
BOARD OF EDUCATION MINUTES

President Judy Appel called the meeting to order at 7:38 p.m. She said the closed meeting convened at 6:05 p.m.

President Appel Reported From Closed Session:

1. Student Expulsion Matter
Case # 1314-13-032302 - revoke suspension of expulsion order and deny readmission.

Motion to accept staff's recommendation to deny readmission and to revoke the suspension of the expulsion.

Daniels/Leyva-Cutler (approved 5-0)

Judy Appel, President *yes*
Beatriz Leyva-Cutler, Vice President *yes*
Karen Hemphill, Director/Clerk *yes*
Josh Daniels, Director *yes*
Ty Alper, Director *yes*
Jesse Barber, Student Director, BHS
Carlos Ku-Ceja, Student Director, BTA

- 2, Public Employee Discipline/Dismissal/Release/Evaluation. Settlement Agreement for Classified Employee

Motion to Accept the Settlement.

Daniels/Alper (approved 4-1)

Judy Appel, President *yes*
Beatriz Leyva-Cutler, Vice President *yes*
Karen Hemphill, Director/Clerk *no*
Josh Daniels, Director *yes*
Ty Alper, Director *yes*
Jesse Barber, Student Director, BHS
Carlos Ku-Ceja, Student Director, BTA

1. Public Employment/Appointment
BHS Principal Recruitment
Facilities Director Update

The Board received updates on the recruitment processes for the BHS Principal and the Facilities Director.

2. Conference with Legal Counsel – Existing Litigation OCR Complaint

The Board met with Legal Counsel regarding an office of Civil Rights complaint.

3. Public Employee Performance Evaluation
2015 Superintendent's Evaluation

The Board discussed this item.

Roll Call:

Judy Appel, President *present*

Beatriz Leyva-Cutler, Vice President *present*

Karen Hemphill, Director/Clerk *present*

Josh Daniels, Director *present*

Ty Alper, Director *present*

Jesse Barber, Student Director, BHS *present*

Carlos Ku-Ceja, Student Director, BTA *present*

Motion to approve the regular Meeting Agenda of January 14, 2015.

The Agenda was approved with the following *two* amendments:

- Director Daniels asked that Consent Item #12, the November 19th minutes, be pulled so changes could be made.
- Vice President Leyva-Cutler asked that Consent Calendar Item #11 be moved to Action.

Leyva-Cutler/Barber (approved 7-0)

Judy Appel, President *yes*

Beatriz Leyva-Cutler, Vice President *yes*

Karen Hemphill, Director/Clerk *yes*

Josh Daniels, Director *yes*

Ty Alper, Director *yes*

Jesse Barber, Student Director, BHS *yes*

Carlos Ku-Ceja, Student Director, BTA *yes*

Public Comment: (1st Opportunity)

Twenty-nine people addressed the Board

- Don't use Emerson Flex Space to solve enrollment capacity problem (3)
- Consider the impact of density on school culture and the need for proportional staffing at Malcolm X and other middle schools (1)
- Transitional Kindergarten (4)
- Preschools are undervalued and their worth is underestimated (1)
- Keep Berkeley Adult School (BAS) in Same Location (8)
- West Contra Costa County Adult Education will do its best to accommodate any displaced BAS students, but many will not be served as the budget is limited and there are no funds to create new classes. (1)
- Repurpose Berkeley Adult School as an Elementary School (3)
- Opposition to BHS Sponsoring a Mountain Biking Club (1)
- Protect BUSD's Career Tech: Fire Science, Emergency Medical Technician, and Future Paramedic Program (3)

After public comment, President Judy Appel said BUSD planned on having a Town Hall meeting in the near future to allow for collective discussion on many of the issues brought forth during public comment.

Union Comments:

Jacqueline Boutte, BCCE

Program Specialist at Berkeley Adult School

Boutte said that by serving the adults in Berkeley and helping them succeed, BUSD was also serving the Community's children. She urged Board Members to think long-term and to dedicate themselves to sustaining the best adult school program possible.

Peggy Datz

BAS ESL teacher

Datz said BAS's only chance for survival depended on the Board's understanding the valuable role BAS played in our Community, and fierce some damage that would be done to 7,000 students per year if BAS were dismantled.

Committee Comments:

District English Language Advisory Committee (DLAC)

Prashart Jawalikar, Committee Member

Jawalikar said two points surfaced during the most recent DLAC meeting: first, there is a critical need for outreach to English Learner parents, and secondly, attitudes regarding EL students needed to be changed. He said EL students' ability to speak multiple languages should be spotlighted as a strength.

Parent Advisory Committee (PAC)

Laura Babbit, Committee Member

Read a statement to the Board regarding PAC's request for specific information that would assist their advising the District about the LCAP plan. She said that last year PAC received lots of information to support the inclusion of various initiatives to the LCAP plan, however, the evidence provided did not clearly show a link between the initiatives and the data metrics they were supposed to address. The statement Babbit read detailed the specific results-oriented and decision-focused information PAC would need to make informed real-time decision for the 2015-16 school year.

Board Members Announced Office Hours:

Director Josh Daniels

Saturday January 24, 1-3 p.m., Take 5, 3130 Sacramento Street.

Director Ty Alper

Fourth Sunday of every month, 3-5 p.m., Casa Latina, 1805 San Pablo Avenue.

Director Karen Hemphill

The second Saturday of every month, 10-11:30 a.m., Café Leila, 1724 San Pablo Avenue.

Vice President Beatriz Leyva-Cutler

February 12, Thursday, 4-6 p.m., Casa Latina, 1805 San Pablo Avenue.

President Judy Appel

Fourth Saturday of every month, 1 p.m., Café Leila, 1724 San Pablo Avenue.

Motion to Approve the Consent Calendar minus Items 11 and 12.

Daniels/BLC (approved 7-0)

Judy Appel, President, *yes*

Beatriz Leyva-Cutler, Vice President *yes*

Karen Hemphill, Director/Clerk *yes*

Josh Daniels, Director *yes*

Ty Alper, Director *yes*

Jesse Barber, Student Director, BHS *yes*

Carlos Ku-Ceja, Student Director, BTA *yes*

Enrollment/Capacity Solutions

Pasquale Scuderi, Assistant Superintendent, Educational Services

Superintendent Donald Evans introduced the presentation by saying that after several months of discussions it was clear that there was no quick fix to BUSD's short, mid, and long-term capacity challenges. He asked the Board to focus tonight's decision-making on short and mid-term solutions only.

Assistant Superintendent Pasquale Scuderi then proposed the District's short-term (2015-16SY) and medium-term (2016-17SY) Enrollment and Capacity Solutions. He explained that although current projections identified a need for 4-6 new classrooms for fall of 2015, the District had made contingency plans for up to ten additional classrooms.

During his presentation Scuderi shared a chart which showed how the District would accommodate student overflow by converting flex spaces to classrooms and by consolidating Transitional Kindergarten sections. Discussion followed and then Director Josh Daniels proposed revisions to Scuderi's short-term proposal for a hypothetical need of up to five additional classrooms for school year 2015-16.

1 classroom: Flex space at Jefferson

2 classrooms: Flex space at Jefferson and flex space at Rosa Parks

3 classrooms: Place three TK classrooms at King CDC and move two preschool classrooms from King CDC to Franklin CDC

4 classrooms: Place three TK classrooms at King CDC and move two preschool classrooms from King CDC to Franklin CDC and flex space at Jefferson

5 classrooms: Place three TK classrooms at King CDC and move two preschool classrooms from King CDC to Franklin CDC, flex space at Jefferson, and flex space at Rosa Parks

The proposal would also direct staff to return at the January 28 with the contingency plan in case 6-10 classrooms are needed.

Daniels/Beatriz Leyva-Cutler (approved 7-0)

Judy Appel, President *yes*
Beatriz Leyva-Cutler, Vice President *yes*
Karen Hemphill, Director/Clerk *yes*
Josh Daniels, Director *yes*
Ty Alper, Director *yes*
Jesse Barber, Student Director, BHS *yes*
Carlos Ku-Ceja, Student Director, BTA *yes*

Next, Director Appel led the discussion to the District's mid-term enrollment capacity solution, a proposal to install *three* portables at LeConte and *three* at Thousand Oaks. Director Daniels interjected that he was in favor of having a portable at John Muir too. Superintendent Evans responded by saying he had reservations about the need for a portable at John Muir. Daniels countered that it would be easier for the Board to at least approve the planning process for *seven* portables and to then pull back if necessary. After some deliberation, Dr. Evans said he was comfortable with that idea.

There was a Motion to approve the preliminary planning process for *three* portables at Thousand Oaks, *three* at Le Conte, and *one* at John Muir, and to approve a short-term plan for creating up to five extra classroom spaces for the 2015-16 school year following the sequence suggested by Director Daniels.

Daniels/Beatriz Leyva-Cutler (approved 7-0)

Judy Appel, President *yes*
Beatriz Leyva-Cutler, Vice President *yes*
Karen Hemphill, Director/Clerk *yes*
Josh Daniels, Director *yes*
Ty Alper, Director *yes*
Jesse Barber, Student Director, BHS *yes*
Carlos Ku-Ceja, Student Director, BTA *yes*

President Appel directed staff to return to the Board on January 28th to present more concrete information on the cost and placement sequencing of portables. Director Karen Hemphill emphasized that the Board had not voted to actually place the portables at school sites. President Appel said that BUSD would soon invite everyone to a Town Hall meeting where items raised tonight could be discussed in depth.

Approval of Yearly Facilities Plan Modifications

Javetta Cleveland, Deputy Superintendent

Deputy Superintendent Cleveland led a discussion and gave an overview of the Facilities Plan Modifications.

Superintendent Evans said that in December staff brought to the Board expenses related to proposed budgets for Measure I and Measure AA. He said tonight Deputy Superintendent Cleveland would present modifications to certain projects related to those budgets. Dr. Evans said costs for the short and long-term plans discussed earlier in the evening were not included in the Deputy Superintendent's presentation.

Motion to Approve the Yearly Facilities Plan Modifications with the understanding that more information was needed on what \$1,458,000, an

amount listed under Measure I's Program Management Budget Summary, would cover.

Daniels/Alper (approved 7-0)

Judy Appel, President *yes*

Beatriz Leyva-Cutler, Vice President *yes*

Karen Hemphill, Director/Clerk *yes*

Josh Daniels, Director *yes*

Ty Alper, Director *yes*

Jesse Barber, Student Director, BHS *yes*

Carlos Ku-Ceja, Student Director, BTA *yes*

Approval to Repeal SB 858, Section 27/Education Code 42127.01 – Local Reserves Cap

Beatriz Leyva-Cutler, Vice President

Motion to Repeal SB 858, Section 27/Education Code 42127.01 – Local Reserves Cap

Leyva-Cutler/Daniels (approved 7-0)

Judy Appel, President *yes*

Beatriz Leyva-Cutler, Vice President *yes*

Karen Hemphill, Director/Clerk *yes*

Josh Daniels, Director *yes*

Ty Alper, Director *yes*

Jesse Barber, Student Director, BHS *yes*

Carlos Ku-Ceja, Student Director, BTA *yes*

Healthy Kids Survey

Susan Craig, Ed.D., Director, Student Services

Dr. Susan Craig presented the results of the 2014 California Healthy Kids Survey (CHKS). She said this survey was administered bi-annually to students in grades 5, 7, 9, 11, and to all students at Berkeley Technology Academy.

Board members gave feedback to Dr. Craig on her presentation and asked that in the next survey student information be aggregated by race, ethnicity, gender, and sexual-orientation. President Appel also said she wanted the District to take a closer look at suicide prevention and how the District was supporting students struggling with depression. Director Hemphill expressed concern about the number of students who said they had seen weapons on Campus and she said she wanted the District to address that issue. Director Alper said more work needed to be done to prevent teasing about body image as 30% of 5th graders reported that they had been teased about their bodies at school.

Motion to Extend Meeting to 11:15 p.m.

Approved with a friendly amendment that there would not be time for Board Member comments.

Daniels/Barber (approved 6-1)

Judy Appel, President, *yes*
Beatriz Leyva-Cutler, Vice President *yes*
Karen Hemphill, Director/Clerk *yes*
Josh Daniels, Director *yes*
Ty Alper, Director *no*
Jesse Barber, Student Director, BHS *yes*
Carlos Ku-Ceja, Student Director, BTA *yes*

Ty Alper Announcement

Director Alper reappointed Berkeley High School Student Nina Segal to the Berkeley Youth Commission.

Expression of Sympathy from the Board and the District to Two Families


President Appel shared the sad news that BUSD recently lost student Kaleb McYates who passed away suddenly. She said that John Adams, a recent alum, had also passed. On behalf of the Board, and the District, President Appel expressed sympathy and caring to the bereaved families.

Public Testimony (2nd Opportunity)

There were no speakers.

President Appel adjourned the meeting at 11:10 p.m.

Dated: March 25, 2015



Karen Hemphill, Clerk
