

BERKELEY UNIFIED SCHOOL DISTRICT
MINUTES, REGULAR MEETING
Wednesday, May 22, 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.(a) and 54957) and Education Code Section 48918(c)—Board Conference Room

- a) Conference with Legal Counsel—Existing Litigation
- b) Consideration of Student Expulsion
 - 1. Case #: 24-02
- 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 7:46 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) Conference with Legal Counsel—Existing Litigation
- b) Consideration of Student Expulsion
 - 1. Case #: 24-02

The Board voted unanimously to revoke the suspended expulsion.

- c) Collective Bargaining
- d) Public Employee Discipline/Dismissal/Release

Approve Agenda

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

That the agenda is approved as modified. The modification is to pull item 3.3-C: Berkeley High School Carl D. Perkins Vocational & Technical Education Application/Plan for Funding.

Approval of Minutes

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

That the Minutes of April 10, 2002, are approved as corrected. The correction is on page 4 of the minutes, paragraph 4. The paragraph now reads as follows:

“President Issel expressed concern regarding remarks made by Mr. Fike. She said: ‘It was not my intention to blame the teachers. I am proud to have supported the raise given to our teachers. It is only good sense to pay competitive salaries if we are to keep good teachers.’”

PUBLIC TESTIMONY

President Issel explained the procedure for Public Testimony.

Three speakers addressed the Board.

UNION REPRESENTATIVES' REPORTS

Mr. Barry Fike, President, Berkeley Federation of Teachers, distributed the May 21, 2002, BFT Negotiations Update. He also discussed agenda item 1.1-A: Resolution Opposing Assembly Bill 2160.

ADVISORY COUNCILS' REPORTS

Ms. Yolanda Huang, Chair, Maintenance Advisory Committee, addressed the Board regarding the LEAF Grant. She urged the Board to approve the Grant. Ms. Mary Reiter, Co-Chair, BSEP (Berkeley Schools Excellence Project) Planning and Oversight Committee, addressed the Board regarding class size reduction. Mr. Derick Miller, President, PTA Council and Ms. Cynthia Papermaster, representing the PTA Council, addressed the Board regarding the District's Food Services Program.

SUPERINTENDENT'S REPORT

Superintendent Lawrence congratulated the Berkeley High School staff on a positive WASC (Western Association of Schools and Colleges) report. She responded to comments made during Public Testimony regarding the Food Service Program. Superintendent Lawrence explained staff's stance regarding the LEAF Grant.

BOARD MEMBERS' COMMENTS

Director Doran congratulated the staff regarding the WASC process. He announced that a meeting has been scheduled so that parents can be selected to serve on the Berkeley High School Principal Selection Committee. He reiterated that this will be an inclusive process.

Director Schultz acknowledged Superintendent Lawrence for her assistance with the successful Berkeley High School WASC process.

Director Selawsky thanked the Superintendent for keeping an open mind regarding the LEAF grant. He said the grant will not solve all of the problems in the Food Services Department but maybe it will help. He commended both the staff at Berkeley High School and Central Administrators for a victorious WASC process. He invited everyone to attend a Community discussion with him to be held on Wednesday, June 5, 2002, 7:00 p.m.-8:00 p.m., at the Main Branch Library Meeting Room, on the 3rd floor, Kittredge and Shattuck in Downtown Berkeley. The purpose of the discussion is to share ideas and concerns.

Vice President Rivera thanked everyone who was involved in the successful completion of the WASC process.

President Issel said she has a "positive" feeling regarding the WASC process.

CONSENT ITEMS

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

That the Consent Items are approved, as modified. The modification is that item 3.3-C is pulled.

- 1.1-C: Acceptance of Gifts/Donations
- 2.1-C: Acceptance of Personnel Report
- 2.2-C: 2002-2003 Holiday Calendar for Classified and 12-Month Employees
- 2.3-C: STRS Exemption for consulting employee
- 2.4-C: Liability Claims submitted to the District
- 3.1-C: Overnight Field Trips
- 3.2-C: Resolution for the Expenditure of Grades 9-12 Schiff-Bustamante Standards-Based Instructional Materials Funds
- 3.3-C: Berkeley High School Carl D. Perkins Vocational & Technical Education Application/Plan for Funding

This item was pulled.

- 3.4-C: Comprehensive School Reform Grant Application for Rosa Parks
- 3.5-C: Non-Public School Placements
- 4.1-C: Approval of Contracts/Purchase Orders in Excess of \$15,000
- 4.2-C: Approve Listing of Warrants issued in April 2002
- 4.3-C: Resolution 02-18: Approval to Accept the Replacement of the track at Berkeley High School
- 4.4-C: Resolution 02-21: Approval to Award the Replacement of the Fire Sprinkler Line at Berkeley High School
- 4.5-C: Resolution 02-22: Re-Roofing Project at 1720 Oregon Street
- 4.6-C: Resolution 02-23: Boiler Replacement Project at John Muir School
- 4.7-C: Capitalization Threshold for District Assets

AGENDA REORDER

INFORMATION

4.1.1

Update on the Budget Status for Third Interim

Mr. Jerry Kurr, Associate Superintendent, Business and Operations, gave an updated financial picture of the District's current year ending fund balance ("Un-Audited Actuals") and the projection for the following two fiscal years.

Vice President Rivera noted that the \$60,000 amount is still being used as the base teacher salary. He asked if this amount is correct?

Director Selawsky also inquired about the \$60,000 amount, which is being used as the average teacher salary.

Director Schultz noted that the Third Interim reflects a projected balance problem for next year and asked if this will be an ongoing problem?

Director Doran requested clarification regarding the BSEP and BB calculations.

ACTION ITEMS

2.1-A

Resolution 02-20: Elimination of Specified Classified Positions

David Gomez, Ph.D., Associate Superintendent, Human Resources, and Ms. Christine Lim, Associate Superintendent, Educational Services, gave the rationale for this item. Ms. Lim explained that the 1.00 FTE Library Media Technician (Secondary) be reduced to 10-months (.80 FTE), which is a shifting of resources and from one fund to another. She said the 1.30 FTE Library Media Technician (Elementary) reduction is .13 FTE or 1 hour for each position. Dr. Gomez and Ms. Lim recommended that the Board approve the resolution reducing services of specified classified employees.

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

That 2.1-A is approved.

General Services

1.1-A

Resolution Opposing Assembly Bill 2160

Vice President Rivera presented this item and noted that on May 1, 2002, cosmetic changes were made to Assembly Bill 2160. He said the Bill's major problem still exists.

Directors Doran and Selawsky explained why they could not approve this resolution.

Motion: (Student Director Chandler)/Doran and failed 2(1)-3-0-0 on Roll Call vote:

That this item be tabled.

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

Motion failed.

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

Approval of Resolution opposing Assembly Bill 2160.

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

ADJOURNMENT

President Issel declared the Regular Meeting of May 22, 2002, adjourned at 9:56 p.m.

APPROVED:

ATTEST:

President, Board of Education
Berkeley Unified School District

Secretary, Board of Education
Berkeley Unified School District

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