

**BSEP PLANNING & OVERSIGHT COMMITTEE MINUTES
December 15, 2020**

P&O Committee Members Present

Jerry Liang, *Pre-K Program*
Nicole Chabot, *Berkeley Arts Magnet*
Nimota Abina, *Cragmont (co-Rep)*
Leda Dederich, *Cragmont (co-Rep)*
Jonathan Weissglass, *Emerson*
Nikhila Pai, *Ruth Acty (co-Rep)*
Heather Ball, *Malcolm X*
Weldon Bradstreet, *Rosa Parks*
Justin Randall, *Sylvia Mendez*

Heather Flett, *Washington*
Chetan Kamdar, *King Middle School*
Olivia Lim, *Longfellow Middle School*
Kate Jordan, *Willard Middle School*
Sarah Cline, *Berkeley High*
Aaron Glimme, *Berkeley High*
Esfandiar Imani, *Berkeley High (Alt)*
Josh Irwin, *Berkeley High*
Terry Pastika, *Berkeley High (Alt)*

P&O Committee Members Absent*:

Vanessa Garza, *John Muir*
Carla Bryant, *Oxford*
Prashant Jawalikar, *King Middle School*

Shauna Rabinowitz, *Berkeley High*
Martin de Mucha Flores, *Independent Study*

**Alternates and co-reps are not marked absent if another rep is present. Currently there is no representation from BTA or Thousand Oaks Elementary, and only one representative each from Longfellow and Willard Middle Schools.*

Visitors, School Board Directors, Union Reps, and Guests:

BUSD Staff:

Brent Stephens, *Superintendent of Schools*
Samantha Tobias-Espinosa, *Assistant Superintendent of Human Resources*
Jay Nitschke, *Director of Technology*
Natasha Beery, *Director of BSEP and Communications*
Elizabeth Karam, *Director of Fiscal Services (Interim)*
Danielle Perez, *BSEP Program Specialist*

1. Call to Order and Introductions

The meeting was held online via Zoom. At 6:33 p.m. Chairperson Bradstreet called the meeting to order. Members introduced themselves.

2. Establish the Quorum/Approve the Agenda

The quorum was established with 16 voting members present.

Chair Bradstreet asked for a motion to approve the agenda. Rep. Flett moved to approve the agenda, Rep. Ball seconded; the agenda was approved unanimously.

3. Chairperson's Comments

Terry Pastika and Weldon Bradstreet

Co-Chairs Pastika and Bradstreet thanked everyone for attending.

4. BSEP Director's Comments

Natasha Beery, Director BSEP & Community Relations

Director Beery expressed delight at seeing many new faces on the committee, and encouraged new and returning members to reach out to her and BSEP Program Specialist Danielle Perez during or after meetings with any questions.

5. Approval of Minutes

November 10, 2020 and Steering Committee meeting November 17, 2020

Rep. Dederich moved to approve the 11.10.20 meeting minutes, Rep. Pai seconded; the minutes were approved unanimously.

Rep. Weisglass moved to approve the 11.17.20 Steering Committee meeting minutes, Rep. Chabot seconded; the minutes were approved unanimously.

6. Public Comment

There was no public comment.

7. Superintendent's Report

Brent Stephens, Superintendent of Schools

Dr. Stephens offered thanks to returning members for the experience and wisdom they bring, and to new members gratitude for bringing new perspectives. He also promised that staff will work to help them make sense of the information presented in the P&O meetings, and he thanked all members for their service and helping take care of Berkeley's investment in public schools.

Dr. Stephens offered the following previews of BSEP-funded items that will be discussed in more detail beginning in January:

First, an update that last year's approval by P&O for \$50,000 for consent education at BHS continues. The Administrative team is in the process of forming a student advisory committee, whose first task is to vet a final list of consent education vendors with the plan to implement the work in the Spring semester.

Second, the creation of the new 504 Coordinator position at BHS is also delayed but in the works. This expenditure was approved by the P&O to start this year, though it took more time than anticipated to write, post, approve, and hire the position in this unusual year.

Third, the district has selected contractor RT Fisher to support the African American Success Project, with the goal of addressing the creation of a program framework, and to support the creation of an African-American Advisory Council for BUSD.

Finally, last year's P&O approved the significant investment of 5 SpEd teacher positions in 2020-21 to lower caseloads across the district. Though the funds are in place, the market for SpEd teachers is such that the district couldn't even hire one. Staff will be coming back to the

P&O in the Spring to offer an accounting of that effort and to discuss how to more successfully recruit and implement that plan.

Dr. Stephens also provided a brief update on school reopening plans.

8. P&O Year Ahead, and Parting Thoughts from Retiring Tech. Director Jay Nitschke

Natasha Beery, Director of BSEP and Jay Nitschke, Director of Technology

Director Beery began by introducing Jay Nitschke, the soon-to-be-retiring Technology Director of BUSD with extensive experience and history with BSEP, the P&O Committee, and local tax measure campaigns. Director Nitschke shared that his heart is really with the parents, and that he served on the P&O committee as a parent himself. He explained that we all know that Proposition 13 did terrible damage to California's public schools, but in 1986 Berkeley voters passed Measure H, the first BSEP Measure, and the first of its kind taking local money and adding it to a school district to mitigate the effects of Prop. 13. Directors Nitschke and Beery [presented slides about the history of BSEP and points of consideration for the P&O](#) looking ahead through 2020 and beyond.

Director Nitschke emphasized that regarding class sizes, research shows that class sizes must be extremely small, in the low- to mid-teens, to make a demonstrable difference, but teachers and parents tend to prefer smaller classes even if they aren't that low. The state's various targets for K-3 class sizes over the years, at 20 or 24, are fairly arbitrary numbers chosen as politically appealing and in line with some state targets. He reminded members of the recurring problems in trying to have district-wide goals K-3 classes at 20:1 with grades 4-5 classes at 26:1, which lead to mixed grade classes or very larger upper grade classes - this resulted in the latest BSEP measure setting goals for an average of 23:1 in all grades K-5 at each elementary school. Overall, BUSD's class sizes are smaller than almost any other district in the area, even with this change, and \$15 million of BSEP revenue goes toward class sizes currently.

Director Beery explained the trajectory and evolution of BSEP across several measures, showing the factors that affect the funded programs, for example changes in COLAs, retirement contributions, economic recessions, etc. The next BSEP measure should go to the voters in 2024, which we have to start preparing for relatively soon. The BERRA tax is new, having been passed in March of 2020, and was a reaction to the crisis in recruiting and retaining teachers based on competitiveness of salaries in the district. The P&O committee now has oversight for BERRA, as well as BSEP.

Director Nitschke elaborated that BSEP and BERRA revenues combined make up more than 20% of the district's annual budget, and at every election Berkeley voters have far exceeded the required two-thirds approval to pass each BUSD measure, but that support is not to be taken for granted. BSEP pays for 1/3 of our teachers currently, and the remaining programs funded by the tax are determined based on what the district needs and what taxpayers value and support. Over the years, funded programs are no longer simply "extra" or enrichment programs, but vital elements of the educational program provided in BUSD. Some P&O committee members may focus more on plans and programs, while others focus more on budgets and sustainability of funds. It is important to recognize which factors of the budget are not in our control, for example: enrollment, COLAs, cost of staffing (especially given state determinations of benefit costs), state

funding via LCAP, and natural and other disasters such as the pandemic. The challenge is always determining how much to put aside in case of future need, and how much we should spend on students who need these services now.

Director Nitschke acknowledged that new members can feel overwhelmed by these plans and budgets, and urged them to keep in mind that it can take well over a year to get the hang of it all. Overall the district budget is extremely complex, and if members are interested in diving in to that bigger picture, refer to the following key budget presentations for the Board: 1st Interim, 2nd Interim, and the presentation of the Unaudited Actuals, plus the Superintendent's Budget Advisory [SBAC] meetings generally happening in the Winter and Spring as well as the Parent Advisory [PAC] meetings reviewing LCAP supplemental funds. The year 2024 is the next time substantive changes to BSEP can be made, and in the years leading up to that renewal date this committee and the broader community need to think about which parts can and should be changed to achieve better student outcomes. He noted that the Superintendent is intent on improving outcomes. He also stressed that through all his experience with Berkeley schools, BSEP, and local politics, his opinion is that this is about as far as taxpayers are willing to go in taxation support for schools, between BSEP increasing in 2017 and with the new BERRA charges being added in 2020. His advice, going into 2024, is that outside of COLAs it's going to be tricky to increase the tax rate. Berkeley USD, for a district of its size, has far and away has the greatest level of community support from its voters.

Rep. Chabot commented that though she had only met Director Nitschke through involvement with the P&O, it is clear that he has had a big impact all over the district, and that his heart and commitment are with schools.

Chair Pastika thanked Director Nitschke for the presentation, all his work with the schools, and for the food for thought he's presented to the committee. She then asked when planning, in earnest, needs to start for the 2024 BSEP renewal. Director Nitschke responded that in reality, planning starts in 2023 but that it is always a good idea to toss things around and think about where we are on an ongoing basis. He feels fairly sure that we should plan within the budget that we have now. Director Beery noted that work on the 2016 measure began in 2014, so 2022-23 would be the year of real work, if the next renewal goes on the November 2024 ballot. Rep. Pai asked what the role of this committee is in that planning process. Director Beery responded that the P&O was used substantially for feedback on draft measures in previous measure planning processes. Campaign organizers also conducted planning groups, but drafts of the new measures came to this committee and lots of feedback took place. Starting a year from now we'll shift focus to planning, on top of everything else we're doing.

Rep. Dederich asked how this local tax funding relates to state and federal funding. Director Nitschke responded that he will send some pages from the district budget book to Ms. Perez to share with committee members that should help put local tax funding into the broader context of state and federal funds.

9. 2018-19 BSEP Audit

Elizabeth Karam, Interim Director of Fiscal Services and Budget Analyst

Director Karam presented the fiscal year 2018-19 Performance Audits for [Measure E1](#) and [Measure A](#), and the Financial Audits for [Measure E1](#) and [Measure A](#). She explained that the financial audits report on what was spent and for what purposes, while the performance audits review whether the funds were spent in accordance with the terms of the respective measures. She directed members to refer to important sections of the documents including the formal Opinions, which sum up the outcomes of the audits. Also, to the spreadsheets in these audit documents, which are useful to refer to and include the balance sheet, showing assets minus liabilities and the fund balance. Across the top of this table it's organized by resource, the subsets of the BSEP measure--i.e. its designated purposes. Another key piece are the sections that note "No Audit Findings," which means that there weren't any irregularities found throughout the audit process. For the Performance Audit, the opinions are on page 1, stating that funds were expended in accordance with the measures.

Rep. Liang observed that the fund balance increased from \$3.8 million to over \$7 million in this year, and asked if it was usual that it ends in the positive. Director Karam answered that part of the planning centers on ensuring that the funds will last through the course of the measure, and it's hard to anticipate trajectories over 8 years. At the end of some previous measures we have been in a position to spend down fund balances, but usually in the beginning years we intentionally see a buildup so that resources are available to cover cost increases. The 2018-19 fiscal year was the second year of 8-year Measure E1 after it was approved by voters in 2016. In the course of all measures, there have been wild fluctuations in our fortunes, and it is necessary to have a cushion, and a part of planning during each year is anticipating how much to spend and how much to save. For example this year, because school wasn't really in session and plans couldn't be fully executed due to Shelter-in-Place, we will see budget managers planning how to spend their unused funds in new ways to address current needs in new ways.

Rep. Kamdar asked if funds transferred to the General Fund [GF] are accounted for separately. Director Karam answered yes, there is a separate resource, and the amount is determined using a document called the Teacher Template which you'll see in February, tabulating number of students at each site, how many teachers are needed, what class size goals are and how much BSEP needs to pay to reach those goals.

Chair Pastika, in relation to the question about how much to spend and how to handle fund balances and the sustainability of the measure funding, asked if an updated multi-year budget projection will come back to P&O this year. Director Beery answered that this is something we can do at any point, though it's always only as good as our best guesses about where things are headed; for example, our last projection didn't see the pandemic coming. She noted that Fiscal Services already produces budget planning "maps," but if the P&O requests this specifically then Fiscal has to produce them separately. Rep. Glimme pointed out that discussions of whether any given BSEP measure has enough money to sustain through its designated term have been going on as long as there has been a BSEP measure, and that it is an important part of the committee's work.

10. Berkeley Educators Recruitment and Retention (BERRA) Update

Samantha Tobias-Espinosa, Assistant Superintendent of Human Resources

Assistant Superintendent Tobias-Espinosa presented the [Proposed Changes to the BERRA 5%](#)

[Plan](#) document to the committee. She explained that original plan in Spring, pre-COVID, was to put forward \$20,000 to make use of a matching grant from the State to support Special Education staffing. However, that grant was swept during state budget upheaval due to the pandemic in the Governor's August revise. This \$20,000 is now in a holding pattern and the district would like to revise the plan to use these funds to support current employees with stipends, to act as mentors for newer employees, those on interim credentials, temporary credentials, and other projects including BPAR and BPACT programs.

Rep. Chabot asked, out of these BERRA funds, what is being spent on SpEd teacher hiring and retention. Assistant Superintendent Tobias-Espinosa answered that BERRA funds provide \$16,000 of support for BPACT, a classified teacher pathway program that helps support classified staff in becoming certificated teachers, which has seen at least 2 SpEd teachers through that program. BERRA also funds an IEP Coach position that was created as a TSA role, at an estimated cost of \$100,000. That IEP coach would support veteran and new SpEd teachers. Another BERRA-supported position is for Classified Professional Development Support, frees up the corresponding Certificated PD position to support SpEd teachers, while also developing classified staff to help them better support and thus retain SpEd teachers.

She further noted that BUSD's vacancies this late in the school year are still in SpEd, specifically moderate/severe and some mild/moderate positions. BERRA provides funding to help us try to recruit, attend conferences, and attract new teachers in these positions. The funds also help recruit STEM teachers, in addition to recruiting SpEd teachers. This \$20,000 that we're converting would have supported one residency, but in shifting to using stipends we can support up to 20 people using \$1,000 stipends.

Rep. Dederich asked how "SpEd teacher" is defined given that BUSD uses a full inclusion model. Assistant Superintendent Tobias-Espinosa answered that each elementary has at least 1 dedicated SpEd teacher per site, the middle schools have one per grade, and BHS has 18. The term is also used to describe certificated speech and language pathologists who work across the district. Overall, SpEd teacher refers to teachers, service providers, those who handle paperwork and meetings, and support General Ed. teachers working with SpEd students.

Rep. Cline asked for a description of the process used to help determine the most useful way to repurpose this money, asking if district staff surveyed teachers or used other methods. Assistant Superintendent Tobias-Espinosa responded that the decisions are in response to her looking at real-time needs, what's coming across their desks in HR and needs to better support staff. The feeling is that there have been enough surveys to staff right now, and that one more for this purpose would get lost in the shuffle. She noted that we do want to do that in future planning, but this is looking at what's coming up in this bizarre year to support current teachers and retain the ones we have. Rep. Cline asked if there will be costs associated with SpEd students coming back to campus, if and when that occurs. Assistant Superintendent Tobias-Espinosa responded that would be possible, but the district wouldn't use BERRA funds to support union-negotiated items, because BERRA funds exist for specific purposes.

Rep. Kamdar moved to approve the 2020-21 BERRA updates, Rep. Jordan seconded; the 2020-21 BERRA Updated Plan was approved unanimously.

11. 2020-21 School Site Council Elections Report

Danielle Perez, BSEP Program Specialist

Ms. Perez presented the [Election, Diversity and Activity Report for School Site Councils for the 2020-21 School Year](#), and provided summary and main points from document.

There were no questions or comments from the committee. Ms. Perez asked members to please review the report further after the meeting and send any questions or comments to her to be addressed directly or at a later meeting.

12. P&O Committee Elections: Chair, Steering Committee, and SBAC Representatives

Chair Pastika explained that she would not be running again for the co-Chair position, but that it is a good idea to have two members sharing the role. Chair Pastika nominated Nicole Chabot from BAM as co-Chair. Chair Bradstreet self-nominated for co-Chair as well.

Chair. Pastika moved to approve Reps. Bradstreet and Chabot as 2020-21 P&O Committee co-Chairs, Rep. Irwin seconded; the motion was approved unanimously.

The P&O Steering Committee requires at least four P&O members in addition to the co-Chairs to reach the minimum membership of 6. Reps. Glimme, Pastika, Weisglass, Randall self-nominated along with newly-elected co-Chairs Bradstreet and Chabot. Reps. Irwin and Kamdar volunteered to serve as alternate members.

Rep. Irwin moved to approve the above slate, Rep. Ball seconded; the motion was approved unanimously.

The Superintendent's Budget Advisory Committee (SBAC) has two voting seats for P&O representatives, and the committee should also elect two alternates. Director Beery explained that the SBAC has representation from across the district including members from the PAC, labor partners, and other community members. The SBAC works with and advises Superintendent Stephens and Assistant Superintendent Pauline Follansbee on the district's budget, looking at big budget decisions. For a few years it was easy with no cuts needed, but more recently it's common for the SBAC to have to ponder and comment on budget reductions. This is a good committee for a big-picture look at the BUSD budget, and our P&O Reps would speak to the BSEP and BERRA pieces of that budget. Rep. Pastika asked if the SBAC votes on proposed budget changes. Rep. Chabot answered that the committee does vote to make recommendations to the Superintendent.

Reps. Pastika and Chabot self-nominated as P&O representatives to the SBAC, and Reps. Imani and Irwin self-nominated as alternate members.

Rep. Kamdar moved to approve the above slate, Rep. Liang seconded; the motion was approved unanimously.

13. For the Good of the Order

Rep. Pastika explained that the idea behind this new action item on the agenda is for the P&O to become more proactive in using its allotted time before each School Board meeting, informing the Board and public about what's being discussed and acted upon at P&O meetings. This is a shift from the recent practice of only using the statement time for concerns and out of the ordinary situations. Rep. Pastika read out a brief list of topics covered in this meeting that would be included in the first statement to the Board at the 12.16.20 meeting the following evening.

Rep. Irwin moved to approve the summary presented by Rep. Pastika, Rep. Dederich seconded; the motion was approved unanimously. A [written version of the statement](#) was emailed to the P&O members and posted on the committee website after the statement was presented to the Board.

14. Adjournment

The meeting was adjourned at 8:41 p.m.