

BERKELEY UNIFIED SCHOOL DISTRICT

Minutes, Regular Meeting

OFFICIAL MINUTES

Wednesday, April 27, 2011

Berkeley Unified School District
2134 Martin Luther King Jr. Way
Berkeley CA 94704

Roll Call 6:00pm

Members Present:

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

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

President Leyva-Cutler called the meeting to order at 7:44 pm

Report Closed Session Actions

Stipulated Settlement

Selawsky/Wilson and approved on a vote of 5-0

Expulsion:

Student Case No. 1011-36-102294

Selawsky/Wilson and approved on a vote of 5-0

- Board gave direction on a certificated matter
- Board heard an update on a previous stipulated suspension
- The Board discussed REALM facilities

APPROVAL OF REGULAR AGENDA

5.2C pulled

5.3C pulled

4.4C

3.1A is moved from action to information (3.1I)

2.2A Pulled

2.3A Pulled

Selawsky/Hemphill and approved on a vote of 5-0

Recognition

Jefferson and Washington Elementary Schools-2011 Title I High Achieving Schools Award

Superintendent Huyett recognized Principal Rita Kimball from Washington Elementary School and Principal Maggie Riddle from Jefferson Elementary School for their leadership. Supt. Huyett thanked the teachers, staff, students and families for working towards earning the award. Ms. Kimball thanked the school board for the support they give to the school sites. She also thanked Neil Smith and Supt. Huyett for supporting the principals and the support staff in the District that helps to enhance the school. Ms. Riddle had several of her teachers come up to be recognized.

Public Testimony

Many parents from the preschool program came to express their support for keeping the 9.5 hour preschool day. Mark Shaw came to speak about Measure I funds being disbursed to the middle schools. He did not believe Willard was getting a fair share. A parent from John Muir came to say thank you to the staff and Board for their help in supporting the process of her meeting with her son's teacher. A parent from John Muir spoke in support of the LEARNS program at John Muir. The program offers her children support and enrichment that she can not provide them. Ken Lew represented the parent association at the Independent Study Program. There have been rumors of cuts to the program. "They are first on the chopping block and last to get representation." There are also concerns about a potential merger with BTech. A representative from the Building trades council stated they want to partner with BUSD to build student apprenticeship programs. They are anxious to come to an agreement. A parent from BHS, with a special needs student, spoke about her challenges in getting a properly qualified instructional aide for her son whom is blind and deaf. The parents from John Muir stated they were not informed of the potential action to cut the LEARNS program at their school site. The PTA president from John Muir came to speak about the lack of transparency in the process of closing John Muir's LEARNS program. The parents were informed the day of the Board meeting.

UNION REPORT

Cathy Campbell, BFT President, recognized the parents that spoke in support of keeping the full day preschool program. Ms. Campbell spoke of the inadequate taxation policies in the state of California. "The poor bear the heaviest burden."

Paula Phillips, BCCE President, thanked Supt. Huyett for helping to facilitate an agreement with the interpreters for the deaf. She also spoke in support of the LEARNS program at John Muir. She suggested that LEARNS “tighten their purse strings.” She suggested that independent contractors, student workers and volunteers are being used instead of classified employees.

APPROVE CONSENT CALENDAR

Daniels/Selawsky and approved unanimously 5-0

4.4C The total donations were \$26,052.

Wilson/Hemphill and approved unanimously 5-0

5.2C & 5.3C

Lew Jones, Facilities Director, presented the items. The items express what is in the “blue book,” but the jobs are grouped together into projects. There was a significant savings in the BHS and West Campus bids. The acceleration of the bond issuance also moved some projects up. The plan shows what is in Measure I. Supt. Huyett stated that not all schools were treated the same. There was a public decision made to renovate Longfellow due to their lack of facilities. The decisions were not based on student population, but on system needs. It is staff’s plan to get the projects up and running quickly. The Derby Field project has a number of complications. It is possible to accelerate this project with cooperation from the city and the neighbors. We also need to get DSA approval.

Director Hemphill would like to see a project plan (timeline) to see the 2013 baseball season played at Derby Field. President Leyva-Cutler also requested that staff and the Superintendent work with the City to get the project approvals. Supt. Huyett stated, “staff will put together an accelerated timeline.” He also requested the Board help to provide political support.

Director Wilson thought there was a disconnect in listing Pre-K expansion, while at the same time cutting Pre-K programs. Mr. Huyett clarified that we are not proposing to cut classrooms, only hours. Director Hemphill requested that the improvements at Willard and Longfellow be moved into phase two, understanding that something would have to be moved out of phase two. Director Hemphill also requested a report that would have all the projects on one page. Director Wilson wanted to address and discuss the PLA issue. She also wanted a better understanding of the process.

Lew Jones responded, "What is being expressed is what was put into the blue book and Measure I. The only two middle school projects are the cafeteria projects. The other projects are lifecycle projects. We are looking at PLA's."

Mr. Jones and Supt. Huyett were open to direction from the Board. Director Wilson asked Mr. Jones if he felt the study needed to be done first to properly negotiate a PLA. Mr. Jones said he may need some of the information, but it was at the pleasure of the Board.

Straw Poll: Daniels, Hemphill, Wilson, Leyva-Cutler would like to move forward in negotiating a PLA. Director Selawsky can wait till he has more information. The Board wants to negotiate a PLA. Supt. Huyett directed Mr. Jones to accelerate it and bring it to the Board as an action item in May to get the process started.

Director Hemphill requested that the ad hoc safety committee consider the facility impacts of a closed campus at lunch. Director Daniels informed the public that the Board will review the plan every year and that modifications and changes can be made as needs arise. He also encouraged the supporters of Derby Field to reach out to the organizations that could slow the starting of the project.

Amendment: The Board would like to see a plan for a Feb 1, 2013 completion date of Derby Field.

Daniels/Wilson and approved as amended unanimously 5-0

ACTION ITEMS

Open Public Hearing 9:00 p.m.

Close Public Hearing 9:00 p.m.

2.1-A

Joint Initial Proposal of the Berkeley Unified School District to the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO, for the 2011-2012 school year

Staff Recommendation:

Conduct public hearing and approve initial proposal to negotiate

Selawsky/Leyva-Cutler and approved unanimously 5-0

2.2-A (**Pulled**)

Resolution to Eliminate Certificated Positions in the Early Childhood and BEARS Programs

2.3-A (**Pulled**)

Resolution to Eliminate or Reduce Classified Positions in the Early Childhood and BEARS Programs

2.4-A (**Changed to an information item**)

Resolution to Eliminate Classified Positions in the LEARNS Program at John Muir

Presented by Christina Faulkner and Zachary Pless

The deficit for this program has been in the “red” for several years. We need to eliminate the deficit spending.

The funding for the program comes from an ASES (After School Educational Support) grant and parent fees. While we do have a parent fee schedule, parents are able to negotiate a different fee. The cost of the BEARS program is higher, but the reimbursement from the state will offset the difference. We will not turn away any families. If they do not qualify under the BEARS program, they can still be serviced by BEARS and pay under the current parent fee scale.

Mr. Huyett expressed concern that parents are fearful they will not have a program. They need to know the model we are proposing. There will be some adjustment moving into the BEARS program.

Director Hemphill: John Muir is one of the few schools that has a private after school program. We have two programs that visibly have different students. Is the private option taking students away from the LEARNS program? Director Hemphill stated that she could only attempt to move forward, if the District negotiated an agreement with the private vendor to have a sliding scale similar to the one in LEARNS. She would want the students in BEARS to have the same access to enrichment as the private program. She warned that this could become a racially charged divide in the school community.

President Leyva-Cutler: She would like to see the programs integrated with a mixed population of families. She would like there to be one program run by the District that has children enrolled in Bears under state subsidy and those on private pay.

Supt. Huyett suggested that we not eliminate the private program, but work to integrate the two programs.

Director Daniels: Will the LEARNS staff qualify to be BEARS staff?

BEARS requires their staff to have early childhood education credits. It is a difference between certificated and classified. The IA's in BEARS are

required to have 6 units of early childhood education credits. The IT's in LEARNS do not have a credit requirement.

Motion to extend the meeting past 11:00

Hemphill/Selawsky and approved unanimously 5-0

Received for information

3.1-A

Moved to information 3.1-I

Proposal to Restructure Pre-School and Extended Day Programs

Presented by Christina Faulkner, Zachary Pless and Maria Carriedo.

There is a 15% state approved cut to the contract. There is also a proposal to reduce the reimbursement rate. We want to serve as many students as possible and cut the least staff as possible. The cut is to the extended day program not the classroom program. The State three hour preschool programs have not been cut. Our programs are currently full. There will be an increase of one full classroom. We are finding an increased need to service special education students at the preschool level. The cost to extend the day for a classroom is about \$65,000. We have been using reserves in BEARS to cover the extended day program.

How many 9.5 hour classrooms do we currently have? 4

Do any of the families pay any fee? If you are under 40% of the state median income the program is free. Above 40% there is a sliding scale.

Was there an analysis of looking at raising fees for parents who needed the 9.5 hour day? Most of the parents could not pay.

The 3 hour extension period is staffed by the same type of staff that works during the instructional day. Could it be staffed with non BUSD employees? Yes. It is an option.

Director Hemphill would like to see all the options. If it is more of a child care program after 6.5 hours, do the staff have to have the same requirements/certifications? Yes. They must have a certificate from California teachers credentialing. It may be less expensive to run the extended part of program without out credentialed staff, but still there is not a lot of funding. We would have to contract out the program to a separate entity. What is the cost analysis to extend the day till 4:00 when the majority of the children are picked up? And only extend for the ones that need coverage till 6:00.

Director Selawsky: Is it \$65,000/class? Yes.

President Leyva-Cutler: The state budget has not been finalized yet. We need to revisit the topic again after the May budget revise. We need to look at all the possibilities. We need to see several options.

Director Wilson: Please come back with an option of working with the city or another entity to cover the extended day portion of the program. She would also like to see an analysis of a potential fee based extended day program. Some parents may be able to pay a small fee especially if the other option is finding childcare on the private market. She would also like to see information about how this fits into the priorities of the District.

Director Daniels: What would be the savings to general fund by cutting the extended day programming? \$240,000

Director Daniels would like to see this go to the budget advisory committee to see what their recommendations would be. He recommended folding it into the larger budget discussion around the general fund.

Supt. Huyett recommended that the Board revisit the item after the May revise and review two or three options to fund the extended day program. Director Wilson also requested that this topic be discussed at the community budget forums.

Received for Information.

4.1-A

Approval and Ratification of Memorandum of Understanding Between County of Alameda Health Care Services Agency, Behavioral Health Care Services County of Alameda Social Services Agency and Berkeley Unified School District Special Education Local Plan Area

Presented by Kay Altizer, Director of Special Education. By approving the MOU, you are allowing SELPA to pay for services for the remainder of the year. It appears to cover the room and board costs for the remainder of the year.

Staff Recommendation:

Ratify MOU – Resolution No. 11-53

Selawsky/Leyva-Cutler and approved unanimously 5-0

5.1-A

Final Agreement with the Realm Charter School Concerning its Facility Request

Amendment: up to \$160,000 for furniture (2011-2012), up to \$85,000 for 2012-1013.

The charter schools will be located in commercial space for 2011-2012.

Director Hemphill: Is the gym in usable condition? Yes. The roof will need to be updated. The locker space is not currently usable.

Staff Recommendation:

Approve an agreement with the two REALM charter schools.

Approve as amended:

Wilson/Daniels and approved unanimously 5-0

INFORMATION ITEMS

5.1-I

Facilities Plan Update

Received as information

5.2-I

Facilities Plan Modifications

Received as information

ADDITIONAL ACTION ITEMS

Approval of Minutes:

March 30, 2011

April 13, 2011

Selawsky/Wilson and approved as amended unanimously 5-0

Superintendent's Report:

We are anxious to see the May revise on May 16th. The cuts may be large. Mr. Huyett announced budget information forums on May 4th and 9th to discuss the budget proposals based on the possible cuts.

The safety committee met and they have identified ten study items and developed a plan to put items forward. The external consultant has made his first visit to the high school and will return for a second visit to finish the evaluation. Some gates have been restricted.

EXTENDED PUBLIC TESTIMONY

None

President Leyva-Cutler adjourned the meeting at 11:52 pm in memory of Beatrice Burton.

John T. Selawsky, Clerk
Board of Education