

# BERKELEY UNIFIED SCHOOL DISTRICT

## Minutes, Regular Meeting

Wednesday, October 10, 2007  
Berkeley Unified School District  
2134 Martin Luther King Jr. Way  
Council Chambers  
Berkeley, CA 94704

## ADOPTED MINUTES

### Roll Call 6:30 pm

Members Present:

Joaquin J. Rivera, President  
John Selawsky, Vice President  
Karen Hemphill, Director  
Shirley Issel, Director  
Nancy Riddle, Director  
Rio Bauce \*\* - Student Director - **excused absence**

Administration:

Superintendent Michele Lawrence, Secretary  
Javetta Robinson, Deputy Superintendent  
Neil Smith, Assistant Superintendent of Educational Services  
Lisa Udell, Assistant Superintendent of Human Resources

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 7:30 PM

Report on Closed Session Actions

The Board considered the following student expulsion matters:

#### Student Case No. 0506-43-091991

**Selawsky/Issel** and approved unanimously on a vote of 4-1 (Director Hemphill not present) to readmit student after fulfilling terms of contract. The Board also discussed employee discipline and collective bargaining with no action taken.

President Rivera addressed community concerns that closed session items discussed at the September 11, 2007 Special Board Meeting failed to legally comply with the Brown Act. During that session, the Board discussed contract terms for the new superintendent and possible candidates. In response to the concerns raised, the Board discussed the matter with its attorneys and is confident that there was no violation of the Brown Act.

### Approve Regular Meeting Agenda

**Selawsky/Issel** and approved unanimously on voice vote as revised

Director Selawsky requested that Item 4.5-C (Resolution to Approve Bid for Demolition of King and Franklin CDC's) be pulled for questions. Director Issel requested that Items 1.1-C (Approval of Revised Organizational and Student Performance Indicators) and 3.2-C (Approval of Continuing and New Student Placements) be pulled for discussion. Assistant Superintendent of Educational Services, Neil Smith, asked that Item 3.4-A (Approval of MOU with M3) be tabled. Superintendent Lawrence had corrections to Items 4.2-C and 3.2-C.

### **Teaching and Learning Presentation**

BHS Dean of Students, Alejandro Ramos, gave a presentation on the successful Student Court at Berkeley High School. This program was started in the 2005-06 school year with the purpose of improving student culture and attitudes towards school discipline.

### **PUBLIC TESTIMONY**

There were comments from the community on the Le Conte EDC program, school safety plans and the Non Discrimination policy.

### **Union Members' Report**

Tim Donnelly of BCCE commented on the Classification Study.

### **Superintendent's Report**

Superintendent Lawrence reported on Staff Development Day.

### **Board Members Reports**

Several Board members shared comments.

### **CONSENT ITEMS**

**Selawsky/Riddle** and approved unanimously on voice vote as revised

Item 1.1-C – Approved of Revised Organizational and Student Performance Indicators

**Issel/Selawsky** and approved unanimously on voice vote

Item 3.2-C – Approval of Continuing and New Placements

**Item tabled until later date**

Item 4.5-C – Approval to Award Bid for Demolition

**Selawsky/Issel** and approved unanimously on voice vote

### **ACTION ITEMS**

Item 1.1-A – Approval of Appointee to Merit Commission

**Selawsky/Issel** and approved unanimously on voice vote a December date for making an appointment to the Merit Commission

Open Public Hearing on Item 2.1-A – **8:41 p.m.**

Close Public Hearing on Item 2.1-A – **8:42 p.m.**

Item 2.1-A – Receiving Local 39 Request to Bargain

**Selawsky/Issel** and approved unanimously on voice vote

Item 2.2-A - Approval of Registrar at B-Tech  
**Issel/Selawsky** and approved unanimously on voice vote

Item 3.1-A – Approval of School Safety Plans  
**Selawsky/Riddle** and approved unanimously on voice vote

Item 3.2-A – Approval of Amer-I-Can Program  
**Selawsky/Issel** and approved unanimously on voice vote

Item 3.3-A – Approval of PTA After School Classes  
**Item tabled**

#### **CONFERENCE ITEMS**

Item 1.1-CF – Board Policy 5145.3  
**Selawsky/Issel** and approved unanimously on voice vote for first reading

Item 1.2-CF - Board Policy 5030.2  
**Selawsky/Issel** and approved unanimously on voice vote for first reading

Item 1.3-CF – Appointees to Youth Commission  
A subcommittee was formed with Vice President Selawsky and Director Hemphill to bring forth recommendations for the three slots open for Board appointees and a list of possible candidates for individual appointments.

#### **INFORMATION ITEMS**

Item 3.1-I – API Report  
Item 4.1-I – Facilities Plan Update  
Both reports received for information

#### **ADDITIONAL ACTION ITEMS**

Approve Minutes of 9-11-07  
**Selawsky/Issel** and approved unanimously on voice vote as amended  
Approve Minutes of 9-19-07  
**Selawsky/Riddle** and approved unanimously on voice vote

#### **The Board recessed to Closed Session at 9:20pm.**

President Rivera adjourned the meeting at 11:30 p.m. after announcing the Board had discussed collective bargaining during closed session and no action was taken.

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Joaquin J. Rivera  
Board President

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Michele Lawrence  
Secretary