

BERKELEY UNIFIED SCHOOL DISTRICT

Minutes, Regular Meeting

Wednesday, February 23, 2011
Berkeley Unified School District
2134 Martin Luther King Jr. Way
Berkeley CA 94704

OFFICIAL MINUTES

Roll Call 6:00pm

Members Present:

Beatriz Leyva-Cutler, President
John T. Selawsky, Vice President /Clerk (excused
absence)
Karen Hemphill, Director
Leah Wilson, Director
Josh Daniels, Director
Lias Djili, Student Director

Administration: Superintendent William Huyett, Secretary
Javetta Cleveland, Deputy Superintendent
Delia Ruiz, Assistant Superintendent of Human
Resources

President Leyva-Cutler called the meeting to order at 7:58 pm.

Report Closed Session Actions

The Board heard Human Resource issues and received updates.
Classified Employee Discipline

Public Employee Discipline/Dismissal /Release/Evaluation

A) Classified Employee Discipline

Classified employee suspended for 15 days

Hemphill/Leyva-Cutler and approved unanimously on a vote of 4-0

B) Classified Employee Discipline

The Board gave Human Resources direction.

Liability Claim

Claim No. IN0004

The Board heard updates regarding the claim.

APPROVAL OF REGULAR AGENDA

Wilson/Daniels and approved with modifications on a vote of 5-0

2.1I pulled by Superintendent Huyett due to agenda posting problems

1.1C pulled for discussion by Director Leyva-Cutler

5.21 Moved to consent by Director Hemphill

3.1C Pulled for discussion by Director Wilson

4.1C Pulled for discussion by Wilson

3.4C Pulled for discussion by President Leyva-Cutler

Recognition

Recognition of Ms. Beth Trevor, First Grade Teacher at Jefferson Elementary, Recipient of 826 Foundation Teacher of the Month Award.

Superintendent Huyett spoke about Ms. Trevor's accomplishments in teaching creative writing. Ms. Trevor's students were also present to recognize her. Ms. Trevor spoke, "I feel honored by 826 and the families in my classroom, my principal and wonderful teachers that I work with." Ms. Riddle spoke about Beth's writing program and invited the Board to come see it in action.

Public Testimony

None

Audit Committee Report

Perry-Smith LLP is our current auditor. They had five audit findings.

- 1) Material Weakness - Internal Control
- 2) Internal Controls - Associated Student Body
- 3) Federal Compliance - Time Certifications
- 4) State Compliance - Attendance
- 5) State Compliance - Ration of Administrative Employees to Teachers

The audit committee meets on a monthly basis and meetings are open to the public. They review all of the audit, adopted budget and unaudited actuals. The committee reported the cafeteria fund is in balance. Special Education is making improvements, but needs continued monitoring. We will be looking at the attendance process of the district. It deserves a closer look as the primary revenue driver in the District.

Planning and Oversight Committee

Chris Martin, Co-Chair of the P & O Committee, read a statement endorsed by the P & O Committee regarding the question of whether to place a parcel tax or special sales tax on the June 2011 ballot. The statement urged the Board to take into consideration Berkeley's other

looming and recent tax measures and to involve the community in such decisions.”

UNION REPORT

Paula Phillips, BCCE, gave a congratulations and thank you to Cathy Campbell for all the important work she does on legislative issues and student achievement. Ms. Phillips has been focusing on getting members paid for sick and vacation credit that was negotiated in 2006. They were paid on February 15, 2011. She stated that there were also payroll error issues. BCCE has asked the administration to work with them on this issue. BCCE contract negotiations have been held up due to the language around payroll error corrections. Ms. Phillips stated that the burden of processing so many hourly timesheets has weighed on the payroll specialists and is contributing to the problem. Mrs. Phillips requested that the Board take a close look at the services that are being contracted out for personnel services.

Cathy Campbell, BFT, is working really hard preparing for the March 2nd day of action. She encouraged the Board members and community to come out in support of education. There will be a big rally on the front steps of the District Offices at 4:30. They will be highlighting student speakers. “We are going to hear from the people who are going to be most affected, if the tax extensions are not on the ballot. Ms. Campbell thanked President Leyva-Cutler for putting the Resolution on the agenda in support of the tax extension. BFT is aiming to give employees and the community key facts about the budget. “We will be standing with our brothers and sisters in Wisconsin and Ohio.”

Mr. Huyett announced the appointment of Nancy Hoeffler to the position of BSEP Manager and introduced her to the Board. Ms. Hoeffler stated that she was excited about getting started full time next week and making BSEP very visible to the constituents.

APPROVE CONSENT CALENDAR

Motion to approve as amended

Hemphill/Wilson and approved unanimously 4-0.

1.1C (President Leyva-Cutler)

Several school districts have already put this forth to maintain the current taxes and to make an extension. CSBA did contact board members directly and made it clear that it is important that many Districts adopt the Resolution. We will also forward it to our legislators.

Hemphill/Leyva-Cutler and approved unanimously 4-0.

3.1C (Director Wilson)

Director Wilson questioned how we know if any of these interventions are effective and if we are tracking the students who attend to confirm the outcomes. Director Wilson requested an overall evaluation of the success of the programs. She questioned how difficult would it be for staff to develop evaluation systems for the program. She also questioned how we are identifying students for the programs.

Superintendent Huyett stated that the Pre-K Summer Bridge is a short program and we may not be able to evaluate it. The summer BEARS program does have an assessment program to show that they have made some difference. The middle school programs really do need to be evaluated. We will get information on the BHS Summer Bridge program. The students who participated do meet with an advisor every week. They are looking at the semester grades. We need to take a more comprehensive look at the Pre-K.

Director Hemphill requested information regarding the cost of the programs to perform a cost benefit analysis. She also requested a program audit. “The program may be sound, but the implementation of it is not. The outcome can be determined by implementation. “

Superintendent Huyett commented that we need to pick programs that have been implemented and successful elsewhere.
Wilson/Hemphill and approved unanimously 4-0.

3.4C (President Leyva-Cutler)

This is the first time our school district is stepping up to create a school attendance review board. Its creation is in response to intervention in support of our students and families. Dr. Craig is pleased that the Board is considering the creation of the School Attendance Review Board. We want the students and parents to know it is a serious matter. They do not get to a hearing until they have received three truancy letters.

Director Hemphill inquired as to what assistance is given to families that have to attend a SARB hearing. Dr. Craig stated, “there is usually an underlying reason the students are truant. It usually comes out in the hearing and we can make direct referrals for assistance. We approach it as a problem solving meeting. We have had many positive outcomes.”

Director Wilson inquired as to how the Board will remain informed about the success of the process and if we going to refer cases to the District Attorney’s office. Dr. Craig responded that there will be a transcript of the hearings. “We are hoping a Board member will serve on the SARB panel. We will refer students to the District Attorney if necessary. We really do try to resolve it much earlier. By the time you get to a SARB hearing, most students will turn their attendance around.

If they continue to be truant after the hearing, we will refer it to the District Attorney.”

Leyva-Cutler/Wilson and approved unanimously 4-0.

4.1C (Director Wilson)

Director Wilson pulled the item to discuss the RISE and Madera Group Contract. “I had asked Neil to provide a list of all mentoring groups at the high school. RISE looks very similar to the other mentoring programs. I would like a process to look at these programs in advance. I want to look more comprehensively at the academic support going on at the high school. How can we be impactful in advance?” RISE is a BSEP and City of Berkeley program. Supt. Huyett asked Nancy Hoeffler if there was an evaluation process done in advance. There is not something specially required at the site level. Many districts will ask the provider to show evidence of effectiveness. We should make it a requirement for the providers to provide evidence of effectiveness. RISE, being a City program is required to report to the City to receive funding. President Leyva-Cutler recommended that we make sure that we are looking at quantitative and qualitative data. Director Wilson requested a broader discussion about what programs exist, who they are serving, what is the purpose and are they meeting the needs of the participants.

The Madera Group contract: Mr. Huyett, “the Board asked us to put together a communications plan. We formed a work group and took recommendation from multiple sources and we interviewed three different firms. We have selected the Madera Group. We have asked them for an audit of what we are currently doing, how well we are communicating with Spanish Speaking families, how well our communications tools are working and an analysis of the finding for the work group. We plan that by the end of April, we’ll have a series of findings. We will take a look at staffing, organization, protocol, roles of staff and the Superintendent. We’ll review how effective we are at getting our message across and leveraging our BUSD brand. We have learned several things about ourselves. We have an over reliance on dense hardcopy. We are writing long messages that people are not reading. We have been overlooking Twitter and Facebook. We are also looking at our strategies in communicating with our second language families. The Madera Group has met our needs. We are meeting every Thursday between now and May.”

Director Wilson requested more information on the Board’s obligation to union contracts and Ed Code when reviewing contracts. She suggested that it would be helpful if she had more information prior to the Board meeting. Director Hemphill suggested they can rely on the District staff and union officials. Superintendent Huyett suggested that she request additional information through the District. All the unions have access

to District staff. We must provide services and follow EdCode. The political avenue would be that a union leader can contact Board members and Board members can contact staff and ask questions. **Wilson/Leyva-Cutler** and approved unanimously 4-0.

ACTION ITEMS

4.1-A Independent Audit Report for Fiscal Year ending June 30, 2010

The Audit report includes the District's financial report and audit committee recommendations. It is an unqualified opinion. The report reviews our state compliance. There were a couple of findings related to attendance and administrator to teacher ratio. We are also to review the internal control structure in relation to accounts payable programs.

The school secretaries are being trained and visits are being done to make sure everyone is in compliance.

Daniels/Wilson The Board accepted the report on a vote of 4-0.

5.1-A

Draft Bylaws for the Measure I Citizens' Oversight Committee
Presented by Lew Jones, Director of Facilities

The Board as a whole will appoint the members. We will take applications and do initial interviews and bring them forth as a group for recommendation. We would like to have a Board member on the interview panel.

Motion to approve with suggested amendments of establishing quorum and the ability to amend bylaws. It will come back to the consent calendar at the next Board meeting.

Daniels/Hemphill and approved with a vote of 4-0.

Conference Item

1.1-CF

Board Priorities and Study Session Topics

Director Hemphill suggested the Board was attempting to do too many things this year. She was hoping that the study session topics were chosen to be the basis for discussion and would lead to Board policies. She recalled the Board agreeing that attendance and truancy was an important issue and would like to see it moved up. It is currently listed at June 8th. She suggested moving it to March or April. The March session on BHS may be premature since the new Principal has only been there one semester. Move it to June when he has had a full year. She would rather have more time on the two or three issues that we are moving forward on as an action item in this year.

Director Daniels suggested pushing the budget update back to June 8th. We do not know if there will be a June election. If there is an election, we may want to set aside the entire meeting to discuss budget.

Director Wilson suggested the Board maintain some flexibility. She requested the March 23 study session be teachers and administrators of color and designation of special education. She is attempting to ensure alignment with the Board's three year goals.

Huyett: Percentage of Teachers and Administrators of Color. We would need a 45 minute minimum. We will be presenting more than a report.

Leyva-Cutler: Would like to see more structure brought to the Study Sessions. We can show flexibility in the future. We will continue with March 9th as scheduled and schedule March 23rd with attendance and truancy. June 8th will change to Percentage of Teachers and Administrators of Color

Motion: to approve as modified

Leyva-Cutler/Wilson and approved 4-0

1.2-CF

Board Policy Subcommittee Topics for Policy Revision or Formation

Recommended for review:

1. Translation of communications to families of second language students.
2. BHS Small School Policy
3. BHS Student Assignment Program
4. Naming of Facilities
5. Complaint Procedures

President Leyva-Cutler suggested that we create a policy based on the We Care philosophy (customer care policy).

Prioritize #1, #4 and #5

Motion to approve priorities

Wilson/Leyva-Cutler and approved 4-0

INFORMATION ITEMS

2.1-I

Appointment of Personnel Commissioner

Received for Information

Removed

4.1-I

Parcel/Special Tax as Contingency Plan

Received for Information

A straw poll was taken to see if there was support in pursuing a possible contingent tax further for the June ballot. Yes: Daniels No: Leyva-Cutler, Wilson and Hemphill.

5.1-I

Surplus Property Information
Received for Information

Director Wilson inquired about the Hillside site and where we stood with the Berkeley Chess Club. Mr. Jones responded, "This is a report to let the Board know what sites will be up for surplus. Many we will not have to address for years. There is currently not a surplus committee in place. Hillside has been leased out in the past. Our goal is to get this on a closed session agenda." Superintendent Huyett recommended that we look at the piece of property by the transportation yard on Gilman.

5.2-I

Maintenance and Measure BB Update
Received for Information

Motion: to extend the meeting past 11:00 p.m.
Leyva-Cutler/Hemphill and approved on vote of 4-0

Board's Report

Student Director Djili: We have been reviewing programs at BHS.

Director Daniels: Comments on line at his website. Alumni game was cancelled due to weather. Encouraged everyone to come out on the March 2nd Day of Action. His information session went well over the weekend.

Director Hemphill: Announced that the African American Family Day Conference will be held this weekend at Berkeley High. There will be workshops, discussion and information tables.

Director Wilson: I am doing a lot of work to see how to effectively engage with the community. I have been working with the schools that I adopted. Josh and I have met with Principal Scuderi.

President Leyva-Cutler: We are launching the Caesar Chavez commemorative period. It starts in March and ends in April. Thanks to Josh for organizing the community forum.

Superintendent's Report

Staff had one budget session and has put some targets together and reviewed scenario A & B. We are getting back together on March 8th and will be bringing forward recommendations in the middle of the month to the budget advisory committee. We took a look at staff patterns. We don't see us laying off probationary teachers. We have in the past had to put out layoff notices to temporary teachers. We are anticipating having to do that again this year.

EXTENDED PUBLIC TESTIMONY

None

President Leyva-Cutler adjourned the meeting at 11:13 pm.

John T. Selawsky, Clerk
Board of Education