

**BERKELEY UNIFIED SCHOOL DISTRICT**

**OFFICIAL BUT UNADOPTED MINUTES**

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**MINUTES, REGULAR MEETING**

Wednesday, March 7, 2001  
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:**

**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:** 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)).
- b. Conference with Legal Counsel—Anticipated Litigation—Significant Exposure to Litigation (Government Code Section 54956.9(b): Specify number of cases: One.
- c. Collective Bargaining Session (Government Code Section 3549.1(d)).
- d. Public Employee Discipline/Release/Transfer/Assignment (Government Code Section 54557).
- e. To Hear a Charge or Complaint Against an Identified Employee (Government Code Section 54957).
- f. Approval of Notice of Non Re-election of Probationary Teachers (Education Code Section 44929.21).
- g. Approval of Notice of Non Re-election of Temporary Certificated Employees for the 2002-2002 school year (Education Code Section 44954(b)).
- h. Approval for the superintendent to issue possible termination and reassignment notices to certificated administrators (Education Code Section 44951).
- i. Public Employment (Government Code Section 54957):  
Certificated Transactions  
Resignations

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\*The Student Director does not attend Closed Session.

2. Recess to Closed Session (Board Conference Room) (continued)

Classified Transactions:

- (1) Substitutes, if and as needed: Instructional Technician; Intramural; Instructional Specialist
- (2) Student Worker
- (3) Tutor
- (4) Provisional
- (5) Probationary
- (6) Resignation

**RECONVENE IN PUBLIC SESSION**

The Board reconvened in Public Session at 7:36 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

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

At this time, the Board declared a moment of silence for Maurice Martin, a Berkeley High School student, who recently expired. President Doran expressed sympathy to the Martin family.

**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**

Seven speakers addressed the Board at this time.

At this time, President Doran announced that item #22, which is listed under "Discussion/Information/Report" on the agenda should be an action item. The Board agreed to take action on this item at tonight's meeting.

**AGENDA REORDER**

**ADVISORY COUNCILS**

A representative from the Music Program and BASC Committee addressed the Board.

## **UNION REPRESENTATIVES**

Mr. Barry Fike, President, Berkeley Federation of Teachers, addressed the Board. He requested that item #17 on the Board agenda be pulled or tabled in order for the Union to see how it impacts the teachers' contract. He commented regarding the Budget Workshop which was held on Monday, March 5, 2001, and asked how do staff verify student residency requirements?

Mr. Rick Spaid, Business Agent, Public Employees Union Local One, requested that the Resource Allocation Partnership (RAP) Committee, or a similar committee, be reinstated in order to review the budget and make recommendations to the Board.

Ms. Mary Reiter, representing the Berkeley Schools' Excellence Project (BSEP) Planning and Oversight Committee, read a statement regarding class size reduction.

## **SUPERINTENDENT'S REPORT**

Interim Superintendent Steve Goldstone expressed sympathy, on behalf of the District, to those people involved in the Santee tragedy. Dr. Goldstone gave an update regarding the Staff Development Day waiver and the seriousness of the District' budget. He announced that the ninth grade exit examination is taking place at Berkeley High School.

## **BOARD MEMBERS' COMMENTS**

Board Members discussed the Santee incident. They reported on the activities in the Student Learning Center. They announced that the multi-cultural week will be held May 29, 2001 through June 1, 2001 and that the Berkeley High School Jazz Ensemble will be performing at Kimbo's on March 23, 2001 and Sunday, April 1, 2001.

## **PRESENTATION**

4. Presentation by the Berkeley High School students and staff who will be traveling to Cuba April 3-17, 2001.

President Doran presented this item and introduced eight of the students and staff from Berkeley High School who will be traveling to Cuba April 3-17, 2001. President Doran said he will be accompanying the group.

The representatives said they will be documenting their trip. Their goal is to visit schools and hospitals. They will also report their observations to the Board upon their return.

## **AGENDA REORDER**

### APPROVAL OF CONSENT CALENDAR, ACTION ITEMS

16. Approval for Berkeley High School students to attend a Field Trip to Cuba on April 3-17, 2001.

President Doran read the resolution.

Motion: Directors Selawsky/Doran and approved 4-(1)-0-0 on voice vote:

That this item be approved.

AYES:	Directors Doran, Issel, Schultz, Selawsky, (Lichtenstein)
NOES:	None
ABSTAIN:	None
NOT SEATED:	Director Rivera
ABSENT:	None

### AGENDA REORDER

#### PRESENTATIONS (continued)

5. Presentation regarding the Small Learning Community Proposal at Berkeley High School.

Dr. Frank Lynch, Principal, Berkeley High School, and eight Berkeley High School staff members, discussed the various small learning programs at Berkeley High School including the Computer Academy, Interactive Balance Program, and Common Ground.

Board members requested information regarding the impact of Common Ground on the Ninth Grade Core Program. Board members also asked for evaluations of the different programs at Berkeley High School. The Board asked staff for more information regarding the process and expectations of these programs.

### APPROVAL OF CONSENT CALENDAR, ACTION ITEMS

The Board pulled, for separate consideration, Items 8, 9, 10, 11, and 12.

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

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

6. Approval of Personnel Recommendations.
7. Approval of Contracts and Purchase Orders in Excess of \$15,000.
8. Approval of the Release, Reassignment and Termination of Certificated Administrative Personnel (Education Code Section 44951).

Please see page 6 of these minutes for action on this item.

**APPROVAL OF CONSENT CALENDAR, ACTION ITEMS (continued)**

9. Pursuant to Education Code Section 44954(b), the Board of Education is Requested to take action to not re-elect all temporary certificated teacher for the 2001-2002 school year.  
Please see page 6 of these minutes for action on this item.
10. Pursuant to Education Code Section 44954, the Board of Education is requested to take action to not re-elect probationary certificated teachers for the 2001-2002 school year.  
Please see page 6 of these minutes for action on this item.
11. Approval of the use of school auditoriums and classrooms by various churches.  
Please see page 7 of these minutes for action on this item.
12. Approval of Resolution in Support of the Statewide Declaration of Action on March 8, 2001 to Demand a Reversal to the Ban on Affirmative Action.  
Please see page 7 of these minutes for action on this item.
13. Approval of Resolution No. 7259: Approval to Support the proposed amendments to the Schools Excess Liability Fund (SELF) Joint Powers Authority (JPA) Agreement.
14. Approval of the Terms of Agreement with California State University Hayward and Berkeley Unified School District teacher, Rachel Garlin, to participate in the Cal State TEACH Program.
15. Approval of Healthy Start Planning and Operational grants and School Community Policing Grant:
  - a. A three-year Healthy Start Operational Grant for \$400,000 for Cragmont Elementary School.
  - b. Two Healthy Start Planning Grants for \$50,000 each for Berkeley Alternative High School and City of Franklin MicroSociety Magnet School.
  - c. A three-year School-Community Policing Partnership Grant for \$325,000 for a joint program at Berkeley High School and Berkeley Alternative High School.

**APPROVAL OF CONSENT CALENDAR, ACTION ITEMS (continued)**

8. Approval of the Release, Reassignment and Termination of Certificated Administrative Personnel (Education Code Section 44951).

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

That this item be approved as amended.

AYES: Directors Doran, Issel, Rivera, Schultz, Selawsky  
NOES: None  
ABSTAIN: (Student Director Lichtenstein, the Student Director, does not vote on personnel issues.)  
ABSENT: None

9. Pursuant to Education Code Section 44954(b), the Board of Education is Requested to take action to not re-elect all temporary certificated teacher for the 2001-2002 school year.

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

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

Approval of this item.

10. Pursuant to Education Code Section 44954, the Board of Education is requested to take action to not re-elect probationary certificated teachers for the 2001-2002 school year.

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

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

Approval of this item.

At this time Dr. Steve Goldstone announced that there will be a Special Board of Education meeting on Wednesday, March 14, 2001 for the Borad to take action on the Second Interim Report.

**AGENDA REORDER**

### APPROVAL OF ACTION ITEMS

22. First Reading of a Board Policy Establishing a Greening Procurement and Sustainable Procedures Policy for the Berkeley Unified School District.

Motion: Directors Issel/Schultz and approved unanimously on voice vote:  
That this item is approved.

### APPROVAL OF CONSENT CALENDAR, ACTION ITEMS (continued)

11. Approval for the use of school auditoriums and classrooms by various churches.

Motion: Directors Issel/Selawsky and approved unanimously on voice vote as amended.

The amendment is that the **San Francisco Church of Christ** be deleted from this resolution.

12. Approval of Resolution in Support of the Statewide Declaration of Action on March 8, 2001 to Demand a Reversal to the Ban on Affirmative Action.

Student Director Niles Xi-an Lichtenstein read the resolution. Director Rivera said it is not the intent to encourage anyone to attend this rally and miss instructional time. Superintendent Goldstone said this action is requested in order to support the concept, if they have gone through the field trip procedure.

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

That this resolution be approved as amended.

### APPROVAL OF ACTION ITEMS

17. Third Reading and Acceptance of the proposed changes at Berkeley High School and Berkeley Alternative High School for the 2001-2002 school year.

Director Issel said she wants to hear from the staff of the Science and Math departments regarding the impact on those programs if block scheduling is implemented. What is the basis for the recommendation, what can we gain?

Director Selawsky expressed his disappointment regarding the closed campus recommendation.

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

To approve numbers 2, 5, 6, 7 and 8 for Berkeley High School and all changes for Berkeley Alternative High School.

**APPROVAL OF ACTION ITEMS (continued)**

17. Third Reading and Acceptance of the proposed changes at Berkeley High School and Berkeley Alternative High School for the 2001-2002 school year. (continued)

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

To approve #1 for Berkeley High School: To close the Berkeley High School campus for ninth graders next year.

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

The Board agreed, by consensus, to revisit #3 and #4 regarding Berkeley High School.

18. Approval of Resolution No. 7260: Energy Conservation

Ms. Catherine James presented this item.

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

That this item is approved.

AYES: Directors Doran, Rivera, Selawsky, Schultz  
NOES: None  
ABSTAIN: None  
NOT SEATED: Director Issel  
EXCUSED: (Student Director Lichtenstein) left at 11:12 p.m.

19. Approval of Changes to the Citizens Budget and Finance Advisory Committee Process and Appointments.

Director Rivera suggested that the existing committee be dissolved and a new committee be formed.

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

That the old committee be dissolved and a new committee be formed. Membership expires 2002.

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



## DISCUSSION/INFORMATION/REPORT

20. Discussion of Second Interim Report

This item was pulled. It will be discussed at the Special Board of Education Meeting of March 14, 2001.

21. First Reading and Discussion of the Adoption of Visual and Performing Arts Content Standards for California Public Schools.

Ms. Diane Pico, Manager, Curriculum and Assessment, and Dr. Irving Phillips gave a slide presentation.

## ADDITIONAL PUBLIC TESTIMONY

There was no Additional Public Testimony at this time.

## BOARD MATTERS

23. Board Committee Appointments/Reports

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

The following appointments were made:

Director Selawsky	Lawrence Gurley
Director Schultz	Don Read
Director Issel	Andy Ganes
President Doran	Fay Wimberly

- Citizens Construction Program Advisory Committee
- 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
- Berkeley Arts Education Steering Committee

**BOARD REQUESTS**

Director Rivera requested that staff submit to the Board a report regarding overtime and costs for cellular telephones.

Vice President Issel requested that staff submit to the Board an update regarding the incidents which occurred in the fall.

**ADJOURNMENT**

President Doran declared the Regular Meeting of March 7, 2001 adjourned at 11:55 p.m.

**APPROVED:**

**ATTEST:**

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President, Board of Education  
Berkeley Unified School District

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Secretary, Board of Education  
Berkeley Unified School District

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