

**BSEP PLANNING & OVERSIGHT COMMITTEE MINUTES
November 8, 2022**

P&O Committee Members Present

Heather Gilbert, *Arts Magnet*
Nimota Abina, *Cragmont (Alt)*
Aaron Atlas, *Cragmont*
Jonathan Weissglass, *Emerson*
Coleen Kantner, *John Muir*
Jerry Liang, *Malcolm X*
Scott Marsh, *Rosa Parks*
Vanessa Chong, *Ruth Acty*
Sara Parker, *Sylvia Mendez*
Katy Reese, *Thousand Oaks*

Chris Rauen, *Washington*
Weldon Bradstreet, *King Middle School*
Nicole Chabot, *King Middle School*
Ron Chung, *King Middle School (Alt)*
Daniel Frydman, *Willard Middle School*
Aaron Glimme, *Berkeley High*
David Kojan, *Berkeley High*
Shauna Rabinowitz, *Berkeley High*
Terry Pastika, *Berkeley High*
Vicki Davis, *Berkeley High (Alt)*

P&O Committee Members Absent*:

Anne Mayoral, *Oxford*
Anya Hurwitz, *Oxford*

Kate Jordan, *Willard Middle School*

**Alternates and co-reps are not marked absent if another rep is present. Currently there is no representation from BTA, BIS, ECE, or Longfellow Middle School.*

Visitors, School Board Directors, Union Reps, and Guests:

BUSD Staff:

Enikia Ford Morthel, *Superintendent of Schools*
Samantha Tobias-Espinosa, *Assistant Superintendent of Human Resources*
Kathy Fleming, *Director of Local Resources and Partnerships*
Francisco Martinez, *Admissions Manager*
Cat Cabral, *Recruitment and Retention TSA*
Craig Kaufman, *BSEP Budget Analyst II*
Danielle Perez, *BSEP Program Specialist*

There was a 6:00 Special Meeting for New Member Orientation

Director Fleming presented [Planning and Oversight Committee Orientation slides](#), see slides for details. She emphasized that this presentation is an overview of key structures and ideas that will be elaborated upon throughout the committee's work this year.

1. Call to Order

The meeting was held online via Zoom. At 6:30 p.m. Chairperson Bradstreet called the regular meeting to order.

2. Establish the Quorum/Approve the Agenda

The quorum was established with 14 voting members present. The agenda was approved by unanimous consent.

3. Chairperson's Comments

Nicole Chabot and Weldon Bradstreet

Co-Chair Chabot welcomed the latest group of new members, and expressed that BSEP and BERRA are fundamental to the school district, representing 22% of its budget, and that BUSD would be a very different place without these local revenues. She thanked all members and attendees for their public service in the oversight of those funds, noting that it is an important responsibility entrusted by the city. The P&O is also a phenomenal way to be involved with the district, and to learn all the aspects and hard work behind the scenes as well. She looks forward to a great year together. Co-Chair Bradstreet agreed, adding that participation in the P&O is a way to get a really rich experience of how the district works on a financial level. He advised that members refer to the Acronym Dictionary in the [Committee Handbook](#) to help decipher the acronyms that are often used in these meetings.

4. Public Comment

There was no public comment.

5. Board Liaison Comment

There was no Board Liaison present.

6. District Leadership Comment

Enikia Ford Morthel, Superintendent of Schools

Superintendent Ford Morthel shared her excitement in meeting the P&O members, and thanked the members for their work. She shared the [district mission](#) and highlighted BUSD's "4 E's" of excellence, equity, engagement, and enrichment. She explained that she always opens convenings with this reminder, because if the district truly offers those to every student in BUSD, that in itself would be revolutionary. She explained that the 4 E's resonate with her as promises to students and families, and that this mission should be shared between herself, district staff, and district partners including the P&O committee. Everything the P&O is doing is to realize that mission for our students. She expressed that Berkeley is unique in actually being poised to make good on those promises, for several reasons: the district's Equity Plan, the partnership with the City to realize the shared vision, the amazing teachers and staff, and because the community puts their money where their mouths are. That the Berkeley community cares about public education is evident in the existence of BSEP and BERRA. The P&O helps to make sure we realize that vision by leveraging BSEP and BERRA tax dollars in ways that make sense. It is common to get distracted when doing equity work, but the P&O Committee helps the district to make a plan, and then keep us on task and accountable. She encouraged members to continue to be critics and champions for the work being done in service of both oversight and collective accountability. She plans to attend P&O meetings often to participate in the work, and will ensure that someone from her leadership team will be at each meeting, even if she can't make it.

7. Director of Local Resources and Partnerships Comment

Kathy Fleming, Director of Local Resources

Director Fleming shared that she was glad to have Superintendent Ford Morthel as the new superintendent and looked forward to working together. She also welcomed all committee

members. She explained that it is her second year in the Director role, and that she appreciates having such a great framework in which to approach this work, so that we know we're using the funds as planned and per the measures, to assure citizens that it's money well spent and a great investment. She offered orientation sessions to new members after this meeting, to dig into questions individually or in small groups; members should email her to request an informational session.

8. Approval of Minutes

September 13, 2022

Chair Bradstreet asked if there were any corrections to the minutes, there were none offered. The [9.13.22 Draft P&O Meeting Minutes](#) were approved by unanimous consent.

9. Introduction and Welcome New Members

Nicole Chabot and Weldon Bradstreet

Co-Chair Bradstreet explained that in person, P&O meetings always started with introductions and brief SSC updates from committee members. That tradition had been paused due to the difficulty in moderating a "roundtable" share on Zoom, but it was built into this meeting to help new and returning members introduce themselves.

10. Election of Co-Chairs, Steering Committee, and SBAC Representatives

Nicole Chabot and Weldon Bradstreet

Co-Chairs Bradstreet and Chabot explained roles of the Co-Chairs, Steering Committee, and SBAC Representatives. Director Fleming will gather information about whether the SBAC format, composition, or process may change under Superintendent Ford Morthel's new leadership.

Rep. Bradstreet nominated himself as a Co-Chair, Rep. Pastika nominated Rep. Chabot as a Co-Chair, which Rep. Chabot accepted. Rep. Chung moved to elect the above nominees, Rep. Rauen seconded; Nicole Chabot and Weldon Bradstreet were elected unanimously as the 2022-23 Planning and Oversight Committee Co-Chairs.

Co-Chair Bradstreet explained that the committee needs 5 other members to be nominated for the Steering Committee, in addition to the two Co-Chairs who are default members of that group. Reps Glimme, Gilbert, Rauen, Rabinowitz, and Marsh all self-nominated for Steering Committee positions. Co-Chair Bradstreet moved to approve the slate of Steering Committee nominees, Rep. Kojan seconded; the 2022-23 Steering Committee members were elected with one abstention.

Rep. Parker self-nominated for SBAC Rep., Rep. Pastika self-nominated for SBAC Rep., and Reps. Chong and Davis self-nominated as alternates. Co-Chair Bradstreet moved to approve the slate of SBAC representatives and alternates, Rep. Marsh seconded; the 2022-23 P&O representatives to the Superintendent's Budget Advisory Committee were elected unanimously.

11. Formation of Finance Subgroup

Nicole Chabot and Weldon Bradstreet

Co-Chair Chabot explained that as we near the end of BSEP Measure E1, the goal is to end the measure in a fiscally responsible manner. There is always variability in any year, but nearing the end we have to be more precise. This will take more time than is available in the regular monthly P&O meetings, so it's proposed that a subgroup would take a look at those numbers, ask questions and refine the information before the topics come to the larger group. The goal is to understand the impact before the full committee begins evaluating budgets for next year, which happens after January-February of 2023. She envisioned the subgroup meeting once to twice a month in the next few months.

Director Fleming added that more frequent meetings of this subgroup would take place between December and February at the latest. The group will be looking at the ongoing fund balance for each "bucket" of earmarked funds in accordance with the measure language, and with annual revenue and deficit spending taken into account. She highlighted the need to keep expenditures within revenue limits, so that we enter the next iteration of BSEP with enough revenue to cover current expenses without raising taxes. Rep. Glimme explained that the cycle is annual, as different funds earmarked for specific purposes build up balances and then the district works to spend fund balances down, while also keeping emergency reserves. BSEP has taken big balances between measures in the past, and has also run out of funds before the end of a measure as well; the goal is to try to finish Measure E1 in the middle of those two outcomes.

Rep. Davis asked if the purpose of the subgroup would be to discuss adjustments in the current year's budget, or adjustments to the new measure's structure based on current spending. Director Fleming responded that it would be the latter; the committee won't adjust current year spending as it's already approved, loaded, and set. The P&O will look at variances through the 1st and 2nd interim budget reports, and minor changes may come as information items to the committee. Rep. Glimme noted that planning out the spending during the last years of the current measure is a different task from planning for the structure of the next measure. Director Fleming clarified that she didn't envision planning for the next measure as the primary function of the subgroup, but imagined that it would come up and that there may be some advisory aspects as a result. The subgroup was also meant to be a response to the concern that district-level budgetary decisions happen late in the academic and fiscal year, and that P&O feedback may come after some decisions are made.

Co-Chair Chabot noted that the SBAC meetings take place in the evenings, often immediately before P&O meetings. The P&O subgroup and Steering Committee meetings have also been in the evenings similar to regular P&O meetings. Co-Chair Bradstreet added that the P&O is in control of its Steering Committee and subgroup meeting times, but that the SBAC is set by the Superintendent. Director Fleming offered to take P&O feedback as the SBAC schedule is being developed. Rep. Chung asked if it was preferable to have SBAC meetings before P&O meetings, or vice versa. Co-Chair Chabot answered that it has been helpful to have the SBAC meetings first. Rep. Pastika agreed, noting that the whole SBAC process is very fluid due to having so many unknowns through the course of the year, and Co-Chair Chabot explained that is the norm because of when the district receives budget information from the state. Rep. Glimme noted that the committee was not electing members for this subgroup, but would only be voting on establishing the subcommittee. Anyone who wants to attend can, and that group will establish Chairs and agree on the process. Co-Chair Bradstreet motioned to create the subgroup, Rep.

Rabinowitz seconded; the subgroup creation was approved with one abstention.

12. Recruitment and Retention Data Update

Samantha Tobias-Espinosa, Assistant Superintendent of Human Resources

Assistant Superintendent Tobias-Espinosa presented [BERRA Recruitment and Retention Update Slides](#). See slides for details, the presentation focused on the support programs portion of the budget. Rep. Kojan asked how the district measures the success of its retention programs, and what the quantitative or qualitative measures of effectiveness and key metrics are. Assistant Superintendent Tobias-Espinosa answered that for retention, the district refers to the BPAR program to help struggling staff, and the main measure for retention is happy employees; negotiations with unions, raises, and keeping up with cost of living increases in the budgets. The district looks at how many staff are staying and how many positions need to be filled every year. Generally the district had a huge drop in the number of new hires in the first year of COVID and the summer of 2020, but then there was a huge increase the next summer. BUSD has now had a drop again in terms of the number of open positions. In 2019-20 BUSD had 82 open positions, in the summer of 2020 BUSD only hired for 42, in the summer of 2021 the district hired 89. This year, 2022, that figure is 50. The district consistently had around 80 open positions annually looking back to 2015, so we are seeing impacts compared to that average, and see that as a positive. A lot is also measuring climate, talking to employees, seeing whether they stick with us, and looking at diversity and percentages of retention there. For teachers of color, BUSD's retention in the summer of COVID was 83%, compared to 60% the year before. That does fluctuate but we continue to work on it.

Rep. Davis asked if the district is speaking specifically to the current group of Special Education teachers on topics that are important to them, because she has worry about retaining what the district already has in terms of staff in that hard-to-hire area. Assistant Superintendent Tobias-Espinosa answered that in that subgroup BUSD created the IEP Coach position to help support those staff members. The biggest drains for SpEd staff is the paperwork they have to do, and this position helps teach those skills to that staff around how to get that paperwork done. Also, as seen in negotiations, BUSD is addressing SpEd staff needs with caseload and assessment limits in negotiated agreements. Unfortunately, burnout in SpEd teachers is frequent everywhere, it is a stressful job. The district doesn't tend to see more SpEd vacancies than in other positions, but is something for the district to continue to look at and evaluate, and to discuss with unions and employee groups. Rep. Davis asked if the BPACT program requires any sort of commitment that participants stay with BUSD upon gaining their teaching credential. Assistant Superintendent Tobias-Espinosa responded that it is unfortunately not a component of the state grant providing program funding. BUSD does try to encourage administrators to be aware of who is getting credentialed and who is ready to be hired, helping to make sure that they're seen by principals to help get them hired. She also noted that the separate residency program does have a 2 year commitment component.

13. Class Size Report

Francisco Martinez, Admissions Manager

Mr. Martinez presented the [2022 Class Size Report](#) and [Class Size Reduction Slides](#). See document and slides for details.

Mr. Martinez explained that BSEP revenues have funded smaller class sizes since 1986. Currently BSEP funds about 30% of teachers in the district. The class size goal at the elementary level is 23:1 student-to-teacher ratio, measured school-wide. At the middle and high school level, the class size goal is 28:1. He explained that this is the first year of full implementation of the Measure E1 standards; the process was begun 6 years ago phasing in the measure's standards with the kindergarten classes of that year, and they have now been fully implemented across all elementary grade levels. In 2022, all elementary schools fell within the 23:1 standard. Note that TK has a different standard of 20:1, as set by union agreements.

Rep. Gilbert asked if the Board's decision to add more teachers to some sites was a part of BSEP class size funding. Mr. Martinez explained that at the end of last school year, when the district realized that there was more general fund (not BSEP) money available, some families advocated to take back a reduction of FTE that had previously been approved at some schools. The Board decided to fund those classes on a one-time basis, prioritizing grades 1-2. This was done after summer vacation had begun, and some sites were able to hire new teachers at that point, but others like Malcolm X, weren't able to find a candidate. Director Fleming recalled that Assistant Superintendent Tobias-Espinosa mentioned that BUSD had reduced the overall number of K-5 teachers due to enrollment decline, and overall the district is well under the 23:1 class size goal across the board. The district was attempting to right-size teacher numbers according to enrollment; nobody was laid off, rather natural attrition created other positions for any teachers moved due to the enrollment changes. The Board reinstated 5 positions as one-time, which caused those few schools to have even smaller class sizes. The P&O will see the impact to the Teacher Template from those reinstated positions in subsequent reports.

Rep. Kojan observed that for the purposes of BSEP, averages are measured by school. He asked if internally there is data on variability within classes at the elementary level, and at the high school level for some classes like advanced math. Mr. Martinez answered that there is much more variability in the high school grades than at any other level. Except for where the data calls it out, there aren't classes going over the limit. Rep. Kantner clarified that the 2nd grade is small at John Muir, which was the kinder class cohort in the height of the pandemic; but that the 3rd grade cohort was the level that received an extra staff member. The aim was to put that larger cohort of 60 spread over 3 classes instead of 2. Mr. Martinez added that there were some sites where the school-wide average would have been below 23:1 but individual classes may have been trending toward being higher, so additional FTE was allotted and the site decided how to use that additional staffing. Rep. Rabinowitz asked if the BTA data was included as one of the small schools within BHS. Mr. Martinez answered that the BTA class size is excluded from BHS numbers and averages, but was included in the slide to report out the BTA data.

14. BSEP and BERRA Audits: 2019-20 and 2020-21

Kathy Fleming, Director of Local Resources and Craig Kaufman, Budget Analyst II

Director Fleming presented 2019-20 Measure A [Performance Audit](#) and [Financial Statements](#), the 2019-20 Measure E1 [Performance Audit](#) and [Financial Statements](#), the 2020-21 Measure A [Performance Audit](#) and [Financial Statements](#), the 2020-21 Measure E1 [Performance Audit](#) and [Financial Statements](#), and the 2021-22 Measure E [Performance Audit](#) and [Financial Statements](#). There were delays due to COVID in getting the audits completed and finalized from the auditors.

She explained that the P&O reviews these, that they are informational items only. Measure A was the previous BSEP measure, with no new revenues, the reports show the spending down of those remaining fund balances. Measure E is BERRA, the first year of which was '20-21, and Measure E1 is the current BSEP measure.

Mr. Kaufman explained that the financial audit is a high-level look at how BUSD did in administering the tax funding. For any who want to deep dive, he referred them to the published financials approved by the Board at the end of each year. This auditing ensures that all funds used are expended according to the respective measure language. The end of the financial statements holds the key item of interest for oversight purposes, listing any audit findings and questionable costs. Each document indicates that there were no matters recorded, meaning that the auditors did not find any expenses or other items that were of concern.

15. For the Good of the Order

The committee members agreed to hold off on any new statement to the Board, and Co-Chair Bradstreet gave a brief overview of the year's trajectory for new members.

16. Adjournment

The meeting was adjourned by unanimous consent at 8:56 p.m.