



Berkeley Unified School District

Board of Education:  
Judy Appel, President  
Ty Alper, Vice President  
Ka'Dijah Brown, Clerk  
Beatriz Leyva-Cutler, Director  
Julie Sinai, Director  
Miles Miller, Student Director, BHS  
Ajeliya Phnuyal, Student Director, BTA

BOARD OF EDUCATION

Meeting Location: [Zoom Webinar](#) (Instructions on Page 2)

SPECIAL MEETING AGENDA

Wednesday, November 18, 2020

*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](tel: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](tel: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:*

Marutzzella Castro  
District Compliance Officer & Title IX Interim  
Coordinator  
2020 Bonar St., Room 117  
Berkeley, CA 94702  
Phone: 510.486.9352  
Email: [nondiscrimination@berkeley.net](mailto:nondiscrimination@berkeley.net)

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

NOTICE - COVID-19 PUBLIC HEALTH EMERGENCY:  
BOARD MEMBERS TO ATTEND VIRTUALLY

Pursuant to the Governor's Executive Order N-25-20, all members of the Board of Education as well as the Superintendent and District Staff, will join the meeting via phone/video conference and no teleconference locations need be posted.

- To observe the September 2 meeting by video conference, please [click here](#) at the noticed meeting time. It may help to [download the Zoom app](#) before the meeting if you don't have it already. Instructions on how to join a meeting by video conference are available at: <https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>.
- To listen to the meeting by phone, please call at the noticed meeting time (669) 900-9128, then enter Webinar ID 837 7062 3343, then press "#". If asked for a participant id or code, press #. Instructions on how to join a meeting by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663-Joining-a-meeting-by-phone>.
- To view the meeting after it has been recorded, please go to <https://www.berkeleyschools.net/schoolboard/board-meeting-information/>

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There are two ways to make public comment at the prescribed time near the beginning of the meeting, or in extended public comment near the end of the meeting. The Board President will introduce the allotted period of time for Public comments, organize the comments, and indicate who will be speaking next.

- To comment by video conference, click on the Participants button at the bottom of your screen and select the "Raise Your Hand" button to request to speak when Public Comment is being taken on the eligible Agenda item. When called upon, you will be unmuted. After the allotted time, you will then be re-muted.
- To comment by phone, you will be prompted to "Raise Your Hand" by pressing "\*9" to request to speak when Public Comment is being taken on the eligible Agenda Item. When called upon, you will be unmuted. After the allotted time, you will then be re-muted. Instructions of how to raise your hand by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663-Joining-a-meeting-by-phone>.

1. Call to Order

The Presiding Officer will call the meeting to order at 5:00 p.m. The Regular Meeting will convene at 7 p.m.

2. Closed Session Public Testimony

Public Testimony related to closed session items 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. For instructions on how to make public comment during a Zoom meeting, please refer to page 2 of this agenda.

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	Anticipated Litigation – Regarding costs of services provided to student - Three Matters - Ed. Code § 54956.9, subd. (e)(2)
	3.1.1 BUSD Case No. 202021-16
	3.1.2 BUSD Case No. 202021-17
	3.1.3 OAH Case No. 2020090637
3.2	Conference with Real Property Negotiators (Government Code Section 54956.8)
	3.2.1 District Negotiator: John Calise; Negotiating Party: City of Berkeley; Property: Multiple Properties; Under Negotiation: Use Agreement
3.3	Collective Bargaining - Government Code Section 54957.6(a) (District Negotiator: Samantha Tobias-Espinosa)
	3.3.1 Berkeley Federation of Teachers (BFT)
	3.3.2 Berkeley Council of Classified Employees (BCCE)
	3.3.3 Local 21
	3.3.4 Union of Berkeley Administrators

4. Call to Order - 7:00 PM

5. Approve Meeting Agenda for November 18, 2020

6. Report Out on Closed Session

7. Open Session Public Testimony (1st Opportunity)

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 at the discretion of the President. For instructions on how to make public comment during a Zoom meeting, please refer to page 2 of this agenda.

**8. Union Comments**

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

Berkeley Federation of Teachers (BFT)
Berkeley Council of Classified Employees (BCCE)
Union of Berkeley Administrators (UBA)
Local 21

**9. 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.

**10. Board Member and Superintendent Comments**

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

**11. Consent Calendar**

11.1	Approval of Human Resources Report
11.2	Approval of MOUs between BUSD and Universities
11.3	Approve Appointment of Shari Washburn to the North Region SELPA Community Advisory Committee (CAC)
11.4	Approve Resolution 21-014 Declaring November as Indigenous People's Heritage Month in BUSD
11.5	Approval of Contract Modification #1 with KDI for Inspection Services for the Berkeley High School Building A Theater Project
11.6	Approval of the Pre-Qualified Architect Pool for Selection on Measure G Project Specializing in Parking Structures
11.7	Approve Additional Design Services for Baker Vilar Architects for the Roofing and Legacy Closeout Contracts at Rosa Parks Elementary
11.8	Accept the Completion of the Rosa Parks Temporary Housing Project and Approve Resolution 21-013
11.9	Approval of Contract with Inspection Services, Inc. for Testing Services for the Berkeley High School Building A Theater Project
11.10	Ratification of Memorandum of Understanding with LifeLong Medical for Rosa Parks Kids Village
11.11	Approve Listing of Fiscal Warrants issued in October 2020
11.12	Approval of Contracts/Purchase Orders for Services Contracts
11.13	Approval of Board of Education Meeting Minutes

## 12. Action Items

12.1	Approval of New Student Information System for 2020-2021 School Year
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## 13. Discussion

13.1	Update on School Reopening
13.2	Policy: Transgender and Gender Nonconforming Students, First Reading
13.3	Update on BUSD's Black Lives Matter Resolution

## 14. Information Items

14.1	Draft School Year Calendar for 2021-2022
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## 15. Open Session Public Testimony (2nd Opportunity)

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. For instructions on how to make public comment during a Zoom meeting, please refer to page 2 of this agenda.

## 16. Extended Board Member and Superintendent Comments

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

## 17. Adjournment

2020 BUSD School Board Calendar  
Regular Meeting Dates

January	8	22	
February	5	19	
March	11	25	
April	15	22	
May	6	20	27
June	10	24	
July			
August	19		
September	2	16	
October	7	21	
November	4	18	
December	9		

## 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.



SCHOOL BOARD  
GOVERNANCE TEAM NORMS

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.



