

Berkeley PUBLIC SCHOOLS

Berkeley Unified School District

Board Policy Subcommittee Minutes

Room 126

January 29, 2016

3:00 -4:00pm

Director Daniels called the Policy Subcommittee Meeting to order at
3:02pm

Roll Call

Josh Daniels, Chair – Present

Ty Alper, Director – Present

Donald Evans, Superintendent – Present by phone

Lyz Chairez, Recorder – Present

Approval of Agenda

Daniels moved to change order of agenda as follows:

1. 1.V. Outline for Student Intervention
2. 2.III. Board Bylaw 9200: Limits of Board Member Authority
3. 3.IV. Board Bylaw 9310: Policy Manual

Motion to approve agenda as amended by Daniels:

Daniels/Alper and approved unanimously 2-0

Public Comment

Lilly Chen, Statewide Ed Rights attorney:

Works with districts to address school climate and says she was pleased to find out that BUSD is looking at new student intervention policies.

She commented on the draft policy and stressed the importance of tailoring it to what is happening on the ground.

BHS teacher of 11 years shared the expulsion process experienced by one of his students. He explained that the student involved maintained a spotless record for two and a half years, but was granted zero tolerance after being accused of the offense. He said it seemed that there was no care shown in this case. It is our responsibility, he added, that students feel protected by us, not prosecuted.

A BHS co-lead/teacher echoed previous teacher's remarks with respect to the student. She expressed concerns about students who are not supported by their teachers in these kinds of instances. This student had a group rally behind him, but not all students can count on this kind of advocacy.

Paula Phillips, BCCE President, commented on policies impacting classified employees. She asked how the policies on technology use and drug free workplace are implemented in BUSD.

Outline for Student Intervention

Daniels provided a quick overview. He said work on this began with previous policy committee. There has been much discussion about revising and adopting a discipline policy with a broader focus outside of a punitive approach. The general focus so far is outlined as more of an intervention policy as opposed to a discipline policy. Identifying areas where we can make quick progress should be addressed quicker and areas that require more discussion/work could be addressed at a later time.

Alper added that the intervention approach is appropriate. He suggested that we codify principles that we wish to capture in the policy after identifying what components to address (e.g. due process, limitations on interventions).

BHS Teacher said the policy should have an educational approach. How can we educate the student, rather than how do we punish? We are an educational institution, not a punitive system.

Paula added that we should consider the policy's impact on classified staff.

Evans added that the process should also include monitoring of the implementation of restorative justice practices.

Alper will be proposing some charging orders in subsequent meetings. He shared some of the principles he noted for the following:

- Process and extension of suspension
- Interaction b/w RJ and zero tolerance cases
- Teacher role in expulsion hearings
- Role of legal counsel in hearings
- Clarity on the role of the Board
- Does the Board intervene with suspensions at elementary level?
- Look at willful defiance
- Look at record expungement

- Ensure compliance with policies

He proposed that we defer to him and Susan a couple of the areas for which they should frame some language.

BB 9200: Limits of Board Member Authority

Daniels explained that he made revisions to this policy based on previous revisions made by a former consultant.

Alper noted that the added paragraph was already part of BP 1312 and suggested some edits

Motion to adopt BB9200 with the addition of second paragraph and with Alper's edits:

Alper/Daniels and unanimously approved 2-0.

BB 9310: Policy Manual

Daniels said the goal was to codify some of the language.

Alper suggested some language change to this policy.

The policy states that there are some instances that the Board may choose to approve an Administrative Regulation (AR). Superintendent Evans clarified that the Board should not weigh in on the ARs.

Motion to adopt BB 9310 as amended by Daniels and Alper:

Daniels/Alper and approved unanimously 2-0.

Update Board Policy Calendar

Alper requested that we revisit discipline at every other meeting.

Policies to consider at the next policy meeting on 2/09:

- Board Bylaws (30 min)
- Board Policy: Hate Speech (10 min)
- Board Policy: Naming Facilities (30 min)

Motion to approve Board Policy calendar as amended:

Alper/Daniels and unanimously approved 2-0.

Meeting adjourned at 4:21pm.