

Berkeley Unified School District
Personnel Commission Meeting Minutes

June 6th, 2019 – 4:30 pm

1. Call to Order

The meeting was called to order at 4:30 pm.

2. Roll Call & Establishment of Quorum

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

3. Public Comments

Peggy Scott, a member of the BUSD Sexual Harassment Advisory Committee, said she did not see the Compliance Officer & Title IX Coordinator position posted on the EdJoin website. She stressed the importance of the job and noted that in the last four years, several people had filled the position, and there has been high turnover in the role. She said that in December of 2016 the then Student Services Director stepped in as an interim after the previous Compliance Officer resigned, but because the role is responsible for student discipline, it presents a conflict to serve as the acting Title IX Coordinator. She questioned whether the District paid adequately for the role and if it wanted to fill this position. She suggested the position be continuously posted until it is filled.

Mark Ramia, Instructional Assistant II, SPED, read a letter he previously sent to the Commission by email regarding lack of action on six separate employee grievances/complaints he has filed over the past academic year.

Evelyn Tamondong-Bradley, Assistant Superintendent of Human Resources, thanked the Commission for their work and confirmed that she had taken a position with a different District.

4. Approval & Adoption of Agenda

Commissioner Goldstein made a motion to approve the June meeting agenda; Vice-Chairperson Carter seconded the motion,

Approved, 3-0

5. Approval of Meeting Minutes

a) May 2nd, 2019, Regular Meeting Minutes

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

Approved, 3-0

6. Consent Items

Ratification of Eligibility Lists

- a) Behavioral Intervention Specialist
- b) District Services Assistant
- c) School Bus Driver
- d) School Campus Aide

- e) School Safety Officer
- f) Sous Chef, Production Kitchen
- g) Visual & Performing Arts Technician

Commissioner Goldstein requested to pull Item a) for further discussion.

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

Approved, 3-0

Commissioner Goldstein said she was seeking clarity regarding recruitment for Behavioral Intervention Specialist positions. She said that she had understood from Dr. Jan Hamilton, Executive Director of Special Ed., said she wanted to fill 50 slots in the 2018-2019 school year. She observed that the recruitment is open and continuous and that the position that is posted to several sites. Secretary Duwel noted that presently there are only seven open vacancies for the role. Chairperson Ortiz requested an update at the next meeting regarding this matter. Commissioner Goldstein expressed concern about budget drawdown if more aggressive recruitment strategies are needed to fill upcoming vacancies.

Commissioner Goldstein made a motion to approve eligibility list a); Vice-Chairperson Carter seconded the motion,

Approved, 3-0

7. Reports

- a) Union Reports

Linette Robinson, BCCE President, said the Commission might soon be inundated with Behavior Intervention Specialist (BIS) reclassification requests, because SPED union members have been performing the BIS duties as part of their current role. She noted SPED roles are overwhelmed with work, and that managerial competency and efficiency is lacking. She reported that she has been told HR cannot assist when she has brought these complaints to the HR Director's attention. She expressed concern about managerial bullying and retaliation against employees who file formal complaints and asserted that these practices, and disconnects in compensation were why employees were quitting the District.

Ms. Robinson also commented on the need to remedy pay inequalities due to differences in the defined work day hours for different classes of full-time employees.

Ms. Robinson noted the current Compliance Officer/Title IX Coordinator eligibility list, and expressed concern that the recommendations of prior outgoing Compliance Officer/Title IX Coordinator were not implemented. She observed that the turnover problems were not unique to this position. She commented that the District's practice of permitting extended hiring delays impeded the process and asked the Personnel Commission to investigate this.

- b) District Reports

Brent Daniels, Human Resources Director, said he continues to meet with BCCE leaders. He noted their shared common interest to support both students and employees, and that the HR organization will continue to work with BCCE in the spirit of partnership.

- c) Commissioners Reports

Commissioner Goldstein noted that the new Superintendent would be starting soon. during a period of high turnover in key roles and with contract negotiations likely still un-finished. She said she plans to reach out to him to share observations gleaned from the Classified Personnel issues brought to the Commission.

She recognized the work Personnel Commission staff performed in support of the Classified Recognition event held on May 9th, and praised the staff's on-the-spot improvisations in the face of several unexpected events that day. She commented on the upcoming summer staffing workload and expressed her gratitude to staff for managing to this.

Commissioner Goldstein expressed the need for stability in the Compliance Officer & Title IX Coordinator role, noting the letter Mark Ramia read during the Public Comment period as an example of why equitable and capable complaint process management is necessary.

Chairperson Ortiz said that he attended the Retirement Reception held on May 23rd and emphasized how he appreciates the service of the employees that retired from the District. He also voiced concern regarding the Compliance Officer & Title IX position and requested a report on the recruitment at the next meeting.

- d) Personnel Director
 - i. New Hires and Examinations administered in May 2019
Secretary Duwel shared exam activity for the month of May.

8. Conference Items

- a) Request for Reclassification- L. Robinson & N. Pete
Lena Sweeney, SPED Program Supervisor at BHS, said that she had the pleasure of working with Ms. Robinson and Ms. Pete for 2.5 years. She said they are more knowledgeable about behaviorism than the most talented behaviorists. She said that they are frequently called to de-escalate difficult situations and that they're truly able to change students' lives.
Secretary Duwel added that she supported this reclassification request.
Commissioner Goldstein asked Secretary Duwel about the recommendation element for seniority in the BIS role to be matched to the seniority in their SPED positions and inquired if this would be a standard practice in SPED/BIS reclassification requests. Secretary Duwel replied that this would be determined on a case by case basis based on the requesting employee's tenure working in the SPED classification. She clarified that she is not referring to "effective dates," but to "seniority dates."
HR Director Daniels commented that this approach exemplified the partnership between the District and Union in developing solutions to the challenge of filling the BIS positions. Vice-Chairperson Carter said he was not comfortable backdating seniority, and asked if Secretary Duwel could spell out the criteria for backfilling seniority dates or provide a rubric. Secretary Duwel said she would provide a rubric to the Commission at a future meeting. Commissioner Goldstein said she'd like complete and robust information from the employees who complete the Position Inventory Questionnaire (PIQ) to ensure that the District is able to capture the skills, knowledge and abilities that promote success in the BIS role. She noted that this information was lacking in the documentation the Commission received with these reclassification requests and that this gap was addressed, in part, by Ms. Sweeney's personal testimony on behalf of the candidates.
Commissioner Goldstein made a motion to approve the reclassification for Ms. Robinson and Ms. Pete; Vice-Chairperson Carter seconded the motion,
Approved, 3-0

- b) Request for Advanced Salary Step Placement- M. Upshur
Secretary Duwel advised she does not recommend a Step 5 placement because there is a multi-year delay in pay increase after that level.; however, for this request she recommends a placement at Step 4. Commissioner Goldstein noted that this employee has received two "We Care" awards by the District in recognition of the quality and impact of her work over the past few years.
Vice-Chairperson Carter made a motion to approve a step 4 salary placement for Ms. Upshur; Commissioner Goldstein seconded the motion,
Approved 3-0

- c) Request for Advanced Salary Step Placement- J. Ho
Secretary Duwel said she recommends a placement at Step 4 for this candidate, based on her relevant work experience.
Vice-Chairperson Carter made a motion to approve a Step 4 salary placement for Ms. Ho; Commissioner Goldstein seconded the motion,
Approved, 3-0
- d) Request to Approve the Revised Business Systems Analyst Classification
Secretary Duwel advised that changes to this job description was needed to update the duties to reflect work that ties to current technology deployment in the District; no significant changes were made to the minimum qualifications.
Commissioner Goldstein requested that when a draft class description is brought to the Commission the revisions are highlighted (e.g. a “redline” document). Commissioner Goldstein asked if this role is responsible for automation of workflows. Jay Nietzsche, Technology Director, confirmed that the role includes this duty to support District initiatives to automate processes.
Vice-Chairperson Carter made a motion to approve the revised Business Systems Analyst classification; Commissioner Goldstein seconded the motion,
Approved, 3-0
- e) Request to Approve the Revised Network Engineer Classification
Technology Director Nietzsche reported that the classification required updating to align with current technological trends and systems deployed at the District. He also noted the importance of a technology-current job description to attract high caliber candidates who might otherwise not consider working at BUSD due to an outdated job description. Commissioner Goldstein said she appreciated the robust list of knowledge and abilities added to the position description.
Vice-Chairperson Carter made a motion to approve the revised Network Engineer classification; Goldstein seconded the motion,
Approved, 3-0
- f) Request to Extend Eligibility List- Nutrition Services Assistant
Vice-Chairperson Carter made a motion to approve the Nutrition Services eligibility list for one year; Commissioner Goldstein seconded the motion,
Approved, 3-0
- g) Personnel Commission Budget for 2019-2020- 1st DRAFT, *Third Reading*
Secretary Duwel pointed out a change to the proposed first budget to reflect additional Neogov advertising costs. Commissioner Goldstein said the proposed 2nd budget also includes additional funds to integrate and update the District’s learning management systems (LMS). She noted that the District has received a State grant to fund Classified professional development and recommended that additional investment in training infrastructure would make a significant impact in employee skills and performance. Vice-Chairperson Carter asked if the grant money was to be used for staff hours. Commissioner Goldstein said the money could be used for part time management of the LMS to both assign and track completion of training modules.
Pauline Follansbee, Assistant Superintendent of Business Services, said she supports partnering with the Commission to foster professional development. She advised that the District had proposed general fund budget cuts for AY 19-20 so, funding for this initiative would be comprised of the State grant and monies from the earlier sale of a District property. Ms. Follansbee provided informational budget documents and a graphic depicting the BUSD budget cycle to explain budget sweeps that take place during 2nd half of the academic term.
Commissioner Goldstein emphasized that an LMS is pivotal to ensuring meaningful training, and a useful tool for sustaining a program that will aide in retention of employees.



Secretary Duwel recommended that the Commission approve the first budget because Ms. Follansbee agreed to provide other funds to help support professional development.
Commissioner Goldstein made a motion to approve the Item g) draft budget as amended; Vice-Chairperson Carter seconded the motion,
Approved, 3-0

h) Personnel Commission Budget for 2019-2020- 2nd DRAFT, *Second Reading*
Vice-Chairperson Carter motioned to pull the item h) draft budget; Commissioner Goldstein seconded the motion, Approved, 3-0

9. Closed Session (1 matter)

a) Employee Discipline and Legal Matters - Government Code § 54954.
The Commission went into closed session at 6:18 pm.

10. Report from Closed Session

The Commission came out of closed session at 6:32 pm. Chairperson Ortiz reported that no action was taken.

11. Public Comments

HR Director Daniels provided an update on the BPACT program for classified employees to secure their teaching credential. He reported that there are currently three employees in the process of earning their credential and that grant funding through 2022 will enable the District to extend the opportunity to three additional classified employees. He advised that HR plans to announce the recruitment prior to the end of the school year and will recruit for the open slots over the summer in order to be able to make a candidate selection in the fall.

12. Next Meeting

The next regular meeting will be held on July 11th at 4:30 pm.

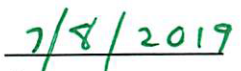
13. Adjournment

The meeting was adjourned at 6:38 pm.

Respectfully Submitted,




Patricia Duwel
Secretary, Personnel Commission




Date

Approved,



Dr. Reynaldo Ortiz
Chairperson, Personnel Commission



Date

