

BERKELEY UNIFIED SCHOOL DISTRICT
MINUTES, SPECIAL MEETING
Wednesday, December 19, 2001
District Administrative Offices
Board Meeting Room
2134 Martin Luther King Jr. Way
Berkeley, CA 94704-1180

ADOPTED MINUTES
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CALL TO ORDER

President Shirley Issel called the Board of Education Meeting to order at 5:08 p.m.

BOARD ROLL CALL

MEMBERS PRESENT: President Shirley Issel
Vice President Joaquin J. Rivera
Director Terry S. Doran
Director Ted Schultz
Director John T. Selawsky
Student Director Sarena M. Chandler
(Arrived at 7:30 p.m.)

Administration: Superintendent Michele Lawrence, Secretary

Nomination of Personnel Commissioner

Conduct oral interviews to fill Personnel Commission vacancy

Board members interviewed, separately, Mr. Richard Splenda and Mr. Dan Lee to fill the Personnel Commission vacancy. Board members took turns asking the two candidates the same ten questions.

Prior to Closed Session, as necessary, staff/employee comments are taken per Government Code Section 54957.

No one addressed the Board at this time.

Recess to Closed Session (Government Code Sections 3549.1(d), 54956.9, 54956.9(a) and 549577) and Education Code Section 48918(c)—Board Conference Room

- a) Conference with Legal Counsel—Existing Litigation
- b) Consideration of Student Expulsions: Case #16-02
- c) Collective Bargaining
- d) Public Employee Discipline/Dismissal/Release
- e) Public Employment and Appointments

The Board recessed to Closed Session at 5:50 p.m. and reconvened in Public Session at 7:39 p.m.

Report Closed Session Action

President Issel announced that the Board took the following action in Closed Session:

- Mr. Dan Lee has been appointed to fill the Personnel Commission vacancy.
- Regarding student expulsion Case #16-02: The Board voted to uphold the Administrative Panel's recommendation to expel the student.

Approval Agenda

Approve the Special Meeting Agenda of December 19, 2001

Motion: Directors Rivera/Selawsky and approved unanimously on voice vote:

That the agenda is approved as modified. The modifications are:

That item 1.2-C is pulled.

That items 2.1-A, 2.2-A, 3.1-A, 3.2-A, 4.1-A, and 4.2-A be moved to the Consent Calendar and voted on as Consent Calendar items.

Regular Minutes, December 5, 2001

Approve the Minutes of the Regular Meeting held on December 5, 2001

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

That the Minutes of the Regular Meeting held December 5, 2001 is approved as corrected.

HEARING SECTION

Twenty-five speakers addressed the Board regarding small schools.

REPORTS

Union Representatives' Reports

Mr. Barry Fike, President, Berkeley Federation of Teachers, read and distributed the teacher survey regarding small schools. He said the Berkeley Federation of Teachers, the Small Schools Parent/Teacher Coalition, and the Small Schools Teacher Advisory Committee developed the survey. Mr. Fike said the results of the "Survey on Organization Models for the Future of Berkeley High School" are as follows:

- 80 votes by teachers surveyed said they support moving ahead with the Small Schools policy currently described in the Summary Statement.
- 56 votes by teachers said they would like to pursue another vision of Small Schools. This may or may not include existing small schools at Berkeley High School and it may or may not include all students attending small schools.
- 16 votes by teachers said they would like to pursue organizing Berkeley High School around a large traditional urban high school model. This would include phasing out the existing small schools.

Board Advisory Committee Reports

Ms. Yolanda Huang, Chairperson, Facilities, Maintenance and Security Advisory Committee, had a question about the last bulleted paragraph on page 120 of item 4.1-A: Resolution related to the implementation of the Uniform Cost Accounting.

Board Member Reports

Each Board Member responded to comments made during the **Hearing Section** of the meeting.

Superintendent's Report

Superintendent Lawrence congratulated the Cragmont teachers who received \$10,000 API (Academic Performance Index) checks from the State. She reported that the maintenance staff has made significant progress in repairing the various water leaks at some of the school sites. Superintendent Lawrence announced that there would be a Special Board of Education Meeting—Budget Study Session, on January 16, 2001.

CONSENT ITEMS

Vice President Rivera pulled item 1.2-C: Resolution Regarding Conscientious Objection.

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

That the remainder of the Consent Items, including items 2.1-A, 2.2-A, 3.1-A, 3.2-A, 4.1-A and 4.2-A, are approved.

- 1.1-C: Schedule of Board Meetings for 2002
- 2.1-C: Acceptance of Personnel Report
- 2.2-C: Final approval of Non-Discrimination Policy 4030
- 2.3-C: Credential Waivers
- 3.1-C: Contract with MICROSOCIETY, Inc., for City of Franklin Magnet Elementary School
- 4.1-C: Listing of warrants written for November 2001
- 4.2-C: Information on the issuance of payroll warrants for employee services for November 2001
- 4.3-C: Contracts and Purchase Orders in Excess of \$15,000
- 4.4-C: Resolution to accept completion of camera system
- 4.5-C: Resolution for Technology Improvement at City of Franklin MicroSociety Elementary Magnet
- 4.6-C: Resolution to accept boiler replacement at Jefferson Elementary School
- 2.1-A: Salary increase to non-represented hourly classified employees
- 2.2-A: Accelerated Step for Initial Placement of Administrative Secretary to the Superintendent
- 3.1-A: Consolidated application for funding Categorical Programs, Part II
- 3.2-A: Berkeley Unified School District Technology Plan
- 4.1-A: Resolution related to the implementation of the Uniform Cost Accounting
- 4.2-A: Approve contracts for QSS software and support agreements

1.2-C
Resolution Regarding Conscientious Objection

Vice President Rivera expressed his concerns about this resolution. He said the Board has not had an opportunity to review this item. He suggested that it be referred to the superintendent for her to review and make a recommendation to the Board.

Director Selawsky inquired about the procedure for submitting resolutions and other items to the Board for action.

Director Doran said he feels that it is appropriate for the Peace and Justice Commission to put items on our Board of Education agendas.

At this time, Steve Freedkin, representing the Peace and Justice Commission, suggested that Board Members remove the language they oppose and act on the other sections of the resolution.

Motion: Directors Selawsky/Doran and approved 4(1)-0-1 on Roll Call Vote:

That the sixth paragraph on page 27, be deleted.

That the sixth paragraph on page 28, which begins with words: **BE IT FURTHER RESOLVED**, be deleted.

AYES: Directors Doran, Issel, Schultz, Selawsky, (Student Director Chandler)

NOES: None

ABSTIAN: Director Rivera

General Services

1.I-1

Presentation of teacher survey regarding small schools and staff preference.

Ms. Leslie Plettner, Berkeley High School teacher and other representatives from the Berkeley High School Teacher Advisory Committee, presented the teacher survey regarding small schools and staff preference. They highlighted the survey as follows:

- 164 teachers and counselors voted;
- 50% voted to support the Small Schools policy;
- 34% voted to pursue Small Schools in some other format;
- 16% voted to organize Berkeley High School as a large traditional high school without small schools.

Superintendent Lawrence asked the representatives the following questions:

- How were the questions determined?
- What was the design of the questions and interviews?
- During what period of time were the interviews conducted?

General Services

1.1-A

Policy on the Implementation of Small Schools

The Coalition of Equity and Excellence proposed this item.

Motion: Directors Doran/(Student Director Chandler)

That this policy be accepted for the purpose of discussion.

President Issel explained that the student vote is advisory and it was uncertain whether or not a student could second a motion because of this circumstance. It appeared that other members of the Board had concerns about the legitimacy of the second.

General Services (continued)

1.1-A
Policy on the Implementation of Small Schools (continued)

Substitute Motion: Directors Selawsky/Rivera

The Board directs the Superintendent to analyze, study and evaluate various models of small schools toward the purpose of implementing a workable model for Berkeley High School and return to the Board with a report of such findings at or before the first May Board Meeting of 2002. The findings should include the following:

- A proposed administrative model;
- Systems for scheduling and accountability as well as an implementable, feasible timeline that ensures success for strong academic rigor for all students;
- Equity and diversity of students and teachers;
- Suggestions from administrative staff, both central and high school staffs, high school teachers, parents, students and the Board in achieving these goals.

Director Selawsky said he wants everyone to know that WASC (Western Association of Schools and Colleges) has already established May 19 and 20, 2002 for a Berkeley High School site visit.

Director Doran expressed his opposition to the substitute motion because of concerns related to the Brown Act. He stated further: "I am disappointed that we will not have the opportunity tonight to react and give input and talk about the issues and areas of concern on the policy put together by the Coalition."

Director Selawsky clarified by saying that he is asking for a staff report and does not feel there is violation of the Brown Act. He asked that consideration be given to such issues as student-teacher choice system, block scheduling, department chairs, and calendar models such as year-round and extended year, among others.

General Services (continued)

1.1-A

Policy on the Implementation of Small Schools (continued)

For clarification, Director Selawsky repeated his substitute motion as follows:

Substitute Motion: Director Selawsky/Rivera

The Board directs the Superintendent to analyze, study and evaluate various models of small schools towards the purpose of implementing a workable model of small schools for Berkeley High School and return to the Board with a report of such findings at or before the first May Board of Education Meeting of 2002 which would include the proposed administrative model, systems for scheduling and accountability as well as an implementable, feasible timeline that ensures success for strong academic rigor for all students, equity and diversity of students and teachers and input and suggestions from administrative staff—both central and high school, high school teachers, parents, students and the Board, in achieving these goals.

Director Doran spoke against the motion. He indicated his support and admiration for the community's efforts to restructure the high school under the proposed policy and the delays that might be caused if another motion was accepted.

Vice President Rivera spoke for a more comprehensive approach for school reform and asked that we also study existing small schools to see what needs they may have. He also echoed Director Doran's comments about the energetic work of the committee but felt that Director Selawsky's motion allowed more time for study.

Director Selawsky then added: "I appreciate some of Director Doran's comments and I do particularly appreciate the comment that we need to support existing programs at the high school. I think that is important. The primary reason why I cannot second the policy that is before us tonight is because it has not been reviewed and owned by the District in any real sense at this point."

Director Schultz suggested that the proposed policy would read "table" the proposed policy instead of "disapprove," and direct the Superintendent to establish a plan for further study or additional achievement initiatives.

General Services (continued)

1.1-A

Policy on the Implementation of Small Schools (continued)

Director Selawsky said: “In theory, I approve the word ‘table’ in place of the word ‘disapprove.’ My intent was to establish a plan for further study—that is what I am directing staff to do.”

Superintendent Lawrence highlighted what she has learned about small schools about the policy and other issues. In addition, she advised the Board that there were other organizational issues that were far more pressing and if not addressed could significantly impact kids and the organization. She further said: “I cannot make a comprehensive study by May and make a recommendation to the Board regarding which would be the best model for us—your motion is too comprehensive—I cannot get it done. However, I can do the following:

- By the end of March, I will have formed a visitation team from Berkeley High School and will have made visits to small schools.
- During January and February, I will meet with the parents, students and staff of our existing small schools to determine what they believe interferes with student success, and what we can do to enhance both student and teacher effectiveness. This information will help us to identify the generic needs of both established and new small schools.
- By March, we will conduct an analysis of the grades and attendance of students in existing small schools.
- By April, I will complete a financial analysis of the existing expenses and revenues at the high school and will work with administration to develop appropriate school and departmental budgets.

General Services (continued)

1.1-A

Policy on the Implementation of Small Schools (continued)

In relation to other changes I will initiate at the high school:

- In January, I will begin my work with the existing high school administration to eliminate the student choice method of scheduling, and, in the spring, we will be prepared to register students in a system, which allows more equitable distribution of teaching resources throughout the school.
- I will develop a comprehensive staffing formula that gives greater resources to the instructional program and promotes lower class sizes.
- We will work with the local community colleges and the University of California, Berkeley, and, by September, we will bring enrichment classes to our campus to extend and expand learning opportunities for students.
- To reduce overcrowding, I will institute a cap on the school's seating capacity and will bring forward a policy with administrative regulations on inter-district permits that meets current laws, is more equitable, and is easier to monitor.
- We will work with the school administration to reorganize the counseling office, and, to the extent possible, provide more resources to that area.

Motion: Directors Rivera/Schultz and approved unanimously on Roll Call Vote:

To table the proposed policy and direct the Superintendent to establish a plan to further study additional achievement initiatives.

President Issel requested that the Superintendent's entire statement be put on the District's web page and that staff at Berkeley High School receive a copy of the statement.

2.3-A

Approval of Tentative Agreement with Local #1

Motion: Directors Rivera/Selawsky and approved unanimously on voice vote:

That the Tentative Agreement with Local #1 is approved.

HEARING SECTION

Four speakers addressed the Board.

BOARD REQUESTS

Director Doran requested that staff submit a status report regarding the 9th grade Core Program.

Board Members made the following appointments/re-appointments:

Citizens Construction Program Advisory Committee

Appointment/re-appointment

Director Doran
Vice President Rivera

Carl Bridges
Lloyd Lee

Facilities, Maintenance and Security Advisory Committee

Appointment/Re-appointment

Director Doran

Yolanda Huang

Director Doran announced that Hank Silver is available and has expressed interest in being re-appointed to the Facilities, Maintenance and Security Advisory Committee. He encouraged the Board Members to revisit the e-mail regarding appointees to the Child Nutrition Advisory Committee. He also requested that the Student Director, Sarena Chandler, be added to the list of committees so that she, too, can make appointments.

Director Rivera reiterated the Board's desire for the Superintendent to develop an aggressive outreach procedure to notify and solicit citizens to serve on the various Board committees. He stressed the need for diversity on the committees.

ADJOURNMENT

APPROVED:

ATTEST:

President, Board of Education
Berkeley Unified School District

Secretary, Board of Education
Berkeley Unified School District

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