

BERKELEY UNIFIED SCHOOL DISTRICT
MINUTES, REGULAR MEETING
Wednesday, March 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 6:00 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: 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 #: 25-02
 - 2. Case #: 26-02
- c) Collective Bargaining
- d) Public Employee Discipline/Dismissal/Release
 - 1. Non-reelection of Probationary Certificated Teachers
 - 2. Possible Release or Reassignment of Certificated Administrators
- 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 7:41 p.m.

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 Closed Session Action

President Issel stated that in Closed Session, the Board dealt with the following Closed Session items:

a) Consideration with Legal Counsel—Existing Litigation:

b) Consideration of Student Expulsions:

1. Case #: 25-02

 This case has been postponed.

2. Case #: 26-02

 The Board voted to expel the student but to suspend the expulsion with certain conditions.

c) Public Employee Discipline/Dismissal/Release

1. Non-reelection of Probationary Certificated Teachers

 The Board in Closed Session took action to give notice to two certificated non-reelected teachers.

2. Possible Release or Reassignment of Certificated Administrators

 In Closed Session, the Board voted to give notice to 27 certificated administrators that they maybe reassigned not later than the beginning of the upcoming 2002-2003 school year.

Agenda Approval

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

That the agenda is approved as modified. The modification is that item 4.1-A: Senior Management Position Resolution, be moved to Consent and that item 4.2-C: Approve the Five-Year Deferred Maintenance Plan, be tabled. It was noted that this item requires a Public Hearing.

PUBLIC TESTIMONY

The Board received comments from 23 speakers regarding the budget crisis.

AGENDA REORDER

Superintendent's Report

Superintendent Lawrence gave a synopsis of what she has done to communicate the budget crisis and she discussed the budget process. Superintendent Lawrence reported that she has met with the following groups:

- BSEP Planning and Oversight Committee
- Citizens Budget Advisory Committee
- School faculties
- All of the departments at Berkeley High School, including representatives from the African-American Studies Department

At this time, Superintendent Lawrence said she does not anticipate recommending the elimination of the African American Studies Department.

- She has responded to numerous e-mails
- She has returned many, many telephone calls.
- Special Board Meetings and community forums have been held

Superintendent's Report (continued)

Superintendent Lawrence explained the layoff process by saying that approximately 150-200 certificated staff will be receiving layoff notices. Unfortunately, some of our newest teachers will be affected. However, we must adhere to the Education Code, which stipulates that we must go strictly by seniority. She explained that she will outline the anticipated financial savings if the Board approves a sixth-period day at Berkeley High School.

The Superintendent promised to meet with and include students in the budget development process.

Union Representatives' Reports

Mr. Barry Fike, President, Berkeley Federation of Teachers, read a statement regarding the "meet and confer" sessions and the budget.

Mr. Rick Spaid, Public Employees Union Local One and Mr. John Santoro, President, Union of Berkeley Administrators (UBA), addressed the Board regarding the budget crisis.

Advisory Councils' Reports

Ms. Yolanda Huang, Chair, Maintenance Advisory Committee, addressed the Board regarding maintenance and the District's budget.

Mr. Derick Miller, President, PTA Council, commented regarding the budget crisis.

Board Members' Reports

President Issel explained her abstention vote at the last Board Meeting regarding the budget. She said last week, due to a death in her family the morning of March 6th, she was not prepared to defend or explain her vote. However, since last week, she has had an opportunity to go through the e-mails and review her questions regarding the sixth-period day at Berkeley High School. She is now clear on what the basis of the recommendation is and she now has a confidence level that she can support the proposal.

Student Director Chandler reported that approximately 800 students participated in the walkout earlier today protesting the layoff of teachers. She suggested that there be a student forum at Berkeley High School to discuss the budget crisis.

Board Members' Report (continued)

Director Doran expressed his appreciation to the students for their comments during Public Testimony. He said he supports the African American Studies and the Performing Arts Departments. He said Berkeley High School does not work for a significant number of students.

Director Schultz complimented Director Chandler on her comments. He discussed the new plan and the sixth-period schedule at Berkeley High School. He said there will be a lot of art classes within 30 enrichment periods outside the normal scheduled day and a lot within the school day. Director Schultz asked those parents who have concerns about the proposed change to a six-period day, to look at the positive points a sixth- period day will provide. A six-period day will mean more instruction time for students.

Director Schultz requested that the following documents be attached to the Second Interim Report:

- a. Tabulations, which show the differences between the first and second interim reports.
- b. A detailed list of Federal, State, Local and special projects
- c. A detailed analysis of the BSEP (Berkeley Schools Excellence Project) funds
- d. Begin a sheet that will be used for the expenditure of BB funds
- e. A detailed sheet for special education expenditures
- f. Submit a monthly QSS conversion status report to the Board both in writing and also make a public presentation.
- g. Review interdistrict attendance guidelines and revenue and also caregivers.

President Issel asked about the truancy issue at Berkeley High School.

Director Selawsky requested further clarification regarding the use of BSEP (Berkeley Schools Excellence Project) funds. He asked for monthly QSS reports. He said the Ethnic Studies Department is a valuable program and he supports it, certainly as a 9th grade requirement. Director Selawsky responded to comments made by Barry Fike, President, Berkeley Federation of Teachers.

Board Members' Reports (continued)

Vice President Rivera reminded everyone that at least now the District is in control of its finances. If the State comes in, they will be in control and can make all of the decisions about the District. He congratulated Loni Hancock, who won her bid for Assemblywoman and Jacki Fox Ruby, who won the Alameda County School Boards Association election.

At this time, Mrs. Queen Graham, Executive Assistant, congratulated the Berkeley High School girls' basketball team for becoming 2002 NCS Division I Girls Basketball Champions. She also congratulated the Berkeley High School Chess Team for winning the Alameda County Championships. They won first place in both varsity and junior varsity divisions.

CONSENT ITEMS

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

That the Consent Items are approved as amended.

The amendments are to pull item 4.2-C and add item 4.1-A.

- 1.1-C: Acceptance of Gifts/Donations
- 2.1-C: Acceptance of Personnel Report
- 3.1-C: Overnight Field Trip Requests
- 3.2-C: Out-of-State Travel Request

The staff recommendation now reads:

Approve out-of-state travel requests for two Berkeley High School teachers.

- 4.1-C: Approval of Contracts/Purchase Orders in excess of \$15,000
- 4.2-C: Approve the Five-Year Deferred Maintenance Plan

This item was tabled until the March 20, 2002 Board Meeting. It requires a Public Hearing.

- 4.1-A: Senior Management Position Resolution

General Services

1.1-CF

Tonight, the Superintendent will give a preliminary analysis of the seating capacity and present assumptions for program implications.

Superintendent Lawrence made introductory remarks and then deferred to Ms. Christine Lim, Associate Superintendent, Educational Services, Mr. Lewis Jones, Manager, Facilities Planning and Mr. Francisco Martinez, Parent Access Coordinator. Mr. Martinez distributed a ten-page document that included options for the Central, Southeast and Northwest zones.

Superintendent Lawrence reported that she met with the City of Franklin teachers on Monday. She said there are twelve teachers at the school and six of those twelve teachers have received layoff notices.

Ms. Lim, Mr. Jones and Mr. Martinez outlined, in detail, the options for possible seating capacity.

The presentation was followed by a lengthy Board discussion.

EXTENDED PUBLIC TESTIMONY

One speaker addressed the Board.

ADJOURNMENT

President Issel declared the Regular Meeting of March 6, 2002 adjourned at 11:29 p.m.

APPROVED

ATTEST

President, Board of Education
Berkeley Unified School District

Secretary, Board of Education
Berkeley Unified School District

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