

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

October 4th, 2018 – 4:30 pm

**1. Call to Order**

The meeting was called to order at 4:30 p.m.

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

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

**3. Public Comments**

None.

**4. Approval & Adoption of Agenda**

Chairperson Goldstein suggested rearranging some of the conference items, to accommodate the members of the public that were present at the moment.

Vice-Chairperson Ortiz made a motion to approve the agenda and to re-arrange the Conference Items order to start with items h) and then d) before resuming the printed order; Commissioner Carter seconded the motion, Approved, 3-0

**5. Approval of Meeting Minutes**

a) September 6, 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) Budget Analyst I
- b) Executive Director -Facilities, Maintenance & Operations
- c) Instructional Assistant, ECE
- d) Instructional Assistant II, SPED
- e) Instructional Tech- BASP

Chairperson Goldstein pointed out that the dates between exams averaged 12.4 days.

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

**7. Reports**

a) Union

*(Report given during Item 11, Public Comments)* Ronesha Norwood-Coleman, BCCE Organizer, said that there is a significant disconnect between the duties of the proposed Behavioral Intervention Specialist position and those of the Instructional Assistant II, SPED (IA SPED). She expressed concern that IA SPEDs will be pulled from one-on-one student aide assignments without direct replacement in instances where they are promoted to the Behavioral Intervention Specialist role. Ms. Norwood-Coleman read into the record a letter from BCCE President, Linnette Robinson, that cited patterns of inaccurate employee information in Human Resources and Classified Service office documents, repeated payroll errors, and the arbitrary denial of employee grievances and complaints. The letter cautioned against decisions weighted by information provided by the District and asserted

that the Personnel Commission and School Board do not adequately hold the District accountable. BCCE urged the Personnel Commission to act as an independent body and to conduct its own investigations. Ms. Coleman provided a copy of the writ agreement to the Personnel Commission.

b) District Reports

None

c) Commissioners Reports

Chairperson Goldstein reported that she met with Dr. Jan Hamilton, the Special Ed. Director, to discuss training needs for the IA SPED and related roles. She reported that the new Student Services Manager, James Wogan, has helped plan some elements of training for the Monday, October 8<sup>th</sup> Classified Professional Development day, including a keynote speaker whose remarks would address trauma and its effect on students.

Chairperson Goldstein noted that the report for the 9/26 school board meeting had a tremendous number of limited-term assignments. Secretary Duwel advised that most of those assignments were summer recess assignments. Chairperson Goldstein also thanked the Personnel Commission staff for their continued hard work and observed that on average 4.7 exams are administered per day.

d) Personnel Director

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

Secretary Duwel shared exam activity for the month of September. She noted a pending correction to the new-hire listing to re-categorize one hire as promotional.

## 8. Conference Items

h) Agenda Item Request- P. Thomas

Ms. Norwood-Coleman advised she had additional information she wanted to provide to the Commission, which she had submitted to the district previously. Chairperson Goldstein noted there would not be sufficient time to both review and discuss this information during the meeting. She asked that Secretary Duwel follow up with Ms. Thomas and determine appropriate next steps. Ms. Coleman said that BCCE is requesting that the District permit Ms. Thomas to return to work and that reasonable accommodation be made per Merit Rule 60.700.5. She also asked that Ms. Thomas be paid retroactive to June 2018 when she was separated from the District.

d) Request for Reclassification- F. Martinez, Attachment

Francisco Martinez, Admissions Manager, commented that his current job description doesn't reflect the breadth of his responsibilities and that the range of his job duties more than doubled in 2015 due to changes in Board policies. He requested that the Classified Director conduct a desk audit and report on the results at the November meeting. Angela Long, local 21 Representative, voiced support for this re-classification.

Chairperson Goldstein made a motion to have Secretary Duwel conduct the desk audit and bring back to the November meeting; Commissioner Carter seconded the motion,  
Approved, 3-0

a) Establishment of New Classification- Behavioral Intervention Specialist (BIS)

Secretary Duwel reported that the duties of the new classification were recently established and approved by the Board [meeting September 26, 2018]. She noted that the new position was created to better support students with behavioral challenges. Dr. Hamilton commented that while, IA SPEDs are currently performing some of these duties to support such students, the Special Ed. Department typically contracts with nonprofits for services to support students with heightened need. She said that going forward the District plans to invest in training selected IA staff to build the capacity and capability to work with these students instead. In response to Commissioner Carter's inquiry, Dr. Hamilton reported that approximately 50 students have been identified to receive behavioral intervention support.

Vice-Chairperson Ortiz asked about the work experience needed for this position; Secretary Duwel said that the SPED department would first identify current interested, high-potential IA SPED employees to fill these positions. In response to Chairperson Goldstein's inquiry, Dr. Hamilton advised that about fifty BIS positions would be necessary. She added that about ten employees had already volunteered for additional training, which started the week prior. Commissioner Carter inquired about the minimum qualifications for the role and if there were other State guidelines that should be considered. Dr. Hamilton replied that CPR certification would be required but other certifications were not necessary for the position. Secretary Duwel added that certificated staff working with the BIS staff would hold the necessary credentials. Dr. Hamilton added that the supervision model for the program included a weekly 90-minute meeting with certificated and BIS staff.

Chairperson Goldstein commented that the duties in the job description call for additional training and that by bringing this capability in-house, there would be a more substantial training component. Dr. Hamilton agreed and pointed out that the ongoing training is addressed in part by the weekly supervision meeting for the employee in this position.

Vice-Chairperson Ortiz made a motion to approve the Behavioral Intervention Specialist classification; Commissioner Carter seconded the motion,  
Approved 3-0

b) Establishment of New Classification- Senior Human Resources Technician

Dr. Brent Daniels, Human Resources Director, explained that this position assumes a lead role in the Human Resources department and undertakes more complex assignments, such as; applying leave of absence laws for certificated and classified employees, and serving as the point of contact for daily operations in the absence of the Assistant Superintendent and/or the Director. Evelyn Bradley, Assistant Superintendent of HR, identified thorough knowledge of HR as necessary for the role, which will serve in many capacities. In a non-supervisory manner. Dr. Daniels added that the position represents a promotional opportunity and will facilitate staff recruitment and retention going forward.

Commissioner Carter asked about safeguards to minimize gradual accretion in duties for the role. Dr. Daniels cited the existing standard operating procedures, and that the structure of the role emphasizes training and guidance to more junior staff to maintain a productive workflow. Secretary Duwel reported that the classification had been created due to an existing employee request for a reclassification. Chairperson Goldstein asked whether the salary placement was in the median range for comparable Districts. Secretary Duwel confirmed that the proposed salary schedule is consistent with the compensation sample mid-range for non-supervisory positions.

Vice-Chairperson Ortiz made a motion to approve the new Senior Human Resources Technician classification; Commissioner Carter seconded the motion,  
Approved, 3-0

c) Request for Reclassification – L. Kelly

Dr. Daniels reported that Ms. Kelly has performed several duties above and beyond those in her job description on an ongoing basis. He praised Ms. Kelly's knowledge of new leave laws and the application to various contract provisions. He said that she also coordinates effectively with Payroll and Position Control functions. Secretary Duwel said that Ms. Kelly often takes the lead communicating with other departments. Dr. Daniels noted Ms. Kelly is an asset to the organization. Secretary Duwel recommended approving the reclassification effective October 5<sup>th</sup>.

Vice-Chairperson Ortiz made a motion to grant the reclassification for Ms. Kelly as a Senior Human Resources Technician; Commissioner Carter seconded the motion,  
Approved, 3-0

- e) Request for Advance Step Placement- T. Harvey  
Secretary Duwel recommended placing Ms. Harvey at step 2 based on her time in the role through numerous limited term assignments and because of Ms. Harvey's applicable prior experience. Vice Chairperson Ortiz said he was concerned about setting a precedent if the Commission grants this advanced step placement. Ms. Coleman pointed out that the SPED IA is an open and ongoing recruitment; Secretary Duwel confirmed that SPED IA position recruitment is difficult. Commissioner Carter also expressed concerned about a precedent, and that granting this step placement seemed arbitrary. Chairperson Goldstein noted that there remains a big turnover dynamic for these positions, and suggested that approval of the advanced step placements may help stabilize turnover by making compensation for the work more competitive with other alternatives that encourage employees to move on.

Vice-Chairperson Ortiz made a motion to grant Ms. Harvey's advanced salary placement at step 3 and also to approve Item g to grant Ms. Pizarro's advanced step placement at step 2, as per Secretary Duwel's recommendation; Chairperson Goldstein seconded the motion,

Approved, 2-0

Aye- Chairperson Goldstein

Aye- Vice-Chairperson Ortiz

Commissioner Carter abstained.

- f) Request for Advance Step Placement- A. Herrera  
Vice-Chairperson Ortiz requested more documentation before considering a request to grant an advance step placement.  
Vice-Chairperson Ortiz made a motion to table this for Item for the November meeting; Commissioner Carter seconded the motion,  
Approved, 3-0
- g) Request for Advanced Step Placement- E. Pizarro  
*Discussed during Item e.*
- i) 2017-2018 Personnel Commission Annual Report, *First Reading*,  
Vice-Chairperson Ortiz made a motion to bring the Annual Report to the November meeting for a second reading; Commissioner Carter seconded the motion,  
Approved, 3-0
- j) Request to move November Personnel Commission Meeting Time to 1:30 pm.  
Secretary Duwel advised of a conflict with a management meeting taking place at the same time as the scheduled regular personnel commission meeting in November. Ms. Norwood Coleman said the Union objects to a meeting at 1:30pm which is during classified work hours. Chairperson Goldstein commented that the two matters are important and proposed changing the November meeting date to include the regular 4:30pm start time.  
Chairperson Goldstein made a motion to move the meeting to Nov 8<sup>th</sup>; Commissioner Carter seconded the motion.  
Approved, 3-0

## 9. Closed Session

- a) Employee Discipline and Legal Matters - Government Code § 54954.5  
(2017-D-01) (2017-D-02) (2018-D-01)
- b) Joint- Appointed Personnel Commissioner- Discussion

The Personnel Commission went into closed session at 6:11 pm.

b) Joint- Appointed Personnel Commissioner- Discussion

The Personnel Commission went into closed session at 6:11 pm.

**10. Report from Closed Session**

The Personnel Commission came out of closed session at 6:32 pm. Chairperson Goldstein reported that upcoming hearings were discussed and dates were proposed. She advised that the Commission discussed Secretary Duwel's partial leave of absence. On the matter of recruitment for the joint-appointed commissioner, the Commission agreed to continue the past practice of posting the opening on Classified Service webpage for a week starting on 10/22/18.

**11. Public Comments**

None.

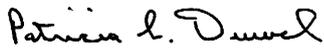
**12. Next Meeting**

The next regular meeting will take place on November 8<sup>th</sup>.

**13. Adjournment**

The meeting was adjourned at 6:33 pm.

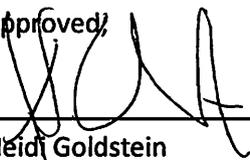
Respectfully Submitted,



\_\_\_\_\_  
Patricia Duwel  
Secretary, Personnel Commission

\_\_\_\_\_  
Date

Approved,



\_\_\_\_\_  
Heidi Goldstein  
Chairperson, Personnel Commission

11-8-18  
\_\_\_\_\_  
Date