



Berkeley Unified School District

Board of Education:
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Jennifer Shanoski, Director/Clerk
Mike Chang, Director
Laura Babitti, Director
Katelyn Liao, Student Director, BHS
Jhanai Dell, Student Director, BTA

BOARD OF EDUCATION

Meeting Location:

1231 Addison St

Berkeley, CA 94702

Wednesday, February 21, 2024

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

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.

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://simbli.eboardsolutions.com/Index.aspx?S=36030527>

1. Call to Order

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

2. Public Testimony

Public Testimony related to closed session items is limited to 10 minutes with a 1-minute limit per speaker per topic.

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	Superintendent’s Evaluation (Government Code Section 54957)
3.2	Conference with Legal Counsel – Existing Litigation (Government Code Section 54956 (a))
	3.2.1. Doe SHS v. BUSD
	3.2.2 Student A v. BUSD
	3.2.3 OAH Case No. 2023120317
	3.2.4 OAH Case No. 2023120052
	3.2.5 OAH Case No. 2023110581
	3.2.6 BUSD Case No. 202324-03
3.3	Conference with Legal Counsel – Anticipated Litigation: Significant exposure to litigation pursuant to § 54956.9(b): (One case)
3.4	Collective Bargaining - Government Code Section 54957.6(a) (District Negotiator: Samantha Tobias-Espinosa)

4. Call to Order - 7 pm

5. Approve Regular Meeting Agenda for February 21, 2024

6. Student Presentation: Young, Gifted and Black (YGB)

7. Report Out on Closed Session

8. Superintendent Comments

9. 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.

10. Committee Comment

Superintendent’s Budget Advisory Committee	Audit Committee
District English Language Advisory Committee	Parent Advisory Committee
Gender Equity & Sexual Harassment Advisory Committee	CTE Advisory Committee
African American Advisory Committee	PTA Council
BSEP/BERRA Planning & Oversight Committee	Equity and Excellence Advisory Committee

11. Union Comments

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

12. Board Member Comments

13. Consent Calendar

13.1	Approval of Human Resources Reports
13.2	Approval of Position Control Reports
13.3	Approval of Overnight Field Trip Request(s)
13.4	Approval of Resolution 24-018 to Establish the 2024-25 Tax Rate for the Berkeley Public Schools Educator Recruitment and Retention Act of 2020 (Measure E of 2020) and Revenue Projection for FY 2024-25
13.5	Approval of Resolution 24–019 to Establish the 2024-25 Tax Rate for the Berkeley Public Schools Educational Excellence Act of 2016 (Measure E1 of 2016) and Revenue Projection for FY 2024-25
13.6	Approve Resolution 24-023 Recognizing February 2024 as African American History Month
13.7	Approval of an Amendment for Noll & Tam Architects for the Emerson Modernization Project (Mod #1)
13.8	Approval of a Contract for Mobile Modular Management Corporation for the Sylvia Mendez Modernization Project
13.9	Authorization to Approve a Change Order for the District-Wide Energy Efficiency Project with Syserco Energy Solutions and Approval of Futility Resolution No. 24-020

13.10	Approval of a Contract for Dream Ride Elevator as the General Contractor for the John Muir Elevator Modernization Project and Resolution No.24-021
13.11	Approval of Ratification of a Contract with Opening Technologies for District Wide Rekeying Project and Resolution No. 24-022
13.12	Approve Listing of Fiscal Warrants issued in January 2024
13.13	Approval of Contracts/Purchase Orders for Services
13.14	Approval of Board of Education Meeting Minutes

14 Discussion

14.1	LCAP Midyear Update (60 min)
14.2	Teaching and Learning: BUSD's Focus on Literacy
14.3	Sustainability Update (30 min)

15. Information

15.1	First Interim Report of Revenue and Expenditures in FY 2023-24 of the Berkeley Public Schools Educational Excellence Act of 2016 (BSEP Measure E1) and Berkeley Public Schools Educational Excellence Act of 2006 (BSEP Measure A)
15.2	First Interim Report of Revenue and Expenditures in FY 2023-24 of the Berkeley Public Schools Educator Recruitment and Retentions Act of 2020 (BERRA Measure E of 2020)

16. Extended Public Comment

17. Extended Board Member Comments

18. Adjournment

GOVERNANCE TEAM COMMITMENTS

- Practice humility and self-reflection and ask for feedback;
- Create safe non-judgemental space to get to know each other as people;
- Be honest and candid with each other;
- Lead with curiosity (e.g., "Could you say more about what you mean by X?". Ask questions for deeper understanding so as to avoid assumptions;
- Prioritize direct communication with each other when there is a negative impact during a discussion or disagreement. Initiate 1:1 conversations via phone, email or text to request time via phone, video-chat, or in-person.) Use impact statements (e.g., "When you said X, I felt Y ...") ;
- Understand that our experiences, opinions, and perspectives are shaped by our positions and privilege in life, and be mindful of the impact the we have on others;
- Appreciate each others' strengths, experience and contributions, and the positive work carried out in the District;
- Embrace disagreement when respectfully articulated; this is a sign of a healthy governance team comprised of people with shared values but different perspectives;
- Commit to being a team player - be respectful about the way we discuss our colleagues and their views, even when we disagree. Strive to support each other, avoid disparaging each other publicly or privately and organizing against each other;
- Ensure clarity of our roles as they relate to Governance/Operations;
- Adhere to confidentiality of closed session discussions to comply with law, build trust with the governance team, and foster a safe space for candid discussion;
- Show public respect for the will of the Board even when in the minority on a decision;
- Be responsible and accountable to each other: do what you say you're going to do and acknowledge when expectations weren't met;
- Be responsive to all voices in the district and seek to elevate the voices heard less frequently; and
- Emulate/model the values and culture we strive for in the District.