

**BERKELEY PUBLIC SCHOOLS**  
**Board of Education**  
**Meeting Location: 1231 Addison Street, Berkeley, CA 94702**  
**Phone: (510) 644-8764**  
**Official Minutes**  
October 14, 2015

President Appel called the meeting to order at 7:35 p.m. She reported that the Board convened to Closed Session at 6:05 p.m.

**Roll Call: 7:37 p.m.**

Board of Education:

Judy Appel, President – Present  
Beatriz Leyva-Cutler, Vice President – Present  
Karen Hemphill, Director/Clerk – Present  
Josh Daniels, Director – Present  
Ty Alper, Director – Present  
Angelo Paraiso-Arroyo, Student Director, BHS – Present  
Alaunte Keys, Student Director, BTA – Present

Administration:

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

**REPORT CLOSED SESSION**

President Appel reported out on Closed Session:

**Conference with Legal Counsel Anticipated Litigation (Government Code Section 54956.9)**

PERB Case No. SF-CE-3027-E Brian Crowell v. Berkeley Unified School District

The Board conferenced with legal counsel on this matter; no action was taken.

**Conference with Legal Counsel Pending Litigation (Government Code Section 54956.9)**

OCR Case #09-15-1041  
OCR Case #09-15-1095

The Board received legal counsel on these matters; no action was taken.

### **Superintendent's Evaluation (Government Code Section 54957)**

The Board discussed the Superintendent's 2015-16 evaluation tool.

### **OPEN SESSION**

President Appel called Open Session to order at 7:35 p.m.

### **APPROVAL OF REGULAR MEETING AGENDA**

At the request of Director Alper, Consent Item 11.6, Approve a Contract with Baker Vilar Architects to Provide Design Services for the Alteration of Two Small Classrooms to Create One Classroom at Rosa Parks School, was pulled from the agenda and will be brought back at a future meeting.

Motion to Approve Regular Meeting Agenda of as amended by Director Alper: **Alper/Keys** and unanimously approved 7-0

### **PUBLIC TESTIMONY**

A total of four people addressed the Board:

Stephanie Allen talked about the Career Technical Education (CTE) coordinator position.

Jezra Thompson announced Annie's \$40,000 grant to the gardening program at Longfellow.

Lily Howell, a BUSD parent, addressed Special Ed.

Matt Hinckley, a BUSD teacher, talked about the need to fund enrichment programs and the importance of developer fees.

### **COMMITTEE COMMENTS**

**Cathy Campbell, President, Berkeley Federation of Teachers (BFT)**, addressed Action Item 12.2, Request for Coordinator Position for Career and Technical Education, asking that it be modified to ensure that it is funded from its existing budget. In the case that there is an immediate and urgent need for this position to be filled with the budget increase outlined in the Board memo, she suggested that other funding sources be explored in an effort to not employ any General Fund dollars which are extremely limited. She requested that this item be brought back with an attached budget reflective of her recommendation.

### **BOARD MEMBER AND SUPERINTENDENT COMMENTS**

**Director Keys** asked when hot breakfast will be provided at BTA.

**Director Alper** thanked Mr. Hinckley for his comments on developer fees and he also thanked Director White, Superintendent Evans and Board President Appel for including the Proposed Structure of Developer Fees, for which he suggested a shorter timeline, in tonight's agenda. In terms of discipline and the disproportionality in suspensions among students of color, he said that suspending students' education is not effective and should be limited to cases where the Board has no discretion under the law or where students pose an immediate danger to themselves and/or others. He expressed interest in more deeply looking into how, why and what students are being suspended. Office hours: the last Sunday of every month at Casa Latina from 3pm to 4:30 pm

**Director Daniels** commended Vice President Leyva-Cutler for her role in organizing an excellent Latino heritage event on Saturday. He reported that SB 172 has been officially signed, making anyone who did not graduate high school solely due to not passing one or both parts of the CAHSEE eligible to receive a high school diploma. He also reported that the policy committee met earlier today. They discussed student discipline, suspension and expulsion, and SGC and BSEP bylaws. He said the policy committee approved policies on sick leave and document retention and will be bringing them to the Board at a future meeting. He went on to alert everyone to AC Transit's service expansion. Meeting dates and locations can be found on AC Transit's website. With respect to the developer fees, he noted the importance of being careful around the timing of developer fees implementation in relation to BSEP. He congratulated folks who were elected to the Berkeley High School SGC and BSEP committees and invited everyone to attend the first BSEP meeting next Thursday at 6 p.m. at Malcolm X Elementary. Office Hours: Saturday, October 31, at 1:30 p.m.

**Director Paraiso-Arroyo** talked about the importance of enrichment programs.

**Director Hemphill** shared that she was out of the country for a few weeks and is getting back into the swing of things. She reported that she attended a recent NAACP meeting where the issue of Berkeley's housing crisis was the main topic of conversation. She noted its impact on BUSDs demographics as families face barriers to affordable housing. Office Hours: every fourth Saturday of the month at 10 a.m. at Cafe Leila.

**President Leyva-Cutler** thanked Anne Callegari, Mel Martin and the City of Berkeley for their contribution to the Latino heritage event as part of the Cesar Chavez Commemorative Committee. Currently they are planning to outreach to about ten teachers who will be given the opportunity to win a book bag with great materials and resources on climate change. She requested that Board members' office hours be included in schools' newsletters as a way to ensure that the information is reaching parents. Office Hours: she will announce dates in November.

**President Appel** reported that she attended last week's parent meeting at BHS where parents had the opportunity to meet SGC candidates. She said that this year's spirit week will be called unity week at BHS. She recognized the work at BHS around sexual harassment and thanked Rebecca Levenson who has contributed a number of resources to these efforts. After a sexual harassment training for BHS ninth graders, she added, there seems to be a desire to continue holding further assemblies around other forms of bias and inclusion. Office Hours: Saturday, October 17, 2015 at 1 p.m. at Mojoe's Cafe.

**Superintendent Evans** shared that he attended the first hour of BHS Spark assembly and said it was both informative and engaging. He reported that the 2020 vision executive team met to review, clarify and recommit to the vision. He also reported on last week's professional development which focused on equity, cultural competency, and growth mindsets.

### **APPROVE CONSENT CALENDAR**

Motion to approve Consent Calendar without item 11.6:  
**Keys/ Hemphill** and unanimously approved 7-0

### **ACTION ITEMS**

#### **Resolution & Public Hearing re: Sufficiency of K-12 Instructional Materials**

President Appel opened Public Hearing for the Sufficiency of K-12 Instructional Materials at 8:27 PM.

Hearing no public comment on this matter, President Appel closed this Public Hearing at 8:27 PM.

Motion to approve sufficiency Sufficiency of K-12 Instructional Materials:  
**Leyva-Cutler/Alper** and unanimously approved 7-0

#### **Request for Coordinator Position for Career and Technical Education**

Assistant Superintendent Scuderi presented a proposal for the funding of a Coordinator position for CTE. His presentation also laid out the work scope of this position. Questions and discussion followed.

Motion to approve Request for Coordinator Position for Career and Technical Education:

President Appel offered friendly amendment that other funding sources are explored to meet the needs of CTE. Director Daniels accepted.

Motion to approve this item as amended by President Appel:  
**Daniels/Hemphill** and unanimously approved 7-0

### **DISCUSSION ITEMS**

#### **Ed Priorities Green Paper #2: Support for Students and Families**

Assistant Superintendent Scuderi and Director Natasha Beery presented the second paper for BSEP which focuses on support for students and families through outreach, middle school counseling, public information, translation and community. Questions and discussion followed.

#### **Office of Family Engagement and Equity Update**

Supervisor of the Office of Family Engagement and Equity, Anne Callegari introduced the vision and mission for the Office of Family Engagement and Equity. Her presentation displayed how they are supporting families, demographics of students they are serving, their goals and the process by which they are logging efforts relative to set goals. Questions and discussion followed.

### **ACTION ITEMS (Cont.)**

#### **Harold Way Development**

Director White reported that the Zoning Adjustments Board (ZAB) did not approve BUSDs mitigations included in letters addressed to the ZAB in June and September. Following the ZABs written decision on October 8, BUSD has 14 days to file an appeal. Questions and discussion followed.

Motion to direct staff to file an appeal:

**Alper/Paraiso-Arroyo** and approved 6-1

Judy Appel, President – *Yes*

Beatriz Leyva-Cutler, Vice President – *Yes*

Karen Hemphill, Director/Clerk – *Yes*

Josh Daniels, Director – *No*

Ty Alper, Director – *Yes*

Angelo Paraiso-Arroyo, Student Director, BHS – *Yes*

Alaunte Keys, Student Director, BTA – *Yes*

### **DISCUSSION ITEMS (Cont.)**

#### **Special Education Update**

Director of Special Education, Lisa Graham provided an update for Special Education. Her presentation displayed criteria for special education services, research supporting the benefits of inclusion, and funding and expenditures.

She announced a Family input meeting at Rosa Parks on October 29th at 6 p.m. Questions and discussion followed.

Motion to extend Open Session to 11:15 pm  
**Appel/Leyva-Cutler** and unanimously approved 7-0.

### **Committee Report-Back on Berkeley City Council's Request for Use of Board Room**

Director White and Stephanie Allen brought back recommendations made by the committee with respect to the City's request for use of Board room for a series of pilot meetings. Questions and discussion followed.

Director Daniels proposed that the Board support staff recommendations for a pilot with the following exceptions: (i) enact all mitigation efforts during pilot period rather than wait; (ii) have city pay for all mitigation efforts; (iii) have city agree to indemnify district for any and all damage caused during their use rather than a \$5,000 deposit; (iv) allow the pilot period to last up to two months; and (v) start negotiating a separate, long-term agreement with the city at any time and next update the Board in closed session rather than open session.

Director Alper suggested modifying (iv) and allowing the pilot period to last up to a month.

More discussion followed with the Board supportive of Director Daniels' proposal with Director Alper's change.

### **EXTENDED PUBLIC COMMENTS**

Michael Fretz addressed the Board about developer fees.

### **ADJOURNMENT**

President Appel adjourned the meeting at 11:15 p.m.