

BERKELEY UNIFIED SCHOOL DISTRICT
2134 Martin Luther King Jr. Way
Berkeley, CA 94704
PERSONNEL COMMISSION

Roy Doolan Dan Lee

SPECIAL MEETING MINUTES

February 22, 2011
4:00 p.m. Annex Conference Room

I. CALL TO ORDER

2. Establishment of Quorum: Present – Dan Lee, Chairperson; Roy Doolan, Commissioner; Paula Phillips, President BCCE, Toni Hyland, Interim Director.

II. NEW BUSINESS

INFO/ACTION

1. Interview of Candidates for Joint Appointee

The primary purpose of the special meeting was to interview candidates for the position of Personnel Commissioner Joint Appointee. Chairperson Lee asked for a motion to adjourn the meeting due to the non-notification of the candidate.

Motion to adjourn: Roy Doolan 2nd: Dan Lee Approve:2-0

III. PUBLIC COMMUNICATIONS

INFO

Paula Phillips announced that she had not received an email copy of the agenda nor were the agendas for the 2/21 and 24 meetings posted 24 hours in advance.

IV. CLOSED SESSION

INFO/ACTION

1. Personnel Matters

V. REPORT FROM CLOSED SESSION

VI. INFORMATION AND FUTURE MEETINGS

INFO

1. Future Meetings

1.1 A special Personnel Commission meeting will be at 4 p.m. on ~~February 24~~ (cancelled), **March 1, 2011**, in the Annex Conference Room.

VII. ADJOURNMENT

4:05 P.M.

Respectfully submitted
Dan Lee, Chairperson


By **Toni Hyland, Interim Director of Classified Personnel**

IV 1.1

BERKELEY UNIFIED SCHOOL DISTRICT
MERIT SYSTEM

Eligibility List for: **ACCOUNTING TECHNICIAN – (Open)**

Written Examination: **January 5, 2011**
Performance Evaluation: **n/a**
Technical/General Fitness Oral: **February 2, 2011**

Lists established by Personnel Commission: **February 24, 2011 to expire February 24, 2012**

	<u>Date Certified To Position</u>	<u>Effective Date of Appointment</u>
1. Catherine Stillman	_____	_____
2. Helena M. Faviana*	_____	_____
3. Ben Ogunmayin	_____	_____
4. Raymond Woo*	_____	_____
5. Nahid Vafadari *	_____	_____

* - Eligibility expires October 7, 2011

IV 1.2

BERKELEY UNIFIED SCHOOL DISTRICT

MERIT SYSTEM

Eligibility List for: **Instructional Specialist - Garden – (Open)**

Written Examination: **January 5, 2011**

Performance Evaluation: **n/a**

Technical/General Fitness Oral: **February 10, 2011**

Lists established by Personnel Commission: **February 24, 2011 to expire February 24, 2012**

	<u>Date Certified To Position</u>	<u>Effective Date of Appointment</u>
1. Robert Everett	_____	_____
2. Phoebe Barker	_____	_____
3. Joyce Moore	_____	_____

To: Personnel Commission of the Merit System
From: Dan F Lee, Chairman
Date: February 24, 2011
Subject: Personnel Commission Meeting Protocol

Background

At past Personnel Commission meetings there has been an opportunity for classified employees to address the Commission with open-ended dialogue during public comment, and/or before any specific agenda item is to be heard. Such free flowing discussions often divert Commission meetings from the business at hand. Because meeting time is limited, and all participants' time is valuable, discussions during Commission meetings must be limited in scope and duration, and must be focused and germane to the business at hand.

In order to promote smoothly, well-functioning commission meetings, the following Rules are proposed:

1. Any District classified employee may submit an agenda item for consideration or action by the Personnel Commission. The agenda item shall be presented in written form and organized in a manner with sufficient background information that commissioners, commission staff and classified employees can understand the nature of the matter addressed.

To be considered, an agenda item must be received by the Director of Classified Personnel no later than noon four working days prior to a scheduled commission meeting (for example, for a Thursday meeting, all documents must be received by the previous Friday at noon.) The individual submitting the agenda item may make a recommendation as to whether the item is considered for action or discussion. It shall be left to the discretion of the Chair, in consultation with other commissioners, as to how the agenda item will be heard.

2. Classified employees wishing to address the commission at a meeting may do so under public comment or just before a specific agenda item is to be heard. Any classified employee in attendance may address the Commission one time, for no more than five minutes, on a specific agenda item. Such comments shall be directed to the chairperson. Any commissioner may query a speaker to gain additional information regarding the speaker's comment.
3. The decorum of Commission meetings shall be respectful at all times.

Recommendation

Adopt Personnel Commission Meeting Protocol.

V.I.

BERKELEY UNIFIED SCHOOL DISTRICT

DATE: February 4, 2011
TO: Personnel Commissioners
FROM: William Huyett, Superintendent
SUBJECT: Salary Step for BSEP Manager

PERSONNEL COMMISSION MEETING DATE: February 24, 2011

BACKGROUND INFORMATION

After a broad recruitment effort and a rigorous examination process, only two external applicants, out of an original applicant pool of 73, were eligible for the BSEP Program Manager position. After the selection interview, it was determined that only Nancy Hoeffler was truly qualified. She presently holds a very high-level position in the private sector. For her to accept the BSEP Manager position at Step 1 would require her to take a very substantial pay cut. She could accept the position at Step 5 due to her commitment to our district and the goals of the BSEP Measure. Even with our request to place her at Step 5 of the current classification for the BSEP Manager position, her income will be significantly lower than her present position.

Since 1986, BSEP has grown from revenue of \$6 million to over \$23 million and now represents one fifth of the District's General Fund budget. The number of programs supported by BSEP funds has also grown, and now includes funding for one third of the District's classroom teachers, as well as fully funding the library, 4th-8th grade music, parent outreach programs, and substantially supporting the technology, program evaluation, and professional development programs.

The BSEP Manager position is unique to our district because of our local Special Tax. Beyond the obviously necessary budget and managerial skills and strong written and verbal communication skills, the position demands a deep knowledge of the Berkeley community. The BSEP Manager must possess a rare combination of skills, experience and finesse to work closely with the Superintendent, Board of Education, the BSEP Planning and Oversight Committee, and the community to not only oversee the implementation of the current Measure but to be the liaison in the development of the next BSEP Measure.

Consequently, we are requesting at this time that Ms.Hoeffler be placed at the highest possible current step, the level most commensurate with her skills and experience.

STAFF RECOMMENDATION

We recommend that Ms. Hoeffler be placed at Step 5, Range 72, for her assignment in the BSEP Manager position.

45253. (a) The commission shall prepare an annual budget for its own office which, upon the approval of the county superintendent of schools, shall be included by the governing board in the regular budget of the school district. The annual budget of the commission may include amounts for the purposes of Section 45255.

(b) The budget shall be prepared for a public hearing by the commission to be held not later than May 30 of each year, or at a date agreed upon between the governing board and the personnel commission to coincide with the process of adoption of the school district budget. The commission shall forward a copy of its proposed budget to the governing board indicating the time, date and place for the public hearing of the budget and shall invite board and district administration representatives to attend and present their views. The commission shall fully consider the views of the governing board prior to adoption of its proposed budget. The commission shall then forward its proposed budget to the county superintendent of schools for action.

(c) If the county superintendent of schools proposes to reject the budget as submitted by the commission of a school district, he or she shall, within 30 days after the commission's submission of the budget, hold a public hearing on the proposed rejection within the affected district. He or she shall have informed both the commission and the governing board of the date, time and place of the hearing. He or she may after the public hearing either reject, or, with the concurrence of the commission, amend the proposed budget. In the absence of agreement between the personnel commission and the county superintendent, the budget of the preceding year shall determine the amount of the new budget, and the items of expenditure shall be determined by the commission.

(d) If the county superintendent of schools proposes to reject the budget as submitted by the personnel commission of a county office of education, the county superintendent shall contract with the Office of Administrative Hearings of the State of California for an administrative law judge to conduct a public hearing on the proposed rejection. The administrative law judge shall render findings and any proposed amendments, if any, to the proposed budget. The personnel commission may accept or reject the findings and proposed amendments. If the personnel commission rejects the findings and proposed amendments, if any, of the administrative law judge, the budget of the preceding year shall determine the amount of the new budget, and the items of expenditure shall be determined by the commission.

(e) The procedures of subdivision (d) apply if an individual serves as both the county superintendent of schools and the superintendent of a school district within the county.

Joni

14 Berkeley USD
PERSONNEL COMMISSION

FINANCIAL ACTIVITY REPORT
01/01/2011 TO 01/31/2011

J1041 FAR110 H.00.14 02/07/11 PAGE 0
41.1 % REMAINS IN FISCAL YEAR 11

Field ranges selected
FI RANGE

Account classifications selected
FD RESC LOC Y BA OBJT GOAL FUNC DDF

- 1. 01-0000-??-?-??-????-????-7403-???
- 2. - - - - -
- 3. - - - - -
- 4. - - - - -
- 5. - - - - -
- 6. - - - - -
- 7. - - - - -
- 8. - - - - -
- 9. - - - - -
- 10. - - - - -

Sort / Rollup on : FUND
 Restricted Field : 02 RESOURCE
 Separation Option : No Separation of Restricted and UnRestricted
 Extraction Type : Restricted and UnRestricted
 Starting Budget : Approved
 Budget Transfers : A = Approved only
 GL Transactions : Approved Only
 Pre-Encumbrances : Included
 Account Description: Not Shown
 Detail sort : Date
 Detail Line Format : 1

Report prepared : MON, FEB 7, 2011, 2:49 PM

V.3

FUND	LOC	Y	BA	OBJT	GOAL	FUNC	DDF	REFERENCE	DATE	DESC	APP BUDGET + TFRS	RECEIVED/EXPENDED	ENCUMBERED	BALANCE
GENERAL FUND														
3102	STATE	TEACHERS'RET.SYS, CLASS									0.00	5.98	0.00	5.98-
		BALANCE FORWARD 01/01/2011												
		** NO ACTIVITY THIS PERIOD **									0.00	5.98	0.00	5.98-
		ENDING BALANCE 01/31/2011												
***OVERDRAWN														
3202	PUBLIC	EMPL. RET. SYS, CLASSIF									16,690.00	8,873.83	0.00	7,816.17
		BALANCE FORWARD 01/01/2011											6,922.16	894.01
		01-0000-300-0-00-3202-0000-7403-000	PE-0000000	01/31/11	PAYROLL	01/31					1,384.43			490.42-
		01-0000-300-0-00-3202-0000-7403-000	PY-013111	01/31/11	BN-EOM	01/					1,384.43		6,922.16	
		TOTAL ACTIVITY									10,258.26		6,922.16	490.42-
		ENDING BALANCE 01/31/2011												
***OVERDRAWN														
3301	MEDICARE	- CERTIFICATED									0.00	0.00	0.00	0.00
		BALANCE FORWARD 01/01/2011											562.72	562.72-
		01-0000-300-0-00-3301-0000-7403-000	PE-0000000	01/14/11	PAYROLL	01/14					93.79		562.72	656.51-
		01-0000-300-0-00-3301-0000-7403-000	PY-011411	01/14/11	BN-MID	01/					93.79		562.72	
		TOTAL ACTIVITY									93.79		562.72	656.51-
		ENDING BALANCE 01/31/2011												
***OVERDRAWN														
3302	MEDICARE	- CLASSIFIED									2,483.00	1,227.33	0.00	1,255.67
		BALANCE FORWARD 01/01/2011										0.70		1,254.97
		01-0000-300-0-65-3302-0000-7403-000	PY-011411	01/14/11	BN-MID	01/					180.97	904.82		350.15
		01-0000-300-0-00-3302-0000-7403-000	PE-0000000	01/31/11	PAYROLL	01/31					181.67		904.82	169.18
		01-0000-300-0-00-3302-0000-7403-000	PY-013111	01/31/11	BN-EOM	01/					1,409.00		904.82	169.18
		TOTAL ACTIVITY												
		ENDING BALANCE 01/31/2011												
**** 6.8%														
3312	FICA	- CLASSIFIED									10,454.00	4,977.25	0.00	5,476.75
		BALANCE FORWARD 01/01/2011										2.99		5,473.76
		01-0000-300-0-65-3312-0000-7403-000	PY-011411	01/14/11	BN-MID	01/					773.78	3,868.91		1,604.85
		01-0000-300-0-00-3312-0000-7403-000	PE-0000000	01/31/11	PAYROLL	01/31					776.77		3,868.91	831.07
		01-0000-300-0-00-3312-0000-7403-000	PY-013111	01/31/11	BN-EOM	01/					5,754.02		3,868.91	831.07
		TOTAL ACTIVITY												
		ENDING BALANCE 01/31/2011												
**** 7.9%														
3402	HEALTH & WELFARE	BEN. CLASSIF,									10,294.00	7,172.32	0.00	3,121.68
		BALANCE FORWARD 01/01/2011											9,566.65	6,444.97-
		01-0000-300-0-00-3402-0000-7403-000	PE-0000000	01/31/11	PAYROLL	01/31					1,913.33			8,358.30-
		01-0000-300-0-00-3402-0000-7403-000	PY-013111	01/31/11	BN-EOM	01/					1,913.33		9,566.65	
		TOTAL ACTIVITY									9,085.65		9,566.65	8,358.30-
		ENDING BALANCE 01/31/2011												
***OVERDRAWN														
3501	STATE	UNEMPLOYMENT INS. CERTIF									0.00	0.00	0.00	0.00
		BALANCE FORWARD 01/01/2011											321.33	321.33-
		01-0000-300-0-00-3501-0000-7403-000	PE-0000000	01/14/11	PAYROLL	01/14					53.56			374.89-
		01-0000-300-0-00-3501-0000-7403-000	PY-011411	01/14/11	BN-MID	01/					53.56		321.33	
		TOTAL ACTIVITY									53.56		321.33	374.89-
		ENDING BALANCE 01/31/2011												
***OVERDRAWN														

FINANCIAL ACTIVITY REPORT
 01/01/2011 TO 01/31/2011

FUND	LOC	Y	BA	OBJT	GOAL	FUNC	DDF	REFERENCE DATE	DESC	APP BUDGET + TFERS	RECEIVED/EXPENDED	ENCUMBERED	BALANCE
GENERAL FUND													
4350								01/01/2011	OTHER SUPPLIES	9,800.00	4,338.83	3,139.66	2,321.51
									BALANCE FORWARD	69.18		69.18	2,252.33
									PO-110441				2,321.51
									01-0000-300-0-65-4350-0000-7403-000				2,210.66
									PO-110441				2,291.89
									01-0000-300-0-65-4350-0000-7403-000				2,321.51
									PO-110433				2,321.51
									01-0000-300-0-65-4350-0000-7403-000				2,321.51
									PO-110433				2,321.51
									01-0000-300-0-65-4350-0000-7403-000				2,321.51
									PO-110433				2,321.51
									TOTAL ACTIVITY				2,321.51
									ENDING BALANCE				2,321.51
4400								01/01/2011	EQUIPMENT \$500 TO \$5,000	1,114.00	0.00	983.33	130.67
									BALANCE FORWARD				130.67
									01-0000-300-0-65-4350-0000-7403-000				130.67
									PO-110433				130.67
									01-0000-300-0-65-4350-0000-7403-000				130.67
									PO-110433				130.67
									TOTAL ACTIVITY				130.67
									ENDING BALANCE				130.67
5200								01/01/2011	TRAVEL AND CONFERENCES	3,999.00	1,771.00	0.00	2,228.00
									BALANCE FORWARD				2,228.00
									01-0000-300-0-65-4350-0000-7403-000				2,228.00
									PO-110433				2,228.00
									01-0000-300-0-65-4350-0000-7403-000				2,228.00
									PO-110433				2,228.00
									TOTAL ACTIVITY				2,228.00
									ENDING BALANCE				2,228.00
5300								01/01/2011	DUES AND MEMBERSHIPS	3,000.00	776.00	0.00	2,224.00
									BALANCE FORWARD				2,224.00
									01-0000-300-0-65-4350-0000-7403-000				2,224.00
									PO-110433				2,224.00
									01-0000-300-0-65-4350-0000-7403-000				2,224.00
									PO-110433				2,224.00
									TOTAL ACTIVITY				2,224.00
									ENDING BALANCE				2,224.00
5712								01/01/2011	CENTRAL PRINTING - XEROX	2,500.00	0.00	0.00	2,500.00
									BALANCE FORWARD				2,500.00
									01-0000-300-0-65-4350-0000-7403-000				2,500.00
									PO-110433				2,500.00
									01-0000-300-0-65-4350-0000-7403-000				2,500.00
									PO-110433				2,500.00
									TOTAL ACTIVITY				2,500.00
									ENDING BALANCE				2,500.00
5713								01/01/2011	COPIER LEASE - INTRAFUND	4,320.00	0.00	0.00	4,320.00
									BALANCE FORWARD				4,320.00
									01-0000-300-0-65-4350-0000-7403-000				4,320.00
									PO-110433				4,320.00
									01-0000-300-0-65-4350-0000-7403-000				4,320.00
									PO-110433				4,320.00
									TOTAL ACTIVITY				4,320.00
									ENDING BALANCE				4,320.00
5800								01/01/2011	PROF/CONSULTING SVCS & OPR EXP	27,350.00	5,428.50	1,435.50	20,486.00
									BALANCE FORWARD				19,050.50
									01-0000-300-0-65-4350-0000-7403-000				20,486.00
									PO-111288				20,486.00
									01-0000-300-0-65-4350-0000-7403-000				20,486.00
									PO-111288				20,486.00
									TOTAL ACTIVITY				20,486.00
									ENDING BALANCE				20,486.00

**** 23.7%
 **** 11.7%
 **** 4000 TOTALS:
 **** 55.7%
 **** 74.1%
 **** 100.0%
 **** 100.0%
 **** 74.9%



BERKELEY COUNCIL OF CLASSIFIED EMPLOYEES
AFT Local 6192, AFL-CIO
2530 San Pablo Avenue, Suite A, Berkeley, CA 94702
Phone: (510) 540-5002 / Fax (510) 549-2308

February 2, 2011

Cliff Wong
Interim Classified Personnel Director
Personnel Commission of the Berkeley Unified School District
2134 Martin Luther King Jr. Way
Berkeley, CA 94704

Sent via Electronic and Regular Mail

RE: Changes to Class Specifications and Request for Study-Interpreter for the Deaf

Dear Mr. Wong:

The purpose of this letter is to inform you that the class specification for the Interpreter for the Deaf was revised without the approval of the Personnel Commission and to request a study for the class of Interpreters for the Deaf.

RE: CHANGES TO CLASS SPECIFICATIONS:

On January 27, 2011, the Union received a job announcement for Interpreter for the Deaf (Exhibit A). Upon review of the job announcement, the Union discovered that the "Licenses and other Certification" section of the announcement was revised. Additionally and upon further review of previous job announcements (Exhibits B and C) and the Minutes of the September 3, 2009 meeting (Exhibit D), the Union discovered that the revision was made in September 2009 without the approval of the commission. In this particular instance, the commission's staff violated California Ed Code section 45276 which states,

"Minimum qualification requirements shall be subject to **approval of the commission.**

...qualification requirements for the position class shall be prepared and approved by **the commission**, required by this section, prior to issuance of an announcement calling for a competitive examination to fill position vacancies."

As you know, the union has brought concerns of impropriety in the hiring process to the commission's attention as well as seeking relief from an outside agency. The Union respectfully requests that the Commission resolve this matter. The Union is requesting that the Commission direct the Classified Personnel Director and the commission's staff to bring all revisions to class specifications to the commission for review and approval by the Personnel Commissioners prior to issuance of an announcement.

RE: REQUEST FOR STUDY – INTERPRETER FOR THE DEAF CLASSIFICATION:

On or about October 22, Classified Personnel Director Francisco Martinez processed paperwork to cease the payment of 5% differentials to several Interpreters for the Deaf: Cypress Molfino,

I. 4 + 5

Paula Israel, and Margie Samberg may be the only employees affected by his action. These employees were receiving a 5% differential for performing work that is unique in nature and because the district has had a difficult time recruiting.

On behalf of all incumbents in the Interpreter for the Deaf classification, the Berkeley Council of Classified Employees, AFT Local 6192 is submitting a Request for Study according to Merit Rule 30.200.2 of the Merit System Rules and Regulations for Classified Employees of the Berkeley Unified School District.

The Union is requesting a study for the following reasons:

1. The compensation rate for Interpreters for the Deaf does not provide for equitable and fair treatment of the District's current staff of employees.
2. The compensation for the affected employees is below market rate.
3. A classification study for classified employees has not been conducted within the past three years according to Merit Rule 30.300.1.
4. The position is one that the Commission has difficulty in recruiting.
5. The commission has approved hiring applicants at step 5 of the salary range.
6. The School Board approved an MOU to contract out bargaining unit work to *A Show of Hands* on December 8, 2010 at a cost of \$60 per hour for each interpreter plus mileage.
7. The certification requirements for the class has changed

In view of the fact that Classified Personnel Director Francisco Martinez refused to meet with the aggrieved employees prior to his Leave of Absence and because you are working part-time for the Commission as the Interim Classified Personnel Director, the Union respectfully requests that the study is conducted by an outside agency to be determined by the Personnel Commissioners. We are also requesting to have the results and all documentation from the study presented at the March 4, Personnel Commission meeting for action by the Personnel Commission.

Cordially,



Paula Phillips, President

cc: Roy Doolan, Personnel Commissioner
Dan Lee, Personnel Commissioner
Stewart Weinberg, BCCE Legal Counsel
Ed Wang, CFT Field Representative
Tim Donnelly, Vice President IAPP

Cypress Molfino, Interpreter for the Deaf
Julie Batsel, Interpreter for the Deaf
Margie Samberg, Interpreter for the Deaf
Neesa Lazarus, Interpreter for the Deaf
Sara Brewer, Interpreter for the Deaf
Malique Cooper, Interpreter for the Deaf
Cecelia Mariscal, Interpreter for the Deaf

Attachments: Exhibits A-D



BERKELEY UNIFIED SCHOOL DISTRICT



NOTICE OF OPEN AND PROMOTIONAL COMPETITIVE EXAMINATION TO ESTABLISH AN ELIGIBILITY LIST FROM WHICH APPOINTMENTS WILL BE MADE

INTERPRETER FOR THE DEAF

90 FTE, 10-Month School-Term Position, Berkeley High School

SALARY RANGE 45: prorated for .80 FTE \$2,600 - \$3,171 Monthly (Maximum reached in 5-years). It is the intent of the Personnel Commission for the Berkeley Unified School District to start new hires at Step 1 of the salary schedule. Exceptions must meet one of the following criteria: 1) The position is one that District has a difficult time recruiting quality qualified applicants, or 2) The position is one that the District has had difficulty retaining employees.

FINAL FILING DATE: Friday, February 11, 2011 4:00 pm **HOW TO APPLY:** (See Reverse)

EXAMINATION: Qualified applicants will be notified of date, time, and place of examination.
Written Exam - 50%, Technical and Oral General Fitness Exam - 50%

DEFINITION: Under supervision of the special education supervisor and the direction of the special education support teacher and relevant general education teachers provide and/or reinforce instruction to individuals or small groups of hearing impaired students, facilitate communication between teacher and student, serve as interpreter, prepare or adapt instructional materials and perform a variety of clerical duties.

ESSENTIAL JOB DUTIES: The following tasks are essential for this position. Incumbents in this classification may not perform all of these tasks, or may perform similar related tasks not listed here. Provide instruction or assist in the instruction of deaf or hearing impaired students reinforcing instruction as directed by the teacher; monitor student activities such as drill, practice and research after lessons and instructions have been given by the teacher; perform interpreting services individually or in a group setting; assist students in meeting instructional demands and classroom instruction; provide translation between spoken and manual (sign language communication); translate spoken material into sign language for understanding of deaf students; interpret sign language of deaf into oral or written language for hearing individuals or others not conversant in sign language; administer student tests; maintain order in the absence of the teacher; score objective tests and student work; accompany and monitor students on field trips and other classes when main stream; operate computers, audio-visual and other specialized or instructional equipment and devices; attend meetings and participate in in-service training as assigned; assist students by providing proper examples, emotional support and general guidance; provide instruction and assistance in social and self-help areas; prepare or adapt instructional materials the KS & A's to successfully perform each of the duties listed above; perform related duties as assigned.

KNOWLEDGE OF: English usage, vocabulary, grammar and spelling; language of signs and finger spelling receptively and expressively; student guidance principles and practices; basic subjects taught in District schools; effective interpersonal and oral and written communication skills; record-keeping techniques; CPR and First Aid; universal precautions; behavior management intervention; disabilities, special needs, problems and requirements of deaf children in a pre-school or elementary school environment.

ABILITY TO: Translate spoken English into an acceptable form of signed English; translate sign language into spoken English; tutor and reinforce instruction for assigned student(s); establish and maintain cooperative and effective working relationships with students, parents, teachers and administrators; adhere to universal precautions procedures; Perform First Aid & CPR procedures; implement non-aversive behavior management techniques; pass or provide proof of passage of the California H.S. Proficiency exam.

TRAINING AND EXPERIENCE: Any combination equivalent to training and experience that could likely provide the required knowledge and abilities would be qualifying. A typical way to obtain the knowledge, skills and abilities would be: graduation from high school and two years community college or training in child development interpreter or special education and two years successful experience in a similar position and six-months experience providing interpreting service to hearing impaired persons or possession of at least one certificate issued by the Registry of Interpreters for the Deaf, or any equivalent combination of education and experience.

LICENSES and other CERTIFICATION: Possession of valid California driver's license. Interpreter must be certified by the national RID, or equivalent; in lieu of RID certification or equivalent, an educational interpreter must have achieved a score of 4.0 or above on the EIPA, the ESSE-IR, or the NAD/ACCI assessment.

PHYSICAL REQUIREMENTS AND WORKING CONDITIONS: Require vision (which may be corrected) to read small print; Require the mobility to stand, stoop, reach and bend; Require mobility of arms to reach and dexterity of hands to grasp and manipulate small objects; Perform lifting, pushing and/or pulling which does not exceed 50 pounds and is an infrequent aspect of the job; is subject to inside and outside environmental conditions, multiple or single classroom environment.



**BERKELEY UNIFIED SCHOOL DISTRICT
OFFICE OF HUMAN RESOURCES
2134 Martin Luther King Jr. Way, Berkeley, CA 94704-1180 • (510) 644-6150**



**NOTICE OF OPEN AND PROMOTIONAL COMPETITIVE EXAMINATION
TO ESTABLISH AN ELIGIBILITY LIST FROM WHICH APPOINTMENTS WILL BE MADE**

**INTERPRETER FOR THE DEAF
.80 FTE, 10 Month School-Term Position
1 position - King Middle School
2 positions - Berkeley High School**

SALARY RANGE 45: prorated for .80 FTE \$2,600 - \$3,171 Monthly (Maximum reached in 5 years) It is the intent of the Personnel Commission for the Berkeley Unified School District to start new hires at Step 1 of the salary schedule. Exceptions must meet one of the following criteria: 1) The position is one that District has a difficult time recruiting quality qualified applicants, or 2) The position is one that the District has had difficulty retaining employees.

FINAL FILING DATE: Friday, Aug. 28, 2009 4:00 pm **HOW TO APPLY:** (See Reverse)

EXAMINATION: Qualified applicants will be notified of date, time, and place of examination.

Written - 50%, Technical General Fitness/Oral- 50%

DEFINITION: Under supervision of the special education supervisor and the direction of the special education support teacher and relevant general education teachers provide and/or reinforce instruction to individuals or small groups of hearing impaired students, facilitate communication between teacher and student, serve as interpreter, prepare or adapt instructional materials and perform a variety of clerical duties.

ESSENTIAL JOB DUTIES: The following tasks are essential for this position. Incumbents in this classification may not perform all of these tasks, or may perform similar related tasks not listed here. Provide instruction or assist in the instruction of deaf or hearing impaired students reinforcing instruction as directed by the teacher; monitor student activities such as drill, practice and research after lessons and instructions have been given by the teacher; perform interpreting services individually or in a group setting; assist students in meeting instructional demands and classroom instruction; provide translation between spoken and manual (sign language communication); translate spoken material into sign language for understanding of deaf students; interpret sign language of deaf into oral or written language for hearing individuals or others not conversant in sign language; administer student tests; maintain order in the absence of the teacher; score objective tests and student work; accompany and monitor students on field trips and other classes when main streamed; operate computers, audio-visual and other specialized or instructional equipment and devices; attend meetings and participate in in-service training as assigned; assist students by providing proper examples, emotional support and general guidance; provide instruction and assistance in social and self-help areas; prepare or adapt instructional materials the KS & A's to successfully perform each of the duties listed above; perform related duties as assigned.

KNOWLEDGE OF: English usage, vocabulary, grammar and spelling; language of signs and finger spelling receptively and expressively; student guidance principles and practices; basic subjects taught in District schools; effective interpersonal and oral and written communication skills; record-keeping techniques; CPR and First Aid; universal precautions; behavior management intervention; disabilities, special needs, problems and requirements of deaf children in a pre-school or elementary school environment.

ABILITY TO: Translate spoken English into an acceptable form of signed English; translate sign language into spoken English; tutor and reinforce instruction for assigned student(s); establish and maintain cooperative and effective working relationships with students, parents, teachers and administrators; adhere to universal precautions procedures; Perform First Aid & CPR procedures; implement non-aversive behavior management techniques; pass or provide proof of passage of the California H.S. Proficiency exam.

TRAINING AND EXPERIENCE: Any combination equivalent to training and experience that could likely provide the required knowledge and abilities would be qualifying. A typical way to obtain the knowledge, skills and abilities would be: graduation from high school and two years community college or training in child development interpreter or special education and two years successful experience in a similar position and six months experience providing interpreting service to hearing impaired persons or possession of at least one certificate issued by the Registry of Interpreters for the Deaf, or any equivalent combination of education and experience.

* **LICENSES and other CERTIFICATION:** Possession of valid California driver's license. RID certification preferred.

PHYSICAL REQUIREMENTS AND WORKING CONDITIONS: Require vision (which may be corrected) to read small print; Require the mobility to stand, stoop, reach and bend. Require mobility of arms to reach and dexterity of hands to grasp and manipulate small objects; Perform lifting, pushing and/or pulling which does not exceed 50 pounds and is an infrequent aspect of the job; Is subject to inside and outside environmental conditions, multiple or single classroom environment.

Exhibit-B



**BERKELEY UNIFIED SCHOOL DISTRICT
OFFICE OF HUMAN RESOURCES**

2134 Martin Luther King Jr. Way, Berkeley, CA 94704-1180 • (510) 644-6150



**NOTICE OF OPEN AND PROMOTIONAL COMPETITIVE EXAMINATION
TO ESTABLISH AN ELIGIBILITY LIST FROM WHICH APPOINTMENTS WILL BE MADE**

INTERPRETER FOR THE DEAF

**.80 FTE, 10 Month School-Term Position, Berkeley High School
.67 FTE, 10 Month School-Term Position, John Muir Elementary**

SALARY RANGE 45: prorated for .80 FTE \$2600-\$3,171 Monthly (maximum reached in 5 years)
prorated for .67 FTE \$2177-\$2,655 Monthly (maximum reached in 5 years)

It is the intent of the Personnel Commission for the Berkeley Unified School District to start new hires at Step 1 of the salary schedule. Exceptions must meet one of the following criteria: 1) The position is one that District has a difficult time recruiting quality qualified applicants, or 2) The position is one that the District has had difficulty retaining employees.

FINAL FILING DATE: Wednesday, Sept. 30, 2009 4:00 pm **HOW TO APPLY:** (See Reverse)

EXAMINATION: Qualified applicants will be notified of date, time, and place of examination.
Written - 50%, Technical General Fitness/Oral- 50%

DEFINITION: Under supervision of the special education supervisor and the direction of the special education support teacher and relevant general education teachers provide and/or reinforce instruction to individuals or small groups of hearing impaired students, facilitate communication between teacher and student, serve as interpreter, prepare or adapt instructional materials and perform a variety of clerical duties.

ESSENTIAL JOB DUTIES: The following tasks are essential for this position. Incumbents in this classification may not perform all of these tasks, or may perform similar related tasks not listed here. Provide instruction or assist in the instruction of deaf or hearing impaired students reinforcing instruction as directed by the teacher; monitor student activities such as drill, practice and research after lessons and instructions have been given by the teacher; perform interpreting services individually or in a group setting; assist students in meeting instructional demands and classroom instruction; provide translation between spoken and manual (sign language communication); translate spoken material into sign language for understanding of deaf students; interpret sign language of deaf into oral or written language for hearing individuals or others not conversant in sign language; administer student tests; maintain order in the absence of the teacher; score objective tests and student work; accompany and monitor students on field trips and other classes when main streamed; operate computers, audio-visual and other specialized or instructional equipment and devices; attend meetings and participate in in-service training as assigned; assist students by providing proper examples, emotional support and general guidance; provide instruction and assistance in social and self-help areas; prepare or adapt instructional materials the KS & A's to successfully perform each of the duties listed above; perform related duties as assigned.

KNOWLEDGE OF: English usage, vocabulary, grammar and spelling; language of signs and finger spelling receptively and expressively; student guidance principles and practices; basic subjects taught in District schools; effective interpersonal and oral and written communication skills; record-keeping techniques; CPR and First Aid; universal precautions; behavior management intervention; disabilities, special needs, problems and requirements of deaf children in a pre-school or elementary school environment.

ABILITY TO: Translate spoken English into an acceptable form of signed English; translate sign language into spoken English; tutor and reinforce instruction for assigned student(s); establish and maintain cooperative and effective working relationships with students, parents, teachers and administrators; adhere to universal precautions procedures; Perform First Aid & CPR procedures; implement non-aversive behavior management techniques; pass or provide proof of passage of the California H.S. Proficiency exam.

TRAINING AND EXPERIENCE: Any combination equivalent to training and experience that could likely provide the required knowledge and abilities would be qualifying. A typical way to obtain the knowledge, skills and abilities would be: graduation from high school and two years community college or training in child development interpreter or special education and two years successful experience in a similar position and six months experience providing interpreting service to hearing impaired persons or possession of at least one certificate issued by the Registry of Interpreters for the Deaf, or any equivalent combination of education and experience.

LICENSES and other CERTIFICATION: Possession of valid California driver's license. **Interpreter must be certified by the national RID, or equivalent; in lieu of RID certification or equivalent, an educational interpreter must have achieved a score of 4.0 or above on the EIPA, the ESSE-I/R, or the NAD/ACCI assessment. Certificate must be attached to application.**

PHYSICAL REQUIREMENTS AND WORKING CONDITIONS: Require vision (which may be corrected) to read small print; Require the mobility to stand, stoop, reach and bend. Require mobility of arms to reach and dexterity of hands to grasp and manipulate small objects; Perform lifting, pushing and/or pulling which does not exceed 50 pounds and is an infrequent aspect of the job; Is subject to inside and outside environmental conditions, multiple or single classroom environment.

Exhibit C

Personnel Commission Minutes

Thursday, Sept. 3, 2009

Berkeley Unified School District
Administrative Annex
1835 Allston Way
Berkeley, CA 94703
(Annex Conference Room)

Personnel Commission Members

Dan Lee, Vice Chairman
Shirley Van Bourg, Commissioner

1. **Call to Order and Roll Call**

Commissioner Dan Lee called the meeting to order at 3:33 p.m.
Roll call was taken by Director Martinez, Director of Classified Personnel and
Secretary of the Personnel Commission.
Present: Commissioners Dan Lee, Shirley Van Bourg

2. **Move to closed session**

3. **Report from closed session**

The commission made the decision to grant a hearing for a disciplinary matter.

4. **Move to Open session**

The meeting was called to order at 4:07 p.m.

5. **New Commissioner Selection Announcement**

Commissioner Lee announced the selection of Degui Montrice Goodman to be
the third commissioner since Margaret Rowland had resigned.
The item was opened to the floor for comments; Paula Phillips, BCCE President,
commented that it appeared a decision had been made before the public had a
chance to comment, in accordance with Merit rules. She believed that the
interview questions asked were more geared toward an employee than a
commissioner.

6. **New Commissioner Appointment**

Motion: to approve selection of Degui Montrice Goodman as the new
commissioner.
Unanimously approved.

Exhibit-D

Motion: to approve the Student Welfare & Attendance Specialist – Re-employment

Yes- Commissioner Lee

No- Commissioners Goodman, Van Bourg

Motion- to approve Student Welfare & Attendance Specialist –open list which included David Luu.

Unanimously approved

9. **Public Comments –**

Denise Diggs-Ray, BCCE representative, stated that she was very disappointed with the reclassification process because it took a long time to complete. Paula Phillips, BCCE President, said that the union has been unable to get the information they need from Human Resources in order to prepare Personnel Commission Agenda items. She believes that she is being held to a higher standard than the Director of Classified Personnel. She expressed concern about the public comments being pushed so far down the agenda. Ms. Phillips believes that Public Comments need to be heard, before the agenda items are discussed.

10. **Accelerated Step in Pay**

Director Martinez reported that the District and the Special Education Dept. are requesting that the Commission approve an accelerated step for Interpreters for the Deaf. The Interpreters for the Deaf position is one of the most challenging to recruit and retain. There are currently four candidates on an eligibility list and the District is asking that they be allowed to start at Step 5. Outside agencies pay Interpreters for the Deaf more than step 5 will allow. Paula Phillips, BCCE President, is in agreement with the District in this matter.

Motion- to approve accelerated step at Step 5 for Interpreters for the Deaf

Abstain- Commissioner Lee

Yes – Commissioners Goodman, Van Bourg

11. **Employee's reclassification appeals hearing**

BCCE requested a Reclassification Appeals Hearing on behalf of Rafael Adames. Director Martinez presented the Commission and the Public an attorney memorandum indicating that Mr. Adames had had an appeal hearing. Paula Phillips, BCCE President, expressed that she had not had an opportunity to review the document. Commissioner Lee indicated that the commission received information from counsel on the same day. Paula Phillips, BCCE President, stated that the employee was requesting to be reclassified. Because the commission denied his reclassification request, it was not a hearing. Director Martinez proposed that this item be table and BCCE submit a formal written

agenda item. Commissioner Lee said that Mr. Adames needs to submit an appeal to the Director of Classified Personnel within 10 days.

12. Meeting management

Commissioner Lee provided a sample agenda on how he would like the Commission to conduct future meetings. Paula Phillips, BCCE President, expressed concerns about the rigidity of public and bargaining unit comments. Commissioner Van Bourg also disagrees with imposing time limits on public comments. Denise Diggs-Ray, BCCE representative, commented that if the public comments are placed at the end of the agenda, it is difficult for some people to stay until the end of the meeting.

13. Removal of Race Question from BUSD application for Commissioner

Commissioner Van Bourg questioned why the application for Personnel Commission included a question about the applicants' racial identity.

Motion – to remove the question of race from the application for Personnel Commission
Unanimously approved.

14. Salary Market Survey and Classification Study Update

Director Martinez said that he will be working on completing the letters to employees this weekend, but since Koff and Associates has not made their recommendations to the commission, Director Martinez requested to schedule a meeting to receive Koff and Associates recommendation. Possible dates for the meeting were proposed; Tues., Sept. 15th, Sept. 16, and Fri., Sept. 25th.

Meeting Adjourned at 5:37 p.m.

45273. Examinations shall be administered objectively, and shall consist of test parts that relate to job performance.

For classes of positions deemed by the commission to require an oral examination, the oral examination board shall include at least two members. Where a structured objective examination is to be administered to the entire field of candidates, a single member oral examination board may be utilized. A "structured objective examination" means, for this purpose, an examination for which the examiner exercises no discretion in the selection of the questions or in the evaluation of the answers. Unless specifically directed to evaluate candidates' technical knowledge and skills, the oral examination board shall confine itself to evaluating general fitness for employment in the class. When the oral examination board is directed to evaluate technical knowledge and skills, at least two members of the board shall be technically qualified in the specified occupational area.

Members of the governing board or personnel commission shall not serve on an oral examination board. A district employee may serve on an oral examination board if he or she is not at the first or second level of supervision over a vacant position in the class for which the examination is held.

The personnel commission shall provide for the proceedings of all oral examinations to be electronically recorded. In no case will an oral examination board be provided with confidential references on employees of the district who are competing in promotional examinations. Scores achieved by the candidate on other parts of the examination shall not be made available to the oral examination board.