

## **BERKELEY UNIFIED SCHOOL DISTRICT**

MINUTES, REGULAR MEETING  
September 7, 2005  
Wednesday, 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 6:30 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))

- 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 7:30 p.m.

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\*The Student Director does not attend Closed Session.

**Report Closed Session**

Board discussed litigation and liability claims. No action was taken.

**Oath of Office for Student Director Teal Miller**

Student Director Teal Miller sworn in by President Nancy Riddle.

**Approve Agenda [Selawsky/Rivera]**

Changes to Agenda: 2.1-A (Upgrade of Extended Program Coordinator) moved to Consent Calendar from Action Items [Rivera].

Motion passes unanimously.

**Teaching and Learning Presentation**

BHS Assistant Principal Matt Huxley and teacher Diane Colborn presented Berkeley High School: Professional Development Plan

Thrust of the plan is to improve the quality of students' education by improving the quality of teaching.

**Comments:**

Director Issel has three concerns: [1] that the problem of articulation between eighth grade and high school has not been addressed by current development plans. [2] That there is no clear standard of what exactly "teacher effectiveness" is and she cites research saying that content knowledge is a more significant correlate to student success than are teaching strategies. [3] That the plan does not address content knowledge because of the above and because of gaps in teachers' knowledge, especially in the areas of English and history.

Superintendent Lawrence responded by saying that the BUSD gives credit to teachers for attending University classes in part to address the content knowledge issue. She also noted that while research about content knowledge is important, there is also research showing that instructional strategies significantly affect academic achievement and that the limitations of our finances and time prohibit greater content development

Issel questioned if there is a policy determining what classes teachers may take, and Lawrence said that there may be guidelines delineated in teachers' contracts and that she will investigate further.

Teacher Diane Colborn said that the instructional strategies she learned over the summer have been shown to be successful in urban schools and that the District doesn't have the resources to improve teachers' knowledge of their content areas.

She did suggest that teacher coaching could lead teachers to believe that they should independently deepen their content knowledge.

BHS Assistant Principal Matt Huxley acknowledged that articulation is an important issue that needs to be addressed. He mentioned that content development does take place in department meetings and may be facilitated indirectly alongside the present development plan.

### **Public Testimony**

Brian Donohue, Run for Life Foundation

Wanted to point out the “alignment” between the District’s nutrition and fitness programs and goals and those of Run for Life, and wants to look for opportunities to collaborate in the future.

He also thanked Mark Coplan for his help with the Run for Life.

Donohue also noted that that the Run can be used groups for fundraising and that the Run could be a good fundraising opportunity for the District and student and youth groups.

Isaiah Roter and Laurie Snowden, Co-Chairs, Audit Committee

Introduced committee and described meetings that have taken place so far. Described interests of the committee: the audit itself, the internal controls (making sure recommendations of auditors are followed through), and the fiscal trends as reflected in budgets.

These interests are the primary subjects of the bylaws submitted for Board’s approval.

### **Superintendent’s Report**

Superintendent Lawrence welcomed all back to school. She also acknowledged the hard work and cooperation of teachers, classified employees, and parents that is needed to create a smooth opening.

She alerted the Board that enrollment is rolling up according to projections, currently 51 below, but is expected to meet expectations soon.

Discussed class size and placement:

- Wants it understood that parcel tax (Measure B) class sizes are averages per grade level and not a max, but that the District is doing everything it can to reduce class sizes
- Now Special Ed students count in class size counts
- Now no longer 3/4 combinations (except in Dual Immersion)

- The commitment to diverse public schools can be a cumbersome process—especially if 300 students fail to attend on the first day, which is due to late enrollees
- Superintendent will give out breakdowns of numbers of students per teacher to show that Measure B is being respected as much as possible
- Acknowledges that families with multiple children enrolling late can challenge Measure B goals
- More info available in office

### **Board Members' Report**

#### **Student Director Miller's Report**

Noticed classes seem smaller at BHS, and is looking forward to working on the Board and to making sure the student voice is heard.

#### **Director Shirley Issel**

Director Issel welcomed Student Director Miller and described a meeting she attended with Mayor Bates that grew from the Mayor's Task Force on Health to identify points of collaboration among local and regional authorities.

#### **Vice-President Terry Doran**

Vice-President Doran welcomed Miller and new Deputy Superintendent, Eric Smith, and congratulated all on great opening to schools

He mentioned that on September 21 the UN International Day of Peace celebration will take place in the park adjacent to BHS and the District headquarters, and that he hopes that board members will participate. 4–8 p.m. with music, speakers

Doran thanked staff for working on District's emergency plans, which has become even more important in light of Hurricane Katrina.

He also mentioned the appointment of Emerson parent Robin Strandberg to the Maintenance Advisory Committee.

#### **Director Joaquin Rivera**

Director Rivera welcomed the new Student Director and thanked the community for Measure B's passage.

He mentioned that the last week's national disaster has been hard for the entire country, and he expressed his sympathy for the families, particular those citizens and employees in our District that may have relatives affected by the hurricane. Rivera acknowledged efforts in the schools to help, and he encourages the people of Berkeley to continue to pledge their support.

Rivera called attention to ballot items in upcoming special election that could negatively affect public education, and he urged the Board to adopt positions.

He also lauded CA state legislature's approval of bill that extends marriage rights to same-sex couples by removing gender references in the definition of marriage.

**Director Selawsky**

Director Selawsky welcomed Student Director Miller and noted that the Student Director often has the most intelligent comments. He also welcomed Eric Smith and everybody to the new school year.

Selawsky thanked voters and Berkeley residents for passing Measure B and thanked Mark Coplan for dinner.

He echoed Doran's comments about Hurricane Katrina and the importance of a District disaster preparedness plan.

Selawsky also wished to bring attention to Consent Item 1.1-C that supports HR 551, which concerns how District's interact with military recruiters' requests for student contact information.

**President Nancy Riddle**

President Riddle welcomed everyone back and noted improvements ongoing at BHS and the Adult School.

She also noted that there will be no Board meeting on September 12 and that there is a reinstated Board meeting for September 14. There will also be a special meeting on the 29<sup>th</sup>.

**CONSENT ITEMS [Selawsky/Rivera]**

Added 2.1-A, no items pulled.  
Motion carries unanimously.

**ACTION ITEMS**

**2.2-A Additional Safety Officers at the Middle Schools**

Rivera noted that item is necessary because City no longer will fund officers in schools and that having officers this year will cost \$110K from General Fund.

Rivera pointed out that staffing classified positions cannot be easily dismissed. To which Lawrence agreed, saying that she is receiving many legitimate requests for additional personnel support and that she recognized the sacrifices being made by District staff but the budget is still tight and many requests have been denied.

Selawsky thanked Rivera for his comments, and would like a list of recent program and personnel cuts and a priority list for their reinstatement.

Lawrence will consider this as she and Eric address budget issues during the year and reminded the Board that the District's three percent required reserve is not being met by the General Fund reserve.

Selawsky agreed that the reserve requirement is important and that it should be listed as a top priority to help the community to understand budget issues.

Motion carries unanimously.

**Superintendent's Report (inadvertently skipped over)**

Superintendent Lawrence welcomed back Eric Smith and welcomed Jonathan Kayes, the new substitute Secretary to the Superintendent and possible permanent employee.

She announced that Cody's Books and the Chez Panisse Foundation are bringing Jonathan Kozol to speak September 23 at King Middle School, 7:30 p.m. Tickets are \$10 at Cody's and in Superintendent's office

**CONFERENCE ITEMS**

1.1-CF Policy and Regulations on Sale, Lease, Rental of District owned Real Property: Accept for first reading [Selawsky/Issel]  
Lawrence told the Board that accompanying administrative regulations are forthcoming and will be brought to a subsequent meeting.

Selawsky reported his concerns about language describing when property is no longer useful to District. Doran described that in practice, this will be determined after public comment, board review, and a committee recommendation. Acknowledges language is not wholly clear. Lawrence suggested to policy committee that they consider changing the wording in order to clarify its meaning. The current language is correct per the Ed Code.  
Motion carries unanimously.

1.2-CF Policy on Students Expelled from Other Districts: Receive for first reading [Selawsky/Rivera]  
Motion carries unanimously

1.3-CF Policy on Student Board Members; Resolution No. 05-09: Receive for first reading [Issel/Rivera]  
Miller told that Board that it is important for the Student Director to have the power to make a motion because the student body deserves a voice.

Doran expressed concern that Student Director may sometimes be uncomfortable being the first to cast a vote on a Board item. Issel pointed out that since the

Student Director's vote is not counted, the impact it can have is its influence on the Board members' votes. Rivera and Miller concurred with Issel.

Riddle raised a concern about Student Director's term not covering the entire year; wishes there not to be a gap where there is not student voice present on the Board. Ultimately, suggested Student Director's term is from July to June.

Riddle also had a question concerning what Student Director can and cannot vote on. Essentially, Student Directors cannot vote on any issues subject to Closed Discussion (Brown Act). A Decision was made to explicitly list page one a-g items in policy. Personnel items become Closed Session items when they pertain to specific individuals. Explicitly explained that Student Director could vote on the creation of positions, but not assignments. Riddle advised by Lawrence that Board President discretion may be required in some voting situations.

Motion carries unanimously

3.1-CF Receive the World Since 1500: a Global History for Adoption Consideration: Receive for first reading [Rivera/Selawsky]

Motion passes unanimously

4.1-CF Audit Committee Bylaws: Receive for first reading [Rivera/Issel]

Comments will be taken to Audit Committee before being brought back to Board for approval. Riddle listed her comments and concerns that she had already submitted to the committee.

Motion carries unanimously

### **INFORMATION ITEMS**

1.1-I Final FCMAT Assessment and Improvement Plan

(Held over from last meeting) Lawrence reported that the FCMAT assessment is finished and available for public review, and was pleased to report that progress was made in every area (community relations, personnel management, pupil achievement, financial management, and facilities management).

She noted that a difficulty is that there are no comparative models; it only shows how District does relative to itself and suggested that the Board direct the administration to continue monitoring District's progress along selected criteria from FCMAT report.

Rivera agreed, but cautioned that progress made in areas that FCMAT did not observe will not be reflected in the final report, possibly underestimating improvement.

Selawsky agreed and requested that superintendent come back to Board with a formal way of continuing to monitor District progress using FCMAT criteria.

Doran agreed as well and noted that the report is subjective on the part of auditors, and that in some areas he feels auditors “missed the point.”

The Superintendent put forward the idea that the Cabinet should continue to set goals for improvement using the FCMAT standards and that these be included in the Organization Performance Indicators that the Board uses for oversight and accountability. Issel agreed and suggested that the Board also set improvement goals for itself and that maintenance of an updated policy manual be one indicator that is reported on quarterly and added to the list of performance indicators which are summarized at the end of each board packet.

#### 3.1-I 2005 Accountability Progress Report

Neil Smith went over scores with school principals. Teachers are being shown scores of individual students and are able to compare them to state assessments. Superintendent Lawrence noted inconsistency between state and internal assessments.

Rivera wanted to note that there are sites that have made significant progress, such as Washington, LeConte, Rosa Parks.

He also noted that measurement standards will be increasing as we approach 2014. The District needs to prepare so that currently underachieving students are able to keep up with increasing standards.

Rivera also pointed out that achievement goals cannot be the same across subgroups if the achievement gap is to be closed.

Issel questioned how school choice works under NCLB, and Lawrence explained that choice is exercised after all students are placed. Priority is given to underperforming students provided there is room in other schools.

Issel had another question from page 97, regarding base and growth. Is this actual growth made? Selawsky explained that one is expected to reach the base number, which is based on previous year's numbers. Rivera explained that growth is the actual score and the base is the target.

#### 3.2-I Berkeley Adult School Skills Benchmark

Doran lauded the Adult School's 6-year accreditation

#### 4.1-I Facilities Plan Update

Lawrence reported that there has been lots of progress, the C Building construction is almost concluded, LeConte has landscaping still to do, Malcolm X still has drainage issues, playground equipment at pre-schools, Willard is coming along nicely.

Selawsky agreed that Willard is looking a lot better, also noted that King neighbors appreciate tree plantings. Riddle also appreciates work, staff, and hopes community realizes how thankful the District is to have funds.

4.2-I Update of District Emergency Plan-Organizational Structure

Lawrence described what exists as mostly a communication plan, not overly detailed, but it is clear there is a process for communicating with county and city officials.

Issel noted that the material doesn't refer to stocking containers for earthquake supplies and applauded Mark Coplan's committee and volunteers for getting so much done.

Selawsky asked how regularly the District meets with city/county folks and the District would communicate with other agencies. Lawrence answered that there is a base station at Berkeley Alternative High School and radios and that radio channels will be assigned by the county. There were two meetings last year. Bernadette would have more information.

**Motion to Adjourn at 10:30 p.m. [Doran/Selawsky]**

Motion carries unanimously

**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