

BERKELEY UNIFIED SCHOOL DISTRICT

OFFICIAL BUT UNADOPTED MINUTES

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MINUTES, REGULAR MEETING
Wednesday, February 7, 2001
District Administrative Offices
2134 Martin Luther King Jr. Way
Berkeley, CA 94704-1180

CALL TO ORDER

President Doran called the meeting to order at 6:01 p.m. and the Board recessed to Closed Session.

1 BOARD ROLL CALL:

MEMBERS PRESENT: President Terry S. Doran
Vice President Shirley Issel
Director Joaquin J. Rivera
Director Ted Schultz
Director John T. Selawsky
Student Director Niles Xi'an Lichtenstein* (left at 10:31 p.m.)

Administration: Interim Superintendent Stephen A. Goldstone, Ed.D.,
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 Legal Counsel—Anticipated Litigation—Significant Exposure to Litigation (Government Code Section 54956.9(b)).

Specify number of cases: One

c. Liability Claims (Government Code Section 54956.9)(Page 1)

(1) Claim filed on behalf of a student for emotional distress allegedly sustained while enrolled in the Berkeley Unified School District.

(2) Claim filed by a former employee for emotional distress allegedly sustained while working for the Berkeley Unified School District.

c. Collective Bargaining Session Government Code Section 3549.1(d).

d. Public Employee Discipline/Release/Transfer/Assignment (Government Code Section 54557).

Classified Transactions:

(1) Substitutes, if and as needed: Clerical Assistant I; Custodian; Food Service; Garden Coordinator; Instructional Specialist; Instructional Technician; Interpreter for the Deaf; Intramural Sports; School Service Assistant.

(2) Noon Director

(3) Student Worker

(4) Tutor

(5) Provisional

(6) Probationary

*The Student Director does not attend Closed Session

RECONVENE IN PUBLIC SESSION

The Board returned to Public Session at 7:40 p.m.

3. BOARD ROLL CALL:

MEMBERS PRESENT: President Terry S. Doran
Vice President Shirley Issel
Director Joaquin J. Rivera
Director Ted Schultz
Director John T. Selawsky
Student Director Niles Xi'an Lichtenstein

At this time, President Doran welcomed Dr. Stephen A. Goldstone, Interim Superintendent.

REPORT OF ACTION TAKEN IN CLOSED SESSION

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

COLLECT "REQUESTS TO ADDRESS THE BOARD OF EDUCATION" CARDS

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

PUBLIC TESTIMONY

Five speakers addressed the Board.

UNION REPRESENTATIVES

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

AGENDA REORDER

ADVISORY COUNCILS

Ms. Corrine Eno, Berkeley High School Environmental Committee and Master Plan, addressed the Board.

Mr. Michael Kelly, Music Committee; Ms. Mary Reiter and Ms. Carol Wilkins, Berkeley Schools Excellence Project (BSEP) Planning and Oversight Committee, addressed the Board.

AGENDA REORDER

SPECIAL ORDER OF BUSINESS: ACTION

6. Introduction of Darryl Moore and Susan Duncan, Trustees of the Peralta Community College District.

President Doran introduced Mr. Darryl Moore and Ms. Susan Duncan, Trustees of the Peralta Community College District Board.

AGENDA REORDER

PUBLIC HEARING AND ADOPTION

4. Public Hearing and Adoption of Resolution for Grades K-12 Textbook and Instructional Materials Compliance Fiscal Year 2000-2001

President Doran opened the public hearing at 8:37 p.m.

Ms. Christine Lim, Associate Superintendent, Instruction, recommended that the Board adopt the Resolution for Grades K-12 Textbook and Instructional Materials Compliance for Fiscal Year 2000-2001.

President Doran declared the public session closed at 8:39 p.m.

Motion: Directors Rivera/Schultz and approved unanimously on voice vote:
Approval of the resolution.

SUPERINTENDENT'S REPORT

Interim Superintendent Goldstone reported on his visits to various school sites and meetings with staff and community members.

BOARD MEMBERS' COMMENTS

Board Members welcomed Dr. Stephen Goldstone. They responded to comments made during Public Testimony.

Director Rivera requested that staff submit a progress report regarding the Rebound Program. He also wants to know how staff is addressing the truancy issue.

Director Schultz requested a progress report regarding the Two-Way Immersion Program and middle school mathematics.

Director Selawsky discussed the forum for the new Superintendent. He reiterated his support for PCAD and the Rebound Program. Director Selawsky said he wants to see an assessment and evaluation of the program.

AGENDA REORDER

DISCUSSION/REPORTS

29. Consideration of possible changes at Berkeley High School, FY02 and FY03, and Berkeley Alternative High School for FY02.

Ms. Christine Lim, Associate Superintendent, Instruction, said the proposed changes at Berkeley High School for FY02 and FY03 and Berkeley Alternative High School for FY02 involve programmatic, schedule and policy changes. She then deferred to Dr. Frank Lynch, Principal, Berkeley High School, and Mr. Alex Palau, Principal, Berkeley Alternative High School.

Dr. Lynch made the following recommendations:

- a. Close campus for 9th graders—no financial impact.
- b. Reinstated D grade for 9th graders—no financial impact.
- c. Implement modified block scheduling based on the vote of the staff—no financial impact.
- d. Implement a seven-period day with an optional "0" period at either the beginning or end of the day—no financial impact.
- e. Offer advanced placement government and economics for junior year—no financial impact.
- f. Seniors should be enrolled for five periods unless exempted by counselor—no financial impact.
- g. Implement a truancy policy that will make it detrimental for students not to be in class. For example: nine trancies in a quarter would result in a grading period failure (Vallejo High School)—no financial impacts. Needs Board approval with a Board policy.
- h. Possibly use Safe School money for a Berkeley High School truant officer. (Safe School's money is presently being used for conflict resolution.) No financial impact because money is available from the State.

For consideration for 2002-2003:

- a. Close campus for 9th and 10th graders—no financial impact.
- b. Implement a required physical education course for all 9th graders—possible financial impact.
- c. Discuss the placement of ethnic studies/social living—no financial impact.
- d. Advanced placement for United States History for 10th graders—no financial impact.
- e. Implement smaller learning communities proposal—possible financial impact.

DISCUSSION/REPORTS (continued)

29. Consideration of possible changes at Berkeley High School, FY02 and FY03, and Berkeley Alternative High School for FY02.(continued)

The 2001-2002 school year will be used for planning purposes for staff to propose smaller learning communities for implementation during the 2002-2003 school year.

Placement of students in honors and advanced placement courses: According to Educational Testing Services, any student who wants to enroll in an advanced placement can do so. According to University of California policy, honors classes must have prerequisites and students must meet those prerequisites in order to gain access to the class. There can only be one honors class per curriculum area. Honors classes are not counted during the freshman year. Current board policy says that all students should have access to honors classes. This current policy disagrees with the University of California requirement.

Board comments included:

- Good idea to close campus for 9th graders.
- Concern about how closing of campus will be implemented.
- How will the administrator follow through on the plan to close the campus?
- Have AP classes that are not math and science—be sensitive regarding recruitment.
- Communication with students and parents is very important.
- Explain source of the logistics on how this is going to be accomplished.
- Need to have consequences for students on truancy.
- Have an assessment of all students who enter 9th grade.
- Need clarification/rationale for reinstating the D grade for 9th graders.
- Need to have a meaningful evaluation of the Rebound Program.
- Need to see an academic profile of the 66 at-risk Rebound students, including an attendance profile.
- Wants an evaluation of the 9th Grade Core Program and how is success defined?

Representatives from Berkeley Alternative High School presented their proposed changes for next year.

DISCUSSION/REPORTS (continued)

30. Presentation of First Estimate FY02 Budget including budget reductions to meet salary commitments.

The Board had before it a 22-page booklet, *Berkeley Unified School District, First Estimate FY 2002 Budget with Full Class Size Implementation per Berkeley Schools Excellence Project Measure—General Fund, General Purpose Only, February 7, 2001.*

Mr. George Siogiannis, Director, Business Services, highlighted the contents of the budget and responded to questions and comments.

31. First Reading and Discussion of Materials Related to the Instructional Materials Augmentation Funding Grades 9-12: *Introductory Chemistry: A Foundation*, Fourth Edition, by Steven S. Zumdahl; published by Houghton Mifflin.

Ms. Christine Lim, Associate Superintendent, Instruction, presented this item.

President Doran wanted to know if this book is used in other high schools.

APPROVAL OF CONSENT CALENDAR ITEMS

The Board pulled for separate consideration, items 7, 9, 11, 20, 23, 24, and 27.

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

That the remainder of the Consent Calendar be approved.

7. Approval of 2000-2001 compensation for confidential employees and unrepresented managers.

This item was tabled.

8. Approval of personnel recommendations

9. Approval of purchases in excess of \$15,000

Please see page 9 of these minutes for action on this item.

10. Approval to deny claims against the District:

(a) Claim filed on behalf of a student for emotional distress allegedly sustained while enrolled in the Berkeley Unified School District.

(b) Claim filed by a former employee for emotional distress allegedly sustained while working for the Berkeley Unified School District.

11. Approval of 2000-2001 one-time site grants, as approved by the School Site Councils at Oxford, Cragmont and Washington elementary schools and Berkeley High School.

Please see page 9 of these minutes for action on this item.

APPROVAL OF CONSENT CALENDAR ITEMS (continued)

12. Proclamation declaring February 2001 as African American History Month.
13. Approval of Resolution No. 7257: Authorized Signatures.
14. Approval of Resolution No. A323: Authorization to accept completion of the technology improvements for Building C at Berkeley High School.
15. Approval of Resolution No. A324: Authorization to accept completion of the John Muir Elementary School painting project.
16. Approval of Resolution No. A325: Authorization to accept completion of the playground project at Cragmont Elementary School.
17. Approval of Resolution No. A326: Authorization to accept completion of the Willard Middle School Modernization Project.
18. Approval of Resolution No. A327: Authorization to Resolution No. A272-Change Order on LeConte School Modernization Project.
19. Approval of Resolution No. 7253: Authorized Signatures for State School Building Lease-purchase Program.
20. Approval of Resolution No. 7254: Authorization to advertise for bids for renovation of softball field at Berkeley High School.

Please see page 10 of these minutes for action on this item.
21. Approval of Resolution No. 7255: Authorization to advertise for bids for boiler replacement at Jefferson Elementary School.
22. Approval of Resolution No. 7256: Authorization to advertise for bids for technology improvements at the City of Franklin MicroSociety Magnet School.
23. Approval of the composition of the Facilities Maintenance and Security Advisory Committee: Revised Board Policy 3510.3.

Please see page 10 of these minutes for action on this item.
24. Approval of the composition of the Budget and Finance Advisory Committee: Revised Board Policy 3004.

Please see page 11 of these minutes for action on this item.

APPROVAL OF CONSENT CALENDAR ITEMS (continued)

25. Project Approval
 - a. Teaching Teachers Math Grant Application, John Muir Elementary School
 - b. School Library Enhancement Grant Proposal, John Muir Elementary School
26. Approval of agreement between the Regents of the University of California and Berkeley Unified School District, School/University Partnership Program.
27. Approval of memorandum of understanding between Children's Hospital and the Berkeley Unified School District, FACES for the Future Health Professions Internship Partnership.

Please see page 11 of these minutes for action on this item.

28. Approval of John Muir Elementary School proposal for permanent art work.

AYES: Directors Doran, Issel, Rivera, Schultz, Selawsky
EXCUSED: (Student Director Lichtenstein)

AGENDA REORDER

DISCUSSION/REPORTS

31. First Reading and discussion of material related to the instructional materials augmentation funding grades 9-12: *Introductory Chemistry: A Foundation*, Fourth Edition, by Steven S. Zumdahl, published by Houghton Mifflin.

Ms. Christine Lim, Associate Superintendent, Instruction, presented this item. She said the 1998-99 Budget Act appropriated augmented funding for instructional resources that are aligned with the State Board of Education content standards adopted in 1997 and 1998. The State Board adopted content standards in the areas of mathematics, English, language arts, science, and history-social science during those years. The Berkeley Unified School District has, in turn, adopted these content standards.

President Doran asked staff to provide answers to the following questions:

- Is this book used in other high schools across the State?
- If so, have we determined that this is a book that is used in high school courses of Chemistry where they give laboratory credit which is acceptable at the University of California, Berkeley and that is done in a one-period class per day. If this is so, why do we have it in a two-period class? Why do we need twice as much time?

DISCUSSION/REPORTS (continued)

9. Approval of purchases in excess of \$15,000

Motion: Directors Issel/Selawaky and approved unanimously on voice vote:

That items 1-10 be approved.

That item 11 be tabled to allow staff time to research and provide the Board with the cost of implementing this item.

AGENDA REORDER

APPROVAL OF CONSENT CALENDAR ITEMS

11. Approval of 2000-2001 one-time site grants, as approved by the School Site Councils at Oxford, Cragmont and Washington elementary schools and Berkeley High School.

Motion: Directors Issel/Rivera:

To amend the recommendation to support everything but the \$21,000 that is in the block grant one-time site money for Berkeley High school and refer the matter back to the school site council for additional review.

Motion failed.

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

Approval of 2000-2001 one-time site grant as approved by the School Site Councils at Oxford, Cragmont and Washington elementary schools.

That the Berkeley High School one-time site grant of \$21,000 for contractor counseling service be voted on separately.

Motion: Directors Selawsky/Schultz and approved 3-2-0-(1)-0 on voice vote:

Approval of the 2000-2001 one-time site grant of \$21,000 as approved by the School Site Council at Berkeley High School.

AYES: Directors Doran, Schultz, Selawsky

NOES: Directors Issel, Rivera

ABSTAIN: None

EXCUSED: (Student Director Lichtenstein)

ABSENT: None

APPROVAL OF CONSENT CALENDAR ITEMS (continued)

20. Approval of Resolution No. 7254: Authorization to advertise for bids for renovation of Softball Field at Berkeley High School.

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

Approval of Resolution No. 7254 as amended. The amendments are as follows:

The amendment is to correct the school name on page 31. It should refer to Berkeley High School Softball Field and not King Middle School.

Revisit the time line of this project and explore the possibility of using sod for the grass area instead of seed. This will shorten the length of time necessary to leave it unused. Immediately move forward and put gravel on the softball field which is presently unused. This will allow from now until June the use of that area for temporary school parking. This project can then begin immediately after school ends and can be completed during the summer.

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

EXCUSED: (Student Director Lichtenstein)

23. Approval of the composition of the Facilities Maintenance and Security Advisory Committee: Revised Board Policy 3510.3.

Motion: Directors Schultz/Selawsky and approved as amended. The amendments are as follows:

- On the last page, one line above the bottom: ...the term of appointed committee members *shall be one year*. Add the following: *Any member missing three consecutive meetings shall be removed from the committee.*
- On the last sentence after "to March 1 of each year," add the following: *May 1 for the year 2001.*
- One page 2, Public Notices, second line from the bottom, delete "make efforts to." It now reads: That the District *will inform* the public...
- On the third page, under Composition, third item from the bottom where it is written the "Chief Financial Officer shall be the staff liaison to the committee," it should be changed to read: the *Superintendent or his/her designee* shall be the staff liaison to the committee.

AYES: Directors Doran, Issel, River, Schultz, Selawsky

EXCUSED: (Student Director Lichtenstein)

APPROVAL OF CONSENT CALENDAR ITEMS (continued)

24. Approval of the composition of the Budget and Finance Advisory Committee: Revised Board Policy 3004.

Motion: Directors Rivera/Schultz and approved 5-(1) on voice vote as amended.
The amendments are:

Under the first bullet, add the following language:

The Board, at its discretion, and by a majority vote, can appoint a seventh community representative. If the Board votes to appoint another member the committee will be composed of 14 official voting members.

Add: The Superintendent or his/her designee shall serve as staff liaison to this committee.

AYES: Directors Doran, Issel, Rivera, Schultz, Selawsky
EXCUSED: (Student Director Lichtenstein)

At this time, President Doran suggested that a Board Workshop be scheduled to discuss Board Committees.

27. Approval of memorandum of understanding between Children's Hospital and the Berkeley Unified School District, FACES for the Future Health Professions Internship Partnership.

Ms. Catherine James, Associate Superintendent, Business, referred to page 67, 2.a., the financial implications of insurance that Children's Hospital will require the District to carry in order to run this program. She said we do not typically provide Workers' Compensation insurance for our students because they do not work for us—they are our students. Nor do we provide Professional Liability Insurance for our students. However, after discussing this issue with our broker, he revealed that this is a common situation with community colleges and we can get insurance for both of these types of programs but there will be an additional cost. The Professional Liability Insurance will be approximately \$100 per student participating in the program. The Workers' Compensation insurance is 3% of payroll. In order to get the coverage the estimate is based on the number of hours the student works times the minimum wage.

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

That this item is approved.

AYES: Directors Doran, Issel, River, Schultz, Selawsky
EXCUSED: (Student Director Lichtenstein)

SPECIAL ORDER OF BUSINESS: ACTION

5. Acceptance of Gifts

- a. Jim and Laura Clara: A donation of "Super Stickers" to Thousand Oaks Elementary School, estimated to be worth \$369.89.
- b. Kimeron K. Duff: A donation of \$1,300 for the Special Education Full Inclusion Program at Berkeley Arts Magnet Elementary School.
- c. John K. Bryant: A donation of computer equipment in support of the Special Education Full Inclusion Program at Berkeley Arts Magnet Elementary School.
- d. Eunice Kim Brewer: A donation of \$15.00.
- e. Eric and Marnii Welch: A donation of \$500 to John Muir Elementary School.
- f. James G. Veitch and Christine E. Byrne: A donation to be used at LeConte Elementary School in their daughters' classrooms.
- g. Paul Hunt: A donation of a computer and software.
- h. Jonah Stich: A donation of a computer and manuals.
- i. Judy Wood: A donation of approximately 300 tickets to the *Nutcracker* ballet.
- j. Richard Chambers: A donation of a Macintosh computer and computer equipment.
- k. Jennifer Nakayama: A donation of five dozen bagels.
- l. Sakaran and Pismai Suwannukul: A donation to be used at John Muir Elementary School.
- m. Kurt Huth: A donation of eight tennis racquets.

President Doran read the list of gifts and thanked the people for their gifts.

Motion: Directors Doran/Schultz and approved unanimously on voice vote:
To accept the gifts.

ADDITIONAL PUBLIC TESTIMONY

There was no Additional Public Testimony at this time.

BOARD MATTERS

32. Board Committee Appointments/Reports

- Berkeley School Financing Corporation
- Citizens Advisory Committee on Diversity
- Citizens Budget and Finance Advisory Committee

John Selawsky appointed **Lawrence Gurley** to the Citizens Budget and Finance Advisory Committee.

- Citizens Construction Program Advisory Committee
- Facilities Maintenance and Security Advisory Committee

Director Rivera appointed **Stephanie Allen** to the Facilities Maintenance and Security Advisory Committee.

Director Selawsky appointed **Sally Reyes** to the Facilities Maintenance and Security Advisory Committee BB Committee.

President Doran reappointed **Hank Silver** to the Facilities Maintenance and Security Advisory Committee.

- Music Program Committee
- Peace and Justice Commission
- Student Assignment Advisory Committee
- Surplus Facilities Advisory Committee
- Two-by-Two Committee
- Youth Commission

BOARD REQUESTS

There were no Board requests at this time.

At 11:58 p.m., the Board recessed to Closed Session.

At 12:30 a.m., the Board reconvened in Public Session. President Doran stated that there was nothing to report from Closed Session.

ADJOURNMENT

President Doran declared the Regular Meeting of February 7, 2001 adjourned at 12:30 a.m.

APPROVED:

ATTEST:

President, Board of Education
Berkeley Unified School District

Secretary, Board of Education
Berkeley Unified School District

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