

# BERKELEY UNIFIED SCHOOL DISTRICT

Minutes, Regular Meeting  
May 3, 2006  
District Administrative Offices  
2134 Martin Luther King Jr. Way  
Berkeley, CA 94704-1180

ADOPTED MINUTES

## ROLL CALL

### MEMBERS PRESENT

President Terry S. Doran - ABSENT  
Vice President Joaquin Rivera  
Director John T. Selawsky  
Director Shirley Issel  
Director Nancy Riddle  
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

**Vice President Rivera called the meeting to order at 7: 31p.m.**

### Report on Closed Session Actions:

The Board considered the following student expulsions:

**Student Case No. 0605-38-070488: Motion Rivera/Issel** and voted 3 to 1 to expel the student for one year. Director Selawsky abstained.

**Student Case No. 0605-40-090788: Motion Issel/Selawsky** and voted 3 to 1 to approve suspended expulsion with placement in independent study and a rehabilitation plan. Vice President Rivera abstained.

**Student Case No. 0605-29-030199: Motion Issel/Riddle** and voted unanimously to expel student for one year

**Student Case No. 0605-39-050692: Motion Issel/Selawsky** and voted unanimously to approve suspended expulsion with rehabilitation plan

**Student Case No. 0605-41-121491** and voted unanimously to expel student for one year.

The Board also discussed public employee discipline/dismissals and took the following actions:

**Selawsky/Issel** and voted unanimously to send letters of reassignment to categorically certificated employees

**Selawsky/Riddle** and voted unanimously to suspend a classified employee for two days without pay

**Issel/Riddle** and voted unanimously to terminate classified employee

The Board discussed public employee appointment; no action was taken.

### **Approve Agenda of May 3, 2006**

**Selawsky/Issel** and approved unanimously to accept the May 3, 2006 agenda as submitted

### **Teaching and Learning Presentation**

Rosa Parks presented an informational report on Teaching for Deep Comprehension. Principal Pat Saddler was joined by Teachers Tom Prince, Gretchen Bielh, Kathleen Gadway and Matilde Merello. They provided an interesting discussion on how Rosa Parks is using strategies to increase student comprehension.

### **Public Testimony**

One speaker commented on the state of the restrooms throughout the District. Another speaker gave support for an item on tonight's agenda regarding the Berkeley Alternative High School.

### **Union Report**

Barry Fike of BFT spoke to the Board about the Union's concerns about District spending and their lack of shoring up the reserve fund.

### **Reports**

Dan Lindheim representing the P&O Committee gave a summary of the discussion at a recent P&O Meeting. Most of the conversation focused on the proposed new tax measure. He mentioned specific concerns about visual and performing arts and the governance structure at the district level and at the sites.

### **Board Members' Reports**

Superintendent Lawrence showed slides on the cleanliness of the bathrooms at Berkeley High and at Longfellow. She advised the Board that she is in the midst of interviewing new principals for BAM and a new assistant principal for Longfellow.

She noted that she is working with Neil Smith, Associate Superintendent of Educational Services, on a staff development plan. Finally, she discussed her attendance at the P&O Committee Meeting and how she was working to incorporate suggestions received. By the next Board meeting, she should have made modifications to her initial proposal.

Student Director Teal Miller reported that the AP tests have begun and that the high school is gearing up for the graduation and senior prom.

Director Nancy Riddle recently attended the ACSBA's program to honor student directors. Our student director was unable to attend, but Nancy brought Teal a placque in appreciation of her service on the Board. The Association is having a reception on May 18 to honor school board members whose terms are ending in 2006: President Doran and Directors Issel and Riddle.

Director Riddle thanked the staff for hosting a successful, safe junior prom.

Director John Selawsky had nothing to report.

Director Shirley Issel mentioned that she was at BHS today and inspected several restrooms and was pleased with what she found. She brought attention to Ed Source's brief on Proposition 82: The State Preschool Initiative.

Vice President Rivera congratulated Malcolm X for being a recipient of the Distinguished School Award. He also reported that since the signed Resolution laying off employees who had not met mandated NCLB requirements, many of them have met the requirements and have been taken off the layoff list. He noted the BPEF Spring Luncheon scheduled for Friday, May 5 and that Cinco de Mayo is also celebrated on Friday. Finally, he congratulated Deputy Superintendent Eric Smith on his recent election as State Vice President of California Association of School Business Officials.

### **CONSENT CALENDAR**

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

### **ACTION CALENDAR**

#### **Item 3.1-A – BAHS**

Principal Victor Diaz and Student Services Director Felton Owens were available to respond to Board Members' questions. Felton Owens provided brief background information on how the consent decree propelled the changes outlined in this document. One of the big issues in the decree was inappropriate referrals to Berkeley Alternative. Without changes to the Alternative High School, the terms of the decree could not be met.

Director Selawsky thanked Principal Diaz for presenting the proposal and commented that he liked several aspects. However, he did have an issue with process i.e. had the parents and students received ample notification of the proposed curriculum and name change. He suggested that it be moved as a First Reading.

Director Riddle also shared Selawsky's concerns and felt that such a major change should not be aired and decided at one Board meeting. Her problem lies with the math: where will the money come from. She is uncomfortable with approving funding without solid figures.

Superintendent Lawrence interjected that the District is not living up to the terms of the Consent Decree and that we are losing ADA. Students are not receiving the curriculum they service. She will bring it back for second reading with more financial detail.

Director Issel questioned the hiring of another safety officer. Principal Diaz replied that it was a challenge to manage one school with one safety officers. He would like to secure an officer for one year and then look at how the school name change, curriculum change affect the atmosphere. Hopefully, students will begin to police themselves as they move in a more positive direction.

Student Director Teal Miller gave her full support to this proposal.

**Selawsky/Riddle** and approved unanimously for First Reading

**Item 4.1-A – Maintenance Reorganization**

Deputy Superintendent Eric Smith advised the Board that there has been no solid direction in the maintenance department for some time and that this item addresses changes designed to tighten up a disjointed structure. He noted that some of the duties fall outside the purview of BB funding; therefore, part of the funding must come from general funds.

**Selawsky/Issel** and approved on voice vote; Director Riddle voted No.

**Item 4.2-A – Elimination of Classified Employees**

**Selawsky/Riddle** and approved unanimously on voice vote

**INFORMATION ITEMS**

**Item 4.1-I – BB Financial Update Report**

Received for information

**Item 4.2-I – Maintenance and BB Update Report**

Received for information

**Extended public testimony**

None

**Public announcements**

None

**Meeting Adjournment: 9:36 p.m.**

**ATTEST:**

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Joaquin Rivera, Vice President  
Board of Education

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Michele Lawrence, Secretary  
Board of Education