

**BERKELEY PUBLIC SCHOOLS
Board of Education**

**Meeting Location: 1231 Addison Street, Berkeley, CA 94702
Phone: (510) 644-6206**

Official Minutes

January 27, 2016

President Leyva-Cuter called Open Session to order at 7:30pm. She reported that the Board convened to Closed Session at 6:00pm.

Roll Call

Board of Education:

Beatriz Leyva-Cutler, President – Present

Ty Alper, Vice President – Present

Judy Appel, Director/Clerk – Present

Josh Daniels, Director – Present

Karen Hemphill, 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 Leyva-Cutler reported out on Closed Session:

**Collective Bargaining: Lead Negotiator: Legal Counsel Roy Combs
Negotiations with BCCE, Local 21, UBA and BFT (Government Code
Section 54957.6(a))**

The Board received direction from legal counsel on this matter; no action was taken.

Conference with Legal Counsel Existing Litigation (54956.9)

OAH Case #2015110762

Motion to approve settlement agreement for OAH Case #2015110762:

Appel/Hemphill and unanimously approved 4-0

Beatriz Leyva-Cutler, President - Yes

Ty Alper, Vice President - Yes

Judy Appel, Director/Clerk - *Yes*
Josh Daniels, Director - *Recuse*
Karen Hemphill, Director - *Yes*

OAH Case #2015091023

Motion to approve settlement agreement for OAH Case #2015091023:

Appel/Hemphill and unanimously approved 4-0

Beatriz Leyva-Cutler, President - *Yes*

Ty Alper, Vice President - *Recuse*

Judy Appel, Director/Clerk - *Yes*

Josh Daniels, Director - *Yes*

Karen Hemphill, Director - *Yes*

OPEN SESSION

APPROVAL OF REGULAR MEEETING AGENDA

Director Appel moved to extend time allotted for the Audit Committee to allow time for questions and discussion on their report.

Motion to approve agenda as amended by Appel:

Daniels/Hemphill and approved unanimously 7-0

PUBLIC TESTIMONY

A total of 14 people addressed the Board

Three students and one parent commented on sexual harassment. The students shared some of their peers' experiences. They also requested accessible, student-friendly language as part of a comprehensive sexual harassment policy, and better use of survey tools to assess the sexual harassment climate.

Two parents commented on Jefferson's after school program

Four people spoke on behalf of Thousand Oaks' bilingual program.

The NAACP president of the Berkeley chapter reported receipt of increased number of complaints from BUSD employees.

Principal Hazen spoke in support of the Washington Schematic Design Project.

Laura Babbit reported that PCAD has compiled comments for each of the action items presented at the last Board Meeting during the follow-up on the African American Town Hall Meeting and will be sharing with the Board.

One person commented on BB 9200 and raised some questions around the role of the Board.

PUBLIC TESTIMONY

Cathy Campbell, President of Berkeley Federation of Teachers, and a group of teachers addressed the Board about some of the challenges BIS is facing with respect to communication and professional development.

COMMITTEE COMMENTS

Co Chair of the Audit Committee, Isaiah Roter, and BUSDs independent auditor Steve Welco reported that BUSD is in good financial condition. The District has received the highest praise possible by the auditor and no audit adjustments were proposed to any of the District's funds. This year's audit focused on adult education and child nutrition. The auditor determined that both programs were in full compliance and there were no findings. Additionally, the auditor reviewed all state programs and determined that all were in compliance, but there were two findings. The first was in attendance reporting at LeConte, where a student was improperly imputed for one day, and at Willard Middle, where two students were improperly imputed, resulting in a fiscal impact to the District of \$19,500. The District will amend and resubmit attendance report. The other finding was in the area of materials, which became compliant after the mandated date. The auditor assured the committee that these findings were not systemic failures. As of this year the District will have to record its share in pension system liability. There has been an adjustment in the financial statement that reflects this change. Questions and discussion followed.

BOARD MEMBER AND SUPERINTENDENT COMMENTS

Director Daniels shared that a three-judge panel seemed favorably disposed to rule that the existing school finance system could be found to be unconstitutional. He looks forward to seeing how this impacts BUSD fiscally. He also shared that he, Superintendent Evans and President Leyva-Cutler gave Vernon Billy, CSBA's CEO, a tour of BUSD.

Director Keys asked why BTAs request for a school resource officer was denied.

Director Appel thanked President Leyva-Cutler for organizing a productive Board retreat.

Director Paraiso-Arroyo spoke in support of a more comprehensive policy/training around sexual harassment.

Director Hemphill shared that she has been collaborating with the Superintendent to more clearly respond to the requests voiced during the African American Town Hall Meeting.

Superintendent Evans commended Director Hemphill for a job well done as the cohost of the fifth Annual MLK Breakfast. Student award recipients will be announced at a subsequent meeting.

President Leyva-Cutler stated that her goal is to improve the efficiency of the Board's governance in order to better respond to requests from the community.

CONSENT CALENDAR

Motion to approve the Consent Calendar:
Alper/Appel and unanimously approved 7-0.

ACTION ITEMS

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

Time allotted: 15 min.
Actual time: 25 min.

Presenters:
Natasha Beery, BSEP and Community Relations, Director
Liz Karam, Senior Budget Analyst

This presentation displayed 2014-15 revenue allocation under BSEP Measure A of 2006 for class size reduction, site discretionary funds, music, visual and performing arts, public information, translation and P&O support, professional development, program evaluation, parent outreach/family engagement, technology, and library. Questions and discussion followed.

First Interim Report of Revenue and Expenditures in FY 2015-16 of the Berkeley Public Schools Educational Excellence Act of 2006 (BSEP) (Measure A)

Time allotted: 15 min.
Actual time: 25 min.

This presentation displayed 2015-16 fund balances for VAPA, Professional development, program evaluation, technology, public information, parent

outreach, library, as well as adjustments to program budgets in technology, site discretionary funds, and class size reduction resource. Questions and discussion followed.

DISCUSSION ITEMS

Information on the Governor's Budget

Time allotted: 60 min

Actual time: 33 min

Deputy Superintendent Cleveland reported on the Governor's budget and its fiscal impact on the District. While the Governor continues to stabilize programs in all areas of the state budget and economic growth is much stronger than past years, it is time to consider of a potential slowdown. Her presentation detailed the factors contributing to this potential slowdown. Questions and discussion followed.

ADJOURNMENT

President Leyva-Cutler adjourned the meeting at 10:02pm.