

BERKELEY PUBLIC SCHOOLS
Board of Education
1231 Addison Street, Board Room
Berkeley, CA 94702
(510) 644-8764

Official Minutes
November 20, 2019

Roll Call

Board of Education:

Beatriz Leyva-Cutler, President - Present

Ty Alper, Vice-President - Present

Judy Appel, Director - Present

Ka'Dijah Brown, Director - Present

Julie Sinai, Director - Present

Estella Hemp, Student Director, BHS - Absent

Edwin Castro-Romero, Student Director, BTA - Absent

OPEN SESSION

APPROVAL OF REGULAR MEETING AGENDA

A motion was made by Vice-president Alper to approve the consent calendar. The motion was seconded by Director Brown. All voted in favor, motion passed 5-0

REPORT OUT ON CLOSED SESSION

Vice-President Alper reported out on closed session:

Superintendent's Evaluation

The Board discussed the Superintendent's evaluation

Conference with Legal Counsel - Anticipated Litigation

The Board heard an updated and provided direction

Conference with Legal Counsel - Existing Litigation

OA# Case No. 2019090888

Director Appel made a motion to approve staff recommendation and it was second by Vice-President Alper. All voted in favor and the motion passed by 5-0

Claim No DSC153595

The Board heard an update.

CAND Case 18-cv-6968-MMC

Motion made by Vice-President Alper to approve staff recommendation. Motion was second by President Leyva-Cutler. Motion passed 4-1, Director Appel and Sinai voted in favor, Director Brown voted against. Motion passed 4-1.

WC CL # 120500107

Motion made by Director Sinai to approve staff recommendation. Second by Director Appel. All voted in favor, and motion passed 5-0

President Leyva-Cutler gave an overview of tonight's meeting.

PUBLIC TESTIMONY

A total of 2 people addressed the board jointly to address the issue of youth and family homelessness impacting BUSD students. Five minutes were allocated to this issue.

Rachel Alper/Auden Friedman - Addressed youth homelessness in Berkeley. Urged board to approve contract with the Institute for Child Poverty & Homelessness (ICPH), an independent non-profit to collect data on youth homeless in Berkeley. The ICPH can do the work for free when contracted by the school district and city council. Ms. Alper and Mr. Friedman pointed out that the need for this contract comes from the conflict in the numbers reported by the City of Berkeley and the school district. They quoted that a person by person count done by BUSD reported about 200 families in Berkeley are homeless or housing insecure, whereas the City of Berkeley reported only 37 families. A contract with the ICPH would allow for accurate data that the City of Berkeley and BUSD can use to allocate appropriate funds for homeless families and students in Berkeley.

RECOGNITION:

Dr. Ray Ortiz:

President Leyva-Cutler honored Dr. Ortiz's contribution to the school District while serving on the Personnel Commission for the past five years. President Leyva-Cutler read aloud a recognition on behalf of the Board.

Dr. Ortiz thanked the board for the recognition.

SNAPSHOT OF OUR SCHOOLS - WILLARD MIDDLE SCHOOL

Willard Middle School principal Debbie Dean presented to the board about the successes at Willard Middle School where over the past 5 years it has seen a rise in SBA scores, as well as the student population that has risen to 700 students. Through short presentations from students and staff they explained their successes.

UNION COMMENTS:

BFT:

Matt Mayer, president of the BFT union thanked the negotiations team, the Superintendent, and the school board for their hard work on contract negotiations.

BOARD MEMBER AND SUPERINTENDENT COMMENTS

Director Sinai thanked the Willard community for their presentation and for using data to inform best practices to teach children. She also thanked BFT and both negotiation teams for coming to a ratified agreement, she also extended her appreciation to all teachers and staff who came out over the past couple of years to inform the community about what they were facing. Ms. Sinai addressed the public comment on youth homelessness and encouraged the youth commission to also reach out to the City to work on accurately counting homeless youth in Berkeley.

Director Brown appreciated Willard for their presentation. She shared that the students' presentation in particular resonated with her. She is interested in seeing data about the types of gains made with African American students around math and language arts in hopes that the information can help close the gap for African American students.

Director Appel also thanked the Willard community for their presentation. She was grateful to BFT and both negotiating teams for reaching a contract agreement. She is proud of how the district is embracing United Against Hate Week.

No comment from Vice-President Alper.

President Leyva-Cutler thanked board member Sinai for her comments on youth homelessness. She appreciated the Willard community for their presentation and wants to look at how the District can amplify what is happening at Willard in our other schools. Ms. Leyva-Cutler looks forward to United Against Hate activities to be part of our regular calendar.

Superintendent Stephens acknowledged that the board will undertake a number of important decisions at tonight's meeting. One of them being the ratification agreement with BFT, and also thanked Samantha Tobias-Espinosa for her work and leadership to the District's negotiations team. He also thanked John Calise for his work on two tax measures: the General Obligation Bond Measure and the Berkeley Public Schools Facilities Maintenance Act of 2020. He also thanked Natasha Beery for her expertise in the creation of a new measure for educator recruitment and retention. Lastly, he thanked the board for its leadership.

Dr. Stephens also thanked Berkeley Schools for their efforts to celebrate United Against Hate Week, and finally also acknowledged Transgender Day of Awareness and read a quote from a BUSD Board resolution that can be found on our website.

CONSENT CALENDAR

A motion was made by Vice-President Alper to approve the consent calendar. The motion was seconded by Director Brown. All voted in favor, motion passed 5-0

PUBLIC HEARING:

Public Hearing on the Superintendent's Recommendation for Approval for Initial Proposals for Reopeners Between the District and the Berkeley Council of Classified Employees (BCCE)

President Leyva-Cutler opened the public hearing at 8:00pm.

Superintendent Stephens explained that the District is required by law to hold a public hearing and solicit public comment. The board would vote later in the agenda to

approve the Superintendent's recommendation of initial proposals for reopeners between the district and the BCCE union.

There were no public comments.

15. PUBLIC HEARING:

15.1 Public Hearing on the Superintendent's Final Recommendation for the Berkeley Public Schools Educator Recruitment and Retention Act of 2020

President Leyva-Cutler opened the public hearing at 8:20pm.

Superintendent Stephens and Natasha Beery present to the board the Superintendent's final recommendation for the Berkeley Public Schools Educator Recruitment and Retention Act 2020 or BERRA.

In a presentation to the board the Superintendent explained that BUSD has reached a moment of crisis with recruitment and retention of staff that is affecting students. He explained that in 2019-20 there were many teaching, special education and paraprofessional openings, and provided data that shows that BUSD salaries are not competitive compared to other area district, noting that BUSD ranks number 16 out of 18 on experienced teacher salaries. He further explained that compared to other Districts we're not able to use "concentration dollars" that come from the state to apply for salaries. Similarly, BUSD does not have a local tax that is devoted to compensation. While the District does enjoy the benefits from BSEP, it does not have a local revenue that can be applied toward compensation. Dr. Stephens pointed out that Berkeley voters are very supportive of our school system and through multiple polls it is evident that there is strong commitment to the idea of a local tax measure to support BUSD educators.

The Superintendent explained that BERRA has a number of important components by way of revenue, and is anticipated that there will be approximately \$10 million of tax collected per year with a \$9.5 million yield as available revenue. The rate per square foot is anticipated to be 0.124 per year on developed properties and \$25 a year on undeveloped parcels. The structure of the tax being proposed is 95% of available revenues to be directed to educator compensation, with the exception of the Superintendent and senior leaders; 5% of available revenues to be directed to BUSD programs designated to recruit staff for hard-to-fill positions such as Special Education.

The District is proposing a 12-year term for this tax measure. The language of the measure has also included a variety of exemptions for homeowners, such as very low income seniors, exemptions for taxpayers with social security disability insurance, and taxpayers with supplemental security income. Superintendent Stephens mentioned that the COLA is calculated at the Bay Area Consumer Price Index.

No public comment.

Questions and discussions followed.

PUBLIC HEARING:

Public Hearing on the Superintendent's Final Recommendation for the Berkeley Public Schools Facilities Safety and Maintenance Act of 2020

Superintendent Stephens and John Calise presented to the board the Superintendent's final recommendation for the Berkeley Public Schools Facilities and Maintenance Act of 2020

Superintendent Stephens and Director of Facilities John Calise explained that the purpose of the Facilities and Maintenance Act of 2020 is to provide essential maintenance of buildings, classrooms, grounds, etc. to address fire and safety hazards. Mr. Calise explains that this special tax has provided over the past 20 years has funded all of the maintenance and grounds activities within the district, which allows the District to maintain schools, and relieves stresses from the general fund, allowing said monies to go directly to the classrooms.

The annual revenue projections with the new tax beginning in July of 2020 would be about \$7.3 million, about 9 cents per square foot. About 65% of that goes to salary and benefits, the remainder would go toward supplies, contracts, and indirect costs.

The renewal of the Maintenance tax will fund maintenance and grounds until the year 2030. The early sunset and renewal of measure H would address increased costs without cut to services.

No public comment.

ACTION ITEMS

Approval of Initial Proposals for Reopeners Between the District and the Berkeley Council of Classified Employees (BCCE)

A motion was made by Director Sinai to approve the Initial Proposals for Reopeners Between the District and the Berkeley Council of Classified Employees (BCCE). The motion was seconded by Vice-President Alper. All voted in favor, motion passed 5-0

Approval of Resolution 20-017, the Berkeley Public Schools Educator Recruitment and Retention Act of 2020, Calling an Election on March 3, 2020 to Impose a Qualified Special Tax on All Parcels of taxable Real Property in the District's Boundaries.

A motion was made by Director Brown to approve Resolution 20-017, the Berkeley Public Schools Educator Recruitment and Retention Act of 2020, Calling an Election on March 3, 2020 to Impose a Qualified Special Tax on All Parcels of taxable Real Property in the District's Boundaries. The motion was seconded by Director Sinai. All voted in favor, motion passed 5-0.

Director Sinai says that while she moves to approve Resolution 20-017 she strongly believes that the State should be paying Districts more money to pay teachers.

Directors Levyva-Cutler, Appel and Brown all agree with Director Sinai's remarks.

Approval of Resolution 20-018, the Berkeley Public Schools Facilities Safety and Maintenance Act of 2020, Calling an Election on March 3, 2020 to Impose a Qualified Special Tax on All Parcels of taxable Real Property in the District's Boundaries.

A motion was made by Vice-President Alper to approve Resolution 20-018, the Berkeley Public Schools Facilities Safety and Maintenance Act of 2020, Calling an Election on March 3, 2020 to Impose a Qualified Special Tax on All Parcels of taxable Real Property in the District's Boundaries. The motion was seconded by Director Appel. All voted in favor, motion passed 5-0.

Approval of Resolution 20-016 for the General Obligation Bond Measure.

Director of Facilities John Calise presents to the board the Capital Planning Budget for the General Obligation Bond, in over 10 years, the District will need roughly \$421 million. The goal is to improve our overall facilities as well as services offered to BUSD students.

Projects range from seismic updates, finishing of projects that have begun over the past two decades such as the completion of Berkeley high school, new classrooms, etc.

The total bond authorization for the 2020 Measure is \$380 million. The average cost is \$45.21 per \$100,000 of assessed value. BUSD is committed not to exceed \$172.80 per \$100,000 assessed value for all combined General Obligation Bonds. The current funding model shows for 2021-22 to cost \$158.97 per \$100,000, it is expected that the cost will decrease each year thereafter and by 2030 the cost per \$100,000 should be below \$100.

Vice-president Alper commended Mr. Calise for his work on the bond measure and for his leadership.

A motion was made by Director Appel to approve Resolution 20-016, for the General Obligation Bond Measure. The motion was seconded by Vice-President Alper. All voted in favor, motion passed 5-0.

Approval of Tentative Agreement with the Berkeley Federation of Teachers for Successor Agreement for 2019-21

A motion was made by Vice-President Alper to approve the Tentative Agreement with the Berkeley Federation of Teachers for Successor Agreement 2019-21. The motion was seconded by President Leyva-Cutler. All voted in favor, motion passed 5-0.

No presentation was prepared, but Dr. Stephens did share a set of documents for the board, which were also included online.

ADJOURN: 8:52pm