

BERKELEY UNIFIED SCHOOL DISTRICT

**ADOPTED MINUTES**

MINUTES, REGULAR MEETING  
Wednesday, March 02, 2005  
District Administrative Offices  
2134 Martin Luther King Jr. Way  
Berkeley, CA 94704-1180

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**CALL TO ORDER**

President Nancy Riddle called the meeting to order at 5:36 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 7:38 pm.

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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:

- Collective bargaining – no action was taken

### **Approve Agenda**

**Motion:** Student Director Rivera/President Riddle and approved unanimously on voice vote:

That the Regular Meeting Agenda of March 02, 2005 is approved as amended. The amendments are:

- That the February 02, 2005 minutes will be tabled until the March 09, 2005 meeting

## **TEACHING AND LEARNING PRESENTATION**

### **Writer's Workshop**

#### **Presented by Susan Hodge, Principal, Emerson Elementary**

The Writing Workshop that Emerson is implementing in the early grades is improving student learning because it changes the way children think. By focusing on the process of writing students become deeper thinkers and better readers. They are motivated to write and take ownership of their work. They ask everyday if they are going to write, they are always composing pieces, and they are writing for a purpose. The teachers can see their writing skills and reading skills improve. More information about the Writer's Workshop can be viewed on the BUSD website: [www.berkeley.k12.ca.us](http://www.berkeley.k12.ca.us).

## **PUBLIC TESTIMONY**

Roia Ferrazares – spoke on behalf of the PTA Council and stated their role in the school District. She announced a meeting on Monday, March 14, 2005, 7p.m. at Longfellow Middle School to discuss perspectives from the District and Union point of view. She requested that the District please forward any information that it can share with the parents. She noted that the union will be asked for information, too.

Susan McCulloch – announced that March is Arts Education month and to celebrate there will be two concerts on March 18 and March 23<sup>rd</sup> at the Berkeley Arts Magnet School.

The following community members voiced their support for the BUSD teachers: Alejandra Nunez, Marilyn Sagna and Gwyneth Galbraith.

The following East Campus neighbors voiced their support for keeping Derby Street open: Susie Marzola, Michael Ray, Ruth Refkin and Pam Webster.

Community Member Doug Fielding expressed his desire for an amended plan showing Derby Street closed.

## **REPORTS**

**Union Representatives' Report:** No Reports

### **Superintendent's Report:**

Superintendent Lawrence informed the Board that a letter was sent out from BUSD to all parents explaining what was going on with the teachers and the District. She reported that they were mailed yesterday and should be received today or tomorrow. Also, she wanted to let the PTA know that she is familiar with the quotes from the PTA manual. She explained that there are collective bargaining laws that prohibit BUSD from distributing materials and that the District and the Union have to abide by these rules. She directed them to the comparative data that was left outside the meeting room giving salaries and benefits of teachers in other districts. She added that there is also a fact sheet available that shows what new monies are coming into the District and how they are being spent. She encouraged everyone to stay and listen to the audit presentation being given later in evening that would delve deeper into the budget. She also explained AB1200, which says the superintendent and chief business official must make certain they can meet their obligations before they sign a contract or they can be thrown in jail. She reported that the District is now in a qualified status, but if the school system does not have those monies it becomes more difficult for a school district to function.

### **Board Members' Report:**

#### Student Director Dorman-Colby

Student Director reported that her teachers are not grading papers, not helping them at lunchtime, are under-prepared for class lessons and are not returning student calls to help with homework when students are out sick. She doesn't think the community understands that we would be at risk of losing the School Board and Superintendent and have to be run by an outside administration. She wonders if maybe the District shouldn't have spent so much money on art programs and given it to the teachers instead. She doesn't feel that the students should be the ones being punished for this and she wishes this could be talked about without the work-to-rule going on. She also stated that she desires a more informed conversation about what is really going on instead of using information through the grapevine. She encouraged Superintendent Lawrence to get information out about the budget. She reported that she has talked to the student council about speaking to teachers about the issues.

#### Director Issel

Director Issel acknowledged what a difficult time this is for the students and teachers and assured everyone that the District was working very hard toward successful mediation.

Director Terry Doran

Director Doran noted the complexity of the issues around negotiations with the teachers and that there were differences of opinion about what the facts represent. He stated that until a common language is found then the issues cannot be resolved, but, he pointed out, the District is committed to finding an agreement. He said that he was “hopeful”. He noted that the teachers have a contract and that it is still in effect until a new contract is agreed upon—the old contract has not been thrown out.

He announced that the money given to the District by the citizens of Berkeley to improve District buildings will now be used to beautify and improve the District site along the gateway of the city, that is the West Campus site on University Avenue. There will be a meeting at the site tomorrow night at 7p.m. in the cafeteria.

Finally, he stated that he was excited about the Derby Street project and respects the comments about the Derby Street property. He feels that it will improve and enhance the city and that he is the Board member that was most active in getting the process rolling. He thinks this community would benefit most if Derby Street was closed. He asked why it was acceptable for the street to be closed on Tuesdays for the farmers market, but not the rest of the days of the week? How the impact would differ? And why some want to keep it open?

Director Rivera

Director Rivera pointed out that in 2000 there was a three-year agreement to bring the teachers to the 55<sup>th</sup> percentile, rank of 15, and the District fulfilled their commitment. He stated that the District has wanted to give more raises, but there is, unfortunately, no money to give right now. He reported that some of the calls he’s been getting reflect the opinion that this Board is not committed to the class sizes that were promised when Measure B was passed, which is not true. He thinks the District needs to look at the contractual expenses that the District is committed to, i.e. medical benefits. He noted that the employees will be getting approximately 85% of the new money coming in and that every aspect of the budget needs to be examined. He reiterated that the Board is committed to giving the employees raises, but there are not many more programs to cut, or places to find the money.

Director Selawsky

Director Selawsky thanked the Student Director for her comments and pointed out that there was a 3.7% increase and that there really was no new money because the money coming in was obligated to the contractual agreements and on-going operational expenses. He also stated that he is committed to coming to an agreement and that he would be attending the March 15, 2005 meeting. He then

thanked Director Rivera for his comments and stated that he was in agreement with him.

President Riddle

President Riddle thanked the community and parents for their comments that expressed great respect for their teachers and she feels the same respect.

She extended congratulations to the Student Director on positive responses she has been getting from her college applications.

She also reported that the school District received an award for the design work at BHS.

**CONSENT CALENDAR:**

**Motion:** Directors Issel/ Selawsky and approved unanimously on voice vote:  
That the Consent Calendar be approved.

**General Services**

**1.1-C** Acceptance of Gifts/Donations

Approval of the acceptance of gifts/donations to the District and request staff to extend letter of thanks

**1.2-C** Arts in Education Proclamation

Approval of the Arts in Education Proclamation

**Personnel Services**

**2.1-C** Acceptance of Personnel Report #05-05

Acceptance of reports detailing personnel assignments, employment and terminations

**Educational Services**

**3.1-C** Overnight Field Trip Requests

Approval for overnight field trip(s) for students consistent with District policies and instructional programs

**Business Services**

**4.1-C** Approve of Contracts/Purchase Orders for Services Contracts

Approval to authorize the Purchasing Manager and Deputy Superintendent to execute contracts and purchase orders

- 4.2-C** Approve Listing of Warrants Issued in January 2005  
Approval of the Listing of Warrants Issued in January 2005
- 4.3-C** Approve Payroll Warrants Issued in January 2005  
Approval of Payroll Warrants Issued in January 2005
- 4.4-C** Resolution 04-31 Award of Auditorium Sound Equipment at Multiple Sites  
Approval of Resolution 04-31 Award of Auditorium Sound Equipment at Multiple Sites
- 4.5-C** Resolution 04-28 Approve a Change Order to Increase the Size of the Tree at Malcolm X  
Approval of Resolution 04-28 Approve a Change Order to Increase the Size of the Tree at Malcolm X

**ACTION ITEMS:**

**Business Services**

**4.1-A** Audit Report

**Motion:** Director Selawsky/Issel and approved unanimously on voice vote:  
To approve the 2003-04 Fiscal Year Audit Report.

**INFORMATION**

**Business Services**

**4.1-I** Governor's State Budget and Its Potential Financial Impact on BUSD

The Board received a presentation by Deputy Superintendent Glenston Thompson and Director of Fiscal Services Song Chin-Bendib. The report can be viewed in its entirety at [www.berkeley.k12.ca.us](http://www.berkeley.k12.ca.us).

**EXTENDED PUBLIC TESTIMONY**

There was no extended public testimony to report.

**ANNOUNCEMENTS:**

**Schedule of Board of Education Meetings for 2005:**

March 9  
April 6  
April 20  
May 11  
May 25  
June 8

June 22  
June 29  
August 24  
September 7  
September 14  
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 March 02, 2005 adjourned at 1:35 a.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