

BERKELEY UNIFIED SCHOOL DISTRICT  
MINUTES, REGULAR MEETING  
Wednesday, April 24, 2002  
District Administrative Offices  
Board Meeting Room  
2134 Martin Luther King Jr. Way  
Berkeley, CA 94704-1180

ADOPTED MINUTES  
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### CALL TO ORDER

President Shirley Issel called the Board of Education Meeting to order at 6:10 p.m.

### BOARD ROLL CALL

**MEMBERS PRESENT:** President Shirley Issel  
Vice President Joaquin J. Rivera  
Director Terry S. Doran  
Director Ted Schultz  
Director John T. Selawsky  
Student Director Sarena M. Chandler\*

Administration Associate Superintendent, Educational Services,  
Christine Lim

**EXCUSED:** Superintendent Michele Lawrence, Secretary

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

No one addressed the Board at this time.

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
- b) Consideration of Student Expulsions:
  - 1. Case #: 27-02
  - 2. Case #: 32-02
  - 3. Case #: 33-02
  - 4. Case #: 35-02
- c) Collective Bargaining
- d) Public Employee Discipline/Dismissal/Release
- e) Public Employment and Appointments
- f) Liability Claims
- g) Property Acquisition

\*The Student Director does not attend Closed Session.

The Board recessed to Closed Session at 6:00 p.m. and reconvened in Public Session at 7:35 p.m.

At this time, Ms. Christine Lim, Associate Superintendent, Educational Services, explained that Superintendent Lawrence is testifying in Sacramento on behalf of the District regarding the staff development waiver.

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

All Board Members were present.

Report from Closed Session

President Issel stated that in Closed Session, the Board discussed items a, c, d, f, and g. The Board took the following action on item b:

b) Consideration of Student Expulsions:

1. Case #: 27-02

The Board voted unanimously to ratify the revocation of the suspended expulsion.

2. Case #: 32-02

The Board voted to extend the expulsion for two semesters but to suspend the second semester with certain conditions.

3. Case #: 33-02

The Board voted to uphold the recommendation of the Student Expulsion Administrative Panel's decision.

4. Case #: 35-02

The Board unanimously voted to ratify the revocation of the suspended expulsion.

e) Public Employment and Appointment

1) Business Services Personnel

The Board voted unanimously to appoint Bernadette Cormier, Director, Transportation.

Approve Agenda

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

That the agenda is approved as amended. The amendments are that items 4.1-C, 4.3-C and 4.4-C are pulled for further clarification. That item 4.2-C is tabled.

Approval of Minutes

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

That the Minutes of February 20 and 27, 2002 are approved.

**PUBLIC TESTIMONY**

Nine people addressed the Board, including Ms. Nancy Riddle who announced her candidacy for the School Board.

**REPORTS**

Union Representatives' Reports

Ms. Edith Halberg, Berkeley Federation of Teachers substitute representative, read a Proclamation that is before Governor Gray Davis, requesting that he declare May 9, 2002 to be California Substitute Teacher Day.

Mr. Barry Fike, President, Berkeley Federation of Teachers, mentioned the number of grievances filed by BFT; teacher layoffs and last week's support rally. He asked if there will be a retirement incentive for certificated staff.

Advisory Councils' Report

Mr. Derick Miller, President, PTA Council, announced that the next PTA Council Meeting will be held April 25, 2002, in the South Berkeley Senior Center at 6:15 p.m. He reminded everyone of clean-up day at Berkeley High School on April 28, 2002, and encouraged as many people as possible to "Get on the Bus to Pay Schools Now!", May 8, 2002, a lobbying day in Sacramento. The event is sponsored by the Coalition to Pay Schools Now and fix our Schools Funding.

Ms. Yolanda Huang, Chair, Maintenance Advisory Committee, addressed the Board regarding the Cragmont School floor.

Superintendent's Report

Ms. Christine Lim, Associate Superintendent, Educational Services, announced that today is Administrative Professionals' Day. She thanked those staff members for their dedication and hard work. Ms. Lim announced that Friday, May 10, 2002, is the annual Berkeley Public Education Foundation Luncheon.

Board Members' Comments

Director Doran thanked the PTA Council and the other organizers for spearheading the May 8, 2002 lobbying trip to Sacramento to request that public schools be fully and appropriately funded this election year and grow spending to \$12,000 per student in the years to come. He commended Ms. Beebo Turman for her recycling efforts.

Director Ted Schultz confirmed that he will be retiring from the Board—he will not seek re-election. He offered to counsel prospective candidates.

Director Selawsky announced that the 10<sup>th</sup> Annual Youth Arts Festival in Berkeley is now going on. For the next month, art exhibits will be at the Art Center at 1275 Walnut Street, Berkeley. He urged everyone to support our students by viewing the artwork. Director Selawsky expressed his appreciation to Director Schultz as a Board member and he acknowledged Ms. Beebo Turman regarding her recycling project. He commented about the principal selection process and that he is committed to a fair and consistent process.

Board Members' Reports (continued)

Vice President Rivera commented regarding the principal selection process. He said he is not aware of any cases when the process was not followed.

President Issel announced that the May 15, 2002 Special Board of Education Meeting has been cancelled. That Sunday, April 28<sup>th</sup> 9 a.m.-1 p.m. is Spring clean-up Day at Berkeley High School and the May 8<sup>th</sup>—Get on the Bus, Sacramento Lobby Day. She congratulated the following: The Berkeley High School Chess team for taking first place in the State Championship in Monterey; the Jazz Ensemble, which took second place in the National Monterey Jazz Festival; Lynn Wittstock, Berkeley High School alumni, who has been selected for induction into the California Athletic Hall of Fame.

**CONSENT ITEMS**

Motion: Directors Rivera/Selawsky and approved as amended.

The amendments are as follows:

Item 4.1-C was pulled for further clarification.

Item 4.2-C was tabled.

- 1.1-C: Acceptance of Gifts/Donations
- 2.1-C: Acceptance of Personnel Report
- 3.1-C: Approval of Overnight Field Trip Requests
- 3.2-C: Berkeley High School Carl D. Perkins Vocational and Technical Education Application/Plan for Funding
- 4.3-C: Increase for Wulfsberg, Reese, and Sykes
- 4.4-C: Chemical Hygiene Plan for Berkeley High School, Willard and King schools  
of Warrants issued in March 2002
- 4.5-C: Approve Listing of Warrants issued in March 2002

**CONSENT ITEMS** (continued)

4.1-C:

Approval of Contracts/Purchase Orders in Excess of \$15,000

Director Selawsky requested additional information regarding items 2-8 on pages 38 and 39 of the Board packet. He asked if this is General Fund money and requested an accounting of these expenditures.

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

Approval of this item.

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

4.3-C

Increase for Wulfsberg, Reese, and Sykes

Director Selawsky requested additional information regarding this item.

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

To approve the payment of this obligation.

4.4-C

Chemical Hygiene Plan for Berkeley High, Willard and King schools

Mr. Lewis Jones, Manager, Facilities Planning, explained this item and responded to Board questions and comments.

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

To approve the Chemical Hygiene Plans for the three schools and authorize staff to duplicate these plans as needed.

## **ACTION ITEMS**

### 1.1-A

#### Approve Waiver of Principal Selection Policy

Ms. Christine Lim, Associate Superintendent, Educational Services, explained that it is the intention of the Superintendent to expand the involvement of staff and community in the selection for the three vacant principal positions by augmenting the steps in the selection process. The Superintendent would also like to establish two representative committees for the interview process: one as a technical panel covering specific administrative skills, and the other to assess community and interpersonal relationships. The existing policy, in its specificity, limits the expansion of community and staff involvement. The request to waive the policy allows the Superintendent and staffs the flexibility to enhance participation.

A lengthy Board discussion followed Ms. Lim's explanation.

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

To table the request to waive the principal Selection Policy and for staff to re-submit it to the Board with more details.

## **AGENDA REORDER**

## **INFORMATION**

### 1.1-I

#### Report from Maintenance Advisory Committee

Ms. Yolanda Huang, Chair, Maintenance Advisory Committee, presented the yearly Maintenance Oversight and Planning Committee report.

Vice President Rivera asked if the survey, which Ms. Huang referred to, had been coordinated with staff. He suggested that in the future such requests be coordinated with staff. The committee does not have the authority to ask staff to do these kinds of things. He said the report is lacking recommendations to the Board. The report does not indicate what the Board should do and how the Board should proceed.

Director Schultz noted that there are some positive steps we are taking, such as hiring additional staff in the Maintenance Department. We have hired a Custodial Supervisor and 266 problems have been resolved.

**ACTION ITEMS**

3.1-A

Approval of the 2002 Summer School Program

Ms. Christine Lim, Associate Superintendent, Educational Services, presented this item and responded to Board questions and comments.

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

Approval of the 2002 Summer School Program.

4.1-A

Approve recommendation of Independent Auditor

This item was tabled.

4.2-A

Energy Agreement with Viron Energy Services for several projects

Mr. Lewis Jones, Manager, Facilities Planning, presented this item and responded to Board questions and comments.

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

Staff is to proceed with negotiation of the contract with Viron and approval of the funding approach contained in the document presented to the Board with the proviso that if the committees do not agree with the contract, an alternative funding proposal will be presented to the Board at a later time.

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



4.3-A

Authorization to Bid the Cragmont Multi-Purpose Floor Replacement Project

Mr. Jerry Kurr, Associate Superintendent, Business and Operations, provided historical information regarding this item. He said that staff recommends that we not delay replacement of the floor and as originally recommended by the site principal we go to bid for a hardwood floor product similar to what is currently being used in the Berkeley Unified School District. Staff also recommends that Districtwide flooring standards be developed for future replacements/remodeling/new construction.

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

Approval of this item.

4.4-A

Approve Acceptance of Voluntary Integration Program Report

This item was pulled.

**AGENDA REORDER**

1.2-I

Western Association of Schools and Colleges

Ms. Christine Lim, Associate Superintendent, Educational Services, presented this item. She said this information is the progress report submitted to the Western Association of Schools and Colleges as a requirement of the Accreditation process for Berkeley High School. The visitation of a five-member team to assess our progress in addressing accreditation recommendations is scheduled for May 19-21, 2002. This team will read the report, speak to representative groups, visit classrooms and study data in order to form a recommendation for the term of the accreditation. A term of accreditation is given in six-year cycles. We are in our third year of this cycle.

Directors Selawsky and Schultz said overall this is a good and positive report—It is a work in process. Director Doran expressed concern regarding what the visitation committee will see and say about Berkeley High School as it relates to small schools—it is a school that is failing too many students. Vice President Rivera noted that there are typos and errors in the document. He cautioned staff to be more careful and to be more attentive to details.

3.1-I

Administrative Regulations for Board Policy 5117: Interdistrict Attendance

Ms. Christine Lim, Associate Superintendent, Educational Services, gave an overview of the Administrative Regulations for Board Policy 5117: Interdistrict Attendance. She said after consultation with the District's attorneys and additional study of Education Code requirements and limitations, the administrative regulations have been revised.

3.2-I

Language Census R-30

Ms. Christine Lim, Associate Superintendent, Educational Services, explained that each district must send a report at the end of March to the California Department of Education which aggregates and summarizes the number of English Learners, their languages, English Learner programs, number of reclassifications to fluent English proficient, staffing as well as teacher credentials. She reported that our District has 1205 English Learners.

4.1-I

Review Budget Development and Advisory Process and Timelines for FY 2002-2003

Mr. Jerry Kurr, Associate Superintendent, Business and Operations, reviewed the Budget Development and Advisory Process and Timelines for FY 2002-2003. He recommended that we change the June 26, 2002 Board Meeting to June 19, 2002.

Director Terry Doran requested that the calendar dates be listed in chronological order.

**ADJOURNMENT**

President Issel declared the Regular Meeting of April 24, 2002, adjourned at 11:43 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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