

BOARD OF EDUCATION  
Meeting Location: [Zoom Webinar](#) (Instructions on Page 2)  
REGULAR MEETING AGENDA  
Wednesday, March 10, 2021

*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:*

Stephen Jimenez-Robb  
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 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 5:30pm. 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	Conference with Legal Counsel - Pending Litigation – (Services provided to student ) - Ed. Code § 54956.9, subd. (e)(2)
	3.1.1 Case No. 202021-23
3.2	Public Employment (Government Code Section 54957)
	3.2.1 Principal, BHS
	3.2.2 Assistant Principal, BHS
	3.2.3 Dean of Students, BHS
	3.2.4 Principal, Willard Middle School
	3.2.5 Assistant Principal, Willard Middle School
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 Union of Berkeley Administrators (UBA)
	3.3.4 Local 21

4. Call to Order - 7:00 PM

5. Approve Regular Meeting Agenda for March 10, 2021

6. Berkeley High Student Presentation (10 minutes)

## 7. Report Out on Closed Session

## 8. 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 is likely to be reduced at the discretion of the President depending on how many people wish to speak. For instructions on how to make public comment during a Zoom meeting, please refer to page 2 of this agenda.

## 9. 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

## 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	Approve Resolution 21-032 Declaring March 21 to April 10 as the Cesar Chavez & Dolores Huerta Commemorative Period in the City of Berkeley
12.2	Approve Resolution 21-035 in Recognition of the 20th Anniversary of Berkeley Rotary Club College Scholarship Program
12.3	Approval of Human Resources Report
12.4	Approve Non-Reelection of Probationary Certificated Employees
12.5	Approval of Payroll Warrants issued in January 2021
12.6	Approval of Contracts/Purchase Orders for Services
12.7	Acceptance of Gifts/Donations
12.8	Ratification of Amended Memorandum of Understanding with Lifelong Medical Care Kids' Village; Supplemental Student Support Due to COVID-19
12.9	Approval of Amendment of Master Contract for Nonpublic Agency Services for 2020-21 School Year (Maxim); Supplemental Student Support Due to COVID-19
12.10	Approval of Amendment of Master Contract for Nonpublic Agency Services for 2020-21 School Year
12.11	Approval of Contract between BUSD and Sports for Learning
12.12	Approval of Recommendation for Expenditure of BSEP Funds for Class Size Reduction in FY 2021-22

12.13	Approval of Measure G Budget Adjustment - Allocation of \$1.7M for Instructional Technology
12.14	Approval of Van Pelt Construction Services for Multiple BUSD Construction Projects for Services Beginning March 2021
12.15	Approval of Resolution 21-028 to Establish the Tax Rate for the Facilities Safety and Maintenance Act of 2020 and Revenue Projection for 2021-22
12.16	Authorization to Approve a Change Order for the Rosa Parks Elliptical Canopy Repair and Approval of Futility Resolution 21-033
12.17	Approval of Resolution 21-026 for the Refunding of General Obligation Bonds
12.18	Vote for 2021 CSBA Delegate
12.19	Approval of Board of Education Meeting Minutes

### 13. Discussion

13.1	Update on BUSD's Plan for School Reopening (30 min)
13.2	Special Education During Distance Learning and Plans for Reopening (30 min)
13.3	2021-22 Brief Budget Update: State and Federal One-Time COVID-19 Relief Funds (10 min)

### 14. Action

14.1	Section 504 Legally-Required Compliance Revision to Policy (5 min)
	14.1.1 Vote to Waive a Second Reading
	14.1.2 Approve Legally-Required Compliance Revisions to Section 504 Policy
14.2	Approve Certification of Second Interim Report for the Period Ending January 31, 2021 (20 min)

### 15. Information

15.1	Diversity and Recruitment Report, Human Resources
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### 16. 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.

### 17. Extended Board Member and Superintendent Comments

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

18. Adjournment

2021 BUSD School Board Calendar  
Regular Meeting Dates

January	6	20	23 Board Retreat
February	3	17	27 Board Retreat
March	10	24	TBD Board Retreat
April	7	21	
May	5	19	
June	2	9	23
July			
August	18		
September	8	22	
October	6	20	
November	3	17	
December	8		

## 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.



