

BERKELEY UNIFIED SCHOOL DISTRICT

ADOPTED MINUTES

MINUTES, REGULAR MEETING

Page 1

Wednesday, September 5, 2001

District Administrative Offices

Board Meeting Room

2134 Martin Luther King Jr. Way

Berkeley, CA 94704-1180

CALL TO ORDER

President Doran Called the Meeting to Order at 5:00 p.m.

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, Secretary

2. Prior to Closed Session, as necessary, staff/employee comments are taken per Government Code 54957

No one addressed the Board at this time. The Board recessed to Closed Session at 5:02 p.m.

3. 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 Existing Settlement Negotiations

b. Liability Claims (Government Code Section 54956.9)

(1) Claim filed on behalf of a student for payment for alleged injuries while attending Emerson Elementary School

(2) Claim filed on behalf of a student for alleged emotional distress caused by a teacher while attending Willard Middle School

(3) Claim filed on behalf of a student for reimbursement of medical expenses and pain and suffering for alleged altercation in which she was involved while attending Berkeley High School

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

***The Student Director does not attend Closed Session.**

3. Recess to Closed Session (Board Conference Room) (continued)
 - d. Public Employee Discipline/Dismissal/Release (Government Code Section 54957)
 - (1) Consideration for Termination of Classified Employee #2001-01
 - (2) Consideration for Termination of Classified Employee #2001-02
 - e. Public Employment and Appointments (Government Code Section 54957)

Certificated Transactions:

 - (1) Resignations

Classified Transactions

 - (1) Substitutes
 - (2) Summer Employment
 - (3) Return from Lay-Off
 - (4) Probationary
 - (5) Provisional
 - (6) Tutor
 - (7) Student Worker
 - (8) Noon Director
 - (9) Resignations.

RECONVENE IN PUBLIC SESSION

The Board returned to Public Session at 7:33 p.m.

4. **BOARD ROLL CALL:**
 - President Terry S. Doran
 - Vice President Shirley Issel
 - Director Joaquin J. Rivera
 - Director Ted Schultz
 - Director John T. Selawsky
 - Student Director Sarena M. Chandler

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

Four speakers addressed the Board.

UNION REPRESENTATIVES

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

SUPERINTENDENT'S REPORT

Superintendent Lawrence reviewed the budget process. She said we are making progress toward closing the financial books and that the District has a solid ending balance. Staff is aggressively seeking a solution to the position control process and we are also moving forward to resolve the excessive vacation balances accumulated by some staff members. She reported that she met with Assemblywoman Dion Aroner regarding the status of the Staff Development Waiver.

BOARD MEMBERS' COMMENTS

Board Members welcomed students and staff back to a new school year. They congratulated staff on a successful school opening.

APPROVAL OF CONSENT CALENDAR

The Board agreed, by consensus, to move item #23 to the Consent Calendar.

The Board pulled, for separate consideration, Items 8, 14, 15 and 17.

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

That the remainder of the Consent Calendar be approved.

5. Approval of Personnel Recommendations
6. Approval to deny claims against the District
7. Approval of Minutes: August 15, 2001
8. Approval of Purchases in Excess of \$15,000

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

APPROVAL OF CONSENT CALENDAR (continued)

9. Approval of Commercial Payments, Payroll Manual Payments and Cancellations for June 2001 General Fund; Adult Fund; Cafeteria Fund; Child Development Fund; State School Building Fund; School Excellence Funds and Capital Projects Fund
10. Approval of Declaration of Need for Fully Qualified Educators
11. Approval of St. Mary's College Student Teacher Placement Agreement
12. Acceptance of the California Commission on Teacher Credentialing Teaching Internship Grant (CAL PIP)
13. Approval to Receive the Academic Volunteer and Mentor Service Program Grant from the Office of the Secretary of Education for a Second Three-Year Grant Period
14. Approval to Receive the Academic Volunteer and Mentor Service Program for Berkeley High School and Enter into Contract with Berkeley YMCA for Mentor Program Services

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

15. Authorization to Record a Notice of Cessation for the Thousand Oaks New Construction Project

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

16. Approval of the Completion of the Thousand Oaks Elementary School Landscape
17. Approval of Resolution No. 7286: Acceptance of a bid for the Longfellow Site (Healthy Start Project)

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

18. Request to the United States Department of Education for a Supplemental Grant Award to the Teacher Led Technology Challenge Grant

AGENDA REORDER

23. Approval of Contract Between Berkeley Unified School District and the East Bay Center for Performing Arts

APPROVAL OF CONSENT CALENDAR (continued)

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

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

To approve the purchases in excess of \$15,000 as amended.

The amendment is to delete item #4 on page 15.

14. Approval to Receive the Academic Volunteer and Mentor Service Program for Berkeley High School and Enter into Contract with Berkeley YMCA for Mentor Program Services

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

That this item be approved.

15. Authorization to Record a Notice of Cessation for the Thousand Oaks New Construction Project

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

That this item be approved.

17. Approval of Resolution No. 7286: Acceptance of a bid for the Longfellow Site (Healthy Start Project)

The Board wanted to know why the estimate is over budget and what happens when the funds in the Measure AA budget runs out?

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

Approval of Resolution No. 7286.

APPROVAL OF ACTION ITEMS

19. Consideration for Termination of Classified Employee #2001-01

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

To terminate classified employee #2001-01.

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

NOES: None

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

ABSENT: None

20. Consideration for Termination of Classified Employee #2001-02

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

To terminate classified employee #2001-02.

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

NOES: None

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

ABSENT: None

21. Acceptance of the Early Childhood Education Literacy Plan

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

Acceptance of the Early Childhood Education Literacy Plan.

APPROVAL OF ACTION ITEMS (continued)

22. Approval of Expenditure Plan for the Academic Performance Index (API) Governor's Performance Award for LeConte Elementary School and Malcolm X Arts and Academic Magnet School

Board members expressed their concern about hiring additional staff with one-time funds and requesting Board approval after the fact. They urged the central administrative staff to caution site administrators regarding this issue. In addition, the Board requested that staff report back regarding earthquake and safety issues at the sites.

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

That this item be approved.

23. Approval of Contract Between Berkeley Unified School District and the East Bay Center for Performing Arts

Please see page 4 of these minutes for action on this item.

24. Approval of Expenditure Plan for the Academic Performance Index (API) School Site Employee Bonus Award for LeConte Elementary School and Malcolm X Arts and Academic Magnet School

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

That this item be approved.

25. Adoption of the High School Expected Schoolwide Learning Results (ESLRs)

Board Members said staff should develop tangible and measurable goals for the ESLRs.

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

Adoption of the High School Expected Schoolwide Learning Results (ESLRs) as amended. The amendment is to incorporate the Board's suggestions into the ESLRs.

APPROVAL OF ACTION ITEMS (continued)

26. Approval of Nominations for California School Boards Association (CSBA) Director-at-Large, American Indian and Director-at-Large, Black

Director Rivera explained this item. The Board did not make a recommendation at this time.

DISCUSSION/INFORMATION/REPORTS

27. First Reading—Modifications to Board Policy 6.46.1, Graduation Requirements/Standards of Proficiency

The Board and staff engaged in a lengthy discussion regarding the proposed Graduation Requirements/Standards of Proficiency. The Board said there should be a more comprehensive recommendation from staff.

The Board requested that staff conduct a survey of surrounding districts to determine their graduation requirements and also research the State and University of California systems to determine their graduation requirements. The Berkeley High School staff should also be involved in this entire process.

ADDITIONAL PUBLIC TESTIMONY

Three speakers addressed the Board at this time.

BOARD MATTERS

28. Board Committee Appointments/Reports
- 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

BOARD MATTERS (continued)

There were no reports/appointments regarding the Board Committees/Commissions at this meeting.

BOARD REQUESTS

There were no Board Requests at this time.

ADJOURNMENT

President Doran declared the Regular Meeting of September 5, 2001, adjourned at 9:59 p.m.

APPROVED:

ATTEST:

President, Board of Education
Berkeley Unified School District

Secretary, Board of Education
Berkeley Unified School District