

BERKELEY PUBLIC SCHOOLS

Board of Education

Zoom Webinar

510-644-6206

Official Minutes

April 15, 2020

President Judy Appel called the meeting to order at 7:00pm. She reported that the Board convened to Closed Session at 5:30pm.

Roll Call

Board of Education:

Judy Appel, President – Present

Ty Alper, Vice President – Present

Ka'Dijah Brown, Director/Clerk – Present

Beatriz Leyva-Cutler, Director – Present

Julie Siniai, Director -- Present

Estella Hemp, Student Director, BHS – Present

Edwin Castro-Romero, Student Director, BTA -- Absent

Administration:

Brent Stephens, Ed. D, Superintendent

Baje Thiara, Associate Superintendent, Educational Services

Pauline Follansbee, Assistant Superintendent, Business Services

Samantha Tobias-Espinosa, Assistant Superintendent, Human Resources

Lyz Chairez, Recorder

OPEN SESSION

APPROVAL OF REGULAR MEETING AGENDA

Motion to approve agenda:

Alper/Brown and unanimously approved 6-0.

REPORT CLOSED SESSION

President Appel reported out on closed session:

Conference with Legal Counsel - Existing Litigation (Government Code Section 54959.6(a))

OAH Case No. 2019120508

Motion to approve staff recommendation:

Alper/leyva-Cutler and unanimously approved 5-0.

Conference with Legal Counsel--Anticipated Litigation (Government Code Section 54956.9(b)) - Two (2) Potential Cases

Case No. 201920-09

Motion to accept staff recommendation and provide further direction:

Appel/Leyva-Cutler and unanimously approved 4-0:

Judy Appel, President –*Yes*

Ty Alper, Vice President – *Recused*

Ka'Dijah Brown, Director/Clerk –*Yes*

Beatriz Leyva-Cutler, Director –*Yes*

Julie Siniai, Director –*Yes*

Case No. 201920-10

The Board received an update on this matter and gave direction to staff. No action was taken.

Collective Bargaining Government Code Section 54957.6(a)

Berkeley Federation of Teachers (BFT)

Berkeley Council of Classified Employees (BCCE)

Professional and Technical Engineers, Local 21

Union of Berkeley Administrators (UBA)

The Board heard an update on collective bargaining; no action was taken.

Public Employment (Government Code Section 54957)

Assistant Superintendents

Motion to approve the Superintendent's recommendation:

Brown/Sinai and unanimously approved 5-0.

PUBLIC TESTIMONY

A total of two people addressed the Board:

One comment advocating for additional counselors at BHS as budget cuts are being considered.

One comment asking how the district is dealing with hourly employees during the pandemic.

COMMITTEE COMMENTS

Parent Advisory Committee (PAC) representative Laura Babitt, shared on behalf of the committee a number of concerns relative to BUSD's response to the current health crisis amid budget cuts, and provided some suggestions concerning LCAP fund allocation.

PTA Council Rep Rob Collier commented on the impact COVID-19 is having on school districts' finances, and urged the Board to avoid a last minute budget crisis.

BOARD MEMBER AND SUPERINTENDENT COMMENTS

Director Leyva-Cutler offered condolences to families affected by COVID-19 and encouraged folks to continue social distancing. She reassured the community that the Board and Administration are working together diligently to adjust to changes our education system is experiencing on a global scale. She looks forward to hearing the Superintendent's plan later this evening.

Director Sinai thanked members of the public who tuned in and all of the BUSD families for patience and commitment to remain engaged during this transition. She extended appreciation to staff and administrators who have been working on new ways to educate our students. In response to committee comments, she said that the current state of our economy will inevitably impact BUSD budget cuts. She stressed the importance of relying on data in order to make informed decisions as we move forward.

Student Director Hemp sent her thoughts to those impacted by COVID-19. She stressed the importance of continuing to shelter in place.

President Appel stated that she may be excusing herself early from this meeting. She went on to reassure that the District is working diligently to implement the best way to educate our students. She addressed the zoom glitch experienced last week, saying that these issues are a result of unprecedented times and are being troubleshooted.

Superintendent Stephens alerted the public to the number of forthcoming updates on COVID-19 as part of tonight's meeting. He encouraged all of BUSD staff to remain open minded as we continue to adjust to a situation never before experienced; and thanked the community for their continued support as BUSD responds.

CONSENT CALENDAR

Motion to approve the Consent Calendar:
Sinai/Alper and unanimously approved 6-0.

ACTION ITEMS

Update on COVID-19 and BUSD Response/Update on BUSD Distance Learning Plan
Presenters: Natasha Beery and Superintendent Stephens

This presentation covered state and local government responses to pandemic, highlighted BUSD data relative to family and student support, including number of OFFEE contacts, laptop distribution and average meals per week provided to students; and provided update on BUSD's procedures and facilities.

Director Beery walked viewing audience through some data, including current number of COVID -19 cases, with a reminder to continue to shelter in place to help flatten the curve. She added that BUSD has partnered with other districts in the county who have decided to remain closed until the end of the school year. Further state and county guidance will be followed as it becomes available.

With respect to grading, staff is recommending a temporary change to grading system from letter grade to Pass/No Pass. Dr. Stephens stated that as a result of a zoom bombing incident, educators will move to Google Meet to continue virtual instruction. In the meantime, BUSD has taken steps to increase security and is working with zoom to make sure it doesn't occur again. He acknowledged the feedback received from students and parents concerning Google Meet, and said that administration is aware and is addressing said issues. The goal is to provide educators with options.

Dr. Stephens stated that in the event that we can no longer gather physically, BUSD will look into remote online commencements to replace the various events that mark the end of the school year. He also reported that the district is working on converting procedures, including enrollment, to online for families. Families will also have the opportunity to come by DO to pick up resources to be used to support student learning at home. He thanked all who have volunteered to make it happen. More is to come concerning a reopening plan for the fall.

Executive Director of Facilities John Calise reminded the public that all school parks and playgrounds are closed in keeping with public health guidelines. He reported that the District has been able to find a vendor to procure PPE from for our grounds staff.

Questions and discussion followed.

Approval of Temporary Revision to BP 5121: Student Grading

Motion to approve temporary revision to BP5121: Student Grading
Alper/Brown and unanimously approved 6-0

Approval of Resolution 20-045 Declaring Facilities Projects as Essential Governmental Functions

Sinai/Alper and unanimously approved 6-0.

President Appel excused herself at 8:48pm.

Vice President Alper presided over the rest of the meeting.

Recommendation for Expenditure of BSEP Funds for Support for Teaching in FY
2020-21

Superintendent Stephens stated that the Planning and Oversight Committee has convened over the past several months. Tonight the Board is being asked for its approval of the Professional Development and BREA budgets.

Director Beery walked the viewing audience through the allocation of BSEP funds for the purpose of supporting high quality instruction. She shared some concerns expressed by the committee particularly around the substantial fund balance which the committee agreed should not remain unspent for too long. She displayed the multi year budgets for program evaluation and PD budgets to highlight adjustments made overtime and noted that increases to positions did not necessarily translate to new positions, but rather indicate areas where BSEP has increased its contribution to alleviate pressure on the General Fund all within the purposes intended by the measure. She underscored some of the new adjustments, remarking that the increase to CSR and the additional 5.0FTE for classroom support were the biggest changes. She also denoted a last minute addition of 0.1 FTE through BREA funds for the reinstatement of a multi funded position. In total BSEP's contribution for 2020-21 has increased to \$2.5 million, with \$250,000 of it accounting for new positions.

Vice President Alper suggested freezing hiring in anticipation of a lowered COLA. He expressed not being comfortable supporting creation of new positions amid dire financial circumstances.

Superintendent Stephens proposed proceeding with posting the positions with the understanding that it may not be necessary.

Alper moved to approve staff recommendation without the new line items totaling \$250,000 for new positions. No one seconded. Motion failed.

Sinai moved to approve staff recommendation, excluding proposed new positions with the exception of the 504 coordinator position, and with the understanding that we evaluate the effectiveness of the program. Motion was seconded by Leyva-Cutler.

Motion carried on a 4-1 vote:

Judy Appel, President –*Excused*

Ty Alper, Vice President – *No*

Ka'Dijah Brown, Director/Clerk –*Yes*

Beatriz Leyva-Cutler, Director –*Yes*

Julie Siniai, Director –*Yes*

Estella Hemp, Student Director, BHS – *Yes*

Approval of Superintendent's Budget Reduction Recommendations for 2020-2021

Superintendent Stephens reported that school closures in April disrupted the budget calendar that called for budget reductions to begin sometime in April and for a final LCAP budget approval in June. The interruption to in-class instruction has resulted in some savings and in additional revenue intended for COVID-19 response. Staff is

tracking COVID-19 related expenses, as well as anticipating additional expenses that are still unknown. There is approximately \$95,000 in savings due to unspent LCAP funds. Superintendent Stephens noted that the multi year projections included in this presentation account for a further reduction in COLA that can result in revenue loss of more than \$3 million over the next three years, and of approximately \$5 million over the course of two years in the event of a zero COLA. He submitted that it may be most wise to pause all recommendations for new expenses in all funding sources until we learn more from the Governor's May revise.

Superintendent Stephens recalled presenting to the Board a recommended \$1.5 million in budget cuts at its March 11 meeting. This recommendation included \$901,253 in reductions, \$617,000 in fund transfers and a \$120,000 addition to the General Fund. The Board approved the \$901,253 in reductions and the \$120,000 addition, but postponed action on the proposed transfer. Tonight Superintendent Stephens is bringing back a modified recommendation to shifts in revenue source now totaling \$514,000. He noted that the amended proposal no longer includes a 1.0FTE Middle School Literacy Coach transfer to LCAP.

Dr. Stephens introduced some of his thinking on how to address pressures to LCAP budget caused by increase in staffing costs, lower than anticipated COLA, decreasing unduplicated student count, 2019-20 positions on LCAP carryover, and the unknown total impact of COVID-19. The 2020-21 cut target is at \$492,000, approximately 10% of the entire LCAP budget. In order to close this gap, Dr. Stephens shared a possible proposal to use \$250,000 from the existing \$579,000 in carryover funds, reduce Extended Day After School Intervention by \$20,000, and to shift \$56,000 to the BERRA fund. A finalized proposal will be presented at a subsequent meeting.

Questions and discussion followed.

Motion to approve adjustments to the General Fund as proposed:

Brown/Alper and approved on a 5-0 vote:

Judy Appel, President – *Excused*

Ty Alper, Vice President – *Yes*

Ka'Dijah Brown, Director/Clerk – *Yes*

Beatriz Leyva-Cutler, Director – *Yes*

Julie Siniai, Director – *Yes*

Estella Hemp, Student Director, BHS – *Yes*

Approval of Recommendation for Expenditure of Berkeley Educator Recruitment and Retention (BERRA) Funds for Recruitment, Retention and Development Strategies 2020-21

Assistant Superintendent Tobias-Espinosa explained that 5% was set aside for the purpose of attracting and retaining highly qualified teachers. She presented a proposed budget reflective of the already board-approved position transfers and of

staff's recommendation for additional staffing and program supports. Among the proposed new positions is a 1.0FTE Classified PD Coordinator. The goal is to provide professional development opportunities for 100% of classified staff that addresses capacity building and informs them of District initiatives throughout the school year.

Questions and discussion followed.

Director Leyva-Cutler stressed the importance of making sure the community has had a chance to read this proposal, and suggested bringing this back next week to give the public time to read and understand the information.

Natasha Beery responded that in keeping with the language of the Measure, the Planning and Oversight Committee provided input as part of the budget development process.

Director Sinai asked if BFT and BCCE had also been given an opportunity to provide feedback.

Tobias-Espinosa responded that BFT and BCCE have both reviewed and are in favor of this plan.

Sinai expressed being in favor of delaying action on this item for another week to give BFT and BCCE an opportunity to provide significant feedback.

There was consensus among the Board to bring this item back for action at a later date.

Annual Declaration of Need for Fully-Qualified Educators

Motion to approve annual declaration of need for fully-qualified educators:

Leyva-Cutler/Brown and approved 5-0:

Judy Appel, President –*Excused*

Ty Alper, Vice President – *Yes*

Ka'Dijah Brown, Director/Clerk –*Yes*

Beatriz Leyva-Cutler, Director –*Yes*

Julie Siniai, Director –*Yes*

Estella Hemp, Student Director, BHS – *Yes*

ADJOURNMENT

10:20PM