

BERKELEY UNIFIED SCHOOL DISTRICT

OFFICIAL BUT UNADOPTED MINUTES

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MINUTES, REGULAR MEETING
Wednesday, May 2, 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 4:30 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

MEMBER EXCUSED: Student Director Niles Xi'an Lichtenstein

ADMINISTRATION: Interim Superintendent Stephen A. Goldstone, Secretary

2. Recess to Closed Session (Board Conference Room)

a. Conference 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. Consideration of Student Expulsions (Education Code Section 48918(c) (K-12): Case No. 219

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

d. Conference with Real Property Negotiator (Government Code Section 54956.8)

Property: Urban Ore, Gilman Street, Berkeley, CA

Names of Negotiation Party: Catherine E. James and Judson Owens

Under Negotiation: [] Price [] Terms of Payment [X] Both

e. Approval of FY 2001 Categorical Classified Reductions and Layoffs (Education Code Section 45308)

f. Public Employee Discipline/Release/Transfer/Assignment (Government Code Section 54957).

Certificated Transactions:

(1) Appointment, Temporary Status

(2) Appointment, Adult School

(3) Resignations

(4) Retirement

(5) Leave of Absence Without Pay

(6) Substitutes

2. Recess to Closed Session (continued)

f. Public Employee Discipline/Release/Transfer/Assignment (Government Code Section 54957). (continued)

Classified Transactions:

- (1) Substitutes; if and as needed: Instructional Specialist; Clerical Assistant I; Custodian; Instructional Assistant; Interpreter for the Deaf; Special Education Instructional Assistant; Student Worker
- (2) Probationary: Instructional Assistant; Program Assistant; Microcomputer Technician; Instructional Technician
- (3) Resignations

RECONVENE IN PUBLIC SESSION

The Board returned to Public Session at 7:33 p.m. At this time, President Doran asked for a moment of silence in honor of Nandi Phelps, a nine-year-old fourth grader at Oxford Elementary School. Nandi died May 2, 2001 from a bacterial form of meningitis.

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

MEMBERS EXCUSED: 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.

PRESENTATION

4. Presentation by the Berkeley Federation of Teachers (BFT) regarding the National Board for Professional Teaching Standards (NBPTS) Certification

President Doran congratulated David Stevens for receiving the National Board for Professional Teaching Standards (NBPTS) Certification. Mr. Stevens explained why he chose to seek the certification.

COLLECT "REQUESTS TO ADDRESS THE BOARD OF EDUCATION" CARDS

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

PUBLIC TESTIMONY

Eleven speakers addressed the Board.

UNION REPRESENTATIVES

Mr. Barry Fike, President, Berkeley Federation of Teachers (BFT) spoke to the Board about interdistrict transfers and class size reduction.

ADVISORY COUNCILS

Representatives from the Music Program Committee, Citizens Construction Program Advisory Committee, Berkeley Schools Excellence Project, and PTA Council addressed the Board.

SUPERINTENDENT'S REPORT

Interim Superintendent Goldstone reported on the successful arts festival which was held on Sunday, April 29, 2001. He announced that Board agenda item 23 is being tabled. Dr. Goldstone expressed sympathy on behalf of the District and Board of Education to Nandi Phelps' family. Nandi, a nine-year-old fourth grader at Oxford Elementary School, died on Monday morning from a bacterial form of meningitis.

BOARD MEMBERS' COMMENTS

Board members expressed their heartfelt sympathy to Nandi Phelps' family. They thanked District staff and the City of Berkeley staff, especially the City of Berkeley Health Department for the way they handled the Nandi Phelps tragedy.

SPECIAL ORDER OF BUSINESS: ACTION

5. Acceptance of Gifts:
 - a. Carol I. Ingram: A donation of a computer and printer to be used at Martin Luther King Jr. Middle School.
 - b. Stephen Hischer, Sutro & Co.: A donation of 32 computers, including keyboards and monitors.
 - c. Bruce Strangeland: A donation of a computer and computer equipment to be used at Martin Luther King Jr. Middle School.
 - d. Dr. Lee Balance and Dr. Mary Selkirk: A donation of a computer and computer equipment to be used at Martin Luther King Jr. Middle School.
 - e. Debie Mazor: A donation of \$45.00 toward the cleaning of Rosa Parks Environmental Science Magnet School.
 - f. Richard B. Hadlock: A donation of 100 paperback children's books to be used for first and fourth graders at Thousand Oaks Elementary School.
 - g. Keith Dubinsky: A donation of a Macintosh computer and computer equipment with an estimated value of \$545 to be used at Thousand Oaks Elementary School.

SPECIAL ORDER OF BUSINESS: ACTION (continued)

5. Acceptance of Gifts: (continued)

- h. Patty Bittenbender, Social Security Administration, Berkeley: A donation of 25 computers to the Berkeley Adult School and the Berkeley PTA Council.
- i. Sharon C. Collier, President, Collier & Associates: A donation of office furniture.

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

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

APPROVAL OF CONSENT CALENDAR ITEMS

The Board pulled, for separate consideration, items 6, 7, 15, 20, 21, and 23.

The Board added items 28 and 29 to the Consent Calendar.

Motion: Directors Rivera/Selawsky and approved unanimously on voice vote:
That items 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 22, 28 and 29 are approved.

6. Approval of Personnel Recommendations

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

7. Approval of Purchases in Excess of \$15,000

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

8. Approval of Non-Public School Placement of a Special Education Student at True to Life, Sebastopol, California, for the period of March 26, 2001 to June 30, 2001, at a cost of \$10,500.

9. Approval of Non-Public School Placement of a Special Education Student at La Cheim, for the period of March 26, 2001 to June 30, 2001, at a cost of \$9,035.

10. Approval of Non-Public School Placement of a Special Education Student at Full Circle for the period April 18, 2001 to June 30, 2001, at a cost of \$7,545.

11. Approval of Non-Public School Placement of a Special Education Student at Spectrum Center, for the period of March 21, 2001 to June 30, 2001, at a cost of \$16,956.48.

APPROVAL OF CONSENT CALENDAR ITEMS (continued)

12. Action taken regarding decision of Student Expulsion Administrative Panel: Case No. 219.
13. Approval of Resolution No. 7264: Authorization to Advertise for Bids for Track Resurfacing at Berkeley High School Field.
14. Approval of Resolution No. 7265: Resolution in the Matter of Reduction of Categorical Classified Staff.
15. Approval of Resolution No. 7266: Authorize Transportation Department Manager to seek funding from BAAQMD for school bus replacement of pre-1977 diesel buses with compressed natural gas school buses with a school district match of \$25,000 per bus.

Please see page 6 of these minutes for action on this item.
16. Approval of the proposed fee increase for the elementary school After School Learning Programs.
17. Approval of Resolution declaring May 5, 2001 as Cinco de Mayo Day.
18. Approval of Resolution Declaring May 2001 at Asian Pacific Islander Heritage Month.
19. Approval of Resolution in Support of Senate Bill 993: The Early Education and Wage Equity Act.
20. Approval of Military Recruitment and Non-Discrimination Resolution.

Please see page 6 of these minutes for action on this item.
21. Approval of the Support of Assembly Bill 892: Establishing a Two-Year Pilot Program Providing Bridge Grants to Healthy Start Collaboratives.

Please see page 7 of these minutes for action on this item.
22. Approval of Berkeley High School Application for Carl D. Perkins Vocational and Technical Education Funding.
23. Approval of Oxford Elementary School Proposal for Permanent Art Work.

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

AGENDA REORDER

28. Approval of Resolution No. 7267: Resolution authorizing the issuance of sale of not to exceed \$17 million of bonds of the Berkeley Unified School District, prescribing the terms of said bonds, approving forms of and distribution of an official notice of sale with respect to said bonds, authorizing publication of notice of intention to sell bonds, delegating authorization to award bid for said bonds to an officer of the District, and authorizing execution of necessary certificates.
29. Approval for the Berkeley Adult School Western Association of Schools and Colleges (WASC) Report.
6. Approval of Personnel Recommendations
- Motion: Directors Rivera/Schultz and approved unanimously on voice vote:
- That item #4: Leave of absence without pay, certificated employees, be deleted.
- That this item be approved as amended.
7. Approval of Purchases in Excess of \$15,000
- Director Selawsky asked the staff to explain this item.
- Motion: Directors Selawsky/Schultz and approved unanimously on voice vote:
- Approval of this item.
15. Approval of Resolution No. 7266: Authorize Transportation Department Manager to seek funding from BAAQMD for school bus replacement of pre-1977 diesel buses with compressed natural gas school buses with a school district match of \$25,000 per bus.
- Motion: Directors Doran/Selawsky and approved unanimously on voice vote:
- Approval of the Resolution No. 7266.
20. Approval of Military Recruitment and Non-Discrimination Resolution.
- Motion: Directors Rivera/Selawsky and approved 4-(1)-1-0-0 on voice vote:
- Approval of military recruitment and non-discrimination resolution.
- AYES: Directors Doran, Rivera, Schultz, Selawsky (Lichtenstein)
NOES: Director Issel

AGENDA REORDER (continued)

APPROVAL OF CONSENT CALENDAR ITEMS (continued)

21. Approval of the Support of Assembly Bill 892: Establishing a Two-Year Pilot Program Providing Bridge Grants to Health Start Collaboratives.

President Doran explained this item and encouraged the Board to support Assembly Bill 892.

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

Approval of the support of Assembly Bill 892 and that a signed copy of this resolution be sent to the California Assembly.

23. Approval of Oxford Elementary School Proposal for Permanent Art Work.

Interim Superintendent Goldstone said the staff and students at Oxford Elementary School would like to dedicate this art work to Nandi Phelps, the nine-year-old fourth grader who died from a bacterial form of meningitis. Therefore, it would be amended to include, "In Memory of Nandi Phelps."

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

Approval of Oxford Elementary School proposal for permanent art work as amended.

APPROVAL OF ACTION ITEMS

24. Approval of recommendations regarding the future of the B Building at Berkeley High School.

Ms. Catherine James, Associate Superintendent, Business, explained the public input process.

Interim Superintendent Goldstone recommended that the B Building be torn down as soon as possible.

Director Rivera wanted to know where the Health Center will be housed. President Doran requested that staff submit a plan to the Board regarding a covered pavilion that will seat 100 Berkeley High School students for lunch.

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

Approval of this item.

APPROVAL OF ACTION ITEMS (continued)

25. Approval of Plan to Balance the FY 2001-2002 General Fund Budget—Meeting the Challenge

The Board had before it a 17-page document, "Meeting the Challenge—Balancing the 2001-2002 General Fund Budget."

Interim Superintendent Goldstone recommended that the Board adopt the plan to balance the 2001-2002 General Fund Budget in Scenario 2, as modified, on page 6 of the 17-page document.

That the superintendent be directed to implement his recommendations with the following exceptions:

- Do not reduce Longfellow 7th period (1.2 FTE=\$72,500).
- Provide staffing to achieve class sizes of 20:1 in grades K-3; 26:1 in grades 4-5; 28:1 in grades 6-8; and 29:1 in grades 9-12. In addition, the high school enrichment add-on should be reduced by 3 FTE. In essence, this is model E modified by the reduction of 3 FTE's from the high school enrichment and the addition of 2 FTE at 7th-8th, and 1 FTE at 6th, resulting in an increased cost of \$174,226. In combination, these two changes total \$246,726.

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

That the Superintendent be directed to provide a list identifying an additional \$229,976 of other sources or cuts which might be implemented to further reduce class size for FY 02. This would allow the District to implement model G, which is the class size model implemented for the current year.

Motion: Directors Schultz/Selawsky and approved 4-1-0-(1) on roll call vote:

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

26. Approval of Resolution Declaring May 20-26, 2001 as Classified Employees' Week.

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

Approval of resolution declaring May 20-26, 2001 as Classified Employees' Week.

APPROVAL OF ACTION ITEMS (continued)

27. Approval of Resolution Declaring May 9, 2001 as Day of the Teacher.

Motion: Directors Issel/Rivera and approved unanimously on voice vote:
Approval of this resolution.

AGENDA REORDER

DISCUSSION/INFORMATION/REPORT

30. First Reading for Proposed Revisions to the Board Policy on Independent Study

Ms. Christine Lim, Associate Superintendent, Instruction, said this item is brought to the Board for information and as a first reading. It will be brought back for a second reading and action at the next meeting.

ADDITIONAL PUBLIC TESTIMONY

Ms. Nancy Riddle, Co-Chair, Berkeley Schools Excellence Project (BSEP) Planning and Oversight Committee, addressed the Board regarding class size reduction.

BOARD MATTERS

18. 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
- Music Program Committee
- Peace and Justice Commission
- Student Assignment Advisory Committee
- Surplus Facilities Advisory Committee
- Two-by-Two Committee
- Youth Commission

There were no appointments/reports regarding the above committees/commissions.

BOARD REQUESTS

There were no Board requests at this time.

ADJOURNMENT

President Doran declared the Regular Meeting of May 2, 2001 adjourned at 12:12 a.m.

APPROVED:

ATTEST:

President, Board of Education
Berkeley Unified School District

Secretary, Board of Education
Berkeley Unified School District

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