

# BERKELEY UNIFIED SCHOOL DISTRICT

Minutes, Regular Meeting  
October 19, 2005  
District Administrative Offices  
2134 Martin Luther King Jr. Way  
Berkeley, CA 94704-1180

ADOPTED MINUTES

## **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 Teal Miller

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))

- 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

### **Reconvene in Public Session**

The Board reconvened in Public Session at 7:45 p.m.

### **Report Closed Session Actions**

President Riddle reported that the Board discussed:  
Expulsion of two students  
Dismissal and release of public employee  
Property acquisition

**Motion: Selawsky/Rivera** approved on voice vote the expulsion of student case no. 05060411590

**Motion: Doran/Issel** approved on voice vote the suspended expulsion of student case no. 0506036891 with placement at Berkeley Alternative High School 9<sup>th</sup> grade alternative class with **Director Rivera abstaining**

### **Approve Agenda**

**Motion: Selawsky/Rivera** and approved on voice vote: President Riddle pulled Items 4.1-C and 4.8-C for discussion

### **Teaching and Learning Presentation**

Music teacher Darwin Greenwell and VAPA Coordinator Suzanne McCulloch reported on the District's music programs for third, fourth and fifth graders and discussed the benefits of music programs in our schools. In addition to acquiring musical training, students learn important life lessons such as teamwork, literacy skills and responsibility. Mr. Greenwell thanked the voters for supporting Measure B which make these enrichment programs possible.

### **Public Testimony**

Wanda Stewart, President of the PTA Council, arrived late but was called on during the meeting. She spoke to the Board briefly about its efforts to increase parent participation and membership. T-shirts have been created and are for sale at all school sites. Ms. Stuart also explained that the PTA is getting organized around the special election and preparing for the upcoming parcel tax and want to be involved in any way they can.

### **Superintendent's Report**

Superintendent Lawrence thanked everyone who made Staff Development Day a success.

### **Board Members' Reports**

Student Director Teal Miller updated everyone on Spirit Week taking place at the high school.

Director Shirley Issel discussed the recent Board Policy Subcommittee Meeting. The committee has been working to update policies and prepare to bring new policies to the Board. She also noted the passing of Ann Wallach, a former tutor and active member of the League of Women Voter's. Director Issel asked that today's meeting be adjourned in her honor.

Vice President Doran also recognized the death of Ms. Wallach adding that she had also been a long time public school teacher.

Director Rivera attended the recent Audit Committee meeting and said the Bylaws will be coming to the Board for approval at the next meeting. He reminded everyone that the special election is just three weeks away and provided a brief summary on Propositions 73, 74, 75 and 76, all opposed by the Board.

Director Selawsky appointed a representative to the Facilities Safety and Maintenance Committee, Keith Carlisle. He also announced that he is holding

a Community Meeting at the Berkeley Public Library on Monday, November 21 from 6: to 7:30 p.m.

President Riddle wished everyone at BHS a happy Spirit Week. She also discussed her recent visit to Washington Elementary where she was able to see GLAD strategies in use. She was able to attend the first part of Staff Development Day. She informed the Board about BHS's performance of the Laramie Project that opens this weekend. President Riddle thanked the Board Policy Subcommittee for their hard work evidenced by the ease of accessing Board policies online. Finally, she shared that she and Vice President Doran attended the Diversity Community meeting last week that spotlighted diversity on City commissions.

### **CONSENT CALENDAR**

Motion: Selawsky/Issel and approved on voice vote. President Riddle pulled Items 4.1-C and 4.8-C for discussion.

#### **Item 4.1-C**

President Riddle pulled this item for discussion; specifically, she has a question about Item 8, the gate on Ward Street. She would like to know if this has been reviewed by BSEPs Oversight Committee.

Lew Jones, Facilities Manager, responded that the funds for this improvement were previously allocated.

**Motion: Selawsky/Issel** and approved with Riddle abstaining

#### **Item 4.8-C**

President Riddle pulled this item for discussion noting that this item contains two different items. She would like to study the deferred compensation plan before approval.

Deputy Superintendent Eric Smith acknowledged that the item is indeed two fold. He suggested that he remove the Deferred Compensation Plan and bring the Resolution back to the Board as a separate item.

**Motion: Change in motion to approve the Agreement with Tax Deferred Services for Common Remitter Services only.** The Resolution will be brought forward at a future Board meeting.

**Selawsky/Issel** and approved on voice vote

#### **Item 3.1-I - Mental Health Grant**

Lisa Warhuus, Manager of Integrated Services, presented information about the recently received Mental Health Grant for \$367,000, the largest grant awarded in the nation. Since the District is the LEA, our charge is to establish the work plan and administer the grant over the next 18 months. The grant's purpose is to develop an infrastructure to address barriers to learning, promote healthy development and in general address the needs of the whole child along with community partnerships. There are six categories of deliverables that must be administered within a short time frame.

Board members had questions about sustainability; what happens after 18 months. It will allow us to develop systems so that we can work more efficiently, train teachers and look for other funding opportunities.

**Item 3.2-A – Coordinated School Health Program at Longfellow**

Lisa Warhuus and Rebecca Cheung, Principal of Longfellow presented a request to apply for a grant for health care services at Longfellow with emphasis on early intervention and prevention. Longfellow is a Magnet School and is located in a medically underserved area which makes this opportunity significant. Partnerships are in place with Lifelong Medical Center, West Coast Children’s Center, the City, Berkeley School Volunteers and UC Berkeley. The grant money of \$100K is from the Alameda County School Based Coalition with duration of 18 months beginning in January 2006.

Director Rivera was pleased to discover that dental services, usually not offered, are part of this proposal. He questioned Principal Cheung about their needs in terms of facilities.

Principal Cheung explained that buildings on their Satellite site have been upgraded or are slated to be upgraded and might serve as the future health center.

Director Issel expressed her gratitude for Principal Cheung’s leadership and for development of the expertise that brought this proposal to fruition.

Director Selawsky thanked her for the well thought out plan for use of existing facilities and promised his full support. He also thanked Director Issel for her persistent leadership on mental health issues in the community.

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

**Item 4.6-I Technology Report**

Jay Nitschke, Director of Technology (Interim) presented a comprehensive overview of the state of and challenges facing the Technology Department.

**ACTION ITEMS**

**2.1-A – Declaration of Need**

Superintendent Lawrence noted that Director Issel had many questions about this document for which she has not yet gotten answers. She asks that the Board approve it tonight and she will bring it back after comparing it to declarations submitted from the past two years. President Riddle also noted that the document is incomplete.

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

**3.1-A Resolution**

The public hearing to determine textbook need was held at the previous meeting. Superintendent Lawrence informed the Board that since that time 1700 pounds of books were received at the high school. Neil Smith contacted every department at BHS to ensure students had textbooks. Not all students have most recent editions of some books, but all have books.

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

**INFORMATION ITEMS**

4.1-I – Facilities Plan Update

Director Issel wanted an update on the project to conduct a title search. Lew Jones informed the Board that he was recently hired a consultant and he will begin by looking at five properties and then prepare a draft report.

4.2-I – Facilities Construction Plan Financial Update

Director Issel noted a typo on page 56 and asked that we call it Berkeley Adult School rather than Franklin Adult School

4.3-I – Accessibility Report

Director Issel noted that the implementation team has not met since the last report and asked if it is a requirement that they meet or if it is optional. Lew Jones said the decree is from 1989 and at that time the implementation team was quite active and composed of parents who had students in our District. Most of those students have long graduated and there is little interest in their serving on the team. Lew will do some research to find out when and if we can go back to court and have the decree deemed complete.

4.4-I – Maintenance and BB Final Quarter Update

Director Issel would like the Board to have a copy of the fire safety inspection report seeing it as an opportunity for us to do quality control. She is also interested in how we are faring with our recycling efforts and if we are saving money. Director Rivera brought up custodial surveys that were promised but never received. President Riddle inquired about the ABM Engineering report. Superintendent Lawrence asked if those reports were taken to the maintenance committee and if so, perhaps they should come before the Board with their assessments of our progress.

4.5-I – BB Financial

The BB Financial report was received for information. There was no discussion.

**ADDITIONAL ACTION ITEM**

Minutes of October 5, 2005

**Motion: Rivera/Selawsky** and approved on voice vote with changes

President Riddle noted that Superintendent Lawrence is to draft letter to the City re Derby Street plan

No extended public testimony

No public announcements

President Riddle adjourned the meeting at 10:12 p.m.

**ATTEST:**

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Nancy Riddle, President  
Board of Education

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Michele Lawrence, Secretary  
Board of Education