

Personnel Commission Meeting Minutes

May 7, 2015- 4:30 pm

1. Call to Order

The meeting was called to order at 4:30pm

2. Roll Call & Establishment of Quorum

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

3. Public Comments

Becca Todd, District Library Coordinator, requested to comment on agenda item 10a, during public comments. Ms. Todd asked to use the existing, recently established Library Media Technician Elementary eligibility list, to also fill any Library Technician, Middle position because the skill set is very similar for the two positions. Ms. Todd commented that she does not anticipate having to use the list but, in the event that it would be necessary, it would only be used this upcoming year.

Paula Phillips, BCCE President, asked that, because Latanja Chambers, former Administrative Assistant in the Human Resources Department, was a Commission employee, an external hearing take place with an independent arbitrator and that the decision by the independent arbitrator be final and binding, in order for Ms. Chambers to have due process.

4. Closed Session

Two items discussed.

5. Report from Closed Session

Chairperson Aoyagi reported that the commissioners decided what form will be used for the Classified Personnel Director's evaluation, and who will be interviewed for the evaluation.

Chairperson Aoyagi commented that in regards to the appeal hearings, a hearing officer will be used for each appeal, and the decision from the hearing officer for Latanja Chambers' appeal will be binding.

6. Approval & Adoption of Agenda

Approved, 3-0

7. Meeting Minutes

Approval of meeting minutes

a) March 5, 2015 p. 3-4

Approved 3-0

b) March 12, 2015 p. 5

Approved 3-0

c) March 13, 2015 p. 6-7

Approved 3-0

d) April 9, 2015 p. 8-9

Ronesha Norwood-Coleman, BCCE Organizer, stated that item 8, was incorrect because Secretary Perez had stated that he had sent it already, instead of saying that he was going to forward it to the commissioners. Chairperson Aoyagi stated that Secretary Perez will forward to the commissioners.

Approved as amended, 3-0

8. Consent Items

Ratification of Eligibility Lists

- a) Custodian I p. 10
- b) Custodian II p. 11
- c) School Service Assistant p. 12
- d) Executive Assistant to the Superintendent p. 13
- e) School Bus Driver p. 14
- f) Food Service Satellite Operator p. 15
- g) Program Coordinator p. 16
- h) Library Media Tech, Elementary p. 17
- i) Transportation Manager p. 18

Approved, 3-0

9. Reports

- a) Union

President Phillips, BCCE stated that the merit rule 60.100.2(F) says that the appointing power should inform employee of retention or dismissal at least two weeks prior to the completion of their probationary period. Secretary Perez stated that the District is the "appointing power." President Phillips, BCCE, reiterated the need to give such notice, since the District has not done this.

President Phillips, BCCE, stated that Secretary Perez has been carrying out duties for the District as a Skelly hearing officer, and that it does not fall in his job description.

President Phillips, BCCE, also stated that the Union has begun bargaining with the district over the Compensation study and questioned certain job duties, for example, custodians doing carpentry duties, and no typing requirements set for clerical duties.

- b) Commissioners Reports
None

- c) Personnel Director
 - I. New Hires and Examinations administered in the month of April.

10. Conference Items

- a) Agenda Item Request: Ms. Becca Todd- Attachment A

President Phillips stated that she would like to caution the Commission about using the Library Media Technician, Elementary eligibility list because the two positions have job duties that can vary drastically. Chairperson Aoyagi stated that it is a temporary measure only.

Motion to grant agenda request, approved 2-1

- b) Personnel Commission Budget for 2015-2016

Chairperson Aoyagi commented that a special hearing will be scheduled to discuss the budget. President Phillips requested to view the budget with year to date expenditures. Secretary Perez said he will forward the Personnel Commission budget to the commissioners for the special meeting. Secretary Perez commented that the only change in the budget that he will request is an increase of \$2,500 for pre-employment examinations.

11. Public Comments (15 minute limit)

None.

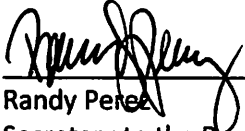
12. Next Meeting

Chairperson Aoyagi requested to set the date for the Special Meeting for May 22nd, 2015 at 4pm, for the budget hearing and for three appeal hearings related to applications.

13. Adjournment

Meeting adjourned at 6:22pm.

Respectfully Submitted,



Randy Perez
Secretary to the Personnel Commission

5/29/2015

Date

Approved,

Ann Aoyagi
Chairperson, Personnel Commission

Date

Personnel Commission Special Meeting Minutes

May 22, 2015 - 4:15 pm

1. Call to Order

The meeting was called to order at 4:15pm

2. Roll Call & Establishment of Quorum

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

3. Public Comments

None

4. Approval & Adoption of Agenda

Approved, 3-0

5. Public Hearing

Secretary Perez commented that a list of expenditures, and next year's proposed budget was being provided, and that the only substantive addition to the budget is for the additional \$2500 for pre-employment physicals. It was pointed out that the Administrative Assistant position needed to be changed to that of Senior Personnel Assistant.

The proposed budget was approved as amended: 3-0

6. Appeal Hearings

The Personnel Commission held an appeal hearing for a candidate whose employment application was rejected from examination. The appellant presented her case and the Director, Classified Personnel presented the case as a representative of the Personnel Commission. Following the presentation of the two sides, the Personnel Commission made a motion regarding the candidate's appeal.

Motion was made to uphold the decision to deny the candidate's employment application: Approved 2-1

Chairperson Aoyagi – Aye

Vice-chairperson Ortiz – Aye

Commissioner Carter - Nay

7. Public Comments

None

8. Adjournment

Meeting adjourned at 5:27 pm

Respectfully Submitted,



Randy Perez

Secretary to the Personnel Commission

5/29/2015

Date

Approved,

Ann Aoyagi

Chairperson, Personnel Commission

Date

Berkeley Unified School District
Merit System

Eligibility List for : **Instructional Assistant**
(Open)

Written Examination: **April 23, 2015**
Oral Examination: **May 19, 2015**

List Established by Personnel Commission: **June 4, 2015 to expire June 4, 2016**

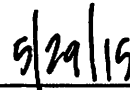
Open

| | |
|------------|---------------------------------------|
| 1 Reyna | Aceves |
| 2 Michael | Sung |
| 3 Kim | Syer* |
| 4 Deirdre | Sproul |
| 4 Luz | Anguiano-Reyes* (Bilingual Qualified) |
| 5 Colin | Murphy* |
| 6 Bettiana | Murphy* |
| 6 Woodrow | McWhorter* |
| 7 Antonio | Drummond* |

*** Eligibility to expire 2/5/16**



Randy Perez
Secretary, Personnel Commission



Date

Ann Aoyagi
Chairperson, Personnel Commission

Date

Berkeley Unified School District

Merit System

Eligibility List for :

**Maintenance Technician
(Open)**

Performance Examination:

April 14, 2015

Oral Examination:

May 6, 2015

List Established by Personnel Commission: **June 4, 2015 to expire June 4, 2016**

Open

| | |
|-----------|-----------|
| 1 Joel | Salvador |
| 2 Mike | Ledsinger |
| 2 William | Fagan |
| 2 Aaron | Bates* |

*** Eligibility to expire July 3, 2015**



Randy Perez

Secretary, Personnel Commission



Date

Ann Aoyagi

Chairperson, Personnel Commission

Date

Berkeley Unified School District

Merit System

Eligibility List for : **Buyer**
(Promotional and Open)

Written Examination: **April 22, 2015**

Oral Examination: **May 19, 2015**

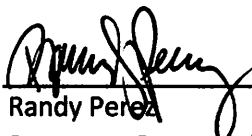
List Established by the Personnel Commission: **June 4, 2015 to expire June 4, 2016**

Promotional

- 1 Foroozan Toofan
- 2 Elizabeth Haro

Open

- 1 Minnie Hoang



Randy Perez
Secretary, Personnel Commission

5/24/2015

Date

Ann Aoyagi
Chairperson, Personnel Commission

Date

Berkeley Unified School District

Merit System

Eligibility List for :

**Microcomputer Technician
(Open)**

Written Examination:

April 15, 2015

Oral Examination:

May 11, 2015

List Established by the Personnel Commission: **June 4, 2015 to expire June 4, 2016**

Open

1 Joseph

Guitron

2 Kevin

Tucker



Randy Perez

Secretary, Personnel Commission

5/11/2015

Date

Ann Aoyagi

Chairperson, Personnel Commission

Date

Berkeley Unified School District
Merit System

Eligibility List for : **Payroll Supervisor**
(Open)

Written Examination: **May 14, 2015**

Oral Examination: **May 29, 2015**

List Established by the Personnel Commission: **June 4, 2015 to expire June 4, 2016**

- | <u>Open</u> | |
|--------------------|------------|
| 1 Julia | Locatelli* |
| 2 Nicole | Caldwell |

** eligibility to expire 6/4/2016*



Randy Perez
Secretary, Personnel Commission

5/29/2015

Date

Ann Aoyagi
Chairperson, Personnel Commission

Date

Examinations Administered in the Month of May:

Classification-

Instructional Technician
Library Media Technician, Elementary
Instructional Assistant, ECE
Maintenance Technician
Microcomputer Technician
Instructional Specialist, Garden
Food Service Assistant
Payroll Supervisor
Buyer
Instructional Assistant

New Hires/New Assignments Processed in the Month of May:

| <u>Name-</u> | <u>Employment Type-</u> | <u>Classification-</u> | <u>Location-</u> |
|-----------------|-------------------------|---------------------------|------------------|
| Monique McCray | New Hire | Clerical Assistant III | King |
| Rashad Andrews | New Hire | School Safety Officer | Berkeley High |
| Yasmine Garrett | New Hire | IA Special Ed, Attendant | Berkeley High |
| Janien Bishop | New Hire | Food Service Satellite Op | LeConte |
| Joy White | New Hire | School Service Assistant | BAM |



BERKELEY UNIFIED SCHOOL DISTRICT
Human Resources Department

CLASSIFICATION AND
POSITION DESCRIPTION

| | | | |
|--|--|-------------------|---|
| TITLE: | Compliance Officer and Title IX Coordinator | REPORTS TO: | Superintendent |
| DEPARTMENT/SCHOOL: | Superintendent's Office | CLASSIFICATION: | Classified Management, Non-Represented |
| FAIR LABOR STANDARDS ACT CLASSIFICATION: | Exempt | WORK YEAR: HOURS: | 12 months/Calendar 2002 8 hours per day or duty days/hours as assigned |
| APPROVED: Board Commission | 05/20/15 06/04/15 | SALARY GRADE: | Classified Management Range 74 |

BASIC FUNCTION: Under direction of the Superintendent, work with minimal supervision to manage all aspects of Title IX compliance, Uniform Complaint Procedures (UCP) regulations, formal complaint procedures, and informal complaint resolution. Collaborate with students, families, District employees, and state and federal agencies to ensure safe and welcoming learning and working environments for all members of our District community and actively support the District's positive school climate initiatives.

REPRESENTATIVE DUTIES: Incumbents may perform any of the essential functions listed below. This description is not intended to be an exhaustive list of all duties, knowledge or abilities associated with this classification.

Essential Functions

- Manage compliance with *Title IX of the Education Amendments of the 1972 Civil Rights Act* which prohibits discrimination on the basis of gender (sex), sexual harassment, sexual assault, sexual misconduct, relationship (dating) violence, and stalking
- Manage compliance with Uniform Complaint Procedures (UCP) that involve discrimination on the basis of ethnic group identification, religion, age, sex, color, and/ or physical or mental disability, and state and federal programs that use categorical funds such as Adult Education, After School Education and Safety, Career Technical Education, Child Care and Development, Consolidated Categorical Aid, Foster Youth Services, Local Control Funding Formula and Local Control Accountability Plans, Nutrition Services, School Facilities, Special Education, Tobacco-Use Prevention Education, and Unlawful Pupil Fees
- Manage compliance with Williams Complaints related to instructional materials, teacher vacancies, teacher mis-assignments or facilities
- Manage compliance with all District complaint policies and procedures, such as anti-bullying or complaints against District policies, procedures, practices or personnel
- Receive, monitor, route, coordinate and track timely and compliant investigations of allegations of Title IX , other violations covered by UCP and other complaints and ensure prompt and fair resolutions
- Collect relevant facts related to reported Title IX or allegations and assess whether a further review or investigation is necessary to ensure the safety of the impacted individual

- As a neutral party, investigate complaints; notify and interview complainants, respondents, and witnesses; obtain and review relevant documents; mediate, as appropriate; and issue factual findings and recommendations, as necessary
- Design guidelines for staff to ensure that staff communicate and observe consistent and appropriate confidentiality protections for incident reporters and complainants
- Develop investigation plans for each Title IX and UCP complaint and conduct investigations or train staff members to conduct investigations
- Review and ensure all District policies, procedures, protocols and practices are in compliance with Title IX and UCP regulations
- Train and provide direction and leadership to staff to serve as investigators, as appropriate
- Train and provide technical support and leadership to students and staff
- Coordinate training and technical assistance on school policies related to discrimination on the basis of ethnic group identification, religion, age, sex, color, and/or physical or mental disability
- Provide technical expertise and support for the drafting and revision of policies and procedures relevant to workscope
- Develop a case management database to organize, manage and track complaints
- Write comprehensive reports of investigation with findings of fact and recommendation(s)
- Prepare statistical reports on the number, nature and disposition of complaints to identify patterns and make recommendations
- Collaborate with stakeholders to provide training for students and staff to ensure that students and staff are aware of options and resources to report and file complaints alleging sexual harassment, sexual assault, sexual misconduct, relationship violence, and discrimination on the basis of ethnic group identification, religion, age, sex, color, and/or physical or mental disability
- Assess the adequacy of current training opportunities and programs, propose appropriate improvements, and develop programs, handbooks, website resources, and trainings to ensure that all members of District community are aware of obligations and rights under Title IX, UCP, and other complaint policies
- Develop a method to survey the school climate and coordinate the collection and analysis of data
- Develop and disseminate educational materials and in-service training tailored to faculty, staff, and students
- Develop and maintain communication strategies (web, print, and media) related to prevention efforts, reporting procedures, and support services
- Promote institutional culture change related to gender-based violence and harassment, particularly regarding cyber harassment
- Promote institutional culture change related to discrimination on the basis of ethnic group identification, religion, age, sex, color and/ or physical or mental disability
- Participate actively as a leader in the District's positive school climate initiatives
- Perform other duties as assigned

KNOWLEDGE, SKILLS AND ABILITIES:

- Demonstrated knowledge of Title IX, Uniform Complaint Procedures, American with Disabilities Act, Rehabilitation Act of 1973 (specifically Section 504 compliance), and effective complaint resolution
- Ability to interpret and articulate relevant state and federal laws and regulations and District policies and regulations
- Ability to manage multiple, on-going and complex caseload of complaints and projects
- Strong presentation and facilitation skills with an emphasis on education and training for a variety of constituencies
- Ability to guide, advise and support the training and learning process with respect to Title IX and UCP compliance and complaint resolution
- Excellent mediation skills, analytical skills, problem-solving skills and organizational skills with attention to detail
- Ability to deal with confidential and sensitive information
- Ability to build relationships and collaborative partnerships across the District and state and federal agencies
- Demonstrated commitment to diversity and inclusivity and ability to work with a wide range of constituencies with diplomacy and tact
- Ability to act independently, take initiative and exercise sound judgment
- Ability to maintain accurate and organized records and prepare timely, accurate, clear reports

TRAINING, EDUCATION AND EXPERIENCE REQUIREMENTS:

Any combination of education, training and/or experience equivalent to: bachelor's degree in related field (master's degree highly preferred); five (5) years of relevant experience; and demonstrated experience in conducting investigations and coordinating restorative justice systems

LICENSES AND OTHER REQUIREMENTS:

Valid California Driver's License and vehicle insurability to comply with District requirements
Employment eligibility that may include fingerprints, tuberculosis and/or other employment clearance

WORKING CONDITIONS:

Fast-paced, office environment with constant interruptions; interactions with irate individuals; travel to conduct District business; evening, flexible and variable work hours

PHYSICAL AND MENTAL REQUIREMENTS:

Hearing and speaking to exchange information in person and on the telephone; seeing to read, prepare and proofread documents; sitting or standing for extended periods of time; dexterity of hands and fingers to operate a computer keyboard and other office equipment; kneeling, bending at the waist, and reaching overhead, above the shoulders, and horizontally to retrieve and store files and supplies; lifting light objects

Mental acuity to collect and interpret data; evaluate, reason, define problems; establish facts, draw valid conclusions; make valid judgments and decisions