

BERKELEY UNIFIED SCHOOL DISTRICT  
MINUTES, SPECIAL MEETING  
Wednesday, October 30, 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 Special Board of Education Meeting of October 30, 2002, 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 Andy Turner\*

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)

- 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

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\*The Student Director does not attend Closed

The Board recessed to Closed Session at 6:00 p.m. and reconvened in Public Session at 7:42 p.m.

**ROLL CALL**          President Shirley Issel  
                         Vice President Joaquin J. Rivera  
                         Director Terry S. Doran  
                         Director Ted Schultz  
                         Director John T. Selawsky  
                         Student Director Andy Turner

Report Closed Session Action

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

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

Approve Agenda

Motion:          Directors Rivera/Selawsky and approved unanimously on voice vote:  
  
                         That the Special Meeting Agenda of October 30, 2002 is approved as  
                         printed.

**PUBLIC TESTIMONY**

Five people addressed the Board.

**REPORTS**

Advisory Councils' Reports

Ms. Sabrina Klein, Executive Director, Julia Morgan Theater, and BAESC (Berkeley Arts Education Steering Committee), extended an invitation to the Board and Berkeley Unified School District staff to attend "How the Brain Works", with Dr. David Sousa, author. The special presentation will be held at the Berkeley Repertory Theater, November 12, 2002, 4 p.m.-6 p.m. A reception following the presentation will be held at the Café Allegro.

Union Representative's Reports

Mr. Richard Hemann, Berkeley Council of Classified Employees; Mr. Barry Fike, President, Berkeley Federation of Teachers and Ms. Carol Isen, IFPTE, Local 21, addressed the Board.

Superintendent's Report

The Superintendent did not make a report at this time.

Board Members' Reports

Student Director Andy Turner appointed Mr. Michael G. C. Sherman to the Peace and Justice Commission. Mr. Turner expressed his desire to have students included in the decision-making process regarding small schools. Director Doran thanked the public for their comments and he expressed his support of Student Director Turner's request regarding small schools. Director Selawsky also thanked the public for their comments and he requested that there be a clear public process including student representation, parents and community members, regarding small schools.

**CONSENT ITEMS**

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

Approval of the Consent Items.

- 1.1-C: Posthumous Recognition Resolution for Bishop Roy C. Nichols
- 2.1-C: Acceptance of Personnel Report
- 2.2-C: IFPTE Local #21 Request to Negotiate Contract
- 3.1-C: Accountant Position in the Office of State and Federal Programs
- 3.2-C: Recommendation to Eliminate Special Education, Department Chair; and upgrade to Special Education Program Supervisor
- 3.3-C: New Non-public School Placements for five special education students
- 4.1-C: Approval of Contracts/Purchase Orders for Service Contracts

**ACTION ITEM**

4.1-A  
2001-02 Unaudited Actuals

Mr. Jerry Kurr, Associate Superintendent, Business and Operations and Ms. Song Chin Bendib, Director, Fiscal Services, explained the 2001-02 Unaudited Actuals. Ms. Chin-Bendib gave an overview of all of the funds. Mr. Kurr gave a summary of all fund balances and unrestricted funds. He also provided a recap of the budget condition and history. Mr. Kurr said: "The most significant results of the 2001-2002 Unaudited Actuals is that the General Fund Balance for Unrestricted improved by \$2,770,605, (this is designated for BB and BSEP uses) from what was in the Board Adopted Budget as revised on August 7, 2002. Revenues exceed spending in the 2001-2002 fiscal year by \$2,490,995." However, the District is seriously in debt and it is anticipated we will need to cut between 4-6 million dollars.

The Board Members, Mr. Kurr and Ms. Chin-Bendib expressed their appreciation to the staff for their hard work in closing the District's financial books.

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

To approve the filing of Unaudited Actuals for Fiscal Year 2001-2002 with a possible refund from the tax override fund of \$28,265, and transferring of a negative \$191,398 in interest from State School Building Funds to Bond Fund.

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

**EXTENDED PUBLIC TESTIMONY**

One person addressed the Board.

**ADJOURNMENT**

President Issel declared the Special Meeting of October 30, 2002, adjourned at 9:50 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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