

MINUTES, REGULAR MEETING
Wednesday, February 21, 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 6:00 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*

ADMINISTRATION: Stephen A. Goldstone, Ed.D., Interim Superintendent

2. Recess to Closed Session (Board Conference Room)

- a. Discussion with Legal Counsel—Existing Litigation (Government Code Section 54956.9(a)).
- b. Conference with Legal Counsel—Anticipated Litigation-Significant Exposure to Litigation (Government Code Section 54956.9(b)).
Specify number of cases: One
- c. Consideration of Student Expulsions (Education Code Section 48918(c)(K-12).
(Separate document)
 - (1) Case No. 208
 - (2) Case No. 209
 - (3) Case No. 210
 - (4) Case No. 211
 - (5) Case No. 212
 - (6) Case No. 213
- d. Collective Bargaining Session (Government Code Section 3549.1(d)).
- e. Public Employee Discipline/Release/Transfer/Assignment (Government Code Section 54557).
- f. To Hear a Charge or Complaint Against an Identified Employee (Government Code Section 54957).
- g. Public Employment (Government Code Section 54957
Certificated Transactions:
 - (1) Appointment, Temporary Status
 - (2) Appointment, Adult School
 - (3) Leave of Absence: Maternity Leave of Absence with Pay; Medical Leave of Absence with Pay.
 - (4) Maternity/Paternity Leave Without Pay
 - (5) Resignations

*The Student Director does not attend Closed Session

2. Recess to Closed Session (continued)

Classified Transactions:

- (1) Substitutes, if and as needed: Clerical Assistant I; Custodian; Gardening Coordinator; Instructional Assistant; Instructional Specialist; Instructional Technician.
- (2) Student Worker
- (3) Tutor
- (4) Provisional
- (5) Probationary
- (6) Retirement

Stipends

- (1) CLRP Results Training
- (2) Intramural
- (3) Meeting & Coordination between EDC and Healthy Start
- (4) Curriculum (Computer Academy received grant of \$3,000)
- (5) Middle School Newspaper (per BFT Contract)
- (6) SST Coordinator

Extra Duty: Certificated Transactions

- (1) Title I Services
- (2) CLRP Results Training
- (3) Coordinated Women's Self-Defense per BSEP
- (4) Teach At Risk Students Reading Clinic
- (5) Organize Literature
- (6) Staff Development
- (7) After-School Soar to Success Teacher
- (8) Support for EL Program
- (9) Plan and Develop Curriculum (SIP)
- (10) Curriculum Development Staff Development and PQR Activities

RECONVENE IN PUBLIC SESSION

The Board returned to Public Session at 7:35 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*

REPORT OF ACTION TAKEN IN CLOSED SESSION

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

*The Student Director does not attend Closed Session

REPORT OF SUPERINTENDENT SEARCH

Dr. Jake Abbott, LEADERSHIP ASSOCIATES, one of the consultants hired to conduct the Superintendent Search, gave the Board an update on the search. He said he and Dr. Robert Trigg, his associate, interviewed 177 community members, staff, students, union representatives, and committee members, regarding what they are looking for in a new superintendent. Dr. Abbott reported that they have also received e-mails and telephone calls from individuals regarding the superintendent position.

Dr. Abbott said the overriding theme was the issue of the achievement gap. The majority of the people they interviewed said they want someone who has a proven track record for addressing the issue of bringing the students at the lower achievement level up and maintaining students at the top. Some of the other issues discussed were:

- There seems to be a problem in the central office—inability to get accurate data.
- Someone who has successful experience in working in a diverse, urban community—racial and socioeconomic.
- Someone who is visible and accessible in the community—to parents, students and staff.
- A consensus-builder.

Dr. Abbott said this was the most inclusive process he has every conducted. He also reviewed the time line for the search.

REPORT OF INNOVATIVE FOOD SERVICES (Salad Bar/Food Court, Berkeley High)

Ms. Suzanne Bernhard, Food Services Operational Supervisor, wheeled in a typical salad bar of what is served in schools. She invited the Board members and staff to taste these salads.

COLLECT "REQUESTS TO ADDRESS THE BOARD OF EDUCATION" CARDS

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

PUBLIC TESTIMONY

Ten speakers addressed the Board.

UNION REPRESENTATIVES

Mr. Barry Fike, President, Berkeley Federation of Teachers, addressed the Board.

ADVISORY COUNCILS

Mr. Bob Laird, a representative of the Berkeley Schools Excellence Project (BSEP), addressed the Board.

SUPERINTENDENT'S REPORT

Dr. Stephen Goldstone, Interim Superintendent, reported on his visits to various schools, the teacher recruitment faire, the 2x2 Committee Meeting, and the District's budget.

BOARD MEMBERS' COMMENTS

Board members responded to comments raised during Public Testimony, the PCAD/Rebound Program, the Academic Performance Index, and the Small Learning Program.

PUBLIC HEARING RATIFICATION

4. Public Hearing and Ratification of the 2000-2001 Compensation for Non-Represented Employees, including financial impact-AB1200 disclosure.

President Doran opened the public hearing at 9:27 p.m.

No one addressed the Board at this time, and President Doran declared the Public Hearing closed at 9:28 p.m.

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

Ratification of the 2000-2001 Compensation for Non-Represented Employees, including financial impact-AB1200 disclosure.

AYES: Directors Doran, Issel, Rivera, Schultz, Selawsky.
ABSTAIN: (Student Director Lichtenstein does not vote on negotiation items)

PUBLIC HEARING AND APPROVAL

5. Approval to grant a credentialed teacher to teach outside of her subject area on a limited assignment emergency permit (Education Code Section 44929.21 or 44929.22 or 44929.23).

President Doran opened the public hearing at 9:29 p.m.

No one addressed the Board at this time, and President Doran declared the Public Hearing closed at 9:30 p.m.

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

Approval of this item.

AYES: Directors Doran, Issel, Rivera, Schultz, Selawsky.
ABSTAIN: (Student Director Lichtenstein does not vote on personnel items)

PUBLIC HEARING AND AUTHORIZATION

6. Authorization for the Interim Superintendent to submit a waiver to the California Commission on Teacher Credentialing to allow the Berkeley Unified School District to hire applicants to teach without appropriate teaching credentials as listed.

President Doran opened the public hearing at 9:31 p.m. No one addressed the Board at this time and President Doran declared the Public Hearing closed at 9:32 p.m.

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

Authorization for the Interim Superintendent to submit a waiver to the California Commission on Teacher Credentialing to allow the Berkeley Unified School District to hire applicants to teach without appropriate teaching credentials as amended: The amendment is to delete Heather Skibbons' name from the list, this is a clerical error.

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

ABSTAIN: (Student Director Lichtenstein. The Student Director does not vote on personnel issues.)

APPROVAL OF CONSENT CALENDAR ITEMS

The Board pulled for separate consideration, items 7 and 9.

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

That items 8, 10, 11, 12, 13, 14, 15 and 16 are approved.

7. Approval of Personnel Recommendations.

Please see page 7 of these minutes for action on this item.

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

9. Approval to take action regarding decisions of Student Expulsion Panels:

- a. Case No. 208
- b. Case No. 209
- c. Case No. 210
- d. Case No. 211
- e. Case No. 212
- f. Case No. 213

Please see pages 7 and 8 of these minutes for action on this item.

10. Approval of Education Technology Grant Program for high schools awarded to Berkeley High School.

APPROVAL OF CONSENT CALENDAR ITEMS (continued)

11. Approval at Second and Final Reading 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.
12. Approval of Proposals for Arts Education Implementation Grants:
 - a. A standard development and implementation project that expands the professional development program series provided to teachers at John Muir, Oxford, Washington, Thousand Oaks, Berkeley Arts Magnet and Malcolm X Arts & Academic Magnet Elementary Schools.
 - b. A student assessment project that involves teachers from the six schools participating in this year's project in developing a district-wide assessment of standards-based arts instruction in conjunction with a statewide network project.
 - c. A Model Arts Program Network (MAP) project that continues BUSD's participation in this statewide network and supports the development of arts programming within the District through coordination, advocacy and capacity-building, including providing teachers with collaborative and reflective time.
 - d. A special project, which is the planning, writing, and beginning implementation of a 4th and 5th grade music curriculum by District music teachers.
13. Approval of East Bay Community Foundation Grant to the Oxford Elementary School.
14. Approval of the contract between the Berkeley Policy Associates and the Berkeley Unified School District's school linked programs.
15. Approval to accept the "Celebrating Chavez Through Service" collaborative grant.
16. Approval of non-public school placement of a special education student at LeCheim, Berkeley for the period January 29, 2001 to June 30, 2001, at a cost of \$13,900.

APPROVAL OF CONSENT CALENDAR ITEMS (continued)

7. Approval of Personnel Recommendations.

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

Approval of the Personnel Recommendations excluding the item of Instructional Specialist.

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

ABSTAIN: (Student Director Lichtenstein does not vote on personnel issues.)

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

Approval to hire the four recommended individuals as Instructional Specialists.

AYES: Directors Doran, Schultz, Selawsky

NOES: Director Rivera

ABSTAIN: Director Issel, (Student Director Lichtenstein does not vote on personnel issues)

9. Approval of action taken regarding decisions of Student Expulsion Panels:

- a. Case No. 208
- b. Case No. 209
- c. Case No. 210
- d. Case No. 211
- e. Case No. 212
- f. Case No. 213

Case numbers 208, 209, 210, and 212:

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

To accept the Administrative Panel's recommendation.

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

ABSTAIN: (Student Director Lichtenstein. The Student Director does not vote on Closed Session items.)

APPROVAL OF CONSENT CALENDAR ITEMS (continued)

9. Approval to take action regarding decisions of Student Expulsion Panels: (continued)

Case number 211:

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

That the expulsion be suspended in total and the student must meet all of the requirements as stipulated in the documentation.

AYES: Directors Doran, Issel, Selawsky
NOES: Director Schultz
ABSTAIN: Director Rivera (Student Director Lichtenstein does not vote on Closed Session items)
ABSENT: None

Case number 213:

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

To accept the Administrative Panel's recommendation except that the student must be transferred to another middle school.

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

APPROVAL OF ACTION ITEMS

17. Approval of vote for representatives to the year 2001 California School Boards Association (CSBA) Delegate Assembly.

Motion: Directors Rivera/Schultz and approved unanimously on voice vote: That the three incumbents, Berresford A. Bingham, Gwen Estes and Linda Perry, be re-elected to the Delegate Assembly.

Motion: Directors Rivera/Schultz and approved 4-(1)-0-1-0 on voice vote:

That Barbara Krzywicki be voted as one of the representatives to the 2001 California School Boards Association (CSBA) Delegate Assembly.

AYES: Directors Doran, Issel, Rivera, Schultz (Student Director Lichtenstein)
NOES: None
ABSTAIN: Director Selawsky
ABSENT: None

AGENDA REORDER

DISCUSSION/REPORTS

19. Second reading of possible changes at Berkeley High School FY02 and FY03, and Berkeley Alternative High School for FY02.

Ms. Christine Lim, Associate Superintendent, Instruction; Dr. Frank Lynch, Principal, Berkeley High School; and Mr. Alex Pulau, Principal, Berkeley Alternative High School, explained the proposed changes at Berkeley High School FY02 and FY03 and Berkeley Alternative High School for FY02.

Ms. Lim said the proposed changes involve programmatic, scheduling and policy changes.

AGENDA REORDER

18. Acceptance of Berkeley Unified School District First Estimates FY 2002 Budget with Full Class Size Implementation per Berkeley Schools Excellence Project Measure: General Fund, General Purpose Only, February 7, 2001.

The Board had before it a 22-page document plus Appendix A1-A9: *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.*

Dr. Stephen Goldstone, Interim Superintendent, prefaced the budget presentation by saying:

"Tonight, staff will be presenting some of the impediments in putting together a budget—some that are completely out of the District's control and which makes the development of a budget rather tenuous and, frankly, of great concern to me because we are going to have to make some budget adjustments, budget reductions and budget cuts. I want to be sure that we act in a responsive manner when we come to the Board with our recommendations."

He then deferred to Mr. George Sirogiannis, Chief Financial Officer.

Mr. George Sirogiannis, Chief Financial Officer, discussed the planning assumptions document that was before the Board. This document is required by the BSEP class size reduction measure. He also explained the budget development and budget advisory process and timelines for FY 2001-2002 budget.

ADDITIONAL PUBLIC TESTIMONY

One speaker addressed the Board.

BOARD MATTERS

20. Board Committee Appointments/Reports

- Berkeley School Financing Corporation
- Citizens Advisory Committee on Diversity
- Citizens Budget and Finance Advisory Committee
- Citizens Construction Program Advisory Committee
- Facilities Maintenance and Security Advisory Committee

Director Issel reappointed **Gail Kellerman** to the Facilities Maintenance and Advisory Council.

Director Schultz reappointed **Yolanda Hueng** to the Facilities Maintenance and Advisory Committee.

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

The Board recessed to Closed Session at 12:38 a.m.

The Board reconvened in Public Session at 1:30 a.m.

ADJOURNMENT

President Doran declared the Regular Meeting of February 21, 2001 adjourned at 1:30 a.m.

APPROVED:

ATTEST:

President, Board of Education
Berkeley Unified School District

Secretary, Board of Education
Berkeley Unified School District

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