

**BERKELEY UNIFIED SCHOOL DISTRICT**

UNOFFICIAL MINUTES

MINUTES, REGULAR MEETING  
September 21, 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 at 5:35 p.m

**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 7:30 p.m.

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\*The Student Director does not attend Closed Session.

**Report Closed Session Action**

Discussed existing litigation

**Motion:** Doran/Selawsky approved settlement of construction claim and approved unanimously on voice vote

Selawsky/Doran approved settlement of construction claim and approved unanimously on voice vote

Public Employee Discipline/Dismissal/Release:

**Motion:** Rivera/Selawsky unanimously approved 5-day suspension without pay for classified employee

**Approve Agenda**

That the regular meeting Agenda of September 21, 2005 was approved as amended:

Superintendent Lawrence: pulled 3.3-I Berkeley LEARNS After School Program report, also noted typo in item 3.3-C textbook adoption. Correct title is "The World."

Director Rivera: moved action items 1.1-A, 1.2-A, 1.3-A from Action to Consent

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

**City of Berkeley Presentation: Transportation**

Presentation by Principal Transportation Planner for City of Berkeley, Matt Nichols

Nichols encourages employers with multiple sites and a large number of employees to look for alternatives to having employees drive alone to work. His goal is to try and reduce demand for parking spaces in Downtown Berkeley. More information is available at 511.org

Specifically, Nichols would like the District to consider sponsoring alternative transportation for employees, especially since these programs cost little in terms of the District's time and money. He outlined several programs and provided information and data for district use.

Director Selawsky thanked Nichols for coming and Vice President Doran for bringing him in. Selawsky noted the item 1.1-C Resolution No. 05-16 Walk to School and Work Day on the Consent Calendar, which refers to the first Wednesday of October, and its confluence with the transportation issues being discussed. He also asked Nichols if the District could borrow its surveys.

Lawrence declared her intention to give a brochure to all employees in October and also to have her office contact Nichols'.

**Public Testimony**

None

**REPORTS**

**Superintendent's Report** Superintendent Lawrence congratulated John Muir Elementary for winning a National Blue Ribbon Award with honors awarded

and thanked former employee Nancy D Waters for her help on the school's application.

She reported that the Resource Committee met yesterday, thanked them, and noted the almost 100 percent return to the group and was glad that almost everyone returned who had been involved before. Deputy Superintendent Eric Smith will be chairing that group.

**Student Director's Report** Nothing to report

**Director Issel** Nothing to report

**Vice President Doran** Nothing to report

**Director Rivera** Director Rivera also congratulated John Muir Elementary and expressed his hope that other schools will win similar honors. He announced an opening on the Youth Commission and directed those interested to fill out the application to be found on the District's website.

Rivera requested that the Superintendent arrange a presentation on the assignment process at Berkeley High School in the near future so that past problems can be avoided and that it can ensure that Board policy is followed

**Director Selawsky** Directed Selawsky agreed with Rivera about the need for a report on Berkeley High School's assignment process, if only for a more thorough understanding of how the procedures work.

**President Riddle** President Riddle congratulated John Muir Elementary, thanking the school secretary and Nancy D. Waters. She also reported that the meeting originally scheduled for the 29<sup>th</sup> will now be held on the 26<sup>th</sup>. This Board meeting will be closed session for the Superintendent's evaluation.

Riddle also reported attending PTA, P&O, and 2x2 meetings. Results of the 2x2 meeting will be discussed in an upcoming Board meeting.

### **CONSENT ITEMS**

Added Items 1.1-A, 1.2-A, and 1.3-A

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

Move to add 3.1-A Recommendation for expenditure of Measure B Funds for Parent Outreach to Consent Calendar

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

Vice President Doran thanked the community for the Measure B Funds that make item 3.1-A possible. Director Rivera also thanked the community, and made the point that while some people say that the Board does not listen to the community, the idea for this item came from community forums. He noted that the item is especially supported by Latino community, which was concerned

over the lack of a bilingual liaison to help Spanish-speaking families navigate the system.

Director Issel wished to bring up the Adleman/Taylor model of parent involvement that focuses on the various obstacles to learning. Specifically, she wanted to mention the part that deals with home involvement in schooling and how to enhance the parent/school relationship. She hopes the Parent Outreach Program Specialist provided for by item 3.1-A will help sites by providing technical support in developing parent outreach programs at each site. As people have different ideas of what parent outreach means it is important that everyone have some common information. To address that issue, Issel gave copies of the Adleman/Taylor model to the Board for study and noted that the District is working with Adleman and Taylor.

Superintendent Lawrence agreed with Issel that the work of Adleman and Taylor is important and thanked Issel for passing the model along to the Board.

### **INFORMATION ITEMS**

#### **3.1-I Report on Class Size Reduction from the Education Priorities Workgroup**

Report given by Director of Educational Services Neil Smith

Describing the planning process, Neil Smith described how the Superintendent brought together community members and administrators to identify factors that would help all students. The group began meeting in January and included the University of California-Berkeley's Norton Grubb.

The workgroup identified class size as an important factor because of smaller class size's educational benefits, the perception of parents and educators that small class size is welcomed, BSEPs support. The benefits of smaller class sizes are also supported by literature: class size reduction is more beneficial to younger students, to reading and math classes, and for low-income students. Importantly, class size reduction must be done in conjunction with other policies that help students and teachers in order to have any effect.

The workgroup came up with the following student to teacher ratios to recommend for implementation:

K-3 at 20:1 with state support  
4-5 at 26:1 and 6-12 at 28:1

Other recommendations include lowering class size in secondary gate-keeping classes, such as writing and algebra; a special focus on the transition years of 6 and 9; specialized programs, such as Newcomer classes; and site flexibility. Also, should the day ever come, benefits would be even greater with smaller classes.

Director Rivera asked Smith how the group's gate-keeping and transition recommendations could be implemented, and how one would balance those class size goals and deal with expectations of parents for certain class sizes.

Superintendent Lawrence interjected that the purpose of this report was not to prepare a detailed plan but to look at what the research says on the issue of class size. The workgroup's goal here is to impart what they know. She also noted that to provide for those transitions one either needs more site flexibility or more dollars.

Lawrence mentioned that at the P&O meeting an overview of class size numbers was presented. While class sizes have been lowered, which is great, there are teachers at the high school moving from room to room to accommodate the additional teachers brought in for size reduction. Classroom facilities are factors to consider when talking about lowering class size. Research also says that dramatic academic improvement is not seen until class size is fewer than 17, although you do get behavioral improvement above that. Lawrence wants to get class sizes as low as possible, while still maintaining flexibility.

Student Director Miller mentioned how teachers at Berkeley have been having difficulties with classroom space. Some are teaching in the wings of the Community Theater and have difficulty getting from room to room on time.

Director Issel questioned Neil Smith about Berkeley Alternative High School (BAHS) class sizes and class sizes for special needs populations.

Neil Smith replied that BAHS and special needs students were considered, but that the workgroup has yet to go into much detail about them because it wanted to focus first on the general population of students. Issel then said that she would like to know how other districts deal with alternative school and special education (SPED) class sizes.

Lawrence agreed that the District is going to need to know that information, although she noted the point of workgroup's activities thus far has been to work with the research and apply the members' experience. She did also say that an implementation strategy will need to be conceived soon.

She also reported that originally, BSEP did not take into account SPED kids, but that Measure B does. Issel asked if there were a part of the Educational Code that discussed the maximum number of SPED in a classroom. Lawrence was unsure whether there was and if it would be a rule or recommendation. She did say that the issue is discussed in the teacher contract.

Vice President Doran said that he appreciated the current discussion and wanted to point out that concept plans for the high school approved last year included new classrooms and that the Board did have site flexibility in mind even then.

He also liked the Superintendent's comments on the academic benefits classes with fewer than 17 students. Doran cited the example of his grandchildren in Connecticut that do well in classes of this size and that Connecticut schools are among the best in nation in terms of academic achievement.

Director Selawsky thanked Doran and Lawrence for their comments, and asked Smith if there is a significant difference between class sizes of 26 and 28 for grades 6 and 9 or if the numbers are arbitrary. Smith explained that there is less class size research that focuses on secondary education, and that there was a lot of discussion when selecting those numbers. The workgroup chose a number that reflects what is there currently, with additional support as possible for secondary classes and specialized programs.

Selawsky then reiterated that class size is only one component of a child's education, and that without effective instruction and development class size doesn't really achieve anything.

President Riddle noted that the recommended class sizes are described as an "expectation of an average" and asked what exactly this means. Perceptions differ among parents, administrators, and teachers; she suggests that the District include some standard deviations and explanations of deviations when discussing class size.

Lawrence thinks having each class look the same while failing to consider that different sizes are more advantageous at different grade levels will be ineffective. For example, first graders learning language and fourth graders learning content development may benefit especially from small class sizes. She also noted that teachers and parents may disagree on which classes should be smaller than others i.e., parents wanting them all to be small.

### **3.2-I Update on Berkeley High School Planning**

Report given by Principal Jim Slep

The WASC Accreditation Action Plan (BHS won WASCs highest level of accreditation for 6 years, notified end of July) covers the next 3-6 years.

Goals of the Action Plan include:

1. Implement student advisories across BHS, may bring recommendation to Board
2. Explore the possibility of block scheduling
3. Continue development to have half of the school in small schools

Slep expressed his concern about there being equal quality choices for all students and about the false conception that Large School without Academic Choice is a bad choice, which he claimed is not true. He then proposed discussion on BHS becoming a school with 4 or 5 small schools with a comprehensive large school containing two programs: Academic Choice and International High School, which would include International Baccalaureate (IB) programs. With such a structure, there then would be no question about quality. Slep brought this proposal forward to let the Board know that what the high school was thinking. Slep's goal is that every student to have the opportunity to attend at 4-year college or university.

Before commenting on the presentation, Vice President Doran thanked Slep for coming, and added that he is making history by his longevity at the high

school. Doran hopes we've passed out of the period of revolving door administration, and commended Slempp for his hard work and improvements made.

Doran stated that what Slempp has presented is not his (Doran's) vision of the high school, and he hopes that in moving forward the possibility of having 50 percent of students in Small Schools is not dismissed. Ultimately, Doran would like "wall to wall" small schools at BHS, and hopes Slempp's proposal does not preclude the possibility of more Small Schools. He also wanted to discuss why IB program couldn't be its own small school.

Director Issel said that she is thrilled about WASC accreditation. It seems like only yesterday the high school was on the verge of losing its accreditation. She extended her congratulations to BHS.

Issel also brought up the fact that block scheduling has come and gone, and it always comes with great controversy. She advised Slempp to prepare for conflict over it. The biggest concerns she has listened to regarding block scheduling are about teacher quality. Parents are concerned about the unevenness of teaching at BHS and the horror of students having such long classes with poorer teachers. Teachers will need to be ready to develop skills, and their quality would need to be even.

President Riddle thanked Slempp for the heads up on what BHS is thinking about. Advisory and IB programs came up during his first year, and she appreciates their reintroduction. Addressing Doran's comment about having 50 percent of students in Small Schools, Riddle said that at least 50 percent was what the board decided.

### **3.4-I Enrollment Report**

Report given by Superintendent Lawrence

Superintendent Lawrence wanted to provide an example of how the District is continuing to monitor class sizes, and walked the Board through the enrollment projection data. Currently, class size averages across all grade levels are either below what Measure B promised or at that level.

President Riddle voiced her concern about declining enrollment in elementary school and increasing enrollment in high school because high school students are more expensive. Lawrence responded by saying that these trends were taken into account while making the budget projections.

Issel brought to the Board's attention the uneven enrollment patterns in some grades, with some teachers having significantly more or fewer students than others. Lawrence replied that this is a dilemma because of the number of machinations involved in the assignment process, such as balancing socioeconomic levels of students, special needs, etc. She asked, rhetorically, whether students should be turned away from schools and whether schools should create combos where it is known that teachers and parents do not like them for the sake of maintaining equal class sizes. Lawrence explained that

this is part of the reason why enrollment operates on averages and not on fixed numbers.

#### **4.1-I Facilities Plan Update**

Superintendent Lawrence described the item as a monthly report giving the status of ongoing projects.

#### **4.2-I Facilities Construction Financial Plan Update**

Vice President Doran feels that both of these quarterly reports are inclusive and informative, and he appreciates having them.

#### **4.3-I Accessibility Report**

Superintendent Lawrence suggested that at some point the District should go back to court to avoid having to file the Accessibility Report every year, believing the District has exceeded what was expected in the consent decree.

Vice President Doran noted that a similar comment had been made the last time the Board reviewed this report and thinks it would be valuable to see if the District could document that the accessibility criteria have been satisfied.

President Riddle thanked the community for the bond measures to help improve accessibility, safety, and make schools beautiful.

### **ADDITIONAL ACTION ITEMS**

#### **Approval Minutes of 8-24-05**

Director Selawsky:

- Student Director Miller not yet Student Director, should not be in roll as is
- Page 114 (of Board packet), item 4.1-CF relating to Derby Street it was decided to insert language from the Facilities report
- Page 116, item 1.1-A Transportation Study, requested clarification of motion vote

President Riddle provided a typed list of corrections.

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

#### **Approval of Minutes of 9-7-05**

Director Rivera:

- Page 121 go back to tape in order to fix language around Rivera's comments, "sympathy for victims and relations"
- Page 123, correct "3% reserve requirement met by parcel tax" to read that the requirement is not met by the tax

Director Issel:

- Page 125, Strike "Issel agreed" sentence and replace with text to be provided by Issel
- Page 127, update performance indicators, mark adult skills benchmark

President Riddle

- Page 122, item 2.2-A insert description about the item being talked about

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

**EXTENDED PUBLIC TESTIMONY**

None

**ANNOUNCEMENTS**

Director Issel would like to appoint Daniel Glickman to the Youth Commission

**ADJOURNMENT**

**Motion:** Selawsky/Rivera and unanimously approved on voice vote at 10:02 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