



Berkeley Unified School District

Board of Education:
Ka'Dijah Brown, President
Laura Babitt, Vice President
Julie Sinai, Director
Ana Vasudeo, Director
Ty Alper, Director
Ian Segall, Student Director, BHS

BOARD OF EDUCATION

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

REGULAR MEETING AGENDA

Wednesday, October 26, 2022

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:

Jasmina Viteskic
District Compliance Officer & Title IX Coordinator
2020 Bonar St., Room 117
Berkeley, CA 94702
Phone: 510.486.9352
Email: 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/>

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 5:30 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	Existing Litigation -- Conference with Legal Counsel-- (Gov. Code section 54956.9(d)(1))
	3.1.1 Case No. 202223-02
3.2	Conference with Legal Counsel—Pending Litigation (Government Code Section 54956.9)
	3.2.2 OAH Case No. 2022070487
	3.2.3 OAH Case No. 2022080120
3.3	Conference with Real Property Negotiators (Government Code Section 54956.8)
	3.3.1 Property: 2351 North Street, Berkeley, CA 94710 Agency Negotiators: John Calise, Executive Director, Facilities Division Negotiating Parties: Michael A. Brodsky Under Negotiation: Price and terms of payment
3.4	Collective Bargaining - Government Code Section 54957.6(a) (District Negotiator: Samantha Tobias-Espinosa)
3.5	Superintendent's Evaluation (Gov. Code Section 54957)

4. Call to Order - 7:00 PM

5. Approve Regular Meeting Agenda for October 26, 2022

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 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.

8. 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.

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

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.

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 Position Control Report
11.3	Approval of MOU between BUSD and Steinhardt School of Culture, Education, and Human Development, New York University
11.4	Approval of New Classification: Senior Human Resources Analyst (Confidential)
11.5	Approval of Public Disclosure of Collective Bargaining Agreement - AB 1200
11.6	Approval of Tentative Agreement (TA) with Berkeley Council of Classified Employees (BCCE)
11.7	Approval of Master Contracts for Nonpublic School for 2022-23
11.8	Approval of Master Contracts for Nonpublic School for 2022-23
11.9	Approval of Master Contracts for Residential Nonpublic Schools Services for 2022-23
11.10	Approval of Master Contracts for Nonpublic Agency Services for 2022-23
11.11	Approval of Master Contracts for Nonpublic Agency Services for 2022-23
11.12	Approval of Master Contracts for Nonpublic Agency Services for 2022-23
11.13	Approval of Amendment for Nonpublic Agency Services - Procure for the 2022-2023 School Year
11.14	Approval of Master Contracts for Residential Nonpublic Schools for 2022-23 - Victor
11.15	Approval of Memorandum of Understanding with County of Alameda Healthcare Services Agency for 2022-23
11.16	Approval of Memorandum of Understanding between Maxim Healthcare Staffing Services and BUSD
11.17	Approval of Contracts/Purchase Orders for Services Contracts
11.19	Approve Listing of Fiscal Warrants issued in September 2022
11.19	Approval of Payroll Warrants issued in June 2022
11.20	Authorize Directors to Approve Overtime

11.21	Accept the Completion of the Barrier Willard Middle School Project and Approve Resolution 23-008
11.22	Accept the Completion of the Plant Ops Move to 720 Harbour Way Project and Approve Resolution 23-009
11.23	Approve Contract with JJ Construction and Design as a General Contractor for the Oregon/Russell Street Site Safety Project and Resolution 23-010
11.24	Approval of CUPCCAA Contract with NV Construction, LLC as a General Contractor for Plant Operations Interim Housing Office Remodel and Resolution 23-011
11.25	Approve Contract with Managed Facility Solutions (MFS) for the Berkeley High School Theater Hall of Fame Move
11.26	Approve Contract with Noll & Tam Architects for the Emerson Elementary School Modernization Project
11.27	Approve Amendment for Multistudio for the Longfellow Modernization Project (Mod. #2)
11.28	Approval to Determine a Project as Categorical Exempt under CEQA and to File the Notice of Exemption
11.29	Approve Appointment of Committee Members to the 7-11 District Advisory Committee
11.30	Approval of Overnight Field Trip Request
11.31	Approval of Out-of-State Travel Request
11.32	Approve Amended BP 5131.2: Bullying
11.33	Approval of Excused Absence for Board Appointed Youth Commissioner
11.34	Approval of Resolution 23-012 Proclaiming a Local Emergency, Ratifying the Proclamation of a State of Emergency by Governor Newsom Dated March 4, 2020 and Authorizing Remote Teleconference Meetings for the Period of November 1, 2022 through November 30, 2022
11.35	Approval of Board of Education Meeting Minutes

12. Discussion

12.1	BUSD PK-12 Data Summary Update (45 min)
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13. Presentation

13.1	BUSD Multilingual Learner Plan Update
13.2	Berkeley Public School Fund Update
13.3	BFT Changes to Contract 2022-2025
13.4	BCCE Changes to Contract 2022-2024

14. Information

14.1	Work Plan and Timeline for Implementation of Middle School Enrollment
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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

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.

