

BERKELEY UNIFIED SCHOOL DISTRICT

ADOPTED MINUTES

Page 1

MINUTES, REGULAR MEETING
Wednesday, August 16, 2000
District Administrative Offices
Board Meeting Room
2134 Martin Luther King Jr. Way
Berkeley, CA 94704-1180

CALL TO ORDER

President Rivera called the meeting to order at 6:00 p.m., and the Board recessed to Closed Session.

1. **BOARD ROLL CALL:** President Joaquin J. Rivera
Vice President Terry S. Doran
Director Pamela M. Doolan
Director Shirley Issel
Director Ted Schultz
Student Director-Elect Niles Xi'an Lichtenstein*

Administration: Superintendent Jack McLaughlin, Secretary

2. Recess to Closed Session (Board Conference Room)
- a. Discussion with Legal Counsel—Existing Litigation (Government Code Section 54956.9(a)).
Case name unspecified: Disclosure would jeopardize:
Service of Process X Existing Settlement Negotiations
 - b. Discussion with District Counsel—Anticipated litigation (Government Code Section 54956.9(c)).
Specify number of potential cases: One
 - c. Consideration of Student Expulsion (Education Code Section 48918(c) (K-12)).
 - (1) Case number 197
 - (2) Case number 198
 - (3) Case number 199
 - d. Conference with Real Property Negotiator (Government Code Section 54956.8)
Property: Urban Ore, Gilman Street, Berkeley, CA
Names of Negotiation Party: Catherine E. James and Judson Owens
Under Negotiation: [] Price [] Terms of Payment [X] Both
 - e. Approval of FY 2001 Categorical Classified Reductions and Layoffs (Education Code Section 45308).
 - f. Collective Bargaining Session (Government Code Section 3549.1(d))
 - g. Public Employment Discipline/Release/Transfer/Assignment (Government Code Section 54557)
 - h. Public Employment (Government Code Section 54957)
Certificated Transactions:
 - (1) Appointment: Berkeley High School Principal; Berkeley High School Executive Vice Principal.
 - (2) Leave of Absence
 - (3) ResignationsClassified Transactions: None
Monthly Report: None

*The Student Director does not attend Closed Session.

RECONVENE IN PUBLIC SESSION

The Board returned to Public Session at 7:36 p.m.

SPECIAL ORDER OF BUSINESS

3. Oath of Office for Niles Xi'an Lichtenstein, newly elected Student Board Director.

Ms. Sherry Kelly, City Clerk, City of Berkeley, administered the Oath of Office to Niles Xi'an Lichtenstein, newly elected Student Board Director.

After the Oath of Office, Niles Xi'an Lichtenstein, Student Board Director, took his seat.

REPORT OF ACTION TAKEN IN CLOSED SESSION

President Rivera stated that there was nothing to report from Closed Session.

COLLECT "REQUESTS TO ADDRESS THE BOARD OF EDUCATION" CARDS

President Rivera collected the "Requests to Address the Board of Education" cards.

PUBLIC TESTIMONY

Two speakers addressed the Board.

UNION REPRESENTATIVES

Mr. Rick Spaid, Business Agent, Public Employees' Union Local One, addressed the Board.

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No one addressed the Board at this time.

SUPERINTENDENT'S REPORT

Superintendent McLaughlin commented regarding the Food Policy. He said this is an item that the Downtown Berkeley Association members are requesting the Board to approve.

AGENDA REORDER

BERKELEY HIGH SCHOOL UPDATE

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BOARD MEMBERS' COMMENTS

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APPROVAL OF CONSENT CALENDAR, ACTION ITEMS

The Board pulled, for separate consideration, Item 23.

Motion: Directors Schultz/Doran and approved unanimously on voice vote:

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26. Approval of Resolution No. 7237: Resolution Requesting the Board of Supervisors of Alameda County to issue tax and revenue anticipated notes in the name of the Berkeley Unified School District for Fiscal Year 2000-2001 in the principal amount of not to exceed \$15 million and authorizing the sale thereof and authorizing preparation of an official statement in connection therewith.

At this time Vice President Doran announced that Dr. Frank Brunetti, Associate Superintendent, Administrative Services, has tendered his resignation. The Board accepted Dr. Brunetti's resignation effective August 31, 2000.

APPROVAL OF ACTION ITEMS

27. Approval of Declaration of Need for Fully Qualified Educators.

Dr. Frank Brunetti, Associate Superintendent, Administrative Services, said this Declaration of Need is necessary in order to certify that there are an insufficient number of certificated persons who meet the District's specified employment criteria for certain positions.

Motion: Directors Schultz/Doolan and approved unanimously on voice vote:

Approval of Declaration of Need for fully qualified educators.

At this time, Ms. Christine Lim, Associate Superintendent, Instructional Services, announced the following appointments:

Ms. Andrea Colfack
Principal, Rosa Parks Environmental Science Magnet Elementary School.
Effective August 24, 2000.

Mr. William Dwyer
Principal, Longfellow Arts and Technology Magnet Middle School.
Effective September 18, 2000.

APPROVAL OF ACTION ITEMS (continued)

28. Approval of 2000-2001 revision to the Berkeley High School Promotion and Retention Policy.

Ms. Christine Lim, Associate Superintendent, Instructional Services, recommended that the Board continue to waive implementation of the Promotion and Retention Policy for students in grades 10-12 for the 2000-2001 school year. She said this waiver will allow more time for the new high school administrative team and staff to review the data and evaluate the alignment of courses with the standards and grading policies and practices.

Motion: Directors Schultz/Doran and approved unanimously on voice vote:

**Approval of 2000-2001 Revisions to the Berkeley High School
Promotion and Retention Policy.**

29. Approval to install security cameras at Berkeley High School.

Superintendent McLaughlin said this is a post activity monitoring situation in which these video cameras record on a timed basis. This is a policy issue. The Board needs to decide if this kind of security camera is appropriate in the Berkeley Unified School District.

Vice President Doran requested the following in order for him to make a decision:

- A clear explanation of the purpose of the cameras.
- A detailed explanation of how the system will function/be used.
- Are there other schools in this area that have used security cameras? What is their success and what are the feelings within the schools that use these security cameras?
- The Board requested that staff develop a policy that defines the parameters in which the cameras will be used in the schools. Who decides where the cameras will be located, etc.

President Rivera said this is a safety issue. He said we need to convey the message that we are not installing the cameras to monitor the students, we are installing cameras to make the students safer in the school. We want to make sure that Berkeley High School is a safe place—that we deter any type of activity that would be detrimental to the students.

Board members wanted to know if there will be cameras to monitor the rest rooms.

The Board requested that the Superintendent submit a proposed Board policy regarding this item at the next Board meeting.

APPROVAL OF ACTION ITEMS (continued)

30. Approval to enter into negotiations with Pleasanton Unified School District and Quintessential School System for Data Processing Services.

Mr. George Sirogiannis, Director, Business Services, said the business system users group visited Pleasanton, San Leandro, and Alameda school districts, and the Alameda County Office of Education, to determine user satisfaction with their respective software products. He reported that as far as overall functionality, QSS of Pleasanton Unified School District is the system of choice. QSS has been specifically designed for K-12 education in California; it serves many school districts and county offices of education, it accommodates the Standardized Account Code Structure (SACS), and the payroll/personnel components work well.

Board Members wanted to know the impact of this new system on the District's staff and the financial impact. They also requested a detailed description of the services that QSS will provide.

Motion: Directors Doolan/Schultz and approved unanimously on voice vote:

Approval to enter into negotiations with Pleasanton Unified School District and Quintessential School Systems for Data Processing Services.

31. Approval, at first reading, of Board policy changes related to the Coordinated Compliance Review (CCR):

- a. Uniform complaint procedures
- b. Sexual harassment
- c. Nondiscrimination statement

Mr. Christine Lim, Associate Superintendent, Instructional Services, said in order to bring the above policies into compliance as required by the Coordinated Compliance Review, these policies must be updated to include all of the required language.

The Board requested that all of the forms be translated into Spanish. The Board made the following amendments to the policy:

Under Sexual Harassment, on page 174.

Under "Education Environment," add: "...between students and between students and employees; and between students and non-employees."

Under "General Definitions," page 175 add a #4, which should read as follows:

- 4. ...are used as a basis for any decision affecting the individual regarding benefits and services, honors, programs or activities available at or through the educational institution.

President Rivera said the format of the student grievance procedures form from the Los Angeles Unified School District is user friendly. A form similar to this one should be included in our document.

APPROVAL OF ACTION ITEMS (continued)

31. Approval, at first reading, of Board policy changes related to the Coordinated Compliance Review (CCR): (continued)

President Rivera also requested that staff review the forms in the section "Initial Interview Check List" for possible inclusion in our document.

Motion: Directors Doolan/Doran and approved unanimously on voice vote:

Approval, at first reading, of the board policy changes related to the Coordinated Compliance Review (CCR), as amended.

AGENDA REORDER

DISCUSSION/INFORMATION/REPORT

32. Report from Citizen's Advisory Committee on Diversity

This item was tabled.

33. Status of Summer Safety Maintenance Corrective Activities Correction Plan

Dr. Frank Brunetti, Associate Superintendent, Administrative Services, gave an oral report. He said the City of Berkeley's Fire Marshal will be visiting all school sites, and he will submit a detailed report regarding our fire violations. Staff will receive the report and correct the violations.

The Board requested a copy of last year's report and this year's report from the Fire Marshal.

34. Second Annual Report on the Early Literacy Plan

This item was tabled.

ADDITIONAL PUBLIC TESTIMONY

There was no Additional Public Testimony at this time.

BOARD MATTERS

35. Board Committee Appointments/Reports

- **Berkeley School Financing Corporation**
There was no report at this time.
- **Budget Committee**
Director Ted Schultz appointed **Don Read** to the Budget Committee.
- **Citizens Advisory Committee on Diversity**
There was no report at this time.
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- **Two-by-Two Committee**
There was no report at this time.
- **Youth Commission**
There was no report at this time.

BOARD REQUESTS

Vice President Doran requested that staff submit to the Board an analysis and report on the summer school program.

ADJOURNMENT

President Rivera declared the Regular Meeting of August 16, 2000 adjourned at 9:38 p.m.

APPROVED:

ATTEST:

President, Board of Education
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Secretary, Board of Education
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No one addressed the Board at this time.

SUPERINTENDENT'S REPORT

Superintendent McLaughlin commented regarding the Food Policy. He said this is an item that the Downtown Berkeley Association members are requesting the Board to approve.

AGENDA REORDER

BERKELEY HIGH SCHOOL UPDATE

Ms. Christine Lim, Associate Superintendent, Instructional Services, gave an update regarding Berkeley High School. She explained the administrative structure—outlining the duties and responsibilities of the Principal, Executive Vice Principal and the Assistant Vice Principals.

Ms. Lim announced that the new entrance to Berkeley High School is 2223 Martin Luther King Jr. Way.

The Board requested a report regarding the parking issue at Berkeley High School.

BOARD MEMBERS' COMMENTS

The Board welcomed Student Director Lichtenstein. Board Members indicated their desire to be included in the discussion regarding a food court at Berkeley High School.

APPROVAL OF CONSENT CALENDAR, ACTION ITEMS

The Board pulled, for separate consideration, Item 23.

Motion: Directors Schultz/Doran and approved unanimously on voice vote:

That the remainder of the Consent Calendar, Action Items, be approved.

4. Approval of Minutes: February 16 and 28, 2000; March 1, 2000.
5. Approval of Personnel Recommendations.
6. Approval to establish position of Executive Vice Principal, Berkeley High School.
7. Action taken regarding decision of Student Expulsion Administrative Panels:
 - a. Case No. 197.
 - b. Case No. 198.
 - c. Case No. 199.
8. Approval of purchases in excess of \$15,000.
9. Approval of Resolution No. 7236: Resolution in the Reduction of Classified Staff.
10. Approval of payroll issues and cancellations for July 2000: General Fund; Adult Fund; Cafeteria Fund; Child Development Fund; State School Building Fund; Measure "A" Bond Fund; School Enrichment Fund; and Manual Issues and Cancellation.
11. Adoption of Materials Related to the Instructional Materials Augmentation Funding Grades 9-12.
12. Approval of Authorization of Schoolwide Programs for:
 - a. Thousand Oaks Elementary School
 - b. Washington Elementary School
13. Approval of Resolution No. A306: Authorization to Re-advertise for Bids for Gates Project at Thousand Oaks Elementary School.
14. Approval of Resolution No. A307: Authorization to Reject and Re-advertise for Bids for Playground Project at Thousand Oaks Elementary School.
15. Approval of Resolution No. A308: Authorization to Award Playground Project at Cragmont Elementary School.
16. Approval of Resolution No. A309: Authorization to accept completion of the Malcolm X Arts & Academic Magnet School.
17. Approval of Resolution No. A310: Authorization to Resolution No. A298 Change Order on Re-Roofing John Muir Elementary School Auditorium.
18. Approval of Resolution No. A311: Authorization to Accept Completion of Longfellow Arts & Technology Magnet Middle School Modernization Project.
19. Approval of Resolution No. A312: Authorization to Accept Completion of Re-Roofing Projects at Jefferson and Washington Elementary Schools.

APPROVAL OF CONSENT CALENDAR, ACTION ITEMS (continued)

20. Approval of Change Order for opening date for new Milvia Street buildings at Berkeley High School.
21. Approval of Amendment of Agreement to Bid Schedule No. 1322 for Custodial Supplies.
22. Approval of Memorandum of Agreement between the Berkeley Unified School District (BUSD) and Stiles Hall.
23. Approval for Berkeley High School students to take a field trip to Cuba in November 2000.

This item was pulled.

24. Approval of the 1999-2000 Carl Perkins Vocational Technical Plan and Funding Application for Berkeley High School.
25. Approval of Revisions to FY 2000-2001 Adopted Budget.
26. Approval of Resolution No. 7237: Resolution Requesting the Board of Supervisors of Alameda County to issue tax and revenue anticipated notes in the name of the Berkeley Unified School District for Fiscal Year 2000-2001 in the principal amount of not to exceed \$15 million and authorizing the sale thereof and authorizing preparation of an official statement in connection therewith.

At this time Vice President Doran announced that Dr. Frank Brunetti, Associate Superintendent, Administrative Services, has tendered his resignation. The Board accepted Dr. Brunetti's resignation effective August 31, 2000.

APPROVAL OF ACTION ITEMS

27. Approval of Declaration of Need for Fully Qualified Educators.

Dr. Frank Brunetti, Associate Superintendent, Administrative Services, said this Declaration of Need is necessary in order to certify that there are an insufficient number of certificated persons who meet the District's specified employment criteria for certain positions.

Motion: Directors Schultz/Doolan and approved unanimously on voice vote:

Approval of Declaration of Need for fully qualified educators.

At this time, Ms. Christine Lim, Associate Superintendent, Instructional Services, announced the following appointments:

Ms. Andrea Colfack
Principal, Rosa Parks Environmental Science Magnet Elementary School.
Effective August 24, 2000.

Mr. William Dwyer
Principal, Longfellow Arts and Technology Magnet Middle School.
Effective September 18, 2000.

APPROVAL OF ACTION ITEMS (continued)

28. Approval of 2000-2001 revision to the Berkeley High School Promotion and Retention Policy.

Ms. Christine Lim, Associate Superintendent, Instructional Services, recommended that the Board continue to waive implementation of the Promotion and Retention Policy for students in grades 10-12 for the 2000-2001 school year. She said this waiver will allow more time for the new high school administrative team and staff to review the data and evaluate the alignment of courses with the standards and grading policies and practices.

Motion: Directors Schultz/Doran and approved unanimously on voice vote:

Approval of 2000-2001 Revisions to the Berkeley High School
Promotion and Retention Policy.

29. Approval to install security cameras at Berkeley High School.

Superintendent McLaughlin said this is a post activity monitoring situation in which these video cameras record on a timed basis. This is a policy issue. The Board needs to decide if this kind of security camera is appropriate in the Berkeley Unified School District.

Vice President Doran requested the following in order for him to make a decision:

- A clear explanation of the purpose of the cameras.
- A detailed explanation of how the system will function/be used.
- Are there other schools in this area that have used security cameras? What is their success and what are the feelings within the schools that use these security cameras?
- The Board requested that staff develop a policy that defines the parameters in which the cameras will be used in the schools. Who decides where the cameras will be located, etc.

President Rivera said this is a safety issue. He said we need to convey the message that we are not installing the cameras to monitor the students, we are installing cameras to make the students safer in the school. We want to make sure that Berkeley High School is a safe place—that we deter any type of activity that would be detrimental to the students.

Board members wanted to know if there will be cameras to monitor the rest rooms.

The Board requested that the Superintendent submit a proposed Board policy regarding this item at the next Board meeting.

APPROVAL OF ACTION ITEMS (continued)

30. Approval to enter into negotiations with Pleasanton Unified School District and Quintessential School System for Data Processing Services.

Mr. George Sirogiannis, Director, Business Services, said the business system users group visited Pleasanton, San Leandro, and Alameda school districts, and the Alameda County Office of Education, to determine user satisfaction with their respective software products. He reported that as far as overall functionality, QSS of Pleasanton Unified School District is the system of choice. QSS has been specifically designed for K-12 education in California; it serves many school districts and county offices of education, it accommodates the Standardized Account Code Structure (SACS), and the payroll/personnel components work well.

Board Members wanted to know the impact of this new system on the District's staff and the financial impact. They also requested a detailed description of the services that QSS will provide.

Motion: Directors Doolan/Schultz and approved unanimously on voice vote:

Approval to enter into negotiations with Pleasanton Unified School District and Quintessential School Systems for Data Processing Services.

31. Approval, at first reading, of Board policy changes related to the Coordinated Compliance Review (CCR):

- a. Uniform complaint procedures
- b. Sexual harassment
- c. Nondiscrimination statement

Mr. Christine Lim, Associate Superintendent, Instructional Services, said in order to bring the above policies into compliance as required by the Coordinated Compliance Review, these policies must be updated to include all of the required language.

The Board requested that all of the forms be translated into Spanish. The Board made the following amendments to the policy:

Under Sexual Harassment, on page 174.

Under "Education Environment," add: ... "between students and between students and employees; and between students and non-employees."

Under "General Definitions," page 175 add a #4, which should read as follows:

4. ...are used as a basis for any decision affecting the individual regarding benefits and services, honors, programs or activities available at or through the educational institution.

President Rivera said the format of the student grievance procedures form from the Los Angeles Unified School District is user friendly. A form similar to this one should be included in our document.

APPROVAL OF ACTION ITEMS (continued)

31. Approval, at first reading, of Board policy changes related to the Coordinated Compliance Review (CCR): (continued)

President Rivera also requested that staff review the forms in the section "Initial Interview Check List" for possible inclusion in our document.

Motion: Directors Doolan/Doran and approved unanimously on voice vote:

Approval, at first reading, of the board policy changes related to the Coordinated Compliance Review (CCR), as amended.

AGENDA REORDER

DISCUSSION/INFORMATION/REPORT

32. Report from Citizen's Advisory Committee on Diversity

This item was tabled.

33. Status of Summer Safety Maintenance Corrective Activities Correction Plan

Dr. Frank Brunetti, Associate Superintendent, Administrative Services, gave an oral report. He said the City of Berkeley's Fire Marshal will be visiting all school sites, and he will submit a detailed report regarding our fire violations. Staff will receive the report and correct the violations.

The Board requested a copy of last year's report and this year's report from the Fire Marshal.

34. Second Annual Report on the Early Literacy Plan

This item was tabled.

ADDITIONAL PUBLIC TESTIMONY

There was no Additional Public Testimony at this time.

BOARD MATTERS

35. Board Committee Appointments/Reports

- **Berkeley School Financing Corporation**
There was no report at this time.
- **Budget Committee**
Director Ted Schultz appointed **Don Read** to the Budget Committee.
- **Citizens Advisory Committee on Diversity**
There was no report at this time.
- **Citizens Construction Program Advisory Committee**
There was no report at this time.
- **Facilities Maintenance and Security Advisory Committee**
There was no report at this time.
- **Music Program Committee**
There was no report at this time.
- **Peace and Justice Commission**
There was no report at this time.
- **Student Assignment Advisory Committee**
There was no report at this time.
- **Surplus Facilities Advisory Committee**
There was no report at this time.
- **Two-by-Two Committee**
There was no report at this time.
- **Youth Commission**
There was no report at this time.

BOARD REQUESTS

Vice President Doran requested that staff submit to the Board an analysis and report on the summer school program.

ADJOURNMENT

President Rivera declared the Regular Meeting of August 16, 2000 adjourned at 9:38 p.m.

APPROVED:

ATTEST:



President, Board of Education
Berkeley Unified School District

Secretary, Board of Education
Berkeley Unified School District

qeg