

**BERKELEY PUBLIC SCHOOLS**  
Board of Education  
1231 Addison St., Berkeley, CA 94702  
510-644-6206

Official Minutes  
June 24, 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 Sinai, Director -- Present  
Estella Hemp, Student Director, BHS – Present  
Edwin Castro-Romero, Student Director, BTA

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:**

At the request of President Appel, agenda items 11.2 (Resolution to eliminate/reduce positions), 11.4 (MOU between BUSD and Alameda County Health Care Services Agency) and 13.2 (this item was a duplicate) were pulled altogether. Director Leyva-Cuyle requested that agenda item 11.17 (agreement with Home Depot) be moved to action. Agenda item 11.3 (approval of contracts/purchase orders) was moved to action at the request of Director Sinai.

Motion to approve agenda as amended:  
Appel/A:per and unanimously approved 6-0.

**REPORT CLOSED SESSION**

Vice President Alper reported out on closed session:

Collective Bargaining - Government Code Section 54957.6(a) (District Negotiator: Samantha Tobias-Espinosa)

Berkeley Federation of Teachers (BFT)

The Board heard an update and provided direction. No action taken.

Anticipated Litigation – Special Education - One matter. Ed. Code § 54956.9, subd. (e)(2)

Motion to approve staff recommendation:

Alper/Appel and unanimously approved 4-0:

Judy Appel, President – *Yes*

Ty Alper, Vice President – *Yes*

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

Beatriz Leyva-Cutler, Director – *Yes*

Julie Sinai, Director -- *Yes*

Public Employment (Government Code Section 54957)

Contract Renewal, Unrepresented Employees

The Board discussed and gave direction; no action was taken.

Program Manager, Special Education

Motion to approve the appointment of Eileen Jacobs as Program Manager:

Appel/Sinai and approved unanimously 5-0

Vice Principal

Motion to approve the appointment of Bryan Grau as Vice-Principal of Willard:

Alper/Leyva-Cuter and approved unanimously 5-0

Public Employment (Government Code Section 54957)- Superintendent's Evaluation

The Board discussed this matter and developed a timeline. No action was taken.

**PUBLIC TESTIMONY**

A total of 16 people addressed the Board:

Seven comments in favor of removing police from BHS campus.

Two comments in support of the Measure G partial bond schedule as recommended by staff.

One comment on being thoughtful as plans for school reopening are made.

One comment in support of a new parking structure for BHS staff.

One comment in opposition to reopening schools in the fall and in support of removing police from schools

Two comments urging a thoughtful decision making process concerning possible removal of police from our campuses.

One comment on BUSD's budget.

One comment expressing concern about the location of new tennis courts.

## UNION COMMENTS

BFT member Janine Waddell showed a short video highlighting teachers and student engagement via distance learning.

## COMMITTEE COMMENTS

Laura Babbit shared the PAC's weekly comments and emphasized the need to make sure student needs are supported and met.

## BOARD MEMBER AND SUPERINTENDENT COMMENTS

Director Sinai acknowledged Principal Shweng's as this is her last meeting as Principal and thanked her for coming out to speak to the SRO position. She wished her well as she moves on from BUSD. She also recognized President Appel for her leadership following her announcement that she will not be running for reelection.

Director Brown thanked Directors Leyva-Cutler and Sinai for their resolution on reenvisioning the presence of police in our schools. Research has shown that black and brown students are disproportionately disciplined and oftentimes are introduced into the criminal system following interaction with police on campus. This further perpetuates the school-to-prison pipeline. She thanked her board colleagues for their support of this resolution that represents one of many steps necessary to tackle racism within our own institution.

Director Hemp thanked all who spoke tonight, especially Principal Shweng whom she wished well.

Vice President Alper thanked Appel for her service to BUSD and wished her the best as she moves on from the School Board. He added that what she has done for this community cannot be summed up in his comments and looks forward to the opportunity to celebrate her leadership and work while on the School Board.

President Appel announced that she will not be running for reelection. She shared that she first joined the board after doing some work around school climate as a parent.

She said this is a bittersweet moment but feels confident that she is leaving the Board in solid hands with people who share the same values.

Superintendent Stephens congratulated Appel for her decision to retire from the Board. He shared some anecdotes that illustrated her level of commitment and service to BUSD.

## CONSENT CALENDAR

Motion to approve the Consent Calendar:  
Leyva-Cutler/Brown and approved 6-0.

## ACTION ITEMS

Approval of Contracts/Purchase Orders for Services Contracts (pulled from consent)

Director Sinai wishes to recuse herself from this vote due to her role with LifeLong Medical.

Alper/Brown and approved 4-0-1:

Judy Appel, President – *Yes*

Ty Alper, Vice President – *Yes*

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

Beatriz Leyva-Cutler, Director – *Yes*

Julie Sinai, Director -- *Recused*

Approval to Enter into an Agreement with the Home Depot Pro Institutional (pulled from consent)

Director Leyva-Cutler explained that she pulled this item to state her opposition BUSD doing business with Home Depot, a corporation that openly supports Donald Trump. She requested that staff find an alternative vendor.

Superintendent Stephens added that staff did conduct research about alternatives to Home Depot.

Executive Director of Facilities John Calise added that BUSD has been purchasing custodial supplies with Supply Works for years at preferred pricing. Supply wWorks was eventually purchased by Home Depot. After much research, he explained that purchasing from an alternative vendor will increase custodial related costs by 15-20% and will also possibly require a large one-time expense to replace all dispensers district wide to make sure they are compatible with the new vendor's supplies.

Director Sinai appreciated Leyva-Cutler for her comments on this, noting that where we buy our goods and services from is a reflection of our values.

Director Leyva-Cutler moved to reject proposal to purchase custodial supplies from Home Depot; Motion seconded by Director Sinai.

Director Sinai amended motion to limit the amount allocated to custodial supplies to \$40,000.

Director Leyva-Cutler rejected the amendment and moved to reject purchase agreement with Home Depot altogether. Sinai seconded motion. Motion carried on a 5-0 vote.

#### Approve Resolution 20-067 on Police in Schools

Director Leyva-Cutler Director stated that we have an opportunity to rethink how we support our students especially in current climate. She added that the intent of this resolution is to hear from the community and to ensure a transparent and engaging process as we re envision the presence of police on our campuses.

Director Sinai appreciated Director Leyva-Cutler for her work on this resolution. She added that a unilateral decision cannot be made without engaging the BHS and BTA communities. To this end, the Superintendent will be forming a committee for the purpose of identifying alternatives to having police on campus.

Vlce President Alper thanked Directors Sinai and Leyva-Cutler for presenting this to the Board. He added that it may not be the best step to approve a resolution that the community has no had a chance to read it. He suggested giving the public more time to read it by placing it on the next meeting agenda.

President Appel moved to approve resolution.

Director Sinai amended motion to include language that was newly added and did not make it on to the final resolution:

Appel/Sinai and unanimously approved 6-0.

The final resolution will come back on consent at the July 1 School Board meeting.

#### Approve Partial Implementation Schedule - Measure G

Executive Director of Facilities John Calise provided an overview of current and upcoming projects and associated timeline for each. The project lists includes the BHS little theatre renovation, replacing parking and tennis courts with a multi level parking structure, installing solar electricity, and the modernization of Sylvia Mendez elementary school. Total planned expenditure is \$113 million.

Questions and discussion followed.

Motion to approve staff recommendation.  
Alper/Appel and approved 5-0

## Adoption of 2020-2021 Budget

### Approval of Additional Budget Adjustments related to Equity Goals

Superintendent Stephens explained that his presentation covers information on all of the budget sub items as listed on the agenda, and proposed that each sub item be voted on separately.

Superintendent Stephens stated that the purpose of this presentation is to provide additional context for the budget given the Governor's additions to the state budget report since this item was last presented to the Board. AB77 will further spell out those changes for the 2020-21 budget.

Asst Superintendent Pauline Follansbee continued to report that there is additional federal one time funding and highlighted the new language that now prevents school districts from laying off classified staff. As a result, tier 1 budget cuts have already been reduced by \$110k for Math Coordinator at BHS, and tier 2 cuts have been reversed since expected revenue exceeds \$4 million. Information on additional federal relief will not be available until later in the summer.

Associate Superintendent Thiara highlighted expenses necessary to implement the BLM resolution action items totaling \$277,000.

Superintendent Stephens noted that approval is being requested only for the purpose of presenting a balanced budget.

Sinai moved to approve recommendation to develop COVID fund seeded with \$277k to cover what was presented in original plan; staff to come back with a formal plan that includes accountability and includes community input. Motion was seconded by Director Brown and it carried on a unanimous 6-0 vote.

### Approval of LCAP Reductions

Dr. Stephens reported that the new state budget will preserve the LCAP budget at a zero COLA and the initially proposed reductions to LCAP are no longer necessary. He walked the Board through an amended LCAP budget, noting that the recommendations to close the 0.8 FTE climate TSA and freeze hiring for an RJ Counselor position. The recommendation to eliminate tutoring stipends and Super Science Saturdays is still on the table. This translates to a total of \$30,000 to be derived from the reserve.

Motion to approve:

Director Sinai amended motion to propose that \$200k be pulled from the reserve to address the equity learning gap.

President Appel further amended the motion to approve staff recommendation and direct staff to come back with a proposed budget for the \$200,000. Director Sinai seconded motion. Motion carried on a 6-0 vote.

Motion to approve the 2020-21 budget:  
Appel/Sinai and unanimously approved.

## DISCUSSION ITEMS

### Fall 2020 Planning Update

Dr. Stephens provided an overview of the language of SB77 which, in addition to providing information, establishes a number of requirements that schools must meet. Some of these requirements include a minimum of 180 days of instruction, communicating with parents about learning progress and providing computer and internet access to students. Most significantly, the bill requires that schools offer in person instruction. These restrictions are newly added as of 24 hours ago and staff is working through all the new information. He shared the risk reduction practices that have been approved by the City of Berkeley Public Health. With respect to employees, the active shelter-in-place order allows only essential workers to work in-person. A three step process will be used to determine if employees can return to work in-person or should work remotely. In the event that a leave is necessary, he reports that new legislation allows an employee to be apdi for 2 weeks at regular rate. Additional provisions are available after the 2 week period that allow for extra paid time off at two-thirds of employee's regular pay. Dr. Stephens went on to share disaggregated data pertaining to teacher, student and staff responses to a previous survey querying them on their level of comfort with reopening schools. Staff is considering a distance learning academy, a hybrid model and independent studies as alternative options for students who opt for full time distance learning. Finalized plans will be brought back to the Board for approval in July.

Motio to extend meeting to 11:15:  
Appel/Alper and approved 6-0.

Questions and discussion followed.

## EXTENDED PUBLIC COMMENT

Two comments in support of COVID fund be directed tol education student distance learning..

ADJOURNMENT: 11:15