

# **BERKELEY PUBLIC SCHOOLS**

## **Board of Education**

**1231 Addison St., Berkeley, CA 94702**

**510-644-6206**

### **Official Minutes**

November 14, 2018

President Daniels called the meeting to order at 7:35pm. He reported that the Board convened to Closed Session at 5:30pm.

#### **Roll Call**

Board of Education:

Josh Daniels, President – Present,

Judy Appel, Vice President – Present

Beatriz Leyva-Cutler, Director/Clerk – Excused

Karen Hemphill, Director – Present

Ty Alper, Director -- Present

Arvin Hariri, Student Director, BHS – Present

Oneida Abrams, Student Director, BTA -- Excused

Administration:

Donald E. Evans, Ed. D, Superintendent

Pasquale Scuderi, Associate Superintendent, Educational Services

Pauline Follansbee, Interim Assistant Superintendent, Business Services

Evelyn Tamondong-Bradley, Assistant Superintendent, Human Resources

Lyz Chairez, Recorder

#### **OPEN SESSION**

##### **APPROVAL OF REGULAR MEETING AGENDA**

At the request of Vice President Appel, Item 12.3 was moved to action; at the request of Superintendent Evans, Item 12.2 was pulled altogether; and at the request of Director Alper, Item 12.5 and moved to action.

Motion to approve agenda as amended:

Alper/Appel and approved 5-0.

##### **REPORT CLOSED SESSION**

President Daniels reported out on closed session:

**Public Employment Appointment (Government Code Section**

Director, Fiscal Services

Motion to approve the appointment of Antoinette West as the Director of Fiscal Services:

Daniels/Appel and approved on a 3-0 vote:

Josh Daniels, President – *Yes*

Judy Appel, Vice President – *Yes*

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

Karen Hemphill, Director – *Yes*

Ty Alper, Director – *Absent*

**Collective Bargaining Government Code Section 54957.6(a) (District Negotiator: Evelyn Tamondong-Bradley)**

Berkeley Council of Classified Employees (BCCE)

The Board received an update; no action taken.

Local 21

The Board received an update; no action taken.

BFT

The Board received an update, discussed and gave direction; no action taken.

**Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9(a))**

Claim No. 2018060684

Motion to approve staff recommendation to enter into a settlement:

Appel/Alper and approved 4-0:

Claim No.2018030517

Motion to approve staff recommendation to appeal an OAH decision:

Daniels/Hemphill and approved 3-0:

Josh Daniels, President – *Yes*

Judy Appel, Vice President – *Yes*

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

Karen Hemphill, Director – *Yes*

Ty Alper, Director – *Absent*

**Conference with Legal Counsel – Anticipated Litigation (Government Code Section 54956.9(c)) – Two Potential Cases**

Fist potential case:

Motion to approve settlement:

Daniels/Appel and approved 4-0

Second potential case:

Motion to approve settlement:

Hemphill/Appel and approved 3-0:

Josh Daniels, President – *Yes*

Judy Appel, Vice President – *Yes*

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

Karen Hemphill, Director – *Yes*

Ty Alper, Director – *Abstained*

**Superintendent's Evaluation (Government Code Section 54957)**

The Board discussed the Superintendent's 2018-19 evaluation.

**PUBLIC TESTIMONY**

A total of 14 people addressed the Board:

One comment in support of a BUSD policy for the provision of free menstrual products at school sites.

Four comments in support of increased staff compensation.

Two comments in support of the sustainability plan.

One comment on the CA Dashboard system.

One comment requesting the Board's consideration to restructuring issuance of stipends.

One comment regarding BUSD's administration.

One comment on BUSD's bullying policy.

One comment requesting follow-up on a previously filed complaint

One comment requesting BUSD to provide context for class of 2019 graduating class for their low math grades.

One comment in response to a statement made by the Board at its previous meeting.

**UNION COMMENT**

BCCE President Linette Robinson commented in support of staff compensation.

## **COMMITTEE COMMENT**

CTE Advisory Committee representative Stephanie Allen provided an update on CTE noting that CTE's course offerings were praised in a recent WASC report.

## **BOARD MEMBER AND SUPERINTENDENT COMMENTS**

Director Hariri shared that he spent a week in Sacramento organizing with other youth around issues their passionate about and presented a proposal to the State Board of Education.

Vice President Appel congratulated Director Ty Alper for being reelected, and Directors Ka'Dijah Brown and Julie Sinai for being elected to serve on the Berkeley School Board. She went on to share that conversation around non-gender color specific graduation gowns has began and a proposed policy will be submitted to the policy subcommittee for review.

Director Hemphill announced that the African American 50<sup>th</sup> Anniversary events have begun taking place. She alerted the public to Resolution 19-006 which recognizes the 50<sup>th</sup> anniversary of the African American Studies department. She shared that tomorrow's event will feature the screening of *Welcome to the Neighborhood*. She then went on to acknowledge BHS Student Rachel Alper for her successful advocacy around the free provision of menstrual products at BHS. Hemphill requested that when the policy subcommittee reviews this policy, it also considers making this resource available to elementary and middle schools.

Director Alper responded to Hemphill's comments asserting that the policy subcommittee has taken her suggestion into consideration and has agreed that each k-5 site have at least one bathroom stocked with menstrual products.

President Daniels noted that this is his and Director Hemphill's second to last meeting. Their very last one will be on Nov. 28 and will feature a lighter agenda mainly highlighting the state of the district. He went on to report that the SBAC met yesterday and will convene again in December. He also reported that Berkeley voters passed Measure O, an initiative that will make funds available to provide affordable housing. He urged the District to take advantage of this opportunity especially in light of the many testimonies from teachers and staff who struggle to afford housing. He concluded by sharing that he attended his first parent-teacher conference and was impressed by the amount of time and attention the classroom teacher put into her reports to parents.

Superintendent Evans thanked all who spoke tonight. He addressed the poor air quality affecting the bay area saying that BUSD continues to closely monitor the air quality progress. The District will keep the community updated as it collaborates with neighboring districts on best practices. He went on to congratulate newly elected board

members. He thanked the SBAC and encouraged anyone who is interested to join the committee and be part of the process.

### **CONSENT CALENDAR**

Motion to approve the Consent Calendar as amended:

Alper/Hariri and approved 5-0.

### **Update on Special Education – Discussion**

*Time allotted: 45 min*

*Actual time: 36min*

Special Education Director Jan Hamilton shared some program updates which include a new Behavior Intervention Specialist position and improvements to various processes. Assistant Superintendent of Business Services Pauline Follansbee provided a financial update highlighting the areas where the most investment has been made. She reported that a newly implemented tracking system will help to more closely monitor expenses associated with settlements, legal costs and student placement. Questions and discussion followed.

### **The California School Dashboard Fall 2018 Local Indicators – Discussion**

*Time allotted: 30 min*

*Actual time: 30 min*

Director of Programs and Special Projects Dr. Pat Saddler presented the updated BUSD dashboard and displayed its new look on the website. She walked the viewing audience through the online system as she shared data collected for each of the four local indicators. She noted that the dashboard will ultimately be used to inform the LCAP process and reported that BUSD met performance standards in all priorities for the local indicators for fall 2018. Questions and discussion followed.

### **12.5 Sustainability Plan**

Director Alper clarified that he is in support of the proposed sustainability plan, but believes it is important to give each participating committee the opportunity to communicate how they plan to implement their corresponding piece of the plan in order to achieve desired goals. He added that this is important namely given the great deal of resources allocated for this purpose. He asked staff to ensure that the final plan is housed in a space accessible to the public.

Motion to approve the sustainability plan:

Alper/Appel and unanimously approved 5-0

### **Approve Notice of Intent to Revoke REALM Charter – Discussion**

*Time allotted: 30 min*

*Actual time: 22 min*

Assistant Superintendent of Business Services Pauline Follansbee stated that on September 20 BUSD filed a notice of violation against REALM. She reported that

BUSD is now moving forward with a notice of intent to revoke charter based on REALM occupying a site outside of Alameda County

REALM Director Victor Diaz was given an opportunity to address the Board.

Motion to approve notice of intent to revoke REALM's charter:  
Alper/Daniels and unanimously approved 5-0.

**Approval of New Classification: Student Admissions Program Manager**

Vice President Appel initially requested that this item be tabled. Superintendent Evans requested it be discussed instead. He then turned it over to Assistant Superintendent of Human Resources Evelyn Tamondong-Bradley who clarified that this new classification was for the expansion of duties that failed to be taken into account during the classification study conducted in 2015. Personnel Director Patty Duwel has conducted a desk audit and submitted recommendation for the reclassification of this position to the Personnel Commission.

Motion to approve staff recommendation:  
Hemphill/Daniels and unanimously approved 5-0

**Extended Public Comment**

One comment thanking the Board for the way they listen and are proactive about responding to the public.

One comment regarding REALM

One comment requesting response to a filed complaint.

**ADJOURNMENT 10:45**