

BERKELEY PUBLIC SCHOOLS

Board of Education
1231 Addison St., Berkeley, CA 94702
510-644-6206
Official Minutes
June 1, 2016

President Leyva-Cutler called the meeting 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
Angelo Paraiso-Arroyo, Student Director, BHS – Excused
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:

OPEN SESSION

APPROVAL OF REGULAR MEETING AGENDA

Motion to approve agenda:

Alper/Appel and unanimously approved 6-0

PUBLIC TESTIMONY

A total of 12 people addressed the Board:

A parent commented on the expulsion draft policy and expressed concern on the haste in which it is being developed and approved.

Two Thousand Oaks parents urged the Board to maintain the .2 FTE Spanish teacher position.

A parent spoke in support of the additional support for MX.

An EBCLC representative commented in support of Restorative Practices.

A community member commented on the LCAP plan and the math coaches. She made mention of the Algebra Project, which is based on the Civil Rights movement and has proven successful for 20 years.

PCAD representative expressed support for the expulsion policy and the option of restorative practices.

Three SHAQ members spoke in support of the restorative practices process.

An EBCLC rep said she'd really enjoyed collaborating with stakeholders and the policy committee in developing the expulsion draft policy. They support that students have an adult ally present when being questioned by an attorney.

UNION COMMENTS

Cathy Campbell ceded her time to Megan Regalado, a MX teacher, who thanked the Board for its allocation of additional support at her site. Breakdowns in sped staffing affect the learning of all students. While they appreciate the .4 support added to MX, she acknowledges the need for this support at other sites. They support the efforts to create a district wide tier staffing model. She proposed a working group to begin addressing special education density ratios by the second week in September and to enact their plans and solutions by December.

BOARD MEMBER AND SUPERINTENDENT COMMENTS

Director Daniels acknowledged the positive comments expressed during public comment. He announced that the Policy Committee meeting was postponed to Monday, June 6. The committee will review the LCAP policy, a draft protocol regarding communication with community about group threats and BUSD Educational Specifications.

Director Hemphill shared that BUSD used to have the Algebra Project and thanked Black Education Matters for reminding us during public comment.

Director Appel said she has advocated to work with the city to add more mental health counselors and a robust mental health center at Berkeley High that can meet the needs of students who have experienced trauma. She thanked Directors Alper and Daniels for their work on the policy committee and added that tandem efforts are happening in the RJP committee.

President Leyva-Cutler reminded everyone of her office hours on June 9 at Casa Latina; no office hours in July.

Superintendent Evans announced that author Kwame Alexander will visit BUSD tomorrow.

CONSENT CALENDAR

Motion to approve the Consent Calendar:

Alper/Keys and unanimously approved 6-0

DISCUSSION ITEM

First Reading of Expulsion Policy Revision

Time allotted: 60 min

Actual time: 94 min

Vice President Alper explained that the Board Policy committee began this work last year. The current committee has broken up the policy and made recommendations. If the board approves this draft policy, we will work on an AR in alignment with the BP. This process is part of the response to the requests made by the African American community last year.

The Board discussed what standard it should employ when deciding to readmit a student.

There was also discussion around whether there should be a formal appeal process with the Superintendent whereby the student can request a meeting in writing with the Superintendent to plead his/her case.

All agreed with his provision, except Daniels.

Appel suggested for a way to report a student's suspension status to the Board during Closed Session.

Hemphill agreed because oftentimes by the time the Board determines not to expel a student, the student has already missed several weeks of instruction in the meantime.

Daniels explained he was not in favor of this because it doesn't seem that it will not produce any different outcomes, but would add an additional procedure to the Superintendent.

Alper asked the Board for its input on whether we should include a provision to proceed, when appropriate, with restorative practices.

Hemphill said that expelling a student is one of the hardest decisions h a school district as to make, so the extra time provided in this option is worth it.

Daniels said he was comfortable with the language.

With respect to whether or not a parent should be present before the student is interviewed by an administrator, Hemphill added that it may not always be feasible to have the parent present, but the parent should always be contacted by the end of the day so they are aware. President Leyva-Cutler agreed and commented on the importance of parent contact.

Alper suggested removing this piece and addressing in on another forum.

The Board discussed the time frame around when parents are notified that their child is being questioned.

Alper said that we would address this piece in the policy committee.

For this portion, Alper suggested including language to clarify that a parent will be contacted as soon as possible, but before the end of the school day.

Hemphill agreed and suggested that they revisit the issue in a separate policy to create guidelines around due process.

Appel asked for a provision around reentry plans for students who were

Hemphill pointed out that there was no mention of students with IEPs in this policy.

Susan Craig responded that in cases involving a student with an IEP the law requires that there be an investigation to determine whether the student's offense is a manifestation of the student's disability, and/or the student's IEP has not been adequately implemented. When the finding is either of these, the suspension is then dropped. This will be referenced in this policy.

Alper thanked the Board for its input.

ACTION ITEMS

Allocation of Additional Special Education Staffing at Malcolm X for 2016-17

Time allotted: 40 min

Actual time: 10 min

Assistant Superintendent Scuderi thanked Malcolm X School for its advocacy. In moving forward with the proposed working group, the plan is to have

sessions with teachers at various grade levels. He explained that the rationale to adding a .4 FTE special education position at MX was based on state average ratios. He hopes to get the listening sessions started by the end of the school year.

Hemphill said this was a step in the right direction.

Daniels moved to approved the item with the clarification that it is a one-time funding for next year pending the result of the process. He also adds that in adding this expenditure, we should identify offsets:

Daniels/Alper and unanimously approved 6-0

DISCUSSION ITEM

Information on the Governor's Budget (May Revision)

Time allotted: 45 min

Actual time: 18 min

Deputy Superintendent Javetta Cleveland presented the significant changes as a result of the Governor's May revise budget. She said Proposition 98 is rising at a much lower rate. In past years the budget started at a low revenue rate and the forecast eventually got better. This year, one-time and ongoing revenue in education will grow slightly above the January forecast. The May Revision projects the Local Control Formula (LCFF) will be 95.7% implemented in 2016-17, almost meeting the target at the end of 2017. The super charge increase is over and schools just receive an increase in cost-of-living adjustments (COLA).

Overall, the impact on education funding is signaling slow to no growth in income and sales tax which is 90 percent of the general revenue. The May revision is built on the assumption that no new revenue is on the horizon. If the recession occurs and Proposition 30 is not extended, cuts in education can occur. Questions and discussion followed.

EXTENDED PUBLIC TESTIMONY

A MX parent thanked the Board for its support to increase special education staffing.

BOARD SELF-EVALUATION

Alper as the observer:

- Items were framed well
- We went over by half an hour on the expulsion item, but it was worth it.
- Our under estimated time for the Special Ed item is a testament to the work that has been done.

- Addressed issue at the root in the expulsion policy draft.
- Good job at modeling mutual respect

Appel will act as the observer at the next meeting.

ADJOURNMENT

President Leyva-Cutler adjourned the meeting at 10:40 p.m.