

BERKELEY UNIFIED SCHOOL DISTRICT
MINUTES, SPECIAL MEETING
Tuesday, December 17, 2002
Berkeley Alternative High School
Multi-purpose Room
2701 Martin Luther King Jr. Way
Berkeley, CA 94704

ADOPTED MINUTES
Page 1

CALL TO ORDER

President Rivera called the Special Board of Education Meeting of December 17, 2002 to order at 7:35 p.m.

BOARD ROLL CALL

MEMBERS PRESENT: President Joaquin J. Rivera
Vice President John T. Selawsky
Director Terry S. Doran
Director Shirley Issel
Director Nancy Riddle
Student Director Andy Turner

Administration Superintendent Michele Lawrence, Secretary

PUBLIC TESTIMONY

Six speakers addressed the Board.

SPECIAL STUDY SESSION/WORKSHOP

Report and Discussion of Work from the Student Assignment Committee

The Board had before it a 28-page document entitled: "Berkeley Unified School District, Student Assignment Advisory Committee Preliminary Report to the Board of Education, December 17, 2002."

Mr. Francisco Martinez, Manager, Admissions and Attendance, and representatives of the Student Assignment Advisory Committee: Ms. Roia Ferrazares and Mr. Derick Miller, Co-Chairpersons, Ms. Noreen Axelson, Mr. Lee Berry, Ms. Julie Guthman, and Mr. Bruce Wicinas, presented this item. Mr. Derick Miller, Co-Chairperson, read the Statement of Beliefs and the Committee Charge. Ms. Julie Guthman, member, gave an overhead presentation and explained some of the maps listed in Appendes A and B of the 28-page document.

Report and Discussion of Work from the Student Assignment Committee (continued)

Ms. Roia Ferrazares, Co-Chair, Student Assignment Committee, explained the Committee's Proposal to Modify the Student Assignment Plan. She cited excerpts of the Plan by saying: "The Committee believes that diversity is a community value. Diversity in education, which could be added by a student assignment plan, may include gender, race, ethnicity, language, family structure and socioeconomic status. This is stated in our statement of beliefs. While race/ethnicity is included in this statement, we did not include it in our proposal given the original charge of the Committee.

The 2000 Census data made it possible for us to develop rich snapshots of the Berkeley population. Using Census data we were able to review maps of many diversity factors. After careful consideration the Committee narrowed a broad list down to four factors including income, parent education, and English-as-a-Second Language.

As the Committee explored the impact of recent legal decisions, we came to believe that a broad definition of diversity would include many characteristics we may never even have considered in previous school assignment plans. Such a definition does not necessarily focus on race or ethnicity as such, nor does it attempt to find some single indicator or collection of characteristics that could be used as a proxy for race. While our understanding of and appreciation for the value of a diverse classroom persists, we need to find new ways of recognizing such learning environments. Even without the impetus of a challenging legal landscape, the committee would advocate a renewed commitment to fully involve all our children in an educational experience that consistently emphasizes equal access to all educational resources.

The committee believes that the single most important factor is to design a plan that yields learning environments that are inclusive. While we have selected several specific factors based on our examination of census and other data, as the assignment plan is monitored in the future, it may be necessary to modify these factors."

Some comments and questions raised by Board Members are as follows:

Director Terry S. Doran:

- How was the decision made to break up into various groups?
- How will the proposed Student Assignment Plan work?

Director Shirley Issel:

- Is there any data regarding parents who received their first, second and third choice?
- Please provide more information regarding BUSD's population who is participating in the free and reduced lunch program. It would be helpful to have a colored map showing this information.
- Currently we adjust capacity to reflect students that enroll in Berkeley schools. "I want our school population to reflect the people who live in Berkeley". What discussions has the Committee had about our schools reflecting the Berkeley community?

Vice President John Selawsky:

- What indicators has the Committee used to address student achievement?
- What are the corresponding data with BUSD's self-reported data and the United States census data?
- How long does the Committee anticipate that the U.S. census data are going to be accurate since the U.S. census data are released every ten years?

President Joaquin Rivera:

- How did the Committee come up with 445 planning areas?
- How will this proposed plan be explained to parents?
- What is the difference between socioeconomic and the free and reduced lunch program?

Student Director Turner

- What is the difference between free and reduced, income, socioeconomic and heads of households?
- How do out-of-District students fit into this model?

Closing comments by Board Members (continued)

Director Nancy Riddle

- Please provide the information regarding the planning areas.
- If the legal situation was not before us and we wanted to use race and socioeconomic, could we?

Some closing comments by Board Members included the following:

Director Terry Doran:

- Regarding the Statement of Belief—In the third paragraph, keep the first sentence and delete the second sentence.
- The proposed plan is extremely complex.
- The proposed plan uses U.S. census data and that data is sometimes unreliable.
- “I believe our existing plan is worth attempting to defend.”
- Any plan we develop needs to include race as one of the factors.
- The Committee’s charge was for the Committee to present two student assignment plans to the Board for review.
- Regarding staff diversity, how can we accomplish this with existing staff and how do we retain existing staff?
- In the report, the term “equity” is used. Does this mean diversity? What about the equitable distribution of resources? These issues need to be addressed.
- More information is needed from the Committee regarding the statement of the District having unequal elementary schools.

Director Riddle:

- At this time, Director Riddle read a statement regarding her belief that separate could not be equal.
- She said there needs to be more discussion regarding equity in our schools.

Director Issel:

- Any new student assignment plan needs to maximize student achievement.
- We need a plan that maximizes choice and makes sense educationally
- Free and reduced lunch data should be used as a capacity factor
- Set capacity of free and reduced lunch as a goal

Report and Discussion of Work from the Student Assignment Committee (continued)

Vice President Selawsky

- U.S. Census data becomes available every ten years. How would the plan be modified between census data?

Student Director Turner

- How will the proposed Student Assignment Plan affect Berkeley High School and small schools?
- We should do everything we can to ensure diversity in our schools.

President Rivera

- "I am not ready to drop race at this time." Race should be one of the factors of the new plan.
- Any plan that suggests neighborhood schools will never get a vote from me.
- The plan defines diversity in a very narrow way.
- There has not been proof that our current student assignment plan is illegal. We need to do a lot more research and have more dialogue and explore, in depth, all of our options before we make a decision.

Superintendent Lawrence recapped additional comments made by Board Members as follows:

- Staff and the Student Assignment Committee to develop a list of decisions/recommendations and submit them to the Board.
- We need more data on the free and reduced lunch program.
- What impact will the proposed plan have on out-of-District students?
- What is the relationship of the proposed plan to potential zone changes?
- How would the modified Student Assignment Plan work based on current and projected enrollment?
- Suggest that we bring in a panel of legal experts in mid or early January to have a discussion regarding the District's current Student Assignment Plan and the proposed Student Assignment Plan.

EXTENDED PUBLIC TESTIMONY

Five speakers addressed the Board

ANNOUNCENMENT

Schedule of December Board of Education Meetings:

December 17, 2002: Board Study Session regarding Student Assignment

December 18, 2002: Board Study Session regarding the District's Budget

Recess to Closed Session (Government code Sections 3549.1(d), 54956.9(a) and 54957) and Education Code Section 49818(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 Appointments
- f) Liability Claims
- g) Property Acquisition

There was no Closed Session at this meeting.

ADJOURNMENT

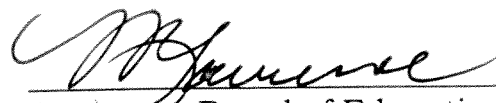
President Rivera declared the Special Meeting of December 17, 2002, adjourned at 11:20 p.m.

APPROVED:

ATTEST:



President, Board of Education
Berkeley Unified School District



Secretary, Board of Education
Berkeley Unified School District