

BERKELEY UNIFIED SCHOOL DISTRICT

ADOPTED MINUTES

Page 1

MINUTES, REGULAR MEETING
Wednesday, November 19, 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 5:30 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

*The Student Director does not attend Closed Session.

Report Closed Session

The Board reconvened in Public Session at 7:45 p.m. President Rivera reported that the Board discussed and took the following action in closed Session:

a) Conference with Legal Counsel—Existing Litigation

No action was taken.

d) Public Employee Discipline/Dismissal/Release

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

To deny the grievance.

Approve Agenda

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

That the Regular Meeting Agenda of November 19, 2003, is approved as amended. The amendments are that items 1.1-C, 4.1-C and 4.1-I are pulled for further clarification.

Approve Minutes

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

That the November 5, 2003 Minutes are approved as amended. The amendments are as follows:

Page 3, under Superintendent's Report, first sentence now reads:

Superintendent Lawrence thanked Assemblywoman Loni Hancock and others who were helpful in getting the driveway cut on San Pablo Avenue at the Franklin site.

Page 3, under Board Members' Reports, first paragraph, third sentence now reads:

50% of the affected employees had to vote for the vote to count.

Approval of Minutes (continued)

Page 3, under Board Members' Reports, first paragraph, regarding Vice President Selawsky's comments, fourth line from the bottom, the sentence now reads:

He thanked Senator Don Perata, Assemblywoman Loni Hancock, Mayor Tom Bates and Councilmembers Margaret Breland and Linda Maio.

Page 12, under 4.2-A: Approval of Modifications to the Franklin Adult School Project, second paragraph, the sentence now reads as follows:

Vice President Selawsky announced that there will be a community meeting for the Franklin neighbors on November 17, 2003, regarding the playground issue.

RECOGNITION AND ACKNOWLEDGEMENT

President Rivera and the other Board Members recognized and acknowledged Mr. Larry Goldenberg, President, Berkeley Rotary Club and the Berkeley Rotarians, for donating and distributing a copy of the Houghton Mifflin, American Heritage Children's Dictionary, to every third grade student in the City of Berkeley. Ms. Nancy D. Waters, Principal, John Muir Elementary School, and some of the students from John Muir were also in attendance and expressed their appreciation to Mr. Goldenberg and the Berkeley Rotarians.

PUBLIC TESTIMONY

Two speakers addressed the Board.

REPORTS

Union Representatives' Reports

No one addressed the Board at this time.

Superintendent's Report

The Superintendent did not make a report at this time.

REPORTS (continued)

Board Members' Report

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

Student Director Johnson highlighted some of the academic achievements of Berkeley High School students. He said the Berkeley High School Key Club members have tallied over 2000 hours of community service this year.

Director Issel reported on her visit to Rosa Parks Environmental Science Magnet School assembly where the Berkeley Symphony Orchestra performed.

Director Riddle announced that the Berkeley High School Women's Volleyball Team won the co-championship. She reported on her attendance at the Symposium: "Rekindling the Spirit of Brown vs. Board of Education—a Call to Action," which was held at the Boalt Law School on the University of California, Berkeley campus. The Symposium was sponsored by the Center for Social Justice. She expressed her condolences to the family of Tosh Cauldfield, a former student in the Full Inclusion Program at Berkeley High School, who died recently.

Vice President Selawsky said he too attended the Boalt Hall Symposium which marked the 50th Anniversary of Brown vs. Board of Education. He also attended the Berkeley Symphony Performance at Rosa Parks. He announced that the Berkeley Symphony is one of three national recipients of the Bank of America Music in Education Program. Vice President Selawsky said the Music Committee is Spearheading a fundraiser with Rasputin Music store on Telegraph Avenue in Berkeley. They are collecting any commercially made used media--CD's, LP's, audio tapes, DVD's, and disks. The bins for these items are located at elementary schools and at Berkeley's public libraries. Rasputin is paying a premium for each used electronic media that they receive. He urged everyone to donate their used electronic media for this worthy cause.

President Rivera reported on his attendance of the No Child Left Behind public hearing which was held on Saturday, November 15, 2003 and sponsored by Assemblywoman Loni Hancock.

CONSENT ITEMS

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

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

That the remainder of the Consent Items are approved.

1.1-C: Resolution Opposing Liquor Sales at Proposed Long's Drug Store at 2300 Shattuck Avenue, Berkeley

See page 6 of these minutes for action on this item.

2.1-C: Acceptance of Personnel Report

3.1-C: Approval of Carl D. Perkins Vocational and Technical Education Application/Plan for Funding

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

See page 6 of these minutes for action on this item.

4.2-C: Resolution 03-21: Authorization to Establish Separate Payroll and Benefits Clearing Fund at the County Treasurer's Office

4.3-C: Resolution 03-25: Authorization to Accept completion of the New Campus Green Project at Berkeley High School

1.1-C

Resolution Opposing Liquor Sales at Proposed Long's Drug Store at 2300 Shattuck Avenue, Berkeley

Director Riddle said she has problems with this resolution because she does not have enough information about what we have done in the past regarding these kinds of issues. Also, she does not know what the fiscal impact will be if the liquor license is denied.

Director Selawsky responded that he, as a Board Member, is concerned about the health and safety of the students at Berkeley High School. He noted that this site is 600 feet away from Berkeley High School and Long's is asking for a beer and wine license. He said the YMCA personnel are also concerned for the same reasons.

1.1-C

Resolution Opposing Liquor Sales at Proposed Long's Drug Store at 2300 Shattuck Avenue, Berkeley (continued)

Director Issel said she lacks accurate information to support this resolution at this time.

Director Doran said he thinks it is correct that we go on record in this regard.

Motion: Directors Selawsky/Doran and approved 3-2-(1)-0 on Roll Call vote:

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

4.1-C

Approval of Contracts/Purchase Orders for Services and Contracts

President Rivera said some of the union representatives have issues about some of the items that are being contracted out by the District. The union representatives feel that their members are qualified and can perform those jobs. President Rivera said that in the future, unless staff has a good rationale for contracting out services, he does not want to see anything that can be performed by our employees at a lower cost, being contracted out. He said he is concerned that there is a disconnect that the unions feel exists between the District's administrative staff and the unions. He requested that from now on, when these items are submitted to the Board, that there is a rationale explaining why we need to contract out and why our employees cannot perform these duties.

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

Approval of Contracts/Purchase Orders for Services and Contracts.

AGENDA REORDER

INFORMATION

Business and Operations

4.1-I Revised Modifications of Property

Superintendent Lawrence stated that the revised **POLICY AND PROCEDURES FOR RENTING SCHOOL DISTRICT PROPERTY** has been distributed to Board Members. President Rivera noted a correction on page 4, second paragraph, second sentence. The sentence now reads as follows:

Facilities and grounds are maintained at a significant cost, and first and foremost the District's responsibility is to provide a safe and well-maintained environment in which children may be educated as required by state law.

AGENDA REORDER

INFORMATION

3.1-I Performance Levels on the California Standards Test

Mr. Neil Smith, Director, Curriculum and Instruction, and Ms. Carla Basom, Manager, State and Federal Projects, gave an overview of the results of the California Standards Test (CST) and the salient features of the report which was compiled by Dataworks Educational Research. The data presented was disaggregated by school, grade and by subgroups: Title I, Special Education, ELL, GATE, gender, socio-economics and ethnicity. The tests include English Language Arts, Mathematics, Science, and History-Social Science.

Mr. Smith and Ms. Basom summarized the Performance Levels on the California Standards Test as follows:

- In both Language Arts and Math test results, there are significant discrepancies among ethnic groups—African American and Latino students score far below the District average and white students score above it.
- Language Arts data for grades 2-9 indicate that students had the most difficulty with writing, (as compared to vocabulary, reading comprehension, and literary response and analysis), as demonstrated on both the multiple choice test and the writing samples given to grades 4 and 7.

3.1-I

Performance Levels on the California Standards Test (continued)

- Redesignated Fluent English Proficient students (RFEPs) are performing better than native English speakers in both English/Language Arts and Math.
- Males and females perform equally well in Math.
- As students progress through grades 2 through 8, the number of students who do well in Math declines steadily, with a serious dip in 5th grade, particularly in the area of measurement and geometry.
- All disaggregated groups performed poorly on the Algebra test. This indicates a need for a review of curriculum in this area.
- Berkeley High students performed better in English/Language Arts (57% proficient) than in Math (35% proficient).

Director Johnson noted that the achievement gap between African American students and other students is widening and that this is a major concern.

Director Selawsky noted that the Writing Program is almost non-existent.

Director Riddle suggested that this data be given to individual principals for their school sites and for individual classroom teachers. She requested that this data also be put on the District's web page. Director Riddle said that after the data has been distributed, she would like to receive reaction and feedback from staff and the community.

Regarding the Writing Program, Director Johnson said students need to be taught the structural components of writing and the techniques that make a good writer.

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.

President Rivera said it would be useful for classroom teachers to receive a copy of this data so they can compare last year's results with this year's. He requested site staff to develop plans on how they are going to use this data and that central staff compile a report based on the feedback and submit the report to the Board for information once a year.

3.2-I

5th Annual Report on the District's Early Literacy Plan

A panel composed of Mr. Neil Smith, Director, Curriculum and Instruction; Ms. Cheryl Chinn, Principal, Malcolm X Arts & Academic Magnet School; Ms. Donna Van Noord, Coordinator, Reading Recovery Program; Ms. Glory Stiles, Teacher, Reading Recovery Program; and Ms. Sally Goldstein, Teacher, Reading Recovery Program, presented this item.

Ms. Van Noord highlighted the District's Early Literacy Plan and reiterated the Literacy Plan goal which is: "By the end of three years in the Berkeley schools, all elementary students will read at or above grade level as measured by a district-wide assessment system." Ms. Van Noord summarized the 2003 successes and 2004 actions. She then deferred to the panel members who elaborated on the successes and actions.

Ms. Glory Stiles discussed Step 1:

Implement in 2004 a model change for Reading Recovery/Early Literacy Group/Literacy Leader teacher. She said this has been done in Fall 2003 by reducing her Reading Recovery and Literacy Group intervention role to 72% and adding 28% coaching and staff development.

Ms. Sally Goldstein discussed Step 2:

Improve local assessments—Giving and scoring these tests must be standard and accurate. Running records provide an ongoing and authentic assessment of how students read text for meaning. Ms. Goldstein said, beginning in Fall 2003, local assessment test results are expected to be more accurate, due to: (a) Reading Rate/Fluency component added to QRI (3-5th grades); (b) Running records (test data) turned in with test scores to the principal; (c) Review of test data increased and (d) Training increased.

Ms. Goldstein gave a report on Step 3:

Student data was used at the beginning of the year to give teachers early information on performance to help guide instruction and to help form literacy groups quickly. In September 2003, sites were provided with a report of each continuing student by grade, with local and state standards (CST) and language proficiency (CELDT) scores.

3.2-I

5th Annual Report on the District's Early Literacy Plan (continued)

Ms. Cheryl Chinn gave a status report regarding Step 4:

Ms. Chinn said principals and Literacy Leaders trained and planned for these actions during a two-day administrative training in June 2003. She said Expert Coach and Literacy Leaders are focusing their training on these actions and principals have key roles in making sure these actions occur effectively.

Director Riddle said that when a report is submitted to the Board that costs associated to the program should also be submitted.

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.

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.

AGENDA REORDER

ACTION ITEMS

Business and Operations

4.1-A

Fee Schedules for the rental and leasing of District property

Motion: Directors Riddle/Doran

To discuss the proposed Fee Schedules for the rental and leasing of District property.

Superintendent Michele Lawrence and Mr. Eric D. Smith, Deputy Superintendent, Business and Operations, presented this item.

Board Minutes
Regular Meeting

Page 11
November 19, 2003

ACTION ITEMS (continued)

4.1-A

Fee Schedules for the rental and leasing of District property (continued)

Director Terry S. Doran:

What do we currently charge for classroom rental, as compared to the proposed fee charts? Long term leases and multi-use leases should also be addressed in this document. The custodial issue needs more discussion. Staff should obtain a copy of and review the fee schedule that the City of Berkeley recently approved. In the final analysis, the fee schedule should not be so horrendous a jump that it is a shock to the people who have historically used our facilities.

Director Shirley Issel:

Director Issel said she would prefer a cost per square foot concept.

Vice President John T. Selawsky

There seems to be inconsistency regarding the swimming pools. The City of Berkeley operates these pools. The \$10 per hour for electricity in the classroom does not appear to be accurate. Vice President Selawsky said these facilities are community assets. The facilities were paid for by the citizens of Berkeley and “I do not want to discourage their using our facilities.”

Director Nancy Riddle:

Director Riddle said she does not want the General Fund to supplement non-school District programs. She suggested that staff look at charging private businesses more than non-profit businesses. The fee for auditoriums and gymnasiums appears to be too low. Willard, King and Berkeley Adult School outdoor pools should be removed from the list—they are City owned and operated. It should be noted in parentheses that the new indoor pool at Berkeley High School requires a life guard.

President Joaquin J. Rivera:

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.

Director Riddle withdrew her motion.

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

To table this item.

At this time, Director Issel appointed Rabbi Jane Litman to the Peace and Justice Commission.

EXTENDED PUBLIC TESTIMONY

No one addressed the Board at this time.

ADJOURNMENT

President Rivera declared the Regular Meeting of November 19, 2003 adjourned at 11:13 p.m.

APPROVED:

ATTEST:

President, Board of Education
Berkeley Unified School District

Secretary, Board of Education
Berkeley Unified School District

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