

BERKELEY UNIFIED SCHOOL DISTRICT

Minutes, Regular Meeting

OFFICIAL MINUTES

Wednesday, January 25, 2012
Berkeley Unified School District
2134 Martin Luther King Jr. Way
Berkeley CA 94704

Roll Call 6:00pm

Members Present:

John T. Selawsky, President
Leah Wilson, Vice President
Beatriz Leyva-Cutler, Director/Clerk
Karen Hemphill, 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 Selawsky called the meeting to order at 7:51 pm

Report Closed Session Actions

The Board heard Human Resource issues and received updates on collective bargaining.

Classified Employee Suspension

Board voted in favor of ten day suspension for a classified employee. **Daniels/Leyva-Cutler** and approved on a vote of 3-0 (Hemphill and Wilson recused due to their absence during the employee hearing)

Liability Claims

Claim Nos. 1341 and 0254

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

Claim Nos. 1495 and 1440

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

APPROVAL OF REGULAR AGENDA

Leyva-Cutler/Wilson and approved on a vote of 5-0
1.3-C pulled by Leyva-Cutler

- 1.4-C pulled by Leyva-Cutler
- 4.4-C pulled by Daniels to combine with budget item
- 3.3-I moved to consent
- 1.1-C pulled by Hemphill
- 1.2-C pulled by Selawsky

Public Testimony

The Berkeley League of Women Voters presented the Superintendent with 11 copies of their book, *Marching with Aunt Susan*. A copy will be given to each elementary school library. Judy Appel spoke in support of the Anti-Bullying Policy that was being voted on by the Board. A BHS parent addressed the Board regarding the Bullying policy. She suggested the Board add a “safe reporting location” for students. She referenced Seth’s Law. A parent of a deaf and hard of hearing student addressed the Board regarding the process of moving a deaf and hard of hearing class to Berkeley. She would like to see the parents and community involved in the process. A retired teacher from the deaf program at John Muir requested that administration and the SELPA meet with the parents of the children interested in having a deaf and hard of hearing special day class reopened at John Muir. A parent was excited to see the creative approach to keeping the preschool programs open during tough budgetary times. He specifically spoke to the 9.5 hour program that exists in one classroom at each preschool. He was also excited to see the idea of a TWI preschool program being discussed. A representative from Alameda County addressed the Board regarding the Governor’s proposed budget cuts for state preschool programs. She asked the board to lobby the State in support of preschool funding.

UNION REPORT

Denise Diggs-Ray, BCCE representative, addressed the Board regarding the current *We Care* model adopted by the District and how it applies to the new West Campus offices. She did not agree that the new offices were designed to allow for the We Care customer service model to work optimally. She also expressed concerns about staff safety. Customers have direct access to staff. There are no counters or space for parent to spread out paperwork and complete business.

Jabari Anderson, BFT member, spoke in support of consolidating the TWI programs at a single school site.

Board Members’ Reports

Student Director: Finals are taking place this week at BHS. Students are very busy studying and taking finals.

She noted that these were being brought forward in honor of Terry Doran. She also noted that the theme of this year's African American Heritage Month is African American Women. She pointed out several African American women that made history in Berkeley as being "firsts" in Berkeley history.

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

1.2-C pulled by Selawsky

The policy was vetted by our legal counsel. We are obligated to investigate reports of bullying. The name of the complainant is not disclosed to the potential bully being investigated. We cannot discipline a student without due process.

Amendment: replace "Bully/Bullies" with "Bullying behavior"

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

1.3-C pulled by Leyva-Cutler

Director Leyva-Cutler spoke about the many curricula opportunities that are built around honoring Caesar Chavez and his work. Many events will also take place in our community.

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

1.4-C pulled by Leyva-Cutler

Director Leyva-Cutler acknowledged the efforts of former Board member Terry Doran in bringing forward prior resolutions in honor of Caesar Chavez and Women's History.

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

ACTION ITEMS

2.1-A

Ratification of Extension of the Contract between the Berkeley Unified School District and the Union of Berkeley Administrators

Wilson/Hemphill and approved unanimously 5-0

4.1-A

Approval of BSEP Annual Report for FY 2011 and First Interim Report for FY 2012

Wilson/Daniels and approved unanimously 5-0

4.2-A

Approval of Public Disclosure of Collective Bargaining Agreement for Union of Berkeley Administrators AFSA, Local 81 AFL-CIO (UBA)

Wilson/Hemphill and approved unanimously 5-0

CONFERENCE ITEM

2.1-CF

Resolution to Eliminate and Add Certain Classified Positions to Implement the BCCE Writ Settlement Agreement

Selawsky/Wilson and approved on a vote of 4-0-1
Daniels abstained

INFORMATION ITEMS

3.1-I

Educational Options for Students While on Suspension Pending an Expulsion Hearing

Further Direction: Explore option #2 by entering into conversations with BFT to include students suspended for multiple days and bring back as an additional item to the Board (multiple day suspensions). Take the discussion to the Policy Committee as well in regard to students' ability to make up work missed during suspension. Request staff to report on the amount of work to be done (man hours) around this policy to include making sure the policy is implemented evenly. The policy could be rolled out in phases.

Next steps: Discussion with BFT and Principals. It will come back as an information item and in the future as potential policy.

Received for Information

3.2-I

Report on Pre-School

Further Direction: Build in the carryover that we had for 2011-12 SY. Supt. suggested the Board choose Option #1 until we have more clarity from the state. Supt. Huyett suggested parent outreach about Option #1, but to not overly worry parents at this point. The preschool SGC should also be kept informed. The preference is Option #1. We will roll over the money currently in Childcare that has already been taken out of general fund ending fund balance for the program. We need to talk to parents about new qualifications. Zachary will update the Board as to how many families will be affected by the new requirements.

Message to parents: Our preschool/childcare budget is being cut at the state level. In the short term, the District will continue to spend the money currently allocated for preschool/childcare. Things are still changing in Sacramento until after November. The Board is supportive. Parents should contact their representatives.

President Selawsky adjourned the meeting at 11:19 pm. The Board recessed to closed session.

A handwritten signature in cursive script, reading "Beatriz Leyva-Cutler". The signature is written in dark ink and is positioned above a horizontal line.

Beatriz Leyva-Cutler, Clerk
Board of Education