

CALL TO ORDER

President Terry S. Doran Called the Board of Education 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 Sarena M. Chandler*

Administration: Superintendent Michele Lawrence, Superintendent

2. Prior to Closed Session, as necessary, staff/employee comments are taken per Government Code Section 54957
3. Recess to Closed Session (Government Code Sections 3549.1(d), 54956.9, 54956.9(a) and 54957) and Education Code Section 48918(c)
 - a. Conference with Legal Counsel—Existing Litigation
 Service of Process Existing Settlement Negotiations
 - b. Consideration of Student Expulsion
 1. Case #11-02
 - c. Collective Bargaining Session
 - d. Public Employee Discipline/Dismissal/Release
 - e. Public Employment and Appointment

RECONVENE IN PUBLIC SESSION

The Board reconvened in Public Session at 7:34 p.m.

*The Student Director does not attend Closed Session.

4. **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 Sarena M. Chandler

APPROVAL OF AGENDA AS PRINTED

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

That the Agenda is approved as printed.

REPORT OF ACTION TAKEN FROM CLOSED SESSION

President Doran stated that the Board instructed staff to enter into a settlement with Vest Bay Builders.

PUBLIC TESTIMONY

Mr. Mark Coplan, *In Dulci Jubilo*, announced that Mr. Ted Rosenkrantz, founder of In Dulo Jubilo, expired. He said the deadline for grants is November 20, 2001. He expressed his support for small schools and stated that *In Dulci Jubilo* is donating a check toward the building program at Berkeley High School.

Ms. Stephanie Allen, parent, shared some photographs showing the condition of some of the District's maintenance vehicles. The following people addressed the Board regarding small schools/small communities: Ms. Katrina Scott-Gorge, Ms. Kalima Rose, Ms. Jeanie Wooley, Ms. Michiko Murillo, Mr. Michael Miller, Ms. Liz Fuentes, and Ms. Vicki Davis. Ms. Yolanda Huang, Berkeley High School parent, addressed the Board regarding student safety at Berkeley High School. Ms. Nancy Riddle addressed the Board regarding the Secondary Literacy Plan.

UNION REPRESENTATIVES

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

ADVISORY COUNCILS

Ms. Yolanda Huang, Co-Chair, Facilities Maintenance and Security Advisory Committee, addressed the Board.

SUPERINTENDENT'S COMMENTS

The Superintendent did not comment at this time.

BOARD MEMBERS' COMMENTS

Board Members commented regarding the following:

- Director Selawsky said that he would like for staff to develop a clear and consistent truancy policy at Berkeley High School;
- Director Selawsky requested that staff prepare and submit to the Board a report regarding the absentee rate of employees in the Maintenance Department;
- Director Schultz elaborated on the success of the Writers' Room Project at Berkeley High School;
- Director Rivera said there needs to be more aggressive supervision off campus during the lunch hour;
- President Doran announced that Berkeley High School and BCM (Berkeley Community Media) Channel 25 will sponsor a **Home Work Live** program segment beginning January 2002, on Tuesdays, Wednesdays, and Thursdays;
- All Board Members made comments regarding small schools.

APPROVAL OF MINUTES

5. Approval of Minutes: October 17, 2001

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

Approval of the October 17, 2001 Minutes.

APPROVAL OF CONSENT CALENDAR

The Board pulled, for separate consideration, Items 15, 18, 20 and 24.

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

That items 6-13, 14, 16, 17, 19, 21, 23-25 are approved.

6. Approval of Personnel Report
7. Action taken regarding decision of Student Expulsion Administrative Panel: Case #11-02
8. Approval to deny claims against the District
9. Approval of Purchases in Excess of \$15,000
10. Approval of Resolution No. 7288: The Gann Limit Appropriation Computation is for a State Constitutional initiative that was enacted in the early 1980's. It allows the State of California to make budget appropriations within the requirements of that law. The amendments to that initiative allowed for the compliance with the Gann initiative to transfer from the local level to the State level
11. Approval of Resolution No. 7290: Resolution authorizing the use of school facilities by a religious organization: **Strawberry Creek Friends** use of Berkeley Alternative High School's Multi-Purpose Room and classrooms for Religious Services
12. Approval of Resolution No. 7290: Resolution authorizing the use of school facilities by a religious organization: **Open Gate Sangha's** use of Thousand Oaks Elementary School's Multi-Purpose Room for Religious Services
13. Approval of Resolution No. 7292: Authorization to Accept completion of the Berkeley High School Softball Field Turf Renovation Project
14. Approval of Resolution No. 4289: Authorization to Award Landscape Maintenance Services for the Calendar Year (December 1, 2001-November 30, 2001)
15. Approval of Resolution: Student Bus Passes, AC Transit Three-Year Pilot Program

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

16. Receive and Approval Information on the Issuance of Payroll Warrants for Employee Services for October 2001

APPROVAL OF CONSENT CALENDAR (continued)

17. Approval to Receive the Specific Learning Disability Classification Grant from the California Department of Education, Special Education Division for a period of one and one-half years
18. Approval of Expenditure Plan for Governor's Performance Award for Emerson and John Muir Elementary Schools and Willard Middle School

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

19. Approval of Expenditure Plan for the Academic Performance Index (API) School Site Employee Bonus Award for Emerson and John Muir Elementary Schools and Martin Luther King Jr. Middle School
20. Approval of Overnight Field Trip Requests

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

21. Request of Out-of-State Travel Requests
22. Approval of the Extension of STRS Exemption—Darrel Taylor
23. Approval of Nominations of CSBA (California School Boards Association) Delegate Assembly, 2002
24. Acceptance of Gifts

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

25. Approval of Memorandum of Understanding between Berkeley High School and the California Technology Assistance Project Region IV for CTAP Language Arts Grant

APPROVAL OF CONSENT CALENDAR (continued)

15. Approval of Resolution: Student Bus Passes, AC Transit Three-Year Pilot Program

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

That this item is approved as amended. The amendments are to add the following paragraph as the fifth paragraph:

- WHEREAS, the Berkeley School Board seeks to ensure that operating funds for transit are not diminished.

Add the following as the seventh paragraph:

- FURTHER, BE IT RESOVED, that funds for this proposal should come from allocations in the regional transportation plan that MTC (Metropolitan Transit Commission) is in the process of adopting.

8. Approval of Expenditure Plan for Governor's Performance Award for Emerson and John Muir Elementary Schools and Willard Middle School

Director Schultz noted that the Board has been concerned about one-time funds. He said this is one-time money that will be used one time.

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

That this item is approved.

20. Approval of Overnight Field Trip Requests

Director Selawsky asked about the ratio of adults to students. He also wants to know the Board's liability responsibility for these kinds of trips. Director Rivera asked fingerprinting of adults who accompany students on field trips. He requested that staff investigate the fingerprinting issue and report back to the Board.

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

Approval of the Overnight Field Trip Requests.

APPROVAL OF CONSENT CALENDAR (continued)

24. Acceptance of Gifts:
- a. Rose & Sean Marx: A donation of forty cases of copy paper, valued at \$2600, to be used at John Muir Elementary School;
 - b. Cheri Hinkley: A donation of wooden puzzles, clay equipment and teacher resource books, valued at \$250;
 - c. Dan Curry: A donation of a computer printer, valued at \$100;
 - d. LeRoy Blea: A donation of a Toshiba computer, valued at \$500;
 - e. Claudia Berger: A donation of a piano and bench, to be used at LeConte Elementary School, valued at \$850.

President Doran thanked the citizens listed above for their gifts to the District.

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

That the gifts are accepted.

DISCUSISON/INFORMATION/REPORTS

26. Receive for Adoption consideration of the *Introduction to the Practice of Statistics*

The Board received the Introduction to the Practice of Statistics for review.

27. Discussion of the Secondary Literacy Staff Development Plan

Ms. Christine Lim, Associate Superintendent, Instruction, explained this item and responded to Board questions and comments.

AGENDA REORDER

PUBLIC HEARING

30. Public Hearing on the District's Proposals to Public Employees Union Local One Reopeners

President Doran opened the Public Hearing at 9:30 p.m.

No one addressed the Board at this time.

President Doran declared the Public Hearing closed at 9:32 p.m.

AGENDA REORDER

DISCUSSION/INFORMATION/REPORTS (continued)

28. Maintenance and Measure BB Update

Mr. Lewis Jones, Manager, Facilities Planning, presented this item. He reviewed the approach that was taken and the steps thus far and gave some general background. He gave a status report regarding the District's maintenance vehicles. Mr. Jones said staff training is an area that needs to be developed and he is addressing that issue along with the issues of the budget and safety. He said he is trying to put some structures and controls in place.

Some of the areas that Board Members would like staff to focus on are the following:

- In future reports please include an analysis and priority list.
- Please develop and submit to the Board a playground safety report, including a budget for this item.
- Please date all future reports at the bottom of each page.
- Give the Board an absence matrix for the Maintenance Department.
- Submit quarterly and annually reports to the Board.
- Analyze the project completion rate.
- Give the Board a report regarding the number of Workers' Compensation claims per quarter and annually.

DISCUSSION/INFORMATION/REPORTS (continued)

29. First Reading of Revision of Board Policy 4030: Non-Discrimination in Employment

Dr. David Gomez, Associate Superintendent, Administrative Services, said this action is as a result of Proposition 209, which passed several years ago.

Superintendent Lawrence said what is missing is a more robust statement related to the District's commitment that we will maintain and support the value of diversity in our District.

Director Rivera suggested that staff merge the District's current policy with CSBA's so that our policy complies with the law and reaffirms our stance for equity in our hiring practices.

Board Members requested that all references to race be deleted from the policy.

ADDITIONAL PUBLIC TESTIMONY

Ms. Nancy Riddle and Ms. Yolanda Huang addressed the Board.

BOARD MATTERS

30. Board Committee Appointments/Reports

President Doran reminded board members that the December 5, 2001 Board of Education Meeting is the annual organizational meeting. At this meeting, all committee members will need to be re-appointed or appointed for next year.

- Berkeley Arts Education Steering Committee
- 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 to the above committees/commissions.

At this time, Superintendent Lawrence said there is a need for another Board Meeting in December. Therefore, there will be a Special Board of Education Meeting on Wednesday, December 19, 2001.

ADJOURNMENT

President Doran declared the Regular Meeting of November 14, 2001, adjourned at 10:41 p.m.

APPROVED:

ATTEST:

President, Board of Education
Berkeley Unified School District

Secretary, Board of Education
Berkeley Unified School District

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