

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

Official Minutes
January 11, 2017

President Alper called the meeting to order at 7:36 pm. He reported that the Board convened to Closed Session at 6:00 pm.

Roll Call

Board of Education:

Ty Alper, President – Present,
Josh Daniels, Vice President – Present
Beatriz Leyva-Cutler, Director/Clerk – Present
Karen Hemphill, Director – Present
Judy Appel, Director -- Present
Petra Silvey, 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
Evelyn Tamondong-Bradley, Assistant Superintendent, Human Resources
Lyz Chairez, Recorder

REPORT CLOSED SESSION

President Alper reported out on closed session:

**Public Employee Appointment—Director of Human Resources
(Government Code Section 54947)**

Motion to approve the appointment of Brent Daniels as the Director of Human Resources:

Alper/Daniels and unanimously approved 5-0.

**Conference with Legal Counsel—Pending Litigation (Government Case
54956.9(a))**

OCR Case #09-15-1095

The Board heard an update; no action was taken.

**Consideration of Student Expulsion (Ed. Code Section 48918 (c))
Case #161713110700**

Motion to accept staff recommendation to enter into an agreement with the student to resolve this issue:

Appel/Hemphill and approved 3-0

Ty Alper, President – *Yes*

Josh Daniels, Vice President – *Abstained*

Beatriz Leyva-Cutler, Director/Clerk – *Absent*

Karen Hemphill, Director – *Yes*

Judy Appel, Director -- *Yes*

Public Employee Discipline/Dismissal/Release (Government Code Section 54957)

The Board will reconvene following the open session to discuss this matter in closed session.

Superintendent's Evaluation (Government Code Section 54957)

The Board will reconvene to closed session to discuss this matter following the open session.

OPEN SESSION

APPROVAL OF REGULAR MEETING AGENDA

At the request of Director Hemphill, consent item 11.7 was pulled for action. Motion to approve agenda as amended:

Silvey/Daniels and unanimously approved 7-0

PUBLIC TESTIMONY

A total of 15 people addressed the Board:

Seven BHS parents spoke in support of Principal Pasarow.

Three people addressed the Board regarding overcrowding at elementary sites.

A BHS teacher addressed the Board regarding student questioning.

A community member thanked Director White for his solution for the BHS tennis courts and parking.

Two SHAC representatives commented on the expulsion AR.

A community member addressed the facilities plan.

At the request of President Alper and with no objection, consent item 11.15 was moved to action.

UNION COMMENTS

UBA President Janet Levenson voiced her concern regarding the removal of Principal Pasarow without transparency.

COMMITTEE COMMENTS

The Berkeley PTA Council presented the Board a copy of a petition regarding the BHS principal situation containing over 300 signatures.

Bond Oversight Committee member Stephanie Allen commented in support of the proposed facilities plan on tonight's agenda.

BOARD MEMBER AND SUPERINTENDENT COMMENTS

Director Leyva-Cutler will hold office hours this Thursday. She announced that she and Appel were elected as CSBA delegate reps for District 14.

Vice President Daniels reported that the State Board of Education met today to discuss a new accountability system. They will be transitioning from API to a multiple measures approach. School districts will have access to a rating system in February and the public will be granted access in September.

Director Hemphill will hold a second set of office hours on January 28 at café Leila. She will hold February office hours on the third Saturday.

Director Appel commended Deputy Superintendent Cleveland on her great management of the District's finances. She will hold office hours along with Director Hemphill on January 28.

Superintendent Evans thanked the parents for coming out tonight to voice concerns regarding the schools.

President Alper also thanked members of the community for coming to the meeting and speaking during public comment. He congratulated and thanked Deputy Superintendent Cleveland for her dedication to the District. He also congratulated teachers Carol Dorf and Brook Pessin-Whedbee on their newly published books.

CONSENT CALENDAR

Motion to approve the Consent Calendar:

Appel/Keys and unanimously approved 7-0.

DISCUSSION ITEMS

Update on Consideration of Developer Fees

Allotted time: 15min
Actual time: 16 min

Director White reported that he has met with the City Manager and the developer community to better inform how to proceed with collecting developer fees. The recommendation is that the Board approve the \$3.38 per sq. ft. They do not recommend the application of the sliding scale fee. This item will come back for approval at a subsequent meeting. Questions and discussion followed.

ACTION

Approval of Measure I Facilities Reallocation Plan

Director Appel explained that she pulled this item to ask the committee to also consider questions around the King auditorium. Questions and discussion followed.

Motion to approve:

Appel/Daniels and unanimously approved 7-0.

DISCUSSION

Update on Implementation of Board Policy re Protection of Undocumented Students

Allotted time: 20 min

Actual time: 7 min

Assistant Superintendent said that the newly adopted policy for the protection of undocumented has been reviewed with K-5 principals who are clear that any request from ICE for access to campus or student info comes immediately to the Superintendent. The policy also clearly directs staff to not request a social security number by nutrition services or admissions. With respect to next steps, he will strategize with principals around best practices for communicating with teachers. Questions and discussion followed.

Resolution 17-050 Reaffirming Our Commitment to the Education of All Children and Making all BUSD Campuses a Safe Zone for Students and Families Threatened by Immigration Enforcement

Allotted time: 20 min

Actual time: 13 min

Director Leyva-Cutler thanked those who contributed to drafting this resolution. Because of the break, much of the collaboration happened virtually. We have the flexibility to revisit this resolution as we move forward. She stressed the importance of distributing this resolution as widely as possible.

Director Appel added that there was some conversation around whether or not to have this resolution be broader to include other groups who are at risk of being targeted by the incoming administration. At this time, they felt that a

resolution that more closely accompanies the newly adopted policy was most appropriate.

President Alper thanked Directors Leyva-Cutler and Appel for their work on this resolution. He added that had this been up for approval tonight, he would have vote for it as is. He suggested that SF Board of Supervisors' resolution be considered as a model. This resolution will come back for approval at the January 25 Board meeting.

Board Policy Priorities for 2017

Allotted time: 20 min

Actual time: 12 min

Vice President Daniels said that there is an extensive list of policies to be addressed. This is an opportunity to prioritize and focus on additional policies.

Deputy Superintendent suggested adding a policy for District reserves.

Director Appel requested adding wellness policies.

Director Hemphill requested adding a policy for the support of suspended students.

Director Leyva-Cuter requested adding a policy on interviewing students.

Student Director Silvey requested adding a mental health policy.

President Alper congratulated Vice President Daniels on his election as Chair of the Policy Subcommittee.

ACTION ITEMS

Approval of First Interim Budget Report got the Period Ending October 31, 2016

Motion to approve:

Daniels/Keys and unanimously approved 7-0.

Approval of Overnight Field Trips

Hemphill explained that she pulled this item after a parent raised some concerns regarding over night trips with particular non profits.

Motion to approve:

Hemphill/Appel and unanimously approved 7-0.

ADJOURNMENT

President Alper adjourned open session at 9:43 p.m. The Board reconvened to closed session.