseling students and their families. Comparing those duties to the specifications, she determined Appellant Weaver was properly classified as a Student Services Counselor. She stated the only two specifications which she looked at, since they were the only ones she felt were applicable, were

the Student Services Counselor and the Scholarship and Grants Coordinator. She then identified Appellee's Exhibit 3 as the audit notification letter, Appellee's Exhibit 7 as a comparison of Appellant Weaver's duties to the classification specifications and Appellee's Exhibit 8 as a letter from Director Cornell.

FINDINGS OF FACT

Since there was no discrepancy regarding the job duties as described by Appellant Weaver, I find the duties she described to be factual.

CONCLUSIONS OF LAW

After reviewing several classification specifications and Appellant Weaver's duties, it is clear that Appellant Weaver is properly classified as a Student Services Counselor.

The following specifications were reviewed: Recruitment Specialist; Student Loan Specialist 3; Grants Coordinator 1 and 2; Scholarship and Grants Coordinator; and Student Services Counselor. Appellant Weaver stated she was interested in being classified as a Financial Aid Advisor or a Counselor Officer. Neither of those titles are in the classification plan utilized by the Appellee. A thorough search was made of the State's classifications for counties and universities, as found in administrative rule 123:1-7-17 of the Ohio Administrative Code, which are the classifications utilized by Appellee, and those classifications do not exist. This Board cannot create classifications. The Board is bound by the classifications created by the Department of Administrative Services and has no jurisdiction to create new classifications. Therefore, the titles suggested by Appellant Weaver do not exist and thus, she cannot carry those titles.

In looking at the Recruitment Specialist classification, number 64692C, the function statement reads as follows:

Under general supervision from recruitment manager, personnel technician or administrator, interviews employment applicants for job placement in recruitment office; recruits & interviews at colleges, universities, business & vocational schools & community services organizations; provides information to public & other agencies on

employment, recruitment & related civil service law; may assist in planning & conducting orientation & training programs for new employees;

As can be seen from reading the above statement, this classification is responsible for recruiting applicants for jobs, not to attend a university. It says nothing about recruiting students to attend a university, only that the recruitment activity may take place at a college in order to find applicants for the jobs that are vacant. Clearly this classification specification has nothing to do with the duties performed by Appellant Weaver and was therefore rejected.

The function statement of a Student Loan Specialist 3, number 66563C, which is similar to the duties required of a Student Loan Specialist 1 and 2 but has more training and experience, states as follows:

Under general supervision from student loan supervisor, acts as lead worker over student loan specialists 1 & 2 in pre-claims or in-house collection section & manages complex & exacting partial portfolio of lender accounts or difficult partial caseload of defaulted student loans;

When reading the duties in the specification, all of the duties revolve around the collection of delinquent student loans and other collection duties. Again, these duties are not performed by Appellant Weaver as there was no evidence to establish that she performs any collection of delinquent loans. Therefore, this classification was rejected.

The next classifications that were reviewed were Grants Coordinator 1 and 2, numbers 63161C and 63162C. Those function statements read as follows, respectively;

Under general supervision from grants administrator or other administrative superior, coordinates departmental grant activities; assists project directors to obtain & administer grants;

Under general supervision from grants administrator or other administrative superior, develops & coordinates departmental grant programs:

These two classifications were also rejected as Appellant Weaver does not perform any duties with respect to completing paperwork and documentation of grants awarded to a university, rather she is assisting students in obtaining educational grants. These classifications are involved in assisting the university receive grants and the administration of those grants. Therefore, neither of these classifications are applicable to Appellant Weaver.

The next classification reviewed was Scholarship and Grants Coordinator, number 66568C. The function statement for this classifications states:

Under general supervision from scholarship & grants supervisor, coordinates scholarship & grants programs with federal, state, university, Board of Regents' guidelines; assists supervisor with minor administrative tasks; provides financial aids counseling; may supervise clerical personnel;

While this classification is closer to describing the duties of Appellant Weaver, it does not encompass all of her duties and only requires the incumbent employee to spend between seven and thirteen percent of their time in financial aid counseling. The testimony established that Appellant Weaver spends far in excess of that amount of time in counseling activities. The first ranked duty in the classification of Scholarship and Grants Coordinator comprises sixty to sixty-six percent of time organizing and coordinating scholarships &/or grants programs. While Appellant Weaver does work with scholarship and grants, she also works with other types of loans and assists in the completion of applications for loans and scholarships. This classification is not the most descriptive of Appellant Weaver's duties and was therefore rejected.

The best description of Appellant Weaver's duties is found in her current classification of Student Services Counselor, number 69751C. The function statement of that classification states as follows:

Under administrative direction from student services, financial aids, placement, or other director, provides counseling & referral services for university students; represents student interests & needs in conferring with businessmen, government or university officials, general public, etc.; performs research, maintains general & fiscal records, etc.;

The first ranked duty of this classification requires the incumbent to spend between fifty-two and seventy-two percent of their time in counseling with prospective students &/or enrolled students and others to assist them in obtaining loans and representing their interests. This is exactly what Appellant Weaver testified that she does. She testified she spends the majority of her time in counseling students and their parents. She assists them in completing the FASA forms, does presentations on how to apply for student aid and answers questions on a daily basis relating to these topics.


Appellant Weaver meets the second ranked duty of maintaining files, processing paperwork involved in assisting students and conducts correspondence. Although she does not provide supervision of clerical staff as noted in the third ranked function, she does coordinate work flow. She meets the fourth and fifth ranked duties of performing research to keep abreast of the guidelines and in preparing reports, as she testified she prepares monthly reports. She attends meetings and workshops and does presentations.

While no one specification can describe all of the duties of an employee, it is necessary to choose the one that is "the best fit". This classification specification describes a large portion of Appellant Weaver's duties and is definitely "the best fit".

Appellant Weaver mentioned in her appeal that she was upset that other people in her office were reclassified and she was not. This Board does not look at other employees or compare other employees' duties to that of an Appellant. Those employees may or may not be classified properly and unless they have filed an appeal with this Board, this Board has no jurisdiction to consider their duties. The only employee's whose duties are reviewed by this Board is the employee that has appealed and in this case, that is Appellant Weaver.

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Therefore, in looking at Appellant Weaver's duties and comparing them to the existing classification specifications, it is clear that, pursuant to section 124.14 of the Ohio Revised Code, Appellant Weaver's proper classification is that of Student Services Counselor and thus, it is my **RECOMMENDATION** that she be **RETAINED** in that classification.



Marcie M. Scholl
Administrative Law Judge

:mms