

**Berkeley Unified School District  
Office of the Superintendent  
2134 Martin Luther King Jr. Way  
Berkeley, CA 94704-1180  
Phone: (510) 644-6206 Fax: (510) 540-5358**

**BOARD OF EDUCATION – SPECIAL MEETING AGENDA\***

Wednesday, November 3, 2010

Call to Order           The Presiding Officer will call the Meeting the  
Regularly Scheduled Board of Education Meeting to Order at  
**7:30 pm**, and convene in Public Session by **7:30 pm**

Members Present:

Karen Hemphill, President  
Beatriz Leyva-Cutler, Vice President  
Nancy Riddle, Director  
John T. Selawsky, Director/Clerk  
Shirley Issel, Director

Administration:       Superintendent William Huyett, Secretary  
Delia Ruiz, Assistant Superintendent of Human Resources\_

The Board will recess into closed session under the authority of the Brown Act (including but not limited to Government Code section 54954.5, 54956.8, 54956.9, 54957, 54957.6, as well as Education Code section 35146). Under Government Code section 54954.3, members of the public may address the board on an item on the closed session agenda, before closed session.

- a) Conference with Legal Counsel – Existing Litigation/Anticipated
- b) Consideration of Student Expulsions
- c) Collective Bargaining
- d) Public Employee Discipline/Dismissal /Release/Evaluation
- e) Public Employment /Appointment
- f) Liability Claims
- g) Property Acquisition & Disposal

\* Board agenda posted on District website: [www.berkeley.k12.ca.us](http://www.berkeley.k12.ca.us)

\*\* The Student Director does not attend Closed Session

***The Berkeley Unified School District intends to provide reasonable accommodations in accordance with the Americans with Disabilities Act of 1990. If a special accommodation is desired, please call the Superintendent's Office 48 hours prior to the meeting at 510-644-6206***

**SPECIAL MEETING AGENDA**

**CALL TO ORDER**

Approve Special Meeting Agenda of November 3, 2010

**PUBLIC TESTIMONY**

Persons wishing to address the Board should fill out a card located on the table by the door and submit the completed card to the Board Recorder. Speakers will be selected by lottery. The Public Testimony is limited to 30 minutes – 3 minutes per speaker. Speakers with the same concerns are encouraged to select a spokesperson to address the Board.

**ACTION ITEM**

This item is presented for action at this time. It may have been reviewed at a previous meeting

**Human Resources**

**7:30 PM**

**OPEN PUBLIC HEARING on 2.1-A –  
Appointment of Personnel  
Commissioner**

**CLOSE PUBLIC HEARING**

2.1-A  
Appointment of Personnel  
Commissioner

Staff Recommendation:  
Appoint Personnel Commissioner

**EXTENDED PUBLIC TESTIMONY  
ADJOURNMENT**

**UPCOMING BOARD MEETINGS**

November 10  
December 8

**Board of Education Meetings are broadcast live on KPFB/FM 89.3  
Berkeley Government Access Channel 33**

### Guidelines for Speakers

You are invited to participate in Meetings of the Board of Education and make your views known at these meetings.

**WHEN YOU WANT TO TALK ABOUT AN AGENDA ITEM OR A NON-AGENDA ITEM:** Please fill in a **REQUEST TO ADDRESS THE BOARD OF EDUCATION CARD**) and give it to the Board Secretary. Speakers will be selected by lottery. Your card must be submitted before the Presiding Officer calls for **PUBLIC TESTIMONY**. You will be called to speak by the Presiding Officer. A Speaker has three minutes in which to make his/her remarks.

Any subject related to the District or its educational programs is welcome at the Board of Education Meetings. **However, we respectfully ask that matters pertaining to individual employees of the Berkeley Unified School District be discussed in private. There is an established procedure for making such complaints.** You may obtain information about this procedure from a school or from the Superintendent's Office.

**-Berkeley Unified School District Mission:**

The Mission of the Berkeley Unified School District is to enable and inspire our diverse student body to achieve academic excellence and make positive contributions to our world.

**Berkeley Unified School District Vision:**

**Our Students** are curious and creative learners who succeed through personal initiative and a sustained effort to reach high academic goals. They are critical thinkers who seek knowledge and possess technological competence and collaborative skills. Our students embrace diversity, act responsibly, and contribute to our community.

**Our Educators** believe that all students can meet or exceed rigorous academic standards. Teachers, staff, and administrators together form a rich professional learning community where all are supported to hone our professional craft and improve our effectiveness. Through the examination of our instructional practices and data, we adjust our teaching and operational systems in order to continuously improve. We are responsible in the stewardship of our fiscal resources and fair and equitable in their distribution.

**Our Families and Community** are integral to the success of our students and schools. Families are active, engaged partners in their child's education who give valued input and participate in making important decisions about our academic and enrichment programs. Our diverse community is passionate about equitable educational outcomes for all students. Our civic and community organizations partner with us to promote family engagement and the well-being and success of our students.

**Our Schools** are vital centers of community life enriched by the diversity of our city and welcoming to all families. Each classroom offers engaging and culturally relevant curriculum that builds on students' interests and abilities. Student needs, as identified by regular assessment, inform our teaching and guide appropriate and effective intervention services. We offer an enriched learning environment and a comprehensive system of supports to address the needs of the whole child.

**Values and Beliefs of Berkeley Unified School District:**

- Students are our priority.
- We take pride in our diversity.
- We hold high expectations for ourselves and our students.
- We treat each other with respect and act with integrity.

## **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** William Huyett, Superintendent  
**FROM:** Delia Ruiz, Assistant Superintendent, Human Resources  
**DATE:** November 3, 2010  
**SUBJECT:** Public Hearing and Personnel Commissioner Appointment

### **BACKGROUND INFORMATION:**

The Berkeley Unified School District Personnel Commission has three Commissioners: Commissioner Dan Lee (the Board appointee), Commissioner Shirley Van Bourg (the Berkeley Council of Classified Employees appointee) and Commissioner Heidi Hoffman Hintz (the Commissioner appointed by Commissioners Lee and Van Bourg). The terms of office of these Commissioners are as follows:

Dan Lee: December 1, 2007 – December 1, 2010

Shirley Van Bourg: December 1, 2008 – December 1, 2011

Heidi Hoffman Hintz: December 1, 2009 – December 1, 2012

Education Code mandates that the term of each Commissioner be for three years and that it expires at noon on December 1<sup>st</sup>. The term of one Commissioner is scheduled to expire each year. On or about September 1<sup>st</sup> of each year, the Director of Classified Personnel must notify the Government Board of the name and home address of the Commissioner whose term will expire and whether or not he/she will accept re-appointment. The notification must also list the appointing authority and indicate that the Board must follow the provisions of Education Code Section 45248.

Commissioner Dan Lee's term is set to expire on December 1, 2010. Mr. Lee's address is located in Berkeley, CA . Commissioner Lee has expressed the desire to continue to serve on the Personnel Commission as the Board appointee. The additional term would commence on December 1, 2010 and end on December 1, 2013.

On September 22, 2010, the Board announced the expiration of Commissioner Lee's term. Education Code Section 45246(d) states that after 30 days and within 45 days of the Board announcing the vacancy, the Board must hold a public hearing and allow the public, employees and employee organizations the opportunity to express their views on the qualifications of the person recommended by the Board. Thereafter, the Board may make its appointment.

### **POLICY/CODE:**

Education Code Section 45245, 45246, 45248 and Personnel Commission Rule 20.100.1

**FISCAL IMPACT:**

None

**STAFF RECOMMENDATION:**

Hold a public hearing and re-appoint Dan Lee to serve on the Personnel Commission as the Board appointee for an additional three-year term.