

BERKELEY UNIFIED SCHOOL DISTRICT
MINUTES, REGULAR MEETING
Wednesday, October 9, 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 Regular Board of Education Meeting of October 9, 2002, to order at 5 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

*The Student Director does not attend Closed Session.

The Board recessed to Closed Session at 5:00 p.m. and reconvened in Public Session at 7:39 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 Andy Turner

Report Closed Session Action

President Issel stated that in Closed Session, the Board discussed item (c): Collective Bargaining.

Approve Agenda

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

That item 1.2-C is tabled; items 2.1-C, 3.2-C, and 4.1-C are pulled for further clarification.

AGENDA REORDER

INFORMATION

General Services

1.1-I

Berkeley High School Presentation

The Berkeley High School administrative team: Ms. Laura Leventer and Ms. MaryAnn Valles, Co-Principals; and Executive Vice Principals: Ms. Thelette A. Bennett, Mr. Michael Hassett and Mr. Gabriel McCurtis, and the two Deans, Ms. Megan Matan and Mr. Kenneth Purser, explained their respective areas of duties and responsibilities. Mr. Gabriel McCurtis highlighted specific sections of the Berkeley High School Emergency Procedures Manual.

Vice President Rivera asked about the Truancy Policy and a Comprehensive Safety Plan at Berkeley High School. Ms. Megan Matan responded that there is a comprehensive safety plan at Berkeley High School that meets the requirements of the California Education Code. She said she is the Chair of the Safety Committee. President Issel asked if staff is utilizing the SARB (Student Attendance Review Board)?

General Services (continued)

1.1-I
Berkeley High School Presentation (continued)

Student Director Turner announced the hiring of a Student Activities Director. He expressed concern regarding the decision to close the gates without properly notifying the students ahead of time. He said a flyer announcing the gate closure would have been appropriate. President Issel asked when incidents happen on campus, what is the protocol?

AGENDA REORDER

Approval of Minutes

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

That the Minutes of September 25, 2002 are approved as amended. The amendment is on page 8, last paragraph of item 3.2-1: Update on 2002/03 Student Enrollment. The paragraph now reads:

President Issel asked when will this data be available by ethnicity. Director Selawsky asked why the enrollment numbers are lower than we projected? Staff responded that CBEDS data on students' ethnicity will be is currently being collected.

PUBLIC TESTIMONY

Two speakers addressed the Board.

REPORTS

Union Representatives' Report

Mr. Barry Fike, President, Berkeley Federation of Teachers, introduced some members of their Executive Board; he read a negotiation statement and discussed the issue of the sixth-period day at Berkeley High School.

Advisory Councils' Reports

Mr. Bruce Wicianis, Citizens Construction Advisory Committee, addressed the Board. Mr. Derick Miller, President, PTA Council, addressed the Board regarding the sixth-period day.

Superintendent's Report

Superintendent Lawrence introduced Dr. John Garmon, President Vista College. Dr. Garmon invited everyone to attend the Groundbreaking Ceremony, which will be held October 23, 2002, at 12 noon, 1 p.m. He announced that the new building will be completed by 2005. Ms. Lawrence gave a negotiation update. She responded to comments raised during Public Testimony, specifically the issue of the master schedule at Berkeley High School.

Board Comments

Student Director Turner read a letter from a Common Ground student regarding small schools at Berkeley High School. Mr. Turner suggested that before the Board and staff go any further regarding small schools, we should explore what already exists. Director Doran explained that he pulled item 1.2-C: Resolution in Acknowledgement of César Chávez Day to allow for family members to be in attendance when the Board acts on the Resolution. Director Selawsky thanked the student for writing the letter regarding Common Ground. He requested that the Superintendent investigate the issues raised in the letter from the student and submit a recommendation to the Board. Director Selawsky requested that staff submit a financial report regarding Measure BB funds. Vice President Rivera inquired about the current problems regarding scheduling at Berkeley High School.

CONSENT ITEMS

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

That the Consent Items are approved, as amended. The amendments are that item 1.2-C is tabled; items 1.3-C, 1.4-C, 2.1-C, 3-2-C, and 4.1-C, are pulled for further clarification.

1.1-C: Acceptance of Gifts/Donations

1.2-C: Resolution in Acknowledgment of César Chávez Day

This item was tabled.

1.3-C: Resolution for Mock Elections

Director Doran pulled this item.

1.4-C: Proclamation Regarding Vista Community college
Groundbreaking Ceremony

President Issel pulled this item.

2.1-C: Acceptance of Personnel Report

This item was pulled.

2.2-C: Payment of Brokerage Fee for Arthur J. Gallagher and
Company

2.3-C: Liability Claims submitted to the District

3.1-C: Overnight Field Trip Requests

3.2-C: Program Coordinator Position in California Nutrition Network
Program

Director Selawsky pulled this item.

4.1-C: Approval of Contracts/Purchase Orders for Services Contracts

This item was pulled.

4.2-C: Acceptance of the Roofing Project at Berkeley High School "C"
Building

4.3-C: Acceptance of the Flooring Project at Cragmont School

CONSENT ITEMS (continued)

1.3-C: Resolution for Mock Elections

Director Doran read the first sentence on page 13 of the Board packet:
“The Mock Election Program of the League of Women Voters has, for years, proven to be a great addition to our young people’s education because it increases awareness and participation in the electoral process, and contributes to a partnership between our community and the schools across generational lines.”

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

Adoption of Resolution in support of Mock Elections on November 1, 2002.

1.4-C: Proclamation Regarding Vista Community College Groundbreaking Ceremony

President Issel read the second and third paragraphs of the Resolution:

“WHEREAS, the Peralta Community College District’s commitment to construction of a permanent Vista Community College facility will enhance the quality of student and community life, and significantly contribute to our community’s intellectual growth, social and economic mobility, and economic development; and

“WHEREAS, Berkeley’s Vista Community College embraces the Peralta Community College District’s Board of Trustees’ mission to serve students of Alameda, Albany, Berkeley, Emeryville, Oakland and Piedmont; and....”

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

Approval of the Proclamation Regarding Vista Community College Groundbreaking Ceremony, as amended. The amendment is in the last paragraph. It now reads:

“NOW, THEREFORE, BE IT RESOLVED, that the Superintendent of Schools and Board of Education of the Berkeley Unified School District congratulates Vista Community College and recognizes its continuing and significant contributions to education in our community.”

CONSENT ITEMS (continued)

2.1-C: Acceptance of Personnel Report

Dr. David Gomez, Associate Superintendent, Human Resources,
Noted the minor typographical errors in the Personnel Report.

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

Acceptance of Personnel Report as corrected.

3.2-C: Program Coordinator Position in California Nutrition Network Program

Director Selawsky wanted to know if the \$55,000 listed in the Fiscal
Impact is different or the total amount for this position?

Ms. Christine Lim, Associate Superintendent, Educational Services,
explained that the \$55,000 is the total amount for the Program
Coordinator position and not the difference between the two positions.

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

Approval of the creation of a Program Coordinator position in
the California Nutrition Network Program effective September
1, 2002.

4.1-C: Approval of Contracts/Purchase Orders for Services Contracts

President Issel asked for further clarification regarding items #10 and #13,
on pages 32 and 33 of the Board packet.

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

Approval of Contracts/Purchase Orders for Services
Contracts.

INFORMATION

Educational Services

3.1-I

No Child Left Behind Act of 2001

Ms. Christine Lim, Associate Superintendent, Educational Services, said the No Child Left Behind Act of 2001, Public Law 107-110, the reauthorization of the Elementary and Secondary Schools Act is based on the following four basic principles:

1. Increased accountability for states, school districts and schools;
2. Expanded options for parents, particularly those with children attending low performing schools;
3. Increased flexibility for states and districts in the use of federal education dollars; and,
4. An emphasis on teaching methods that have been proven to work.

Ms. Lim and Ms. Carla Bason, Manager, State and Federal Projects, gave the Board an update and overview of this legislation.

President Issel wanted to know the resources. She said it takes away from the school funding. She asked how much total revenue are we getting from the Federal Government in Title I, II and III funds? What is the cost for implementation of this program and is it worth it. Director Schulz asked how the funding works. Vice President Rivera asked how are we going to implement this legislation. He said this legislation is not clear.

EXTENDED PUBLIC TESTIMONY

Two speakers addressed the Board.

ADJOURNMENT

President Issel declared the Regular Meeting of October 9, 2002, adjourned at 10:35 p.m.

APPROVED:

ATTEST:

President, Board of Education
Berkeley Unified School District
qeg

Secretary, Board of Education
Berkeley Unified School District