

BERKELEY UNIFIED SCHOOL DISTRICT

Minutes, Regular Meeting

Wednesday, September 10, 2014
Berkeley Unified School District
2020 Bonar Street
Berkeley CA 94702

OFFICIAL MINUTES

Roll Call 7:50 p.m

Members Present:

Josh Daniels, President
Judy Appel, Vice-President
Beatriz Leyva-Cutler, Director
Julie Sinai, Director
Karen Hemphill, Director
Jesse Barber, Student Director, BHS
Carlos Ku-Ceja, Student Director, B-Tech

Administration: Donald E. Evans, Ed.D, Superintendent
Javetta Cleveland, Deputy Superintendent
Pasquale Scuderi, Assistant Superintendent,
Educational Services
Delia Ruiz, Assistant Superintendent, Human
Resources

President Josh Daniels called the meeting to order at 7:45p.m. Closed Session started at 5:34 p.m.

Report Closed Session Actions

President Daniels stated that closed session included the following: collective bargaining with BCCE, an appeal on two complaints directed against two District employees, Superintendent Evans's evaluation, and Student Discipline Case No. OD1415-01-121099. Referring to the Student Discipline item, President Daniels said that following a Motion proposed by Vice-President Appel and then seconded by Director Leyva Cutler, the Board had voted to approve the staff's recommendation.

Swearing in of New Student Directors

President Daniels swore in two Student Directors: Jesse Barber – Berkeley High School and Carlos Ku-Ceja - Berkeley Technology Academy. After the swearing in, President Daniels said the roll call should reflect both students' presence at the meeting.

Reading of Mission Statement by a Berkeley High Student

Approve Agenda of September 10, 2014

The Board agreed to adjust the order of certain discussion and action items.

Motion to approve the Agenda as Amended

Barber/Sinai and approved unanimously 7-0 (5-0)

Josh Daniels, President Yes

Judy Appel, Vice-President Yes

Beatriz Leyva-Cutler, Director Yes

Julie Sinai, Director Yes

Karen Hemphill, Director Yes

Jesse Barber, Student Director, BHS Yes

Carlos Ku-Ceja, Student Director, (B-Tech) Yes

Public Testimony

Five people addressed the Board.

- A BUSD parent said Malcolm X School was at full capacity with close to six hundred children. She said the school needed more literacy coaches, special education teachers, cafeteria staff, and janitorial support.
- The Co-President of the Malcolm X PTA said the school was at an emergency point with regard to capacity. By way of example he said the auditorium accommodated 348 kids but 564 students attended school yesterday. He asked the Board to consider appointing a Vice Principal, or at the very least someone to help with teacher evaluations.
- A Le Conte kindergarten parent said English/Spanish bi-lingual students were disadvantaged because neither teachers nor students were being provided with translations of Common Core Curriculum.
- The parent of an elementary school student asked what was being done to support elementary school teachers in math instruction. He said that parents at Jefferson were concerned about the implementation of Common Core math instruction K-5.
- A Berkeley resident who was also a Berkeley High School parent and an environmental educator with the Institute of Population Studies said she empathized with the concerns of the Malcolm X community. She said her institute supported BUSD's mission of inspiring students to make a positive contribution to our world by offering free classes and free documentary screenings on environmental issues.

Union Comments

Tim Mull, Operations Supervisor Transportation, Local 21
Mull said Local 21 encouraged the implementation of the most recent classification study. He also said that as a unit, Local 21 wanted to express concern about the health and well-being of BUSD employees, especially part-time employees striving to support families in a time of escalating health care costs.

Committee Comments

Stephanie Allen, Co-Chair of the Citizen's Bond Oversight Committee – (Measure I Construction Bond Oversight Committee)
Allen delivered a report and praised the completion of the BHS Construction Project Plan. She also commended Director of Facilities Lew Jones and President Josh Daniels for their positive contributions to the oversight committee.

Board Members' Reports

Highlights:

- Superintendent Evans said he was keenly aware of the challenges being faced at Malcolm X. He said the District was committed to ensuring that that all schools had the support they needed to thrive. Switching topics, Evans said that since BUSD and BCCE were at a stalemate in contract negotiations, new members had been appointed to the fact finding panel. Next he invited Assistant Superintendent Delia Ruiz to introduce new administrators and administrators with new assignments.
- President Josh Daniels said he had spoken with parents about the effects of enrollment challenges. He said upcoming meetings would address long-term challenges and offer solutions. President Daniels said he had set the Board agenda last spring and he wanted to take full responsibility for not fully anticipating various enrollment scenarios this fall.
- Director Leyva-Cutler said that today she and other child care directors had met with the Governor Brown's assistant advisor on early childhood education. Referring back to earlier public comments, she stressed that the requirements of bi-lingual and dual-immersion students need to be met.
- Director Hemphill said more needed to be done to publicize BUSD's professional learning communities and professional development achievements as the word was not getting out to the public. She noted that in September her office hours would switch to the 3rd Saturday of the month, September 20, from 12:30-2p.m. at Café Leila.

- Director Sinai said she attended Back to School Night at John Muir and Berkeley Arts Magnet and that it had been wonderful to see the new administrators and returning families.
- Vice President Appel said she was pleased that an opinion piece written by herself and Sandra Lee Fewer of the San Francisco Board of Education, urging Governor Brown to pass AB420, a bill limiting school suspensions, had appeared in the *Contra Costa Times* on September 9, 2014.
- Student Director Jesse Barber reported a great start to the school year at Berkeley High School.
- Student Director Carlos Ku-Ceja said B-Tech students were getting focused and some were participating in a special circle time where they shared deep feelings.

Presentation on Response to Intervention and Instruction (RTI²)

Pat Saddler, Director of Special Projects and Programs, and Maggie Riddle, Director of Schools, led the Board through a presentation and then answered questions.

**Facilities Financial Plan Update for Measure I and AA;
BHS Construction Project plan**

Director of Facilities Lew Jones
Presented on completed BHS Improvements

Motion to Approve the Facilities Financial Plan Update for Measures I and AA;

Daniels/Appel and approved unanimously 7-0 (5-0)

President Daniels: Yes
Vice-President Appel: Yes
Director Hemphill: Yes
Director Leyva-Cutler: Yes
Director Sinai: Yes
Student Director Jesse Barber: Yes
Student Director Carlos Ku-Ceja: Yes

Discussion on Student Board Members Bylaws Amendments

Superintendent Evans reminded the Board that this was an action item.

First Motion to approve the Bylaw as amended to clarify the following

Sinai/Appel and approved unanimously 7-0 (5-0)

1. Student Directors must be enrolled in the District.
2. Independent Study students participate by voting with Berkeley High School for representation.
3. If a Student Director leaves the District the first semester of their term then there shall be an election to replace that Student Director in the second semester.
4. If the position becomes vacant the second semester then it shall remain vacant until the next election.
5. If a student transfers from B-Tech to the High School or vice versa during the 1st semester that shall be considered a vacancy and another election shall occur. If the transfer happens during the second semester the student retains his/her seat but part of finishing their term involves continuing to represent the school that elected them. Include language clarifying that Independent Study students vote with Berkeley High School students.

President Daniels: Yes

Vice President Appel: Yes

Director Hemphill: Yes

Director Leyva-Cutler: Yes

Director Sinai: Yes

Student Director Jesse Barber: Yes

Student Director Carlos Ku-Ceja: Yes

Second Motion by Appel to strike final paragraph of E 9150 Board Bylaw exhibit

Delete "Student Board members may make motions (but not second motions) that may be acted upon by the Board, except on matters dealing with employer-employee relations pursuant to Government Code 3540-3549.3" with "A Student Board member may make a motion, except on matters dealing with employer-employee relations pursuant to Government Code 3540-3549.3, that may be acted upon the Board. However, if a motion is made by a Student Board member, then it may not be seconded by the other Student Board member."

Appel/Hemphill and approved 5-2 (3-2)

Sinai/Daniels Approved 5-2

President Daniels: No

Vice-President Appel: Yes

Director Hemphill: Yes

Director Leyva-Cutler: Yes

Director Sinai: No
Student Director Jessee Barber: Yes
Student Director Carlos Ku-Ceja: Yes

Motion to Extend the Meeting to 11:15p.m
Sinai/Daniels

Approved unanimously 7-0(5-0)
President Daniels: Yes
Vice-President Appel: Yes
Director Hemphill: Yes
Director Leyva-Cutler: Yes
Director Sinai: Yes
Student Director Jessee Barber: Yes
Student Director Carlos Ku-Ceja: Yes

Presentation on Unaudited Actuals

Fiscal Director Pauline Follansbee

Led the Board through her presentation and then took questions.

Motion to Approve 2013-14 Unaudited Actuals

Daniels/Sinai and approved unanimously 7-0 (5-0)

Sinai/Daniels Approved Unanimously 5-0

President Daniels: Yes
Vice-President Appel: Yes
Director Hemphill: Yes
Director Leyva-Cutler: Yes
Director Sinai: Yes

President Josh Daniels adjourned the meeting at 11:10p.m.

The Board immediately returned to a closed session which ended at 11:20p.m.

During this meeting Board Members agreed to approve an employee Separation Settlement.

Hemphill/Appel

Approved Unanimously 5-0

President Daniels: Yes

Vice-President Appel: Yes

Director Hemphill: Yes

Director Leyva-Cutler: Yes

Director Sinai: Yes

Approved this 8th day of October, 2014



**Beatriz Leyva-Cutler, Clerk
Board of Education**