

MINUTES, REGULAR MEETING  
Wednesday, May 16, 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 4:37 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, 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 Expulsion (Education Code Section 48918(c) (K-12):  
Case No. 220
- c. Collective Bargaining Session Government Code Section 3549.1(d)
- d. Grievance Hearing (Government Code Section 54957)
- e. Public Employee Discipline/Release/Transfer/Assignment (Government Code Section 54957).
- f. Public Employment (Government Code Section 54957):  
Title: Superintendent Contract
- g. Public Employment (Government Code Section 54957)  
Certificated Transactions:
  - (1) Leave of Absence without pay
  - (2) Resignations
  - (3) RetirementsClassified Transactions:
  - (1) Instructional Assistant: Special Education
  - (2) Interpreter for the Deaf
  - (3) Student Worker
  - (4) Tutor Provisional

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\*The Student Director does not attend Closed Session

### **RECONVENE IN PUBLIC SESSION**

The Board returned to Public Session at 8:04 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.

### **COLLECT "REQUESTS TO ADDRESS THE BOARD OF EDUCATION" CARDS**

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

### **PUBLIC TESTIMONY**

Eighteen speakers addressed the Board.

### **UNION REPRESENTATIVES**

Mr. Allen Miller, Vice President, Berkeley Federation of Teachers, addressed the Board.

### **ADVISORY COUNCILS**

Mr. Greg Gomez, Music Teacher, elementary schools, addressed the Board regarding the music program in the District. Ms. Stephanie Allen and Ms. Beebo Turman, Maintenance Advisory Council, and Mr. Mark Coplan, PTA Council, addressed the Board.

### **SUPERINTENDENT'S REPORT**

Interim Superintendent Goldstone reported on his visits to various schools. He gave an update regarding the meningitis issue.

### **BOARD MEMBERS' COMMENTS**

Board members made comments regarding the following:

- Community Services Award.
- The Last Poetry Slam, May 21, 2001, 7:00 p.m., Berkeley Community Theater.
- Tonight's African Haitian performance.
- Truancy policy.
- Students being tracked into English as a Second Language (ESL).
- The backpack issue at Longfellow Arts and Technology Magnet Middle School.
- The Special Education audit.
- They thanked District and City staff for their handling of the meningitis emergencies.

#### **SPECIAL ORDER OF BUSINESS: ACTION**

4. Acceptance of Gifts:
  - a. Mrs. Melinda White: A donation of a Hitachi VHS video camera and recorder.
  - b. Mr. Tony Meijia, Manager, Juan's Restaurant: A donation of food to the Berkeley Alternative High School for their Student Recognition Program.
  - c. Katie Silver, Ten Speed Press: A donation of nine Macintosh computers, printers, monitors and keyboard with a estimated value of \$2,200.

President Doran thanked Melinda White, Tony Meijia and Katie Silver for their gifts.

Motion: Directors Issel/Selawsky and approved unanimously on voice vote:  
To accept the gifts.

#### **AGENDA REORDER**

#### **DISCUSSION/INFORMATION/REPORT**

31. Second Annual Progress Report on the District's School Linked Programs: Healthy Start, After School Learning Programs, and School-Community Policing Partnership Program.

Ms. Julie Sinai, Manager, School Linked Programs, plus six representatives from the program, presented this item. They gave an overview of funding sources and current legislation, and described the programs and services, discussed critical issues, and the evaluation process for the programs.

#### **APPROVAL OF CONSENT CALENDAR ITEMS**

The Board pulled, for separate consideration, items 5, 8, 9, 10, 17, and 18.

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

That the remainder of the consent Calendar be approved.

That items 25, 26, 27 and 28 be moved to the Consent Calendar and be included in this motion.

5. Approval of Personnel Recommendations

Please see page 5 of these minutes for action on this item.

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

6. Approval of Purchases in Excess of \$15,000
7. Approval of Payroll Manual Issues and Cancellations of March and April 2001 General Fund; Adult Fund; Cafeteria Fund; Child Development Fund; State School Building Fund; Measure A Bond Fund; School Enrichment Funds; Manual Issues and Cancellation.
8. Action taken regarding decision of Student Expulsion Administrative Panel: Case No. 220.
9. Approval of Non-Public School Placement of a Special Education Student at Seneca for the period April 24, 2001 to June 30, 2001, at a cost of \$6,768.
10. Approval of Non-Public School Placement of a Special Education Student at Seneca for the period of April 24, 2001 to June 30, 2001.
11. Approval of the 2001-2002 Consolidated Application for Funding Categorical Programs, Part I.
12. Approval of Resolution No. 7269: Approval to accept the base bid of Younger Wunar for Franklin School Technology Modernization Project in the amount of \$548,100.
13. Approval of Resolution No. 7270: Approval to accept the base bid in the amount of \$358,538 and alternate bid in the amount of \$61,000 of Younger Wunar, Inc., for Jefferson Elementary School Mechanical Modernization Project for a total amount of \$419,538.
14. Approval of Resolution No. A328: Authorization to accept completion of the re-roofing project at John Muir Elementary School.
15. Approval of Resolution for the expenditure of grades 9-12 Schiff-Bustamante Standards-Based Instructional Materials Program Funds, Fiscal Year 2000-2001.
16. Approval of a Resolution in support of the proposed partnership between the City of Berkeley and BUSD in the City's application to the California Department of Health Services for Healthy Families/Medi-Cal for Children Outreach.
25. Approval, at Second Reading, of the Proposed Revisions to the Board Policy on Independent Study.
26. Approval of the Summer School Program.
27. Approval of Demonstration Programs and Pre-Advanced Placement Opportunity Program Application for Longfellow Arts & Technology Magnet Middle School.

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

28. Approval of Agreements between the District (Martin Luther King Jr. Playing Field) and Albany Berkeley Girls Softball League (ABGSL), Mersey Soccer Club, North Oakland and South Oakland Little League Baseball.

5. Approval of Personnel Recommendations.

President Doran announced that Ms. Catherine James, Associate Superintendent, Business, has tenured her resignation. This resignation should be added to the personnel recommendations.

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

That this item is approved as amended.

Board members thanked Ms. James for her many years of service and contributions to the District.

8. Action taken regarding decision of Student Expulsion Administrative Panel: Case No. 220.

This item was tabled.

9. Approval of Non-Public School placement of a Special Education Student at Seneca for the period April 24, 2001 to June 30, 2001, at a cost of \$6,768.

This item was tabled.

10. Approval of Non-Public School Placement of a Special Education Student at Seneca for the period of April 24, 2001 to June 30, 2001.

This item was tabled.

17. Approval for submission a funding proposal to the Bay Area School Reform Collaborative (BASRC).

Ms. Christine Lim, Associate Superintendent, Instruction, said BASRC (Bay Area School Reform Collaborative) is a foundation-funded, vision-driven, regional organization whose mission is to firmly establish the Bay Area as a vital, innovative, and effective place to learn. She said there is no financial impact to the General Fund.

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

Approval of this item.

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

8. Approval of contract with School Services of California to provide financial study and audit of Special Education funding and expenditures.

Dr. Stephen Goldstone, Interim Superintendent, explained this item.

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

Approval of contract with School Services of California to provide financial study and audit of Special Education funding and expenditures.

**AGENDA REORDER**

**APPROVAL OF ACTION ITEMS**

23. Approval of funds for safe routes to school: Malcolm X Arts & Academic Magnet School, Rosa Parks Environmental Science Magnet School.

Director Selawsky said there is no point person to work on this. He suggested that District staff write a letter to the City Manager requesting that a city staff person be designated. The only financial impact for the District is staff time. Wants staff to obtain a complete budget. Director Selawsky and Dr. Stephen Goldstone, Interim Superintendent, to work on this issue. This item was tabled to allow staff to further investigate the ramifications.

24. Adoption of the Plan to Balance the FY 2001-2002 General Fund Budget: Part 2- Meeting the Challenge.

Dr. Stephen Goldstone, Interim Superintendent, addressed the issue of identifying adjustments to the 2001-2002 budget to offset the \$246,000 difference as a result of the Board's action on May 2, 2001.

The plan, as amended, is as follows:

- \$127,000 for creation of a new SELPA program resulting in a net savings from students participating in an alternate Adult Transition Program.
- \$20,000 reduction of .5 FTE Campus Monitor.
- \$29,000 reduction of travel/conference budget (2002-2003 budget at \$119,000).
- \$70,000 reduction in salary accounts in consideration of attribution due to retirements, resignations, etc., impacting 2001-2002 ending balance.

The result is a total of \$246,000.

Further reductions/adjustments to the budget in order to institute Model G, current staffing, are not recommended due to the severe impact of such changes and the relatively minor impact of the resulting increases in staffing.

**APPROVAL OF ACTION ITEMS (continued)**

24. Adoption of the Plan to Balance the FY 2001-2002 General Fund Budget: Part 2-Meeting the Challenge. (continued)

Priorities: As the state issues its May revision and finally adopts its budget, as the District's ending balance is identified, and as the details of the 2001-2002 budget become clearer, there will be opportunities to adjust the new year budget. Consequently, it is advisable to adopt budgeting/funding priorities that will help guide the Board and the District in the new fiscal year. If revenue becomes available, the Board will assess changing the budget in relation to funding priorities, the 3% reserve, and the \$1 million contingency.

Priority budgeting/funding for the 2001-2002 fiscal year:

1. Build reserve to assist the 2002-2003 budget in consideration of one-time reduction savings in the 2001-2002 budget.
2. Restore reductions in class size as reflected in modified Model L.
3. Add 1 FTE administrator at Berkeley High School.
4. Increases custodial budget.
5. Restore reduction in School Safety Officers.
6. Restore School Service Aide ratio.

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

To accept Interim Superintendent Goldstone's recommendations to not recommend a reduction of Berkeley High School Campus Monitor.

- On-site campus suspension, how will discipline be handled?
- Concern about the cuts at Berkeley High School.
- Include in the motion a Board request that the staff provide to the Board a list of areas that need monitoring.
- A list of what these items are, a one-page summary that would show the contact person who is following the item, the goal and strategy, and what progress was made in the first of these reports, by the end of June, to be added to the motion.

**APPROVAL OF ACTION ITEMS (continued)**

24. Adoption of the Plan to Balance the FY 2001-2002 General Fund Budget: Part 2-Meeting the Challenge. (continued)

- That as part of the plan staff prepare a list of the budget cut areas that need monitoring and that they will provide a monthly one-page report for each item. including the contact person, goal, and progress to date. That the first report be in the Board's hand by July 1, 2001.
- Staff to post on the District's web page the impact these cuts have on Berkeley High School.

At 11:05 p.m. the Board agreed, by consensus, to extend the meeting until the business has been completed.

Motion: Directors Doran/Issel:

- Add to the priorities, get a listing of teacher FTEs and that any proposed changes be brought to the Board, including the rationale for the changes.
- As #7 add support disaster preparedness to address earthquake and disaster preparedness—enter into an agreement with the City.
- Take #2 and make it #1, #3 restore FTE.

Motion: Directors Doran/Schultz:

That #1 be #1.

AYES: Directors Doran, Schultz

NOES: Director Rivera

ABSTAIN: Directors Issel, Selawsky

Motion failed.

Motion: Directors Issel/Doran:

That #1 be changed to #2.

Motion failed.

We have seven priorities for the use of money if they become available in no rank order. Add a #7, disaster preparedness.

**APPROVAL OF ACTION ITEMS (continued)**

24. Adoption of the Plan to Balance the FY 2001-2002 General Fund Budget: Part 2-Meeting the Challenge. (continued)

Motion: Directors Issel/Schultz and approved 3-1-1-0 on voice vote:

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

29. Approval of Maintenance and Operations Business Plan

Mr. Gene LeFevre, Director, Maintenance, Grounds and Custodial Services, talked about high expectations, training, and accountability for the maintenance staff.

Director Issel said Berkeley High School is the top priority. She requested that staff bring back an accountability plan with measurable goals and an assessment system that addresses the maintenance at Berkeley High School. She said the goals should tie in with Board Policy 3510. The mission and measurable goals should be aligned with the policy.

Director Issel asked how this design supports the Districtwide recycling efforts? She requested that recycling containers be placed in all District offices.

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

Approval of this item.

**DISCUSSION/INFORMATION/REPORT**

32. First Reading of Board Policy regarding rate increase for rental of property.

Dr. Stephen A. Goldstone, Interim Superintendent, explained this item.

33. Report of the 1999-2000 Testing

This item was tabled.

**ADDITIONAL PUBLIC TESTIMONY**

There was no additional public testimony at this time.

**BOARD REQUESTS**

Director Issel requested that staff submit a progress report on the Small School Steering Committee and address the goals and objectives stated in the grant.

At 12:41 a.m. the Board recessed to Closed Session.

The Board returned to Public Session at 1:30 a.m. President Doran stated that there was nothing to report from Closed Session.

**ADJOURNMENT**

President Doran declared the Regular Meeting of May 16, 2001 adjourned at 1:30 a.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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