

**BERKELEY PUBLIC SCHOOLS**

**Board of Education  
1231 Addison St., Berkeley, CA 94702**

**510-644-6206  
Official Minutes  
August 24, 2016**

President Leyva-Cutler called the meeting to order at 7:30p.m. She reported that the Board convened to Closed Session at 6:35p.m.

**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

Petra Silvey, Student Director, BHS – Present

Alaunte Keys, Student Director, BTA – Excused Absence

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:

**Parent/Student Challenge to Content of Pupil Records (Ed. Code Section 49070 (c))**

Motion to expunge the student's record:

**Hemphill/Alper** and failed to pass on a 2-2 vote:

Beatriz Leyva-Cutler, President – *No*

Ty Alper, Vice President – *Yes*

Judy Appel, Director/Clerk – *Abstained*

Josh Daniels, Director – *No*

Karen Hemphill, Director - *Yes*

Motion to expunge all records related to the referral for expulsion and any related proceedings, but not the original suspension:

**Daniels/Alper** and approved on a 3-1 vote:

Beatriz Leyva-Cutler, President – *No*

Ty Alper, Vice President – *Yes*  
Judy Appel, Director/Clerk – *Abstained*  
Josh Daniels, Director – *Yes*  
Karen Hemphill, Director - *Yes*

**Collective Bargaining (Government Code Section 54957.6): Lead Negotiator Legal Counsel Roy Combs/District Representative Delia Ruiz—BFT, BCCE, Local 21, UBA**

The Board received an update on this matter; no action was taken.

**Conference with Real Property Negotiator (Government Code Section 54956.8)**

District Negotiator: David A. Soldani, Legal Counsel; Negotiating Part: City of Berkeley; Property: 1231 Addison; Under Negotiation: Status Update

The Board received an update on this matter; no action was taken.

**OPEN SESSION**

President Leyva-Cutler began open session with a moment of silence in honor of the four young people and former BUSD students who lost their lives to violence over the last two weeks.

**APPROVAL OF REGULAR MEETING AGENDA**

Motion to approve agenda as amended by Director Hemphill:  
and unanimously approved 6-0

**Swearing in of new student director**

Petra Silvey was sworn in to represent BHS on the Board of Education.

**PUBLIC TESTIMONY**

A total of two people addressed the Board:

A community member expressed interest in being appointed to the Peace and Justice Committee

A community member and member of BHS class of 1959 thanked the Board for all of their work.

**UNION COMMENTS**

BFT President Cathy Campbell commented in support of the transition to CalPERS. She thanked the Board for the resolutions on tonight's agenda. She also highlighted some of the good news as told by the LCAP.

BCCE Paula Phillips commented in support of BUSD's transition to CalPERS. She also thanked all of the BCCE members for getting the schools up and running for the new school year.

UBA President thanked Janet Levenson thanked Delia Ruiz for her work in BUSD. She also thanked Superintendent Evans and Deputy Superintendent Cleveland for responding to the needs of the unions.

Local 21 President Steve Collins also thanked Delia Ruiz, Javetta Cleveland and the team who worked to get us to CalPERS.

## **BOARD MEMBER AND SUPERINTENDENT COMMENTS**

**Director Daniels** shared a study released on the soda tax by UC Berkeley that showed a reduction in consumption of sugary drinks. He flagged for future discussion the resolution regarding the construction project for the theatre on consent as it is a major project within the existing bond. He expressed sadness over the tragic deaths of our graduates.

**Director Appel** acknowledged the CalPERS item and thanked the union leaders for their comments. She went on to say that her commitment to healing the community is reinforced by the students whose lives were lost.

**Student Director Silvey** thanked the Board for having her and said she is excited. She extended her condolences to the families of the BUSD graduates who are no longer with us.

**Director Hemphill** said that it is important to work with our students on better ways to resolving conflict and addressing gun violence. Will resume office hours in September.

**Superintendent Evans** welcomed the School Board back and said he is excited for the new construction at the school sites. He thanked Mr. Soto for sharing his story during public comment. He also extended his condolences to the families of the young people who lost their lives.

**President Leyva-Cutler** reported that there was an attendance training where participants talked about how to improve attendance for our students as the month of September is dedicated to attendance awareness.

## **CONSENT CALENDAR**

Motion to approve the Consent Calendar:

**Hemphill/Appel** and unanimously approved 6-0

## **ACTION ITEMS**

### **Approval of Resolutions 17-003, 17-023 to Contract with CalPERS Health**

*Allotted time: 15 min*

*Actual time: 4 min*

Deputy Superintendent Cleveland thanked the union leaders for their collaboration in our transition to CalPERS which will result in savings for families.

Motion to approve an agreement with CalPERS and adopt Resolutions 17-003, 17-007 through 17-023:

**Appel/Hemphill** and unanimously approved 6-0.

## **DISCUSSION ITEMS**

### **Local Control and Accountability Plan (LCAP) Data for Goal 1 Evaluation**

*Allotted time: 45 min*

*Actual time: 52 min*

Directors Pat Saddler and Debbi D'Angelo presented evaluation of data for LCAP goal 1: to provide high quality classroom instruction and curriculum that promote college and career readiness with academic interventions in place to eliminate barriers to student success. Questions and discussion followed.

### **Board-Self Evaluation**

President Leyva-Cutler acted as observer:

- We did well in sticking to allotted time
- The LCAP discussion was a good example of how to address issues at the root
- There was mutual respect

## **ADJOURNMENT**

President Leyva-Cutler adjourned open session at 9:40pm.