

BERKELEY PUBLIC SCHOOLS
Board of Education
1231 Addison St., Berkeley, CA 94702
510-644-6206

Official Minutes
March 9, 2016

President Leyva-Cutler called the meeting to order at 7:34pm She reported that the Board convened to Closed Session at 6:45 pm.

Roll Call

Board of Education:

Beatriz Leyva-Cutler, President – Present

Ty Alper, Vice President – Present

Judy Appel, Director/Clerk – Present

Josh Daniels, Director – Present

Angelo Paraiso-Arroyo, Student Director, BHS – Present

Alaunte Key, 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:

Superintendent's Contract

The Board discussed the Superintendent's employment contract; it will be brought back for approval during open session at a subsequent meeting.

OPEN SESSION

APPROVAL OF REGULAR MEETING AGENDA

At the request of Daniels and Hemphill, Discussion Item 13.1, Board Bylaw 9320: Meetings and Notices and Information Item 14.2 Recess Restriction to Consent and Discussion, Respectively.

President Leyva-Cutler rearranged Action Items to begin with Consolidation of Transitional Kindergarten (TK) Programs

Motion to approve agenda as amended:
Daniels/Alper and unanimously approved 7-0.

PUBLIC TESTIMONY

A total of 14 people addressed the Board:

Three students spoke in support of a currently proposed bill to allow 16 and 17 year-olds to vote in their local school board elections.

Two MX students and a parent advocated for additional support.

A student expressed feeling unsafe in school because she is being bullied. Her grandmother also addressed the Board on her behalf.

Two people thanked the Board for approving the installment of AEDs at various sites and asked the Board to approve the installation of AEDs at all elementary sites.

Two people thanked the Board for supporting adult education and shared why this support is important.

A parent and a teacher expressed opposition to TK consolidation.

Two parents commented on the recess restriction policy.

BHS art teacher thanked the Board for approving the “all schools” mural.

BOARD MEMBER AND SUPERINTENDENT COMMENTS

Superintendent Evans thanked the League of Women Voters for being present tonight. He wished both our boys’ and girls’ basketball teams good luck on their games tonight.

Director Hemphill announced her office hours for March: Saturday the 12th at Café Leila. She highlighted Consent Items 11.11 and 11.12, adoption of new text materials in computer sciences and construction career pathways.

Director Paraiso-Arroyo reported that he reached out to the Stop Harassing committee about their proposed Green Dot program, for which he expressed support. He also supports the bill allowing voters to vote at 16.

Director Keys expressed support for a Vote 16 resolution.

Director Daniels thanked everyone who came out tonight. He shared that a judge objected to the disclosure of student records in the Morgan Hill case. He reported that the policy committee met yesterday and discussed a bylaw on

meetings and notices and a revised policy on naming facilities. Both items are on tonight's agenda. The policy committee will continue discussing additional bylaws as well as a draft policy around student interaction with police at the next policy meeting on

Director Appel said she was proud that BUSD was one of the few supporting districts who signed on to an advocacy letter to the State Board of Education encouraging them to accept the suspension rates as a key indicator for success under LCAP. She announced that the Restorative Practices Advisory Committee met last week. They have broken up into two subcommittees and will be looking at an intervention matrix and a roadmap for restorative practices.

Vice President Alper reported that the Policy Committee will be bringing to the Board a revised uniform complaint policy. The revision allows for restorative practices even in serious cases. Additionally, in response to concerns raised at the Dec 7 African American Town Hall Meeting, the policy committee has begun drafting a policy to direct staff in their interactions with the police.

President Leyva-Cutler shared that she participated in today's Career Day at BHS. She announced that she's been invited to be part of the Transitional Kindergarten Professional Learning Opportunities Steering Committee comprised by a educators. She looks forward to sharing materials with BUSD. She added that Board members are accepting applications for Peace and Justice appointments.

CONSENT CALENDAR

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

ACTION ITEMS

Consolidation of Transitional Kindergarten (TK) Programs in SY 2016-17

Time allotted: 20 min

Actual time: 32 min

Pasquale Scuderi stated that this was a proposal to consolidate the TK program at three sites—two at Malcolm X, two at LeConte and three at King CDC. His presentation displayed associated costs related to administration coverage, food service, transportation, and special ed. Questions and discussion followed

Alper noted that either option would not make everybody happy. As we are getting close to the bone, it is frustrating that we cannot tell the community that we have arrived at a long-term solution and know how we will make use of 2020 Bonar. He stressed the need to think about what we need to plan as we

have 17 classrooms that we need to figure out what to do with. For these reasons, he added, he is not in support of staff recommendation.

Daniels echoed Alper's comments saying that while this is a temporary plan, there is not clarity on its duration. Keeping all options, including portables, on the table would have been a better strategy. He said he would support staff recommendation on this matter because there was no other viable option.

Appel agreed that this is a difficult decision and agreed with Daniels' comments. She will support staff recommendation, but wants to make sure we revisit this next year and the following.

Motion to accept staff recommendation with the condition that staff brings back an update in Jan of 2017:

Hemphill/Daniels and approved 6-1

Beatriz Leyva-Cutler, President – *Yes*

Ty Alper, Vice President – *No*

Judy Appel, Director/Clerk – *Yes*

Josh Daniels, Director – *Yes*

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

Alaunte Key, Student Director, BTA – *Yes*

Recess Restriction

Hemphill explained that she pulled this item due to a number of concerns with respect to the use of this policy, specifically its impact on students of color and students with special needs. Parent notification, length, and frequency were additional areas of concerns. The report shows how this policy has been implemented at the various sites and provides some information, but not all. There was data on length and frequency but none on parent notification. She added that when the policy was initially approved it included an additional two or more restrictions specifically addressing student behavior.

President Leyva-Cutler proposed that staff bring this item back with a presentation.

Superintendent Evans agreed and said additional information around parent notification will be solicited from principals.

Hemphill asked that the presentation clearly show how policy implementation aligned with what the Board approved.

Appel also expressed concern in the data presented. She'd like this item to come back for action. The purpose of this tool is to provide an educational opportunity for teachers to work with students at lunch time, but according to this data, it is being used solely as a disciplinary tool. She suggested that we have some of the site administrators and teachers present during presentation.

The Board directed the policy subcommittee to look at the video of when this policy was initially approved in 2014 and to bring forth a revised policy reflective of original language.

Certification of Second Interim Report for the Period Ending January 31, 2016

Time allotted: 30 min

Actual time: 18 min

Director Follansbee reported that we had a positive certification and met the 3% state required reserve. Her presentation displayed fund allocations for 17-18, changes since first interim, enrollment/ADA, general fund revenue, and one-time revenue. She went on to present multi year projections, and other considerations. Ultimately, she added, we have to prepare for a slow down while also seeking additional funding. Questions and discussion followed.

Daniels asked about the 15-16 end fund balance

Motion to approve the certification of second interim report for the period ending January 31, 2016:

Daniels/Appel and approved 4-0

(Directors Paraiso-Arroyo and Hemphill were excused early)

Budget Priorities for FY 2016-17

Time allotted: 20 min

Actual time: 66 min

Presenters: Javetta Cleveland, Deputy Superintendent
Pasquale Scuderi, Assistant Superintendent, Educational Services

Cleveland explained that this presentation is focused on Base grant funds. Other restricted funds and resources are not captured in this presentation. The BSEP budget, supplemental grant funds, projected deficit spending for 2016-17 and other proposed budget priorities will be brought to the Board at the next meeting and through June. The presentation outlined the proposed one time and ongoing expenditures based on the Board's recommendations during the first two readings.

The proposed one time expenditures include:

Common Core (\$1,333,000)
BSEP Measure A CSR (\$2,000,000)
ATOD Prevention and Intervention (\$70,000)
Older Adult Program (\$100,000)
School Tech Needs (\$280,000,000)

Transcript Evaluation Services (\$20,000)
Transitional Kinder Consolidation (\$72,000)

The proposed ongoing expenditures include:

Theatre Manager (\$110,000)
Beginning Teacher Support (\$278,000)
Reduction of Part-Day Section (\$278,000)
IB Coordinator (\$30,000)
Emergency Response Training (\$40,000)
Special Education Needs (\$180,000)
Additional Tech Needs (\$55,000)

Daniels proposed that the Board voice what one time and ongoing allocations they are in support of.

Daniels: in support of all with requested reduction and changes to common core and a proposed additional one-time expenditure for OPEB. He explained that the Board had originally allocated \$1.19 million for 2016-17, less than the \$1.33 million allocation listed on tonight's proposal. He requested that the common core expenditure be reduced to the originally approved allocation.

Appel: in support of the \$157,000 additional funds for common core listed on tonight's proposal

Alper: requested more detailed description of common core priorities.

With respect to the Lead Literacy and Program Design TSA, Daniels said that it is a position primarily focused on the impact of the BHS redesign and he would prefer to pull it out of the common core budget and fund it as a separate one-time item for a reduction of \$57,000. This modification, he added, will keep us closer to the \$1.19 million budget originally set aside.

Appel said that it did not matter to her whether that expenditure was listed within the common core budget or not.

President Leyva-Cutler also supported moving forward with tonight's common core proposal as it is listed.

Daniels recommended that staff come back with a commitment resolution setting aside 500,000 for a possible one-time increase to OPEB.

Appel suggested that we determine staffing allocation when we have a better sense of how much money is available.

With respect to sped staffing allocation, Cleveland clarified that out of the 20 IA's, 12 will become permanent.

Appel said she would like to hear from other schools and while she supports the IA allocation, she'd like to have a separate opportunity to discuss SpEd staffing, and requests that Director Graham bring back a separate presentation on SpEd staffing for 2016-17 at a future meeting.

Daniels said he had concerns about the IB coordinator and wants to discuss the request of increase for sped funding. While he appreciates staff's consideration of supplemental funds, he said he did not agree that employing supplemental funds to address needs resulting from increase in enrollment was the best decision. He went over some Board approved allocations in the past couple of years in response to increased enrollment. One-time costs associated with staffing allocation, he said, could go away with the opening of a new school. He expressed his stance in hopes to provide direction. The rationale for the proposed funds for the IB coordinator, he added, is more of a compliance one rather than a real need for it. Thus, dedicating ongoing costs to this item is not the best use of funds.

President Leyva-Cutler suggested that staff bring back a specific recommendation for special education staffing.

In order to ensure a better understanding of current staffing model, Cleveland suggested bringing an item in an April meeting to present what current allocation and needs exist at each school.

Leyva expressed support for theatre manager. She hoped that there might possibly be events that generate revenue to support this position.

Motion to adopt staff recommendation with the condition that the OPEB resolution after the May revise and a special education staffing model recommendation in April.

Appel/Alper and unanimously approved 5-0

DISCUSSION ITEMS

Board Policy 7310: Naming Policy

time allotted: 10 min

Actual time: 13 min

Daniels explained that the Board will only be approving the policy, not the AR or accompanying exhibit. The attempt was to provide clarity on the process. Ultimately, it is the Board's prerogative. The Policy will come back to the Board for approval, and the AR and Exhibit as information. Questions and discussion followed.

No changes were recommended. It will come back for approval.

EXTENDED PUBLIC TESTIMONY

Two parents expressed displeasure with tonight's approval of TK consolidation.

A parent asked for additional sped support at the high school.

Motion to extend open session to 11:05 p.m.

Leyva-Cutler/Appel and unanimously approved 4-0.

BOARD SELF-EVALUATION

Director Keys acted as observer:

- The Board did a good job in modeling respectful behavior and in framing the items
- Addressing issue at the root is challenging

Director Daniels volunteered to act as the observer at the next meeting.

ADJOURNMENT

President Leyva-Cutler adjourned the meeting at 11:05 p.m.