

BERKELEY UNIFIED SCHOOL DISTRICT
MINUTES, REGULAR MEETING
Wednesday, February 6, 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 5:02 p.m., and the Board recessed to Closed Session.

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: 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)—Board Conference Room

a) Conference with Legal Counsel—Existing Litigation

b) Consideration of Student Expulsions

1. Case #19-02
2. Case #12-09

Consideration of Student Reinstatements

1. Case #201
2. Case #212
3. Case #226
4. Cae#08-02

*The Student Director does not attend Closed Sessions.

Recess to Closed Session (Government Code Sections 3549.1(d), 54956.9, 54956.9(a) and 54957) and Education Code Section 48918(c) (continued)

- 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 5:02 p.m. and reconvened in Public Session at 7:33 p.m.

Roll Call	Terry S. Doran	Ted Schultz
	Shirley Issel	John T. Selawsky
	Joaquin J. Rivera	Sarena M. Chandler

All Board of Education Members were present.

Report Closed Session Action

b) Consideration of Student Expulsions:

1. Case #19-02:

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

To expel the student for one semester through June 13, 2002, but to suspend the expulsion with certain stipulations. If any of the stipulations are broken, the full expulsion will go into effect immediately.

AYES: Directors Doran, Issel, Rivera, Schultz, Selawsky
NOES: None
ABSTAIN: (Student Director Chandler. The Student Director does not vote on Closed Session items).
ABSENT: None

b) Consideration of Student Expulsions (continued)

2. Case #12-02:

Motion: Directors Schultz/Doran and approved 3-2-(1)-0 on Roll Call vote:

To rescind the suspended expulsion. All contents of the expulsion will be expunged from the student's records with the exception of the original suspension from school.

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

Consideration of Student Reinstatements

1. Case #201
2. Case #212
3. Case #226
4. Case #08-02

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

To reinstate the four students who have successfully completed their requirements.

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

President Issel said the Board also discussed in Closed Session items c., d., and e.

Approve Agenda

Superintendent Lawrence requested that item 3.3-I: Status of Employee Evaluation Procedures and Protocol, be tabled.

Director Selawsky requested that item 4.1-C: Approval of Contracts/Purchase orders in excess of \$15,000, be pulled for further clarification.

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

That the agenda is approved as modified.

Special Minutes

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

That the Minutes of January 17, 2002 are approved.

PUBLIC TESTIMONY

Two speakers addressed the Board.

ADVISORY COUNCILS' REPORTS

Mr. Bruce Wicinas, Chairperson, Citizens Construction Advisory Committee, said the members of the Committee expressed their unanimous disapproval of the use of the one-time Berkeley High School B Building fire insurance settlement money being used to address this year's budget deficit. He said the entire cost of the demolition of the B Building will come out of the bond money. Ms. Carol Wilkins, BSEP (Berkeley Schools Excellence Project), reiterated the issues that were raised at the last Board Meeting. She said the BSEP Planning and Oversight Committee cannot fulfill their mandated oversight responsibilities for BSEP class size reduction fund without the information they requested: (1) For this year, what is the student enrollment, by grade level? (2) What is the current average teacher salary and what is being projected for next year? (3) What is the current ADA (Average Daily Attendance) and what are we projecting for the next budget year? Ms Wilkins read a letter, as a private citizen, regarding the budget crisis. Mr. Derick Miller, PTA Council, addressed the Board regarding the budget and class size reduction.

UNION REPRESENTATIVES' REPORTS

Mr. Rick Spaid, Public Employees Union Local One and Mr. Barry Fike, President, Berkeley Federation of Teachers (BFT), addressed the Board regarding the District's budget crisis.

SUPERINTENDENT'S REPORT

Superintendent Lawrence reported that she is working through a timeline so that our community will know exactly what process there is for public input—when decisions are going to be made and the different statutory dates. Ms. Lawrence said all of these dates are being defined and by the end of the week or the first of next week, we will be able to distribute the timeline. Staff is also keeping an eye on both the State and national budgets and how these budgets will impact the District's budget. She said included in President Bush's budget are: (1) A taxpayer's subsidy for tuition—\$45,000 to offset private and religious school tuition. This is a loss from the treasurer of 4 billion dollars. (2) The special education grants have been increased by one billion dollars. However, under the President's proposal, it will take us to 2035 before we will have the required 40% funding for special education. Title I will also be increased. Superintendent Lawrence said she has met with all of the unions and outlined the processes and procedures of the areas of concern. By February 27, 2002, she would have met with all District staff regarding the budget.

BOARD MEMBERS' COMMENTS

Director Doran announced that two Berkeley High School students—Chidi Ahanotu and Gerard Cherry--played in the Super Bowl. Director Schultz responded to comments made during Public Testimony by Mr. Bruce Wicinas regarding the fire insurance money being put into the General Fund to help with the current budget deficit. He said as future one-time funds become available, we will replace these funds. Director Schultz addressed the issue of public participation in the budget process. He noted that the Budget and Finance Committee is a good vehicle for public input. These committee meetings are open to the public so anyone can attend and provide budget input. President Issel announced that one of the appointments to the Personnel Commission will come from the classified employees' union. She reminded everyone that on Monday, February 11, 2002, 6:00 p.m.-9:00 p.m., in the Council Chambers, there will be a Public Forum. The District staff and FCMAT (Fiscal Crisis Management Team) will be making a budget presentation and respond to questions from the audience. Everyone is invited to attend and participate in the discussion regarding the District's budget. President Issel suggested that Mr. Barry Fike submit his budget questions to the Superintendent or the FCMAT representatives for a response. She announced the retirement of Ms. Elaine Pecot, Manager, Transportation and Mr. Carl Brush, Department Chair, Independent Studies. She wished Ms. Pecot and Mr. Brush rest and relaxation during their retirement.

CONSENT ITEMS

General Services

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

That the Consent Items are approved, except item 4.1-C.

- 1.1-C: Authorized Signature
- 1.2-C: Proclamation Declaring African American History Month
- 2.1-C: Acceptance of Personnel Report
- 3.1-C: Approve Overnight Field Trip Requests
- 3.2-C: Approval of Proposal for Permanent Art Work at Thousand Oaks School

4.1-C: Approval of Contracts/Purchase orders in excess of \$15,000

Director Selawsky noted on pages 18 and 19 of the Board packet, the Food Services and Special Education budgets have been increased substantially—particularly the Special Education budget. He requested that in the future, a year-to-date budget be submitted to the Board, clarifying what these increases are and how the increases impact the General Fund.

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

Approval of this item.

At this time, President Issel noted that included in the Consent Items is a Proclamation Declaring African American History Month.

INFORMATION

3.1-I

Presentation on Elements of the Berkeley High School Master Schedule

Superintendent Lawrence explained the purpose of this presentation and then deferred to Ms. Laura Leventer, Co-Principal, Berkeley High School. Accompanying Ms. Leventer were Ms. Mary Ann Valles, Co-Principal, Mr. Mike Hassett, Executive Vice Principal and Mr. Lawrence Lee, Executive Vice Principal. Ms. Leventer gave a slide presentation and explained and reviewed the current student course offerings, class size, actual allotment, affect of teachers teaching six periods, affect of some support services as a result of the FTE allotment, affect of BSEP buy-down days, and the affect of students taking more than six classes. Ms. Leventer presented sample schedules of: Berkeley High School Math teachers, English or History teachers, Science teachers who teach double period Science classes and teachers who do not teach double period Science classes and Common Ground Science teachers. She explained a possible bell schedule with six periods for students.

President Issel inquired about those students who are "in the middle" and what courses are available for them to take? Vice President Rivera asked about block scheduling and ways to strengthen the ninth grade program. Director Schultz asked how our students' Advanced Placement (AP) classes compare to those of other Alameda County school districts. Director Doran requested that the Board Member receive a copy of the proposed Master Schedule.

ACTION ITEMS

Educational Services

3.1-A

Revised Board Policy 5117 Transfers Attendance

Motion: Directors Rivera/Selawsky and approved unanimously on Roll Call vote:

Approval of the Revised Board Policy 5117: Transfers Attendance

Director Selawsky expressed concern about our current middle school students being able to attend Berkeley High School. His other concern is that currently, our teachers are able to have their own children placed in our elementary schools—K-5. He requested more information about the Administrative Regulations--what our practices have been,

Educational Services (continued)

3.1-A

Revised Board Policy 5117 Transfers Attendance (continued)

Director Schultz asked for clarification regarding seating capacity. He said he wants to review what the law is in this area. He requested that staff submit a report to the Board regarding students who are in the District illegally. Director Doran said he is concerned that by establishing seating capacity levels at Berkeley High School will create a lot of ambiguity. The other issue is our commitment to the middle school students who have an interdistrict transfer and who have a realistic expectation, based on prior practices, that they will be allowed to attend Berkeley High School. Director Doran said a written statement should be added to the bottom of the policy, which explains the effective date of the policy. Also, the Administrative Regulations list the requirements of the Allen Bill covering prek-5 grades. There should be an exception to this requirement for District employees. Vice President Rivera reminded everyone that Berkeley students should always have first priority to attend our schools. Director Selawsky asked for copies of all the interdistrict application forms that parents are required to fill out to enroll a child into a Berkeley school and how many current non-Berkeley resident teachers have their own children in our schools.

INFORMATION

3.2-I

Discussion and information on the 2001 Academic Performance Index Base Reports

Ms. Diane Pico, Manager, Curriculum and Assessment, said the Academic Performance Index (API) is the centerpiece of the statewide accountability system for California public schools, which was established through the Public Schools Accountability Act (PSAA) in 1999. The API measures the performance and progress of a school. It is a numeric index and ranges from a low of 200 to a high of 1000. The State has set 800 as the API score that schools should strive to meet.

INFORMATION (continued)

3.2-I

Discussion and information on the 2001 Academic Performance Index Base Reports
(continued)

Ms. Pico said each annual API reporting cycle includes two sets of reports: Growth Reports, which appear after school starts in the fall, and Base Reports, which appears after the first of the calendar year. She highlighted the Growth Reports and the Base Reports. She said the majority of Berkeley schools at the elementary and middle school levels had more growth over three years among African Americans and Hispanics than among Asians and Whites. In Berkeley Unified, five schools out of 14, or 36%, met growth targets. Last year, 12 of 14 Berkeley schools (86%) met growth targets. Berkeley's elementary median and high school API were about the state's medians. The elementary median for Berkeley was 737. Berkeley High School's API was 724.

Berkeley's similar school ranks range from 4 to 10. Out of 15 schools, 12 were at the average level (5) or above, with three schools receiving a 10. The statewide ranks for Berkeley range from 3 to 8, very similar to the rankings of the previous year. Berkeley fared better than other urban districts in Alameda County. Berkeley has eight of twelve elementary schools above the state's elementary median, and two of three middle schools above the state's middle school median. Berkeley High School, at 722, is above the state median of 636.

Vice President Rivera asked what are the next steps and how is this data being used at the school sites?

ACTION ITEMS

Business Services

4.1-A

Approval of Contract with MIS related to operations of the District's Business System

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

Approval of this item.

ADJOURNMENT

President Issel declared the Regular Meeting of February 6, 2002, adjourned at 11:14 p.m.

APPROVED:

ATTEST:

President, Board of Education
Berkeley Unified School District

Secretary, Board of Education
Berkeley Unified School District

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