

BERKELEY UNIFIED SCHOOL DISTRICT
MINUTES, REGULAR MEETING
Wednesday, December 8, 2004
District Administrative Offices
2134 Martin Luther King Jr. Way
Berkeley, CA 94704-1180

ADOPTED MINUTES
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CALL TO ORDER

President John T. Selawsky called a special meeting to order at 5:35pm and the Board recessed to a Closed Session.

ROLL CALL

MEMBERS PRESENT: President John T. Selawsky
Vice President Nancy Riddle
Director Terry S. Doran
Director Shirley Issel
Director Joaquin J. Rivera
Student Director Lily Dorman-Colby*

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 49819(c))

- Conference with Legal Counsel – Existing Litigation
- Consideration of Student Expulsion
- Collective Bargaining
- Public Employee Discipline/Dismissal/Release
Senior Budget Analyst
- Public Employment Appointment
- Liability Claims
- Property Acquisition

* The Student Director does not attend Closed Session.

OATH OF OFFICE

Re-elected Directors John T. Selawsky and Joaquin Rivera received the Oath of Office by Acting City Clerk Sara Cox.

Adjournment of Special Meeting, Call to Order of Regular Meeting

The Board reconvened at 6pm to the Special Meeting and report Closed Session. President Selawsky reported that the Board had discussed evaluation and contract negotiations for the Superintendent. No action was taken. President Selawsky adjourned to the Special Meeting. President Selawsky called the Regular Meeting of December 8, 2004 to order at 6:05pm. The Board recessed to Closed Session at that time. The Board reconvened in Public Session at 7:30 pm. All members except Student Director Dorman-Colby were present at this time.

Report Closed Session Action From Special Meeting

President Selawsky reported that the Board discussed the following items in Closed Session:

- Conference with Legal Counsel – Existing Litigation
- Public Employee Discipline/Dismissal/Release

ANNUAL ORGANIZATIONAL MEETING

Election of Officers

Motion: Directors Selawsky/Rivera and approved unanimously on voice vote: To elect Nancy Riddle President of the Board of Education, Berkeley Unified School District.

Motion: Directors Selawsky/Riddle nominated Director Doran for Vice President and Directors Issel/Rivera nominated Director Rivera for Vice-President.

Director Doran felt that the election was more about symbolism than power. He asked why at this time they were politicizing the process of selecting Board leadership. He felt that keeping partisan politics away from Board leadership has helped this Board and past Boards by allowing more opportunities for collaborative decision-making. He felt that he has done nothing in his six years on the Board that should disqualify him from serving in a leadership capacity again. He asked the Board to follow precedent.

Director Issel commented that not all Boards have followed this precedent and that this is not the first time that the Board would choose to elect out of order. She stated that she had never been in agreement with this precedent because she did not feel that it is largely symbolic. She felt that it was important that the President

and Vice-President be able to represent the center of the Board for the community. She felt that Director Doran's views did not represent the majority of the Board. She noted that he had taken a stand against the candidacy of fellow Board members and against the direction of the Board. She asked him to take responsibility for his decisions during the campaign and felt that the voters supported the direction of the Board.

Director Riddle felt that custom should not preclude choice both in terms of the rotation of leadership and term limits. She felt that the position of the Board president does not come with elevated power. She felt that the practice of rotating the leadership furthered the practice of team governance.

Director Doran referenced his past experience as Board President and Vice-President when he felt that there were different ideas surrounding the hiring of a new Superintendent. He felt during this process he was able to bring consensus to the Board. He responded that he will continue to be committed to good governance regardless of the political positions he has taken outside of this Board. He noted that the rotation allows for the representation of different voices. He said he did not support other candidates because he disagreed with the direction of the Board; he felt that the challenging candidates would accelerate the process for addressing issues in the District, such as lack of achievement and equality, that were important to him.

Director Riddle stated that she felt that rotation of leadership would be best for the children of the District and would support her second for the nomination of Director Doran.

Director Rivera withdrew his name.

Director Issel reiterated that she was not in support of the rotation of Board leadership because she felt it weakens the Board. She felt that the President's management of the agenda is an extremely powerful role. She also felt that the Superintendent, who consults the President of the Board regularly, does not view s/he as a mere functionary, but representative of the Board. She felt that the public also did not see the President as a rotating functionary. She felt in this way it weakens the Board when the leadership does not have the authority to speak for the Board.

Director Selawsky felt that a precedent had been set for doing officer elections and felt in some ways that it was not fair to change the rules at the last minute. He recognized that he had had similar emotions, but felt that he had not heard an overwhelmingly compelling reason for Director Doran not to serve as Vice-President. He felt that it was important that the Board continue to work together and that no Board member be pushed away.

Vote:

Yes: Directors Selawsky, Riddle, Doran

No: Directors Rivera, Issel

To elect Terry Doran Vice-President of the Board of Education, Berkeley Unified School District.

Motion: Directors Rivera/Riddle and approved unanimously on voice vote:
To elect Michele Lawrence Secretary/Clerk of the Board of Education, Berkeley Unified School District.

Approve Agenda

Motion: Directors Rivera/Doran and approved unanimously on voice vote:
That the Regular Meeting Agenda of December 8, 2004 is approved as amended.
The amendments are:

- The proposed Board Meeting schedule has a change from December 21, 2005 to December 14, 2005.
- That Item 4.1-C be pulled for further discussion.

Approve of Resolution of Appreciation for Outgoing President John T. Selawsky

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

Board of Education Appointees and Representatives to Board Committees for 2005

Audit Committee:

Director Issel commented that the Board wanted to interview possible Board appointees for the Audit committee and the Superintendent suggested that they put out a call for applications for the positions and that the appointments be made at a later time.

Facilities Safety and Maintenance Oversight Committee:

Director Rivera reaffirmed Rick Carr. Director Issel reaffirmed John DeClercq. Director Riddle reaffirmed Bill Flounders. The Superintendent reaffirmed Hank Silver. The Board reaffirmed Bill Newton.

Peace and Justice Commission:

Director Rivera reaffirmed Thom Seaton, and Director Selawsky reaffirmed Steve Freedkin. Director Issel reaffirmed Rabbi Jane Litman, and Director Doran reaffirmed Elliot Cohen.

School Construction Oversight Committee:

Director Doran reaffirmed Carl Bridges, and Director Issel reaffirmed Matt Taecker. Director Riddle reaffirmed Bruce Wicinas, and Director Rivera reaffirmed Lloyd Lee. Director Selawsky reaffirmed James Hallam.

Youth Commission:

Director Issel reaffirmed Sophie Litschwartz. Director Rivera reaffirmed Sara Sternberg. Director Doran appointed Savage Wilkins. Director Riddle reaffirmed Hannah Rose. Director Issel and the Board felt that they should schedule interviews with the applicants for the Youth Commission.

Director Issel and Director Selawsky discussed the struggle to establish quorum with the Facilities Safety and Maintenance Oversight Committee and agreed on the need to monitor the committee due to problems with this issue.

Board Representatives to Various Committees:

Director Riddle said she would continue as the representative to the Alameda County School Boards Association. Director Issel said she would continue as the representative to the Association of California Urban School Districts, and Director Rivera offered to be an alternate. Directors Issel and Rivera agreed to serve as representatives to the Audit Committee. Directors Riddle and Doran offered to be representatives for Berkeley Alliance and Director Issel said she would serve as an alternate. Director Selawsky said he would continue to serve as the representative for Berkeley Arts in Education, and Director Issel agreed to continue for the Berkeley High Health Center. Directors Riddle and Doran offered to serve as the representatives for the 2x2 Committee. Director Selawsky agreed to be a consistent representative for the BSEP Planning and Oversight Committee and it was agreed that the other Board members would attend on a rotating basis. Director Doran agreed to continue as the representative to the Child Nutrition Advisory Committee, and Director Selawsky agreed to continue as an alternate. Directors Issel and Doran agreed to continue as the representatives to the Citywide Collaborative for Youth. Director Doran agreed to serve on the District Advisory Council. Director Riddle offered to serve on the District English Learner Advisory Council (ELAC). Director Riddle offered to serve on the Facilities Safety and Maintenance Oversight Committee and Director Issel offered to be an alternate. Director Selawsky said he would continue on the Music Committee. Directors Doran and Riddle would continue as representative and alternate, respectively, for the School Construction Oversight Committee. Director Issel agreed to continue on the Special Education Task Force and Director Doran and Issel agreed to continue on the Board Policy sub-committee.

The Board also agreed to a rotation of representation at the Merit Commission meetings and at the meetings of the PTA Council.

Motion: Directors Rivera/Selawsky and approved unanimously by voice vote:

To approve the recommendations for Board appointees and Board representatives to committees and commissions for 2005.

Adopt-A-School

Director Rivera noted that at some point last year he and Director Doran swapped Cragmont and LeConte. Director Riddle distributed a draft for the purposes of discussion of School and Board member pairings for 2005. The draft stated the following:

John T. Selawsky:

Berkeley High School

Cragmont

Rosa Parks Environmental Science Magnet School

Nancy Riddle:

Willard Middle School

Washington Communication and Technology Magnet School

Malcolm X Arts and Academic Magnet School

Berkeley Adult School

Joaquin Rivera:

Berkeley Alternative High School

John Muir

Thousand Oaks

Berkeley Arts Magnet

Terry S. Doran:

Martin Luther King Jr. Middle School

Oxford

Emerson

Shirley Issel:

Longfellow Arts and Technology Magnet Middle School

Jefferson

LeConte

Early Childhood Education

Motion: Directors Selawsky/Issel and approved unanimously on voice vote:
To accept the draft as the Adopt-A-School assignments for 2005.

Schedule for Meetings of the Board of Education for 2005

The Superintendent suggested changing the December 21 meeting to December 14. She also suggested changing the May and June schedules to May 11 and 25, and June 8 and 22. Director

Doran suggested making the July 6 meeting tentative. Director Rivera suggested starting the organizational meeting earlier next year.

Motion: Directors Selawsky/Doran and approved unanimously on voice vote. To approve the schedule as revised.

Approve Minutes

Motion: Directors Rivera/Selawsky and approved unanimously on voice vote: That the Minutes of the November 17, 2004 be approved with the following corrections:

- Director Issel corrected the spelling on two names on Page 12, Gail Keleman and Larry Gordon.
- On Page 16, under Director Issel's comments after the first sentence, another sentence was inserted that reads: "She also noted that some of the goals still failed to address the needs of all students; for example, goals addressing high-achieving students were often absent."
- On Page 17, under Conference Item 4.1CF, the beginning of the first paragraph was revised to read: "Director Doran asked why this policy had not been referred to the policy sub-committee. The Superintendent responded that it was an oversight and that the criteria that the FCMAT committee is looking at right now states that the District must have a conflict of interest policy and a current policy could not be located."

TEACHING AND LEARNING PRESENTATION

Student Writing in Spanish

Jesse Ramos, Principal at Thousand Oaks, introduced Connie Jubb, teacher at Thousand Oaks, who shared the work she undertook on her sabbatical. After thanking the Board for granting her sabbatical, Ms. Jubb read and presented self-published bilingual books written by students and families at Thousand Oaks. The goal of her project, she stated, was to address the transnational experience of many families. She described her process of working with the families of her students in Berkeley, and then also visiting their family homes in Mexico to interview family there who added to, revised, and enriched the stories written by the students. The oral history project served not just the students and families who did the writing, art and illustration for the creation of self-published stories, but have become a bilingual resource, as the books have been given to bilingual teachers and put in school and public libraries. Four of the eight stories have been self-published with funding and help from outside sources. Mr. Ramos described the way in which this project has had lasting effects, as many of Ms. Jubb's ideas that came from the project have been implemented within the writing program at Thousand Oaks.

PUBLIC TESTIMONY

A parent at Berkeley High School spoke concerning the 2004-05 revised single plan for BHS.

REPORTS

Superintendent's Report:

The Superintendent reported that Student Director Dorman-Colby was absent, but highlighted that she has been chosen by Channel 4 News as one of 10 students in Bay Area honored as Students Rising Above. This feature brings in a scholarship money for the students to go to college. The Superintendent stated that the planning process is moving forward and wanted to publicly thank Jay Nitschke for his work on the planning process. She reported that progress was being made in getting strong commitments from the community, the university, the unions, and other possible speakers and that invitations and letters had gone out. She noted that the kickoff meeting has been delayed until January 4, from 4-6pm, at the Berkeley High School library.

Board Members' Report:

Director Rivera

Director Rivera thanked Berkeley for his re-election to a third term and thanked all his supporters. He pledged his continued involvement with the CSBA, and noted that he was appointed by the President of the CSBA to a science task force with the purpose of improving science education throughout the state.

Director Riddle

Director Riddle reported that she attended the CSBA conference as well as the lectures and speakers at the conference that she heard. She also noted that she perceived the lack of tolerance at the state level for school districts going under as well as the lack of funding coming down from the state for school districts. She noted that students at Berkeley High School were doing a theatre performance the following weekend called "O and E" that they have written as well as performed in the Little Theatre. She encouraged everyone to attend.

Director Selawsky

Director Selawsky congratulated Nancy Riddle on becoming President of the Board, Terry Doran on Vice Presidency and Joaquin Rivera on his reelection. Director Selawsky acknowledged his wife, Pam Webster, and his son, Peter, for tolerating his absence, for being his campaign manager, and for their hard work during his reelection. He thanked the voters of Berkeley for his reelection.

CONSENT CALENDAR:

Motion: Directors Selawsky/Doran and approved unanimously on voice vote:
That the Consent Calendar be approved as a block except for Item 4.1-C.

General Services

1.1-C Acceptance of Gifts/Donations

The Board accepted a half-size Kay cello from Darlene Gray.

1.2-C Approval of Resolution in honor of Personnel Commissioner Carolyn Weinberger

Human Resources Items

2.1-C Acceptance of Personnel Report #04-21

Reports details of personnel assignments, employment and terminations.

2.2-C Approval of the request to negotiate and direct staff to establish parameters to negotiate in regards to Berkeley Council of Classified Employees, AFT Local 6192, AFL-CIO Contract Re-Opener Proposal

2.3-C Approval of Project Pipeline District Intern

Educational Services

3.1-C Overnight Field Trip Requests

The Board approved overnight field trips to Yuba City, CA, Chandler, AZ and to Torrey Pines, CA.

3.2-C Approval of new Non-Public School Placements for Special Education Students

3.3-C Approval of Overseas travel to Japan through the Berkeley/Sakai Sister City Association

Business and Operations Items

4.2-C Approval of payroll payments made in November 2004

ITEMS PULLED FROM THE CONSENT CALENDAR

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

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

Director Rivera noted that Item 32 of the Contracts asked for approval of an increase in cost by more than double the amount without an explanation for such a need. He asked for more information when it is substantial.

The Superintendent suggested calling her to get more information if there is ever a need, and said that she will ask staff for more information to be included on these items.

ACTION ITEMS:

Educational Services

3.1-A Approval of revised Single Plan for Student Achievement for Berkeley High School

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

To approve the single plan for Berkeley High School.

Director Rivera asked if the data in the plan for Berkeley High School included the small schools, and Matt Huxley responded that it does not include the small schools. Matt Huxley and Neil Smith clarified for the Board the information in the charts included in the plan.

Discussion ensued regarding the equality of funding between the small schools and the large school in regards to earlier comments made by the public during comment public. The Superintendent felt that it was being monitored, and that students in the small schools were not receiving more funding than those in the large school. Director Doran felt that the funding distribution to the small schools supports the total school and helps to improve student achievement as a whole. Director Selawsky felt that making funding entirely equitable was nearly impossible.

Director Rivera questioned whether the issue was not whether the distribution was going to be equitable, but whether the large school is going to receive enough funding to meet its mission and urged that this issue be monitored.

Director Riddle said that it was her understanding that when a new program is started there needed to be funding for that start-up, and that was why there was added funding for small schools, as the District had done for the Magnet schools. She asked about the goals for raising academic outcomes for students, and commented that she would like to see in the future more measurable goals for student achievement. Matt Huxley responded that they hoped to be able to set those goals as they build capacity and become more sophisticated in their use of data.

Director Issel had some concerns about what was missing in the plan, that no money was attached to a comprehensive literacy strategy. She stated she was troubled by a lack of focus on the core needs of Berkeley High School, which revolve around math and literacy. Matt Huxley agreed with Director

Issel about a comprehensive literacy plan. Director Issel noted the number of students with uncleared absences and tardies and wondered about the effect on achievement results. She urged them to be more aggressive on attendance by trying to characterize the students that have attendance problems and discuss strategies for intervention to address these problems.

Director Selawsky agreed with Director Issel's points and noted the lack of the mention of the library and the need for research skills for Berkeley High School students.

Director Riddle noted the unique case of Berkeley High School's single plan and the influence on it of the WASC report.

INFORMATION

Educational Services

3.1-I Receive for information a report on Student Performance on SAT, AP, and CAHSEE tests

Peter Bloomsburgh, Director on Special Assignment, presented a report targeting two of the Student Performance Indicators: High School Exit Exam and SAT/AP Results. Mr. Bloomsburgh commented that these tests are high stakes for the students and in this way they may be more meaningful. During the presentation, Mr. Bloomsburgh highlighted that SAT Verbal and Math scores are on a positive trend over the last four years and are higher than both the state and the national scores. He emphasized that this positive trend in scores is occurring with an elevated rate of participation, while 73% of BUSD graduating seniors took the SAT, the state average is 49% and the national is 48%. AP scores are also on a positive trend as the number of students receiving a 3 or higher on one or more tests has increased by 35%. He noted that Latin and Physics scores averaged 4.5, while Calculus BC and Biology averaged 4.0 or higher. While the average score has dropped, participation has increased by 60% and they are still above far above the state and national average. Scores on the California High School Exit Exam (CAHSEE) were significantly above the county and the state averages. He commented that females score higher in English than in Math, while males score higher in Math than in English. He noted student subgroups that will require special attention: 79% of English Learner students have not yet passed the ELA, 80% of Berkeley Alternative High School students have not yet passed the ELA, and 80% of Special Education students have not yet passed the ELA and Math.

Director Rivera asked why students had not taken the CAHSEE and Rory Bled responded that there would be an effort made to speak to students individually and explain the importance of taking the test. He also noted the

need to increase achievement on the CAHSEE for African American, ELL, and Hispanic students.

Business Services

- 4.1-I** Receive for information the Audit Extension for Fiscal Year 2003-2004

BOARD COMMITTEE APPOINTMENTS

See Organizational Meeting appointments.

EXTENDED PUBLIC TESTIMONY

There was no Extended Public Testimony.

ANNOUNCEMENTS:

Schedule of Board of Education Meetings for 2004:

December 15, 2004

Schedule of Board of Education Meetings for 2005:

January 12

January 19

February 2

February 16

March 2

March 16

April 6

April 20

May 11

May 25

June 8

June 22

July 6 (tentative)

August 24

September 7

September 21

October 5

October 19

November 2

November 16

December 7 (organizational meeting)

December 14 (tentative)

ADJOURNMENT

President Riddle declared the Regular Meeting of December 8, 2004, adjourned at 10:37pm.

APPROVED:

ATTEST:

President, Board of Education
Berkeley Unified School District

Secretary, Board of Education
Berkeley Unified School District