

**Berkeley Unified School District**  
**Personnel Commission Meeting Minutes**

October 25<sup>th</sup>, 2023 – 4:30pm

**1. Call to Order**

The meeting was held in a hybrid format, live in the Board Room and via Zoom meeting #811 4287 6822. The meeting was called to order at 4:35 p.m.

**2. Roll Call & Establishment of Quorum**

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

**3. Public Comments**

None.

**4. Approval & Adoption of Agenda**

Vice Chairperson asked to pull items 7a-f for discussion and moved to approve and adopt the agenda as amended; Commissioner Roter seconded the motion,  
Approved, 3-0

**5. Approval of Meeting Minutes**

a) September 27<sup>th</sup>, 2023

b) October 10<sup>th</sup>, 2023

With no changes to note, Vice-Chairperson Goldstein moved to approve item 5a-b; Commissioner Roter seconded the motion,  
Approved, 3-0

**6. Reports**

a) Unions

Mildred Scherr, BCCE Vice-President, thanked Personnel Commission staff for efforts made to ensure that the Phase 1 classifications included in the “revisit” had the opportunity to review the revised draft job descriptions. Charlie Castillo, Executive Director Classified Personnel, thanked Ms. Scherr for the acknowledgement.

b) District Reports

Samantha Tobias-Espinosa, Assistant Superintendent of Human Resources, said the District agrees with Ms. Scherr’s comments and feels things are coming together for the Classification & Compensation Study.

c) Commissioner Reports

Commissioner Roter said the October 10<sup>th</sup> special meeting on vacancies was extremely productive. He thanked Personnel Commission and Human Resources staff for their good

work in providing information for the meeting. He also acknowledged BCCE leadership for attending and participating in the extremely enlightening and valuable discussion. He said it is clear everyone is working towards a similar goal: to understand why and where the vacancies exist and to determine if there are any systemic improvements to be suggested. He noted the next meeting about vacancies will look deeper into the issue of subs and temporary employees.

Vice-Chairperson Goldstein thanked everyone who participated in the October 10<sup>th</sup> special meeting which she found to be very informative. She is looking forward to the Classification & Compensation Study meeting on November 8, 4:30PM in the Boardroom and she encourages the public to attend that meeting.

Chairperson Zenor-Davis said he thought the October 10<sup>th</sup> special meeting was exemplary, especially that all of the stakeholders were involved and that such a diversity of viewpoints were shared.

d) Personnel Executive Director

Secretary Castillo, reviewed the examination and personnel activity for September, noting a correction to the report: due to a resignation and a return to a former position, there is only 1 promotion (not 3) and 2 new hires. Secretary Castillo provided support at Berkeley High School on Rally Day and shadowed the School Security Officers. He said that the merit rules revision project continues and will be a priority to complete once the Classification & Compensation Study is over. The examination team is working to update exam procedures to tighten up security around the exam process. Secretary Castillo will give a supervisor training to Local 21 employees who supervise BCCE employees, as part of the District's professional development day.

Vice-Chairperson Goldstein noted that the number of Student Admissions Specialist written examinations given in September was extremely high. Secretary Castillo said that there had been a large number of applicants who met the minimum qualifications.

e) Classification & Compensation Study

Secretary Castillo gave an update on the Study, including participation data for the "revisit" of nine Phase 1 classifications, participation data for Phase 2, and status of Phase 3. He provided key dates for the completion of the project, including a November special meeting for Eric Hall & Associates (EH&A) to deliver Phase 2 recommendations; an anticipated vote on Phase 1 and Phase 2 recommendations at the November 29<sup>th</sup> Personnel Commission meeting; Phase 3 and Phase 4 recommendations will come to the December 13<sup>th</sup> Personnel Commission meeting.

Commissioner Roter said he understands there are contractual limitations and the study must operate within a specific timeline. However, he is pleased that the process allowed for the Phase 1 revisit and hopes that if at all possible, the schedule gives way so that all employees can be heard from. Secretary Castillo said that EH&A has already acknowledged that the Study will need to go beyond the December deadline.

## 7. Consent Items

Items 7a-f were pulled for discussion.

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|--|---|
| a) Family Engagement & Equity Specialist | d) Nutrition Services Satellite Operator, I |
| b) Instructional Assistant               | e) Maintenance Engineer                     |
| c) Nutrition Services Assistant          | f) School Campus Aide                       |

In light of the October 10<sup>th</sup> special meeting on vacancies, Vice-Chairperson Goldstein suggested it would be worthwhile to be more deliberate in understanding each list.

She noted that the *Family Engagement & Equity Specialist* list had a long interval between written and oral exams. Secretary Castillo said the delay between written and oral examinations was due to the fact it had been difficult to secure a panel for the oral exam. Vice-Chairperson Goldstein asked for clarification on the difference between open and promotional and the policy for the number of ranks to include on list. Erin Arinez, Classified Personnel Supervisor, said there was a recruitment for the bilingual requirement of the position along with an existing list; the lists were merged and re-ranked. Commissioner Roter noted the eligibility of the first 5 ranks eligibility expire in the coming week and asked what happens if the hiring manager does not get around to hire before the eligibility of those candidates expires. Ms. Arinez confirmed that unless a request to extend an eligibility list is received and approved by the Personnel Commission, those candidates are no longer eligible after the date noted on the list. Commissioner Roter asked if the hiring manager is aware of this constraint. Ms. Arinez confirmed that the candidates are on a list and eligible for a year; if the hiring manager intended to hire them, they had a year to do so.

Vice Chairperson Goldstein noted that the *Instructional Assistant* list (7b) also had an enormous number of ranks, some of which are also bilingual. She asked if the same circumstances apply as with list 7a. Secretary Castillo confirmed this to be true. Vice-Chairperson Goldstein noted that list 7a records a written and oral examination but that list 7b records a training & experience examination followed by a written examination. Ms. Arinez said that in order to streamline the exam process for some of the open and ongoing recruitments (IA SPED, IT BASP, School Campus Aide) the team implemented training and experience examinations in lieu of the oral examination. Vice-Chairperson Goldstein asked if there was data to understand the impact of eliminating the oral exam for these open and ongoing recruitments?

Secretary Castillo said that the ability to expedite list creation by streamlining the process has been beneficial. Ms. Arinez said they had not any negative feedback from hiring managers regarding the quality of the candidates and reminded the Commissioners that the hiring managers still interview the candidates which provides the opportunity for a 1:1 interaction. Vice-Chairperson Goldstein would like to explore how this streamlined process effects competitiveness and retention and will be curious to look at the data for tenure since this may be a beneficial practice for other recruitments. Commissioner Roter asked how the training/experience examination differs from the screening for minimum qualifications and how the training/experience examination is graded. Secretary Castillo said it is a combined process. Commissioner Roter said he may need to dig deeper into that process for better understanding of how training and experience is evaluated.

Vice-Chairperson Goldstein said she was relieved to see three ranks on list 7c, *Nutrition Services Satellite Operator I* but asked for clarification on the dates for the examinations for list 7d, *Nutrition Services Assistant*. Ms. Arinez confirmed the dates are incorrect. Vice-Chairperson Goldstein asked if there is no written exam for these two recruitments. Ms. Arinez explained that instead of a written exam, there is a performance exam held at the central kitchen. Vice-Chairperson Goldstein asked how one prepares for one of these exams. Ms. Arinez explained a candidate needs a food handler card and relevant experience to be qualified for the exam. Vice-Chairperson Goldstein asked if BUSD had considered a program to support an individual in getting the food handler card. Secretary Castillo said he would suggest it to Ms. Tobias-Espinosa and said a course is available at the Berkeley Adult School or via a 6-hour online course. Commissioner Roter mentioned the idea of a provisional hire for a candidate to obtain a required credential within a specified amount of time, if education code permits. Chairperson Zenor-Davis asked if these positions would be interesting to those in a culinary arts program? Secretary Castillo is not sure but says these are first level positions so it may not be a good fit. Ms. Scherr gave some information about culinary curriculum at the Berkeley Adult School and said she would encourage this kind of collaboration. Secretary Castillo mentioned that information about how to get the food handlers card is included on the recruitment listing.

Vice-Chairperson Goldstein asked for more information about why there is only one rank for list 7e, *Maintenance Engineer*. Secretary Castillo said that there were very few applicants. Vice Chairperson Goldstein said BUSD is competing against the trades; in recruiting strategies, the Personnel Commission should assess the value proposition for a maintenance engineer to work at school district. She said she will be looking closely at this classification in Phase 2 of the Study.

Vice-Chairperson Goldstein asked why there are so many ranks on list 7f, *School Campus Aide*. Ms. Arinez said that this classification consistently has 15-20 vacancies so a new recruitment was launched to provide a fresh pool of candidates and encourage principals to hire. Vice-Chairperson clarified that because there are so many vacancies the list shows the rank of all who passed the exams. Ms. Arinez explained that his recruitment is always “open” and that there are no promotional because of the nature of the classification. Commissioner Roter had theoretical questions about the “churning” of this classification and suggested it would be beneficial to track this particular list over time to see determine its velocity. Vice-Chairperson Goldstein said this is another classification that would benefit from a value-proposition discussion for recruitment efforts.

Commissioner Roter moved to ratify lists 7a-f; Vice-Chairperson Goldstein seconded the motion,

Approved 3-0

## **8. Conference Item**

### **a) Step Advance Request – J. Kaneshiro**

Secretary Castillo said that technology jobs are difficult to recruit for because it is a challenge for a school district to compete with a tech company; recruiting for *Data Integrity Specialist* is no exception. He said that Jennifer Kaneshiro brings over 10 years of IT experience in California charter schools and is prepared to think on her feet. He strongly recommends Ms. Kaneshiro be placed at step 4 based on recruitment and retention needs for this position. Ms. Kaneshiro said she is excited to bring her years of experience to BUSD and has already hit the ground running. Commissioner Roter said he believes Ms. Kaneshiro’s background in computer science and CALPADS will be beneficial to this critically important position for the District; he supports the step advance request. Ms. Scherr said that Ms. Kaneshiro has excellent customer service skills and BCCE completely supports the Step 4 request.

Vice-Chairperson Goldstein made a motion to approve Ms. Kaneshiro’s step advance request at step 4; Commissioner Roter seconded the motion,

Approved, 3-0

## **9. Discussion Items**

### **a) Update on Union-appointed Commissioner**

Secretary Castillo explained that BCCE is not renewing Chairperson Zenor-Davis’ term beyond December 1, 2023. Secretary Castillo sent a letter to BCCE to explain the process; BCCE informed Secretary Castillo that they are looking at potential candidates. Commissioner Roter said he supports and respects BCCE’s absolute right to appoint the Commissioner of their choosing. He said that Mr. Zenor-Davis is diligent, respectful, fair and compassionate and he has been a tremendous Commissioner and Chairperson. Vice-Chairperson Goldstein agreed with Commissioner Roter. She is concerned that process-wise, there will be a vacancy and asked that Chairperson Zenor-Davis consider staying on temporarily as is possible in the education code

and merit rules. Chairperson Zenor-Davis thanked BCCE for the opportunity; he will consider staying on should the need arise as he would like to ensure there is no stall in the work being done.

**10. Closed Session**

The Personnel Commission went into closed session at 6:02PM for the following items:

- a) Performance Evaluation of the Executive Director, Classified Personnel – Government Code § 54954.5 (e)
- b) Discussion of potential litigation: California Government Code §54954.5

**11. Report from Closed Session**

The Personnel Commission reconvened at 7:27PM. Chairperson Zenor-Davis reported that the Commissioners continued discussion regarding the Executive Director, Classified Personnel's performance evaluation and next steps. The Commissioners also received information regarding potential litigation.

**12. Public Comments**

Mark Ramia, Instructional Assistant (IA) at Berkeley High School (BHS), commented on a public Google chat from case managers and administrators that contained false statements, allegations and disparaging comments about BHS IA's; the confusion around IA schedules and the number of supervisors attached to each IA; the prolonged inaccuracy of BUSD complaint forms and the District's excuses for not following guidelines for responding to complaints.

Ms. Scherr, on behalf of BCCE, thanked Chairperson Zenor-Davis for his service.

**13. Next Meeting**

A special meeting of the Personnel Commission will convene on November 8 at 4:30 in the Boardroom. The next regular meeting of the Personnel Commission will be held on November 29 at 4:30PM in the Boardroom.

**14. Adjournment**

The meeting was adjourned at 7:34 pm.