

BERKELEY UNIFIED SCHOOL DISTRICT

Minutes, Regular Meeting

Wednesday, November 5, 2014
Berkeley Unified School District
2020 Bonar Street
Berkeley CA 94702

President Josh Daniels called the open meeting to order at 7:37 p.m.
He announced that Closed Session began at 6:10 p.m.

Closed Session report:

1. Public Employee Discipline/Dismissal/Release/Evaluation

The Board approved a motion to ratify a separation agreement with a classified employee.

Daniels/Appel (approved 4-0)

2. Public Employment

a. Superintendent's 2014-15 Evaluation

This matter was not discussed.

b. BHS Principal

Board members discussed this topic at length.

3. Conference with Legal Counsel - Anticipated Litigation

Board members addressed this item.

Roll Call

Josh Daniels, President Yes

Judy Appel, Vice President Yes

Karen Hemphill, Director Yes

Beatriz Leyva-Cutler, Director / Clerk Yes

Julie Sinai, Director Yes

Jesse Barber, Student Director, BHS Yes

Carlos Ku-Ceja, Student Director, BTA *Excused Absence*

Approve Agenda of November 5, 2014

Motion to approve the agenda

Barber/Leyva-Cutler (approved 6-0)

Josh Daniels, President Yes

Judy Appel, Vice President Yes

Karen Hemphill, Director Yes

Beatriz Leyva-Cutler, Director /Clerk Yes
Julie Sinai, Director Yes
Jesse Barber, Student Director, BHS Yes
Carlos Ku-Ceja, Student Director, BTA *Excused Absence*

Read Mission and Meeting Overview

Martin Luther King middle school student Eliza Fosket-Hydes read the statement.

Public Comment (first opportunity):

Twenty-three people addressed the Board.

Restore Berkeley High School Tennis Courts (1)
Enrollment and Capacity (9)
Emergency Preparedness (2)
Parcel Tax/Berkeley School's Excellence Project (1)
Recess and Restriction Policy (10)

During public comment several people spoke against using recess restriction as a disciplinary tool or as a time for children to complete homework. A few parents said they wanted immediate notification if their children's recess was restricted. One parent said organizations opposing recess restriction included: The American Academy of Pediatricians, First Lady Michelle Obama's "Let's Move!" initiative, The USDA's HealthierUS School Challenge, and the Disability Rights Education and Defense Fund (DREDF).

Union Comments

Berkeley Federation of Teachers (BFT)

Cynthia Allman, Malcolm X teacher and BFT Officer

Allman urged the Board to adopt a recess restriction policy that allowed for the use of rare, focused, thoughtful, and productive timeouts for students who needed them. She said the draft before the Board tonight was a workable option and parents and educators alike knew that students who needed to be redirected benefited from consequences that were brief and meaningful to them. She said in her 15-year teaching career she prided herself on creating a warm but demanding classroom culture, and timeouts have helped. She agreed that some teachers might be using recess times inappropriately and that issue needed to be addressed.

PTA Council District Committee

Amy Pulich, PTA Council, Vice President of Legislative and District Advocacy

Pulich commented on the content of the Enrollment and Capacity section of tonight's Board package. She said insufficient information had been provided to enable interested parties to truly compare or accurately weigh the pros and cons of eleven scenarios being presented to the Board as possible solutions to the District's enrollment and capacity challenges. In reference to the eleven scenarios, she said student density had not been taken into consideration and for every given option there

was a missing associated big picture that included every school's census data and how classes per grade were distributed through SY2018/19.

Board Member Comments:

Director Beatriz Leyva-Cutler – Next Office Hours

Monday, November 24, 2014, 4-6 p.m. at Casa Latina, 1801 San Pablo Ave.

President Josh Daniels – Next Office Hours

Saturday, November 15, 2014, 1 p.m., Take 5 Café, 3130 Sacramento Street.
President Daniels thanked Berkeley voters for approving Measure D.

Director Julie Sinai – Next Office Hours

Saturday, November 22, 2014, 1p.m., Café Leila, 1724 San Pablo Ave.

Director Karen Hemphill – Next Office Hours

Saturday, December 2, 2014, 10:00 a.m., Café Leila, 1724 San Pablo Ave. **Note:**
November office hours have been cancelled and Director Hemphill will not be attending the November 19, 2014 board meeting.

Superintendent Evans

Dr. Evans thanked everyone for coming to the meeting. He said he heard speakers' passion and commitment at the podium and he applauded everyone who addressed the Board. Next he announced that BUSD's cooking and gardening program had received a \$7,777 donation from Whole Foods Market as part of a two-pronged community marketing campaign. He explained that on September 3, 2014, the company not only donated a \$1 for every "Facebook Like" it received on the store's web page, but also 5% of the store's net sales for the day. Dr. Evans added that Whole Foods Market was a generous supporter of the cooking and gardening program's gala fundraising event in June 2014. The Superintendent said the company would also donate all the food for the next gala scheduled for April 10, 2015.

Next, the Superintendent gave an update on the District's search for the BHS principal. He said BUSD would soon choose a recruitment firm to conduct the search. Dr. Evans said he envisioned community, parent, and staff involvement in the process beginning in January, interviews taking place in March, and a principal being selected in April 2015.

On the topic of undocumented students, the Superintendent said he met with his counterparts at neighboring school districts last week to discuss the matter and conversations had been lively and productive. He said that on the heels of that discussion he would soon bring a recommendation to the policy committee to address BUSD's verification process at student entry points.

Enrollment and Capacity/Challenges and Ideas

Pasquale Scuderi, Asst. Superintendent, Educational Services and Lew Jones, Director of Facilities

Superintendent Evans introduced the presenters by saying that between them the two speakers would introduce eleven short-term and long-term options, ideas, and alternatives for addressing BUSD's capacity challenges. Before beginning the

presentation, Pasquale Scuderi said the costs and impacts of tonight's suggestions were very preliminary. Then he and Director Lew Jones led the Board through a PowerPoint presentation. Discussion and questions followed.

Recess and Restriction Policy/Discussion

Pasquale Scuderi, Asst. Superintendent, Educational Services

Vice President Judy Appel introduced the topic by explaining that BUSD was currently considering a policy on recess restriction. She said recess restriction had been used as a disciplinary tool in the past at BUSD and if that practice were to continue, a policy would need to be on the books. She said the Board was now trying to resolve what kind of policy, if any, the District might adopt to guide the use of this practice. Appel clarified that BUSD had suspended recess restriction for SY2014-15. At this point, Superintendent Evans interjected that tonight, Pasquale Scuderi would lead the Board through a first reading of a recess restriction policy that balanced children's need for physical activity and emotional development, and teachers' and principals' needs to occasionally provide a brief time for reflection and guidance. He said the policy draft being presented tonight limited the amount of time a child could be restricted during recess and it ensured that no child would go without recess.

Next Assistant Superintendent Scuderi explained that the impetus to craft a policy was not prompted by complaints from parents or guardians or the misuse of an existing recess restriction policy, rather, it had simply come to light that the District lacked an approved policy and that had to be corrected. Then Assistant Superintendent Scuderi went through the policy with board members who suggested changes to the text. Vice President Appel said she had thought a lot about the topic and she understood the need for a tool like this being used in a positive way. Still, she said that in listening to statements during public comment she was disturbed by stories of the same kids getting benched repeatedly and therefore she felt strongly that the District needed to craft a very careful policy. She said she had taken notes on the changes suggested by her fellow board members and she would work with Assistant Vice Superintendent Scuderi to draft a revised version of the policy and bring it back to the Board on November 19, 2014.

Motion to Extend the Meeting until Midnight

Daniels/Appel (6-0)

Josh Daniels, President Yes

Judy Appel, Vice President Yes

Karen Hemphill, Director Yes

Beatriz Leyva-Cutler, Director /Clerk Yes

Julie Sinai, Director Yes

Jesse Barber, Student Director, BHS Yes

Carlos Ku-Ceja, Student Director, B TA *Excused Absence*

Emergency Preparedness/Discussion

Bernadette Cormier, Manager, Transportation

Cormier gave a comprehensive report to on activities related to emergency preparedness in the District. She used a slide show and a video as part of her presentation.

Public Comment/2nd opportunity

Four people addressed the Board.
Enrollment and Capacity (4)

Motion to Approve Consent Calendar

Appel/Sinai (Approved 6-0)

Josh Daniels, President Yes

Judy Appel, Vice President Yes

Karen Hemphill, Director Yes

Beatriz Leyva-Cutler, Director / Clerk Yes

Julie Sinai, Director Yes

Jesse Barber, Student Director, BHS Yes

Carlos Ku-Ceja, Student Director, BTA *Excused Absence*

The Berkeley Schools Excellence Program (BSEP) - Measure Planning/Discussion

Natasha Beery, Director of BSEP and Community Relations and Jay Nitschke, Technology Director

Speaking on behalf of a working group that has been partnering with the Superintendent on the BSEP Measure planning process, Beery reviewed the structure of the current Measure. Then Jay Nitschke gave a brief review of the Measure's twenty-year history. Looking ahead to the next measure, Director Beery said that members of the working group felt the first step in planning the next measure involved delving into current resources to find out what was working and to identify areas of struggle. She said that after a period of information gathering there would be robust community involvement and a return to the Board for an update on the planning process.

Berkeley Youth Commission Appointment

Student Director Jesse Barber appointed BHS student Sachiko Moran.

Adjournment Time: Midnight.

Approved this 10th day of December, 2014.



Beatriz Leyva-Cutler, Clerk
Board of Education