

BERKELEY UNIFIED SCHOOL DISTRICT

Minutes, Regular Meeting
August 24, 2005
District Administrative Offices
2134 Martin Luther King Jr. Way
Berkeley, CA 94704-1180

ADOPTED MINUTES
AS CORRECTED 9/14/05

CALL TO ORDER

President Nancy Riddle called the meeting to order at 5:30 p.m. and the Board recessed to Closed Session.

MEMBERS PRESENT

President Nancy Riddle
Vice President Terry Doran
Director John T. Selawsky
Director Shirley Issel
Director Joaquin J. Rivera
NOTE: Future Student Director* Teal Miller was in attendance

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
- Public Employment Appointment
- Liability Claims
- Property Acquisition

Reconvene in Public Session

The Board reconvened in Public Session at 7:40 p.m.

Report Closed Session Action

President Riddle reported the following:

Public Employee Appointment: Ratification of Deputy Superintendent’s employment contract on a unanimous vote

Public Employee Discipline/Dismissal/Release:

Motion: Selawsky/Doran and unanimously approved on voice vote to approve three 2-day suspensions for classified employees and one 5-day suspension for a classified employee.

Approve Agenda

That the regular meeting Agenda of August 24, 2005 was approved as amended:

Director Rivera: moved Items 2.1- A and 2.2-A from Action to Consent

Director Issel: moved Item 1.1-CF to Consent

President Riddle: pull items 1.2-C and 1.3-C for discussion

CONSENT CALENDAR

Motion: Selawsky/Rivera and unanimously approved on voice vote

Public Testimony

Two speakers commented on the importance of International Day of Peace and urged the District to coordinate activities in schools that would embrace the notion of peace.

One speaker submitted a signed petition asking for closure of the walkway between Berkeley Alternative High School and Ward Street. The petitioners are concerned about the area being trashed and point out that it is poorly maintained. They would like to create a community garden directly behind the MLK Center.

Several speakers commented both for and against the East Campus agenda item.

REPORTS

Union Representatives' Report Cathy Campbell from BFT welcomed back the teachers and commended them for their ongoing volunteer work throughout the District. She discussed the several committees that have been formed between BFT and District Administration.

Ann Graybeal from BCCE recognized the successful contract negotiations between the District and BCCE. She noted that there has been tremendous progress in the grievance procedures and further noted that they have been able to extend the deadline for instructional aides to fulfill NCLB requirements.

Superintendent's Report Superintendent Lawrence welcomed back the new teachers and mentioned several exciting things going on in the District: the School Lunch Initiative will be providing Universal Breakfast to all students; the hiring of 50-60 new teachers, the use of Measure B funds to reduce class size and the flurry of maintenance and improvement taking place at all sites.

Director Issel Director Issel commented that it was nice to be back from summer and is looking forward to a successful year.

Vice President Doran VP Doran welcomed everyone back and expressed optimism for the new school year. He thanked everyone who took the time to make public comments. He noted that because of tragedies in the community it was not altogether a peaceful summer. Finally, he paid tribute to Dr. Sullivan, a pioneer and champion of desegregation.

Director Rivera Director Rivera welcomed everyone back. Director Rivera called for recruitment of new members for the Youth Commission, and added his hope that this year we can have a greater focus on student achievement.

He then directed his comments toward the Governor's November 8 special election, specifically changing teacher tenure from 2 to 4 years and the "living within our means" initiative negating the Proposition 98 guarantee of funding.

Director Selawsky Director Selawsky had no comments at this time

President Riddle President Nancy Riddle extended condolences to the family and friends of Meleia Willis-Starbuck. She also added her voice to Vice President Doran's tribute to Dr. Sullivan.

She then commented on the school budget saying she is looking forward to a year where the budget is not the most discussed item and hopes we can focus on student achievement and begin to gear up for the upcoming parcel tax renewal.

ACTION ITEMS:

Item 4.1-CF Consideration and progress report on Derby Street project

There was a presentation of a Derby Street closed plan. The Derby Street open and Derby Street closed estimates were not reconciled. The Board requested a reconciliation, a minimal Derby Street closed estimate and information about what would be lost if the project was phased (Derby Street open built first). The information will go the Board on October 5th.

WLC presented the Open Derby Street option. Superintendent Lawrence preceded the presentation by saying that there is no recommendation from the administration; this is a progress report only and the numbers are still not reconciled. She made the decision to bring this item forward for discussion purposes only.

Leo Ray-Lynch of WLC reviewed the scope of the work: (1) to provide an estimate of costs including demolition; (2) to provide plans for playing fields on that site; and (3) to provide an option for consideration if the street were closed. There was no community input into this option although they did meet with the City Manager, the Public Works Department, and the Fire department to get input on utilities and traffic issues. They also met with the Ecology Center to assess what the Farmer's Market would need to operate. Finally, they met with school sites and discussed their needs.

Marcia Vallier presented the new plan explaining the differences between the closed and open option Derby Street proposals.

Venkatesan Cadambi of WLC said the cost estimate was pretty close although they cannot predict what they will find if they end up tearing down the street. He emphasized that closing the street is a major expense. That, along with the field costs are the biggest cost items.

Finally, Mr. Ray-Lynch discussed the potential for phasing in the plan, noting that some parts of the plan i.e. stage, picnic area, restroom are discretionary and there is some flexibility. Other aspects, such as demolition and underground costs are not flexible. Facilities Manager Lew Jones explained that the \$1.3 million cost differential is because of City mandated requirements, such as lights at Derby Street, storm drains, etc.

Director Rivera commented that the architects and Lew Jones had partially addressed some of his concerns. He does not believe that the District will have enough bond dollars for either option and before we go to the City and Friends of Derby Field, he would like to see solid numbers. He also expressed concern that some school sites might be shortchanged dollars while we pursue this project.

Vice President Doran gave a lengthy summary of the background of this process. He supports the closed option and would also like to see some reconciliation in costs between both plans.

The Board gave further direction to staff to reconcile differences in cost estimates, and to define options for alternative considerations.

Item 3.1-I Berkeley Adult School Report

Principal Margaret Kirkpatrick gave the Board an update on adult Ed and advised that Berkeley Adult Ed goes back to 1888. She discussed the programs offered. She discussed the past year's successes including 150 high school graduates, 80 career entry graduates, the move to the new campus and the WASC accreditation. She reviewed the goals for the coming year.

Item 4.2-I – Budget Considerations

Song Chin-Bendib, Fiscal Services Director, presented a Powerpoint presentation to the Board on the 2005-06 budget and Proposition 98's impact on the District. Vice President Doran thanked her for her clear and concise presentation.

Item 3.2-CF Introduction to Community Service Professions course at Berkeley High School

Presented by Vice Principal Thelette Bennett, Flora Russ and Annie Johnston Director Issel said that she is happy to see this course and thinks it is a wonderful opportunity for students. She does, however, have a problem with the reading list believing all the books tell stories of injustice and incompetence in public policy and fails to offer solutions for change, overcoming hardship and adversity. She is troubled by the lack of balance in the list and the unintended consequences that might occur.

Superintendent Lawrence would like them to make sure that course materials are grade level appropriate and have been assessed according to the Fry Readability Graph. Staff should also designate which texts are designated reading and which are supplementary.

Vice President Doran contributed his thoughts that the books presented information for fields that students could pursue and also points out that in many respects our country does not do a good job of helping people do better and these texts point that out. He feels they are beneficial and realistic. President Riddle asked that if this course was being presented in the fall, why it is being brought forward at such a late date. Flora Russ responded that it was overlooked during a transitional time.

Motion: Selawsky/Doran and approved on voice vote. Director Issel abstained.

Issel/Rivera – motion to extend meeting time until 11:35 p.m. and approved unanimously on voice vote

President Riddle commented that both Items 1.2-C and 1.3-C refer to (1) a specific Bill and (2) a Resolution, neither of which was included in the Board packet

Item 1.2-C – Gun resolution

Motion: Issel/Doran and unanimously approved on voice vote

Motion: Doran/Rivera to table Item 1.3-C Day of Peace Resolution until the next meeting so that a full text of the Bill could be added. Unanimously approved on voice vote

Item 1.1-A Transportation Study

Motion: Doran/Selawsky to direct Superintendent to initiate transportation study

Director Rivera expressed concern that we keep bringing ideas that may have merit but distract our Superintendent from the goal of focusing on and improving student achievement. He does not think this is a priority and there are many unanswered issues: who is going to do this, how much will it cost, is there any data on how this is working for the City, etc?

Director Selawsky expressed his support for this study. He believes its vagueness might be considered a strength because it is not directing staff to take on any more than they can right now but it will give us a starting point for later.

Director Issel is not going to support this plan saying” discussions of traffic in this City seem to have an extraordinary indifference to reality.” Does not believe any program we design will change people’s behavior and is not interested in staff spending their time this way.

President Riddle is not prepared to vote tonight because she does not feel we can tackle is this school year with other priorities.

Motion: Issel/Rivera called the question.

Riddle and Director Selawsky abstained; AYES: 3, NOS: 0, ABSTENTIONS: 2

Motion not passed

Substitute Motion: Doran/Riddle request City transportation department to make a ten minute presentation on their recommendation for commuters and the success and/or effectiveness of their program and approved unanimously on voice vote

Vote: Approved unanimously on voice vote

Item 3.1-CF Textbook Adoption

Issel/Selawsky and approved unanimously on voice vote for adoption

Item 1.1-I – FCMAT Report

Moved to September 7, 2005 agenda; make time specific

Item 1.2-I Administrative Regulation for use of District Equipment

Received for review

Item 1.3-I Internal Procedures for Maintenance of Policy Manual

Received for review

June 22, 2005 Minutes: approved with changes

June 29, 2005 Minutes: approved with changes

Item 4.1-I Facilities Plan Update

Moved to September 7, 2005 agenda

President Riddle announced that the September 14, 2005 Board meeting is cancelled; there is a special closed session Board meeting on September 12 at 4 p.m. to discuss the Superintendent's evaluation.

EXTENDED PUBLIC TESTIMONY

There was no Extended Public Testimony at this time.

ANNOUNCEMENTS

None

ADJOURNMENT

President Riddle/Selawsky declared the meeting adjourned at 11:30 p.m.

APPROVED:

ATTEST:

President, Board of Education
Berkeley Unified School District

Secretary, Board of Education
Berkeley Unified School District