

BERKELEY UNIFIED SCHOOL DISTRICT

Minutes, Regular Meeting

Wednesday, April 11, 2007
District Administrative Offices
2134 Martin Luther King Jr. Way
Berkeley, CA. 94704-1180

ADOPTED MINUTES

Roll Call

Members Present:

Joaquin J. Rivera, President
John Selawsky, Vice President
Karen Hemphill, Director
Shirley Issel, Director
Nancy Riddle, Director
Mateo Aceves** - Student Director

Administration:

Superintendent Michele Lawrence, Secretary
Lisa Udell, Assistant Superintendent of HR
Eric D. Smith, Deputy Superintendent
Neil Smith, Assistant Superintendent of Educational Services

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(a) and 54957) and Education Code Section 49819(c)

President Rivera called the meeting to order at 7:36 pm.

Report on Closed Session Actions:

The Board considered several expulsions:

Student Case No. 0607-43-122193

Hemphill/Riddle on unanimous vote to expel student for current and following semester

Student Case No. 0607-41-052492

Selawsky/Riddle on unanimous vote to expel student for current and following semester

Student Case No. 0607-46-062294

Riddle/Selawsky on unanimous vote to approve suspended expulsion for current and following semester

Student Case No. 0607-42-060489

Issel/Selawsky on unanimous vote to approve suspended expulsion for current semester

Student Case No. 0607-44-061892

Selawsky/Riddle on unanimous vote to expel student for current and following semester

Student Case No. 0607-45-121093

Selawsky/Issel and on 4-1 vote with Director Riddle voting no to approve suspended expulsion for current and following semester

Student Case No. 0607-49-092893

Selawsky/Issel and on 4-1 vote with Director Hemphill voting no to approve suspended expulsion for current and following semester

The Board also discussed collective bargaining, public employee discipline and dismissal, public employment and liability claims. There are no items to report.

Approve Agenda of April 11, 2007

President Rivera requested Item 3.1-A – Mandarin Classes at BHS be moved to Consent

Selawsky/Riddle and approved unanimously on voice vote as amended

TEACHING AND LEARNING

Lori Barnes, Kirstin Snyder and Jeannie Wang of Emerson Elementary discussed methods for improving achievement.

PUBLIC TESTIMONY

Pat Robertson, Miguel Dwin, Sara Nickerson, Denise Diggs Ray and Anita Thomson, all representing BCCE, discussed the salary issues and expressed concerns about the delay in publishing classification study results.

Tom Kelly from Kyoto USA commented on Item 4.1-CF – Solar Project and expressed his hope that the District will support this project that reduces greenhouse gases and gives our children tangible evidence that are are taking climate change issues seriously.

Linda Currie, a parent from Washington Elementary and Benjamin Dierauf also discussed the greenhouse gas issue.

Julie Lamont lent her support to the Helios project.

Union

Barry Fike from BFT read a prepared statement about the Union's three year contract with BUSD and discussed compensation and working conditions. He commented on numerous actions by the District that negatively affect the union's quest to receive fair share raises.

Tim Donnelly, representing BCCE, also made comments to the Board about the status of negotiations.

Superintendent's Report

Superintendent Lawrence announced that Narlyn Davis, a B-Tech employee for 12 years, passed away on Monday. She sends sympathies to her family.

Board Members' Reports

Student Director Aceves thanked Mr. Scuderi who attended the board meeting to discuss the Mandarin course agenda item. He also thanked our District Librarian for bringing Assembly Bill item 1.1-C to our attention. This Assembly Bill supports library content standards and California is one of two states that does not have a statewide information data base... He also apprised the Board that BHS celebrated Cesar Chavez day on March 30 by hosting a barbeque and other activities.

Director Riddle thanked audience members and speakers for attending. She welcomed everyone back from spring break. She announced that many of our high school seniors are planning to attend college next year, and have received acceptance letters. This is a difficult year for our seniors because colleges are rejecting record numbers of seniors. Director Riddle extended thanks to Jon Streeter and Keker & Van Nest for their legal help with the Pacific Legal Foundation lawsuit. The judge ruled in our favor and upheld that our elementary and high school assignment plan does not violate Prop 209 and sustained the demurrer on the two major issues contained in the lawsuit. Finally, she acknowledged the day of authentic learning held at Thousand Oaks in honor of Cesar Chavez.

Director Hemphill also gave kudos to the attorneys working on our behalf in the PLF lawsuit. She announced that Rosa Parks is hosting a tour with a focus on health on April 13 from 9:30 to 10:30. On April 26 from 6:30 to 8 p.m., Rosa Parks will also host a forum collaborating with the PTA Council and BFT to provide education about immigrant rights. There will be free attorney consultations, entertainment and music.

Director Issel had nothing to report

Vice President Selawsky thanked the audience for coming, and also shared his appreciation for the work done by the attorneys in the Pacific Legal Foundation matter.

President Rivera thanked the speakers who gave public testimony. He mentioned that this is the second time the Pacific Legal Foundation has filed a lawsuit against the District, and this is the second time our assignment plan has been upheld. He acknowledged BFT who took a resolution to the California Federation of Teachers urging its support of our student assignment plan.

CONSENT ITEMS

Aceves/Riddle and approved unanimously on voice vote as amended

ACTION ITEMS

Item 1.1-A – Board Policy 3552 - Peanuts/Nut Derivative Products
Hemphill/Selawsky and approved unanimously on voice vote

Item 2.1-A – Classified Layoffs
Selawsky/Riddle and approved unanimously on voice vote

Item 3.2-A – Course Approval for New Elective Course at King Middle School
Selawsky/Riddle and approved unanimously on voice vote to table item until next Board meeting

Item 4.1-A – FCMAT Purchasing Department Study Implementation Plan
Hemphill/Selawsky and approved unanimously on voice vote

CONFERENCE ITEMS

Item 4.1-CF – Solar Project at Washington Elementary School
No action taken

Item 4.2-CF – Facilities Financial Plan Update and History
No action taken

INFORMATION ITEMS

Item 3.1-I – API School Rankings

Item 3.2-I – AR 5141.32 – Health Screening for School Entry

Item 3.3-I – SNOR – Student National Origin Report

Item 3.4-I – R-30 Language Census Report

Item 4.1-I – Facilities Plan Update

ADJOURNMENT

President Rivera adjourned the meeting at 10:47 pm.

Joaquin J. Rivera
Board President

Michele Lawrence
Secretary