



# **Berkeley Unified School District**

Personnel Management  
Comprehensive Review  
July 2003

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## **Personnel Management**

The employees of any school district are its most valuable asset. The recruitment, selection, orientation, training, salary, and benefits provided to the workforce contribute greatly to the effectiveness of the organization. The Berkeley Unified Human Resources Division is responsible for managing these essential functions.

The Human Resources Division provides personnel services to approximately 1,622 employees. This figure includes 45 certificated administrators, 9 classified administrators, 15 classified supervisors, 1,036 certificated, nonmanagement personnel, six classified confidential personnel, and 511 classified nonmanagement personnel.

The Human Resources Division was, until recently, administered by an Associate Superintendent, who reports directly to the Superintendent. The Associate Superintendent of Human Resources Services has a leadership team of one Director of Classified Personnel, one Manager of Certificated Personnel, and a Supervisor of Risk Management, Workers' Compensation and Benefits. The district's classified employees are served by a merit system. Additional support staff would bring the total employees in the Human Resources Division to 13 full-time equivalents (FTEs). The Assistant Superintendent position has become vacant. The Superintendent has stated her intention not to fill the position. During the course of FCMAT's study, 12 major human resources areas and more than 100 standards were reviewed.

### **Summary of Findings and Recommendations**

At the time of the assessment team visit, only two of the 13 employees in the Human Resources Division had more than two years experience. Frequent turnover and reassignments to different positions within the office have limited the amount of expertise and experience individuals have in providing service to their clients. The Superintendent's decision not to fill the Assistant Superintendent position will compound the work of the division, and division leadership will be negatively affected.

The assessment team found numerous areas of professional activities that need improvement. The study team struggled to find documentation to validate existing practices and received many documents that were not current. Many resource documents that were provided were undated and without evidence of distribution.

In the area of organization and planning, the district should submit to the board of education revised district policies and administrative regulations for review and adoption. A functions chart needs to be developed that provides information as to each employee's major responsibilities. This document also should be distributed districtwide. All Human Resources Division staff members including management should establish annual individual goals from which annual accomplishments can be recognized as part of each employee's annual evaluation.

In the area of communication, the Human Resources Division should develop some form of menu of services to be provided to district and school offices that identifies all human resources staff, phone numbers, e-mail address and areas of responsibilities. The human resources Web page should be enhanced to provide more information regarding application procedures, salary schedules, benefits and other pertinent job information. A process should be developed that

formalizes cross-training in the office. Each workstation needs an assigned and trained backup person. A new employee handbook should be developed to be used in conjunction with a formalized new employee orientation process.

In the area of recruitment and selection, there are no standard processes or written procedures that guide certificated recruitment and selection. Hiring procedures are inconsistent and do not ensure equal employment opportunities. The Human Resources Division should begin to collect data regarding certificated recruitment and selection and prepare an annual report including goals, summary of candidates, employees hired, and successful recruitment sources.

There are no written procedures manuals for the Human Resources Division's operations. Personnel files are not well-organized, often do not contain mandatory materials, and should be made legally compliant. The district has been working on establishing improved communication and processes between human resources and the payroll staff to address pay errors and to improve the accuracy of employee data. These efforts should be continued as a priority. The Human Resources Division does not fully utilize the human resources/payroll data system, Quintessential School System (QSS), for operational procedures and relies heavily on paper processes that provide opportunities for errors, delays and lost paperwork.

In the compliance area, district policies are outdated or do not exist. In the area of teacher credentialing, there is no functioning system to accurately review, record and report credentials. The district also lacks an effective system of recording and tracking employee tuberculosis tests.

In use of technology, the Human Resources Division operates an automated substitute calling system, B-Smart, that provides substitutes for all certificated and most classified employees and is utilized to track all employee absences.

The district activated the QSS data system for human resources, payroll, purchasing and the budget in July 2002. The system has not been utilized by the Human Resources Department for major functions including applicant tracking, credentials, tuberculosis clearance, position control, benefits, leaves of absence, or evaluations. Standalone data files and paper processes are used that work around the utilization of QSS capabilities. Automated position control, activated in October 2002, is administered by the business office.

The human resources staff is not sufficiently familiar with QSS to fully implement the human resources functions. Although training was provided during the implementation phase, participation in training at this time is vital to effective use in the Human Resources Division. The division management staff must determine specifically what training is needed for each office staff member to fully utilize QSS and other available computer technology in the division, and then develop a training plan and time line. Each staff member must attend training and master the information and skills necessary to fully utilize QSS and other available technology needed to effectively perform assigned job duties. Attention must also be directed to updating computer equipment as needed to fully utilize available automation and technology.

Employee evaluation is a high district priority. There is a need to update current evaluation information and develop handbooks for classified, certificated and management evaluations. Certificated and classified managers and supervisors received Facts, Rules, Impacts, Suggestions and

Knowledge (FRISK) training this year. The Human Resources Division leadership included due process training as a strand of the evaluation training program provided to certificated managers.

In the area of employee services, the district needs to establish regularly scheduled annual workshops with representatives from STRS and PERS. The district should develop a retirement handbook that provides retirement information, available options and a calendar of retirement events. There is no formal retirement or preretirement counseling program available where employees may discuss options available for “life after retirement.”

New employees are provided information packets that include information outlining the benefits and date of coverage. However, there is no formal orientation/ induction program for new certificated or classified employees.

Workers’ Compensation claims have been significantly reduced in the past year. A Workers’ Compensation Experience Report was completed in 2001. The district should develop a Workers’ Compensation Experience Report for the current year and submit the report to the Superintendent and cabinet. The district has a modified light-duty program that provides injured workers the opportunity to continue working while they are recovering. This is a valuable program for employees and the district.

Collective bargaining at Berkeley Unified encompasses almost all employee classifications. School principals together with district administrators have their own bargaining unit. Classified supervisors comprise another bargaining unit. This situation sometimes makes it difficult for the district managers and supervisors to be actively involved during negotiations with another bargaining unit.

There are five recognized unions, or bargaining units, representing Berkeley Unified employees:

1. Berkeley Federation of Teachers/AFT Local 1078
2. United Berkeley Administrators (UBA) Local 81
3. AFL-CIO Local 39, Stationary Engineers
4. BCCE Local 6192, Clerical/Instructional/Paraprofessional
5. International Federation of Professional and Technical Engineers (IFPTE), AFL-CIO, Local 21, Managers and Supervisors

The district has been using comparative salary data from comparable districts to determine salary schedule increases for teachers and administrators. A district health benefits committee is currently in place.

The Personnel Management assessment reviewed 101 legal and professional standards.



## 1.1 Organization and Planning

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### Professional Standard

An updated and detailed policy and procedures manual exists that delineates the responsibilities and operational aspects of the personnel office.

### Sources and Documentation

1. Board Policy 4010, Goals and Objectives 1975
2. Board Policy 4112, Appointment and Conditions of Employment (Certificated) 1979
3. Board Policy 4200, Classified Employees 1979
4. Board Policy, Regulations and Bylaws (February 2002) (revised – not board adopted)
5. Non-Discrimination Statement (undated)

### Findings

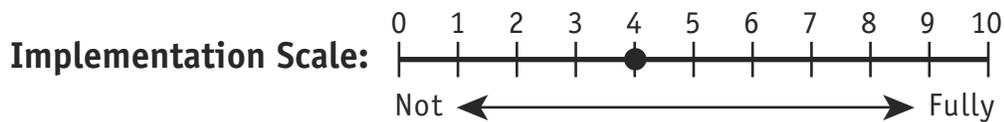
1. Board Policy 4010, Goals and Objectives, states: “It is the policy to seek and hold the highest qualified personnel for all certificated, paraprofessional, and classified positions.
2. The district has outdated policies and procedures.

### Recommendations and Improvement Plan

1. Update the 4000 Series of the Board Policies and Administrative Regulations. Submit the revised policies to the board of education for adoption.

### Standard Implemented: Partially

July 2003 Rating: 4



## 1.2 Organization and Planning

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### Professional Standard

The district has clearly defined and clarified roles for board and administration relative to recruitment, hiring, evaluation and dismissal of employees.

### Sources and Documentation

1. Board Policy 4010, Goals and Objective 1975
2. Board Policy 4030, Employee A.A. Program (undated)
3. Board Policy 4112, Appointment and Conditions of Employment (Certificated) 1979
4. Board Policy 4200, Classified Employees 1979

### Findings

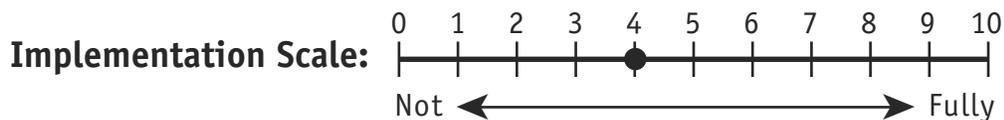
1. Board Policy 4010, Goals and Objectives, states: "It is the policy to seek and hire the highest qualified personnel for all certificated, paraprofessional, and classified positions."
2. Collective bargaining agreements address transfers and evaluation procedures.

### Recommendations and Improvement Plan

1. The district must keep the district's board policies and corresponding administrative regulations up to date to reflect current legal mandates.

### Standard Implemented: Partially

July 2003 Rating: 4



## 1.3 Organization and Planning

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### Professional Standard

The Personnel Division has developed a mission statement that sets clear direction for personnel staff.

### Sources and Documentation

1. Written major district goals/mission statement, 2000-2001
2. Interviews with Human Resources Division personnel
3. Interview with the district Superintendent

### Findings

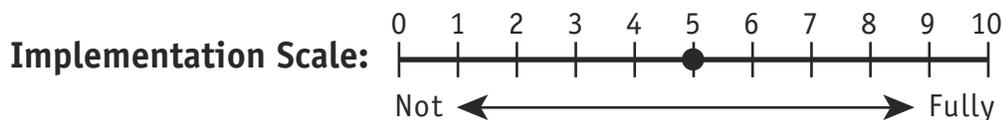
1. The district has not developed recent district goals or a mission statement.
2. The Human Resources Division has recently developed and distributed a mission statement for its office personnel. It states:  
“The Mission of the Human Resources Division is to recruit, hire and retain the best qualified certificated and classified staff to embrace the learning of all students and to support the accomplishments of the district’s mission and goals.”

### Recommendations and Improvement Plan

1. Publish and distribute the division mission statement annually.

### Standard Implemented: Partially

July 2003 Rating: 5



## 1.4 Organization and Planning

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### Professional Standard

The Personnel Division has an organizational chart and a functions chart that include the names, positions and job functions of all staff in the Personnel Division.

### Sources and Documentation

1. Human Resources Division organization chart (1-20-03)
2. Interviews with Human Resources Division personnel
3. Positions in Human Resources Division reorganization draft (3-4-03)
4. Listing of Human Resources Division staff members with responsibilities and phone numbers (undated)

### Findings

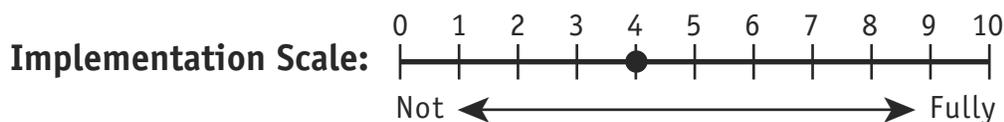
1. The Human Resources Division has an organizational chart that includes all positions and reporting relationships.
2. The division does not have a functions chart that lists job titles and major job responsibilities.
3. As of March 4, 2003, the division has drafted a document titled "Positions in Human Resources Division Reorganization" that lists the major responsibilities for all positions within the human resources office.
4. A second undated document was provided to the assessment team listing each person in the human resources office with corresponding major responsibilities and their phone numbers.

### Recommendations and Improvement Plan

1. Provide an accurate division organizational chart, listing the major functions for which staff members are responsible.
2. Continue to provide a current organizational chart for the division.
3. Develop a functions chart that includes position titles, names, and major functions for all Human Resources Division staff. Distribute to site and program managers.
4. Update the organizational chart and functions chart annually. Place the charts on the human resources Web site.

### Standard Implemented: Partially

July 2003 Rating: 4



## 1.5 Organization and Planning

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### Professional Standard

The Personnel Division has established goals and objectives directly related to the district's goals that are reviewed and updated annually.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interview with district Superintendent

### Findings

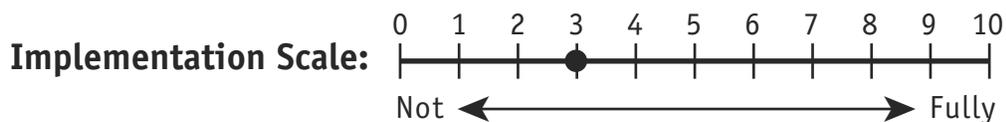
1. The Associate Superintendent of the Human Resources Division and the district Superintendent agreed to two goals for the 2002-03 school year: Complete employee evaluations and oversee the implementation of a position-control system.

### Recommendations and Improvement Plan

1. Establish major division goals annually, with management team staff members assigned responsibility for the goals implementation.
2. Develop written divisional goals annually.

### Standard Implemented: Partially

July 2003 Rating: 3



## **1.6 Organization and Planning**

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### **Professional Standard**

Individual staff members have developed goals and objectives in their areas of responsibility and a personal professional development plan.

### **Sources and Documentation**

1. 2002-03 Goals and Objectives for Manger, Certificated Personnel (10-18-02)
2. Classified Management Performance Objectives – Director, Classified Personnel (10-7-02)
3. Classified Management Performance objectives – Risk Management Supervisor (10-17-02)

### **Findings**

1. The assessment team was informed that only the Director of Classified Personnel, the Manager, Certificated Personnel, and the Supervisor of Risk Management have developed goals and objectives for the 2002-03 school year. The team was provided the written performance objectives for these three individuals.
2. The Risk Management/Workers' Compensation/Benefit Supervisor's performance objectives for this year include:
  - Review all benefit plans and make recommendations on cost effective plans for the district.
  - Delete all ineligible people from medical and central benefits.
  - Continue training to receive a Workers' Compensation certificate.
  - Prepare quarterly reports on claims for the Superintendent's cabinet.
3. The Manager of Certificated Personnel's performance objectives for this year include:
  - Complete staffing of schools.
  - Complete position control: Focus on correct FTE and budget.
  - Successfully complete CBEDS report with less delay and greater accuracy than in previous years.
  - Train administrators in certificated evaluation process and ensure that they have evaluated certificated staff according to the Berkeley Federation of Teachers (BFT)/Berkeley Unified School District contract.
  - Continue to enhance Human Resources office procedures to increase accuracy and efficiency.
  - Interface with the business office to ensure more accurate pay and staffing.
  - Negotiations with Berkeley Federation of Teachers (BFT) and United Berkeley Administrators (UBA).
4. The Director of Classified Personnel Performance Objectives for the 2002-03 school year include:
  - Orient and train staff by cross-training to service clientele effectively and promptly.
  - Create procedural manual.
  - Respond in a timely fashion to union requests and grievances.
  - Educate all administrators on contract language to avoid grievances.
  - Create timely orientation and training programs for all new employees.
  - Train all employees annually on sexual harassment.

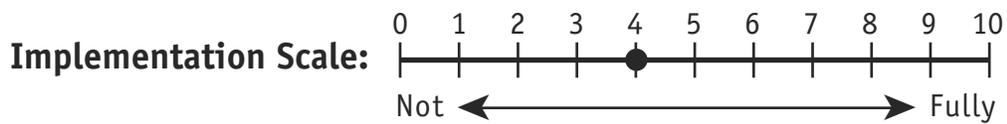
- Update and revise forms.
- Work closely with payroll to facilitate better communication and support.
- Ensure that administrators know discipline procedures.
- Complete evaluations on all employees.

### **Recommendations and Improvement Plan**

1. Individual staff members should develop at least one written goal for the coming school year related to their areas of responsibility.
2. Individual staff members should develop at least one professional development goal.

### **Standard Implemented: Partially**

July 2003 Rating: 4



## 1.7 Organization and Planning

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### Professional Standard

The Personnel Division has a monthly activities calendar and accompanying lists of ongoing personnel activities to be reviewed by staff at planning meetings.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Human Resources staff meeting calendar

### Findings

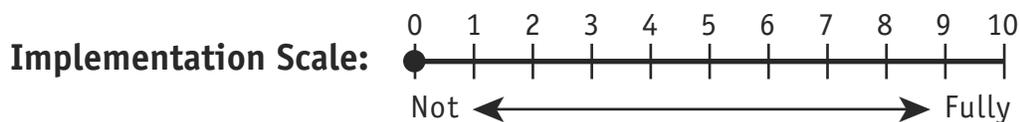
1. There is no listing of ongoing Human Resources Division activities.
2. The district provided a monthly staff meeting calendar starting February 3, 2003, through December 11, 2003. The Human Resources Division management staff chaired these meetings, which cover various subjects. No agendas or minutes were available for review.

### Recommendations and Improvement Plan

1. Develop a monthly activities calendar and accompanying list of ongoing Human Resources Division activities to be reviewed by the staff at planning meetings.
4. Continue regularly scheduled staff meetings where upcoming activities can be identified and plans developed to handle projects.
5. Develop an annual calendar of major monthly Human Resources Division activities to be completed by the staff. Provide the date of the activity and the name of the person or position responsible for completion.

### Standard Implemented: Not Implemented

July 2003 Rating: 0



## 1.8 Organization and Planning

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### Professional Standard

The Personnel Division head is a member of the Superintendent's cabinet and participates in decision-making early in the process.

### Sources and Documentation

1. Office of Superintendent organizational chart (11-09-02)
2. Interviews with Human Resources Division personnel
3. Interviews with district and program personnel

### Findings

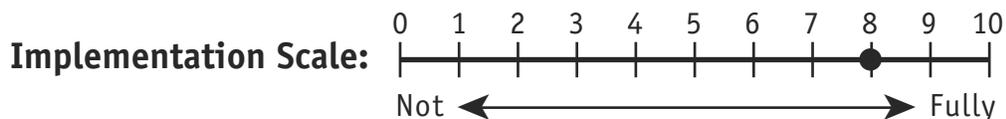
1. The Human Resources Division Associate Superintendent is a member of the Superintendent's cabinet.
2. The Human Resources Division Associate Superintendent meets as needed with the Superintendent to discuss timely topics.
3. The Superintendent has council meetings weekly that are attended by the Human Resources Division Associate Superintendent. The council meetings include department head representatives.
4. The Superintendent also has cabinet meetings weekly that are attended by the Human Resources Division Associate Superintendent. These meetings are for the Superintendent and her three division leaders.

### Recommendations and Improvement Plan

1. Continue participation in the decision-making process at the cabinet- and council-level meetings.

### Standard Implemented: Fully – Substantially

July 2003 Rating: 8



## **2.1 Communications: Internal/External**

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### **Professional Standard**

The Personnel Division utilizes the latest technological equipment in incoming and outgoing communications.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Board Policy 4040, Employee Use of Technology (draft copy)
4. Memorandum regarding Work Guidelines for Classified Employees (dated 8-15-01)
5. District Web page

### **Findings**

1. In a memorandum to all classified employees on work guidelines, classified employees are instructed in Section 8, Telephone Etiquette, to return all calls promptly, ideally within an hour.
2. A number of employees have had difficulties in getting voice mail messages returned, particularly from human resources clerical staff.
3. Some human resources staff members rely upon voice mail to answer the telephone when they are working at their desks.
4. The district's personnel Web page contains only minimal job vacancy information and refers candidates to the job line for more information.
5. The district maintains a job line that is not always current and contains a rather lengthy beginning dialog.
6. The Human Resources Division does not currently publish any type of newsletter for employees that contains relevant items of interest.
7. Human Resources uses e-mail on a regular basis for internal communications within the district.

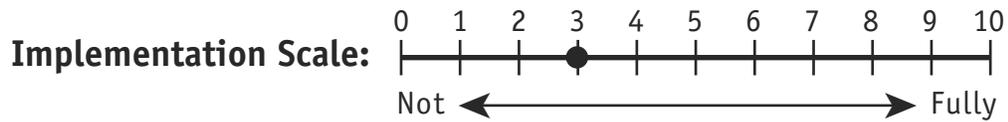
### **Recommendations and Improvement Plan**

1. Develop clear expectations for all Human Resources Division staff regarding the need to return voice mail calls promptly and, ideally, within an hour.
2. Develop guidelines that stress the importance of answering incoming telephone calls whenever possible and use voice mail only when a staff member is absent from his/her desk.
3. Expand the personnel Web page to provide more information regarding application procedures, salary schedules, benefits and other related information.

4. Update the job line weekly and look for ways to shorten the lead-in dialogue.
5. Develop a periodic newsletter for employees, possibly in conjunction with the public information office, that would contain information on current personnel issues.

**Standard Implemented: Partially**

July 2003 Rating: 3



## 2.2 Communication: Internal/External

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### Professional Standard

The Personnel and Business Divisions have developed and distributed a menu of services that includes the activities performed, the individual responsible, and the telephone numbers where they may be contacted.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Draft copy of the business services phone listing (2/12/03)
4. Draft copy of a document that identifies the responsibilities assigned to each personnel staff member (3/4/03)
5. Human Resources listing including names, phone numbers and major areas of responsibilities (undated)

### Findings

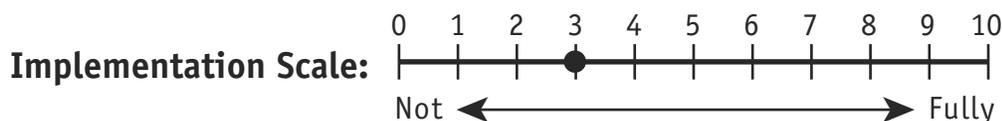
1. The Human Resources Division has recently developed two separate multipage documents that identify the responsibilities and phone numbers for each staff member. Neither of these documents has been distributed.
2. District staff members do not always know who to contact in the Human Resources Division.
3. Personnel clerical staff members reportedly are unable to answer many questions, and, as a result, many phone calls are referred to one of the human resources managers.

### Recommendations and Improvement Plan

1. The Human Resources Division should prepare a single listing of its staff and distribute it to all other employees. The listing needs to contain names of staff, phone numbers, and key responsibility areas. The information should also be added to the personnel Web page.
2. Provide training to clerical staff to allow them to answer questions in their assigned areas of responsibilities.

### Standard Implemented: Partially

July 2003 Rating: 3



## **2.3 Communications: Internal/External**

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### **Professional Standard**

The Personnel Division provides an annual report of activities and services provided during the year.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel

### **Findings**

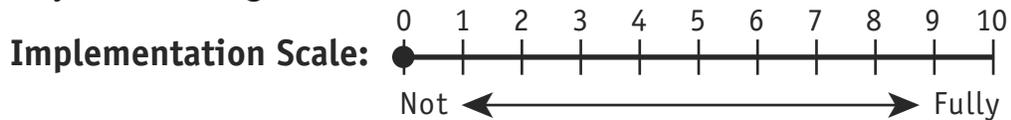
1. The Human Resources Division does not prepare an annual report.

### **Recommendations and Improvement Plan**

1. Prepare an annual written report that describes the division's major prior year activities and accomplishments.

### **Standard Implemented: Not Implemented**

July 2003 Rating: 0



## 2.4 Communications: Internal/External

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### Professional Standard

The Personnel Division staff is cross-trained to respond to client need without delay.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel

### Findings

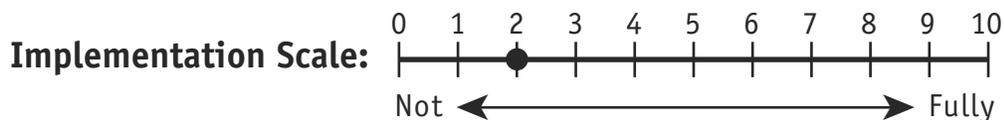
1. The district has no formal process to ensure the staff is cross-trained. Personnel have relied upon knowledge gained through prior assignments within the Human Resources Division for cross-training.
2. There has been no formal designation of staff members to serve as backup to cover for absent employees.
3. Some Human Resources support staff members reportedly have not been trained on the importance of customer service.

### Recommendations and Improvement Plan

1. Develop a systematic plan to ensure at least one person has been trained to cover another employee's desk.
2. Establish a backup person for each workstation.
3. Provide periodic training to reinforce the importance of good customer service at all workstations.

### Standard Implemented: Partially

July 2003 Rating: 2



## 2.5 Communications: Internal/External

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### Professional Standard

The Personnel Division holds regularly scheduled staff meetings.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Listing of staff meeting dates for February through December, 2003

### Findings

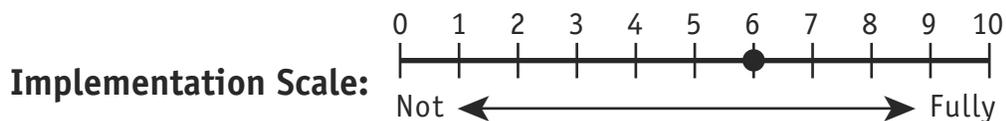
1. The Human Resources Division holds a monthly meeting for all the staff. There is no formal agenda or minutes prepared for the meeting.
2. The personnel administrative staff does not meet formally on a scheduled basis.
3. Human Resources Division and payroll have started meeting monthly to review matters of mutual concern.

### Recommendations and Improvement Plan

1. Prepare agendas and minutes for monthly staff meetings.
2. Establish a meeting schedule for the administrative staff to promote communication and joint problem solving.
3. Continue to meet regularly with the payroll staff.

### Standard Implemented: Partially

July 2003 Rating: 6



## 2.6 Communications: Internal/External

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### Professional Standard

Various publications are provided on a number of subjects to orient and inform various clients.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Substitute Teaching Handbook, 2002-2003
4. Principals' Human Resources Guide, 2002-2003
5. Facts, Rules, Impacts, Suggestions and Knowledge (FRISK) Training Handbook
6. Classified Employee Information Packet (undated)
7. Contract management handbook (undated)
8. Survival Kit for New Teachers

### Findings

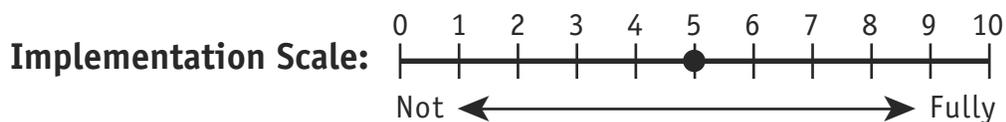
1. The Human Resources Division has prepared and distributed a substitute teachers' handbook and a principals' human resources guide.
2. The Human Resources Division has provided all supervisors and managers with the FRISK manual.
3. The assessment team was given a copy of a packet titled "Classified Employee Information Packet" that includes information on personnel staff phone numbers, Workers' Compensation reporting, leaves, and sexual harassment.

### Recommendations and Improvement Plan

1. Continue to update the existing handbooks and guides.
2. Develop a new employee handbook that can be provided to new employees and possibly used in a new employee's orientation.

### Standard Implemented: Partially

July 2003 Rating: 5



### **3.1 Certificated Recruitment/selection**

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#### **Professional Standard**

The Governing Board will provide equal opportunities for all persons without regard to race, color, creed, sex, religion, ancestry, notional origin, age, or disability (EC 44100-44105).

#### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Agreement, Berkeley Unified School District/Berkeley Federation of Teachers, Article 6, Equal Opportunity and Non-Discrimination Clause, July 1999 – June 2003
3. “Non-Discrimination Statement,” Berkeley Unified School District, one-page document (undated)
4. Sexual harassment policy (revised July 14, 1993)
5. Certificated application packets and job announcements
6. Documents on Human Resources Division bulletin boards:
  - a. Poster, Federal Wage and Labor Law Institute (12/01)
  - b. Poster, Federal Wage and Labor Law Institute (10/96)
  - c. Poster, Berkeley Unified School District non-discrimination statement (9/92)
  - d. Poster, California Department of Fair Employment and Housing, 1995
  - e. Poster, California law space saver, 2001

#### **Findings**

1. The certificated application form does not have a nondiscrimination statement.
2. Some certificated application packets contain a separate nondiscrimination statement and sexual harassment policy notice.
3. Certificated application packets currently being distributed do not contain a nondiscrimination statement or sexual-harassment policy.
4. The nondiscrimination statement states: “It is the policy of the Berkeley Unified School District that no qualified person shall on the basis of race, color, religious creed, sex, sexual orientation, age, marital status, national origin, physical handicap, disability, medical condition, or any other basis made unlawful by federal, state or local laws, be excluded from participation in, be denied the benefits of, or otherwise be subject to discrimination under any program or activity in the Berkeley Unified School District.”
5. There was no adopted district policy covering nondiscrimination or equal employment opportunity.
6. The certificated bargaining unit contract contains an equal opportunity and nondiscrimination clause.
7. The Berkeley High School Principal opening currently advertised does not have a nondiscrimination statement on the application but contains a statement on the Web site posting similar to, but not the same as, the statement contained in some certificated application packets.

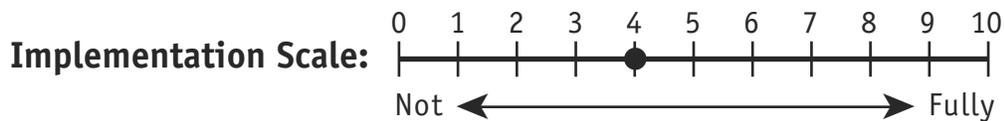
8. Individual position announcements do not have equal opportunity or nondiscrimination statements.
9. The job hot line message includes the nondiscrimination statement as found on the high school principal posting.

### **Recommendations and Improvement Plan**

1. Develop and adopt a comprehensive board policy covering nondiscrimination and equal opportunity employment.
2. Develop an appropriate equal opportunity and nondiscrimination statement based on board policy to be utilized uniformly on all district application forms, recruitment materials, and legally required postings.
3. Revise the current certificated application form to include the nondiscrimination statement as developed.
4. Update legally required posters and remove outdated posters from the Human Resources Division and other required sites.

### **Standard Implemented: Partially**

July 2003 Rating: 4



## **3.2 Certificated Recruitment/selection**

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### **Professional Standard**

Employment procedures and practices are conducted in a manner that ensures equal employment opportunities. Written hiring procedures are provided.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Berkeley Unified School District, 2002-2003 Principals' Resource Guide including:
  - Human Resources personnel request processing (8/15/02)
  - Personnel request flow chart (undated)
  - Memo to all department heads and site administrators from David A. Gomez
  - Elementary/secondary teacher interview rubrics (2/2001)
4. Certificated application files and applicant packets

### **Findings**

1. An optional employment questionnaire is included with the certificated application packet with ethnic and age information entered by the candidate. This completed form is kept in each candidate's application file used in the hiring process, which is not consistent with equal opportunity employment guidelines.
2. The provided ethnic information is not recorded or maintained in a database.
3. A Principal's Resource Guide binder is given to principals with a variety of human resources information, including partial written guidelines for some parts of the certificated hiring procedure.
4. A teacher interview rubric with quality standards for certificated hiring is contained in the Principal's Resource Guide. Interviewed principals said they occasionally refer to the guide informally but there is no procedure for its use.
5. There is no consistent paper screening process for certificated applications in the Human Resources Division or by site administrators.
6. Site administrators are responsible for selecting candidates and conducting interviews. There is no document for recording paper screening scores or making file notations. Interviewers are not required to submit interview materials and ratings to the Human Resources Division.
7. Some schools have developed their own interview procedures and candidate packet materials.
8. The district does not provide in-service training regarding appropriate questions and techniques to interviewers in order to avoid any possible discrimination.

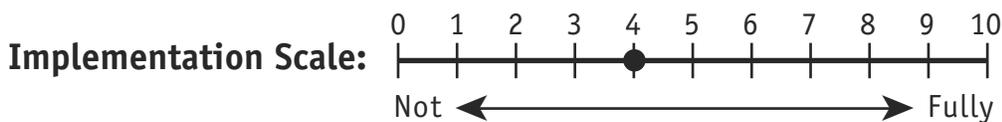
9. Principals sometimes offer positions and/or allow new staff members to start working without the authorization or knowledge of the Human Resources Division.
10. Some documents in the Principals' Resource Guide do not reflect current hiring procedures, e.g., human resources personnel request processing (8/15/02).
11. The district lacks complete written hiring procedures delineating responsibilities of the Human Resources Division, site administrators, and candidates.

### **Recommendations and Improvement Plan**

1. Develop comprehensive written certificated hiring procedures that ensure equal opportunity and clearly outline a districtwide consistent process, including the responsibilities of the Human Resources Division, the hiring administrator(s) and the candidate. Include procedures for determining vacancies, request for personnel, posting, paper screening, interviewing, interview questions and prohibited questions, criteria or rubrics, rating systems and forms, confidentiality, reference checks, recommendation of candidates to the Human Resources Division, notification of nonselected candidates, and return of paperwork to the Human Resources Division.
2. Develop Human Resources Division procedure manuals delineating staff responsibilities and procedures in the hiring process.
3. Provide written information and training regarding hiring procedures to all administrators and staff members involved in the certificated hiring process.
4. Remove the optional employment questionnaire from applicant files before the file is screened in the hiring procedure.
5. Record the voluntary ethnic and age information provided on the optional employment questionnaire in a database for reference and reports.

### **Standard Implemented: Partially**

July 2003 Rating: 4



### **3.3 Certificated Recruitment/selection**

---

#### **Professional Standard**

The job application form requests information that is legal, useful, pertinent, and easily understood.

#### **Sources and Documentation**

1. Packet of materials for certificated applicants
2. Berkeley Unified School District certificated application (July 2001)
3. Certificated application supplemental conviction record
4. Optional employment questionnaire

#### **Findings**

1. The four-page certificated application is attractively formatted and easy to use. Two supplemental pages, the optional employment questionnaire and the supplemental conviction record, are part of the application.
2. There are several typographical errors on the application form.
3. There is no equal employment opportunity notification on the application form, although a notice on a separate sheet is included in the application packet, and the optional questionnaire states that the district is an equal opportunity employer.
4. The application is available in hard copy form and on the district Web site. It can be filled in online and downloaded or downloaded and filled in manually and mailed to the district. It cannot be submitted electronically.
5. The completed optional employment questionnaire is kept with the application in the file used in the hiring process, which is not legally compliant with equal opportunity regulations.
6. The memorandum to applicants with a checklist for application materials does not list the Optional Employment Questionnaire.

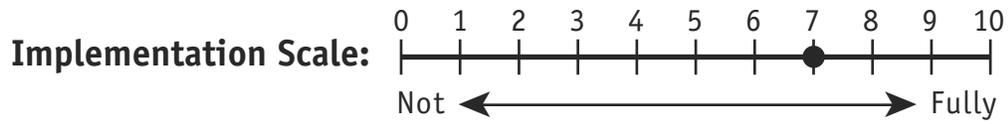
#### **Recommendations and Improvement Plan**

1. Correct the typographical errors in the certificated application form.
2. Include on the certificated application form the equal opportunity and nondiscrimination statement that has been recommended for uniform notification on all district application and recruitment materials.
3. As soon as the application is received, separate the optional employment questionnaire from the application. Include the questionnaire on the application materials checklist.
4. On the optional employment questionnaire, add the district Web site to the list of sources for learning of job opportunities. Maintain the recruitment source information in a database for analysis of successful recruitment sources.

5. Move toward developing the capability to submit applications electronically.

**Standard Implemented: Partially**

July 2003 Rating: 7



### 3.4 Certificated Recruitment/selection

---

#### Professional Standard

The Personnel Division has developed a written recruitment plan that contains recruitment goals, including the targeting of “hard-to-fill” positions (i.e., math, science, special education, bilingual education etc.).

#### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel

#### Findings

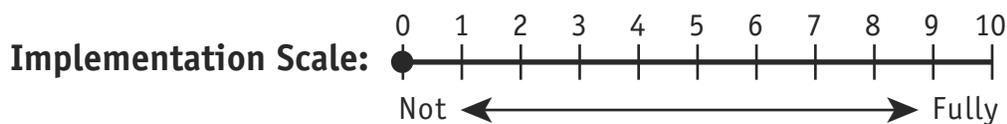
1. The district does not have a written recruitment plan or record of past recruitment activities.
2. The district has had limited certificated hiring due to layoffs and has not actively recruited certificated applicants in the past two years.
3. There was a district certificated recruitment effort three years ago.
4. Applications for substitute teaching are not currently being accepted.

#### Recommendations and Improvement Plan

1. Develop an annual written recruitment plan for ongoing recruitment, including budget, advertising, identification of hard-to-fill positions, development of promotional materials, planned activities or events, staff training, successful sources such as Web sites, job fairs, etc. (If certificated hiring of outside candidates is limited due to layoffs, include that circumstance in the recruitment plan.

#### Standard Implemented: Not Implemented

July 2003 Rating: 0



### 3.5 Certificated Recruitment/selection

---

#### Professional Standard

The district has established an adequate recruitment budget, that includes funds for travel, advertising, staff training, promotional materials, printing of a year-end report, etc., and that effectively implements the provisions of the district recruitment plan.

#### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Financial activity report (3/4/03)

#### Findings

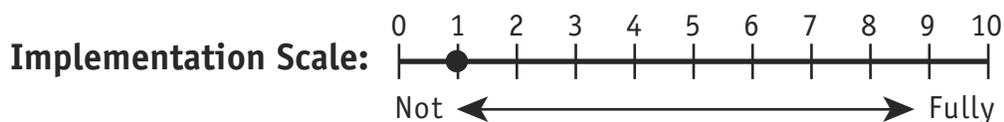
1. The Human Resources Division operational budget commingles teacher recruitment and general personnel operation funds and does not have a separate recruitment budget category or line items.
2. Budget needs for recruitment costs such as advertisements, postings, recruitment for hard-to-fill positions, promotional materials, maintenance of Web site, staff training, etc., have not been itemized or budgeted.
3. Legal costs continually exceed the budget, leaving little or no funds for other needs.
4. The district has had limited certificated hiring due to layoffs and has not actively recruited certificated applicants in the past two years.

#### Recommendations and Improvement Plan

1. Develop a comprehensive budget plan that includes annual projection of recruitment costs. Itemize anticipated costs such as advertising, postings, recruitment for hard-to-fill positions, promotional materials, Web site maintenance, staff training, etc.
2. Although recruitment needs are identified as low at this time, develop a budgeting system that itemizes current recruitment costs and is prepared for future needed recruitment.

#### Standard Implemented: Partially

July 2003 Rating: 1



### 3.6 Certificated Recruitment/selection

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#### Professional Standard

The district has developed materials that promote the district and community, are attractive, informative and easily available to applicants and other interested parties.

#### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Berkeley Unified School District Web site (www.berkeley.k12.ca.us)

#### Findings

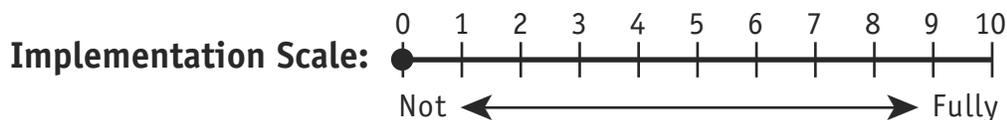
1. The district does not have written materials that promote the district and community for certificated recruitment purposes.
2. The district Web site does not have recruitment or promotional information for prospective certificated candidates.

#### Recommendations and Improvement Plan

1. Work with the district public information office to enhance the district Web site to include attractively presented information and pictures promoting the district and the community.
2. Develop an attractive but simple brochure highlighting positive aspects of the district, its programs, and the community.
3. The district has had limited certificated hiring and recruitment the past two years due to layoffs but experiences continuing openings in some hard-to-fill areas.

#### Standard Implemented: Not Implemented

July 2003 Rating: 0



### 3.7 Certificated Recruitment/selection

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#### Professional Standard

The district has identified persons to participate in recruitment efforts, including principals, district personnel and others, as appropriate, and has provided them with adequate training to carry out the district's recruitment goals.

#### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel

#### Findings

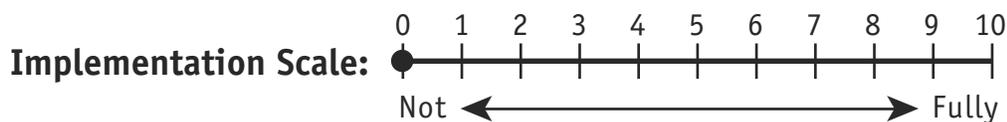
1. A team of 12 administrators was trained three years ago for recruitment activities where 70 candidates were screened and information shared.
2. The district has had limited certificated hiring due to layoffs and has not actively recruited certificated applicants in the past two years.
3. There is no written record of recruitment activities.
4. Site administrators conduct their own interviews and selection process at the site.
5. Limited training on the hiring process has occurred, and no training has occurred on recruitment and interview techniques and procedures.

#### Recommendations and Improvement Plan

1. Identify persons to participate in recruitment, including principals and others as appropriate, as part of a written recruitment plan.
2. Provide training to site and program administrators involved in certificated hiring regarding recruitment, interviewing, and selection.

#### Standard Implemented: Not Implemented

July 2003 Rating: 0



## **3.8 Certificated Recruitment/selection**

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### **Professional Standard**

The district has effectively identified a variety of successful recruitment sources, including Web sites, job fairs, colleges and universities, publications, etc.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. District Web site
4. Ed-Join Web site
5. Certificated applicant packet, optional employment questionnaire

### **Findings**

1. There is no formal process for tracking successful recruitment sources.
2. Those interviewed felt that Ed-Join and the district Web sites have been good sources of teacher applicants. The district Web site has a link to Ed-Join.
3. On March 2, 2003, the Ed-Join posting had not been updated in four months. (10/29/02)
4. The district Web site does not have promotional or recruitment information and lacks a Human Resources Department presence. The Human Resources Department is not listed as a division in the "District Departments" section of the Web site home page.
5. Certificated openings are not posted on the district Web site. Applicants are directed to the district job hot-line telephone number. On March 2, 2003, the job hot line had not been updated since October 2002.
6. District and site personnel reported that most new hires are recruited through an informal process and word-of-mouth, and very few are from college recruitment or outside recruitment events.
7. Principals reported that they often find teachers on their own without utilizing district applicant files or recruitment efforts. The Adult Education Program does its own recruiting.
8. Student teachers are often hired into the district, but it is an informal process, and there is no district tracking or recruitment of student teachers.
9. The optional employment questionnaire has a place for the applicant to indicate where he/she learned of job opportunities in the district, but the information is not tracked.

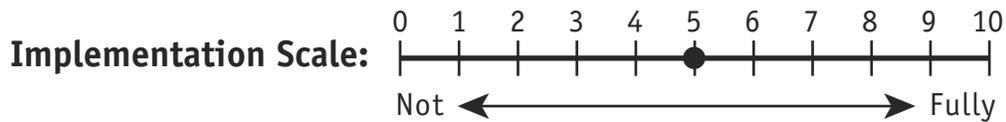
### **Recommendations and Improvement Plan**

1. Begin tracking successful sources of certificated applicants; utilize the optional employment questionnaire section regarding recruitment to provide basic data.
2. Track student teacher placements centrally and use as a recruitment resource.

3. Work with the public information office to enhance the district Web site as a more accommodating recruitment source:
  - Post openings on the district Web site rather than referring to a telephone line.
  - Assign a staff member in the Human Resources Division to update openings on the district Web site on a regular schedule. Weekly would be ideal.
  - Include Human Resources in the “District Departments” section of the Web site home page and begin to develop attractive promotional and recruitment information.
  
4. Assign a staff member in the Human Resources Division to update openings regularly on Ed-Join, Hot Jobs, etc.

**Standard Implemented: Partially**

July 2003 Rating: 5



### 3.9 Certificated Recruitment/selection

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#### Professional Standard

The district has developed an annual written summary report of its recruitment efforts, including data detailing the goals for the year, sites visited, number of candidates contacted, employees hired as a result of the recruitment efforts and plans for any changes for the following year.

#### Sources and Documentation

1. Interviews with Human Resources Division personnel

#### Findings

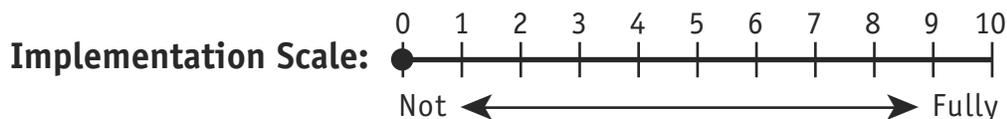
1. The district has not developed an annual written summary report of its recruitment efforts.
2. There are currently no formal or informal goals regarding certificated recruitment.
3. The district does not currently maintain or track the data needed for an annual recruitment report.

#### Recommendations and Improvement Plan

1. Begin to maintain data for an annual written summary report of certificated recruitment and hiring: recruitment goals, including number of teachers hired, areas/grade levels of new hires, hard-to-fill positions, number of teachers on layoff returned to positions, recruitment efforts, including Web sites and any special activities, etc.
2. Using compiled data, develop an annual written summary report of certificated recruitment and hiring.
3. Share the annual report with the board of education and other groups as appropriate.

#### Standard Implemented: Not Implemented

July 2003 Rating: 0



### 3.10 Certificated Recruitment/selection

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#### Professional Standard

The district has developed alternative teacher certification programs and processes (i.e., pre-intern, intern, committee on assignment).

#### Sources and Documentation

1. Interviews with district and program personnel
2. Interviews with district and program personnel
3. CBEDS – Oct. 2002, Classroom Teacher Credential Report

#### Findings

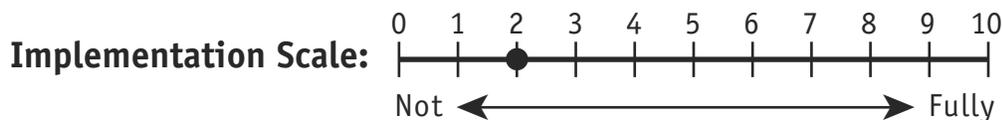
1. The California Basic Educational Data System (CBEDS) Classroom Teacher Credential Report indicates that the district had two university interns, four district interns, three pre-interns, two waivers and 23 emergency credentialed teachers as of October, 2002.
2. Human Resources staff members reported they were unaware of district participation in alternative certification programs.
3. The district once participated in the University of California CalPIP intern program, but that is no longer a need in the district.

#### Recommendations and Improvement Plan

1. Identify district employees currently participating in alternative credential/intern programs.
2. Identify available alternative credential programs that may be beneficial for district participation.
3. Identify a human resources staff member to oversee and monitor participation in alternative credential programs.
4. Provide support as needed to district participants in alternative credential programs.

#### Standard Implemented: Partially

July 2003 Rating: 2



### **3.11 Certificated Recruitment/selection**

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#### **Professional Standard**

The district is preparing to address new federal regulations as they relate to “No Child Left Behind” Act.

#### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel

#### **Findings**

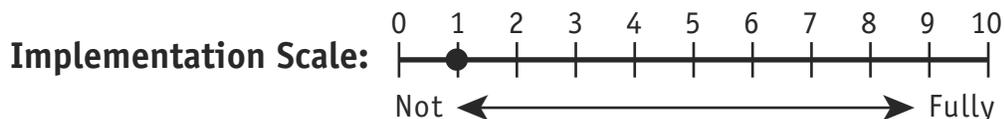
1. Members of the Educational Services Division have kept abreast of the “No Child Left Behind Act of 2002” (NCLB). An informational meeting regarding NCLB was presented to the community and board of education in March 2003.
2. Educational Services staff members have informally reported to human resources managers regarding NCLB.
3. Human resources managers have not attended training on NCLB requirements.
3. The district lacks human resources written plan or guideline for meeting the requirements of the NCLB Section 1119, Qualifications of Teachers and Paraprofessionals.

#### **Recommendations and Improvement Plan**

1. Ensure that Human Resources Division management stays abreast of developments and decisions regarding compliance with NCLB, especially Section 1119, Qualifications for Teachers and Paraprofessionals.
2. Develop a plan with annual measurable objectives to ensure the district is moving toward the NCLB requirement of providing all highly qualified teachers by the end of the 2005-06 school year.
3. As California regulations become more clearly determined, develop district guidelines for meeting the requirements of NCLB Section 1119, Qualifications for Teachers and Paraprofessionals.

#### **Standard Implemented: Partially**

July 2003 Rating: 1



### **3.12 Certificated Recruitment/selection**

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#### **Professional Standard**

The district systematically initiates and follows up on reference checking on all applicants being considered for employment.

#### **Sources and Documentation**

1. Interviews with district and program personnel
2. Interviews with Human Resources Division personnel
3. Principals' resource guide, 2002-2003
4. Board Policy 4112.61, Employee References
5. California School Boards Association (CSBA) Sample Board Policy, Reference Checks

#### **Findings**

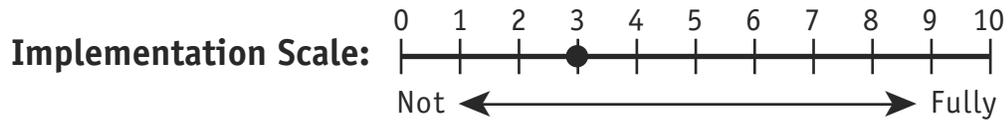
1. There is no candidate reference check document in use in the district.
2. Reference checking for new teachers is the responsibility of individual hiring supervisors. Reference checking is encouraged by the Human Resources Division but is not tracked, required, or documented.
3. Reference checks are generally not conducted for substitute teachers.
4. There is no record of which new employees have had reference checks completed and which have not.
5. The CSBA sample policy included in the principals' resource book does not appear to reflect current district practice.
6. A classified employee reference check document is being considered for use.

#### **Recommendations and Improvement Plan**

1. Develop and implement a written policy and procedure for reference checks for certificated regular teachers and substitutes, including:
  - A certificated candidate reference check document.
  - Establish a minimum number of mandatory reference checks and require the completion of the district reference check forms prior to the employment of each applicant.
  - The Human Resources Division manager should review completed reference checks prior to employment.
  - Maintain completed reference check forms in interview files.

**Standard Implemented: Partially**

July 2003 Rating: 3



## 4.1 Classified Recruitment/selection

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### Professional Standard

The Governing Board will provide equal employment opportunities for persons without regard to race, color, creed, sex, religion, ancestry, national original, age or disability (EC 44100-44105).

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Non-Discrimination Statement (undated)
4. Non-Discrimination Posting in Human Resources Division lobby
5. Notice-of-vacancy postings
6. Notice of vacancies and transfer opportunities (1-13-03)
7. Application for transfer, information and instructions (1/1/84)

### Findings

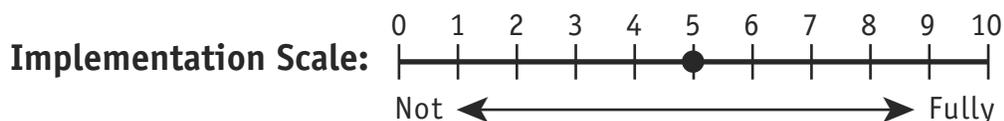
1. The district has a one-page sheet that is titled Non-Discrimination Statement that includes the district's policy on nondiscrimination and the district's contact person, telephone number and location.
2. The district's Notice of Transfer Opportunities and its transfer procedures identify race and sex as part of the criteria to be used in the selection process.
3. There was no adopted district policy covering nondiscrimination or equal employment opportunity.

### Recommendations and Improvement Plan

1. Continue to provide in the application packet a copy of the district's Non-Discrimination Statement.
2. Review with legal counsel the legality of using race or sex as selection criteria. Unless determined legal, eliminate this as a selection consideration.
3. Develop and adopt a comprehensive board policy covering nondiscrimination and equal employment opportunity.

### Standard Implemented: Partially

July 2003 Rating: 5



## **4.2 Classified Recruitment/selection**

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### **Professional Standard**

Employment procedures and practices are conducted in a manner that ensures equal employment opportunities. Written hiring procedures are provided under merit system rules.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. The Merit System, and Overview (undated)
4. Principals' Human Resources Guide, 2002-2003
5. Laws and Rules of Personnel Commission for Classified Employees (1973)
6. Classified employment interview form (undated)
7. Employment interview report (7/9/93)
8. Notice of vacancies and transfer opportunities (1-13-03)

### **Findings**

1. The Principals' Human Resources Guide includes material that provides a brief overview of steps required to process a classified personnel requisition.
2. The Personnel Commission's rules and procedures have not been revised since 1973 and are not current.
3. The district's transfer procedures include race and sex as selection criteria.
4. The application packet includes a brief overview of the selection process.
5. The Classified Personnel Department has prepared a document entitled, "The Merit System, an Overview," that includes a description of the hiring process. It does not appear that this information is provided to applicants or district administrators.
6. There are no internal classified recruitment and selection operating procedures.

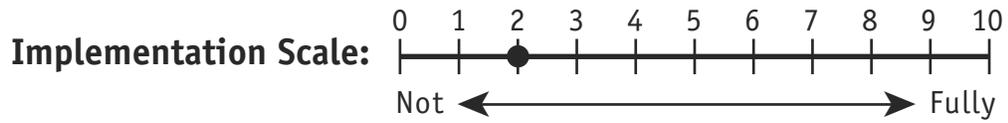
### **Recommendations and Improvement Plan**

1. Revise and expand upon the brief overview of the classified requisition processing steps to more accurately reflect the actual process and include steps involved in the entire selection process.
2. Review and update the Personnel Commission's rules to reflect current law and practice.
3. Review with legal counsel the legality of using race and sex as criteria in the selection process.
4. Revise and update as necessary the description of the hiring process contained in "The Merit System Overview" and include in the Principals' Human Resources Guide.

5. Develop written procedures that describe the recruitment and selection process steps followed in the Classified Personnel Department.

**Standard Implemented: Partially**

July 2003 Rating: 2



### 4.3 Classified Recruitment/selection

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#### Professional Standard

The job application form requests information that is legal, useful, pertinent, and easily understood.

#### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Classified job application and accompanying material on release for job references, instruction sheet, nondiscrimination statement, supplemental conviction record, voluntary employee identification form, and request for reasonable accommodation.

#### Findings

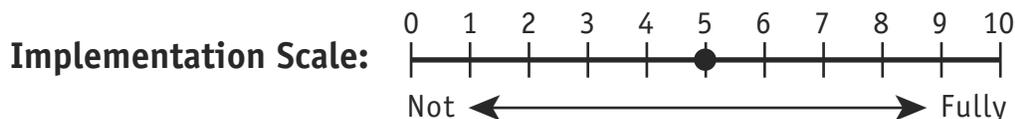
1. The district's classified application includes legally appropriate information that it needs to make employment determinations.
2. The completed optional employment questionnaire is currently being maintained with the applicant's application, which is not consistent with equal opportunity guidelines.
3. The voluntary employment application identification form does not have a specific disclaimer regarding providing social security number.

#### Recommendations and Improvement Plan

1. Continue to maintain an application that requests legally appropriate information.
2. Develop a procedure that ensures optional employment questionnaires are separated from the applicant's application and maintained separately.
3. Add a statement to the application that clarifies that providing a Social Security number is voluntary.

#### Standard Implemented: Partially

July 2003 Rating: 5



## **4.4 Classified Recruitment/selection**

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### **Professional Standard**

The district has a written recruitment plan that identifies various recruitment sources utilized in the search process for the numerous position classifications.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Listing of locations to which classified job vacancy information is sent
4. District's personnel Web page
5. District's telephone job hot line
6. Voluntary employee/application identification form

### **Findings**

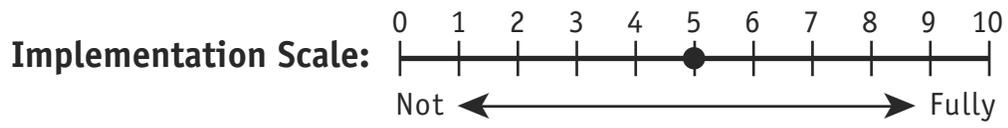
1. The district uses the Web site Hotjobs.com as a recruitment source and that this source has proved very productive.
2. Notice of vacancy information is sent to more than 100 different organizations in the Bay Area.
3. The Human Resources Division is unable to determine how many applicants may be generated from its extensive mailing.
4. Classified vacancies are listed on the Web page, however, some information is outdated, and there is no description of the selection process. The Web site refers applicants to the job hot line for additional information.
5. The district's voluntary employee/application identification form includes a section for the applicant to identify how he/she learned of the vacancy.

### **Recommendations and Improvement Plan**

1. Continue to use Hotjobs as a classified recruitment source.
2. Develop a process that tracks the information collected on the voluntary employee/ application identification form on how an applicant becomes aware of a job opening.
3. Using information collected from applicants on how they learned of a particular opening, modify the list of locations where notices of vacancies are sent to include only locations that generate applicants.
4. Modify the Web page to include a description of the application process.
5. Ensure that all information on the Web page is current and includes all vacancy information.

**Standard Implemented: Partially**

July 2003 Rating: 5



## 4.5 Classified Recruitment/selection

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### Professional Standard

The district systematically initiates and follows up on reference checking on all applicants being considered for employment.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Classified reference check sheet (2/1/03)

### Findings

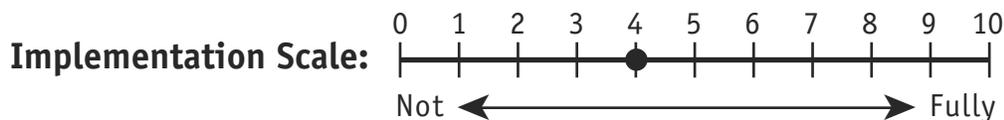
1. The Classified Personnel Department has recently developed a reference checking sheet, however, there was no information provided that indicated who was to complete the sheet.
2. Supervisors and managers have not been provided any direction or training on conducting reference checks.
3. Some supervisors and managers conduct reference checks, however, no reference check form was completed.

### Recommendations and Improvement Plan

1. Develop written procedures regarding reference checks and the use of the reference checking form.
2. Provide training to supervisors and managers on how to conduct reference checks and the use of the reference check form.

### Standard Implemented: Partially

July 2003 Rating: 4



## 4.6 Classified Recruitment/selection

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### Professional Standard

Appropriateness of required tests for a specific position is evident.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel

### Findings

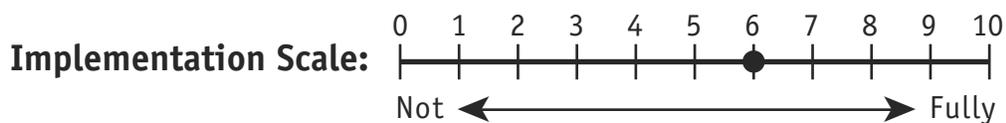
1. The district uses the services of CODESP for securing classified testing materials.
2. Some clerical/secretarial tests reportedly do not measure the type of skills required for some jobs and that tests need to be reviewed and updated.
3. The Human Resources Division has encouraged and received assistance from selecting administrators in developing and expanding testing material in the grounds and maintenance areas.

### Recommendations and Improvement Plan

1. Continue to use testing material from CODESP, where appropriate.
2. Prior to administering a written performance test, verify with the recommending authority (supervisor/manager) that the written test measures appropriate job skills.

### Standard Implemented: Partially

July 2003 Rating: 6



## 4.7 Classified Recruitment/selection

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### Professional Standard

The Personnel Commission prepares an eligibility list of qualified candidates for each classified position that is open, indicating the top three candidates (EC 45272-45278).

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Classified employment interview form (undated)
4. Employment interview report (7/9/93)

### Findings

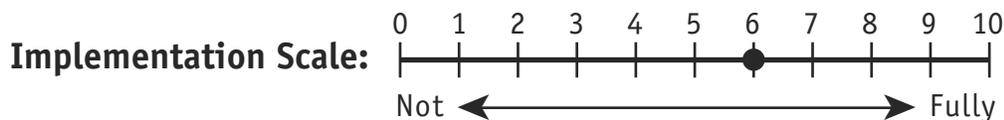
1. The Classified Personnel Department prepares eligibility lists for the selection of probationary and permanent employees.
2. Selecting supervisors/administrators are sent a classified employment interview form that lists the top three candidates eligible for interview.
3. A number of vacancies are filled on a provisional basis and that, in some cases, this appears to bypass the merit system principles.

### Recommendations and Improvement Plan

1. Continue to prepare eligibility lists as required.
2. Review the use of provisional employees to ensure vacancies are appropriately designed. Where provisional employees are used because of the lack of an eligibility list, ensure a list is prepared as quickly as possible.

### Standard Implemented: Partially

July 2003 Rating: 6



## 4.8 Classified Recruitment/selection

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### Professional Standard

Classified recruitment results are provided in an annual report to the Personnel Commission Board.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Fiscal year 2002-2003 budget request form

### Findings

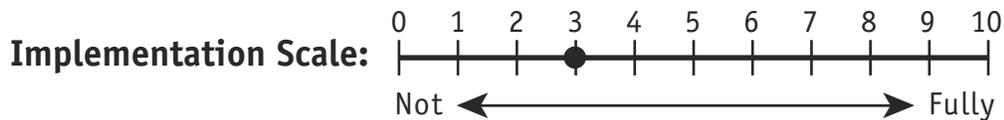
1. The Human Resources Division prepared a Personnel Commission budget request for 2002-03 that included a justification sheet. The justification sheet provided a one-page recap of the prior year activities in filling classified vacancies.

### Recommendations and Improvement Plan

1. Annually develop a report for the Personnel Commission that covers all Classified Personnel Department activities that fall under the Personnel Commission's purview.

### Standard Implemented: Partially

July 2003 Rating: 3



## 4.9 Classified Recruitment/selection

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### Professional Standard

The district has implemented procedures to comply with the recent state legislation governing “short-term employees” (EC 45103).

### Sources and Documentation

1. Interviews with Human Resources Division personnel

### Findings

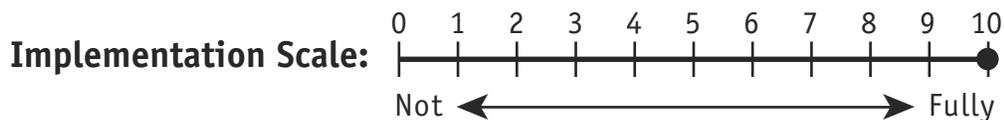
1. The new provisions of Education Code section 45103 do not apply to merit system districts.
2. An election reportedly is planned to determine if the merit system should continue in the Berkeley Unified School District.

### Recommendations and Improvement Plan

1. Continue with current practices.
2. If the merit system is voted out, develop procedures to implement the new requirements for hiring short-term employees.

### Standard Implemented: Fully – Sustained

July 2003 Rating: 10



## **5.1 Employee Induction and Orientation**

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### **Professional Standard**

Initial orientation is provided for all new staff.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Survival Kit for new Teachers in Berkeley Unified School District (8/2002)
4. New teacher orientation agenda (8/2002)
5. Certificated orientation packet (Induction)
6. Classified orientation packet (Induction)
7. Berkeley Unified School District Substitute Teaching Handbook, 2002-2003

### **Findings**

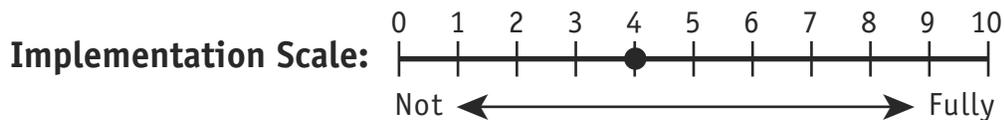
1. A one-day orientation for new teachers was held on August 23, 2002. The orientation program included presentations from the Superintendent, Division staff and the Berkeley Federation of Teachers (BFT). The Beginning Teacher Support and Assistance (BTSA) program administrator coordinates the orientation.
2. During the school year, two days (buy-back days) occur that provide additional orientation information for new teachers.
3. Personnel staff provides orientation (induction) information and requirements to all new certificated and classified employees include benefits, payroll and compliance areas. The Human Resources Division staff provides some assistance to new employees in completing the requirements on a one-on-one basis..
4. The Human Resources Division has not developed a comprehensive induction and orientation program for new classified and certificated employees.
5. The orientation (Induction) packet issued to new employees includes the required document on suspected child abuse reporting. Employees sign for receipt of the document.
6. Individual administrators and supervisors provide orientation for new employees assigned to their sites. Site orientation is not consistently applied throughout the district.
7. The Substitute Teaching Handbook is valuable guide for all substitute teachers. There is no formal orientation or training program for substitute employees.
8. The district lacks an orientation handbook for classified employees.
10. The Survival Kit for New Teachers (handbook) provides valuable information for new teachers.

## Recommendations and Improvement Plan

1. Develop procedures and processes for thorough and complete new-employee orientation. Orientation programs should be developed for all employee groups, including new teachers, substitutes and classified employees. Include information about district expectations, and employee rights and responsibilities.
2. Develop a comprehensive induction program for all new employees. Provide assistance to employees for completing the requirements. Group induction should be included when appropriate.
3. Involve principals and supervisors in planning and presenting orientation programs for certificated and classified employees.
4. Develop a handbook for new certificated and classified employees.
6. Distribute employee handbooks as a part of the orientation program.

## Standard Implemented: Partially

July 2003 Rating: 4



## 5.2 Employee Induction and Orientation

---

### Professional Standard

The Personnel Division provides orientation handbooks for new employee orientation in all classifications: substitutes, teachers and classified employees.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Survival Kit for New Teachers in Berkeley Unified School District – handbook (8/23/02)
4. Substitute Teaching Handbook (2002-03)
5. Principals' Human Resources Guide
6. Berkeley Unified Human Resources Division Classified Employee Information Packet (undated)

### Findings

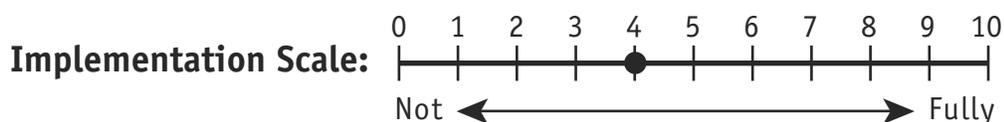
1. The district has developed a comprehensive Substitute Teaching Handbook that is provided to all substitute employees. The handbook contains necessary and useful information.
2. New teachers are provided the Survival Kit for New Teachers as a part of the one-day Teacher Orientation in August.
3. The Principals Human Resources Guide is used in the principals' training program and provides practical and necessary information. All principals receive the guide.
4. The classified information packet has recently been assembled and is to be issued to new hires. This information is to supplement the orientation (induction) material issued to new hires. Induction packets are provided to new classified and certificated employees for use in completing the hiring process.

### Recommendations and Improvement Plan

1. Develop a comprehensive classified employee handbook to be used in an orientation program and as a resource for all classified employees.
2. Review and update all handbooks and include information about district expectations, employee rights and responsibilities. Consolidate the information materials provided to new employees into handbooks.

### Standard Implemented: Partially

July 2003 Rating: 4



### 5.3 Employee Induction and Orientation

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#### Professional Standard

The Personnel Division has developed a video presentation (i.e., tape, CD-ROM, DVD, etc.) of the district activities and expectations for new employee orientation.

#### Sources and Documentation

1. Interviews with Human Resources Division personnel

#### Findings

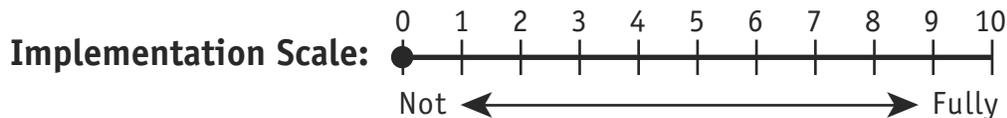
1. No video has been developed to use as a part of new-employee orientation.

#### Recommendations and Improvement Plan

1. Develop or purchase a video presentation that can be used as a part of the orientation for new employees. The video should include a standard presentation of the state, federal and district regulations that every employee must know.

#### Standard Implemented: Not Implemented

July 2003 Rating: 0



## 5.4 Employee Induction and Orientation

---

### Professional Standard

The Personnel Division has developed an employment checklist to be used for all new employees that includes district forms and state and federal mandated information. The checklist is signed by the employee and kept on file.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Certificated employee checklist – induction packet
4. Classified employee checklist – induction packet
5. Principals Human Resources Guide

### Findings

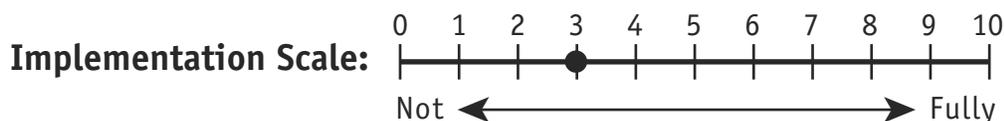
1. New certificated and classified employees are provided induction packets that include all the appropriate employment forms. A checklist is provided to ensure that all employment forms are submitted. The checklist does not require a signature. The statement acknowledging the requirement to report suspected child abuse, the oath of allegiance, and the sexual harassment policy each require the employees' signatures, verifying that they have read and understand the document. The blood-borne pathogen mandate is not included.
2. Principals reportedly are responsible for providing all state and federal mandated information. The Principals Handbook provides the information that may be used at staff meetings. There is no formal process or checklist that is signed by employees that verifies requirements are met. Requirements are not consistently applied to all employees.

### Recommendations and Improvement Plan

1. Develop clear procedures for issuing and collecting all state and federal mandated information.
2. Develop an orientation program where new employees receive district forms and state and federal mandated information, receive assistance in completion of forms, and discuss district requirements. Include a state and federal mandate checklist that is signed by all new hires and retained in the Human Resources Division files.

### Standard Implemented: Partially

July 2003 Rating: 3



## **6.1 Operational Procedures**

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### **Professional Standard**

Personnel files are complete, well-organized and up to date.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Principal's Resource Guide, 2002-03
3. CSBA Sample Administrative Regulation 4112.6, Personnel Files
4. Random review of certificated and classified employee files
5. Policies, regulations, bylaws revised but not board adopted (Feb. 02)

### **Findings**

1. Personnel files are stored in metal filing cabinets in a vault room that is locked at night.
2. Employee absence records and corresponding medical verification are stored in metal cabinets outside of the personnel file vault room. There was evidence that some medical information had been misfiled into personnel files.
3. Workers' Compensation information and claims are not kept in personnel files.
4. Mandatory forms and notifications are not consistently in personnel files, e.g., oath of allegiance, I-9 form, child abuse reporting, drug-free workplace, sexual harassment, non-discrimination, etc.
5. Employee evaluations are not consistently placed in personnel files.
6. Employees may review their files, and a human resources staff member observes the review.
7. There is no organizational arrangement within files, and papers are not secured to the file jacket. Generally, the more recent papers are filed at the front of the file.
8. A sample CSBA administrative regulation regarding personnel files is in the Principal's Resource Guide, but it contains more extensive procedures regarding files and file access than are practiced in the district.
9. There is no policy regarding personnel files in the revised policies proposed for adoption (Feb. 02).
10. There appears to be a considerable backlog of documents to be filed.

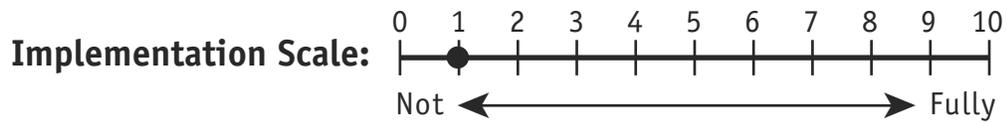
### **Recommendations and Improvement Plan**

1. Develop and adopt an updated district administrative regulation or written district procedure regarding personnel files that reflects best practice.
2. Adopt district procedures to comply with developed policy.

3. Consistently file all mandatory forms, notifications, and evaluations in personnel files.
4. Develop an organizational structure or sequence for files; secure papers in the file jackets.
5. Lock or relocate files with medical information to carefully limit access. Remove any misfiled medical information from personnel files.
6. Develop a method for human resources staff to stay caught up on filing in personnel files.
7. Continue to file Workers' Compensation information separate from personnel files.

**Standard Implemented: Partially**

July 2003 Rating: 1



## **6.2 Operational Procedures**

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### **Professional Standard**

Personnel Division non-management staff members have individual desk manuals for all of the personnel functions for which they are held responsible.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel

### **Findings**

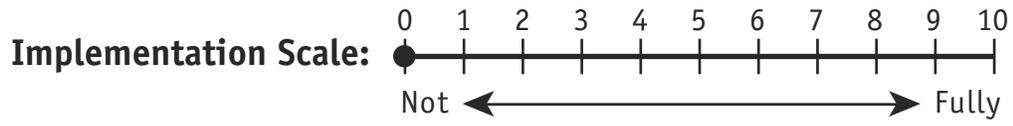
1. Individual desk manuals do not exist for the staff positions or functions in the Human Resources Division.
2. There is no clear understanding within the office or at other work sites regarding which jobs are assigned to which employees.
3. A need for desk manuals was expressed by Human Resources Division staff members, especially because of rapid turnover of staff in Human Resources Division positions.
4. Formal training for new hires has not been developed.
5. Human Resources Division managers perform many duties typically performed by clerical staff.
6. Several employees have served in more than one Human Resources Division position and are therefore somewhat cross-trained to perform their previous job(s).

### **Recommendations and Improvement Plan**

1. Human Resources Division managers should clearly establish the overall functions and assignments for all division staff, removing clerical processes from management staff as much as possible.
2. Develop individual desk manuals for all Human Resources Division functions:
  - Develop a model format for employees to follow in the development of a desk manual, including functions, calendars and deadlines.
  - Establish time lines for each position to develop a desk manual.
  - Provide each employee with a specific amount of time away from his/her work station for this project.
  - Review progress at staff meetings.

**Standard Implemented: Not Implemented**

July 2003 Rating: 0



## 6.3 Operational Procedures

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### Professional Standard

The Personnel Division has an operation procedures manual for internal department use in order to establish consistent application of personnel actions.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Principals' Resource Guide, 2002-03

### Findings

1. There is no operational procedures manual for the Human Resources Division, although some procedures have been written periodically and included in the Principals' Resource Guide.
2. Principals and district staff do not demonstrate a clear understanding of their role in Human Resources and employment procedures.
3. There is no annual calendar or listing of monthly Human Resources Division duties.
4. Some procedures in the Principals' Resource Guide do not reflect current district practices.
5. The lack of clearly defined procedures has caused errors and created opportunities for inconsistencies in personnel actions.
6. The Human Resources Division has a copy of Association of California School Administrators' (ACSA) presentation materials on office organization planned for use by a volunteer in developing a procedures manual.
7. The Human Resources Division has begun to hold monthly staff meetings.

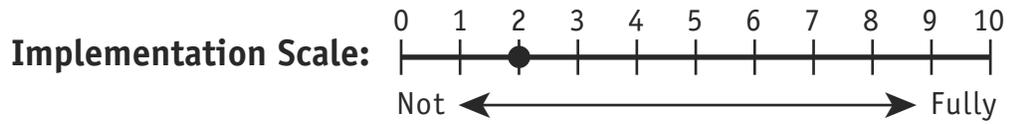
### Recommendations and Improvement Plan

1. Clarify and develop procedures that are legal and sound for consistent application of personnel actions.
2. Develop an operational procedures manual for internal division use and sharing with district staff as appropriate to ensure consistent and timely completion of personnel actions and reports:
  - Designate management staff to be responsible for coordinating and monitoring the project.
  - Develop a standard written format for procedures.
  - Establish time lines and identify the people responsible for completion of project components.
  - Review progress at staff meetings.
  - Determine the need for training site and division staff in established procedures.

3. Review the Principals' Resource Guide and update to reflect current district practice or policy.

**Standard Implemented: Partially**

July 2003 Rating: 2



## 6.4 Operational Procedures

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### Professional Standard

The Personnel Division has a process to systematically review and update job descriptions. These job descriptions shall be in compliance with the Americans with Disabilities Act (ADA) requirements.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. New job description binder (most documents dated July 1997 and March 1998)

### Findings

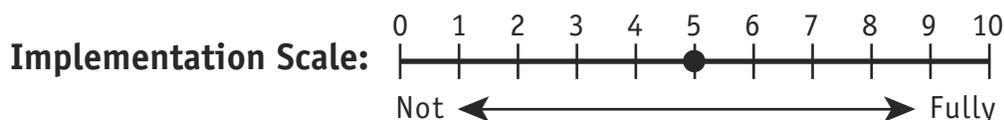
1. The district has a comprehensive collection of job descriptions for classified employees that were mainly developed in a classification study in 1997.
2. Classified job descriptions have been updated on an individual, as-needed basis since 1997.
3. Classified job descriptions contained a standard format: Title (of position); Definition; Essential Job Duties; Minimum Knowledge, Skills and Ability; Training and Experience; Physical Requirements and Working Conditions.
4. The information concerning physical requirements of the classified position complies with the Americans with Disabilities Act (ADA).
5. There are no job descriptions for certificated nonmanagement positions.
6. Upon request, no information was provided regarding certificated management descriptions.
7. Job descriptions have not been adopted by the board of education.

### Recommendations and Improvement Plan

1. Develop a procedure to systematically review and update classified job descriptions.
2. Develop a procedure for routine adoption of job descriptions by the board of education.
3. Develop certificated job descriptions using a consistent format and complying with the ADA.

### Standard Implemented: Partially

July 2003 Rating: 5



## **6.5 Operational Procedures**

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### **Professional Standard**

The Personnel Division provides an office environment with appropriate furniture, equipment, and materials.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Observations by study team of the work environment

### **Findings**

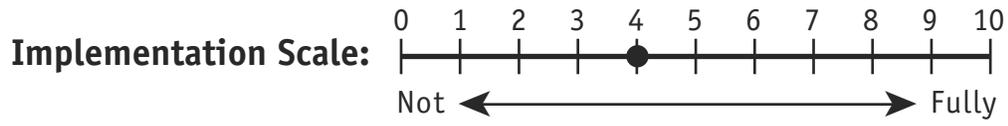
1. The Human Resources Division is located in the district office building, constructed in 1908, with minimum modernization.
2. The Human Resources Division is easily accessible from the building front door, has a counter and window for inquiries, a table and chairs for writing near a bulletin board and job posting area in the hallway.
3. The Human Resources Division has an unattractive and cramped appearance, with awkward traffic patterns and cluttered areas.
4. The personnel file storage area is cluttered and in a traffic pattern area.
5. Traffic patterns between offices and to management offices are through a narrow, cluttered kitchen hallway area.
6. Human Resources Division management staff has given attention over the past two years to reorganizing the office space, analyzing traffic patterns and putting jobs with similar responsibilities together.
7. Many computers are outdated and inadequate for current needs.

### **Recommendations and Improvement Plan**

1. Continue to clean up clutter and to analyze office space for maximum use.
2. Explore ways to keep the traffic pattern out of the crowded kitchen hallway area and personnel file area.
3. Remove clutter from the personnel file vault room.
4. Update computer equipment as necessary for full utilization of automated data systems and available technology.

**Standard Implemented: Partially**

July 2003 Rating: 4



## **6.6 Operational Procedures**

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### **Professional Standard**

The Personnel Division has procedures that allow for both personnel and payroll staff to meet regularly to solve problems that develop in the process of new employees, classification changes, and employee promotions.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Samples of timesheets and personnel requests

### **Findings**

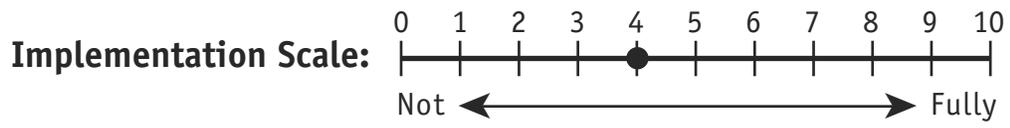
1. A great deal of frustration was reported regarding pay issues and lack of communication and trust between the Human Resources Division and the Payroll Department.
2. Payroll and Human Resources staff have begun meeting and have met a few times since October.
3. In July 2002, the district implemented a new human resources/payroll data system, QSS.
4. Information, such as terminations, changes in hours or location, or hourly timesheets, does not get to payroll in a timely manner, resulting in late or inaccurate payment.
5. Procedures for getting human resources information to the Payroll Department are paper-intensive with much opportunity for human error and lost or delayed paperwork.

### **Recommendations and Improvement Plan**

1. Establish weekly Human Resources/Payroll department meetings with clear agendas, research or reports assigned to individual staff, follow-up, time lines, anticipated outcomes, etc.
2. Jointly define problems, time lines, concerns, and misunderstandings.
3. Clearly establish and formalize procedures and workflow between the Human Resources and Payroll departments; analyze and address workflow problems.
4. Clearly establish the Human Resources Department's role and functions in human resources/payroll procedures and in QSS.
5. Define job responsibilities and publish them for district staff as appropriate.

**Standard Implemented: Partially**

July 2003 Rating: 4



## 6.7 Operational Procedures

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### Professional Standard

Wage and salary determination and ongoing implementation are handled without delays and conflicts (substitutes, temporary employees, stipends, shift differential, etc.).

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Bargaining unit agreements

### Findings

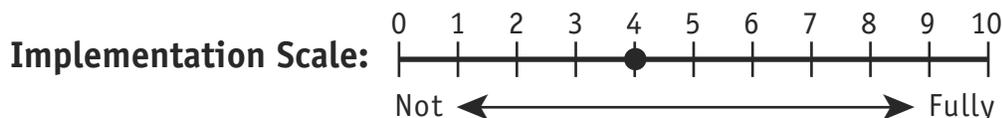
1. Initial wage and salary determinations have been reported as in compliance with district policy and bargaining unit agreements.
2. There have been many delays and/or errors in continuing pay such as out-of-class pay, step increases, change in hours or fund source, pay location or automatic deposit, promotion, or hourly pay processing.
3. Some employees who have terminated continue to receive pay and/or benefits.
4. As part of the implementation of QSS, there has been much effort on the part of staff and outside consultants to develop accurate employee data. This has steadily improved the integrity of payroll data and the frequency of pay errors.
5. Employees do not receive annual status forms to alert them to pay or inconsistencies.

### Recommendations and Improvement Plan

1. Address pay errors at regular Human Resources/Payroll department meetings, especially joint efforts in the establishment and maintenance of QSS data integrity.
2. Examine procedures and information flow regarding terminations and changes in employee status.
3. Develop procedures within the Human Resources Division to routinely examine and improve the accuracy of employee data in the QSS database.
4. Consider providing annual status forms to employees with individual hours and wages data.

### Standard Implemented: Partially

July 2003 Rating: 4



## **6.8 Operational Procedures**

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### **Professional Standard**

Regulations or agreements covering various types of leaves are fairly administered.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Certificated and classified collective bargaining agreements
4. Memorandum from David A. Gomez to all department heads and site administrators regarding procedures for employee separations, leaves and absences (undated)
5. Berkeley Unified School District employee separation checklist
6. Berkeley Unified School District leave request, Form 31 (revised 1992)
7. Leaves of absence (for certificated) (revised 2/20/03)

### **Findings**

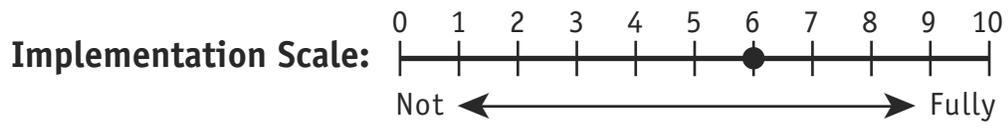
1. Leaves of absence for fewer than 20 days are approved at the work site by the supervisor.
2. Leaves of more than 20 days are submitted to the Human Resources Division on a leave request form. The same form is used for both certificated and classified employees.
3. Employee absences and leaves of absence are recorded in B-Smart, the substitute employee database system, by the Senior Personnel Assistant assigned to employee attendance tracking.
4. Certificated leaves of absence are also recorded by the Certificated Personnel Specialist in a local word-processing file.
5. Some employees on leaves of absence have reportedly received pay or benefits inappropriately. This was mentioned as a continuing problem.
6. A memorandum from the Human Resources Division to supervisors outlines the types of approved leaves and applicable regulations.
7. There is no schedule of training for supervisors regarding types of approved leaves.

### **Recommendations and Improvement Plan**

1. Examine the purpose of multiple data entry for leaves of absence and work toward streamlining to one database, if possible.
2. Review the procedure of notifying the payroll and benefits offices regarding leaves of absence to eliminate any unwarranted wages or benefits.
3. Provide an annual refresher training or review for site supervisors regarding leave authorization to ensure consistency for leaves of less than 20 days.

**Standard Implemented: Partially**

July 2003 Rating: 6



## 6.9 Operational Procedures

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### Professional Standard

Personnel staff members attend training sessions/workshops to keep abreast of the most current acceptable practices and requirements facing personnel administrators.

### Sources and Documentation

1. Interviews with Human Resources Division personnel

### Findings

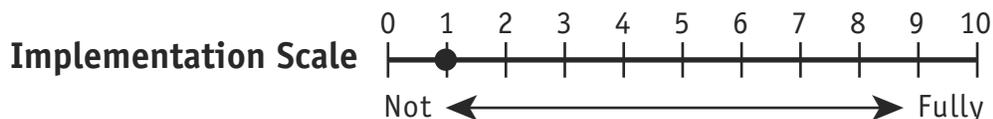
1. The Human Resources Division does not maintain a record or plan for the training division staff.
2. Some staff members have occasionally attended a variety of workshops and training.
3. The management staff does not attend regular job-alike meetings or workshops with the county or other groups.
4. The Credential Technician attends county, but not state, credential workshops.

### Recommendations and Improvement Plan

1. Gather information regarding training and meetings available through the district, state, county, legal firms, professional organizations, etc., that address current personnel issues, requirements, and best practices.
2. Establish and implement annual training goals for managers and the staff to include attendance at workshops, in-service sessions, and job-alike meetings to keep abreast of current practices and requirements.
3. Maintain a record of trainings attended and continuing needs and goals.

### Standard Implemented: Partially

July 2003 Rating: 1



## 6.10 Operational Procedures

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### Professional Standard

The Personnel Division provides employees with appropriate forms for documenting requested actions (i.e., leaves, transfers, resignations, and retirements).

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Berkeley Unified School District absence certificate (undated)
4. Berkeley Unified School District, notice of intent to resign (undated)
5. Application for transfer, classified service (revised 4/2/93)
6. Application for transfer, certificated personnel (undated)
7. Berkeley Unified School District leave request (revised 1992)

### Findings

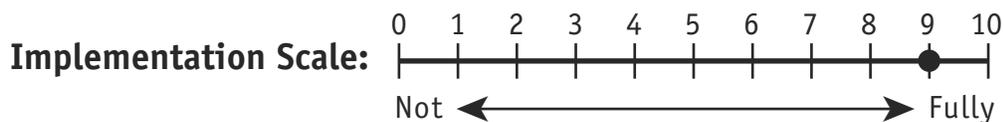
1. There are separate forms for leaves of absence, requests for transfer, and resignations.
2. Forms are easily understood and utilized by district employees.
3. Forms are available at the Human Resources Division and at work sites.

### Recommendations and Improvement Plan

1. Continue the current practice of providing appropriate forms for leaves of absence, employee transfers, and resignations.

### Standard Implemented: Fully - Substantially

July 2003 Rating: 9



## 6.11 Operational Procedures

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### Professional Standard

Established staffing formulas dictate the assignment of personnel to the various sites and programs.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. FY 2002 proposed site staffing allocations (7/25/02)

### Findings

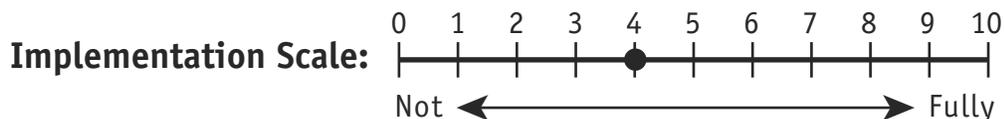
1. Staffing allocations for classroom teachers are established and utilized based on projected enrollment.
2. There are no formalized staffing formulas for other certificated positions for sites, departments, or programs.
3. Site and program certificated positions in addition to regular classroom teachers are generally allocated on a case-by-case basis or as categorical or special funding is available.
4. A staffing formula for custodial positions exists, but there is none for other classified positions.
5. Changes in classified staffing allocations are made on a case-by-case basis or as categorical or special funding is available.

### Recommendations and Improvement Plan

1. Establish or re-establish staffing formulas for the baseline general fund allocation of certificated staff to sites and departments, including positions other than regular classroom teachers such as librarians, counselors, psychologists, principals, and vice principals.
2. Establish or re-establish staffing formulas for the baseline general fund allocation of classified staff to sites and departments, including positions such as custodial, clerical, and maintenance.

### Standard Implemented: Partially

July 2003 Rating: 4



## **7.1 State and Federal Compliance**

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### **Professional Standard**

Policies and regulations exist regarding the implementation of AB 1610 and AB 1612 on fingerprinting requirements. Education Codes: 44237, 45125, 45125.1, 44332.6, 44346.1, 44830.1, and 45122.1.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Criminal Offender Record Information (CORI) policy and procedure – BUSD (undated)
4. Criminal Offender Record Information policy form – Division of Criminal Justice, State of California (undated)
5. Berkeley Unified School District fingerprinting database (December 27, 2001)
6. Berkeley Unified School District personnel office fingerprinting database guidelines (November 12, 2001)
7. Letter from Assistant Superintendent, Human Resources, to Foreman of 2002-2003 Alameda County Grand Jury (February 13, 2003)
8. Information packet for new employees
9. Personnel requisition form (undated)
10. Personnel requisition processing procedures (August 15, 2002)
11. Request for Live Scan service form (10/98)
12. Sample California School Boards Association (CSBA) Administrative Regulation 4112.5/4312.5 – Crimination Record Check (10/98)
13. California applicant Live Scan services – locations and business hours (undated)
14. Fingerprinting Database Guidelines (11/12/01)
15. Live Scan log

### **Findings**

1. There was no adopted district board policy requiring all applicants to be fingerprinted prior to their employment.
2. The district has a document that states it is the policy and operating procedure for obtaining criminal offender records from the Department of Justice (DOJ).
3. In a letter to the Alameda County Grand jury in February 2003, the district indicated that all employees are fingerprinted before they are hired to perform duties and that a clearance form from the DOJ must be received before a new employee begins to work.
4. In the past, people reportedly have started work before the district received fingerprint information. This has reportedly come to light when the district office was contacted about an employee who did not receive a paycheck.
5. The applicant is responsible for paying for the costs of fingerprints prior to employment.

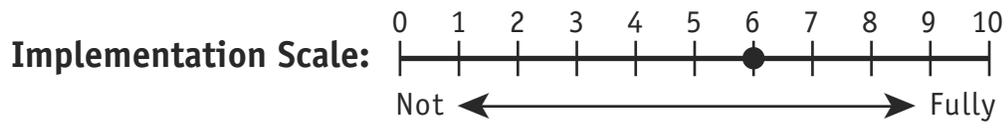
6. The applicant packet given to prospective employees by a clerk in the Human Resources Division contains information regarding the requirements that the applicant must complete the fingerprinting requirement prior to employment.
7. A clerk in the Human Resources Division provides a prospective employee with a scanner form to be taken to a Live Scan location. A list of Live Scan locations is provided to the applicant.
8. The applicant completes the form in the district office, and a copy of it is filed in the safe.
9. The district receives DOJ reports via e-mail in the Human Resources Division Classified Director's office. The director checks the records for any failures.
10. If an applicant fails to pass the DOJ screening, the Classified Director prints a copy of the DOJ report to discuss with the applicant and then shreds the printout.
11. The e-mail reports from DOJ are forwarded to a Personnel Assistant or Administrative Clerical Specialist for entry into the fingerprint database file. Reports regarding fingerprint information may be retrieved from this database.
12. The district procedures provide for all printouts to be shredded after their use.
13. The Personnel requisition form provides a box in which the date of the employee's fingerprint clearance is to be recorded. A log is also kept in the Human Resources Division.
14. The Personnel Requisition Processing Procedures includes instructions to wait for Live Scan clearance before processing information into QSS.
15. In a memorandum on August 14, 2002, the Associate Superintendent of Human Resources instructed all principals and department heads that the district must receive clearance of an employee's fingerprints before the employee starts work.
16. There apparently are no consequences supervisors who allowed employees to start work prior to fingerprint clearance.

### **Recommendations and Improvement Plan**

1. Develop and adopt a formal board policy covering the state fingerprinting requirements for all new employees.
2. Develop administrative regulations to carry out the new board policy.
3. Develop consequences for supervisors who allow employees to begin work prior to fingerprint clearance. Communicate this information to all supervisors.

**Standard Implemented: Partially**

July 2003 Rating: 6



## **7.2 State and Federal Compliance**

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### **Professional Standard**

The governing board requires every employee to present evidence of freedom from tuberculosis as required by state law (EC 44839, 49406.)

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Board policy 4112.4 – Certificated Employees, Appointment and Conditions of Employment – Health Examinations (9/6/79)
4. Employment application packet
5. Certificated employee checklist (undated)
6. Classified employee checklist
7. Form letter from the Manager of Personnel Services to employees regarding the expiration of tuberculosis clearance (April 6, 1993)
8. Employee maintenance screen, TB expiration field

### **Findings**

1. The district has an adopted board policy for certificated employees covering the requirements of tuberculosis testing. However, no similar policy covers classified employees.
2. The district policy cites Education Code section 49406 and states that the prospective employee must have a tuberculosis test within 60 days prior to starting employment. It also states that each employee will obtain a tuberculosis test every four years during employment. The policy requires the district to notify each employee two months prior to the date the test is required.
3. The prospective employee is given information regarding the tuberculosis testing requirement in a packet provided by the Human Resources Division. The notice indicates that the new employee must present tuberculosis clearance within 30 days of employment and that he/she must update his/her clearance every four years. It also indicates that the new employee will not receive a paycheck until he/she brings the results to the Human Resources Division.
4. The district provides information to prospective employees on testing locations and times for tuberculosis tests for those people who do not have a personal physician. The employee is responsible for payment of the tuberculosis test.
5. The district enters the tuberculosis test information for new employees into the QSS database. However, the tuberculosis test records for employees prior to the 2002-03 school year are not on the database. The district will have to recreate most of the files covering tuberculosis tests.
6. A November 15 checklist is run for all new employees to make certain that their tuberculosis test results are on file.

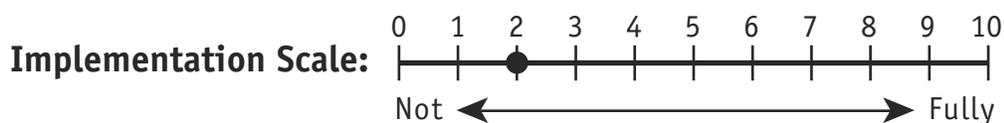
7. The last time the district had a systematic method of tracking the four-year tuberculosis test requirements for employees was in 1993. Evidence of letters sent to employees in 1993 notifying them of the need to update their four-year test requirement was presented.
8. The district has not recently withheld employees' paychecks or taken other actions regarding employees who have failed to provide a tuberculosis test.
9. There are no desk manuals or procedures manuals covering the handling of tuberculosis testing.

### **Recommendations and Improvement Plan**

1. Develop and adopt a board policy and administrative regulations to cover the requirements for testing new and current employees for tuberculosis.
2. Develop a procedures manual for the Human Resources Division that contains the procedures for monitoring of tuberculosis testing for both new and current employees.
3. Review with district legal counsel the testing requirements and develop uniform consequences for individual employees who do not comply with the district policy.
4. Update all appropriate district databases that should contain information regarding tuberculosis test results for all employees. Develop a system that generates lists of employees and their renewal dates and generates a letter to them in sufficient time for the tuberculosis test to be performed.

### **Standard Implemented: Partially**

July 2003 Rating: 2



## **7.3 State and Federal Compliance**

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### **Professional Standard**

No person shall be employed as a teacher's aide unless that person has passed the basic reading, writing, and mathematic skills proficiencies required for graduation from high school (EC 45361.5).

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Merit System Laws and Rules of Personnel Commission for Classified Employees, Berkeley Unified School District (1973)
4. Testing materials, Instructional Assistant Examination (January 2003)
5. Written examination – instructional assistants, sign-in Sheet (various dates August 2001 through March 2003)
6. View Web site – cooperative organizational for the development of employee selection procedures (3/26/03)

### **Findings**

1. A test is required for positions that are classified, covered by the district merit system, and governed by the rules of the Personnel Commission.
2. The most Personnel Commission current rules are from 1973.
3. A standard test is used with applicants for instructional assistant positions. This was recently developed by the Cooperative Organization for the Development of Employee Selection Procedures (CODESP) to meet the requirement of the federal “No Child Left Behind Act of 2001.”
4. The test is a paper-and-pencil exam covering English-language arts, mathematics and ability to assist in instruction. It contains 110 multiple-choice questions and two 30-minute writing exercises related to the classroom.
5. The test is scheduled by the Human Resources Division when a sufficient number of applicants has been identified for vacant positions.
6. All candidates in the following classifications are required to take the test:
  - Instructional Specialist
  - Instructional Technician
  - Instructional aides (assistants), special education and bilingual
7. There is no limit as to the number of times a candidate can take the examinations.
8. The testing is proctored by proctors under the supervision of the Director of Classified Personnel and the Administrative Coordinator for Human Resources. Additional proctors are sometimes hired.

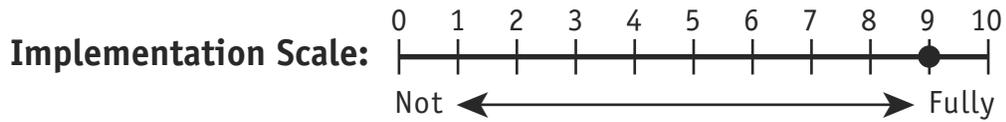
9. The Cooperative CODESP Web site has valuable information regarding the federal “No Child Left Behind Act of 2001” and its effect on instructional aide testing. The district uses CODESP’s services for its examination.

### **Recommendations and Improvement Plan**

1. Continue the current practices of testing instructional assistants through the use of the CODESP-developed test.

### **Standard Implemented: Fully - Substantially**

July 2003 Rating: 9



## **7.4 State and Federal Compliance**

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### **Professional Standard**

A clear, implemented policy exists on the prohibitions of discrimination (Government Code 11135).

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Non-discrimination statement, Berkeley Unified School District (undated)
4. Packet of information to new employees (undated)
5. Application for classified employment (December 2002)
6. Certificated employment applicant (July 2001)
7. Posters, including state and federal nondiscrimination laws, posted in the district office

### **Findings**

1. The board does not have an adopted policy covering prohibition of discrimination.
2. The district has a nondiscrimination statement that states: “It is the policy of the Berkeley Unified School District that no qualified person shall on the basis of race, color, religious creed, sex, sexual orientation, age, marital status, national origin, physical handicap, disability, medical condition, or any other basis made unlawful by federal, state or local laws, be excluded from participation in, be denied the benefits of, or otherwise be subject to discrimination under any program or activity in the Berkeley Unified School District.”
3. The district information on the nondiscrimination statement indicates that all questions concerning discrimination are to be directed to the Assistant Superintendent, Administrative Services (Human Resources).
4. The district’s nondiscrimination statement is sometimes included in packets of information provided to new employees. It is also posted on bulletin boards in the district office.
5. There are postings in the district office that include state and federal laws against discrimination.
6. The district’s certificated employment application does not contain any statement regarding nondiscrimination. However, the voluntary employee/applicant identification form that is included in the application states that the district is an equal opportunity employer.
7. The district’s classified employment application contains the statement “Equal Opportunity Employer.”

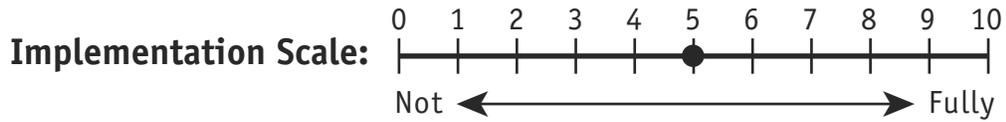
### **Recommendations and Improvement Plan**

1. Develop and adopt a comprehensive board policy covering the prohibition of discrimination.

2. Develop a new standard nondiscrimination statement that complies with the new board policy. Direct all district staff members to include the new statement on all district materials and all postings where legally required.
3. Revise certificated and classified employment applications to include the newly-developed nondiscrimination statement.

**Standard Implemented: Partially**

July 2003 Rating: 5



## **7.5 State and Federal Compliance**

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### **Professional Standard**

All certificated persons hold one or more valid certificates, credentials or life diplomas that allow the holder to engage in school services designated in the document (EC 44006).

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Interviews with Alameda County Office of Education personnel
4. Printout of personnel listing (2/6/03)
5. Memorandum to employees from Assistant Superintendent, Administrative Services, regarding request for information (2/21/03)
6. Printout of certificated layoff information (3/4/03)
7. Alameda County credential report, Berkeley Unified School District (May 9, 2000)
8. Board resolutions (Assignment/Misassignment), Berkeley Unified School District (May 7, 2003 agenda)

### **Findings**

1. The district has been converting to a new payroll/personnel computer system, QSS, for the past year.
2. Credential information that was stored on the former computer system was not automatically converted to the new computer system.
3. The Human Resources Division has had at least six months to complete the conversion of credential information to the new computer system, however, it has not yet been completed.
4. The Human Resources Division has found it difficult to convert the information on teacher credentials to QSS.
5. The consultants working on the conversion to QSS made several attempts to meet with staff in the Human Resources Division in order to complete the conversion, however, the staff did not participate until February 2003, following the visitation team's meeting with the consultants.
6. The Human Resources Division has one Personnel Specialist assigned to monitor the credentials of teachers and administrators. There is no designated backup person or any other person cross-trained for this assignment.
7. The Personnel Specialist occasionally attends credential-related workshops that are held at the Alameda County Office of Education. Due to funding limitations, no one from the district has been attending state workshops put on by the California Commission on Teacher Credentialing (CCTC) over the past three years.

8. The Human Resources Division normally sends a credential report to the board of education in December of each year. However, the report went to the board of education in February 2003, for the 2002-03 school year.
9. The school sites normally submit their class schedules in November to the Human Resources Division so that the credentials can be checked for correct assignment. However, as of March 2003, still some schools have not submitted their master schedules for the 2002-03 school year. An assignment/ misassignment report, covering 12 teachers, was scheduled for the May 7, 2003, board meeting..
10. The Manager of Certificated Personnel has been keeping credential information on a local database in the office. This information has been used to run reports for layoff determination.
11. The Human Resources Division has been sending information to teachers requesting their verification of credential information to be used during the layoff process.
12. The district does not have processes to verify that a teacher candidate is credentialed before the candidate is hired, to ensure a candidate is qualified for the position, or to notify employees when their credentials will expire.
13. The most recent credential audit on file was completed by the Alameda County Office of Education in May 2000.
14. The May 2000 county office report raised credentialing issues concerning 39 teachers. Of those, 14 involved teachers who had no credential on file.
15. A person from the county office worked with the district on credentials issues for about two years, until June 2002.
16. When the person from the county office left the district, the credential files were complete and updated, but the district determined no funds were available to continue this person's work.
17. The visitation team was unable to obtain any computer-generated list of teachers and their credentials from the district's QSS.

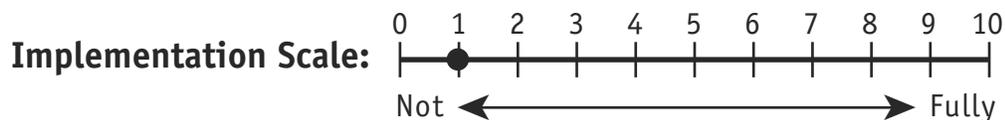
### **Recommendations and Improvement Plan**

1. Develop a comprehensive plan to collect, record and report all credential information on employees in the district.
2. Complete the conversion of all credential information to the QSS computer system.
3. Organize the office staff so that a minimum of two staff members are trained in credentials.

4. Require the staff to attend the training on credential information. Require annual training through the California Commission on Teacher Credentialing (CCTC) and the Alameda County Office of Education.
5. Develop a plan to have the district staff work closely with the county office staff throughout the year to prepare and distribute all necessary credential reports on a timely basis.
6. Develop an office desk manual to be used by all staff members involved in credential issues.
7. Develop computer-generated reports on credential information to be used by school sites and district office personnel.
8. Develop a system that ensures that school master schedules are delivered to the Human Resources Division so that review of appropriate credentialing can be accomplished on a timely basis.
9. Develop a system to review each teacher applicant's credential prior to offering him/her a position and for notifying an employee whose credential will expire.

**Standard Implemented: Partially**

July 2003 Rating: 1



## **7.6 State and Federal Compliance**

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### **Professional Standard**

Duties to be performed by all persons in the classified service and other positions not requiring certification are fixed and prescribed by the governing board (EC 45109).

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. New job descriptions binder (most documents dated July 1997 and March 1998)
4. Job description – Clerical Specialist (July 1997)
5. Job description – Personnel Specialist, classified employment (July 1997)
6. Job description – Maintenance Supervisor, equipment (8/15/01)
7. Job description – Manager, plan operations (July 1997)
8. Job description – Director of Fiscal Services (March 5, 2002)
9. Merit system laws and rules of Personnel Commission for classified employees, Berkeley Unified School District (1973)

### **Findings**

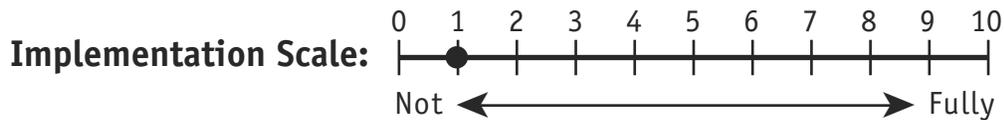
1. The district uses a merit system and has a Personnel Commission that oversees the conditions of employment for all classified employees.
2. Under the rules of the Personnel Commission, the board of education is responsible for prescribing the duties and responsibilities of all positions in classified service, except those on the Personnel Commission staff.
3. The district has a comprehensive collection of job descriptions for classified employees . Most documents are dated July 1997. However, those on file do not contain the date they were adopted by the board of education.
4. The job descriptions presented contained a standard format:
  - Title (of position)
  - Definition
  - Essential job duties
  - Minimum knowledge, skills and ability
  - Training and experience
  - Physical requirements and working conditions
5. The information concerning physical requirements complies with the Americans with Disabilities Act (ADA).
6. Job descriptions include spaces for approval by the Personnel Commission and for salary range; however, most of the documents did not have this information. No space is provided for a date of adoption by the board of education.

## Recommendations and Improvement Plan

1. Develop a comprehensive plan to periodically review and update job descriptions for all noncertificated positions.
2. Develop written procedures and a time line for the development and review of all job descriptions by the Human Resources Division.
3. Develop a time line and board of education schedule to review and adopt job descriptions. Record the date of board adoption on each job description.
4. Appoint a person in the Human Resources Division to develop a database that is able to track job description development and adoption.

## Standard Implemented: Partially

July 2003 Rating: 1



## **7.7 State and Federal Compliance**

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### **Professional Standard**

Professional growth requirements for maintenance of a valid credential exist (EC 44277).

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. The California Professional Growth Manual for Multiple and Single Subject Credentials and Services and Specialist Credentials, California Commission on Teacher Credentialing (CCTC) (April 1998)
4. Manual Del Crecimiento Profesional Para Permisos Del Desarrollo Infantil De California, CCTC (Junio 1999)
5. Agreement between the Berkeley Unified School District and the Berkeley Federation of Teachers, July 1, 1999 – June 30, 2003

### **Findings**

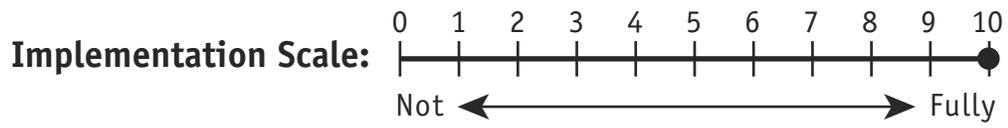
1. At one time, the district reportedly distributed professional growth manuals to each credentialed employee upon initial employment. These manuals were received from California Commission on Teacher Credentialing (CCTC), and the practice was discontinued when the CCTC no longer sent the manuals to the district.
2. Principals indicated that they have been designated as advisors for recording professional growth credits.
3. Teachers are responsible for ensuring that they comply with professional-growth requirements for preliminary clear-credential holders, however, the district provides support and training opportunities.
4. The collective bargaining agreement with the Berkeley Federation of Teachers contains extensive language regarding professional growth.
5. The agreement language in Article 18 begins with bold, capitalized and underlined words and the following message: Note well – Teachers who received their credentials on or after September 1, 1985 are required to undertake the professional growth outlined in this article or risk non-renewal of their credential.
6. The district and the Berkeley Federation of Teachers have done an excellent job of notifying teachers of their professional growth obligation and providing assistance to them.

### **Recommendations and Improvement Plan**

1. The current process is satisfactory and appears to be working well. Continue the current practice.

**Standard Implemented: Fully - Sustained**

July 2003 Rating: 10



## **7.8 State and Federal Compliance**

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### **Professional Standard**

The district has established a process by which all required notices/in-service training have been performed and documented, i.e., child abuse reporting, blood-borne pathogens, sexual harassment, nondiscrimination, etc. (EC 44691, GC 8355).

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Summary of items in packets given to prospective employees (undated)
4. Statement acknowledging requirement to report suspected child abuse (undated)
5. "Maintain A Drug-Free Workplace" statement (December 6, 1989)
6. Non-discrimination statement (undated)
7. Sexual harassment policy (7/14/93)
8. Postings on bulletin boards in district office

### **Findings**

1. The district provides several separate notices of legally mandated information to new employees upon initial hiring. The new employee is required to sign the forms and return them to the district upon employment. Mandated notifications were not consistently found in personnel files. The only notice that was not presented by the district regards blood-borne pathogens.
2. School principals annually receive information regarding some of the mandated subjects from the district office.
3. Some individual principals indicated that they review many of the legally mandated items with their staffs at various staff meetings.
4. The district has no process to provide annual notification/training for all employees in the legally mandated areas.
5. Postings on bulletin boards in the district office cover many of the legally mandated subjects. Principals reportedly post similar notices in the schools.

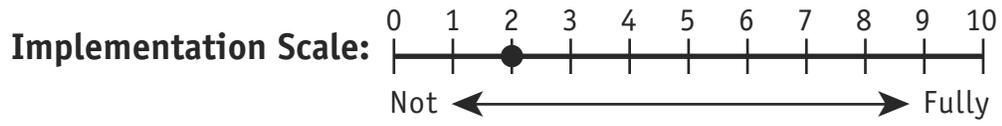
### **Recommendations and Improvement Plan**

1. Develop a comprehensive plan to develop materials and provide annual notification/training to district employees in those areas required by state law.
2. Contact the West Contra Costa Unified School District to obtain a model packet of information for annual notification/training of employees.
3. Develop materials appropriate for the Berkeley Unified School District.
4. Develop a plan to provide annual notification/training to all district employees, as required by law.

5. Develop procedures that ensure that mandated notification forms are filed in the personnel files.

**Standard Implemented: Partially**

July 2003 Rating: 2



## **7.9 State and Federal Compliance**

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### **Professional Standard**

The district is in compliance with Title IX policies on discrimination and Government Code 12950(a) posting requirements concerning harassment or discrimination

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Sexual harassment policy (7/14/93)
4. Poster – Federal Wage and Labor Law Institute (12/01)
5. Poster – Federal Wage and Labor Law Institute (10/96)
6. Poster – Berkeley Unified School District Non-discrimination Statement (9/92)
7. Poster – California Department of Fair Employment and Housing (1995)
8. Poster – California Law Space Saver (2001)

### **Findings**

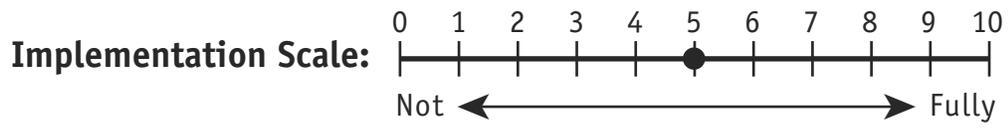
1. The district presented a policy on sexual harassment that indicated it was originally adopted on March 20, 1985, revised on July 14, 1993, and printed on November 15, 2001. It is a comprehensive policy and contains a detailed complaint procedure.
2. The district presented an undated nondiscrimination statement. The statement indicates by name the Associate Superintendent, Administrative Services, as the Title 9 (sic) Coordinator. A similar statement is posted in the district office foyer, however, it is dated September 1992, and lists the name of a person in the Human Resources Division as of 1992.
3. The district has no comprehensive board policy or administrative regulations covering the prohibition of discrimination.
4. There are several employment law-related posters in the district office foyer and throughout the Human Resources Division. Some of them are outdated.
5. Some principals reported that they receive employment-related posters from the district office and post them at their schools.

### **Recommendations and Improvement Plan**

1. Continue to keep the district materials on sexual harassment current and comprehensive.
2. Develop a comprehensive board policy covering nondiscrimination. Update the current statement to reflect the new policy.
3. Review the current postings at the district office and at the schools. Create or purchase posters that reflect the current state and federal laws.
4. Develop a system for distribution and maintenance of legally-compliant posters.

**Standard Implemented: Partially**

July 2003 Rating: 5



## **7.10 State and Federal Compliance**

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### **Professional Standard**

The district is in compliance with the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA).

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Information Flyer – Coverage Continuation Group Health – COBRA Act of 1986 (undated)
4. Sample letters from Associate Superintendent, Human Resources, to district employees – COBRA Eligibility (February 18, 2003, and March 3, 2003)
5. Summary of administered benefits by CompLink (undated)
6. Sample election form and plan alternatives (8/8/02)

### **Findings**

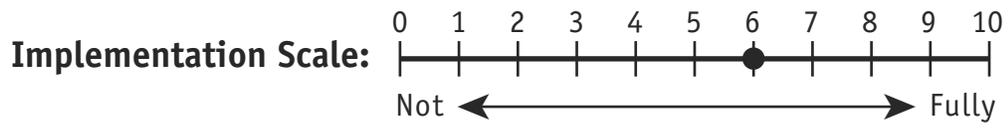
1. Historically, the district has administered Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA) activities through the Human Resources Division, however, the person/ position responsible for overseeing the process has varied.
2. Currently, the district responsibilities for overseeing COBRA-related matters rest with the Risk Manager.
3. As of February 1, 2003, the district contracted with a private company, CompLink, to administer the COBRA program.
4. Risk management is notified of employees qualifying for COBRA via copies of leave requests and resignations received by the Human Resources Division. The risk management office also cross-references personnel actions recorded on board of education reports.
5. Risk management provides names of eligible employees to CompLink for processing.
6. CompLink sends letters and forms to qualifying employees and maintains the COBRA database.
7. CompLink produces COBRA reports and sends the reports to risk management.
8. This new process with CompLink just started in March 2003.

### **Recommendations and Improvement Plan**

1. Closely monitor the new COBRA system administered by CompLink.
2. Develop an evaluation of the new program after the first six months of operation.

**Standard Implemented: Partially**

July 2003 Rating: 6



## 7.11 State and Federal Compliance

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### Professional Standard

The district is in compliance with the Family Medical Leave Act (FMLA) including posting the proper notifications.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Agreement between the Berkeley Unified School District and the Berkeley Federation of Teachers, July 1, 1999 – June 30, 2003
4. Agreement between Berkeley Unified School District and the Union of Berkeley Administrators, July 1, 2000 – June 30, 2003
5. Agreement between the board of education, Berkeley Unified School District, and Public Employees Union, Local No. 1, July 1, 1999 – June 30, 2002
6. Postings on bulletin boards in district office, various locations
7. District-leave request form (1992)

### Findings

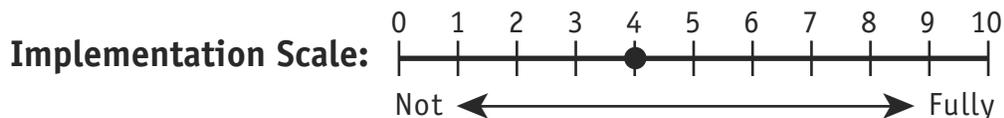
1. There is no board policy covering the Family and Medical Leave Act (FMLA).
2. The district has several postings on the district office bulletin board that include information regarding FMLA.
3. There is specific language in the former collective bargaining agreement with the Public Employees Union detailing the employee's rights under the FMLA.
4. Other collective bargaining agreements lack FMLA language.
5. There is a specific box to check on the leave of absence form for family leave.

### Recommendations and Improvement Plan

1. As new board policies are developed, develop a policy covering the Family and Medical Leave Act (FMLA).
2. Continue to post notices of employee's rights under the FMLA. Work with managers and site administrators to monitor the appropriate postings at their sites.
3. Work with bargaining unit representatives and district legal counsel to include contract language concerning employee rights in the area of FMLA in all collective bargaining agreements.

### Standard Implemented: Partially

July 2003 Rating: 4



## **7.12 State and Federal Compliance**

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### **Professional Standard**

The district is in compliance with the Americans with Disabilities Act (ADA) in application procedures, hiring, advancement or discharge, compensation, job training and other terms, conditions, and privileges of employment.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Procedures for reasonable accommodation of qualified disabled employees and job applicants (undated)
4. Certificated employment application (July 2001)
5. Application for classified employment (December 2002)
6. Berkeley Unified School District nondiscrimination statement (undated)

### **Findings**

1. The district lacks a current board policy covering the provisions of the Americans with Disabilities Act (ADA).
2. The district nondiscrimination statement provides protection for persons with “physical handicap, disability or medical condition.”
3. The district’s applications for both certificated and classified employees have an optional employment questionnaire that allows an applicant to provide information concerning any handicap that exists.
4. The district has a comprehensive packet specifically designed to meet the requirements of state and federal laws regarding disabled employees. This packet includes procedures for job applicants and employees to request reason accommodation in the work place.
5. The packet also includes a medical-verification form and a form authorization to receive or release medical information.
6. The district does not normally require job-related physical examinations.
7. There was evidence that some medical record information had been misfiled in personnel files.
8. There is no ADA-related log or report.

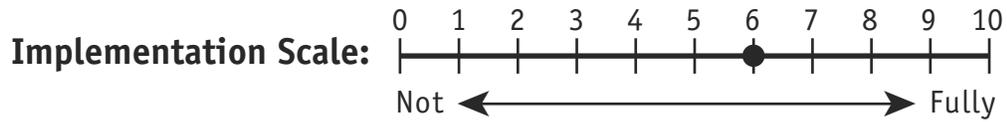
### **Recommendations and Improvement Plan**

1. As board policies are developed, develop a policy regarding ADA requirements.
2. As the district develops a revised nondiscrimination policy, update the language to include current laws concerning job applicant and employee disabilities.

3. Consider implementing job-related physical examinations for new employees, especially in those classifications that involve heavy lifting and other physically-stressful activities.
4. Develop a log to record and track ADA-related situations.

**Standard Implemented: Partially**

July 2003 Rating: 6



## **7.13 State and Federal Compliance**

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### **Professional Standard**

The district has identified exempt and nonexempt employees and has promulgated rules and regulations for overtime that are in compliance with the Fair Labor Standards Act and California statutes.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Agreement between the Berkeley Unified School District and Public Employees Union, Local No. 1, July 1, 1999 – June 30, 2002
4. Postings on district office bulletin boards

### **Findings**

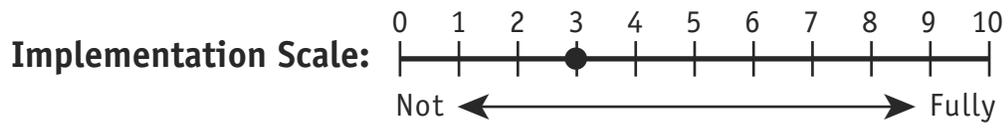
1. There is no board policy related to matters under the Fair Labor Standards Act (FLSA).
2. There are no job classifications that are designated “exempt” or “nonexempt” under the FLSA.
3. The former collective bargaining agreement with the Public Employees Union contained a specific article governing overtime for all employees covered by the agreement.
4. The district lacks written procedures covering overtime for employment not governed by a collective bargaining agreement.
5. There are postings in the district office that contain inform and employee rights under the FLSA.

### **Recommendations and Improvement Plan**

1. As new board policies are developed, develop a policy covering the provisions of the FLSA. Include designations of “exempt” and “nonexempt” positions.
2. Develop procedures to cover overtime for employment not covered by collective bargaining agreements.
3. Include overtime provisions in all future collective bargaining agreements, where applicable.
4. Monitor bulletin board postings to keep notices current regarding FLSA issues.

**Standard Implemented: Partially**

July 2003 Rating: 3



## **8.1 Use of Technology**

---

### **Professional Standard**

An online position control system is utilized and is integrated with payroll/ financial systems.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel and outside consultants

### **Findings**

1. The position control function of the new data system, QSS, was activated in October 2002.
2. The position control process was set up through joint meetings of Human Resources, Educational Services, and Business Services leadership and staff.
3. The position control responsibility and function are currently in the Business Division.
4. The Human Resources Division is responsible for checking and validating employee information such as authorization for positions, full-time equivalent, funding source, wages, account numbers, etc., for position control.
5. Personnel request documents for filling vacancies or for new positions are sent by the Human Resources Division to the Business Division, where employment information is entered and a position number assigned.
6. Transmittal of employee information is a paper-intensive process with much potential for human error and lost or delayed paperwork.
7. Automated position control has been difficult to implement due to previously inaccurate employee data.
8. Employment data is becoming much more accurate due to efforts by Human Resources, Educational Services, and Business Services leadership in the past several months.
9. Most Human Resources Division staff members are not knowledgeable about the QSS position-control capability or function.

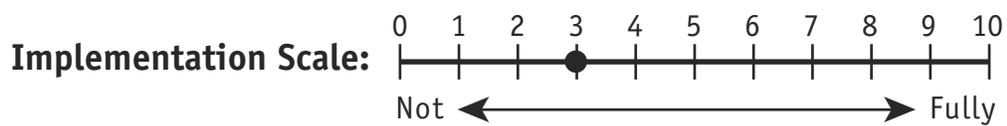
### **Recommendations and Improvement Plan**

1. Through meeting(s) between Data Processing, Business, and Human Resources, determine specifically what training is needed for the Human Resources Division staff in position control.
2. Ensure that all Human Resources staff members are trained and knowledgeable about the position-control purpose and function and their responsibility in the process.

3. Establish a process for the human resources clerical staff to continuously validate employee data accuracy.
4. Explore the possibility of more automated data transmittal to minimize the paper processes that may contribute to delays and errors.
5. Regularly review the position control procedures to ensure that the process is going smoothly, the data is accurate, and there are adequate internal controls.

**Standard Implemented: Partially**

July 2003 Rating: 3



## **8.2 Use of Technology**

---

### **Professional Standard**

The Personnel Division provides an automated substitute calling system. The system should have ability to input and retrieve data. Data should be distributed to site and program managers.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Berkeley Unified School District B-Smart instructions for classified substitutes

### **Findings**

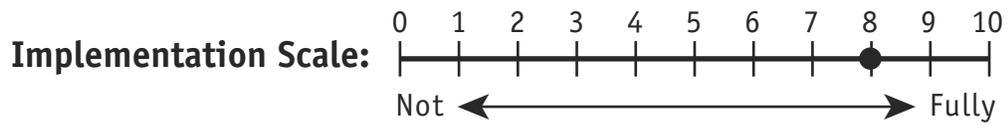
1. The district operates an automated substitute calling system, called B-Smart that provides substitutes for all certificated and most classified employees.
2. Information regarding substitutes for each day is transmitted every morning to sites.
3. Instruction manuals for employees and substitutes have been developed.
4. Most interviewees indicated that the automated-substitute system works well.
5. One staff member is cross-trained in the use of the B-Smart system. Another staff member is being trained to fill in for the substitute caller position when it becomes vacant in a few weeks.
6. Absence tracking for all employees is performed by the Substitute Caller Personnel Assistant in the B-Smart system, which does not interface with the QSS data system.
7. Absence information is provided on daily or per-absence paper forms sent to the Human Resources Division.
8. Budget codes for substitute teachers reportedly have been inaccurate or missing, resulting in extra charges to the general fund instead of the appropriate categorical programs.

### **Recommendations and Improvement Plan**

1. Continue to effectively utilize the B-Smart system and to have at least one staff member cross-trained in its use.
2. Meet with business and educational services staff and develop a system that will provide for accurate budget code assignments for substitute teachers.

**Standard Implemented: Fully - Substantially**

July 2003 Rating: 8



## 8.3 Use of Technology

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### Professional Standard

The certificated and classified departments of the Personnel Division have an applicant tracking system.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Certificated applicants list (independent database)

### Findings

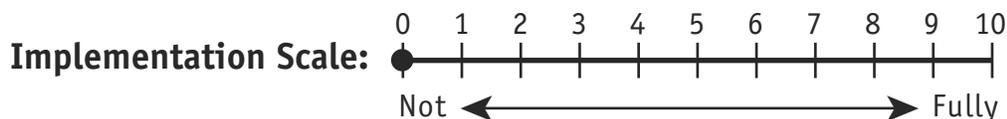
1. The QSS data system's applicant-tracking capability is not being used.
2. There is no current plan for developing an applicant-tracking system or utilizing QSS's applicant tracking components.
3. A staff member developed a small, independent database with very limited information to aid in sorting certificated applicant information.
4. There is no system for notating, ranking, or updating files or tracking applicants in the hiring process.
5. There is no system for keeping applicant files current.

### Recommendations and Improvement Plan

1. In collaboration with data processing and/or QSS consultants, develop a plan with time lines that will result in an operative QSS applicant tracking system.
2. Include a system for notating, ranking, and updating files and tracking applicants in the hiring process.
3. Establish the needs of the division with regard to process, procedures and training for development, implementation and maintenance of the applicant tracking system.
4. Develop a system to maintain current applicant files only and to archive out-of-date files.

### Standard Implemented: Not Implemented

July 2003 Rating: 0



## **8.4 Use of Technology**

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### **Professional Standard**

The Personnel Division has a program of providing funds and time for staff training and skills development in the use of computers.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel

### **Findings**

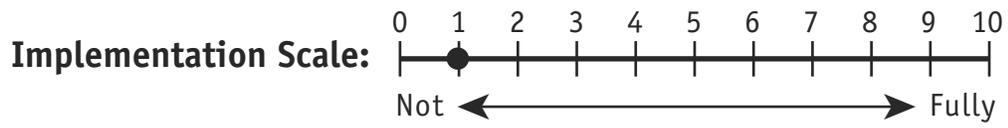
1. A schedule of training for Human Resources Division staff was not available.
2. Human Resources Division staff is not adequately familiar with QSS to fully implement the human resources component that went live eight months ago (July 2002), although training was provided as part of the implementation.
3. Participation in additional staff training is vital to the effective use of QSS in the Human Resources Division.
4. Some staff members have proficient skills in technology, but others have very elementary or incomplete skills.
5. No clearly identified person(s) functions as the support source for QSS staff training and human resources user support.
6. No clearly identified Human Resources Division staff person is in charge of coordinating computer training for the division staff.

### **Recommendations and Improvement Plan**

1. The management staff should determine specifically what training is needed for each staff member to fully utilize the QSS data system and other computer technology in the Human Resources Division.
2. In conjunction with business and data processing leadership staff the district should:
  - Develop a training plan and time line, identifying district or division staff as trainers to the extent possible.
  - Clearly identify who in the district is designed to coordinate ongoing QSS training and user support for Human Resources.
3. Identify a Human Resources Division staff person to be in charge of coordinating computer training for the division staff.
4. Require each Human Resources Division staff member to attend training and master the information and skills necessary to fully utilize QSS and/or other available technology needed in performing their job duties.

**Standard Implemented: Partially**

July 2003 Rating: 1



## **8.5 Use of Technology**

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### **Professional Standard**

The Personnel Division utilizes the latest technology to provide staff and clients with improved communications (i.e., voice mail, fax, e-mail).

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. District Staff Directory (1998)
4. District Web site

### **Findings**

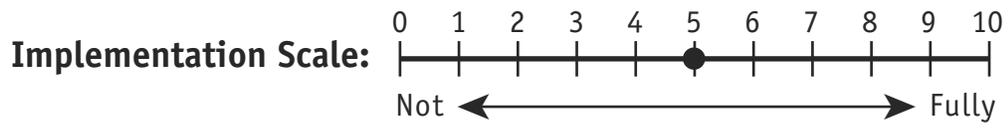
1. E-mail is utilized as a communication tool throughout the district and by the Human Resources Division staff. Some Human Resources staff members need training to utilize e-mail more effectively.
2. Voice mail is available to most staff in the Human Resources Division, but clerical staff members do not respond promptly to voice mail or fax messages.
3. Although there is direct telephone access to all Human Resources staff, no published list exists specifying who to call for different needs, resulting in many telephone calls going to one staff member and being transferred.
4. The district Web site has limited Human Resources Division presence or job postings.
5. The job telephone hot line is referred to in the district Web site as the source of job postings, but the hot line is not kept current and has a long introductory message.

### **Recommendations and Improvement Plan**

1. Make voice mail available to all the Human Resources Division staff and develop a clear expectation that all calls will be returned by the end of the working day and ideally within one hour.
2. Through the district Technology Department, provide any needed training in the use of voice mail and/or e-mail.
3. Publish an updated list of whom to call for what in the Human Resources Division.
4. Consistently update the telephone job hot line. Shorten the introductory remarks or place them at the end of the hot line.
5. Assign a staff member in the Human Resources Division to regularly post openings on the district Web site and on the job hot line.
6. Include Human Resources in the "District Departments" section of the Web site home page and begin to provide human resources information.

**Standard Implemented: Partially**

July 2003 Rating: 5



## **8.6 Use of Technology**

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### **Professional Standard**

The Personnel Division has computerized its employee database system including, but not limited to: credentials, seniority lists, evaluations, personnel by funding source, program, location, and Workers' Compensation benefits.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. QSS/Oasis personnel manuals
4. Standalone computer reports on credentials, applicants, leaves of absence

### **Findings**

1. The district converted to the QSS data management system for human resources, payroll, purchasing and the budget in January 2002, and implemented the system live in July 2002.
2. The Human Resources Division transition has been difficult and is still not fully implemented. The QSS system has not been utilized by the Human Resources Division for applicant tracking, credentials, position control, tuberculosis clearances, benefits, leaves of absence, or evaluations.
3. Most of the Human Resources staff does not demonstrate knowledge of basic QSS automated systems required for satisfactory implementation.
4. The Human Resources Division uses many manual or standalone applications working around QSS, which is time consuming, cumbersome, and provides much potential for human error.
5. Although a series of trainings was provided during the QSS implementation process, additional training is needed to fully implement QSS. No refresher training is currently scheduled.
6. Initial data and systems were not accurate prior to the QSS conversion, causing delays and errors in data conversion and much staff consultant time in correcting data.
7. The previous data management system relied heavily on Data Processing Department personnel and did not have manuals; QSS has manuals and requires end users to access data and reports independently. Most human resources staff members are unfamiliar with the manuals and do not use them.
8. No clearly identified person(s) provides QSS staff training and human resources user support, nor is there an identified key leader for QSS issues in the Human Resources Division.

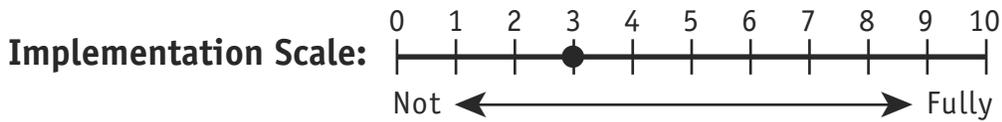
9. QSS data is not widely available, and there is concern about security levels and lack of access to needed data by staff.
10. There is no written technology plan for or district administrative applications in the district or in the Human Resources Division.

**Recommendations and Improvement Plan**

1. Identify a key leader in the Human Resources Division for QSS issues, and identify the key district contact for QSS support and training.
2. Form a leadership team to meet regularly (weekly) to establish the needs of the Human Resources Division for satisfactory QSS implementation, including report needs, procedures, uses of manuals, security levels, data integrity needs, data fields, and training.
3. Develop a plan and time lines for full QSS implementation and needed training, with clear expectations for individual staff responsibilities.
4. Work to eliminate paper-intensive and standalone processes.

**Standard Implemented: Partially**

July 2003 Rating: 3



## 9.1 Staff Training

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### Professional Standard

The district has developed a systematic program for identifying areas of need for in-service training for all employees.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Alameda County Office of Education workshop on Public Employee Retirement System (PERS)

### Findings

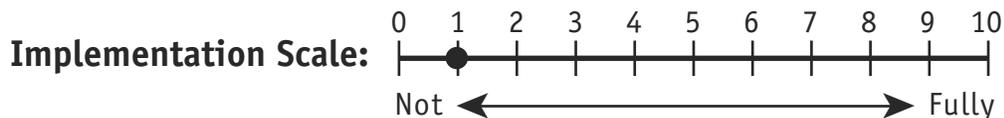
1. There is no systematic process for identifying areas where training may be needed.
2. Some staff members have occasionally attended a variety of workshops and training.
3. Employees are not provided with information regarding training opportunities.
4. The responsibility for staff training in areas not related to human resources is in the Educational Services Division.
5. The human resources staff did receive some training in the use of the new human resources software package.

### Recommendations and Improvement Plan

1. Individually work with employees to identify training needs, either through the annual performance evaluation process or in one-on-one meetings.
2. Provide notification to employees of training opportunities.

### Standard Implemented: Partially

July 2003 Rating: 1



## **9.2 Staff Training**

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### **Professional Standard**

The district shall make provisions for department-directed staff development activities (EC 52034(g)).

### **Sources and Documentation**

1. Interviews with staff members who perform personnel office functions
2. Interviews with district and program personnel
3. Facts, Rules, Impacts, Suggestions and Knowledge (FRISK) in-service training material
4. Principal's Human Resources Guide, 2002-03
5. Classified Professional Growth Award Program for Permanent and Probationary Employees
6. Certificated evaluation materials (1-23-01)
7. Negotiation Training Manual (1-30-03)

### **Findings**

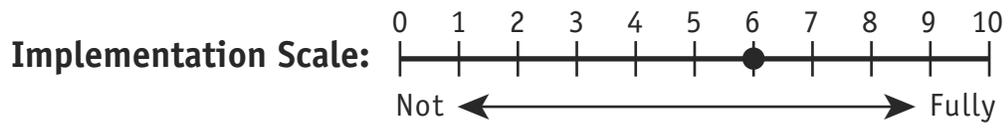
1. The district participates in the "buy-back" provisions and provides two "buy-back" days for certificated employees.
2. All managers and supervisors were provided training in the use of FRISK materials on February 25, 2003.
3. Each year, the Human Resources Division provides all managers with sexual harassment training.
4. The Human Resources Division does not have a written document that sets forth its annual staff training plans.
5. All principals received training on the material contained in the Principals' Human Resource Guide, 2002-2003.
6. The district has a classified professional growth award program that provides financial incentives for participating in college, approved travel, conferences and workshops.
7. All principals received training in the certificated evaluation process.

### **Recommendations and Improvement Plan**

1. Continue to provide training in identifiable areas of need.
2. Develop a written annual training schedule.

**Standard Implemented: Partially**

July 2003 Rating: 6



## 9.3 Staff Training

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### Professional Standard

Teachers and other professional school services personnel are provided diversity training (EC 44560)

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel

### Findings

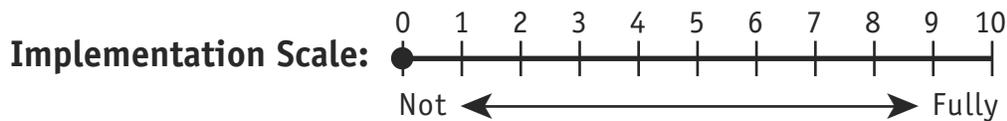
1. The district does not offer diversity training.

### Recommendations and Improvement Plan

1. Develop diversity training programs and present them to all staff.

### Standard Implemented: Not Implemented

July 2003 Rating: 0



## 9.4 Staff Training

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### Professional Standard

The district has adopted policies and procedures regarding the recognition and reporting of sexual harassment (GC 12940).

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Board Policy 4033, Sexual Harassment Policy – Summary (undated)
3. Board Policy on Sexual Harassment (no policy number) (11/15/01)

### Findings

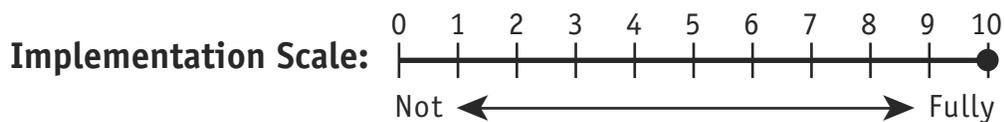
1. At the time of initial employment, employees are provided with a copy of the district's policy on sexual harassment that they are required to sign, verifying receipt.
2. Each year, the Human Resources Division provides site administrators with sexual harassment training.
3. Each year, site administrators provide employees with a copy of the district's current sexual harassment policy.
4. The district has adopted appropriate policies regarding sexual harassment.

### Recommendations and Improvement Plan

1. Continue with current practices.

### Standard Implemented: Fully - Sustained

July 2003 Rating: 10



## 9.5 Staff Training

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### Professional Standard

The district provides training for all management and supervisory staff responsible for employee evaluations.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Teachers evaluation procedure for administrators (undated)
4. Classified management performance evaluation process (1/17/01)
5. Facts, Rules, Impacts, Suggestions and Knowledge (FRISK) in-service training on February 25, 2003

### Findings

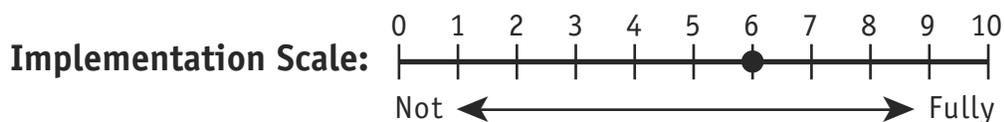
1. Managers received training on the classified management evaluation process in 2001.
2. Certificated managers received training in the new teacher evaluation process.
3. The Human Resources Division periodically provides training to principals at their monthly principals' meeting on various aspects of the teacher evaluation process.
4. Managers and supervisors have not received training on the classified evaluation process.
5. The Human Resources Division does not maintain a record of its training activities.

### Recommendations and Improvement Plan

1. Continue to provide periodic training to managers on the teacher evaluation process.
2. Provide training to managers and supervisors on the classified employee evaluation process.
3. Maintain a record of all training activities and the names of the attendees.

### Standard Implemented: Partially

July 2003 Rating: 6



## 9.6 Staff Training

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### Professional Standard

The district provides training opportunities to managers and supervisors in leadership development and supervision. Training topics might include: interpersonal relationships, effective supervision, conflict resolution, cultural diversity, gender sensitivity, team building, etc.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel

### Findings

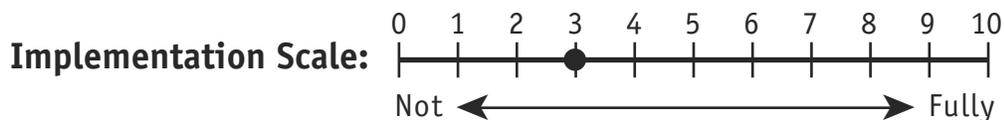
1. Managers received leadership training at the 2001 administrators' retreat.
2. Principals have received training in progressive discipline at their monthly principals' meetings.
3. The assessment team was not provided with any formal record maintained by the Human Resources Division of these activities.
4. The Human Resources Division does not develop a listing or maintain a record of planned in-service activities.

### Recommendations and Improvement Plan

1. In conjunction with the administrators' association and the Instructional Division, identify topics, presenters and dates for management training.
2. Publish an annual list of in-service opportunities.

### Standard Implemented: Partially

July 2003 Rating: 3



## 9.7 Staff Training

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### Professional Standard

The district develops handbooks and materials for all training components.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Negotiations Training Handbook (1/30/03)
4. In-service handout for Facts, Rules, Impacts, Suggestions and Knowledge (FRISK) training on 2/25/03
5. Teachers evaluation procedure for administrators (undated)
6. Classified management performance evaluation process (1/17/01)
7. Certificated evaluation material handout (1/23/01)
8. Survival Kit for New Teachers in Berkeley Unified School District (August 2002)

### Findings

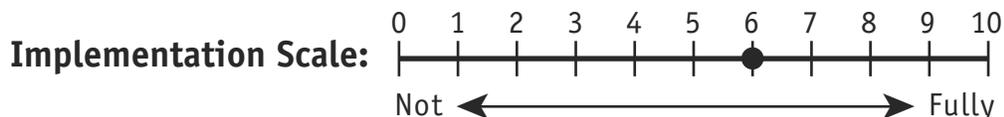
1. Human Resources has prepared a number of handout materials that were used in conjunction with various training sessions in the areas of negotiations, administrative procedures for site administrators, teacher evaluation, classified management evaluation and FRISK disciplinary techniques.
2. The Classified Personnel Department has an outdated new classified employee orientation handbook that is not currently in use.
3. The district has developed a handout titled “Survival Kit for New Teachers” that is issued for the new teacher orientation.

### Recommendations and Improvement Plan

1. Continue to prepare written material to support in-service training activities.
2. Update and re-institute the use of a new classified employee handbook.

### Standard Implemented: Partially

July 2003 Rating: 6



## **10.1 Evaluation/due Process Assistance**

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### **Professional Standard**

The evaluation process is a regular function related to each employee and involves criteria related to the position.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Evaluation Report for Administrative/Supervisory Certificated Personnel (undated)
4. Performance review for classified personnel (4/1/1996)
5. Certificated Performance Development Plan, Form A (undated); Certificated Performance Evaluation, Form B (undated)
6. Teachers evaluation procedure for administrators (undated)
7. Article 15 performance review – teachers contract

### **Findings**

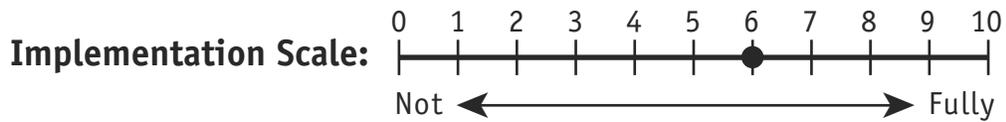
1. The evaluation of all personnel is a district priority.
2. Administrative/supervisory performance evaluation is based on the following criteria:
  - Professional attitude
  - Personal characteristics
  - Staff relationships
  - Administrative practices
3. The performance review for classified personnel is based on the following criteria:
  - Work knowledge
  - Work quality
  - Work quantity
  - Being on the job
  - Cooperation with others
5. The Certificated Performance Development Plan and the performance evaluation form identifies and bases the evaluation on the following standards:
  - Standard I: Engaging and Supporting All Students in Learning
  - Standard II: Creating and Maintaining Effective Environments for Student Learning
  - Standard III: Understanding and Organizing Subject Matter for Student Learning
  - Standard IV: Planning Instruction and Designing Learning Experiences for All Students
  - Standard V: Assessing Student Learning
  - Standard VI: Developing as a Professional Educator
5. The subsets of the standards established for certificated teacher and management evaluations are extensive and appropriate.

## Recommendations and Improvement Plan

1. Continue to place a high priority on employee evaluation.
2. Refine and update current evaluation information and develop handbooks for classified, certificated and management evaluations. Utilize evaluation handbooks in training workshops for certificated, classified and management and supervisory personnel.

### Standard Implemented: Partially

July 2003 Rating: 6



## **10.2 Evaluation/due Process Assistance**

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### **Professional Standard**

Standards for the evaluation of management and supervisors will be developed and implemented.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Human Resources Principals Guide, 2002-2003
4. Classified management performance evaluation process (1/17/01)
5. Evaluation Report for Administrative/Supervisory Certificated Personnel (undated)

### **Findings**

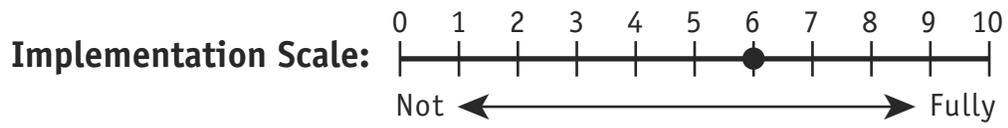
1. The administrative/supervisory performance evaluation is based on the following criteria:
  - Professional attitude
  - Personal characteristics
  - Staff relationships
  - Administrative practices
2. The Human Resources Division leadership provides an annual evaluation workshop for management and supervisors.
3. Several administrators and supervisors have not been evaluated in the last four or five years. Principals are evaluated regularly and consistently by the leadership of the Curriculum and Instruction Services Division.
4. The Classified Management Performance Evaluation Process document clearly identifies the process and time line. "Classified Managers will be evaluated every year. The review period for administrators will be July 1 through June 30. It will consist of a three-step process of performance evaluation." The standards include the following Quality Indicators:
  - Leadership
  - Organizational management and general administration
  - Communication and interpersonal skills
  - Professional growth, personal qualities, and leadership.

### **Recommendations and Improvement Plan**

1. Develop a procedures manual for the evaluation of all certificated and classified administrative/supervisory staff. Include a system for monitoring the evaluations of all administrative/supervisory staff.
2. The Human Resources Division should report results of the evaluations to Cabinet.

**Standard Implemented: Partially**

July 2003 Rating: 6



## **10.3 Evaluation/due Process Assistance**

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### **Professional Standard**

A clear policy and practice exists for the written evaluation and assessment of certificated employees. (EC 44663)

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Teachers contract – article 15, Performance Review (1999-2003)
4. Teachers evaluation procedures for administrators (2002-2003)
5. District policy 4115.1, Evaluation/Supervision (adopted 11/18/92)
6. Teacher Performance Review, Timelines and Reminders (9/02)
7. Substitute Teaching Handbook, 2002-2003

### **Findings**

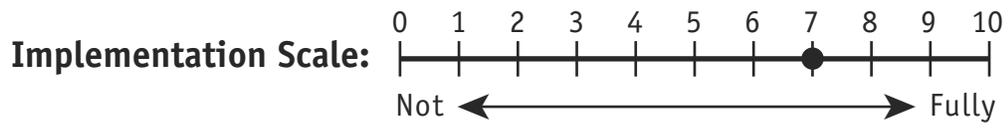
1. The Teachers Contract, article 15, identifies the process for the evaluation of certificated employees. This article includes the following:
  - Purpose of evaluation
  - Procedural guarantees
  - Formal evaluation
  - Formative observations
  - Summative evaluation report
  - Teachers mandatorily referred to B-PAR
  - Personnel files
  - Formal complaints
  - Miscellaneous provisions
2. Administrators receive evaluation training annually. The forms reviewed for evaluating certificated employees are appropriate and include:
  - Focus area(s) for professional growth, standards
  - Formative observation requirements
  - Summative performance rating
3. Current District Policy 4115.1 addresses “Administrative Competence in Evaluation of Teachers.”
4. The substitute evaluation process is identified in the teachers’ contract, Article 15. Additional information and forms are provided in the Substitute Teaching Handbook.

### **Recommendations and Improvement Plan**

1. Continue management training on the evaluation process.
2. Review and update evaluation handbook and use as a reference guide for administrators.

**Standard Implemented: Partially**

July 2003 Rating: 7



## **10.4 Evaluation/due Process Assistance**

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### **Professional Standard**

The Personnel Division provides a process for the monitoring of employee evaluations and the accountability reporting of their completion.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel

### **Findings**

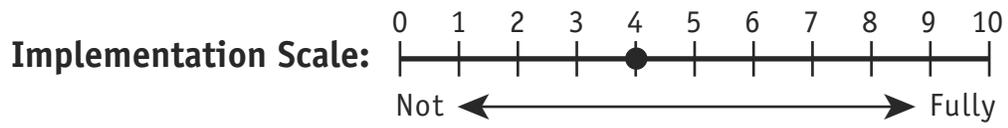
1. Employee evaluations are reportedly a district priority.
2. The district is implementing QSS technology system that will have the ability to monitor all employee evaluations.
3. Teachers to be evaluated in the first year of the two-year cycle are identified by the last digits of their Social Security numbers (even numbers this year). This process was initiated in order to eliminate the confusion regarding who will be evaluated. Many permanent teachers had not been evaluated as required.
4. The leadership of the Instructional Services Division monitors the formative evaluation, and the leadership of the Human Resources Division monitors the summative evaluation.
5. There was no written evidence that all required evaluations are completed annually.
6. The Human Resources Division does not monitor the reporting of evaluations to the cabinet.

### **Recommendations and Improvement Plan**

1. Continue to provide evaluation training including the use of the Administrators Handbook with the calendar and due dates.
2. Include expanded classified evaluation training and develop a classified evaluation handbook to be used as a training guide.
3. The Human Resources Division should be responsible for monitoring all evaluations and reporting the results to the Cabinet.
4. Work with the district technology support staff to utilize QSS to accurately and appropriately monitor all evaluations.
5. Develop a written procedure for the monitoring of evaluations for all certificated, classified and management employees.

**Standard Implemented: Partially**

July 2003 Rating: 4



## **10.5 Evaluation/evaluation Process Assistance**

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### **Professional Standard**

The Personnel Division has developed an evaluation handbook for management and supervisory training.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Classified performance process information (undated)
4. Certificated evaluation materials (1/23/2001)
5. Principals Human Resources Guide (2002-03)

### **Findings**

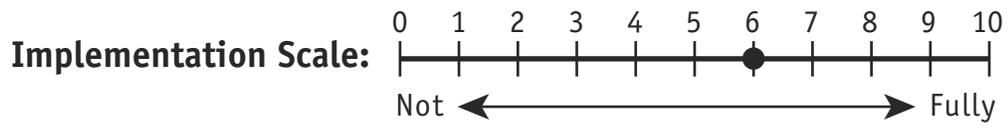
4. The Classified performance process information materials include the following information used in the management evaluation training:
  - The purpose of performance evaluations
  - The concept of performance management
  - The managers' role in performance management
  - Performance management process steps
5. The certificated evaluation materials include the following information used in the management evaluation training:
  - The purpose of certificated evaluation
  - Objectives of certificated evaluation
  - Administrative competence in evaluation, EC 35160.5
  - Legal requirements of the evaluation process
  - Preparing for certificated evaluations
  - Helpful guidelines, templates, and formats for the certificated evaluation process
3. The certificated and classified information and materials are the basis of the annual administrative training program.
4. The classified performance process information is not in a handbook format that can be accessed easily by those evaluating.
5. The teachers' union and district are interested in developing a new certificated evaluation instrument.

### **Recommendations and Improvement Plan**

1. Review and refine the classified and certificated performance material provided in the Human Resources Guide used in the annual training program. Develop materials into separate handbooks for certificated and classified evaluation training.
2. Coordinate efforts with teachers' union representatives in updating and improving the evaluation instrument.

**Standard Implemented: Partially**

July 2003 Rating: 6



## 10.6 Evaluation/due Process Assistance

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### Professional Standard

The Personnel Division has developed due process training for managers and supervisors.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Principals Manual 2002-2003
4. Facts, Rules, Impacts, Suggestions and Knowledge (FRISK) training program document (2002)

### Findings

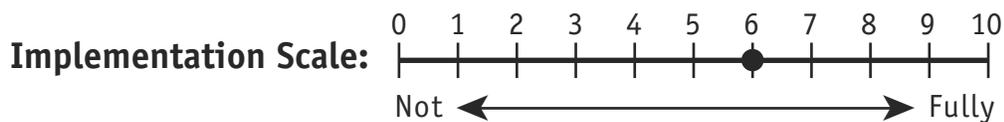
1. All administrators receive Facts, Rules, Impacts, Suggestions and Knowledge (FRISK) training annually. Certificated and classified managers and supervisors were included in the training this year.
2. Due process training is also a strand of the evaluation training program.

### Recommendations and Improvement Plan

1. Continue to provide training to all managers and supervisors in the area of progressive discipline and due process.
2. Continue to offer managers and supervisors annual training in the area of FRISK documentation.

### Standard Implemented: Partially

July 2003 Rating: 6



## 10.7 Evaluation/due Process Assistance

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### Professional Standard

The Personnel Division has developed a process for providing assistance to certificated employees performing at less than satisfactory level, i.e., Peer Assistance and Review (PAR).

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Berkeley Unified School District/Berkeley Federation of Teachers agreement, article 19 – Berkeley Peer Assistance Review Program (2001-2002)

### Findings

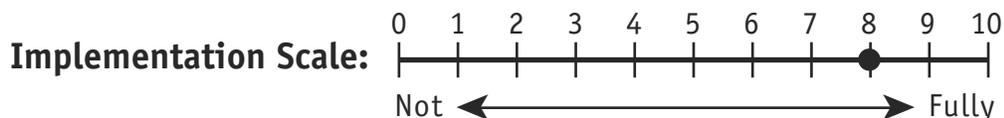
1. Several interviews indicated that the Human Resources Division classified and certified leadership provides advice and assistance to evaluators when requested.
2. The Peer Assistance and Review (PAR) program is used to assist teachers receiving an unsatisfactory evaluation.
3. Eight teachers have been referred to the PAR program for the 2003-2004 school year.
4. Evaluation and due process training is provided to administrators and supervisors.

### Recommendations and Improvement Plan

1. Continue to recognize employee evaluation as a district priority.
2. Continue to provide the administrative/supervisory training in Evaluation and Due Process.

### Standard Implemented: Fully - Substantially

July 2003 Rating: 8



## **10.8 Evaluation/due Process Assistance**

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### **Professional Standard**

The Personnel Division has developed a process for providing assistance to classified employees performing at less than satisfactory level.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Classified evaluation process information (undated)
4. Human Resources Principals Guide, 2002-2003
5. Performance remediation plan for classified personnel (4/1/96)

### **Findings**

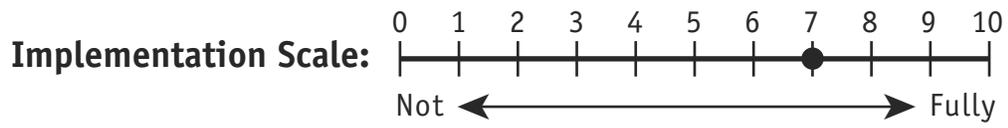
1. A strand in classified evaluation is presented at the management retreat at the beginning of the year.
2. The classified evaluation process information includes information and support for assisting employees performing at a less than satisfactory level.
3. The district lacks a classified evaluation handbook that provides remediation and due process procedures that can be used in the management training.
4. The classified leadership in the Human Resources Division is available to assist managers upon request when an employee is less than satisfactory.
5. The performance remediation plan for classified personnel form is required when a performance area is given a rating of “needs improvement” or “unsatisfactory.” The plan includes the following guidelines:
  - A remediation plan must be developed by the immediate supervisor and the employee any time a performance area is given a rating of “needs to improve” or “unsatisfactory.”
  - The plan should include specific objectives, as well as time lines to monitor and track the employee’s progress toward satisfactory performance.
  - The plan must be put in writing and must be signed by both the employee and the supervisor.
  - The completed form must be submitted to personnel with the performance review.
6. Classified managers and supervisors have been included in the FRISK training.

### **Recommendations and Improvement Plan**

1. Develop a classified evaluation handbook and appropriate training that will include the remediation plan and due process procedures.
2. Continue to include classified managers and supervisors in the Facts, Rules, Impacts, Suggestions and Knowledge (FRISK) training.

**Standard Implemented: Partially**

July 2003 Rating: 7



## **11.1 Employee Services**

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### **Professional Standard**

The Personnel Division has developed a program for retirement counseling, including: STRS counseling, PERS counseling, and “life after retirement.”

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel

### **Findings**

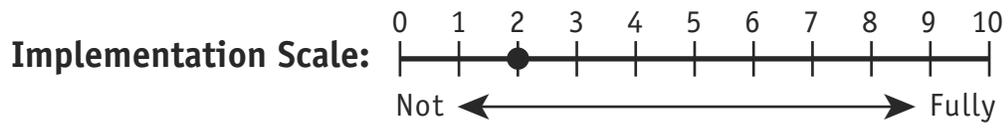
1. The district has visits from State Teacher Retirement System (STRS) and Public Employee Retirement System (PERS) representatives. There are no scheduled meetings for retirees to meet with the STRS or PERS representatives.
2. Employees are able to ask the benefits representative questions regarding their benefits.
3. There is no calendar of retirement events for all district employees.
4. The district lacks a retirement handbook that provides necessary and appropriate information to retirees.
5. The Human Resources Division does not provide a formal preretirement counseling program where employees may discuss project writing, etc. An exit interview also might provide an opportunity to discuss life after retirement.
6. The Human Resources Division does not provide an exit interview program for employees leaving the service or retiring.

### **Recommendations and Improvement Plan**

1. Establish regularly scheduled annual workshops with representatives from STRS and PERS.
2. Develop a retirement handbook that provides retirement information, options available and a calendar of retirement events.
3. Provide a preretirement counseling program where employees may discuss options available and “life after retirement.”
4. Provide an exit interview program or form to be used by employees leaving or retiring.

**Standard Implemented: Partially**

July 2003 Rating: 2



## 11.2 Employee Services

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### Professional Standard

The Personnel Division has developed recognition programs for all employee groups.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel

### Findings

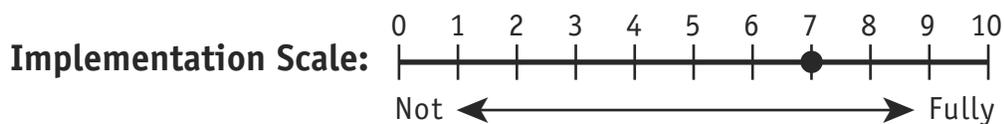
1. The district has been recognizing employees who retire and employees who have been employed by the district for 10, 15, 20, 25, 30, etc., years.
2. The annual retirement event takes place at the Berkeley Yacht Club and is sponsored by the Berkeley Unified School District, the Berkeley Federation of Teachers, Local One (Paraprofessional Unit), and the United Berkeley Administrators.
3. Many retirement events are provided by the work sites of those leaving or retiring.
4. The board of education recognizes retirees annually at a school board meeting.

### Recommendations and Improvement Plan

1. Develop a recognition program procedure identifying all recognition events, individual or group responsible, and calendar dates for the events.

### Standard Implemented: Partially

July 2003 Rating: 7



## **11.3 Employee Services**

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### **Professional Standard**

The Personnel Division has available to its employees various referral agencies to assist employees in need.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. PacifiCare Behavioral Health – Employee Assistance Program (EAP) Brochure
4. Employee Assistance Platinum Plan information paper

### **Findings**

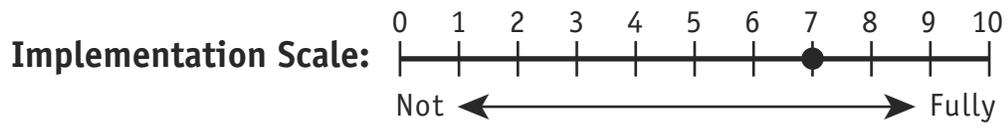
1. Employees in the district have family counseling assistance available through their district-provided health care provider, Health Net or Kaiser.
2. The district-provided Employee Assistance Program, Platinum Plan, is available to all employees and provides the following:
  - Eight face-to-face visits
  - Broad-based community referrals
  - Legal resources and referral services
  - Child care referral services
  - Elderly care referral services
  - Financial resources for debt management
  - Financial planning
  - Convenience services
  - Wellness and alternative care referrals
3. The district-provided Employee Assistance Program coverage includes any member of the employee's household as well as dependents living away from home.
4. Some interviewees suggested that the Employee Assistance program is not broadly advertised.

### **Recommendations and Improvement Plan**

1. Increase awareness of the existing available Employee Assistance Program through a district newsletter or flier.
2. Continue to provide the Employee Assistance Program.

**Standard Implemented: Partially**

July 2003 Rating: 7



## 11.4 Employee Services

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### Professional Standard

Employee benefits are well understood by employees through periodic printed communications provided by the Personnel Division. Timely notification of annual open enrollment period is sent to all employees.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Review of benefit carrier materials provided at orientation (induction)
4. Berkeley Unified School District benefits health fairs, flier 2000

### Findings

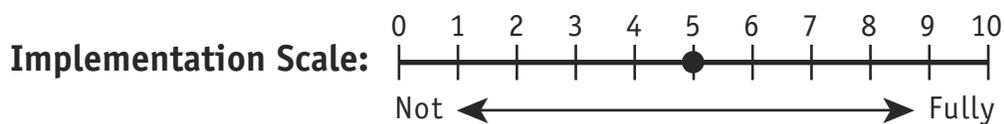
1. The materials provided to employees at the time of hire are thorough and detailed. The Human Resources Division staff member responsible for receiving completed documents is available to assist employees at the sign-up.
2. There district lacks a formal orientation (induction) program that could assist new employees in better understanding their benefit provisions.
3. The district held two benefits health fairs in September and October of 2001 and again in 2002. Representatives from the district's benefit carriers were available. The benefits fairs provided information regarding the open enrollment period and established the deadline for making changes or enrolling.
4. Notification of the open enrollment period is not broadly provided in all employee publications.

### Recommendations and Improvement Plan

1. Develop a formal orientation (induction) program that can be available in small groups or by individuals to provide improved benefit communications and assistance.
2. Continue to provide an annual benefits health fair.
3. Advertise open enrollment dates to all employees in district publications.

### Standard Implemented: Partially

July 2003 Rating: 5



## **11.5 Employee Services**

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### **Professional Standard**

The Personnel Division provides new hires with a detailed explanation of benefits, the effective date of coverage, along with written information outlining their benefits and when enrollment forms must be returned to implement coverage.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Classified employee orientation (induction) packet
4. Certificated employee orientation (induction) packet

### **Findings**

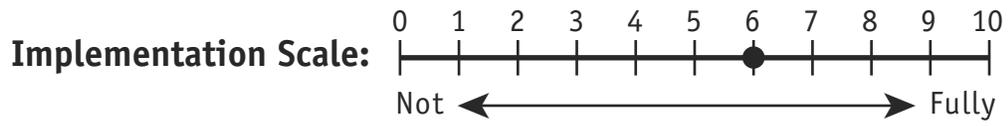
1. New hires are provided a written benefit packet that includes the necessary information outlining their benefits and the effective date of coverage. The packet contains information about the following subjects:
  - Continuation of medical/dental coverage (COBRA)
  - Domestic partnership application/affidavit
  - Drug-free workplace policy
  - Employee Assistance Program
  - Leave request form
  - Sick leave policy and procedures
  - School-year calendar
  - PERS or STRS retirement system coverage
  - Work-related injuries/Workers' Compensation
  - Merit system nature and purpose
  - Personnel Commission functions (in classified packet)
2. Employee benefit orientation (induction) is scheduled individually by the Human Resources Division staff. This program does not always provide for open discussion and assistance in completing benefit selection forms.
3. There is no formal orientation (induction) program for new classified or certificated employees.
4. Employees are often late in turning benefit forms, causing a delay when the benefit period is to begin. A more formalized program should reduce the delay.

### **Recommendations and Improvement Plan**

1. Develop a comprehensive orientation program that provides forms and information, and promotes discussion. Establish formal group orientation (induction) meetings at the beginning of the year and during peak staffing periods.

**Standard Implemented: Partially**

July 2003 Rating: 6



## 11.6 Employee Services

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### Professional Standard

Employees are provided the state's injury report form (DWC Form 1) within one working day of having knowledge of an injury or illness.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Berkeley Unified School District claims packet
4. DWC form 1

### Findings

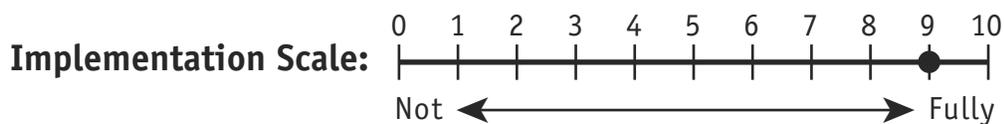
1. The DWC form 1 is being given to employees in compliance with regulations.
2. Employees receive the claims packet from the district insurance carrier. The packet contains all required forms and information.
3. The Risk Management, Workers' Compensation, Benefits Supervisor works with the Workers' Compensation Claims Specialist from Arthur J. Gallagher & Co., the insurance broker for the district and monitors the process.

### Recommendations and Improvement Plan

1. Continue to monitor the form to be sure the 24-hour requirement is met consistently.

### Standard Implemented: Fully - Substantially

July 2003 Rating: 9



## 11.7 Employee Services

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### Professional Standard

The district notifies the third party administrator of an employee's claim of injury within five working days of having knowledge of the injury and forwards a completed Form 5020 to the insurance authority.

### Sources and Documentation

1. State of California Employer's Report of Occupational Injury or Illness – State Compensation Insurance Fund form
2. Interviews with Human Resources Division personnel
3. Interviews with district and program personnel
4. Information packet to all certificated and classified employees (4/3/2001)

### Findings

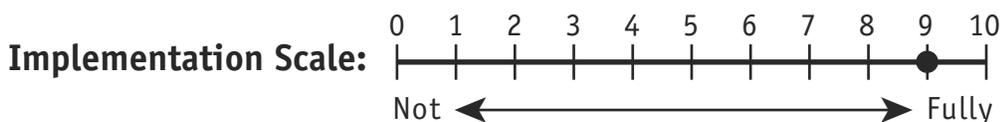
1. Claim forms are completed and forwarded to the State Compensation Insurance Fund within five days, as required.
2. The completed forms are received from the Insurance Authority and filed appropriately.
2. The Human Resources Division sends all employees written procedures regarding work-related injuries and return to work.

### Recommendations and Improvement Plan

1. Continue to work with the insurance carrier to obtain appropriate details of district practices.
2. Continue the practice of sending written procedures to all employees regarding work-related injuries and return to work.

### Standard Implemented: Fully - Substantially

July 2003 Rating: 9



## **11.8 Employee Services**

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### **Professional Standard**

The district's workers' compensation experiences and activities are reported periodically to the Superintendent's Cabinet.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Workers' Compensation premium insurance memorandum (December 6, 2002)
4. Renewal of Workers' Compensation Insurance with the State Compensation Insurance Fund memorandum (December 11, 2003)
5. Interview with insurance broker

### **Findings**

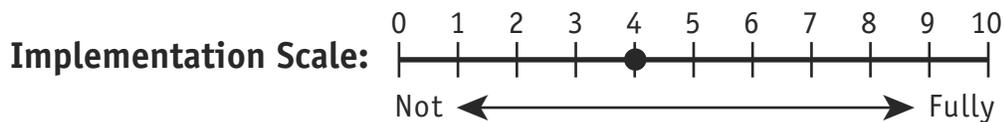
1. The district regularly receives a monthly claims report from the insurance broker. The information is available to the Human Resources Division leadership for development of a Workers' Compensation experience report.
2. Previously, the Claims Specialist from Arthur J. Gallagher and Co. provided site supervisors with a safety manual that was used in the principals' safety training. This process has not continued the past two years.
3. The District Safety Committee has recently been inactive. Meetings were previously held with representatives from Arthur J. Gallagher to review claims and increase training to institute additional safety awareness.
4. The matrix was initiated by Arthur J. Gallagher to monitor desired processes that promote a safe work environment. The matrix consisted of:
  - Monthly self inspection
  - Monthly safety meetings
  - Designated site safety person
  - Report industrial injuries within 24 hours
  - Requirement to conduct investigation within 72 hours
  - Requirement to initiate corrective action within 5 days
5. A Workers' Compensation experience report was completed last year and presented to the cabinet. The Human Resources Division leadership is in the process of developing the report for the current year. There is no written procedure or process identifying responsibility or due dates for reporting Workers' Compensation experiences and activities to the Superintendent or cabinet.
6. The number of Workers' Compensation claims has been significantly reduced in the last two years.

## Recommendations and Improvement Plan

1. Reconstitute the site-level safety training for principals and supervisors. Update the Safety Manual and include it as a part of the training program.
2. Activate the District Safety Committee and meet with representatives from Arthur J. Gallagher to review claims and further develop training programs.
3. Develop a Workers' Compensation experience report on a regularly scheduled basis and make it available to district staff.
2. Develop a calendar for the Human Resources Division identifying due dates and the person(s) responsible for completion and the reporting of the details of the workers' compensation claims and experience.

## Standard Implemented: Partially

July 2003 Rating: 4



## 11.9 Employee Services

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### Professional Standard

The workers' compensation unit is actively involved in providing injured workers with an opportunity to participate in a modified duty program.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Berkeley Unified School District Workers' Compensation Transitional work Program bulletin (undated)
4. Workers' Compensation – Transitional Work assignment form

### Findings

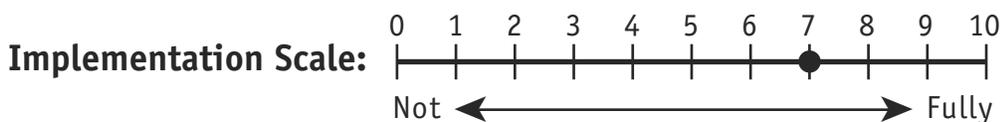
1. A transitional (light or modified) duty assignment is available to employees and has been effectively implemented.
2. The purpose of the program is clearly spelled out as follows:
  - Take whatever steps are available to assist and encourage injured/ill workers to return to work as quickly as possible.
  - Assist injured/ill workers in the transition from disability to full recovery so they can continue to be a productive part of the work group.
  - More effectively utilize the fiscal resources consumed by industrial injury/illness.
3. Five employees are currently on modified duty.
4. The maximum time allowed on light or modified duty is 90 days.
5. Currently, three employees are out on Workers' Compensation leave.

### Recommendations and Improvement Plan

1. Review and expand the modified, light duty program that provides injured workers the opportunity to continue working while they are recovering.

### Standard Implemented: Partially

July 2003 Rating: 7



## 11.10 Employee Services

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### Professional Standard

The workers' compensation unit maintains the California OSHA log for all work sites and a copy is posted at each work site during the month of February as required.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Cal/OSHA Form 300, log of work-related injuries and illnesses

### Findings

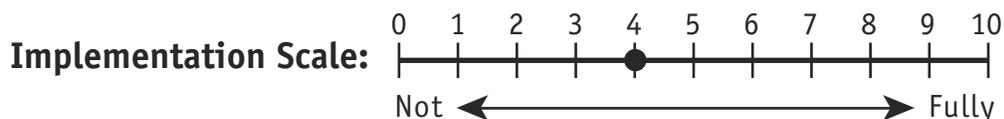
1. The Cal/OSHA form 300 provided to the visiting team is the log of work-related injuries and illness that contains information relating to employee health and must be used in a manner that protects the confidentiality of employees to the extent possible while the information is being used for occupational safety and health programs.
2. The district normally posts the required log at each work site in February, however, not all sites have received the document for posting for the current year.

### Recommendations and Improvement Plan

1. Develop a Human Resources Division calendar of activities with due dates and person(s) responsible for completion of the activity.
2. Consistently follow up at site level to be sure that the documents are posted as required.

### Standard Implemented: Partially

July 2003 Rating: 4



## 11.11 Employee Services

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### Professional Standard

The district does not pay temporary disability benefits during those times when an employee is in an extended non-pay status.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel

### Findings

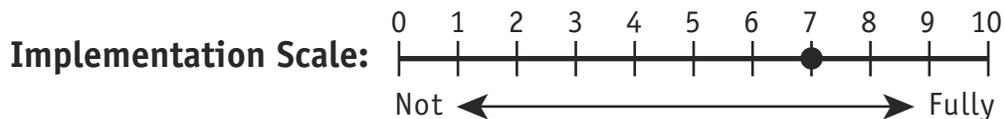
1. The Risk Management staff monitors all employees on temporary disability to ensure that the district does not pay temporary disability benefits when an employee is in an extended nonpay status.
2. The previous history indicates that employees were paid temporary disability benefits while in nonpay status.

### Recommendations and Improvement Plan

1. Continue to monitor all employees on temporary disability to ensure that the district does not pay temporary disability benefits when an employee is in an extended nonpay status.

### Standard Implemented: Partially

July 2003 Rating: 7



## **12.1 Employer/employee Relations**

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### **Professional Standard**

The district has collected data that compare the salaries and benefits of its employees with districts of like size, geographic location and other comparable measures.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Interviews with employee organization leadership
4. Pocket budget – 2003-04, School Services of California (January 2003)
5. 2003 School Services of California Financial Projection Dartboard, Governor’s Budget Edition
6. Comparative Analysis of Certificated Salaries and Benefits, 2001-02, School Services of California
7. Agenda for health benefits committee meetings (various dates for 2002-2003)
8. Calendar of meetings, 2002-03 – Health Benefits Committee
9. Agreement between the Berkeley Unified School District and the Berkeley Federation of Teachers, July 1, 1999 – June 30, 2003
10. Agreement between the Berkeley Unified School District and the Union of Berkeley Administrators, July 1, 2000 – June 30, 2003
11. Agreement between the Berkeley Unified School District and Public Employees Union, Local No. 1, July 1, 1999 – June 30, 2002

### **Findings**

1. The district and the Berkeley Federation of Teachers (BFT) have contract language that provided a structure and formulas to determine compensation increases from 1999-2000 through the 2002-2003 school years. This is locally referred to as the “Composite Compensation Index” (CCI).
2. The CCI is composed of four benchmark comparison points:
  - Beginning Salary (BA + 24, Step 1)
  - BA + 60, Step 10
  - Maximum Salary, and
  - Maximum Health Benefit Premiums (Medical, Dental, Life, EAP, Vision, etc.).
3. The district and the BFT jointly maintain the database for establishing and updating the CCI, using data from 31 comparison districts.
4. The district and the Union of Berkeley Administrators (UBA) also have contract language that uses a “CCI” for salary adjustments.
5. The district collects data on salaries and benefits on its own and through the use of School Services of California.
6. The Human Resources Division and the Business and Operations Division work cooperatively to share information regarding salary and benefit data.

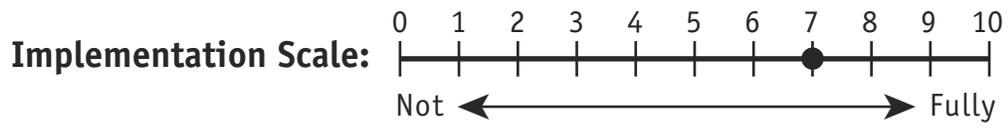
7. In a School Services of California salary and benefit study for 2001-02, the district teacher salaries ranked:
  - BA + 30, step 1 - \$38,291; below the regional average of \$39, 569 and below the statewide average of \$38,398.
  - BA + 60, step 10 - \$54,017; below the statewide average of \$56,178 and below the regional average of \$55,700.
  - Maximum salary schedule level - \$67,027; below the statewide average of \$72,141 and below the regional average of \$70,618.
  - Maximum district contribution to health benefits - \$7,008; above the statewide average of \$6,522 and above the regional average of \$5,915.
  - Total compensation, lowest scheduled salary plans average district contribution for health and welfare benefits - \$36,496; below the regional average of \$43,766 and below the statewide average of \$41,575.
  - Total compensation, BA + 30, step1 plus average district benefits contribution - \$42,542; below the regional average of \$45,814 and below the statewide average of \$44,418.
  - Total compensation, BA + 60, step 10 plus average district benefits contribution - \$58,268; below the statewide average of \$62,198 and below the regional average of \$61,945.
  - Total compensation, maximum scheduled salary plus average district benefits contribution - \$71,278; below the statewide average of \$78,161 and below the regional average of \$76,863.
  
8. The district currently has a Health Benefits Committee. It is composed of representatives from the district and from the employee organizations. The committee is scheduled to meet monthly to review matters related to health and welfare benefits. The agenda is prepared by the district's insurance advisor.
  
9. Attendance at the Health Benefits Committee meetings is low and sporadic.
  
10. For 2002-03, the total health cost for each certificated employee was \$9,008.60 and for each classified employee was \$9,269.60.
  
11. For 2003-04, the projected total health costs for each certificated employee is \$10,810.32 and for each classified employee is \$11,123.52.

## **Recommendations and Improvement Plan**

1. Continue the current practice of collecting comparative data on salaries and benefits for comparable school districts.
  
2. Evaluate the status of the Health Benefits Committee. Make necessary changes that provide the district and the employee organizations a valuable tool to study and compare the district's benefits with those of other districts, by using an effectively functioning committee.

**Standard Implemented: Partially**

July 2003 Rating: 7



## **12.2 Employer/employee Relations**

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### **Professional Standard**

The Personnel Division involves site-level administrators in the bargaining and labor relations decision making process.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. List of bargaining units and district negotiating team members, 2002-03

### **Findings**

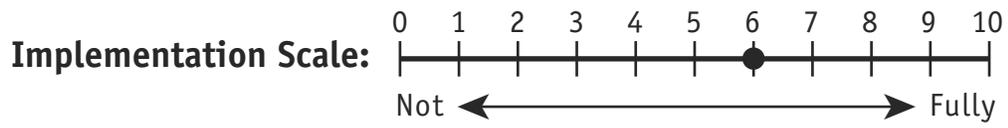
1. The district uses principal meetings and other meetings involving administrators and supervisors to elicit oral input into the district's contract proposals. These occurred in November, December and January of the 2002-03 school year. The district also receives comment via e-mail.
2. The district provides oral reports on the status of negotiations to its administrators and supervisors at various district meetings.
3. Site-level administrators are members of a formal collective bargaining unit in the district, the United Berkeley Administrators (UBA).
4. Classified managers and supervisors are members of a formal collective bargaining unit in the district, International Federation of Professional and Technical Engineers (IFTPE) Local 21 (Manager and Supervisors).
5. The district includes site-level administrators on some of the district negotiating teams.
6. Classified managers and supervisors are rarely included on district negotiating teams.

### **Recommendations and Improvement Plan**

1. Review existing practices and increase the involvement of site-level administrators, managers and supervisors in the bargaining process.
2. Develop a written survey to solicit comment from administrators, managers and supervisors prior to negotiations with each bargaining unit.
3. Review the composition of the district bargaining teams and add administrators, managers and supervisors to those teams where the contract has potential impact on their positions and responsibilities and supervision.
4. Develop written materials to update administrators, managers and supervisors at critical stages of negotiations.

**Standard Implemented: Partially**

July 2003 Rating:6



## **12.3 Employer/employee Relations**

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### **Professional Standard**

The Personnel Division provides all managers and supervisors (certificated and classified) training on contract management with emphasis on the grievance process and administration.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Negotiations Training Manual (January 30, 2003)

### **Findings**

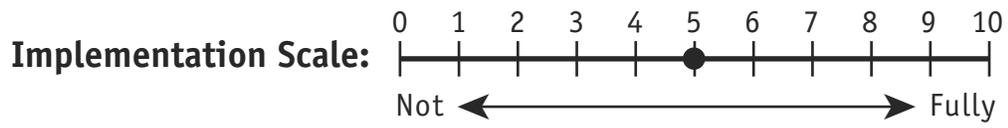
1. The Human Resources Division, through the Associate Superintendent and directors, is responsible for training administrators, managers and supervisors in the area of collective bargaining.
2. The Associate Superintendent, Human Resources, provided training on collective bargaining to all principals on January 30, 2003.
3. The district provided each principal with a training manual with information prepared by the district's legal counsel. The manual included the following topics:
  - Common collective bargaining terms
  - ABC's of collective bargaining
  - Fifteen tricks that unions play
  - Strategies used by unions for difficult negotiations
  - Interest-based vs. positional bargaining
4. There is no current training for classified managers and classified supervisors in the area of collective bargaining.
5. Grievances are discussed at the Superintendent's cabinet meetings and at individual meetings with the Superintendent.

### **Recommendations and Improvement Plan**

1. Continue and expand training opportunities in the area of contract management.
2. Develop a training program with written materials specifically for classified managers and classified supervisors. Emphasize the processing of grievances.
3. Expand current contract management training given to principals by adding specific information on the processing of grievances.

**Standard Implemented: Partially**

July 2003 Rating: 5



## **12.4 Employer/employee Relations**

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### **Professional Standard**

The Personnel Division provides a clearly defined process for bargaining with its employee groups (i.e., traditional, interest-based).

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Interviews with employee organization leadership
4. Collective bargaining agreements with employee organizations (with various dates)
5. Board Policy 4200.3 – Classified Personnel, Negotiated Agreements (undated)
6. Board Policy 4143 – Amendment and Renegotiations Procedures (undated)
7. Board Policy 4143.2 – Citizens Participation in Collective Bargaining (10/4/79)
8. Board Policy 4211.2 – Recruitment and Selection, Legal Status and Requirements (7/11/76)
9. Board Policy 4240 – Classified Negotiations (10/79)
10. Memorandum from Associate Superintendent, Human Resources, to the Superintendent, regarding district initial proposal to negotiate contract with UBA (2/19/03)
11. District initial proposal for Union of Berkeley Administrators (2/19/03)
12. District initial proposal for UBA (undated)
13. District initial proposal for BFT (undated)
14. BUSD and Berkeley Council of Classified Employees, AFT Local 6192, package proposal (3/17/03)
15. Ground rules, BUSD and Local #21 (11/20/02)
16. Schedule of negotiation sessions, Local #6192 and Local #39, March/April 2003
17. Hand-written negotiations sessions minutes (various dates)

### **Findings**

1. The district has various board policies related to collective bargaining. Some are old and outdated.
2. The district currently negotiates with five different employee organizations.
3. The district uses outside legal counsel at the bargaining table for some of its negotiations.
4. The district and the employee organizations each have bargaining teams to represent their interests at the table. Written proposals are exchanged.
5. The Associate Superintendent, Human Resources, is personally involved in many of the bargaining sessions. This process involves a large commitment of his time and takes him away from his office and other duties.
6. The Director of Classified Personnel and the Manager of Certificated Personnel are members of each district bargaining team in negotiations affecting their areas. This involvement is very time consuming.

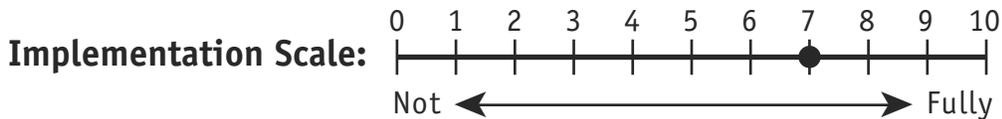
7. An interest in exploring “interest-based” negotiations was expressed by the leaders of at least one employee organization.
8. Minutes are taken at the negotiations sessions by district representatives. They are shared with the Superintendent and the board of education.

### **Recommendations and Improvement Plan**

1. Continue the current systems of negotiating with each employee organization. Explore the feasibility of “interest-based” negotiations with those organizations that show an interest.
2. Evaluate the time commitments of Human Resources Division staff to the collective bargaining process. Adjust, where possible, the time required of top-level Human Resources Division staff in the process.

### **Standard Implemented: Partially**

July 2003 Rating: 7



## **12.5 Employer/employee Relations**

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### **Professional Standard**

The Personnel Division has a process that provides management and the board of education with information on the impact of bargaining proposals (i.e., fiscal staffing, management flexibility, student outcomes).

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Document – District cost analysis – BUSD and UBA (March 13, 2003)
4. Document – District cost analysis – BUSD and Professional and Technical Engineers, Local 21 (March 13, 2003)
5. Document – Status report – BUSD and Local 39 negotiations (March 12, 2003)
6. Document – Status report – BUSD and BCCE negotiations (March 12, 2003)
7. Document – District priorities in BFT negotiations (3/13/03)
8. Document – BFT agreement – Cost analysis (undated)
9. Document – BUSD/BFT proposed district cost savings (3/13/03)
10. Board of education meeting agenda (April 2, 2003)

### **Findings**

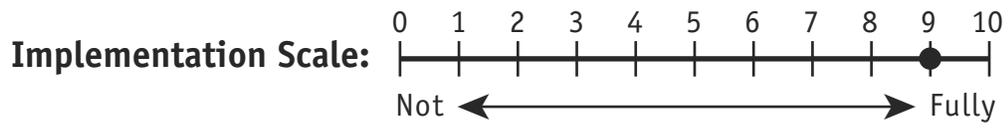
1. The Human Resources, Educational Services, and the Business and Operations divisions work cooperatively to develop detailed information regarding the impact of bargaining proposals.
2. Information concerning the costs and impacts of bargaining proposals is presented to the board of education by the Superintendent and cabinet-level administrators in closed session meetings.
3. The administration prepares status reports on negotiations with various bargaining units and presents the information to the board of education.
4. The amount of information prepared as backup for the decision-making process is extensive and well-prepared.

### **Recommendations and Improvement Plan**

1. Continue the process of creating district cost analyses for each bargaining unit and sharing the information with the board of education.
2. Continue the process of documenting the status of negotiations for each bargaining unit and sharing the information with the board of education.

**Standard Implemented: Fully - Substantially**

July 2003 Rating: 9



## **12.6 Employer/employee Relations**

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### **Professional Standard**

The Personnel Division provides clearly defined forms and procedures in the handling of grievances for its managers and supervisors.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Interviews with employee organization leadership
4. Collective bargaining agreements with various bargaining units (various dates)
5. Letter from BFT President to Associate Superintendent, Human Resources, regarding the appeal of a grievance from Level I to Level II (March 5, 2003)
6. Grievance Report – Local #39 (3/14/03)

### **Findings**

1. The various collective bargaining units address the grievance process in their own way. Each has a specific procedure outlined in the agreements. Some agreements are still being printed.
2. Some bargaining units use grievance forms, and some use written memoranda. There is no universal grievance form for the district.
3. The Human Resources Division administrators are responsible for providing assistance to administrators, managers and supervisors when there are questions involving grievances.
4. There are no written materials available to administrators, managers and supervisors on the processing of grievances.
5. There are no grievance logs in the Human Resources Division.
6. Many people interviewed indicated that the largest number of grievances have related to improper payroll information and paycheck errors.
7. The administration indicated that many grievances are related to problems the district had in its conversion of the payroll/personnel system during the past year. Many of the problems have been resolved.

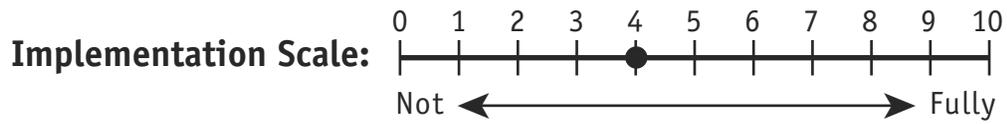
### **Recommendations and Improvement Plan**

1. Develop a grievance database and log for each bargaining unit. Record the date, alleged article violation number, grievant and other pertinent information. Provide a tracking system that allows the district to track specific grievances and to compile data regarding problem areas.
2. Develop materials to assist administrators, managers and supervisors with the processing of grievances. Use the materials in training sessions annually.

3. Develop a universal grievance form or a grievance form for each bargaining unit. The form should provide the necessary information and instructions that allow the district to process the grievance effectively.

**Standard Implemented: Partially**

July 2003 Rating: 4



## 12.7 Employer/employee Relations

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### Professional Standard

Bargaining proposals and negotiated settlements are “sunshined” in accordance with the law to allow public input and understanding of employee cost implications and, most importantly, the effects on the children of the district.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Board meeting backup material (2-3-03) – District initial proposal to negotiate contract with UBA (February 19, 2003)
4. Board Policy 4141 – Collective Bargaining Agreement (1/10/80)
5. Board Policy 4143.2 – Citizens’ Participation in Collective Bargaining (10/4/79)
6. Board Policy 4240 – Classified Negotiations (10/79)

### Findings

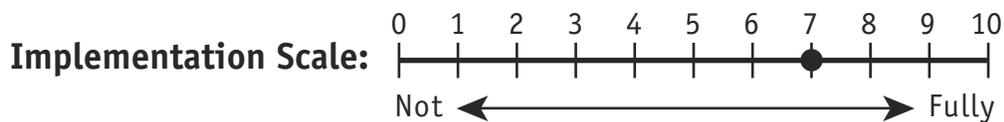
1. The district has various board policies regarding collective bargaining. Some are out of date. The district has a specific board policy regarding citizen participation.
2. The district uses memoranda to the Superintendent and attachments of initial bargaining proposals as backup to board of education agenda items needing to be “sunshined.”
3. The public has the opportunity to review bargaining proposals and to address the board of education regarding these proposals at public board meetings.
4. The Human Resources Division prepares the calculations and budget impact of negotiated agreements with employee organizations and the Business Division approves them prior to submitting them to the Alameda County Office of Education.

### Recommendations and Improvement Plan

1. Continue the current practice of “sunshining” appropriate information concerning collective bargaining matters.
2. Review and revise board policies that relate to the collective bargaining process, where appropriate.

### Standard Implemented: Partially

July 2003 Rating: 7





# Chart of Personnel Management Standards



*Progress Ratings Toward Implementation of the Improvement Plan*



<b>Personnel Management</b>			
<b>Standard to be addressed</b>		<b>July 2003 rating</b>	<b>Focus for January 2004</b>
<b>1.1</b>	An updated and detailed policy and procedures manual exists that delineates the responsibilities and operational aspects of the personnel office.	4	
<b>1.2</b>	The district has clearly defined and clarified roles for board and administration relative to recruitment, hiring, evaluation and dismissal of employees.	4	
<b>1.3</b>	The Personnel Division has developed a mission statement that sets clear direction for personnel staff.	5	
<b>1.4</b>	The Personnel Division has an organizational chart and a functions chart that include the names, positions and job functions of all staff in the Personnel Division.	4	
<b>1.5</b>	The Personnel Division has established goals and objectives directly related to the district's goals that are reviewed and updated annually.	3	
<b>1.6</b>	Individual staff members have developed goals and objectives in their areas of responsibility and a personal professional development plan.	4	<input type="checkbox"/>
<b>1.7</b>	The Personnel Division has a monthly activities calendar and accompanying lists of ongoing personnel activities to be reviewed by staff at planning meetings.	0	
<b>1.8</b>	The Personnel Division head is a member of the Superintendent's cabinet and participates in decision making early in the process.	8	
<b>2.1</b>	The Personnel Division utilizes the latest technological equipment for incoming and outgoing communications.	3	
<b>2.2</b>	The personnel and business divisions have developed and distributed a menu of services that includes the activities performed, the individual responsible, and the telephone numbers where they may be contacted.	3	<input type="checkbox"/>
<b>2.3</b>	The Personnel Division provides an annual report of activities and services provided during the year.	0	<input type="checkbox"/>
<b>2.4</b>	The Personnel Division staff is cross-trained to respond to client need without delay.	2	
<b>2.5</b>	The Personnel Division holds regularly scheduled staff meetings.	6	

<b>Personnel Management</b>			
<b>Standard to be addressed</b>		<b>July 2003 rating</b>	<b>Focus for January 2004</b>
<b>2.6</b>	Various publications are provided on a number of subjects to orient and inform various clients.	5	
<b>3.1</b>	The Governing Board will provide equal opportunities for all people without regard to race, color, creed, sex, religion, ancestry, national origin, age, or disability (EC 44100-44105).	4	
<b>3.2</b>	Employment procedures and practices are conducted in a manner that ensures equal employment opportunities. Written hiring procedures are provided.	4	<input type="checkbox"/>
<b>3.3</b>	The job application form requests information that is legal, useful, pertinent, and easily understood.	7	
<b>3.4</b>	The Personnel Division recruitment plan that contains recruitment goals, including the targeting of hard-to-fill positions such as those in the areas of math, science, special education and bilingual education.	0	
<b>3.5</b>	The district has established an adequate recruitment budget that includes funds for travel, advertising, staff training, promotional materials and the printing of a year-end report, and that effectively implements the provisions of the district recruitment plan.	1	
<b>3.6</b>	The district has developed materials that promote the district and community, are attractive, informative and easily available to all applicants and other interested parties.	0	
<b>3.7</b>	The district has identified people to participate in recruitment efforts, including principals, district personnel and others, as appropriate, and has provided them with adequate training to carry out the district's recruitment goals.	0	
<b>3.8</b>	The district has effectively identified a variety of successful recruitment sources, including Web sites, job fairs, colleges and universities and publications.	5	
<b>3.9</b>	The district has developed an annual written summary reports of its recruitment efforts, including data detailing the goals for the year, sites visited, number of candidates contacted, employees hired as a result of the recruitment efforts and plans for any changes for the following year.	0	
<b>3.10</b>	The district has developed alternative teacher certification programs and process (i.e., preintern, intern, committee on assignment).	2	

<b>Personnel Management</b>			
<b>Standard to be addressed</b>		<b>July 2003 rating</b>	<b>Focus for January 2004</b>
<b>3.11</b>	The district is preparing to address new federal regulations as they relate to the No Child Left Behind Act.	1	<input type="checkbox"/>
<b>3.12</b>	The district systematically initiates and follows up on reference checking on all applicants being considered for employment.	3	<input type="checkbox"/>
<b>4.1</b>	The Governing Board will provide equal employment opportunities for persons without regard to race, color, creed, sex, religion, ancestry, national origin, age or disability (EC 44100-44105).	5	
<b>4.2</b>	Employment procedures and practices are conducted in a manner that ensures equal employment opportunities. Written hiring procedures are provided under merit system rules.	2	
<b>4.3</b>	The job applicant form requests information that is legal, useful, pertinent, and easily understood.	5	
<b>4.4</b>	The district has a written recruitment plan identifies various recruitment sources utilized in the search process for the numerous position classifications.	5	
<b>4.5</b>	The district systematically initiates and follows up on all applicants being considered for employment.	4	<input type="checkbox"/>
<b>4.6</b>	Appropriateness of required tests for a specific position is evident.	6	
<b>4.7</b>	The Personnel Commission prepares an eligibility list of qualified candidates for each classified position that is open, indicating the top three candidates (EC45272-45278)	6	
<b>4.8</b>	Classified recruitment results are provided in an annual report to the Personnel Commission Board.	3	
<b>4.9</b>	The district has implemented procedures to comply with the recent state legislation governing short-term employees (EC 45103).	10	
<b>5.1</b>	Initial orientation is provided for all new staff.	4	<input type="checkbox"/>
<b>5.2</b>	The Personnel Division provides orientation handbooks for new employee orientation in all classifications: substitutes, teachers and classified employees.	4	

<b>Personnel Management</b>			
<b>Standard to be addressed</b>		<b>July 2003 rating</b>	<b>Focus for January 2004</b>
<b>5.3</b>	The Personnel Division has developed a video presentation (i.e., tape, CD-ROM, DVD) of the district activities and expectations for new employee orientation.	0	
<b>5.4</b>	The Personnel Division has developed an employment checklist to be used for all new employees that includes district forms and state and federal mandated information. The checklist is signed by the employee and kept on file.	3	
<b>6.1</b>	Personnel files are complete, well-organized and up to date.	1	
<b>6.2</b>	Personnel Division nonmanagement staff members have individual desk manuals for all of the personnel functions for which they are held responsible.	0	<input type="checkbox"/>
<b>6.3</b>	The Personnel Division has an operation procedures manual for internal department use in order to establish consistent application of personnel actions.	2	<input type="checkbox"/>
<b>6.4</b>	The Personnel Division has a process in place to systematically review and update job descriptions. These job descriptions shall be in compliance with the Americans with Disabilities Act (ADA) requirements.	5	
<b>6.5</b>	The Personnel Division provides an office environment with appropriate furniture, equipment, and materials.	4	
<b>6.6</b>	The Personnel Division has procedures in place that allow for both personnel and payroll staff to meet regularly to solve problems which develop in the process of new employees, classification changes and employee promotions.	4	<input type="checkbox"/>
<b>6.7</b>	Wage and salary determination and ongoing implementation are handled without delays and conflicts (substitutes, temporary employees, stipends, shift differential, etc.).	4	
<b>6.8</b>	Regulations or agreements covering various types of leaves are fairly administered.	6	
<b>6.9</b>	Personnel staff members attend training sessions/workshops to keep abreast of the most current acceptable practices and requirements facing personnel administrators.	1	<input type="checkbox"/>
<b>6.10</b>	The Personnel Division provides employees with appropriate forms for documenting requested actions (i.e., leaves, transfers, resignations, retirements).	9	

<b>Personnel Management</b>			
<b>Standard to be addressed</b>		<b>July 2003 rating</b>	<b>Focus for January 2004</b>
<b>6.11</b>	Established staffing formulas dictate the assignment of personnel to the various sites and programs.	4	
<b>7.1</b>	Policies and regulations exist regarding the implementation of AB 1610 and AB 1612 on fingerprinting requirements. Education Codes: 44237, 45125, 45125.1, 44332.6, 44346.1, 44830.1, 45122.1.	6	
<b>7.2</b>	The Governing Board requires every employee to present evidence of freedom from tuberculosis as required by state law (EC 44839, 49406).	2	<input type="checkbox"/>
<b>7.3</b>	No person shall be employed as a teacher's aide unless that person has passed the basic reading, writing, and mathematic skills proficiencies required for graduation from high school (EC 45361.5).	9	
<b>7.4</b>	A clear implemented policy exists on the prohibition of discrimination (Government Code 11135).	5	
<b>7.5</b>	All certificated persons hold one or more valid certificates, credentials or life diplomas that allow the holder to engage in school services designated in the document (EC 44006).	1	
<b>7.6</b>	Duties to be performed by all persons in the classified service and other positions not requiring certification are fixed and prescribed by the Governing Board (EC 45109).	1	
<b>7.7</b>	Professional growth requirements for maintenance of a valid credential exist (EC 44277).	10	
<b>7.8</b>	The district has established a process by which all required notices and in-service training sessions have been performed and documented such as those for child abuse reporting, blood-borne pathogens, sexual harassment and nondiscrimination. (EC 44691, GC 8355).	2	
<b>7.9</b>	The district is in compliance with Title IX policies on discrimination and Government Code 12950(a) posting requirements concerning harassment or discrimination.	5	
<b>7.10</b>	The district is in compliance with the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA).	6	
<b>7.11</b>	The district is in compliance with the Family Medical Leave Act (FMLA) including posting the proper notifications.	4	

<b>Personnel Management</b>			
<b>Standard to be addressed</b>		<b>July 2003 rating</b>	<b>Focus for January 2004</b>
<b>7.12</b>	The district is in compliance with the Americans with Disabilities Act (ADA) of 1990 in application procedures, hiring, advancement or discharge, compensation, job training and other terms, conditions, and privileges of employment.	6	
<b>7.13</b>	The district has identified exempt and nonexempt employees and has promulgated rules and regulations for overtime that are in compliance with the Fair Labor Standards Act and California statutes.	3	
<b>8.1</b>	An online position control system is utilized and is integrated with payroll/financial systems.	3	
<b>8.2</b>	The Personnel Division provides an automated substitute calling system. The system should have ability to input and retrieve data. Data should be distributed to site and program managers.	8	
<b>8.3</b>	The certificated and classified departments of the Personnel Division has an applicant tracking system.	0	
<b>8.4</b>	The Personnel Division has a program of providing funds and time for staff training and skills development in the use of computers.	1	
<b>8.5</b>	The Personnel Division utilizes the latest technology to provide staff and clients with improved communications (e.g., voice mail, fax, e-mail).	5	
<b>8.6</b>	The Personnel Division has computerized its employee database system including, but not limited to: credentials, seniority lists, evaluations, personnel by funding source, program, location, and Workers' Compensation benefits.	3	
<b>9.1</b>	The district has developed a systematic program for identifying areas of need for in-service training for all employees.	1	
<b>9.2</b>	The district shall make provisions for department-directed staff development activities (EC 52034(g)).	6	
<b>9.3</b>	Teachers and other professional school services personnel are provided with diversity training (EC 44560).	0	
<b>9.4</b>	The district has adopted policies and procedures regarding the recognition and reporting of sexual harassment (GC 12940).	10	

<b>Personnel Management</b>			
<b>Standard to be addressed</b>		<b>July 2003 rating</b>	<b>Focus for January 2004</b>
<b>9.5</b>	The district provides training for all management and supervisory staff responsible for employee evaluations.	6	<input type="checkbox"/>
<b>9.6</b>	The district provides training opportunities to managers and supervisors in leadership development and supervision. Training topics might include interpersonal relationships, effective supervision, conflict resolution, cultural diversity and gender sensitivity, team building.	3	
<b>9.7</b>	The district develops handbooks and materials for all training components.	6	
<b>10.1</b>	The evaluation process is a regular function related to each employee and involves criteria related to the position.	6	
<b>10.2</b>	Standards for the evaluation of management and supervisors will be developed and implemented.	6	
<b>10.3</b>	A clear policy and practice exists for the written evaluation and assessment of certificated employees. (EC 44663)	7	
<b>10.4</b>	The Personnel Division provides a process for the monitoring of employee evaluations and the accountability reporting of their completion.	4	<input type="checkbox"/>
<b>10.5</b>	The Personnel Division has developed an evaluation handbook for management and supervisory training.	6	<input type="checkbox"/>
<b>10.6</b>	The Personnel Division has developed due process training for managers and supervisors.	6	<input type="checkbox"/>
<b>10.7</b>	The Personnel Division has developed a process for providing assistance to certificated employees performing at a less-than-satisfactory level such as Peer Assistance and Review (PAR).	8	
<b>10.8</b>	The Personnel Division has developed a process for providing assistance to classified employees performing at a less-than-satisfactory level.	7	
<b>11.1</b>	The Personnel Division has developed a program for retirement counseling, including: STRS counseling, PERS counseling, and "life after retirement."	2	<input type="checkbox"/>
<b>11.2</b>	The Personnel Division has developed recognition programs for all employee groups.	7	

<b>Personnel Management</b>			
<b>Standard to be addressed</b>		<b>July 2003 rating</b>	<b>Focus for January 2004</b>
<b>11.3</b>	The Personnel Division has available to its employees various referral agencies to assist employees in need.	7	
<b>11.4</b>	Employee benefits are well understood by employees through periodic printed communications provided by the Personnel Division. Timely notification of annual open enrollment periods is sent to all employees.	5	
<b>11.5</b>	The Personnel Division provides new hires with a detailed explanation of benefits, the effective date of coverage, along with written information outlining their benefits and when enrollment forms must be returned to implement coverage.	6	
<b>11.6</b>	Employees are provided the state's injury report form (DWC Form 1) within one working day of having knowledge of any injury or illness.	9	
<b>11.7</b>	The district notifies the third party administrator of an employee's claim of injury within five working days of learning of the injury and forwards a completed form 5020 to the insurance authority.	9	
<b>11.8</b>	The district's Workers' Compensation experiences and activities are reported periodically to the superintendent's cabinet.	4	<input type="checkbox"/>
<b>11.9</b>	The Workers' Compensation unit is actively involved in providing injured workers with an opportunity to participate in a modified duty program.	7	
<b>11.10</b>	The Workers' Compensation unit maintains the California OSHA log for all work sites and a copy is posted at each work site during the month of February as required	4	
<b>11.11</b>	The district does not pay temporary disability benefits during those times when an employee is in an extended nonpay status.	7	
<b>12.1</b>	The district has collected data that compare the salaries and benefits of its employees with districts of similar size, geographic location and other comparable measures.	7	
<b>12.2</b>	The Personnel Division involves site-level administrators in the bargaining and labor relations decision making process.	6	
<b>12.3</b>	The Personnel Division provides all managers and supervisors (certificated and classified) training in contract management with emphasis on the grievance process and administration.	5	

<b>Personnel Management</b>			
<b>Standard to be addressed</b>		<b>July 2003 rating</b>	<b>Focus for January 2004</b>
<b>12.4</b>	The Personnel Division provides a clearly defined process for bargaining with its employee groups (i.e., traditional, interest-based).	7	
<b>12.5</b>	The Personnel Division has a process in place that provides management and the Board of Education with information on the impact of bargaining proposals (i.e., fiscal, staffing, management flexibility, student outcomes).	9	
<b>12.6</b>	The Personnel Division provides clearly defined forms and procedures in the handling of grievances for its managers and supervisors.	4	<input type="checkbox"/>
<b>12.7</b>	Bargaining proposals and negotiated settlements are “sunshined” in accordance with the law to allow public input and understanding of the cost implications and, most importantly, the effects on the children of the district.	7	