

Berkeley Unified School District
Personnel Commission Meeting Minutes

March 5th, 2020 – 4:30 pm

1. Call to Order

The meeting was called to order at 4:30 pm.

2. Roll Call & Establishment of Quorum

Chairperson Carter, Vice-Chairperson Goldstein, and Commissioner Ortiz were present, and a quorum was established.

3. Public Comments

Paula Phillip, Administrative Assistant III, said that over three years have elapsed since the last classification and compensation study and that the District is overdue for a new study and she would like to see plans for a new study on the Personnel Commission agenda going forward.

Eileen Jacobs, Special Ed. Program Supervisor at Berkeley High School said she was concerned about the lack of available Instructional Assistant IIs at the high school. She commented that two long term substitutes have been filling in for vacancies, but they have not been able to pass the written exams to become eligible candidates for the position. Ms. Jacobs asked the Commission to consider changing the exam.

Peggy Scott, a member of BUSD's Sexual Harassment Advisory Committee, said that on 2/11 students from Berkeley High School occupied the District Office , bringing awareness to the issues of unaddressed sexual misconduct taking place at Berkeley High. She reported that the current Compliance Officer and Title IX Coordinator gave notice of her resignation in January. Ms. Scott asked the Commission to expedite hiring for this position. She advised that a request for staffing a total of four positions would be taken to the Board to support the Title IX function, and that the draft 2020-21 budget mischaracterizes funding for the Title IX function.

Linnette Robinson, BCCE President, mentioned that substitutes have worked at Berkeley High for years and that proper staffing is not in place to support students, she believes that the recent student uprising about poor processes for handling sexual misconduct at Berkeley High is reflective of this.

Eve Worley, a student at Berkeley High School, said that four employees had been hired over the years to fill the Compliance Officer and Title IX Coordinator position, but they don't stay because they receive too many cases and not enough support. She asserted that BHS needs an on-campus Title IX Coordinator and investigators.

Jessica Lopez, Executive Assistant II-Confidential, expressed support for Amber Spencer's request for reclassification because her position is crucial to the educational services department.

Rebecca Levenson, a member of BUSD's Sexual Harassment Advisory Committee, said it was important to staff the Compliance Officer and Title IX Coordinator position, and also to support Coaching Boys into Men, a curriculum being considered by the Superintendent for the athletics program, which addresses prevention.

Panina Biddle-Gottesman, a student at Berkeley High School, reported that, in a meeting last week with

Dr. Stephens, the students were informed that the District would temporarily hire a consultant and two attorneys to handle the work the Compliance Officer would typically handle. She asserted her belief that there is a need for more staff in this department and requested that the District hire two Compliance Officers, at the minimum. She requested the District provide for more consent education for students.

4. Approval & Adoption of Agenda

Vice-Chairperson Goldstein made a motion to approve the March 5th meeting agenda; Commissioner Ortiz seconded the motion,
Approved, 3-0

5. Approval of Meeting Minutes

- a) February 6th, 2020, Regular Meeting Minutes, p. 2-5

Commissioner Ortiz made a motion to approve the February 6th meeting minutes; Vice-Chairperson Goldstein seconded the motion,
Approved, 3-0

5. Consent Items

- a) Behavioral Intervention Specialist
- b) Buyer
- c) Budget Analyst I
- d) Budget Analyst II
- e) Clerical Assistant II
- f) Cook
- g) General Maintenance Worker
- h) Human Resources Technician

Vice-Chairperson Goldstein pointed out that there was a 17-day average interval between first exams and second exams, despite February being a fairly short month due to the two Holidays.

Vice-Chairperson Goldstein made a motion to approve eligibility lists a-h; Commissioner Ortiz seconded the motion,
Approved, 3-0

7. Reports

- a) Union Reports

BCCE President Robinson expressed the union's support for reclassification of Ms. Spencer's position. She said that that the District will need to conduct a new class and compensation study and, because this work is overdue, the Commission is receiving many requests for position reclassifications. She commented that there are too many classified vacancies and that the District is not doing enough to support BCCE represented staff.

- b) District Reports
None.

c) Commissioners Reports

Commissioner Ortiz said that he enjoyed the CSPCA conference held in February. Vice-Chairperson Goldstein reported the Measure E, G and H ballot measures passed in the recent election. She expressed concern over the news that there were currently 105 vacancies at BUSD. She expressed her concurrence with the need for an expedited recruitment process to hire for the Title IX Compliance and Investigator roles. She noted the seriousness of the Covid19 outbreak in the news and urged the District to take a measured approach to protect the well-being of students and employees, and offered her support as a resource.

d) Personnel Director

i. New Hires and Examinations administered in February 2020.

Secretary Sanders shared exam activity for the month of February.

8. Conference Items

a) Request for Advanced Step Placement- M. Diouf

Secretary Sanders said that she recommended an advanced step placement at Step 5 of the position's salary range, primarily because of the difficulty in recruiting qualified candidates for the position. She observed that the candidate brings a wealth of relevant and specific knowledge to the position. She reported that in her research of comparable positions, she learned that the role was a certificated position in most other Districts, and that the BUSD salary range matched to the average for neighboring school districts.

Dawn Williams, a dance teacher at Berkeley High, commented that the District is incredibly fortunate to have Mr. Diouf at the school. She said he has traveled throughout Africa and other parts of the world, and that students regard him as a solid, favorite teacher, as well as a black male mentor on the campus, where there are very few.

Mr. Diouf, a BHS alumnus, said he has been teaching for over 20 years, working with students from kindergarten to high school age, and has worked at music camps for many years. He reported that he was educated in music theory; and has produced professional ballets and theatrical performances. Ms. Williams added that he is also a skilled sound and production engineer and has worked for popular networks, producing the Motown BET awards. Chairperson Carter commented that it's unusual to have someone with this experience working in a public-school district.

Commissioner Ortiz made a motion to approve Mr. Diouf's advanced salary placement at Step 5; Vice-Chairperson Goldstein seconded the motion,

Approved, 3-0

b) Request for Advanced Step Placement- C. Stehlik,

Secretary Sanders said that she recommended an advanced step placement at Step 5 of the position's salary range, and reported that the District has recruited twice to fill the Data Integrity Specialist position in other departments, and each time only one candidate has qualified for the eligibility list. Mr. Stehlik said he has discussed his request for an advanced step placement with Thomas Reid, Principal

at the Berkeley Adult School (BAS), who was supportive. Mr. Stehlik reported that he has been doing data management for 15 years, including training data entry employees, and that he believed he could easily master administration of the database at Berkeley Adult School. In response to Chairperson Carter's question, Secretary Sanders confirmed that this was a new position at the adult school.

Mildred Scheer, BCCE rep at BAS, asserted that the BAS School Administrative Assistant III did the work previously and expressed concern that the new position would take work off the current employees' desks. She said the employees currently doing the work should be compensated for their work out of class since they have been doing the work for almost 3 years. Secretary Sanders reported that, previously, the database work was split between the BAS Principal and the BAS School Administrative Assistant III and that this new role would, as part of its charter, be absorbing the work previously handled by the Principal. Chairperson Carter commented that he would not support the advanced step placement because the position was too new to evaluate whether placement at step 5 was warranted, and wished to abstain from voting.

Commissioner Ortiz made a motion to approve the advanced step placement at Step 5; Vice-Chairperson Goldstein seconded the motion,
Approved, 2-1

c) Agenda Item Request- A. Spencer,

Secretary Sanders reported that Ms. Spencer requested a reclassification of her current role, Executive Assistant I to an Executive Assistant II – non-Confidential, but the such a position at that level does not currently exist. Ms. Spencer said she had requested an Executive Assistant II-Confidential role in the past but the request was denied by the then-Classified Service Director. Ms. Spencer provided letters of support for her request from her current supervisor, Associate Superintendent, Educational Services, Ms. Baje Thiare and from her former Supervisor, Mr. Pasquale Scuderi. Ms. Paula Phillips said that the employee has a right to request a reclassification per Merit Rule 70.100(c). She said the Executive Assistant II classification should have been created but was not due to an oversight by the Human Resources department, which was not following BCCE contract provision 6.11.

Secretary Sanders reported that she initiated the reclassification process in January 2020 when she sent Ms. Spencer a Position Information Questionnaire to be completed, but Ms. Spencer has not returned the completed questionnaire. Ms. Spencer said she had received mixed information about how to move forward, but will follow the process outlined by Secretary Sanders.

Chairperson Carter made a motion to move this item to the next meeting; Commissioner Ortiz seconded the motion,
Approved, 3-0

9. Closed Session (1 matter)

The Personnel Commission went into closed session at 6:02 pm.

10. Report from Closed Session

The Personnel Commission came out of closed session at 6:38 pm. Chairperson Carter reported that no action was taken.

11. Public Comments

None

12. Next Meeting

The next regular meeting will be held on April 9th at 4:30 pm.

13. Adjournment

The meeting was adjourned at 6:39 pm.

Respectfully Submitted,

Kimberle Sanders
Secretary, Personnel Commission

Date

Approved,

Timothy Carter
Chairperson, Personnel Commission

Date

MINUTES APPROVED AT VIRTUAL PERSONNEL COMMISSION MEETING ON 04/06/2020
