

Berkeley Unified School District
2020 Bonar Street, The Tech Lab, Room 126
Berkeley, CA 94702

Personnel Commission

Heidi Goldstein, Chairperson

Dr. Reynaldo Ortiz, Vice-Chairperson
Patricia Duwel, Secretary

Tim Carter, Commissioner

Meeting Agenda

August 2nd, 2018 – 4:30 pm

- 1. Call to Order** **Chairperson Goldstein**
- 2. Roll Call & Establishment of Quorum** **Secretary Duwel**
- 3. Public Comments (15-minute limit)** **Public**
This is an opportunity for the public to comment on Personnel Commission business not on the agenda. The time limit is five minutes per individual and a total of fifteen minutes per subject. No action can be taken by the Commission.
- 4. Approval & Adoption of Agenda** **Chairperson Goldstein**
- 5. Approval of Meeting Minutes** **Chairperson Goldstein**
Approve the Personnel Commission Meeting Minutes for the following:
 - a) July 12, 2018, Regular Meeting Minutes, p. 2-5
- 6. Consent Items** **Chairperson Goldstein**
It is recommended that the Personnel Commission consider approving a number of agenda items as a Consent list. Consent items are routine in nature, and can be enacted in one motion without further discussion. This procedure conserves meeting time for a full discussion of significant issues.

Ratification of Eligibility Lists
 - a) Director, Fiscal Services, p. 6
 - b) Educational Occupational Therapist, p. 7
 - c) Instructional Assistant II, SPED, p. 8
 - d) Instructional Tech- Before & After School, p. 9
 - e) School Safety Officer, p.10
- 7. Reports** **Union Representatives**
District Representatives
Commissioners
Secretary Duwel
 - a) Union
 - b) District Reports
 - c) Commissioners Reports
 - d) Personnel Director
 - i. New Hires and Examinations administered in the month of July, p. 11
- 8. Conference Items** **Chairperson Goldstein**
These items are presented for discussion and action and may be carried over from a previous meeting.
 - a) Advance Step Placement Request – E. Estrada, **Attachment A**
 - b) Request for Extension of Eligibility List- Lead Maintenance Engineer, **Attachment B**
- 9. Closed Session (2 matters)** **Chairperson Goldstein**
 - a) Employee Discipline and Legal Matters - Government Code § 54954.5
(2017-D-01) (2017-D-02)(2018-D-01)
- 10. Report from Closed Session** **Chairperson Goldstein**
- 11. Public Comments (15-minute limit)** **Public**
This is an opportunity for the public to comment on Personnel Commission business not on the agenda. The time limit is five minutes per individual and a total of fifteen minutes per subject. No action can be taken by the Commission.
- 12. Next Meeting** **Chairperson Goldstein**
Follow up items for next Personnel Commission Meeting.
- 13. Adjournment** **Chairperson Goldstein**

Agendas and minutes of Personnel Commission meeting are available at the District's website, www.berkeleyschools.net. Also, in accordance with the Brown Act and Government Code § 54957.5 (b)(1), writings that are related to an agenda item for an open session of a regular meeting, that are public records not otherwise exempt from disclosure and that are distributed less than 72 hours prior to the meeting, shall be made available for public inspection at the time the writings are distributed to at least the majority of Commissioners. The public may request copies of the records at the District's Human Resources office at 2020 Bonar Street, Berkeley, CA 94702.

Berkeley Unified School District
Personnel Commission Meeting Minutes

July 12, 2018 – 4:30 pm

1. Call to Order

The meeting was called to order at 4:31 pm.

2. Roll Call & Establishment of Quorum

Chairperson Goldstein, Vice-Chairperson Ortiz, and Commissioner Carter were present, and a quorum was established. Secretary Duwel was absent. Erin Arinez, Classified Personnel Supervisor, facilitated the meeting.

3. Public Comments

None.

4. Approval & Adoption of Agenda

Vice-Chairperson Ortiz made a motion to approve the agenda; Commissioner Carter seconded the motion, Approved, 3-0

5. Approval of Meeting Minutes

Approve the Personnel Commission Meeting Minutes for the following:

- a) May 3, 2018, Regular Meeting Minutes
- b) June 7, 2018, Regular Meeting Minutes

Commissioner Carter made a motion to approve the meeting minutes; Vice-Chairperson Ortiz seconded the motion,

Approved 3-0

6. Consent Items

Ratification of Eligibility Lists

- a) Administrative Assistant I
- b) Custodian I
- c) Employee Benefits Specialist
- d) Executive Director of Facilities, Maintenance, and Operations
- e) Grounds Gardener
- f) Human Resources Technician

Vice-Chairperson Ortiz made a motion to approve the eligibility lists; Commissioner Carter seconded the motion,

Approved, 3-0

-

7. Conference Items

- a) Advanced Step Placement Request- V. Sessions,

Ms. Arinez advised that the employee requested an advanced step placement to step two because she had worked on a limited term basis in the Payroll Specialist position since the spring of 2017 and that if the position had been vacant for transfer or promotion when the employee started the limited term assignment, she would

have already advanced to a step two.

Commissioner Carter made a motion to approve the advanced step placement; Vice-Chairperson Ortiz seconded the motion,

Approved, 3-0

b) Personnel Commission Agenda Revision- Reports

Chairperson Goldstein reported that Paula Philips, former BCCE President, had requested at a prior commission meeting to move the “Reports” Item to an earlier section of the agenda. Ms. Arinez recommended moving “Reports” to follow the “Consent Items” section of the agenda. Chairperson Goldstein said this request was made because it would be helpful to front load the staff, union and commissioner comments so members of the public would not have to stay for the entire meeting if the items prior to Reports were not of concern to them.

Vice-Chairperson Ortiz made a motion to approve the agenda revision; Commissioner Carter seconded the motion,

Approved, 3-0

8. Closed Session

**a) Employee Discipline and Legal Matters - Government Code § 54954.5
(2017-D-01) (2017-D-02) (2018-D-01)**

The Personnel Commission went into closed session at 4:43 pm.

9. Report from Closed Session

The Personnel Commission came out of closed session at 5:07 pm. Chairperson Goldstein reported that the Commission discussed scheduling for pending appeal hearings and matters related to Commission personnel.

10. Reports

**a) Union
None.**

b) District Reports

Brent Daniels, Human Resources Director, commented that the Personnel Commission and Human Resources are working with the Technology Department to expand use of the NeoGov platform to digitally onboard new hires. He advised that Professional Development (PD) day is coming up in August and encouraged input on content for the PD sessions. He reported that classified staff participated in an active shooter training in June. Director Daniels told the Commission that he is pleased with Ms. Arinez’s assistance during Secretary Duwel’s recent absences.

c) Commissioners Reports

Chairperson Goldstein acknowledged that BCCE had recently elected a new President and expressed her desire for a positive and productive working relationship. She also thanked Ms. Arinez for her help during Secretary Duwel’s absence. She advised she would not hold office hours in July, but would be available via email.

d) Personnel Director

i. New Hires and Examinations administered in the month of June

Ms. Arinez reported that the Personnel Commission held numerous exams in the month of June. She said that summer is the busiest time of year for open recruitments. She advised that she was involved in setting up NeoGov to go live before school started.

11. Public Comments

Travis Dennis commented that he was employed with Berkeley Unified School District for about ten years, first as a School Campus Monitor and then as School Safety Officer. He noted that there was no union representation present at the meeting. Mr. Dennis handed several letters of character recommendation to Chairperson Goldstein.

Dana Moran, Berkeley High School Teacher, said she had worked at BUSD for twenty-five years and all three of her children were Berkeley High students. She noted that Mr. Dennis had been a positive influence during his time at Berkeley High; that he made the students feel safe and welcomed, and that her children only had positive things to say about him. She added that her children never heard Mr. Dennis speak inappropriately to students. Ms. Moran said she had Mr. Dennis's child as a student in her class and that she observed that he reflected the values of his parents. She requested that the Commissioners consider the impact that their decision will have on the students of Berkeley High and that Mr. Dennis is an integral part of the goals that they are trying to accomplish at the school.

Eli Marx-Kahn, a Berkeley High alumnus, read from a letter he wrote on behalf of Mr. Dennis. He mentioned that Mr. Dennis was a positive influence on him personally and that Mr. Dennis made a special effort to make all students feel welcomed and cared immensely for everyone. He said that Mr. Dennis has been a big part of over 10,000 students' lives and that he deserves a second chance.

Mariah Dennis, Mr. Dennis's wife, cautioned that the school needs to do their due diligence in investigation of the allegations against Mr. Dennis. She said Mr. Dennis did not say anything harmful. She also asserted that the administration at Berkeley High School helped the students build a case against Mr. Dennis, which she believes is illegal. She noted that the administrative staff asked Mr. Dennis if he had smoked weed with the students, which she believes was an inappropriate question.

Chairperson Goldstein pointed out that it would be helpful to explain the Commission's role in the appeal process for employment matters. She advised that the Personnel Commission is the end of the road after local remedies are exhausted, and that the Personnel Commission's decision is the final decision. She said that the case would be handled during a scheduled appeal hearing, which is conducted in Closed Session, and cautioned the public from making any comments that could affect the appeal hearing. Commissioner Carter stated that at this point in the process, the Personnel Commission does not yet have information about Mr. Dennis's case.

12. Next Meeting

The next regular meeting to be held on August 2nd at 4:30 pm.

13. Adjournment

The meeting was adjourned at 5:30 pm.

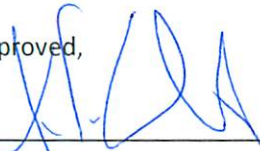
Respectfully Submitted,



Patricia Duwel
Secretary, Personnel Commission

8/2/2018
Date

Approved,



Heidi Goldstein
Chairperson, Personnel Commission

8-2-2018
Date

Berkeley Unified School District

Merit System

Eligibility List for :

Director, Fiscal Services
(Unranked List)

List Established by Personnel Commission: August 2, 2018 to expire August 1, 2019

Open & Promotional

Gustavo Aguilar

T'nesia Hurely

Elizabeth Karam

Carolina Rodriguez

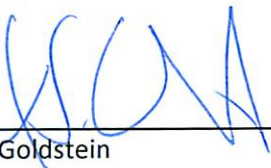
Micheal Wimbish

Benjamin Zohar



Patricia Duwel
Secretary, Personnel Commission

7/25/2018
Date



Heidi Goldstein
Chairperson, Personnel Commission

8-2-2018
Date

Berkeley Unified School District

Merit System

Eligibility List for : **Educational Occupational Therapist
(Open)**

Written Examination: **June 26, 2018**

Oral Examination: **July 10, 2018**

List Established by Personnel Commission: **August 2, 2018 to expire August 1, 2019**

Open

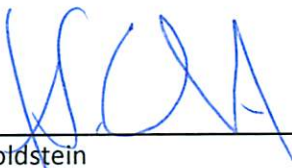
- 1 Julie Loewer
- 2 Jessica Burks
- 2 Tanya Orgill*
- 3 Erendira Sierra-Rodriguez
- 4 Jessie Drake*
- 5 Therese Balino
- 6 Amber Crowley

* *Eligibility to expire June 6, 2019*



Patricia Duwel
Secretary, Personnel Commission

7/25/2018
Date



Heidi Goldstein
Chairperson, Personnel Commission

7-2-2018
Date

Berkeley Unified School District
Merit System

Eligibility List for : **Instructional Assistant II, Special Education**
 (Open)

Written Examination: **June 14, 2018**

Oral Examination: **July 18, 2018**

List Established by Personnel Commission: **August 2, 2018 to expire August 1, 2019**

Open

- 1 Taylor Harvey
- 2 Andrew Herrera
- 3 Douglas Sims **
- 3 Lee Steadman *
- 4 Janette Wafer
- 5 Aura Navichoque
- 6 Kristen Fleming
- 7 Brennan Hedges*
- 7 Yuen-Hsia Hsu **
- 7 Sanae Bouchentouf
- 8 Denelle Cyrus *
- 8 Edmark Aberin
- 9 Jequala Washington *
- 10 Deloris Dilworth-Tooks**
- 11 Walter Pizarro**
- 12 Robin Hall*
- 13 Kenneth Hunter **

* *Eligibility to expire April 9, 2019*

** *Eligibility to expire December 6, 2018*



Patricia Duwel
Secretary, Personnel Commission

7/25/2018
Date



Heidi Goldstein
Chairperson, Personnel Commission

8-2-2018
Date

Berkeley Unified School District
Merit System

Eligibility List for : **School Safety Officer**
 (Open and Promotional)

Written Examination: **June 8, 2018**

Oral Examination: **July 11, 2018**

List Established by Personnel Commission: **August 2, 2018 to expire August 1, 2019**

Promotional

1 Stephanie Guinn

Open

1 Norman Wright

2 Jonnel Gallon

2 Annette Haugabook



Patricia Duwel
Secretary, Personnel Commission

7/25/2018

Date



Heidi Goldstein
Chairperson, Personnel Commission

8-2-2018

Date

Examinations Administered in the Month of July:

<u>Classification</u>	<u>Written</u>	<u>Oral</u>	<u>Performance</u>
Employee Benefits Specialist	6		1
School Administrative Assistant II	7		
Instructional Specialist, Garden	2		2
Instructional Specialist, Athletics	1		
Instructional Specialist, Art	4		
Instructional Technician, Cooking	1		1
Educational Occupational Therapist	5		5
School Safety Officer	5		4
Instructional Technician, Before and After School	6		3
Instructional Assistant, Early Childhood Education	8		7
Instructional Assistant II, Special Education	20		6
Director, Fiscal Services			3
Clerical Assistant III	18		
Budget Analyst I	11		
Attendance Technician	10		

New Hires/New Assignments/Promotions Processed in the Month of July:

<u>Name-</u>	<u>Type-</u>	<u>Classification-</u>	<u>Location/Dept.</u>
Bessie Barnes	New-Hire	Instructional Assistant, ECE	Franklin CDC
Julio Calel	New-Hire	Grounds Gardener	Maintenance
Salvador Magana	New-Hire	Grounds Gardener	Maintenance
Victoria Session	Promotion	Payroll Specialist	Payroll
Kamar O'Guinn	New-Hire	African American Success Project Manager	Ed. Services

PERSONNEL COMMISSION
BERKELEY UNIFIED SCHOOL DISTRICT
August 2, 2018

AGENDA ITEM

SUBJECT: REQUEST FOR ADVANCED STEP PLACEMENT AS RESTORATIVE JUSTICE
COORDINATOR IN THE CASE OF EDDIE ESTRADA

BACKGROUND INFORMATION

Mr. Estrada has been involved in Restorative Justice for five (5) years. He completed his Bachelor's degree in 2014 and is an alumnus of the RJ Center at Cal. He has completed a myriad of coursework and seminars associated with and in direct support of Restorative Justice Programs. He has worked for the local non-profit SEEDS (Services that Encourage Effective Dialogue and Solutions) where he assisted and provided service to several school districts in the local area. He was brought on board Berkeley Unified at Berkeley High School in the 2015-2016 school year as a contractor providing Restorative Justice processes and services as Berkeley Unified started to look at and incorporate the Restorative Justice model. Mr. Estrada has accepted one of two RJ Coordinator positions that were established for the 2018-2019 school year.

70.100.1 Initial Placement

All new employees shall be appointed at the hiring rate for the class as approved by the Commission. The hiring rate shall be the first step of the schedule except for classes where recruitment efforts have indicated difficulty in recruiting at that step. An accelerated hiring rate may be set, with the approval of the Board and the Commission, at any step of the schedule of the class.

DIRECTOR'S RECOMMENDATION

I do recommend Mr. Estrada be granted advanced step placement at Step 5/Range 48.

To Commission Chairperson Heidi Goldstein:

I hope this letter finds you well. I am writing this letter to request that my employment with Berkeley Unified School District begin at Step 5 in accordance with the salary scale provide by Human Resources. In this letter, I hope to articulate some of the reasons why I believe this to be a reasonable request and hope that you and the commission come to agree.

I have been working as a Restorative Justice practitioner since 2013 while I was still a student at the University of California, Berkeley. In 2014, I received my Bachelor's of Arts in Legal Studies and a Minor in Peace and Conflict Studies with an emphasis on Human Rights. I am also an alumnus of the Restorative Justice Center of Cal, headed by professor Julie Shackford-Bradley. Related coursework includes but not limited to:

- US Cultures and Places
- Theories of Justice
- Conflict Resolution and Social Change
- Policing and Society
- Human Rights
- Multicultural Conflict Resolution,
- Communities in Poverty
- Community Practices to Disrupt the School to Prison Pipeline

Upon graduation, I immediately began working with a local nonprofit called SEEDS Community Resolution Center. It was here where I received formal training in Restorative Justice and conflict resolution practices. Upon completion, I began working as a school site restorative justice coordinator. I have worked in several districts including Hayward, Napa, Calistoga, Pittsburg, and Berkeley. I have been in over ten different schools ranging from elementary through high school. It was my role to provide direct services in conjunction with training of staff and students on various practices, including mediation, harm circle, and classroom community building circles and activities.

I first joined BUSD in the 2015-2016 school year as a contractor working at Berkeley High School. It has been my role to provide direct services to students and staff, facilitate circles for teachers and students, and facilitate trainings across the campus. I have handled a number of cases, ranging from high profile issues of harm such as the Instagram account incident from last fall to the day-to-day mediations for students in conflict. I along with the rest of the On Campus Intervention team have been working on implementing restorative justice across the community.

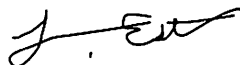
I was informed sometime last fall that my contract would end as the district moves forward in solidifying the role of RJ Coordinator as an employable position. I was asked to apply, knowing that there would be a significant pay decrease. I have turned down other offers where the salary was higher and for a 12-month span, not

the 10 month that exists here. Further, with the addition of a second RJ Coordinator, I am finding myself operating at a supervisory role, providing training and over site. I know that I will have to bring the new person up to speed and this will take time. It does not feel equitable that the second person and I would start at step 1 given the time I have already invested and the leadership role I will have to take on.

That being said, the reason I am staying with Berkeley is because there is still much work to do, I love my colleagues and students, and because I know BUSD is on track to being a model district where RJ is implemented. I hope that the information provided proves that I am within my right to request that I come in at step 5. I understand that this limits me from receiving an increase in pay over the coming years; however, I feel that step 5 is appropriate given the information I have provided. If you have any questions please email me or call at 707-712-9384. Letters of recommendation can be provided if requested. I thank you for your time.

With much appreciation,

Eddie Estrada

A handwritten signature in black ink, appearing to read "E. Estrada", written in a cursive style.

PERSONNEL COMMISSION
BERKELEY UNIFIED SCHOOL DISTRICT
August 2, 2018

AGENDA ITEM

SUBJECT: LEAD MAINTENANCE ENGINEER ELIGIBILITY LIST CERTIFICATION
EXTENSION

BACKGROUND INFORMATION

Personnel Commission Rule 50.100.1 states that "After approval, an eligibility list shall be in effect for one year, unless exhausted, *and may be extended for not to exceed one additional year* at the discretion of the Commission." Request to extend the Lead Maintenance Engineer Eligibility List for an additional one (1) year.

50.100.1 Establishment and Life of Eligibility Lists

A. After an examination, the names of successful competitors shall be arranged on a list in the order of examination score, plus additional points where applicable (Rule 40.100.8). The list shall be presented for approval of the Personnel Commission.

*B. After approval, an eligibility list shall be in effect for one year, unless exhausted, **and may be extended for not to exceed one additional year at the discretion of the Commission.** Names of successful competitors may be added to eligibility lists resulting from continuous examinations without approval by the Commission.*

DIRECTOR'S RECOMMENDATION

Approve a one (1) year extension of the above eligibility list.



7/27/18

To Whom It May Concern,

This is to certify that Jose (Eddie) Estrada III has completed both SEEDS Mediation Training and our Restorative Justice Trainings. Both trainings were multi-day courses with content presentation as well as practice and roleplay.

We wish Eddie all the best in his future.

Barbara Lipson

Director of Organizational Effectiveness and Community Programs
510-548-2377 ~ seedscrc.org
2530 San Pablo Ave. Suite A, Berkeley CA 94702

THE REGENTS OF THE

University of California

ON THE NOMINATION OF THE FACULTY OF THE
COLLEGE OF LETTERS AND SCIENCE
HAVE CONFERRED UPON

JOSE EDUARDO ESTRADA III

THE DEGREE OF BACHELOR OF ARTS
WITH A MAJOR IN LEGAL STUDIES

WITH ALL THE RIGHTS AND PRIVILEGES THERETO PERTAINING

GIVEN AT BERKELEY

THIS SIXTEENTH DAY OF MAY IN THE YEAR
TWO THOUSAND AND FOURTEEN

Edmund G. Brown, Jr.
GOVERNOR OF CALIFORNIA AND
PRESIDENT OF THE REGENTS

Jack Appleton
PRESIDENT OF THE UNIVERSITY



Stephen J. ...
CHANCELLOR AT BERKELEY

Mark A. ...
EXECUTIVE DEAN OF THE COLLEGE

RJ Coord
Salary Data Research

	A	B	C	D	E	F	G	H
1	District/Org	ADA	Description	Lead	Range	From	to	MQ's
2	OES DATA		Social Srvc Assistants			\$15.04	\$23.09	
3	San Lorenzo USD	10400	School Community Liaison			\$17.75	\$21.62	HSD/1 yr Comm Svc programs
4	OES DATA		Behaviorial Counselors			\$17.81	\$29.49	
5	Pleasanton USD	14363	Parent Advocate, Family Liaison			\$19.08	\$23.23	BA + Job related Exp w/specialized field
6	Livermore Valley USD	12012	Community Liasion			\$19.46	\$24.85	Job Related Exp w/associated ed
7	Alameda Unified	9068	Accountability Specialist		35	\$20.32	\$24.75	HSD or Eq/3 yrs ex w/stu record mgmt
8	OES DATA		Social Srvc Specialists, Other			\$21.01	\$31.68	
9	BUSD	9268	Restorative Justice Coordinator		48	\$22.93	\$27.98	Any comb 2yrs exp ind/group RJ interventions. Completion formal/ed program in RJ including mediation & conflict resolution desirable
10	Fremont USD	33430	Community Liasion			\$23.96	\$34.03	2yrs exp interpersonal/group relations exp
11	Oakland USD	49700	Specialist, Restorative Justice		WTCL 50 est	\$28.15	\$37.69	Any comb - BA and 3yrs direct RJ exp in scol/community
12	Oakland USD	49700	Facilitator, Restorative Justice		WTCL 53 est	\$30.32	\$40.59	BA/Equip (2exp=1yr ed); 1 yr conflict mediation/positive youth dev in scol/community setting; Exp trng/coach in urban school dist pref
13	Hayward	19875	Outreach Worker			\$32.82	\$36.22	2yrs exp involving parent and community outreach
14	BACR SF		HOPE SF Youth Leadership Program Mgr (BMoC & MBK Lead)			\$34.75	\$37.50	CADL; 5yrs Youth Leadership, 2yrs in SF; 2yrs Supv
15	Alameda COE	9068	Community Outreach Specialist (COULD NOT FIND)				\$39.56	BA/Related exp in specialized field
16	SEEDS		RJ Coach					
17	Catholic Charities		Restorative Practices Specialist					Social Work, MH, Ed or youth Svcs Ed, Trng or Exp; Exp facilitating RJ interventions or other types of youth/adult support

ATTACHMENT B

RJ Coord
Salary Data Research

	A	B	C	D	E	F	G	H
1	District/Org	ADA	Description	Lead	Range	From	to	MQ's
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11	Oakland USD	49700	Specialist, Restorative Justice		WTCL 50 est	\$28.15	\$37.69	Any comb - BA and 3yrs direct RJ exp in scol/community
12	Oakland USD	49700	Facilitator, Restorative Justice		WTCL 53 est	\$30.32	\$40.59	BA/Equiv (2exp=1yr ed); 1 yr conflict mediation/positive youth dev in scol/community setting; Exp trng/coach in urban school dist pref
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ATTACHMENT B