



Board of Education:
Judy Appel, President
Beatriz Leyva-Cutler, Vice President
Ty Alper, Director/Clerk
Ka'Dijah Brown, Director
Julie Sinai, Director
Arvin Hariri, Student Director, BHS
Oneida Abrams, Student Director, BTA

BOARD OF EDUCATION
Meeting Location: 1231 Addison Street, Berkeley CA 94702
MEETING AGENDA
Wednesday, May 8, 2019

The Berkeley Unified School District intends to provide reasonable accommodations in accordance with the Americans with Disabilities Act of 1990. If a special accommodation is desired, please call the Superintendent's Office 48 hours prior to the meeting at 510-644-6206

El Distrito Escolar Unificado de Berkeley tiene la intención de proporcionar adaptaciones especiales en conformidad con el *Americans with Disabilities Act of 1990* (Ley de Americanos con Discapacidades de 1990). Si usted desea una adaptación especial, por favor comuníquese con el personal de la Oficina del Superintendente 48 horas antes de la reunión al 510-644-6206.

Notice of Non-Discrimination

The Berkeley Unified School District does not discriminate on the basis of race, color, national origin, sex, disability, age, religious creed, gender, sexual orientation, gender expression, marital or parental status, ancestry, national origin, ethnic group identification, disability, medical condition, homelessness or foster status, in its programs and activities, and provides equal access to the Boy Scouts and other designated youth groups. Discrimination based on protected class includes sexual harassment, sexual violence, and bullying. All inquiries or concerns regarding BUSD's nondiscrimination policy 5145.3 or the filing of discrimination complaints should contact:

Chelsea Yogerst
District Compliance Officer & Title IX
Coordinator
2020 Bonar St., Room 116
Berkeley, CA 94702
Phone: 510.883.5224
Fax: 510.644.7712
Email: chelseayogerst@berkeley.net

To access this agenda online, go to: <https://berkeley.agendaonline.net/public/>

1. Call to Order

The Presiding Officer will call the meeting to order at 5:30 p.m. The Regular Meeting will convene by 7:30 p.m.

2. Closed Session Public Testimony

Persons wishing to address the Board should fill out a green speaker card. **Cards turned in by 5:15 p.m. will be given priority.** Public Testimony is limited to **15 minutes with a 3-minute limit per speaker per topic,** although the time allotted per speaker may be reduced to 2 minutes at the discretion of the President.

3. Closed Session

The Board may recess into Closed Session before or after the public meeting under the authority of the Brown Act (including but not limited to Government Code sections 54954.5, 54956.8, 54956.9, 54957, 54957.6, as well as 35146) Under Government Code section 54954.3, members of the public may address the board on an item on the Closed Session agenda.

3.1	Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9(a))
	3.1.1 Claim No. EMP1401173
	3.1.2 Claim No. DSC1503595
3.2	Collective Bargaining Government Code Section 54957.6(a) (District Negotiator: Evelyn Tamondong-Bradley)
	3.2.1 Berkeley Council of Classified Employees (BCCE)
	3.2.2 Berkeley Federation of Teachers (BFT)
	3.2.3 Union of Berkeley Administrators (UBA)
3.3	Conference with Legal Counsel – Anticipated Litigation (Government Code Section 54956.(c)) – One (1) Potential Case
3.4	Public Employee Appointment (Government Code Section 54957) Title: Superintendent

4. Call to Order - 7:30 PM

5. Approve Regular Meeting Agenda for May 8, 2019

6. Report Out on Closed Session

7. Snapshot of Our Schools

Emerson Elementary

8. Open Session Public Testimony (1st Opportunity)

Persons wishing to address the Board should fill out a green speaker card. **Cards turned in by 7:15 p.m. will be given priority.** Public Testimony is strictly limited to **30 minutes with a 3-minute limit per speaker per topic**, although the time allotted per speaker may be reduced to 2 minutes at the discretion of the President.

9. Union Comments

The chair (or designee) of each District committee that include members of the public is given the opportunity to address the Board on any issue. 5 minutes per committee

<u>Unions</u>
Berkeley Federation of Teachers (BFT)
Berkeley Council of Classified Employees (BCCE)
Union of Berkeley Administrators (UBA)
Local 21

10. Committee Comments

Representatives from District committees that include members of the public are given the opportunity to address the Board on any issue. 5 minutes per committee.

11. Board Member and Superintendent Comments

Board members and the Superintendent are given the opportunity to address any issue.

12. Consent Calendar

12.1	Approval of Human Resources Reports
12.3	Approve Adoption of BHS Spanish Textbooks
12.3	Approval of Contracts/Purchase Orders for Services Contracts
12.4	Approve Acceptance of Gifts/Donations
12.5	Approval of Master Contract for Nonpublic Agency Services for the 2018-19 School Year
12.6	Approval of Payroll Warrants Issued in March 2019
12.7	Approve Appointment to the Citizen’s Oversight Committee
12.8	Approval of Resolution 19-031 to Enter into Contract Agreement with Artnz Builders, Inc. as a General Contractor for the West Campus Capacity Project
12.9	Approval of Resolution 19-032 to Enter into an Energy Service Contract with Synerco Inc. for the Heating Controls Project at Three Sites as Covered Under Proposition 39
12.10	Approval of Resolution 19-033 to Enter into an Energy Service Contract with Schneider Electric for the Equipment Replacement at the BHS Jacket Pool as Covered Under Proposition 39
12.11	Approval to Determine if Multiple Projects are Categorically Exempt Under CEQA and to File the Notice of Exemptions
12.12	Approval of Resolution 19-034 in Support of Assembly Bill 276
12.13	Approval of Resolution 19-035 Calling for Climate Change Action to Protect Students and Their Families
12.14	Approval of Board of Education Meeting Minutes for March 13, 2019
12.15	Approval of Board of Education Meeting Minutes for March 27, 2019

13. Approval of the Superintendent’s Employment Contract – Action (15 min)

14. Local Control and Accountability Plan (LCAP) Plan for Supplemental Budget for 2019-2020– Action (20 min)

15. Second Public Hearing on REALM Charter School’s Request for Material Revision—Time Certain: 9:00PM (will begin no earlier than 9:00PM) – Discussion (70 min)

This public hearing will begin no earlier than 9:00pm and may begin after 9:00pm.

The Public Hearing will adhere to the following procedure:

- (a) Public Comment (limited to 10 minutes with 2 minutes per speaker. Time allotted can be reduced to 1 minute at the discretion of the president)
- (b) District status update on the Request for Material Revision and Notice of Intent to Revoke and.
- (c) REALM will be provided ten (10) minutes in which to present prepared remarks to the Board, if it so chooses.
- (d) The Board will be provided an opportunity to ask questions of staff and REALM.
- (e) Public Comment (limited to 10 minutes with 2 minutes per speaker. Time allotted can be reduced to 1 minute at the discretion of the president.)

Members of the public who wish to make a public comment may also submit cards to speak during the general public comment periods at the beginning and end of the Board's open session.

16. REALM Charter School's Requests for Approval of Material Revision – Action (20 min)

17. Public Hearing on Notice of Intent to Revoke REALM's Charter – Time Certain: 10:00PM (will begin no earlier than 10:00PM) – Discussion (10 min)

There will be a 10-minute public comment period at the beginning of this public hearing. Speakers will be allotted 2 minutes to speak, which may be reduced at the discretion of the President. There will not be an additional public comment period after the Board discussion of this item, but speakers who wish to comment further may submit a card to speak during Item 20 on the agenda, which is the open session public comment period at the end of the meeting.

18. Public Hearing for Two Energy Service Contracts- Time Certain: 10:30PM

19. Information Items

19.1	Change to 403(b)/457 Plan Administration, Compliance and (TPA) Common Remitter
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20. Open Session Public Testimony (2nd Opportunity)

Persons wishing to address the Board should fill out speaker card. **Cards turned in for the earlier open session public testimony will be given priority.** Speakers will be randomly selected based on topic and position, with BUSD students generally given priority. Public testimony is limited to **15 minutes with a 3-minute limit per speaker per topic**

21. Extended Board Member and Superintendent Comments

Board members and the Superintendent are given the opportunity to address any issue.

22. Adjournment

2019 BUSD School Board Calendar
Regular Meeting Dates

January	9	13 (Board Retreat)	23
February	6	20	
March	13	27	
April	10	24	
May	8	22	29
June	12	26	
July			
August	21		
September	4	18	
October	2	23	
November	6	20	
December	11		

LCFF AND LCAP ACRONYMS

ADA: Average Daily Attendance – the average number of pupils actually attending classes for at least the minimum school day.

API: Academic Performance Index – a measurement of a school’s academic performance and progress.

BASE RATE: state funding allocated to districts under LCFF tied to ADA in grade spans K-3, 4-6, 7-8, and 9-12.

BSEP: Berkeley Schools Excellence Program – funds provided by a local (parcel) tax to the Berkeley Schools.

BUSD: Berkeley Unified School District

CATEGORICAL AID: Funds from the state or federal government for specialized programs such as special education and Gifted and Talented Education (GATE); or special purposes, such as transportation.

CCSS: Common Core State Standards - an education initiative adopted by California and 44 States detailing what K-12 students should know at the end of each grade.

CSR: Class Size Reduction – California provides funds for lower class sizes K-3; the BSEP measure provides additional funding.

CTE: Career Technical Education

COE: County Office of Education

DDF: District Defined Fund for LCAP Supplemental Programs

DELAC: District English Learner Advisory Committee

DISCRETIONARY: refers to funds with some flexibility in use.

EIA: Economic Impact Aid - State categorical aid for districts with concentrations of children who are bilingual, transient and/or from low income families. No longer used under LCFF, which instead uses supplemental and concentration grants.

EL: English Learner

ELPAC: English Learner Parent Advisory Committee (LCFF/LCAP)

FTE: Full Time Equivalent Teacher

FREE AND REDUCED LUNCH: In California public schools, a family of four with income at or below \$43,568 qualifies for reduced price meal, and under \$30,615 for free meals. This guideline defines “low-income” (**LI**) for purposes of the LCFF.

LCAP: Local Control and Accountability Plan- a plan and budget adopted by a school district that reflects goals and specific actions, based on the 8 state priorities outlined in the LCFF legislation, as well as any locally adopted priorities

LCFF: Local Control Funding Formula – California’s new school finance model for allocation of state funding to local school districts.

PAC: Parent Advisory Committee (for LCFF/LCAP)

REVENUE LIMIT: Prior to LCFF, the amount of revenue that a district could collect annually for general purposes from local property taxes and state aid, calculated per unit of ADA.

SUBGROUPS: The LCAP must address student subgroups, meaning all major racial/ethnic groups as well as low income, English learners, foster youth and students with disabilities.

SUPPLEMENTAL FUNDING: Under LCFF each English Learner (EL), Low Income (LI) or foster youth counts toward funding of an additional 20 percent of the base rate, The count must be “unduplicated”, meaning an EL, LI or foster youth may only be counted once, even if belonging to more than one group.

WILLIAMS REQUIREMENTS/BASIC SERVICES – California legislation established standards for maintaining adequate school facilities, sufficient instructional materials, and qualified teachers.

We agree to:

- Focus on the best interest of students
- Work together as a team
- Respect and listen to all options, opinions, and styles
- Actively participate in board meetings, committees, work groups and district events
- Come to meetings prepared and be fully present and engaged
- Be open to new ideas
- Exhibit positive body language, mannerisms, and tone of voice
- Engage in active listening; do not interrupt; avoid side conversations
- Disagree agreeably
- Assume good will

Begin on time and conduct business efficiently.

