

MINUTES, REGULAR MEETING
Wednesday, March 10, 2004
District Administrative Offices
2134 Martin Luther King Jr. Way
Berkeley, CA 94704-1180

CALL TO ORDER

President John T. Selawsky called the meeting to order at 6:05 p.m. and the Board recessed to 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 Bradley Johnson*

Administration: Superintendent Michele Lawrence, Superintendent

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 35491.(d), 54956.9(a) and 54957) and Education Code Section 49818(c)

- a) Conference with Legal Counsel—Existing Litigation
- b) Consideration of Student Expulsion
- c) Collective Bargaining
- d) Public Employee Discipline/Dismissal/Release
- e) Public Employment Appointment
- 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 7:40 p.m. President Selawsky reported that the Board discussed the following items in Closed Session:

c) Collective Bargaining

No action was taken

d) Public Employee Discipline/Dismissal/Release

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

In Closed Session, Pursuant to the requirements of Education Code Section 44929.21(b), the Board took action to non-reelect one certificated employee and one certificated administrator.

Approve Agenda

Directors Rivera/Doran and approved unanimously on voice vote:

That the Regular Meeting Agenda of March 10, 2004 is approved as amended. The amendment is that Item 4.6-C was pulled for further clarification.

Approval of Minutes

Approval of Regular Board of Education Minutes of January 21, 2004; February 4 and 18, 2004; and Special Meetings of February 25, 2004 and March 3, 2004

It was the consensus of the Board that the minutes be tabled.

PUBLIC TESTIMONY

Eight speakers addressed the Board.

AGENDA REORDER

INFORMATION

1.2-I

Annual Report of Arts in Education Committee

Staff Liaison and Visual and Performing Arts Coordinator Suzanne McCulloch handed out the BAESC Annual Report and a calendar of Arts Performances and Exhibits for the Spring 2004. She invited the Board and the public to the March 28, 2004 Performing Arts Showcase at the Community Theater, 1:00 p.m.-4:00 p.m. Ms. Rachel Fink, Director, Berkeley Repertory School of Theater Director, BAESC Chairperson spoke about the value of the arts in her life as did BAESC Secretary Michele Rabkin, University of California Consortium for the Arts. Ms. Valerie Gutwirth, Dance teacher at Cragmont School spoke about the growth and development she has seen in her dance students and how that growth impacts achievement in their other school subjects. Mr. Bob Kridle and Ms. Paula Buel, Music Committee Co-Chairpersons, briefed the Board on the Strategic Planning for Arts Education in the Berkeley process and the importance of ensuring that all Berkeley Unified School District students experience all of the arts at all grade levels.

AGENDA REORDER

REPORTS

Union Representatives' Reports

No one addressed the Board at this time.

Superintendent's Report

Superintendent Lawrence congratulated the principals and staffs at Emerson and John Muir elementary schools for being selected as Honorable Mention award recipients by the School Recognition Program of the California Department of Education.

Board Members' Reports

Student Director Johnson expressed his condolences to the family and friends of Miguel Caicedo, a Berkeley High School student who was struck and killed by a truck on Friday, February 20, 2004. Director Rivera commented on the serious financial problems facing the West Contra Costa County School District. He again urged everyone to lobby the State and Federal legislators to provide adequate funds for education. Director Doran announced that on tonight's agenda is a resolution declaring *March as Women's History Month*. He congratulated the Girl's basketball team at Berkeley High School for winning the North Coast Section, Division I Championship and is the NorCal semi-finalists in the Northern California division. Vice President Riddle said she attended the Longfellow After School Program, *Evolution from Africa* performance, and congratulated them on their successes. She announced that Linnea Nasman, a Berkeley High Senior and a CAS student, is on Mount Kilimanjaro, for the *Save the Children Project*. President Selawsky said he supports Director Rivera's comments regarding more state and federal funding for education. He congratulated the Boys' and Girls' Basketball teams and the Soccer teams for winning in their divisions—Girls' Basketball Team won the North Coast Section, Division I Championship and NorCal semi-finalist. The Boys' Basketball team won the ACCAL (Alameda Contra Costa Athletic League) championship and North Coast Section semi-finalists; Girls Soccer Team won the ACCAL Championship; Boys' Soccer Team won the ACCAL Championship, North Coast Section 3A Champions, (the first time in Berkeley High School history). President Selawsky thanked the Berkeley School Now Project of the Berkeley Public Education Foundation for their donation of \$66,500. The funds will go to each school on a per pupil allocation basis. He reported on his school site visits to LeConte Elementary School, the Berkeley Alternative High School, Independent Study, and King Middle School.

President Selawsky announced that at the Special Board of Education Meeting of March 5, 2004, the Board voted unanimously to extend the Superintendent's contract for one year, to June 30, 2006. President Selawsky expressed sympathy to the families and friends of Miguel Caicedo, the Berkeley High School student who was accidentally killed by a truck.

CONSENT ITEMS

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

That the Consent Items are approved as corrected. The correction is on page 69, #30. It now reads:

30. Increase in contract to Account Temps to provide temporary employment services for the period February 23-27, 2004 and March 16, 2004-April 15, 2004. Board approval on January 14, 2004 in the amount of \$11,408. The additional time required will increase the cost by \$8,300 for a total amount of \$19,708. To be paid from General Fund Accounting Budget. Requested by Song Chin-Bendib.

- 1.1-C: Acceptance of Gifts/Donations
- 1.2-C: Arts in Education Proclamation
- 1.3-C: Resolution declaring March Women's History Month
- 2.1-C: Acceptance of Personnel Report
- 3.1-C: Approval of Overnight Field Trip Requests for Berkeley High School
- 3.2-C: Overnight Field Trip Request
- 3.3-C: Non-public School placement agreement
- 3.4-C: Adult Education Grant: Workforce Investment Act, Adult Education and Family Literacy Funds
- 4.1-C: Approval of Contracts/Purchase Orders for Services and Contracts
- 4.2-C: Monthly Investment Reports
- 4.3-C: Summer School Meal Waiver Request
- 4.4-C: Resolution 03-39: Authorization to Advertise for Bids for Playground Renovation at Oxford Elementary School
- 4.5-C: Resolution 03-40: To establish the 2004-2005 tax rate for the "Berkeley Schools Facilities Safety and Maintenance Act of 2000" (Measure BB, November 2000)
- 4.6-C: Approve the timeline for a public process to consider placing a tax measure on the ballot of November, 2004

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

- 4.7-C: Approval of the 2004 Facilities Construction Plan

4.6-C

Approve the timeline for a public process to consider placing a tax measure on the ballot of November 2004

Superintendent Lawrence said she is recommending that a second community workshop be convened on March 31, 2004 to discuss the particular programs, which the Board may wish to include in the modified BSEP or new tax measure. Ms. Lawrence also said staff is exploring the possibility of conducting a survey to determine the success of placing a new tax measure before the voters of Berkeley.

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

Approval of the Revised Timeline for the public process to consider placing a tax measure on the ballot of November 2004.

AGENDA REORDER

CONFERENCE

3.1-CF

Request for Small School Status by Community Partnerships Academy

Superintendent Lawrence reviewed the history of the small schools program in the District. She said the Board authorized the establishment of Small Schools at Berkeley High School with the target of at least half the student population assigned to a small school by the end of 2005. Communications Arts and Science (CAS) was the first small school authorized under the new procedures and guiding principles. Ms. Lawrence said after several reviews by various site committees and community members, the Berkeley High School staff is requesting approval for another small school. She then deferred to the small schools panel composed of Mr. Jim Slemp, Principal, Berkeley High School; Ms. Rory Bled and Mr. Matt Huxley, Vice Principals; and, representatives of the Community Partnerships Academy Small School: Ms. Leslie Aguayo, Ms. Susannah Bell, Ms. Vatora Godwin; Ms. Annie Johnston and Ms. Flora Russ.

Mr. Slemp said the Community Partnerships Academy is dedicated to creating a learning environment where all students are held to the highest of academic and social standards. An important part of that commitment includes the ongoing development of a strong, cohesive support network composed of teachers, students, parents, and other personnel who continuously work together to insure that all students meet those standards.

3.1-CF

Request for Small School Status by Community Partnerships Academy (continued)

The panel members answered five essential questions:

1. How do our 14 years of experience serve us as we move forward?
2. What is the basic vision of our new small school?
3. How do community connections empower our students to become socially responsible citizens?
4. How do we create a school that challenges and supports all students?
5. How will we be accountable for each student in Community Partnerships Academy?

All of the Board Members expressed their support of the Community Partnerships Academy Small School Proposal.

Motion: Directors Doran/Rivera and approved unanimously on voice vote:
Approval of the Request for Authorization.

Superintendent Lawrence requested that the Berkeley High School staff give her a calendar of activities so that she can see how students are receiving advisement and mentoring. In addition, she would like to know the manner in which students are being assessed to determine the effectiveness of the program. She requested that this information be submitted for the Board of Education Meeting of May 19, 2004.

At 9:05 p.m., the Board took a ten-minute recess. The Board returned to Public Session at 9:15 p.m. President Selawsky recognized and introduced Lily Dorman, a Berkeley High School student, who won the North Coast Wrestling Championship. He congratulated Ms. Dorman on her achievement.

3.2-CF

Proposal for an Advanced Placement United States History Course at Berkeley High School

Mr. Jim Slemp, Principal and Mr. Mike Hassett, Vice Principal, Berkeley High School, presented this item. Mr. Slemp said the Berkeley High School administration and the Shared Governance Council have approved the course proposal. Mr. Slemp and Mr. Hassett highlighted the course description, course rationale, standards alignment; student learning activities/outcomes; assessment; and expected school-wide learning results.

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

Approval of the Advanced Placement U.S. History course at Berkeley High School.

3.3-CF

Proposal for an Advanced Placement Studio Art Course at Berkeley High School

Director Rivera said he thought items 3.3-CF, 3.4-CF and 3.5-CF were going to be pulled and thus, he was not prepared to take action on these items.

Motion: Director Doran/

To approve these items.

The motion failed for lack of a second.

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

Those items 3.3-CF, 3.4-CF, and 3.5-CF are discussion items at this Board Meeting.

3.4-CF

Proposal for a New Course Reading and Writing the Short Story, at Berkeley High School

This item was tabled.

3.5-CF

Proposal for a New Course, the Craft of Argumentative Writing, at Berkeley High School

This item was tabled.

3.6-CF

Proposal for a Freshman Seminar Course at Berkeley High School

Mr. Jim Slempp, Principal, Berkeley High School, said the Berkeley High School administration and the Shared Governance Council have approved the Proposal for a Freshman Seminar course at Berkeley High School.

Student Director Johnson expressed his and the Student Senate's dissatisfaction with the proposed Freshman Seminar course. He stated that current and past incarnations of Ethnic Studies have victimized minority students and villainized white students, and indoctrinated students in a particular ideology. He explained that preserving the Identity Ethnic Studies Graduation Requirement would result in the loss of electives in other program areas. He explained that students will soon be forced to take biology in the sophomore year, and hence time in the freshman year was needed to teach students the chemistry needed to be successful in biology.

3.6-CF

Proposal for a Freshman Seminar Course at Berkeley High School (continued)

Student Director Johnson read an alternative proposal crafted by the Student Senate. He then read from one of the texts listed in the course proposal and stated that it was completely inappropriate for students to be taught such material.

Director Rivera requested that staff investigate the issues raised by Student Director Johnson.

At 11:05 p.m., the Board took the following action:

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

To continue the meeting until the agenda has been finished.

Mr. Slemp and Mr. Hassett responded to Student Director Johnson's comments regarding the Proposal for a Freshman Seminar Course at Berkeley High School.

Motion: (Student Director Johnson)/Director Issel

That this item is resubmitted with responses to issues raised by Student Director Johnson.

Motion failed.

Motion: Directors Doran/Riddle and approved 4-1(1)-0-1 on Roll Call vote:

AYES: Directors Doran, Riddle, Rivera, Selawsky

NOES: Directors Issel, (Student Director Johnson)

ABSTAIN: None

ABSENT: None

Approval of the Freshman Seminar course at Berkeley High School.

1.1-I
Accountability Report Cards

This item was tabled.

3.1-I
Administrative Procedures for attendance at Berkeley High School

Mr. Jim Slep, Principal, Berkeley High School and Ms. Rory Bled, Vice Principal, Berkeley High School, presented this item. Ms. Bled said the Berkeley High School staff has established a committee to compile proactive classroom and school wide strategies for addressing tardiness and attendance and has voted to approve the following six procedures:

Tardy:

A student is tardy if he/she is not in the classroom when the bell rings, unless the student enters with a pass.

Absent:

A student is absent if he/she is not in the classroom after 20 minutes of the period having passed, unless the student enters with a pass.

Unexcused Absence:

An unexcused absence occurs when a student is absent and does not get a clearance slip from the Attendance Office (within 3 days). Excused absence categories are defined under Education Code 48205.

Accumulation of tardies:

Three tardies are the equivalent of one unexcused absence.

Accumulated unexcused absences (including tardies) and consequent grade reduction:

If a student accumulates five unexcused absences during one report card period (9 weeks), his/her grade is lowered by one full grade (e.g., from an A to a B; from a B+ to a C+). If a student accumulates ten unexcused absences during one report period, his/her grade is lowered by an additional grade (using the original examples: from a B to a C; from a C+ to a D+). The student starts fresh each report card period. Please note: The lowest grade that a student may receive because of attendance is a D-.

3.1-I

Administrative Procedures for attendance at Berkeley High School (continued)

Appeals:

A student or parent/guardian may appeal a grade reduction by written letter to an assistant principal. Within 30 days of the written appeal, the assistant principal shall convene a committee, comprised of the assistant principal and two Berkeley High School classroom teachers, in order to determine a judgment on the appeal. The committee shall sustain or deny the appeal, and its decision shall be final.

Superintendent Lawrence said this Administrative Regulation would be put in the appropriate format and brought back to the Board for information.

Mr. Slemp said he plans to implement this Administrative Regulation regarding attendance effective the fall 2004.

Student Director Johnson expressed his and the Student Senate's dissatisfaction at the attendance policy. Student Director Johnson commented that an attendance policy should address the root causes of truancy, poor instruction, emphasis on homework above class work, early morning classes, and short lunch and passing periods. He explained that many students would abuse the new policy and instead of being tardy would cut the entire period, resulting in a loss of revenue for the District. He stated that the root causes of truancy should be addressed and the attendance reporting system improved before student's grades are put in jeopardy.

EXTENDED PUBLIC TESTIMONY

There was no Extended Public Testimony at this time.

ADJOURNMENT

President Selawsky declared the Regular Meeting of March 10, 2004, adjourned at 12:55 a.m.

APPROVED:

ATTEST:

President, Board of Education
Berkeley Unified School District

Secretary, Board of Education
Berkeley Unified School District

