

BERKELEY UNIFIED SCHOOL DISTRICT

ADOPTED MINUTES

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MINUTES, REGULAR MEETING
Wednesday, November 5, 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 6:00 p.m. and the Board recessed to Closed Session.

ROLL CALL

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

MEMBER EXCUSED: Director Terry S. Doran

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
 - 1) Superintendent's Evaluation
- f) Liability Claims
- g) Property Acquisition

*The Student Director does not attend Closed Session.

Report Closed Session Action

The Board reconvened in Public Session at 7:42 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 4-0-0-1-0 on voice vote:

To accept staff's recommendation to dismiss an Instructional Assistant.

AYES: Directors Issel, Riddle, Rivera, Selawsky
NOES: None
ABSTAIN: None
EXCUSED: Director Doran
ABSENT: None

f) Public Employment Appointments

No action was taken.

Approve Agenda

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

That the Regular Meeting Agenda of November 5, 2003, is approved as amended. The amendment is that items 1.1-C and 3.2-C are pulled for further clarification. Item 3.5-C was tabled.

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

PUBLIC TESTIMONY

Eight speakers addressed the Board.

REPORTS

Union Representatives' Reports

No one addressed the Board at this time.

Superintendent's Report

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

Board Members' Reports

Student Director Johnson reported on Spirit Week at Berkeley High School. Director Issel announced the results of the Merit Commission vote. She said the District's classified employees voted on whether or not to disband the Merit Commission in the District. 50% of the affected employees had to vote for the vote to count. There was an insufficient number of votes for this to pass. Director Issel suggested that next time the voting be combined with an all staff development day. Director Riddle said she attended the Berkeley Boosters' 20th Annual Dinner which was held October 22, 2003. She announced that the Girls' Water Polo team won their League's tournament. Director Riddle said Spirit Week at Berkeley High School seems to be very positive. Vice President Selawsky said the Campus Green at Berkeley High School is a "marvelous open space for students and staff." He thanked Senator Perata, Assemblywoman Loni Hancock, Mayor Tom Bates and Councilmembers Margaret Breland and Linda Maio who worked on behalf of the District regarding the Franklin curb cut. Vice President Selawsky announced that he will be having another community Forum/community meeting on November 24, 2003, 6:30 p.m.-8:00 p.m., in the Downtown Berkeley Library Meeting room. He invited everyone to attend.

Board Members' Reports (continued)

President Rivera congratulated Ms. Dana Malone, Sr. Personnel Assistant, Human Resources. Ms. Malone and her teammates won the 2003 Women's Senior Softball World Championship for the third consecutive year. The team name is SHOWTIME. The tournament was held in Mobile, Alabama, October 17-19, 2003. President Rivera thanked the Berkeley Rotary Club and Mrs. Pamela Doolan and Mrs. Queen Graham, Co-Chairpersons, for coordinating, donating and distributing copies of The American Heritage Children's Dictionary by Houghton Mifflin, to every third grader in the District. He announced that he has completed the Masters Governance Program, sponsored by CSBA (California School Boards Association.)

AGENDA REORDER

Approval Minutes

Director Issel said for the record, she would like her corrections to the minutes noted. She also requested that she receive copies of the corrected minutes.

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

That the minutes are approved as amended. The amendments are as follows:

May 7, 2003, Regular Meeting

Page 10 of the packet and page 10 of the minutes, under Substitute Motion it should read as follows:

To approve the recommendations for expenditures to provide BSEP School Enrichment Programs at all schools in FY 2004 with the provision that the first priority for carryover funding **at the high school** should be for funding the Writers' Room, at the same level as **FY 2003**.

June 4, 2003, Regular Meeting

The minutes were approved as submitted.

Approval of Minutes (continued)

June 18, 2003, Regular Meeting

The minutes were approved as submitted.

July 2, 2003, 2003, Regular Meeting

The minutes were approved as submitted.

August 13, 2003, Special Meeting

The minutes were approved as submitted.

August 20, 2003, Regular Meeting

Page 14 of the minutes, page 62 of the packet, last sentence before motion. The sentence now reads as follows:

Director Issel said she would like for staff to **report back on goal achievement at the end of each year.**

Page 15 of the minutes, page 63 of the packet, last paragraph before the motion. The paragraph now reads as follows:

Director Issel requested that staff speak with the appraiser regarding the Hillside site on LeRoy Avenue to address, in the appraisal, **issues associated with deferred maintenance.**

September 3, 2003, Special Meeting

Page 8 of the minutes, page 74 of the packet, 4.1-I title now reads as follows:

4.1-I
Presentation Regarding Progress **on** the Fiscal Year Audit

September 10, 2003, Special Meeting

The minutes were approved as submitted.

Approval of Minutes (continued)

September 17, 2003, Regular Meeting

The minutes were approved as submitted.

October 1, 2003, Regular Meeting

Page 6 of the minutes, page 92 of the packet, next to the last paragraph now reads as follows:

Mr. Lew Jones, Director of Facilities, said the reason the security and the energy issues are not included in this Maintenance and Grounds Department Goals and the Measure BB Expenditure Plan for Fiscal Year 2004 is that **presently** the security of property and the energy costs are funded from the General Fund and not from Measure BB. Mr. Eric Smith, Deputy Superintendent, explained that staff aligned the FCMAT Standards in Maintenance and Grounds with the item within the Plan.

October 8, 2003, Special Meeting

The minutes were approved as submitted.

October 15, 2003, Regular Meeting

Page 9 of the minutes, page 106 of the packet, the seventh paragraph now reads as follows:

Director Riddle requested that when staff submits the First Interim Budget to the Board, that the Board be given an update on how **payroll** expenditures are reconciled.

October 21, 2003, Special Meeting

The minutes were approved as submitted.

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

NOES: None

ABSTAIN: None

EXCUSED: Director Doran

ABSENT: None

AGENDA REORDER

INFORMATION

Educational Services

3.1-I

Educational initiatives and instructional improvement

Mr. Neil Smith, Director, Curriculum and Development and Ms. Carla Basom, Manager, State and Federal Programs, discussed the District's Local Education Agency Plan for 2003-08 and how it was developed and how it is being implemented throughout the District. Mr. Smith read the District's Mission and four Performance Goals as follows:

MISSION STATEMENT:

The Mission of the Berkeley Unified School District, a diverse community deeply committed to public education, is to ensure that all students discover and develop their special talents, achieve their educational and career goals, become life long learners, and succeeds in a rapidly changing society by:

- empowering students, parents and staff,
- providing a strong standards-based curriculum, and
- offering alternative learning experiences in a racially integrated, multilingual environment.

VISION:

Berkeley Unified School District creates a system that enables every student, including those with diverse needs, to meet or exceed rigorous standards for academic performance. All students will develop the attitudes, skills and habits of mind needed to succeed in and beyond the classroom. The members of this school community share a vision of educational excellence, an appreciation for the partnerships with local government agencies, community based organizations, businesses, and institutions of higher education and will work collaboratively to realize this vision.

3.1-I

Educational initiatives and instructional improvement (continued)

PERFORMANCE GOALS:

1. All students will reach high standards, attaining proficiency or better in reading and mathematics.
Teachers will engage and challenge all students with standards-based instruction, providing additional support for students who are performing below grade level.
2. All limited-English-proficient students will become proficient in English and reach high academic standards, attaining proficiency or better in reading/language arts and mathematics.
ELD, SDAIE, and Bilingual programs will (1) focus on explicit teaching which uses visuals or manipulatives to teach content; (2) encourage students to give elaborate responses; (3) provide systematic instruction in phonemic awareness, sound-letter correspondence and decoding; (4) focus on vocabulary development; and (5) engage students in meaningful interactions about text.
3. All students will be taught by highly qualified teachers.
BUSD will develop the ability of school personnel to function as professional learning communities by providing training in differentiated strategies for underperforming, EL, and special needs students: Strategic Schooling; Guided Language Acquisition Development (GLAD); lesson study; Backwards Planning; the use of teacher coaches; CLAD; culturally responsive teaching.
4. All students will be educated in learning environments that are safe, drug-free, and conducive to learning.
Each school will implement a School Safety Plan that outlines how students are supported physically, socially, emotionally, intellectually and psychologically and addresses barriers to student learning, e.g., poor attendance and/or behavior.

3.1-I

Educational initiatives and instructional improvement (continued)

Mr. Smith said all of the District's principals are reading and using the Professional Learning Communities at Work Best Practices for Enhancing Student Achievement by Robert DuFour and Robert Eaker, book. He quoted from the introduction of the book as follows: "The most promising strategy for sustained, substantive school improvement is developing the ability of school personnel to function as professional learning communities." Mr. Smith said a different chapter is discussed at each Principals' Meeting.

AGENDA REORDER

CONSENT ITEMS

The Board pulled, for separate consideration, Items 1.1-C and 3.2-C.

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

That the remainder of the Consent Items are approved.

- 1.1-C: Veterans' Day Event
Please see page 10 of these minutes for action on this item.
- 2.1-C: Acceptance of Personnel Report
- 2.2-C: Rescission of Personnel Commission Appointment in the case of Mr. George Johnson
- 3.1-C: Overnight Field Trip Requests
- 3.2-C: "No Child Left Behind" Title I Private Schools Inter-district Service Agreement
Please see page 11 of these minutes for action on this item.
- 3.3-C: Request for Field Trip to France and Spain, April 4-13, 2004
- 3.4-C: Grant Application for Sign Language Instruction at John Muir Elementary School
- 3.5-C: New Non-public School Placements for Special Education Students
This item was tabled.

CONSENT ITEMS (continued)

- 4.1-C: Approval of Contracts/Purchase Orders for Services and Contracts
 - 4.2-C: Resolution 03-23: Authorization to Participate in the Department of General Services Procurement Division Surplus Property Program
 - 4.3-C: Board Policy 3400: Fraud
 - 4.4-C: Board Policy 3530: Self Insurance
- AYES: Directors Issel, Riddle, Rivera, Selawsky, (Student Director Johnson)
- NOES: None
- ABSTAIN: None
- EXCUSED: Director Doran
- ABSENT: None

1.1-C
Veterans' Day Event

Director Issel presented this item and recommended approval.

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

Approval of the Berkeley Veterans' Day Event Resolution.

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

3.2-C

“No Child Left Behind” Title I Private Schools Inter-district Service Agreement

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

Approval of the “No Child Left Behind” Title I Private Schools Inter-district Service Agreement.

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

NOES: None

ABSTAIN: None

EXCUSED: Director Doran

ABSENT: None

ACTION ITEMS

Business and Operations

4.1-A

Modifications of Property Management Guidelines

Superintendent Michele Lawrence and Deputy Superintendent Eric Smith presented this item and responded to Board questions and comments.

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

Approval of the new guidelines and procedures for property management contingent upon the following:

- Staff is to edit the document before it is distributed.
- The recently adopted Non-Discrimination Policy is to be included in the document.
- The last paragraph on page 154 of the Board packet is to be moved to a more appropriate section of the document.
- After the above three items have been done, staff is to resubmit the Property Management Guidelines document to the Board for information.

4.1-A

Modifications of Property Management Guidelines (continued)

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

4.2-A

Approval of Modifications to the Franklin Adult School Project

Superintendent Lawrence recommended that the Board approve the modifications for the Franklin Adult School Project and direct the architect to finalize the design modifications for pricing by the contractor, recognizing the Board's authority to rescind such action pending unanticipated legal or financial implications.

Vice President Selawsky announced that there will be a community meeting for the Franklin neighbors on November 17, 2003, regarding the playground issue. The next Site Committee Meeting will be held on December 8, 2003, at 6:30 p.m.

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

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

CONFERENCE

General Services

1.1-CF

2003-2004 Work Plan for the FCMAT Report

Director Issel presented this item. She said the Board subcommittee conducted a complete review of the entire FCMAT document, identifying key standards in areas one and five: Community Relations and Financial Management. Director Issel then deferred to the other Board Members for their comments and feedback regarding the proposed 2003-2004 Work Plan for the FCMAT Report.

Under 2.6: Parent/Community Relations, President Rivera said we need an outreach and/communication plan to include the voices of those who feel left out and underrepresented.

Under 5.2: Board Roles/Boardmanship, second sentence, add Alameda County School Boards Association in the sentence that list the activities Board members attend.

Vice President Selawsky and Director Riddle said that they will serve on the Board subcommittee for Bylaws. Directors Doran and Riddle will serve as the Board's subcommittee on Board policies.

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

Approval of the 2003-2004 Work Plan for the FCMAT Report.

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

NOES: None

ABSTAIN: None

EXCUSED: Director Doran

ABSENT: None

AGENDA REORDER

INFORMATION

3.2-I

Monthly Enrollment and average daily attendance summary

Superintendent Lawrence said from now on, she will submit attendance reports to the Board on a monthly basis.

Vice President Selawsky requested that another column be added which would reflect the previous year's attendance.

EXTENDED PUBLIC TESTIMONY

No one addressed the Board at this time.

ADJOURNMENT

President Rivera declared the Regular Meeting of November 5, 2003, adjourned at 10:31 p.m.

APPROVED:

ATTEST:

President, Board of Education
Berkeley Unified School District

Secretary, Board of Education
Berkeley Unified School District

qeg