

BERKELEY UNIFIED SCHOOL DISTRICT

Minutes, Regular Meeting

OFFICIAL MINUTES

Wednesday, October 12, 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
Maddy Roberts, Student Director

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 7:48 pm

Closed Session

One item on the closed session agenda concerned anticipated litigation arising out of Berkeley Unified School District construction project number 805.0801-Berkeley High School Stadium.

Report Closed Session Actions

The Board heard Human Resource issues and received updates on collective bargaining. The Board discussed the Superintendent evaluation process. They gave staff direction to proceed with the termination of a construction contract.

Appointment-Certificated Administrator

Hazelle Fortich, Early Childhood Education Coordinator
Leyva-Cutler/Selawsky and approved on a vote of 5-0

Liability Claim

Hemphill/Wilson and approved staff recommendation on a vote of 5-0

Settlement Agreement

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

Student Case No. 1011-19-082393

Selawsky/Leyva-Cutler and approved on a vote of 5-0

APPROVAL OF REGULAR AGENDA

4.6-C pulled by Hemphill

3.2-C pulled by Daniels

4.11-C pulled by Selawsky

4.5-C removed from agenda by Supt. Huyett

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

RECOGNITION

Deborah Moore, Executive Director, Green Schools Initiative

Public Testimony

Terry Duron encouraged the Board to seek information from the local community in regards to rebuilding the Berkeley Community Theatre. A parent of a BHS football player addressed the Board regarding the closure of the old gym on Milvia St. A BHS parent requested that the Board direct BHS biology teachers to allow students to conduct a virtual dissection of a frog instead of performing hands on dissection. Several local tradesmen requested the Board support the (Project Labor Agreement) PLA agreement. A member of BCCE addressed the board regarding the cutting of IA's and requested the Board collect information before they make decisions about to classified staff. An IA requested training in Applied Behavioral Analysis.

UNION REPORT

Paula Phillips, BCCE President, addressed the Board. She commented on the increase in cost of medical benefits to their members. Ms. Phillips requested that a Board approved classification study be conducted. Many employees are working out of class without an increase in pay. Many staff are working below the poverty rate. Ms. Phillips stated that staff are being asked to come to work while sick.

Committee Reports

The Construction Bond Oversight Committee presented a report to the Board. They expressed concerns about the construction project at the Community Theatre at BHS.

Board Members' Reports

Student Director: There is a change in atmosphere at BHS around attendance and safety. She attributed it to gate closures. She also mentioned that PowerSchool has been down. The closure of the old gym

has made things difficult for the football and crew team. She believes that the atmosphere is much more positive and secure.

Motion to extend the meeting past 11:00

Leyva Cutler/Hemphill and approved as amended unanimously 5-0

Director Daniels: He apologized for his website being down. You can reach him at joshdaniels@berkeley.net in the mean time. He will get information out to the public regarding BSEP planning. He plans on holding a community forum in November.

Director Hemphill: Apologies for missing the last meeting.

Director Wilson: Made a statement regarding BCCE's public comment. She indicated that it is difficult to fully understand all of the union's concerns given that different issues are raised during public comment at each meeting, without anything comprehensive ever being provided. She stated that it would be helpful for the Board to receive a prioritized list of all BCCE concerns. She indicated that she does not want the Board or District staff to be perceived as hostile to BCCE members or concerns, but that the current way in which the issues are raised by the union does not allow the Board to fully understand or engage in the issues.

Director Selawsky: None

President Leyva-Cutler: Thanked the parents and staff that are participating on the TWI task force.

Superintendent's Report

Supt. Huyett did not like having to close the gym. Student safety has to come first. He will speak with parents next week. He gave credit to the football coaches for keeping things together for the players. PowerSchool has been a real problem this past week. Twenty-five Districts went down at the same time. Pearson has sent someone down to Berkeley to fix the problem. The staff development day on Monday was successful. We have an ally in Loni Hancock when it come to CTE planning and support.

APPROVE CONSENT CALENDAR

Selawsky/Wilson and approved unanimously 5-0

3.2-C (pulled by Daniels)

Action: The Board requested a future item with a specific focus: to discuss the structure of SARD hearings and how cases are referred to the District Attorney. They would like a representative from the DA's office to attend the meeting

Daniels/Selawsky and approved as amended unanimously 5-0

4.6-C (pulled by Hemphill)

Action: After Superintendent Huyett consults with Burr Guthrie, Principal Berkeley Adult School, regarding future contracts being negotiated to include the ability of our high school students to attend the program, he will report back to the Board.

Selawsky/Wilson and approved as amended unanimously 5-0

4.11-C (Pulled by Selawsky)

Selawsky/Daniels and approved as amended unanimously 5-0

ACTION ITEMS

3.1-A

Resolution for Grades K-12, Textbook and Instructional Materials Compliance

Selawsky/Leyva-Cutler and approved unanimously 4-0 (Hemphill absent)

3.2-A

Proposal for Charter School: Integrity Educational Center

The Board approved the staff recommendation to reject the charter petition.

Selawsky/Wilson and approved unanimously 5-0

CONFERENCE ITEM

2.1-CF

Resolution to Eliminate Certain Classified Position

Hemphill/Daniels and approved unanimously 5-0

Student Director Abstained

Action: Maya Hernandez will follow up and consult with DLAC and ELAC regarding the development of the plan for having parent outreach at school sites. The Board will be presented the plan at the December meeting, for implementation at the start of the second semester. Two plans will be presented to the Board, one being K-8 and one K-5. Director Daniels requested to see how the plans connect to the District goals.

5.1-CF

Approval of a Project Labor Agreement

Director Daniels recused himself from the item due to a conflict of interest and explained conflict.

Action: Include information regarding PLA in A+ news

Hemphill/Wilson and approved unanimously 4-0 (Daniels recused)

INFORMATION ITEMS

3.1-I

Progress Report on Plan to Close the Achievement Gap Including Performance Indicators (Presented by Neil Smith, Asst. Supt. of Curriculum and Instruction)

Action: Director Hemphill requested a more in depth conversation about students maintaining academic progress during suspension and having support for students returning from suspension.

Received for Information

3.2-I

New Textbooks for Mandarin and Chemistry for Adoption Consideration
Received for Information

3.3-I

Report on Annual Measurable Achievement Objectives for English Learners

Action: Director Hemphill requested the report be reviewed by the DLAC committee.

Received for Information

3.4-I

Administrative Regulation 1312.1 and Parent Complaint Form -
Complaints Concerning District Employees, Policies, Procedures and Practices

Action: Amend (footnote) the complaint form to state where you can get the form and make sure the form is available at all sites. Amend the revision date.

Received for Information

4.1-I

Results of Refunding of General Obligation Bonds Election of 2004 and 2000, Series 2003

Action: Push this information out through the communications team. Seventeen million dollars has been saved over the life of the bond. The savings has been in interest.

Received for Information

5.1-I

Maintenance and Measure BB Update

Received for Information

ADDITIONAL ACTION ITEMS

Approve Minutes of September 21, 2011.

Wilson/Selawsky and approved unanimously 5-0

The October 26, 2011 meeting will include discussion regarding “goals,” with 40 minutes allotted per goal. The Board requested an additional study session, that would include Board training and planning for the next 18th month goals, be scheduled on a Sunday afternoon in January. Complete a review of the remainder of the District view. The president and Superintendent will pick a date in January. November 16th will be a study session on preschool and after school programs.

Closed session at the next meeting will start at 5:30 to discuss the Superintendent’s evaluation.

EXTENDED PUBLIC TESTIMONY

None

President Leyva-Cutler adjourned the meeting at 11:14 pm.

John T. Selawsky, Clerk
Board of Education