

BERKELEY UNIFIED SCHOOL DISTRICT  
MINUTES, REGULAR MEETING  
Wednesday, December 11, 2002  
District Administrative Offices  
Board Meeting Room  
2134 Martin Luther King Jr. Way  
Berkeley, CA 94704-1180

ADOPTED MINUTES  
Page 1

### **CALL TO ORDER**

President Shirley Issel called the Regular Board of Education Meeting of December 11, 2002, to order at 5:00 p.m.

### **BOARD ROLL CALL**

**MEMBERS PRESENT:** Director Terry S. Doran  
Director Shirley Issel  
Director Joaquin J. Rivera  
Director John T. Selawsky  
Student Director Andy Turner

Administration

Superintendent Michele Lawrence, Secretary

### **OATH OF OFFICE BY CITY CLERK**

Ms. Sara Cox, Deputy City Clerk, City of Berkeley, administered the Oath of Office to:

Re-elected Director Terry S. Doran  
Re-elected Director Shirley Issel  
Director-Elect Nancy M. Riddle

After Directors Doran, Issel and Riddle took their Oath of Office, they took their seats on the Board.

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

No one addressed the Board at this time.

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\*The Student Director does not attend Closed Session

Recess to Closed Session (Government Code Sections 3549.1(d), 54956.9, 54956.9(a) and 54957 and Education Code Section 49819(c))

- a) Conference with Legal Counsel—Existing Litigation
- b) Consideration of Student Expulsion
- c) Collective Bargaining
- d) Public Employee Discipline/Dismissal/Release
- e) Public Employment and Appointments
- f) Liability Claims
- g) Property Acquisition

The Board recessed to Closed Session at 5:15 p.m. and reconvened in Public Session at 7:37 p.m.

Report Closed Session Action

Director Issel stated that in Closed Session, the Board discussed the following items:

- c) Collective Bargaining
- f) Liability Claims: Reimbursement of property loss

The Board voted unanimously to settle the liability claim.

**BOARD ROLL CALL:** Director Terry S. Doran  
Director Shirley Issel  
Director Nancy Riddle  
Director Joaquin J. Rivera  
Director John T. Selawsky  
Student Director Andy Turner

## **ANNUAL ORGANIZATIONAL MEETING**

### Election of Officers:

#### President

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

That Vice President Joaquin J. Rivera is President of the Board of Education for 2003.

AYES: Directors Doran, Issel, Riddle, Selawsky, (Student Director Turner)

NOES: None

ABSTAIN: Director Rivera

ABSENT: None

#### Vice President:

Motion: Directors Doran/Riddle and approved 4(1)-0-1 on voice vote:

That Director John T. Selawsky is Vice President of the Board of Education for 2003.

AYES: Directors Doran, Issel, Riddle, Rivera, (Student Director Turner)

NOES: None

ABSTAIN: Director Selawsky

ABSENT: None

#### Secretary:

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

That Superintendent Michele Lawrence is Secretary of the Board of Education for 2003.

Approval Agenda

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

That the December 11, 2002 agenda is approved as amended. The amendment is that item 4.1-A: Review and Approve 2002-2003 First Interim Report, is pulled. That item 2.2-C: Renewal of Workers Compensation Insurance with the State Compensation Insurance Fund is pulled for further clarification. That item 2.1-C is approved as corrected.

Approval of Resolution of Appreciation for Outgoing President Shirley Issel

President Joaquin J. Rivera read the Resolution of Appreciation for Outgoing President Shirley Issel.

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

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

President Rivera gave Outgoing President Issel a plaque of appreciation for her tenure as the Board President.

Board of Education Representatives to Board Committees for 2003

President Rivera named the following Board of Education representatives to Board Committees for 2003:

BERKELEY UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION REPRESENTATIVES  
TO BOARD COMMITTEES FOR 2003

Committees	2002 Representatives	2003 Representatives
Alameda County School	President Issel	Director Riddle
Association of California Urban School Districts	Vice President Rivera	President Rivera Vice President Selawsky
Berkeley Alliance	President Issel Vice President Rivera	President Rivera Vice President Selawsky
Berkeley High Health Center	Director Schultz	Director Riddle
Berkeley Arts in Education	Director Selawsky	Vice President Selawsky
BSEP Planning & Oversight Committee	Director Selawsky and other Board Members attend on a rotating basis	Director Riddle and other Board Members attend on a rotating basis
Board/City 2X2 Committee	President Issel and Vice President Rivera	President Rivera and Vice President Selawsky
Citizens Budget and Finance Committee	Vice President Rivera and Director Doran	Director Doran and Director Riddle
Citizens Construction Program Advisory Committee	Director Doran and Director Selawsky (alternate)	Director Doran and Vice President Selawsky (alternate)
Citywide Youth	Director Schultz and Director Doran	Director Doran and Director Issel
District Advisory Council	Director Doran	Director Doran
District English Learner Advisory Council (ELAC)	Vice President Rivera	President Rivera
Facilities Maintenance & Security Advisory Committee	President Issel	Director Issel and Vice President Selawsky (alternate)
Music Committee	Director Selawsky	Vice President Selawsky
Child Nutrition Advisory	Director Doran	Director Doran

2003 Board of Education Meeting Schedule

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

That the proposed 2003 Board of Education Meeting Schedule is approved as amended. The amendment is to cancel the August 6, 2003 meeting date. The Schedule of Board of Education Meetings for 2003 is as follows:

January 15, 2003  
January 22, 2003  
February 5, 2003  
February 19, 2003  
March 5, 2003  
March 19, 2003  
April 2, 2003  
April 23, 2003  
May 7, 2003  
May 21, 2002  
June 4, 2003  
June 18, 2003  
July 2, 2003  
August 20, 2003  
September 3, 2003  
September 17, 2003  
October 1, 2003  
October 15, 2003  
November 5, 2003  
November 19, 2003  
December 3, 2003  
December 17, 2003

Approval of Minutes

Motion: Directors Selawsky/Doran and approved 4(1)-1 on voice vote:

That the Minutes of November 20, 2002 are approved as written. The November 6, 2002 Minutes are approved as amended. The amendments are as follows:

November 6, 2002:

On page 3 of the minutes, page 5 of the Board packet, under Board Members' Comments, last paragraph. The paragraph now reads as follows:

Director Schultz congratulated Directors Doran and Issel. **He also congratulated Board-Member Elect Nancy Riddle. Director Schultz said he is especially glad that Mrs. Nancy Riddle is replacing him on the Board.** He expressed his pleasure with the passage of Measure K, which increases Board Members' salaries from \$875.00 per month to \$1500 per month.

On page 5 of the minutes and page 7 of the Board packet, item 1.1-C: Resolution in Acknowledgement of César Chávez Day. The following sentence is to be added to the second paragraph. The paragraph now reads:

Vice President Rivera suggested that the Board approve the Resolution but that the Implementation Plan is referred back to staff to allow staff more time to provide input so that they will have ownership of the Plan. **The Implementation Plan was not approved. Staff was asked to re-submit the Plan to the Board in two weeks.**

On page 6 of the minutes, page 8 of the Board packet, under Conference Item 3.1-I: Preliminary Report from the Student Assignment Advisory Committee, second paragraph, second line: "...and **five** members of the Student Assignment Committee..."

Approval of Minutes (continued)

AYES: Directors Doran, Issel, Rivera, Selawsky, (Turner)  
NOES: None  
ABSTAIN: Director Riddle  
ABSENT: None

**PUBLIC TESTIMONY**

Four speakers addressed the Board.

**PRESENTATION**

Mr. Mark Coplan, Executive Director, In Dulci Jubilo, presented six Berkeley Unified School District teachers with grants from In Dulci Jubilo. He explained that these teachers represented over a dozen educators/programs receiving grants of up to \$500, for a total of \$10,000. Over 80 grant applications were submitted, and he encouraged the Berkeley community to give generously to IDJ as well as the Berkeley Public Education Foundation, so that no request for classroom support would have to go unfunded.

**REPORTS**

Union Representatives' Reports

Ms. Anne Graybeal, Berkeley Council of Classified Employees, Local 6192, addressed the Board regarding negotiations.

Board Committee Reports

Ms. Mary Reiter, BSEP Planning and Oversight Committee, read a statement from the Planning and Oversight Committee and Mr. Derick Miller, Co-Chair, Student Assignment Committee, announced that there will be a Board of Education Study Session regarding the District's Student Assignment Plan on December 17, 2002, 7:00p.m., Berkeley Alternative High in the Multi-purpose Room. He inquired about the Small Schools Steering Committee membership and schedule of meetings.



Board Committee Reports (continued)

Mr. Jim Wert, Facilities Maintenance and Security Advisory Committee, gave an update regarding the Committee's work.

Superintendent's Report

Superintendent Lawrence congratulated Directors Doran and Issel on their re-election and Director Riddle on her election to the Board. She announced the appointment of Mr. Mark Coplan as Public Information Officer for the District, effective January 6, 2003. Mrs. Lawrence thanked the Student Assignment Committee members for their successful forum. She congratulated the teachers who received grants from In Dulci Jubilo and expressed appreciation to Mr. Mark Coplan and In Dulci Jubilo for their continued support of our teachers and programs. The Superintendent reported on the CSBA (California School Boards Association) Conference she and some Board members attended. She gave a budget update from Sacramento and reiterated the seriousness of the State's and District's budgets. The Superintendent said the minutes and names of the Small Schools Steering Committee will be made public.

Board Members' Comments

Student Director Turner congratulated Directors Doran and Issel for being re-elected to the Board. He congratulated Director Riddle on her election to the Board and President Rivera and Vice President Selawsky on their election as Board officers.

Vice President Selawsky congratulated President Rivera on his election as Board President for 2003. He thanked the many volunteers who provide service to our students and staff.

President Rivera welcomed Director Riddle to the Board and he said: "I miss Ted."

Board Members' Reports (continued)

Board Members made the following appointments:

- Citizens Budget and Finance Committee

**Board Member**

Director Terry S. Doran

Director Shirley Issel

Director Nancy Riddle

**Appointee**

Marissa Sanders

Catherine Varnau

Vicki Davis

- **Citizens Construction Advisory Committee**

Director Terry S. Doran

Director Shirley Issel

Director Nancy Riddle

Carl Bridges, reappointment

Matt Taecker

Bruce Wicinas

- Facilities Maintenance and Security Advisory Committee:

**Board Member**

Director Terry S. Doran

**Appointee**

Jim Wertz

- Youth Commission

**Board Member**

Director Terry S. Doran

**Appointee**

Daniel Seaman, reappointed

Sean Dugar, Member-at-Large

**CONSENT ITEMS**

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

That the Consent Items are approved, as amended. The amendment is that item 2.2-C is pulled for further clarification.

- 1.1-C: Resolution 02-47: Signatures of Board Members
- 1.2-C: Acceptance of Gifts/Donations
- 1.3-C: Walk to School and Work Resolution
- 1.4-C: Call for Nominations for CSBA Delegate Assembly
- 2.1-C: Acceptance of Personnel Report
- 2.2-C: Renewal of Workers Compensation Insurance with the State Compensation Insurance Fund

Please see below for action on this item

- 3.1-C: Overnight Field Trip Requests
- 4.1-C: Approval of Contracts/Purchase Orders for Service Contracts

2.2-C: Renewal of Workers Compensation Insurance with the State Compensation Insurance Fund

Director Issel noted that this will have a major impact on the District's solvency. She said Workers Compensation has more than doubled with an increased cost of \$1,081,769 to the District's 2003-2004 budget. Director Issel requested that this item be included in the Budget Study Session next week.

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

Renewal of Workers Compensation Insurance with the State Compensation Insurance Fund.

**ACTION ITEMS (continued)**

3.1-A: 2002-2003 Single Plan for Student Achievement for Berkeley Alternative High School

Ms. Christine Lim, Associate Superintendent, Educational Services, said with the conversion of Berkeley Alternative High School to a continuation school, the staff at the school needed additional time to complete the plan, which is required for the new funding sources. The Single Plan for Student Achievement for the Berkeley Alternative High School has been reviewed for compliance by the Office of State and Federal Programs and is recommended for approval by the Board of Education.

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

Approval of the 2002-2003 Single Plan for Student Achievement for Berkeley Alternative High School.

3.2-A: Grades 9-12 English/Language Arts Instructional Materials

Ms. Christine Lim, Associate Superintendent, Educational Services; Mr. Neil Smith, Director, Curriculum, Instruction & Staff Development and Mr. Michael Hassett, Executive Vice principal, Berkeley High School, presented this item. Ms. Lim said regular grades 9-12 instructional materials funds, different from Schiff-Bustamante moneys, were used to purchase most of these books. Copies are needed for replacement and to cover increased enrollment. In order to use the Schiff-Bustamante carry-over funds as well as the newly allocated state textbook funds to purchase these books, the Board is required to adopt the texts.

Director Issel asked how will the textbooks be paid for and what tracking method will be used? How do we have confidence that all 9<sup>th</sup> graders are getting curriculum? What is the thinking behind all of these choices and how did it come about that we have so many selections? Is there an agreed upon curriculum?

Mr. Michael Hassett, Executive Vice Principal, Berkeley High School, said he compiled this list of books from the books we are currently using.

Superintendent Lawrence requested that Mr. Hassett establish a pivotal list of books, identify a core list and resubmit them to the Board.

**ACTION ITEMS** (continued)

3.2-A: Grades 9-12 English/Language Arts Instructional Materials (continued)

Vice President Selawsky said there should be a choice of good books for students to read.

Director Doran asked for the total number of books that are reasonable for the 9<sup>th</sup> grade course. He requested that staff compile the list of books that are used in every English class and that this list be submitted to the Board for approval.

Motion: Directors Selawsky/Doran and approved 4(1)-1-0-0 on voice vote:

Approval of Grades 9-12 English/Language Arts Instructional Materials.

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

4.1-A: Review and Approve 2002-2003 First Interim Report

This item was pulled.

**INFORMATION**

General Services

1.1-I: Overview of AB 2859, Aroner

Superintendent Lawrence said part of the requirement of the Aroner Bill which was designed to assist Berkeley Unified in the elimination of a financial penalty assessed in the year 2000, the District is obligated, through FCMAT (Fiscal Crisis Management Assistance Team), to do a comprehensive review of five designated areas and to provide an appropriate plan for each of the five areas.

## **INFORMATION**

### General Services (continued)

#### 1.1-I: Overview of AB 2859, Aroner (continued)

The five areas are:

- a. Governance/Community Relations
- b. Pupil Achievement
- c. Facilities Management
- d. Personnel Procedures
- e. Financial Management

Once the report has been completed the District will be obligated to designate funds that were previously allocated to pay the penalty toward the implementation of the improvement plans.

Superintendent Lawrence outlined the timelines and procedures for fulfilling the Aroner Bill requirements.

### Educational Services

#### 3.1-I: Standardized Testing and Reporting Program (STAR)

Ms. Christine Lim, Associate Superintendent, Educational Services, said the California Legislature has required all public schools to administer the same standardized test since 1997 for grades 2-11. The Stanford Achievement Test, 9<sup>th</sup> Edition, (SAT-9) is the norm-referenced test that has been used for the past five years. This year the State is requiring schools to use the California Achievement Tests, 6<sup>th</sup> Edition (CAT/6) as well as the California Standard Tests that have been developed during the past few years. The changes that are resulting from the new testing requirements are as follows:

- a. CAT/6 Survey Test and an increased number of California Standards Tests
- b. New tests in science at fifth grade and in social studies at eighth grade
- c. Increased emphasis on standards in computing API scores

**EXTENDED PUBLIC TESTIMONY**

No one addressed the Board at this time.

**ANNOUNCEMENT**

Schedule of December Board of Education Meetings:

December 17, 2002: Board Study Session regarding Student Assignment  
7:30 p.m.  
Berkeley Alternative High School  
(In the Multi-purpose Room)  
2701 Martin Luther King Jr. Way  
Berkeley, CA 94704

December 18, 2002: Board Study Session regarding the District's Budget  
7:00 p.m.  
District's Administrative Offices  
2134 Martin Luther King Jr. Way  
Berkeley, CA 94704-1180

**ADJOURNMENT**

President Rivera declared the Regular Meeting of December 11, 2002, adjourned at 11:20 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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