

BERKELEY UNIFIED SCHOOL DISTRICT

Minutes, Regular Meeting

Wednesday, March 28, 2007
District Administrative Offices
2134 Martin Luther King Jr. Way
Berkeley, CA. 94704-1180

UNOFFICIAL 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 - **absent**

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 approximately 7:41 pm.

Report on Closed Session Actions:

The Board discussed possible litigation.

The Board considered two expulsions:

Student Case No. 0607-39-052695

Selawsky/Riddle and approved unanimously on voice vote to expel for two semesters with suspended expulsion

Student Case No. 0607-34-070291

Selawsky/Issel and on a vote of 4-0 with Director Hemphill abstaining, the Board voted to expel for two semesters and suspended expulsion on second semester

The Board also discussed public employee matters

The Board considered three claims:

Issel/Riddle and approved unanimously on voice vote to reject claim no. 07-13
Issel/Riddle and approved unanimously on voice vote to approve workers comp claim no. 2000399

Issel/Riddle and approved unanimously on voice vote to approve workers comp claim 2005040343

Approve Agenda:

Superintendent Lawrence: page 50, last paragraph: “whereas the tax levy for the period of July 1, 2007 through June 30, 2008 should read: “**shall be**” instead of “was.”

Director Riddle recused herself regarding Item 4.9-C

Director Hemphill requested that Items 3.3-C and 3.5-C be removed from the Consent Calendar for discussion

Selawsky/Issel and approved unanimously on voice vote as amended

TEACHING AND LEARNING

Betty Delaney, Principal of Jefferson, and Maggie Riddle and Lisa Rossi discussed after school learning programs. They focused on improving two areas: school climate and after school programs (ALP).

PUBLIC TESTIMONY

Several community members addressed Item 3.2-A - Elimination of 6th grade at BAM. There was much support voiced for retaining the sixth grade class despite its low enrollment

Two speakers commented on the celebration of Cesar Chavez Day at Thousand Oaks Elementary, and discussed focus activities that acknowledged his contributions.

Wanda Stewart, President of the PTA Council again encouraged the community to attend the PTA Film Festival.

A community member commented on Inter District Enrollment, Item 3.1-CF on the agenda. He stated his belief that, it costs Berkeley very little money to school a non-resident student. His opinion is that opposition to students attending Berkeley Schools who live outside the district is a race and class issue.

Union

There were no union representatives.

Superintendent’s Report

Superintendent Lawrence thanked Thousand Oaks for their enthusiastic celebration of Cesar Chavez Day. She announced that March is Arts in Education Month and encouraged all to see student work displayed at Live Oak Park, which runs through April 15. She also congratulated the music teachers and Suzanne McCulloch for coordinating the concert held last Sunday. She recognized the BHS girl’s varsity team which just played in the State finals. It was also the last game to be coached by Gene Nakamura. She thanked the BHS Development Group and Chez Panisse for contributing money that gave

BHS students free lunch tickets last week. This was a way to introduce the students to eating healthy food available on campus. She commented on Wanda Stewart's call for opening discussions about race issues, and added that the principals and administrators have been working with Will Walker in an effort to increase our cultural awareness and make our schools more accessible to parents.

Board Members' Reports

Director Riddle wished all a good spring break. She acknowledged that Maudelle Shirek was honored by the City who dedicated Old City Hall in her name. The P&O committee had a look at class size reduction, a discussion of the new measure and how monies will be used next year. Nancy said the APIs came out this week, and they are not very encouraging.

Director Hemphill attended DELAC last week, the District English Language Advisory Committee. She also attended the PASS meeting yesterday where the achievement gap was discussed. The Longfellow PTA is hosting a forum on the achievement gap on Friday, March 30 at 6:30 p.m.

Director Issel thanked Wanda Stewart and the PTA Council for hosting the film series. Will Walker will participate in the school governance council meeting on April 19 from 5-8 pm at Jefferson.

Vice President Selawsky thanked all the speakers and the audience members who attended tonight's meeting. He also thanked the BHS Development Group and Chez Panisse for funding the school lunches. He attended the performing arts festival on Sunday at the Community Theatre and said it was well attended. He congratulated the girls basketball team and Gene Nakamura. Finally, he announced that he was still meeting with the LGBT Group where they are talking about updating board policies and curriculum.

President Rivera, in consideration of the time, chose not to report.

CONSENT ITEMS

Selawsky/Issel and approved unanimously on voice vote as amended

Item 3.3-C – NSF Grant on Teaching Energy

Director Hemphill inquired if this grant would provide an ongoing benefit for the district; will the curriculum be available to all of our middle schools. Neil Smith said that it would be available for grades 4-8 and staff development would be provided to teachers.

Issel/Selawsky and approved unanimously on voice vote

Item 3.5-C – Nell Soto Grant

Director Hemphill asked how the schools will share what they learn with the entire District. Assistant Superintendent Smith replied that they would share knowledge through board presentations and through mentoring by principals. He said the number of schools that are qualified for this grant are limited. Presently, Rosa Parks is the only school eligible.

Selawsky/Issel and approved unanimously on voice vote

ACTION ITEMS

Item 3.1-A – SELPA Approval – Assurances

Selawsky/Issel and approved unanimously on voice vote

Item 3.2-A – Elimination of 6th Grade at BAM

Superintendent Lawrence stressed that the elimination of this grade at BAM does not mean children will not have a rich art experience. Other elementary schools are also achieving success in their arts programs. Director Issel shared that the recommendation to eliminate 6th grade is separate from the changes in the arts education program that have recently been modified. The closure is due to declining enrollment over the last few years.

Selawsky/Issel and approved unanimously on voice vote

Item 4.1-A – Actuarial Report on Workers Compensation

Timothy Perr from Perr & Knight was on hand to discuss this report. Their goal was to measure the reserves as of June 30, 2006 and the money needed to be set aside to cover claim obligations. Their second goal was to make a funding recommendation to cover claims from July 1, 2007 through June 30, 2008. A side goal was to present numbers on a 90% confidence level and to calculate any deficits. They also looked at why things changed from the last report to this report.

Riddle/Selawsky and approved unanimously on voice vote

Open Public Hearing on Item 4.2-A – Five Year Deferred Maintenance Plan

Selawsky/Riddle and approved unanimously on voice vote

Close Public Hearing

Riddle/Hemphill and approved unanimously on voice vote

Item 4.2-A – Five Year Deferred Maintenance Plan

Riddle/Issel and approved unanimously on voice vote

Item 4.3-A – Extension of Auditors Contract

Riddle/Selawsky and approved unanimously on voice vote

Item 4.4-A – Type I Bus Replacement

President Rivera thanked Bernadette Cormier for the informative report

Hemphill/Selawsky and approved unanimously on voice vote

CONFERENCE ITEMS

Item 1.1-CF – Board Policy on Peanuts

Director Issel requested that reference to vending machines at the high school be removed. Director Riddle asked that information for elementary, middle and high schools be broken down as separate items.

Hemphill/Selawsky and approved unanimously on voice vote for first reading

Item 3.1-CF – Re-Enrollment in Grades 6 and 9

Director Riddle opened the discussion by saying that the issue of students attending our school who may not live in Berkeley was an issue during the Measure A campaign. Director Hemphill expressed concern about the effect such a policy will have on immigrants and low income families. Director Issel supports re-enrollment but allowing for a type of amnesty for those who have been in our system saying that, "relationships should be based on trust." President Rivera commented that this is not a new issue and he is willing to support it although he does not think it can be implemented this year. It will take education for those in the community who may be fearful of being immediately withdrawn from school. The Board had an in depth discussion about the issues, seeking clarification from the Superintendent about administrative procedures and processes.

Superintendent Lawrence commented that she believes the staff is very conscientious at implementing the Board's policy and our processes are in keeping with other school districts in the State. However, there are many variables in the law that make strict adherence almost impossible. She suggested that the Board refer this to the Board policy Committee for further review in as much as there are some overriding policy issues that should be addressed.

Recognizing that the changes could not be implemented this year they concurred with the suggestion.

INFORMATION ITEMS

Item 3.1-I – Monthly ADA and Enrollment Summary

Item 3.2-I – 21st Century Grant Evaluations

Director Issel commented that the evaluations were outstanding. We are meeting our program goals in academic improvement, providing a safe environment, enrichment, and family participation. Vice President Selawsky asked the Superintendent if she could assist with getting back staff evaluation surveys in future years.

Item 3.3-I – IEP Compliance Report

ADDITIONAL ACTION ITEMS

Approve Minutes of March 14, 2007

Selawsky/Riddle and approved unanimously on voice vote as amended

ADJOURNMENT

President Rivera adjourned the meeting at 10:52 pm.

Joaquin J. Rivera
Board President

Michele Lawrence
Secretary