

BERKELEY UNIFIED SCHOOL DISTRICT

ADOPTED MINUTES

MINUTES, REGULAR MEETING

June 29, 2005

Wednesday, District Administrative Offices

2134 Martin Luther King Jr. Way

Berkeley, CA 94704-1180

**CALL TO ORDER**

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

**ROLL CALL**

**MEMBERS PRESENT:** President Nancy Riddle  
Vice President Terry Doran  
Director John T. Selawsky  
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
- Public Employment Appointment
- Liability Claims
- Property Acquisition

**Reconvene in Public Session**

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

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\*The Student Director does not attend Closed Session.

### **Report Closed Session Action**

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

- Public Employee/Dismissal
- Public Employee Appointment: New principal at BAHS
- Public Employee Discipline: Motion by Selawsky/Rivera to suspend classified employee for 5 days without pay
- Special Board meeting called for August 6, 2005 to discuss Superintendent's evaluation

### **Approve Agenda**

Directors Selawsky/Rivera and approved unanimously on voice vote as amended

### **CONSENT CALENDAR:**

Motion: Rivera/Dorman-Colby to move 2.1-A to 2-7-A to Consent Calendar  
Doran: pull 1.2-C and 4.6-C for discussion  
Riddle: 1.1-C, 4.1-C, 4.2-C, 4.4.C and 4.5-C for discussion

### **PUBLIC TESTIMONY**

Most of the public testimony was on the West Campus Board agenda item. There are strong feelings about how the property should be used as well as requests from families that they be included in the planning process.

**Volleyball club** – Mr. Starlings asked for a site in the community where about ten Berkeley students could practice volleyball.

**BFT Contract** – The PTA Council thanked the Board for giving them the opportunity to review the contract and take into account the parent voice.

**Independent Study** – There was comment that it would create a hardship for students if they had to move to West Campus

### **REPORTS**

#### **Union Representatives' Report:**

Ann Graybeal of BCCE spoke to:

**Item 1.1.A – the Reorganization Plan** and recommends that the Board scrutinize this item before approval. She commented that employees were only given two days' notice about the new labor relations position and points to a possible conflict with the Personnel Commission Director. The Union feels that this will increase the staff's workload for which they are not being compensated.

**Item 2.4-A – BCCE Agreement:** Ann Graybeal says the Union is analyzing the calculations on step increases as they differ from the Union's figures. They will await clarification.

**Barry Fike of BFT** commented on the District's use of outside speech therapists at a much higher rate than those of a District employee. He had comments about the new Labor Relations Director position and the lack of notification to the Union. He also expressed his views on the Superintendent's request for a salary increase.

**COMMITTEE REPORTS:**

**2 x 2 Committee:**

This report was presented by President Riddle and Vice President Doran. Topics covered at the last meeting centered on parking permit issuance around our schools. It was decided that a better survey of the schools' needs should be conducted. There was discussion about the security issues at some of our schools, particularly evenings and weekends i.e. should they be locked up or kept open, and how can we keep them safe. The firefighter program at BHS was briefly discussed. The District does not have sufficient administrative staff to oversee this program. Finally, there was a brief discussion about the new warm water pool at BHS centering around the City's findings on the current state of warm water pools.

Meeting dates were set for the remainder of 2005: September 16 and December 9 at 8:30 a.m.

**SUPERINTENDENT'S REPORT:**

Superintendent Lawrence told Board they will establish a site committee for West Campus. She apologized to the Unions for not having a prior discussion with them about the proposed Reorganization Plan; in the item being presented this evening she is only asking for conceptual approval.

She also spoke to her salary increase noting that it is the same as other certificated managers, she received no more in benefits, she has no step or column. There is no increase to the budget; this money was already coming to her through vacation payout.

**BOARD MEMBERS' REPORTS:**

**Student Director Lily Dorman-Colby:**

This is her last report to the Board. She thanked the teachers and the community saying "Berkeley schools have changed her life."

**Motion: Doran/Rivera to change order of agenda and go to Item 1.1-C.**

President Riddle presented Student Director Dorman with a Resolution and Award for her service to the District.

**Director Issel:** Director Issel thanked Lily for her wonderful services as a student member and wishes everyone a wonderful summer.

**Vice President Doran:** VP Doran thanked the community for coming in to speak about West Campus.

**Director Rivera:** Director Rivera thanked Lily and wished her well and extended the same wishes to all graduates. He spoke about the Superintendent's contract and assured the community that she is not getting more than any other group.

**Director Selawsky:** Director Selawsky congratulated Lily. He commented that the Board and the Superintendent will set up a site committee for West Campus.

**President Riddle:** President Riddle expressed her appreciation for the graduation ceremonies she was able to attend.

**ACTION ITEMS:**

**Item 4.2-A West Campus - Vice President Doran will take over for President Riddle to avoid any possible conflict of interest**

**4.2.-A West Campus**

DC&E was hired to work on three different paths: (1) help BUSD define a program for its administrative uses (2) analyze the existing buildings: Oregon, Russell and West Campus and (3) community outreach and concept plan. Seven community meetings have been held.

Director Issel had many questions about what is included in the plan the Board is being asked to approve. She is also concerned about unsafe buildings at Oregon and Russell.

Director Selawsky feels the plan is vague; he is concerned about too many parking spaces and would like to encourage the use of other forms of transportation.

**Motion:** Rivera/Issel to hear recommendation to accept report but reject plan that is contained in the report and to approve a different plan on page 90.

**Approved on voice vote; Dorman-Colby abstained**

**Motion:** Doran/Rivera to conduct study on transportation alternatives. Director Rivera asked Vice President Doran to put something in writing and bring to next Board meeting. Director Selawsky believes we should consult staff before putting such a plan into action.

**VOTE: simultaneous amendment to begin transportation study:**

Dorman Colby: Abstain

Doran: aye

Issel: no

Rivera: no

Selawsky: abstain

**Not passed - lack of majority**

**4.1-A – Budget**

Director Rivera had a question about the huge PG&E increase and the Adult Ed fund's operating deficit. Superintendent Lawrence assured the Board they are in the process of restructuring and the Adult Education budget is being monitored. President Riddle thanked the Deputy Superintendent for including the Special Ed Budget.

**Motion: Rivera/Selawsky and approved unanimously on voice vote**

**Motion: Rivera/Selawsky to approve pulled consent items – 2.1-A -2.7-A  
Approved unanimously on voice vote**

**Item 1.2-C Rescind Policy – Facility Name Change**

Vice President Doran believes the Policy is sound and reflects his feelings. Student Director Dorman-Colby feels Board members are disconnected from the community and believes the public has been offended

Director Selawsky that perhaps the neighborhood should have a stake in the process

Director Rivera also agrees with involving the larger community and thinks it might be a good idea for the Board to participate earlier.

**Motion: Rivera/Selawsky and unanimously approved on voice vote**

**Item 4.1-C Contracts and Purchase orders**

**Motion:** Riddle/Selawsky – this item was pulled in error and was moved back to Consent calendar

**Item 4.2-C Roof at Oxford**

President Riddle questioned why bid is \$100K over budget

**Motion:** Rivera/Selawsky and approved unanimously on voice vote

**Item 4.3-C Painting Franklin Parent Nursery**

Wrong project number is referenced on page 50; on page 51, date needs to be changed to today's date

**Motion:** Selawsky/Rivera and approved unanimously on voice vote

**Item 4.-5C Boiler Services at District site**

Page 54 – date needs to be today's date

**Motion:** Selawsky/Rivera and approved unanimously on voice vote

**Item 4.-6C**

Bid is way under estimate and Vice President Doran extended his thanks to Deputy Superintendent Thompson for his diligence

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

**ACTION ITEMS:**

**1.1-A Central Office Reorganization**

Director Rivera would like to know that if by not using attorneys, can we use the savings to pay for a Labor Relations Manger

**Motion:** Selawsky/Rivera and approved on voice vote; President Riddle abstained

**INFORMATION ITEMS:**

**3.1-I Monthly Enrollment and ADA Reports**

**4.1-I Facilities Report**

**EXTENDED PUBLIC TESTIMONY**

There was no Extended Public Testimony at this time.

**ANNOUNCEMENTS:**

None

**ADJOURNMENT**

President Riddle declared the meeting adjourned at 10:45 p.m.

**APPROVED:**

**ATTEST:**

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President, Board of Education  
Berkeley Unified School District

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Secretary, Board of Education  
Berkeley Unified School District