

BERKELEY UNIFIED SCHOOL DISTRICT

ADOPTED MINUTES

Page 1

MINUTES, REGULAR MEETING

Wednesday, December 3, 2003

District Administrative Offices

2134 Martin Luther King Jr. Way

Berkeley, CA 94704-1180

**CALL TO ORDER**

President Joaquin J. Rivera called the Meeting to order at 6:01 p.m. and the Board recessed to Closed Session.

**BOARD ROLL CALL**

**MEMBERS PRESENT:** President Joaquin J. Rivera  
Vice President John T. Selawsky  
Director Terry S. Doran  
Director Shirley Issel  
Director Nancy Riddle  
Student Director Bradley Johnson\*

Administration                      Superintendent Michele Lawrence, Secretary

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 49818(c)—Board Conference Room

- a) Conference with Legal Counsel—Existing Litigation
- b) Consideration of Student Expulsion
- c) Collective Bargaining
- d) Public Employee Discipline/Dismissal/Release
- e) Public Employment Appointments
- f) Liability Claims
- g) Property Acquisition

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\*The Student Director does not attend Closed Session.

Report Closed Session

The Board reconvened in Public Session at 8:05 p.m. President Rivera reported that the Board discussed the following item in Closed Session:

a) Conference with Legal Counsel—Existing Litigation

No action was taken.

**ANNUAL ORGANIZATIONAL MEETING**

Election of Officers

President

Motion: Directors Issel/Riddle and approved 4(1)-0-1-0 on voice vote:

That Vice President John T. Selawsky is President of the Board of Education for 2004.

AYES: Directors Doran, Issel, Riddle, Rivera, (Student Director Johnson)  
NOES: None  
ABSTAIN: Director Selawsky  
ABSENT: None

Vice President

Motion: Directors Doran/Selawsky and approved 4(1)0-1-0 on voice vote:

That Director Nancy Riddle is Vice President of the Board of Education for 2004.

AYES: Directors Doran, Issel, Rivera, Selawsky, (Student Director Johnson)  
NOES: None  
ABSTAIN: Director Riddle  
ABSENT: None

Secretary

Motion: Directors Rivera/Doran and approved unanimously on voice vote:  
That Superintendent Michele Lawrence is Secretary of the Board of Education for 2004.

Approve Agenda

Motion: Directors Rivera/Doran and approved unanimously on voice vote:  
That the Regular Meeting Agenda of December 3, 2003, is approved as amended. The amendments are that Items 1.1-C, 1.3-C, 1.4-C, and 4.1-C are pulled for further clarification. That Item 3.2-A is removed.

Approval of Resolution of Appreciation for Outgoing President Joaquin J. Rivera

President-Elect John T. Selawsky read the Resolution of Appreciation for Outgoing President Joaquin J. Rivera.

Motion: Directors Doran/Riddle and approved 4(1)-0-1-0 on voice vote:  
Approval of the Resolution of Appreciation for Outgoing Board of Education President Joaquin J. Rivera.

BERKELEY UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION REPRESENTATIVES TO VARIOUS COMMITTEES FOR  
2004

<b>Committees</b>	<b>2003 Representatives</b>	<b>2004 Representatives</b>
Alameda County School Boards Association	Director Riddle	Vice President Riddle
Association of California Urban School Districts	President Rivera	Director Issel
Berkeley Alliance	President Rivera Vice President Selawsky	President Selawsky Vice President Riddle
Berkeley High Health Center	Director Riddle	Director Issel
Berkeley Arts in Education	Vice President Selawsky	President Selawsky
BSEP Planning & Oversight Committee	Director Riddle & Other Board Members to attend on a rotating basis	Vice President Riddle & Other Board Members to attend on a rotating basis
Board/City 2X2 Committee	President Rivera Vice President Selawsky	President Selawsky Vice President Riddle
School Construction Oversight Committee	Director Doran Vice President Selawsky, Alternate	Director Doran Vice President Riddle, Alternate
Citywide Youth	Director Doran Director Issel	Director Doran Director Issel
Child Nutrition Advisory Committee	Director Doran	Director Doran President Selawsky, Alternate
District Advisory Council	Director Doran	Director Rivera
District English Learner Advisory Council (ELAC)	President Rivera	Director Doran
Facilities Safety and Maintenance Oversight Committee	Director Issel Vice President Selawsky, Alternate	President Selawsky
Music Committee	Vice President Selawsky	President Selawsky

**BERKELEY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION APPOINTEES  
TO BOARD COMMITTEES AND COMMISSIONS FOR 2004**

<b>Committees/ Commissions</b>	<b>Board Member</b>	<b>2003 Appointee</b>	<b>2004 Appointee</b>
Citizens Budget & Finance Committee	President Rivera Vice Pres. Selawsky Director Doran Director Issel Director Riddle Student Director Superintendent	No appointment No appointment Marissa Sanders Catherine Varnau Vicki Davis No appointment made No appointment made	The Board voted to retire the Citizens Budget & Finance Committee.
School Construction Oversight Committee 11 members: <ul style="list-style-type: none"> <li>• 9 Board appointed representatives</li> <li>• 2 Representatives appointed by the Supt.</li> </ul>	President Rivera Vice Pres. Selawsky Director Doran Director Issel Director Riddle Student Director Board appointment Board appointment Board appointment	Lloyd Lee James Hallam Carl Bridgers Matt Taecker Bruce Wicinas No appointment made No appointment made No appointment made No appointment made	Lloyd Lee* James Hallam* Carl Bridgers Matt Taecker Bruce Wicinas No appt. made No appt. made No appt. made No appt. made
Facilities Safety & Maintenance Oversight Committee 11 members: <ul style="list-style-type: none"> <li>• 7 Board appointed representatives</li> <li>• 2 representatives appointed by the Supt.</li> <li>• 2 members appointed by the BSEP Planning &amp; Oversight Committee</li> </ul>	President Rivera Vice Pres. Selawsky Director Doran Director Issel Director Riddle Student Director Board appointment Superintendent Superintendent BSEP BSEP	Steve Brett No appointment made Jim Wertz John DeClercq Mary Reiter No appointment made No appointment made No appointment made No appointment made No appointment made No appointment made	Steve Brett No appointment No replacement John DeClercq No replacement No appt. made No appt. made Hank Silver No appt. made No appt. made No appt. made

\*Pending confirmation

**BERKELEY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION APPOINTEES TO BOARD COMMITTEES AND COMMISSIONS FOR 2004 (continued)**

<b>Committees/ Commissions</b>	<b>Board Member</b>	<b>2003 Appointee</b>	<b>2004 Appointee</b>
Peace & Justice Commission	President Rivera Vice Pres.Selawsky Director Doran Director Issel Director Riddle Student Director	Thom Seaton J. George Lippman Raya Arasteh Rabbi Jane Litman No appointment made Michael Sherman	Tom Seaton Steve Freekin Elliott Cohen Rabbi Jane Litman No appt. made Michael Sherman
Youth Commission	President Rivera Vice Pres.Selawsky Director Doran Director Issel Director Riddle Student Director BUSD BUSD BUSD	Sara Sternberg Anita Feingold-Shaw No appointment made Sophie Litschwartz Hannah Rose Kenneth Watts Sean Dugar Maura Fitzgerald Hans Barnum	Sara Sternberg Anita Feingold-Shaw No appt. made Sophie Litschwartz Hannah Rose Kenneth Watts Sean Dugar Maura Fitzgerald Hans Barnum

**Motion:** Directors Doran/Rivera and approved 4(1)-1-0-0 on voice vote:

The reappointment of the three Berkeley Unified School District Youth Commissioners until August 2004. In August 2004, review all of the appointments.

**AYES:** Directors Doran, Riddle, Rivera, Selawsky, (Student Director Johnson)

**NOES:** Director Issel

**ABSTAIN:** None

**ABSENT:** None

**Motion:** Directors Selawsky/Rivera and approved unanimously on voice vote:

That the remainder of the list of Youth Commissioners is approved.

2004 Board of Education Meeting Schedule

Motion: Directors Rivera/Issel and approved unanimously on voice vote:

Approval of the 2004 Board of Education Meeting Schedule as amended. The amended schedule is as follows:

Schedule of Board of Education Meetings for 2004

January 14, 2004  
January 21, 2004  
February 4, 2004  
February 18, 2004  
March 10, 2004  
March 24, 2004  
April 14, 2004  
April 21, 2004  
May 5, 2004  
May 19, 2004  
June 2, 2004  
June 23, 2004  
July 7, 2004 (Tentative)  
August 25, 2004  
September 1, 2004  
September 15, 2004  
October 6, 2004  
October 20, 2004  
November 3, 2004  
November 17, 2004  
December 1, 2004  
December 15, 2004

Approval of Minutes

Motion: Directors Rivera/Issel and approved unanimously on voice vote:

That the November 15, 2003, Special Meeting Minutes are approved as written.

That the November 19, 2003, Regular Meeting Minutes are approved as amended. The amendments are as follows:

Approval of Minutes (continued)

Page 4 of the minutes, page 9 of the Board packet, first paragraph now reads:

President Rivera acknowledged and welcomed some of the Berkeley High School students who are in the Girls', **Inc.** Research Project.

Page 8 of the minutes, page 13 of the Board packet, next to the last paragraph should read as follows:

**Director Issel expressed her appreciation to Mr. Neil Smith and Ms. Carla Basom for their clear summary and findings. Director Issel noted that the summary provided a clear direction for improvement efforts in curriculum and instruction.**

Page 10 of the minutes, page 15 of the Board packet, the third paragraph now reads as follows:

Superintendent Lawrence wanted to know what process is being used to monitor students once they leave the program. Is there a mechanism in place to identify those students who have not maintained grade level after they have left the Reading Recovery Program? Also, she asked if all of our teachers are being trained in best practices. Superintendent Lawrence said she would like staff to examine the profile/data of those students who were in the Reading Recovery Program and whose reading skills are not sustained. **Superintendent Lawrence asked Ms. Van Noord if she could characterize the students who failed to respond to the Reading Recovery intervention and Ms. Van Noord responded that the students with strong family support profited most from the Reading Recovery intervention.**

Page 10 of the minutes, page 19 of the Board packet, last paragraph, last sentence now reads:

President Rivera wanted to know what strategies we have in place to make our Literacy Plan goal a reality. **He expressed concern that we may not have in place enough programs to help bring up to grade-level those students who came to BUSD after first grade and were not able to participate in Reading Recovery.**



Approval of Minutes (continued)

Page 11 of the minutes, page 16 of the Board packet, last paragraph, last sentence under President Joaquin J. Rivera now reads:

President Rivera said we should have a schedule that is fair and accessible to the community. **He also indicated that his bottom line is that the General Fund should not subsidize the use of facilities by the community, particularly in these times when we are facing budget deficits.**

**PUBLIC TESTIMONY**

Three speakers addressed the Board.

**AGENDA REORDER**

3.1-CF

Magnet Grant Presentation and Consideration

A panel composed of the following staff presented this item:

- Ms. Linda Arnold, Kindergarten Teacher, LeConte Elementary School
- Ms. Carla Basom, Manager, State and Federal Projects
- Ms. Rebecca Cheung, Principal, Longfellow Arts & Technology Magnet Middle School
- Ms. Michele Patterson, Principal, Willard Middle School
- Ms. Patricia Saddler, Principal, LeConte Elementary School

Ms. Carla Basom, Manager, State and Federal Projects, gave an overview of the new Magnet Grant proposal and process. She said the Educational Services Division has been guiding three schools since last spring in exploring the idea of applying for another round of Magnet funding to support the instructional program. The schools recommended for the new grant are LeConte Elementary School, Willard Middle School and Longfellow Arts and Technology Magnet Middle School.

3.1-CF

Magnet Grant Presentation and Consideration (continued)

Ms. Basom said magnet grants are funded in three-year cycles by the United States Department of Education with the following goals:

- To encourage the development and design of innovative educational methods and practices that promote diversity and increase choices in public schools
- To strengthen the knowledge of academic subjects and the attainment of tangible and marketable vocational, technological and professional skills of students attending such schools
- To improve the capacity of local educational agencies, including, through professional development, to continue to operate magnet schools at a high performance level after Federal funding for the magnet schools is terminated
- To insure that all students enrolled in magnet school programs have equitable access to a high quality education that will enable the students to succeed academically.

Ms. Basom said staff plans to request \$1.5-\$2 million dollars per year. Following Ms. Basom's overview, the principals and teacher representatives from the three schools described their program designs.

Ms. Patricia Saddler, Principal, LeConte, said the new LeConte Magnet Program will include three principle components:

- Additional enhancements to the specialized science program already in implementation through support from the District's current Magnet Schools Assistance Program funding.
- Expansion of the existing two-way Spanish-English Immersion Program to all grade levels to increase the number of students who speak Spanish.
- Implementation of the Primary Years Program of the International Baccalaureate at all grade levels.

### 3.1-CF

#### Magnet Grant Presentation and Consideration (continued)

Ms. Saddle said the new LeConte Magnet Program curriculum will be systemic in addressing the physical and mental health of the child, including emphasis on the life cycle and sustainable agriculture, and will be imbedded in what is already successful for students at that time. Staff development and continuing implementation of the Guided Language Acquisition Design (GLAD) model at LeConte is aligned with the plan to infuse the International Baccalaureate Program. There will be articulation with the Middle Years Program at Willard Middle School.

Ms. Michele Patterson, Principal, Willard Middle School, said staff plans to implement the Middle Years Program of the International Baccalaureate Program. She said students who choose the LeConte and Willard programs will have access to a fully articulated K-8 program that addresses the quality and content of instruction in all core-curricular areas and that cultural awareness is central to the program to enable our students to live more peacefully than we do today. Ms. Patterson said this program is compatible with the existing Willard Program and the emphasis on lesson study as it has been successfully implemented at that site.

Ms. Rebecca Cheung, Principal, Longfellow Arts and Technology Magnet Middle School, said Longfellow will align its program with the Communication Arts and Science Small School at Berkeley High School. Longfellow will educate students in all forms of modern communication. Students in Two-Way Immersion will have experiences in both Spanish and English. Ms. Cheung said the Longfellow curriculum planning will be guided by the "Five Habits of Mind" developed by the Central Park East High School in New York to outline an orientation to independent inquiry and critical thinking.

Board comments included the following:

#### Director Joaquin Rivera

Director Rivera wanted to know the chances of the District receiving the magnet grant. He also asked who has given staff the reassurance that we will be able to use the same student assignment plan that currently exist in the District.

#### Director Terry S. Doran

Director Doran asked if we want to continue the present student assignment plan for the middle schools. He said he will vote for staff to move forward and apply for a Magnet Grant and urged the Board to approve the proposal to apply for the new Magnet grant.

### 3.1-CF

#### Magnet Grant Presentation and Consideration (continued)

##### Student Director Johnson

Student Director Johnson asked if the entire Willard School will be in the International Baccalaureate Program. In other words, can all students at all levels elect to be in the International Baccalaureate classes?

##### Vice President Riddle

Vice President Riddle said she is not ready to take action on this item. She asked what consideration has been given to our special education students. She said she would like to know more about this program and have more data about the program before she can make a decision. She expressed concern about having two of our three middle schools designated as Magnets and inquired whether this will mean that Willard zone families who do not choose a magnet will be able to attend King?

##### Director Shirley Issel

Director Issel expressed concern regarding the grant writers' assurance that our current student assignment program can be used to apply for this grant. She said if we are using SIP carryover funds to pay for the grant writer, we need school site approval. She asked if there has been any discussion with the community as to whether or not there is interest in this program. She expressed concern about the issue of student assignment and she wants to know that there is a community process. Director Issel discussed the different programs at LeConte and said perhaps LeConte is a school with too many identities.

##### President John T. Selawsky

President Selawsky wanted to know if this grant is "all or nothing—all the funding or none and all three schools or none of the three schools." Staff responded that yes, the funding is all or nothing.

Motion: Directors Rivera/Doran and approved on Roll Call vote:

The approval of the proposal to apply for a new Magnet grant.

AYES: Directors Doran, Rivera, Selawsky

NOES: Director Issel

ABSTAIN: Director Riddle, (Student Director Johnson)

ABSENT: None

At 11:05 p.m., the Board voted to extend the meeting to complete the remainder of the agenda.

## **AGENDA REORDER**

### **REPORTS**

#### District Music Curriculum Committee Report

Ms. Paula Buel and Mr. Bob Kridle, Co-Chairs, District Music Curriculum Committee, and Mr. John Stanley, Music Teacher, presented this item. Ms. Buel reviewed the charge to the Music Committee, which is: "To develop recommendations for the program and curriculum for music education in the Berkeley schools, its articulation between schools and to improve communication between parents, the community and the school district." Ms. Buel highlighted the key accomplishments in 2002-2003, which included curriculum; funding; community involvement; program maintenance and volunteers. She elaborated on the desired tasks/focus for 2003-04 which includes the following five areas:

- Strategic Planning
- Funding
- Program Maintenance
- Curriculum
- Community Involvement

#### Union Representatives' Reports

No one addressed the Board at this time.

#### Board Members' Reports

Student Director Johnson said Berkeley High School's Annual Holiday Meal Project will be held December 13, 2003, 1:00 p.m.-6:00 p.m. He announced that the play, *You Can't Take It With You*, will be performed at Berkeley High School during the next two weekends. Director Doran thanked outgoing President Rivera for "a great year." He congratulated incoming President Selawsky and incoming Vice President Nancy Riddle. Vice President Riddle thanked outgoing President Rivera for his year as President. She reported that she and President Selawsky have had their first meeting regarding the Board Bylaws. Newly elected President Selawsky thanked Director Rivera for his year as President.

## **CONSENT ITEMS**

The Board pulled, for further clarification, Items 1.1-C, 1.3-C, 1.4-C, and 4.1-C.

Motion: Directors Rivera/Riddle and approved unanimously on voice vote:

That the remainder of the Consent Items are approved.

1.1-C: Adopt-A-School

See below for action on this item.

1.2-C: Acceptance of Gifts/Donations

1.3-C: Call for Nominations for CSBA Delegate Assembly

See page 16 of these minutes for action on this item.

1.4: Addition of Board Policies to adopted Policy Manual

See page 16 of these minutes for action on this item.

2.1-C: Acceptance of Personnel Report

3.1-C: Overnight Field Trips

4.1-C: Approval of Contracts/Purchase Orders for Services and Contracts

4.2-C: Approve Listing of Warrants Issued in October

4.3-C: Receive and Approve Information on the Issuance of Payroll Warrants for Employee Services for October 2003

### 1.1-C

#### Adopt-A-School

Motion: Directors Doran/Rivera and approved unanimously on voice vote:

The reaffirmation of the Adopt-A-School Assignments for 2003-2004, as amended. The amended Adopt-A-School Assignments are as follows:

BERKELEY UNIFIED SCHOOL DISTRICT  
Board of Education  
Adopt-A-School Assignments  
2003-2004

<b>Board Member</b>	<b>Schools</b>
President John T. Selawsky	Early Childhood Education Jefferson Martin Luther King Jr. Middle School Washington Communication and Technology Magnet School
Vice President Nancy Riddle	Berkeley Arts Magnet Berkeley High School Emerson
Director Terry S. Doran	Berkeley Adult School Cragmont Longfellow Arts and Technology Magnet Middle School
Director Shirley Issel	Berkeley Alternative High School Independent Study John Muir Oxford Rosa Parks Environmental Science Magnet (with Director Rivera) Thousand Oaks
Director Joaquin J. Rivera	LeConte Malcolm X Arts and Academic Magnet Rosa Parks Environmental Science Magnet (with Director Issel) Willard

1.3-C

Call for Nominations for CSBA Delegate Assembly

Director Doran said in the future, the recommendation for nominations for the California School Boards Association Delegate Assembly should come from a Board Member and not from a staff member.

Motion: Directors Doran/Issel and approved 4(1)-0-1-0 on voice vote:

That the Board nominates Director Joaquin J. Rivera for another term to the California School Boards Association (CSBA) Delegate Assembly.

AYES: Directors Doran, Issel, Riddle, Selawsky, (Student Director Johnson)

NOES: None

ABSTAIN: Director Rivera

ABSENT: None

1.4-C

Addition of Board Policies to Adopted Policy Manual

Student Director Johnson asked for clarification regarding the last paragraph on page 32 of the Board packet regarding Board Policy 0210.3 and page 55 of the Board packet. He asked if there is an appeals process for the Retention policy. In addition, Director Rivera suggested that the High School Graduation Requirement Board Policy be revisited.

Motion: Directors Rivera/Issel and approved unanimously on voice vote:

Approval of the additions to the Adopted Policy Manual.

4.1-C

Approval of Contracts/Purchase Orders for Services and Contracts

Motion: Directors Riddle/Rivera and approved unanimously on voice vote:

Authorization of the Deputy Superintendent and Purchasing Agent to execute Purchase Orders, as amended.

The amendment is that Item #22 is removed.



## **ACTION ITEMS**

### 3.2-A English Language Development Standards

This item was pulled.

### 4.1-A Certification of First Interim Report

The Board had before it a 170 page booklet, 2003-2004 FIRST INTERIM.

Mr. Eric D. Smith, Deputy Superintendent and Ms. Song Chin-Bendib, Director, Fiscal Services, discussed, in detail, the 2003-2004 FIRST INTERIM which included the following budget areas:

- Assumptions
- District certification of First Interim Report
- Form 011—General Fund Summary and Restricted and Unrestricted formats
- Form 1 II-671 for all other District funds
- Form A1—Average Daily Attendance
- Form RLI—Revenue Limit Form
- General Fund multi-year projection using the MYP software
- Criteria and Standards.

Mr. Smith said the Interim Report and the Multi-Year Projections indicates that the District will not be able to meet its financial obligations in the 2003-04 Fiscal Year without approximately \$2 million in current year expenditure reductions and/or revenue enhancements.

Director Issel asked for a breakdown of the Special Education budget. She requested that this item be on a future Board agenda so that staff can “walk the Board through” the Special Education budget.

Motion: Directors Doran/Rivera and approved unanimously on voice vote:

That the Board of Trustees accept the Negative Certification of the First Interim Report, certifying that the District will be unable to meet their financial obligations for the subsequent year without significant expenditure reductions and revenue enhancements.

4.2-A

Approve Third Party Administrator for Administration of Claims for Self-Insured Workers' Compensation

Motion: Directors Rivera/Riddle and approved unanimously on voice vote:

Approval of the firm Gregory B. Bragg and Associates as the District's third party administrator for workers' compensation claims and authorizes the Deputy Superintendent to negotiate the remaining terms and conditions of the agreement.

4.1-CF

Suggested timeline for a public process leading to a new BSEP tax measure in November, 2004

Ms. Monica Thyberg, Manager, BSEP (Berkeley Schools Excellence Project), presented this item.

Motion: Directors Issel/Rivera

The motion was withdrawn.

Director Rivera requested that this item be coordinated with the City of Berkeley. President Selawsky expressed concern that the unions were not mentioned in this document. He said the unions should be a part of this process.

3.1-I

Monthly School Enrollment Report and Average Daily Attendance Summaries

Superintendent Lawrence reviewed the monthly school enrollment report and average Daily Attendance Summaries.

Vice President Riddle inquired about the high absenteeism in the full inclusion and Special Day Classes.

**EXTENDED PUBLIC TESTIMONY**

No one addressed the Board at this time.

**ADJOURNMENT**

President Selawsky declared the Regular Meeting of December 3, 2003, adjourned at 1:15 a.m.

**APPROVED:**

**ATTEST:**

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President, Board of Education  
Berkeley Unified School District

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Secretary, Board of Education  
Berkeley Unified School District

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