

Berkeley Unified School District
Personnel Commission Meeting Minutes

December 9th, 2021 – 4:30 pm

1. Call to Order

The meeting was conducted via Zoom meeting # 852 7339 2873 and was called to order at 4:31 pm.

2. Roll Call & Establishment of Quorum

Chairperson Goldstein, Vice-Chairperson Roter, and Commissioner Davis were present, and a quorum was established.

3. Public Comments

Denise Diggs-Ray, Administrative Assistant III in Student Services, asked the Personnel Commission to start the Compensation and Classification Study soon. She said that regardless of the current budget issues, the study takes several years to finalize, and steps can be taken to get it underway.

Mildred Scherr, BCCE Vice-President, said that she would be speaking on behalf of Luis Reyna and Kelsey Jones as their Union representative because they were both still at work and unable to attend the meeting.

4. Approval & Adoption of Agenda

Vice-Chairperson Roter made a motion to approve the meeting agenda; Commissioner Davis seconded the motion,

Approved, 3-0

5. Approval of Meeting Minutes

a) October 7th, 2021, Regular Meeting Minutes

Vice-Chairperson Roter made a motion to approve the meeting minutes; Commissioner Davis seconded the motion,

Approved, 3-0

6. Reports

a) Union

Frank Hernandez, BCCE President, cited contract provision 17.3.3 regarding postings for unfilled vacancy and transfer positions and said members were unable to discern where in BUSD the open posted positions were located. He asked that reminders sent to staff about vacant positions include identification of the work location for each posting.

b) District Reports

None.

c) Commissioners Reports

Vice-Chairperson Roter said he supported the request to commence the Classification and Compensation Study and noted that the initial preparation work can be done now. He asked that the

Commission follow up with President Hernandez on the actual notice aspects of vacancy postings. Finally, he wished everyone happy holidays and said that he looked forward to an excellent new year. Commissioner Davis pointed out that three of the Personnel Commission team members are new, including himself, Vice-Chairperson Roter, and Executive Director Castillo, and that they are working to build relationships. He urged all staff to assume good intentions and to continue to reflect respect, honor and appreciation in language and actions.

Chairperson Goldstein reported that at the 11/17/21 Board meeting, a position control report was shared that included several new safety and SPED classified positions. In addition, she observed there was a sizable SPED master service contract with SPC approved in the consent agenda, and questioned whether these engagements would be terminated once regular classified staff was hired in these roles. Finally, Chairperson Goldstein encouraged meeting attendees to follow the Special Board meeting on 12/15/21, where a draft of the district's plans for 2022-23 budget proposal and cuts would be finalized for submission to the Alameda County Office of Education.

d) Personnel Director

i. New Hires and Examinations administered in the month of November 2021

Secretary Castillo reviewed examination and personnel activity for November; he highlighted the nineteen new hires that started in November. In addition, he said he had started work with the District to initiate the Compensation and Classification Study. Chairperson Goldstein pointed out that the average interval between 1st and 2nd exams was fifteen days, and for the Instructional Assistant II SPED, and Instructional Tech- BASP recruitments, the intervals were only seven days.

7. Consent Items

Ratification of Eligibility Lists

- a) Communications Specialist
- b) Family Engagement & Equity Specialist
- c) Instructional Assistant II, SPED.
- d) Instructional Tech- BASP
- e) Payroll & Benefits Manager
- f) Restorative Justice Coordinator
- g) Security Engineer
- h) Student Welfare & Attendance Specialist

Vice-Chairperson Roter noted that Instructional Assistant II SPED and Instructional Tech- BASP recruitments seemed speedy. He said that although the District has presented proposed staffing cuts, the Commission staff would still need to bring in more staff next year.

Vice-Chairperson Roter made a motion to approve lists a – h; Commissioner Davis seconded the motion,

Approved 3-0

8. Discussion Items

a) Agenda Item Request- Setting Cut Scores

Secretary Castillo reviewed a slideshow presentation on personnel commission exams, passing points, and the basis of the executive director's authority to update the process and practices. Ms. Scherr asked Secretary Castillo if he could present that information to BCCE. She expressed her continued concern over changes to passing points and maintained that the 70 passing point had been the norm for decades and that she did not think there was anything wrong with past practice. Ms. Diggs asked the Commission to share this information with current employees and to present at a staff meeting. Vice-Chairperson Roter thanked Secretary Castillo for compiling this information and suggested that a rubric be developed to show what criteria are used to determine the passing points for recruitments. Chairperson Goldstein asked Secretary Castillo to present this information to BCCE Leadership and to include information regarding what steps in the recruitment process are subject to appeal.

9. Conference Items

a) Appeal of Written Exam- After School Program Specialist

Secretary Castillo noted that this item should have been placed on the agenda as a discussion item, however, it was included as a Conference item for action at the Commission's request. Chairperson Goldstein said that the earlier presentation made by Secretary Castillo cleared up the matter of revision of pass points, which was the basis of the written exam appeal.

Chairperson Goldstein made a motion to deny Mr. Reyna's appeal; Vice-Chairperson Roter seconded the motion,

Approved, 3-0

b) Request for Advanced Step Placement- K. Jones

Secretary Castillo recommended support for a Step 5 advance salary request for Ms. Kelsey Jones, former School Bus Driver, who recently accepted transfer to the Transportation Scheduler/Dispatcher position. He noted that she is a strong performer who recently received a promotion. Chairperson Goldstein asked Secretary Castillo if he utilized comparable salary information from other similar school districts in formulation of his recommendation. Secretary Castillo replied that his analysis compared the job to other relative positions within BUSD. Chairperson Goldstein asked Secretary Castillo to research peer district comparables going forward when recommending step advances. Ms. Scherr said she recommends that the Commission approve this request as Ms. Jones is a great employee who has been performing many of the duties in this position and working out of classification.

Commissioner Davis made a motion to approve a Step 5 advanced salary placement for Ms. Kelsey Jones; Chairperson Goldstein seconded the motion,

Approved, 3-0

c) Request for Advanced Step Placement- T. McDermott

Secretary Castillo reported that Superintendent Brent Stephens recommended granting Ms. McDermott an advanced step placement in conjunction with a promotional opportunity to the Senior

Communications Officer position. He noted that she often presents at the Board meetings on behalf of the Superintendent. Vice-Chairperson Roter asked Secretary Castillo to specify the difference in granting an advanced step placement for a new employee versus a promotional employee, according to the Merit Rules. Chairperson Goldstein said she was aware that this employee currently held a 1.12 FTE position and said that this was unusual because Ms. McDermott is a salaried/exempt employee. Ms. Scherr asked why this employee was given an additional .12 salary increase. Secretary Castillo said he did not know the details as to why the District placed Ms. McDermott in a 1.12 position but that in her new role as Senior Communications Officer, she would hold a 1.0 FTE position.

Vice-Chairperson Roter made a motion to approve a Step 5 advanced salary placement for Ms. McDermott; Commissioner Davis seconded the motion,
Approved, 3-0

d) Request for Advanced Step Placement- L. Veal

Secretary Castillo reported that Superintendent Stephens also brought forward this recommendation for advance step placement and that he supported this request as Ms. Veal is a highly qualified candidate for the Director of the Office of Family Engagement and Equity. Chairperson Roter mentioned that the position is unique and new to the District and expressed his support for the request.

Vice-Chairperson Roter made a motion to approve a Step 4 advanced salary placement for Ms. Veal; Commissioner Davis seconded the motion,
Approved, 3-0

e) Request for Advanced Step Placement- D. Chan

Secretary Castillo said that he supported a Step 5 advance salary request for Mr. Chan in the Nutrition Services Satellite Operator position. He noted that Nutrition Services positions are crucial in the District and that due to staffing shortages the situation in Nutrition Services was dire as they are short-staffed and recruitments are challenging. He mentioned that Mr. Chan had not yet accepted the Nutrition Services Satellite Operator I position because he was waiting for the Personnel Commission's determination on this matter.

Vice-Chairperson Davis made a motion to approve a Step 5 advanced salary placement for Mr. Chan; Vice-Chairperson Roter seconded the motion,
Approved, 3-0

f) Election of Personnel Commission Chairperson and Vice-Chairperson

Vice-Chairperson Roter and Commissioner Davis said that they recommended Heidi Goldstein continue as Chairperson for the 2022 calendar year. Secretary Castillo said that he appreciated Chairperson Goldstein and worked well with her and, given the new personnel and commissioners joining the Personnel Commission in the past several months, this would be in BUSD's best interest. Chairperson Goldstein said that she was not opposed to serving as Chairperson another year. She recommended Commissioner Davis serve as Vice-Chairperson for 2022.

Vice-Chairperson Roter made a motion to re-elect Heidi Goldstein as Chairperson for the 2022 calendar year; Commissioner Davis seconded the motion,
Approved, 3-0

Chairperson Goldstein made a motion to elect Timothy Zenor-Davis as Vice-Chairperson for the 2022 calendar year; Vice-Chairperson Davis seconded the motion,
Approved, 3-0

10. Public Comments

President Hernandez stated that three classified positions went to the December 8th Board meeting as proposed layoffs, yet the District has recently hired contractors to do the work of classified positions, instead of offering extra hours to existing classified staff. He said that the proposed contracts exceed the vacancies, which shows that the District is undermining the Merit Rules and Personnel Commission. He also commented that tonight's meeting granted multiple 5 step advance requests, indicating the need to recruit at higher steps. He recommended that the Personnel Commission authorize recruitment at higher steps to attract more candidates in selected positions. He said the District and Personnel Commission should work to improve recruitment outcomes, and mentioned that SFUSD offered a 17% bonus for new Instructional Assistant hires, and asked what the District can do to be more competitive. Vice-Chairperson Roter noted that Merit Rule 70.100.1 could apply to difficult recruitments. Erin Arinez, Classified Personnel Supervisor, said that the Personnel Commission had approved recruiting at advanced steps in the past.

11. Next Meeting

Chairperson Goldstein said that Board meetings would continue to be held on Zoom so that the Personnel Commission will follow the same format until further notice. The next regular Personnel Commission meeting will be held on January 13th at 4:30 pm.

12. Adjournment

The meeting was adjourned at 7:07 pm.

Respectfully Submitted,

Charles Castillo

Charles Castillo
Secretary, Personnel Commission

1/11/2022

Date

Approved,

Heidi Goldstein

Heidi Goldstein
Chairperson, Personnel Commission

1/14/2022

Date