

**Berkeley Public Schools
Board of Education
Board Minutes – January 28, 2015**

President Judy Appel called the meeting to order at 7:45 p.m. She reported that at 5:45 p.m. the Board of Education began interviewing applicants for the Measure H Committee and then convened to Closed Session at 6:05 p.m.

President Appel reported from Closed Session

1. Collective Bargaining

BFT Negotiations

President Appel said Board members discussed collective bargaining, specifically, BFT negotiations.

2. Public Employee Discipline/Dismissal/Release/Evaluation

Certificated Employee Suspension

President Appel said Board members discussed several public employee discipline matters.

She said there was a brief guidance session on the process for a potential certificated employee suspension.

Certificated Employee Settlement Agreement

Motion to Accept Staff's Recommendation

Daniels/Hemphill (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*

Classified Employee Settlement Agreement

Motion to Accept Staff's Recommendation

Daniels/Hemphill (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*

3. Consideration of Student Matter

Student Case No. 1314-09-110700 – Readmission

Motion to Accept Staff's Recommendation, with Counsel Regarding Reintegration
Daniels/Appel (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*

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*

Student Director Carlos Ku-Ceja read BUSD's Mission Statement.

Motion to Approve Regular Meeting Agenda of January 28, 2015

Levy-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*

OPEN SESSION PUBLIC TESTIMONY

Nancy Hamill

Thousand Oaks Parent and School Governance Council Member

The speaker said the \$1.422,896M cost of placing one portable at John Muir, three at Thousand Oaks and three at Le Conte, along with two restroom portables, did not make sense because for double the cost, BUSD could convert the Berkeley Adult School to an elementary school by 2017.

Burr Guthrie

Principal, Berkeley Adult School (BAS)

Principal Guthrie said it was a new day for adult education in California since the Governor was proposing \$500M state-wide for adult education in his new budget. He said that because next year's budget was contingent on this year's expenditures, it was important for BAS to fully utilize its budget. Guthrie said he wanted to consider some forward funding because of the significant expenses associated with the expansion of the Fire Science Pathway.

Stephanie Allan

Coordinator, Career Technical Education (CTE)

Allan stressed the importance of having suitable facilities to accommodate equipment and to conduct the hands-on learning CTE requires. She said she had heard from many industries and unions interested in partnering with BUSD in CTE, and the large classrooms being used for CTE at Berkeley Adult School would be essential for those alliances to move forward.

Union Comments**Paula Phillips**

President of Berkeley Council of Classified Employees (BCCE)

Phillips asked the Board not to create a two-tier compensation system. She urged the Board to do the right thing when directing staff during upcoming negotiations with BCCE.

BCCE**Marie Ferguson, Vice President of BCCE**

Le Conte School Secretary

Ferguson asked the Board to reflect on the concerns of BCCE and its members while making decisions about the Classification Study. She said that in her role as school secretary she has to do the work of five people, although she has not been trained to do all five jobs. She said that some school positions like health records clerk, account technician, nurse, and budget analyst, had disappeared or been moved to the administrative offices, but the work remained at school sites.

Local 21

Steven Collins, President

Collins spoke against a two-tier compensation system. He said there seemed to be an oversight in the Background Information write-up on the Classification and Compensation Study, in tonight's Board package. He explained that in the October 22, 2014 Board package, a Board memo recommended that the Personnel Commission avoid a two-tier compensation system in particular classes with multiple FTE, such as Educational Occupational Therapist. Collins said tonight's write up did not specify whether the Merit Commission had adopted that recommendation. He asked the Board for clarification.

Committee Comments:**Berkeley Arts Education Steering Committee (BAESC)**

Susan McCulloch, Program Supervisor, Visual and Performing Arts

McCulloch shared a variety of performing arts highlights and informed the Board about several upcoming events.

Audit Committee

Laurie Snowden

Snowden shared with the Board some highlights from the audit conducted on financial statements for the school year ending June 2014. She stated that only one minor finding was made.

BOARD MEMBER AND SUPERINTENDENT COMMENTS

Director Josh Daniels

Daniels said his next office hours would be 1:00-3 p.m., Saturday, February 14 at Take 5. He said although he had prepared a statement pertaining to *Black Lives Matter*, he wanted to deliver it at a more appropriate time. He noted that though the protests had subsided and the news stories had moved on, the issues raised by the protests and the stories that triggered them, were still important, and continue to dramatically affect the lives of families, friends, and neighbors, on a daily basis.

Student Director Carlos Ku-Ceja

Ku-Ceja said BTA students needed more advance notice of events and more information on after-school programs and activities. He said BTA students would also benefit from additional advocacy, understanding, and compassion.

Director Ty Alper

Alper said his next office hours would take place on Sunday, February 22, 3-5p.m. at Casa Latina. He said his office hours usually take place on the fourth Sunday of every month.

Director Karen Hemphill

Hemphill said her next office hours would take place on Saturday, February 14, 10:00-11:30. Hemphill then said she would not attend the February 11, 2015 Board Meeting as she would be away on a five-day emergency training as part of her regular job. Director Hemphill appointed Kadija Means to the Berkeley Youth Commission.

Student Director Jesse Barber

Barber said the African American Studies Department at BHS was finishing up a round of teach-ins in history classes. He explained that the teach-ins shed light on the relationship between enslavement and historical institutionalized discrimination, and modern hate crimes.

Vice President Beatriz Levy-Cutler

Levy-Cutler said Thousand Oaks and Le Conte schools were seeing a shift in demographics.

She said for about thirty years, Thousand Oaks has been a bilingual program attracting a native speaking population of first generation immigrant families. She said fewer such families were now coming into the District. She explained that the District's traditional policy was to give native speakers first priority in the Thousand Oaks lottery to fill a classroom of 20 children. Given the decline in the number of incoming native speakers, Vice President Levy-Cutler asked the Superintendent and staff if bilingual children could now be given first priority in the lottery. In response, Superintendent Evans said staff would follow through on the matter.

Levy-Cutler said her next office hours would be on Thursday, February 12, 2015 at Casa Latina from 4-6 p.m.

President Judy Appel

President Appel congratulated the BHS Jazz Program for their recent performance at the Folsom Jazz Festival. Then she praised the District students who came before the Board a month ago to testify about the experiences of sexual harassment they had endured. She went on to commend the advocacy and activism that they had built over several months to bring forward an issue that is important to the District.

She said that this week every household had received a letter from Dr. Evans and the Board voicing their commitment to addressing sexual harassment in the District. She said the District wanted to create a culture free of sexual harassment.

In closing, President Appel encouraged people to appreciate our young people and their lives. She said the recent loss of her twenty-two-year-old nephew had been a life changing experience.

Superintendent Evans

Dr. Evans said that a North Berkeley Gourmet Ghetto Valentine's Wine Walk and Dine-Out, on Wednesday, February 11th, from 4-8 p.m., would benefit the District's Gardening Program. He said flyers detailing participating restaurants and businesses would be forth coming. He announced that a special edition of the *A+ News*, which answered questions on the District's Enrollment and Capacity issues, had been sent out today. He shared that last Monday was a professional development day for certificated and classified staff. He also congratulated the Jazz Ensemble for making the District proud during their recent performance at the Folsom Jazz Festival.

Motion to Approve Consent Calendar Daniels/Barber (approved 6-0)

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 *excused absence*

Approval of the Classification and Compensation Study

Delia Ruiz, Assistant Superintendent, Human Resources, and Randy Perez, Director of Classified Personnel and Secretary of the Personnel Commission

Superintendent Evans invited the speakers to give a brief overview of the Classification and Compensation Study and to deliver their presentation.

Director Perez gave a short history of the Study, and using a slide presentation gave a general overview and recap of the Study's two phases: the Classification Study, and the Compensation Study. Questions and discussion followed, and the presenters responded to the Board's concerns.

Motion to Accept the Classification Study with Direction to Staff to Negotiate with BCCE and Local 21 Using the Board's Direction of October 22, 2014 as a Template

Hemphill/Beatriz Leyva-Cutler (approved 6-0)

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 *excused absence*

Independent Audit Report for the Fiscal Year Ending June 30, 2014

Steven Wescoatt, Crowe Horwath LLP

Wescoatt delivered his report and said that the audit was in compliance with State and Federal regulations.

Motion to Approve the Audit Report

Appel/Alper (approved 6-0)

Judy Appel, President *yes*

Alper, 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 *excused absence*

Annual Report of Revenue and Expenditures in FY 2013-14 of the Berkeley Public Schools Educational Act of 2006 (BSEP) (Measure A) and First Interim Report of Revenue and Expenditures in FY 2014-15 of the Berkeley Public Schools Educational Excellence Act of 2006 (BSEP) (Measure A)

Natasha Beery, Director of BSEP and Community Relations; BSEP Planning and Oversight Committee, and Liz Karam, BSEP Senior Budget Analyst.

Director Beery gave her presentation to the Board and questions and discussion followed.

Motion to Accept Annual Report/Interim Report

Appel/Beatriz Leyva-Cutler (approved 6-0)

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 *excused absence*

Informational Presentation on the Governor's Budget

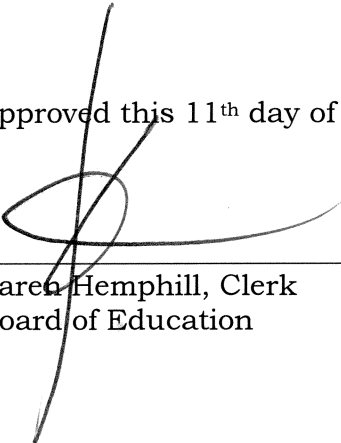
Javetta Cleveland, Deputy Superintendent

Deputy Superintendent Cleveland provided background information on the Governor's proposed 2015-16 State Budgets. She said overall it was a very good State budget for public education.

President Appel thanked Deputy Superintendent Cleveland for her presentation.

The Board adjourned to closed session at 10:56 p.m.

Approved this 11th day of March 2015



Karen Hemphill, Clerk
Board of Education