

BERKELEY UNIFIED SCHOOL DISTRICT

ADOPTED MINUTES
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MINUTES, REGULAR MEETING

Wednesday, February 2, 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 6:02 p.m., and the Board recessed to Closed Session.

1. BOARD ROLL CALL

MEMBERS PRESENT: President Joaquin J. Rivera
Vice President Terry S. Doran
Director Pamela M. Doolan
Director Shirley Issel
Director Ted Schultz

MEMBER EXCUSED: Student Director Zachary C. Moon

Administration: Superintendent Jack McLaughlin, Secretary

2. Recess to Closed Session – Board Conference Room

- a. Discussion with Legal Counsel – Existing Litigation (Pursuant to Government Code Section 54956.9(c))
- b. Discussion with District Counsel – Anticipated Litigation (Pursuant to Government Code Section 54956.9(c))
- c. Consideration of Student Expulsion (Pursuant to Education Code Section 48918(c) (K-12) Case No. 180
- d. Collective Bargaining Session (Pursuant to Government Code Section 3549.1(d))
- e. Public Employment Discipline/Release/Transfer/Assignment (Pursuant to Government Code Section 54557)
- f. Public Employment (Pursuant to Government Code Section 54957)

Certificated Transactions:

1. Appointment, if and as needed
2. Appointment as Temporary Teacher
3. Appointment, as Substitute Teacher
4. Resignation

Classified Transactions:

- 1 Tutor
- 2 Probationary: Instructional Technician; Child Nutrition Supervisor
- 3 Student Worker
- 4 Substitutes, if and as needed: Instructional Technician; Noon Director; Intramural Director
- 5 Retirement
- 6 Resignation

RECONVENE IN PUBLIC SESSION

The Board returned to Public Session at 7:46 p.m.

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

Twelve people addressed the Board on various topics.

UNION REPRESENTATIVES

Mr. Rick Spaid, Business Agent, Public Employees' Union Local One and Mr. Barry Fike, President, Berkeley Federation of Teachers, and Mr. Marshall Burgamy, President, Union of Berkeley Administrators (UBA) addressed the Board.

ADVISORY COUNCILS

Mr. John Selawsky, Co-Chair, BSEP (Berkeley Schools Excellence Project) Planning and Oversight Committee and Mr. Mark Coplan, Chair, PTA Council, addressed the Board.

SUPERINTENDENT'S REPORT

Superintendent McLaughlin gave an update regarding the Promotion and Retention issue.

BOARD MEMBERS' COMMENTS

Board Members responded to comments made during Public Testimony. They discussed the retention and promotion issue and said that it is the Board's intent to find ways to help all students succeed. Board Members reported on activities at the schools.

PUBLIC HEARING AND APPROVAL

3. Public Hearing and Approval of Resolution for Grades K-12 Textbook and Instructional Materials Compliance, Fiscal Year 1999-2000

President Rivera opened the Public Hearing at 8:58 p.m.

No one requested to address the Board regarding this item.

President Rivera declared the Public Hearing closed at 8:59 p.m.

Motion: Directors Schultz/Doolan and approved 5-0-(1) on voice vote:

That this item be approved.

AYES: Directors Doolan, Doran, Issel, Rivera, Schultz

NOES: None

EXCUSED: (Student Director Moon)

AGENDA REORDER

DISCUSSION/INFORMATION/REPORT

13. State Department of Education Presentation on request to change Merit Commission Appointee

This item was pulled. The Board requested that the Superintendent and Board President send a letter to State Superintendent Delaine Eastin asking for clarification of her request. The letter should also express the Board Members' concerns that the State does not wish to honor the Board's recommended appointee to the Merit Commission.

AGENDA REORDER

APPROVAL OF ACTION ITEMS

12. Approval of Berkeley High School changes including Berkeley High School Alternative Program plans for 2000-2001.

Mr. John L. Brown, Principal, Berkeley High Alternative Center, and four staff members from the Berkeley High School Alternative Center, presented this item. Mr. Brown and the panel members discussed the "Berkeley High School Village 9" Plan, and the process for developing the plan. They responded to Board questions and comments. Ms. Theresa Saunders, Principal, Berkeley High School, highlighted the proposed changes at Berkeley High School.

Motion: Directors Doolan/Issel and approved 5-0-(1) on voice:

That the Berkeley High School changes including Berkeley High School Alternative Program Center plans for 2000-2001 are approved.

AYES: Directors Doolan, Doran, Issel, Rivera, Schultz

NOES: None

EXCUSED: (Student Director Moon)

AGENDA REORDER

APPROVAL OF ACTION ITEMS (continued)

11. Approval of Recommendation to complete Measure A Projects including the housing of students during construction

Mr. Lewis Jones, Manager, Facilities Planning, recommended that the Board take the following action:

- a. Approve the option, which keeps King together on site during construction;
- b. Place any needed relocatables in the top yard rather than in the soccer field or track;
- c. Express, as a first preference, the option which will allow the project to be completed in one phase;
- d. Direct staff to cover any expenses needed for the transitional housing for King and expenses for data wiring at Franklin School from the currently identified Adult School budget in preparing the new Facilities Plan;
- e. Prepare the schematic design of a cafeteria at the King campus and consider the location of the cafeteria as a part of locating the portables;
- d. Direct the Superintendent to prepare a recommendation to finance the additional facilities needs of the District, including the need for work at the Adult School and a cafeteria for the King campus. The recommendation shall include a method to finance the needs.

Motion: Directors Schultz/Doran and approved 5-0-(1) on voice vote:

That recommendations a-f above, be approved

AYES: Directors Doolan, Doran, Issel, Rivera, Schultz
NOES: None
EXCUSED: (Student Director Moon)

APPROVAL OF CONSENT CALENDAR, ACTION ITEMS

The Board pulled, for separate consideration, Items #4 and #9.

Motion: Directors Schultz/Issel and approved 5-0-(1) on voice vote:

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

4. Approval of Minutes: November 17 and 29, 1999; December 1 and 15, 1999; and January 12, 2000

Please see page 5 of these minutes for action on this item.

5. Approval of Personnel Recommendations
6. Approval of purchases in excess of \$15,000.00
7. Approval of Non-Public School Placement of a Special Education Student at Lincoln Child Center, Oakland, California for the period of January 4, 2000 to June 30, 2000 at a cost of \$13,664.00
8. Approval of Non-Public School Placement of a Special Education Student at Sunny Hills, San Anselmo, California, for the period of January 3, 2000 to June 30, 2000, at a cost of \$16,638.00
9. Approval of Resolution No. 7224: Use of Berkeley Adult School Auditorium by Covenant Worship Center

APPROVAL OF CONSENT CALENDAR, ACTION ITEMS (continued)

4. Approval of Minutes: November 17 and 29, 1999; December 1 and 15, 1999 and January 12, 2000

Motion: Directors Schultz/Issel and approved 5-0-(1) on voice vote:

That the minutes be approved and corrected.

AYES: Directors Doolan, Doran, Issel, Rivera, Schultz
NOES: None
EXUCSED: (Student Director Moon)

9. Approval of Resolution No. 7224: Use of Berkeley Adult School Auditorium by Covenant Worship Center

The Board requested that a statement indicating the beginning and ending dates be included in the agreement.

Motion: Directors Issel/Rivera and approved 5-0-(1) on voice vote:

That Resolution No. 7224 is approved as amended. The amendment is to include the beginning and ending dates in the agreement.

Dates in the agreement.

AYES: Directors Doolan, Doran, Issel, Rivera, Schultz
NOES: None
EXCUSED: (Student Director Moon)

AGENDA REORDER

APPROVAL OF ACTION ITEMS

10. Approval of the employment of teachers with the following waivers:

- a. Swahili
- b. Mathematics
- c. Haitian – African Dance

Dr. Frank Brunetti, Associate Superintendent, Administrative Services, explained this item.

Motion: Directors Doolan/Schultz and approved 5-0-(1) on voice vote:

That this item be approved.

AGENDA REORDER

DISCUSSION/INFORMATION/REPORT

14. Presentation of the Academic Performance Index (API) Report provided by the State Department of Education and Student Achievement Report

This item was pulled.

DISCUSSION/INFORMATION/REPORT

15. First Review and Discussion of materials related to the Instructional Materials Augmentation Funding Grades 9-12

Superintendent McLaughlin explained that as required by the State, these materials are on display in the Instructional Services Conference for review. They will be submitted to the Board for adoption at the next meeting.

BOARD MATTERS

16. Board Committee Appointments/Reports

Berkeley School Financing Corporation

Citizens Advisory Committee on Diversity

Citizens Construction Program Advisory Committee

Facilities Maintenance and Security Advisory Committee

Music Program Committee

Peace and Justice Commission

Student Assignment Advisory Committee

Two-by-Two Committee

Youth Commission

Director Shirley Issel appointed Andre Sternberg to the Youth Commission.

At 11:20 p.m., the Board recessed to Closed Session.

At 12:35 a.m., the Board returned to Public Session. President Rivera stated that there was nothing to report from Closed Session.

ADJOURNMENT

President Rivera declared the Regular Meeting of February 2, 2000, adjourned at 12:35 a.m.

APPROVED:

ATTEST:

President, Board of Education
Berkeley Unified School District

Secretary, Board of Education
Berkeley Unified School District