

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

Official Minutes
September 2, 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
Miles Miller, Student Director, BHS – Present

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

Appel made a motion to approve the agenda without action item 12.1, approval of the 2020-21 position control report.

Appel/Leyva-Cutler and unanimously approved 6-0.

REPORT CLOSED SESSION

Vice President Alper reported out on closed session:

Conference with Legal Counsel - Existing Litigation (Government Code Section 54596.9(a))

WC Claim #18-111614

Motion to approve staff recommendation:

Alper/Brown and unanimously approved 5-0.

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

BCCE

The Board heard an update and gave direction. No action was taken.

BFT

The Board heard an update and gave direction. No action was taken.

Public Employment (Government Code Section 54957)

Director of BSEP and Community Relations

This item was pulled from the agenda

Public Information Officer

This item was pulled from the agenda.

PUBLIC TESTIMONY

A total of seven people addressed the Board:

One comment thanking the Board and Superintendent for their foresight in planning for next year and for their willingness to partner with BFT.

Two comments expressing concerns about PG&E plans to set up a cell tower in close proximity to Thousand Oaks.

One comment requesting that students and families be allowed the option to walk or bike to pick up materials and not be required to drive up.

Three comments informing of the health risks posed by plans to install cell towers in the community and asking the Board to require that they not be installed near our schools.

COMMITTEE COMMENTS

Mimi Pulich shared concerns on behalf of the PAC about the LCP. The PAC agrees that the LCP should clearly spell out how parents will be kept current with updates and important information, it should support the adoption of star 360 assessment for transparency, and should explicitly spell out plans to support highest-need students. The Office of Family Engagement and Equity (OFFEE) is advertised as the main support, but remains inadequately staffed. The PAC recommends that there be one full time family liaison per school in order to meet the needs of students and their families.

PTA Council member Ana Vasaduo commented on behalf of families who have not been able to pick up materials because they are required to drive up. Expecting families to drive up undermines the fact that not all families own a vehicle. Families

should be given the option to walk or bike to pick up as long as they adhere to social distancing and mask wearing guidelines. It is important to keep equity in mind.

BOARD MEMBER AND SUPERINTENDENT COMMENTS

Director Leyva-Cutler thanked public comment participants for raising awareness around important issues.

Director Sinai thanked staff for bringing up the issues around supply pick-ups. She extended her gratitude to all staff, administrators and families who worked hard to make the first couple of weeks go as smoothly as possible. She expressed her appreciation for the constructive feedback the community has been sending in and asserted her commitment to continue fighting past the challenges.

Student Director Miller thanked the community for bringing up issues that impact students directly.

President Appel thanked staff for shedding light on the issue with material pick-ups. This kind of feedback is constructive and helps the district make the right decision. She went on to announce that she will be taking a month off as part of her healing following an accident she suffered last year. Vice President Alper will step up in her absence.

Superintendent Stephens thanked the IT team. They were already stretched pre COVID and have been working overtime for a long time. He acknowledged Director of Technology Jay Nitschke for his work. He also recognized Solita Mitchell, a Longfellow alum and now teacher who was featured in the A plus news.

CONSENT CALENDAR

Motion to approve the Consent Calendar:
approved unanimously 6-0.

ACTION

Approval of New Board Policy: Non-School Employment and Incompatible Activities

Dr. Stephens explained that this is the third public meeting where this new policy is discussed. It was first brought to the policy committee in August and presented to the Board for a first reading on August 19. This policy has since been shared with BFT and others for feedback. The policy now includes an insert under the section about tutoring listing the various revisions to this policy. He read aloud the proposed final language as it related to tutoring. He thanked Director Leyva-Cutler and President Appel for their work on this policy.

Vice President Alper suggested removing all the cross references. He also noted that BFT had agreed with this language to the extent that the policy did not apply to music teachers.

Dr. Stephens responded that this policy is not meant to preclude teachers from providing private lessons, and said that additional language could be added to make it explicit.

Vice President Alper suggested adding "This prohibition does not preclude an employee from providing private music lessons."

Director Sinai suggested adding language to define what we mean by *tutoring* and *services*. She also noted that teachers have the opportunity at stipends when providing afterschool academic support to students.

Dr. Stephens clarified that the policy aims to prevent private financial arrangements between families and teachers where there are other options available like district-paid tutoring.

President Appel asked why music lessons are different and to Director Sinai's point, she agrees that tutoring should be defined to differentiate the support a student receives in response to a need versus additional private lessons for something they are passionate about.

Director Leyva-Cutler suggested passing this tonight and leaving it up to the Superintendent to define tutoring and determining how to monitor it.

Director Brown responded in agreement with Director Leyva-Cutler's suggestion.

Vice President Alper moved to approve this policy with the cross references removed and with the addition of "This prohibition does not preclude an employee from providing private music lessons." Motion was seconded by President Appel and carried on a 6-0 unanimous vote.

DISCUSSION ITEMS

Update on School Reopening

Dr. Stephens reported that this week has been busy and has consisted of various revisions to school reopening guidelines at all levels.

Director of BSEP Natasha Beery provided an overview of statewide metrics for positive COVID cases. At the county level, we currently fall into the red area due to daily positive test rate. Hospitalizations are down and we are headed in a good direction, but not in a direction that allows us to explore reopening.

Dr. Stephens continued to explain that due to the County's current purple or "widespread" status, all school facilities remain closed for most in-person instruction. In order for schools to be allowed to reopen, county case rates will need to satisfy a set criteria for three weeks, and then remain at this level for another two weeks. The Alameda County Public Health Department has put in place a waiver application process for TK-6 in-person learning. Districts opting to apply for this waiver must indicate their interest by September 11. BUSD is in conversation with the City of Berkeley Public Health Department to implement in-person services that fall outside of the waiver process, including mandatory assessments (Special Education, EL Learners, Section 504 accommodations) and PreK and Elementary Child Care. BUSD will proceed with this process in consultation with local health authorities and labor partners, with close assessment of BUSD's health practices, and in communication with staff. A more detailed update will be provided at the September 16 board meeting.

Sinai suggested that BUSD partner with the City and other local organizations around testing and contact tracing.

Appel asked that this subject be included on the agenda for the next 2 x 2 meeting.

Learning Continuity and Attendance Plan

Michelle Sinclair presented the draft plan for BUSD. She provided an overview of the timeline noting that the next step is to bring this plan back reflective of stakeholder feedback on September 16 for Board approval. The LCP draft addresses gaps in learning, stakeholder engagement, plans to meet the needs of unduplicated students, plans to ensure access to devices and connectivity, resources and supports for mental health and social emotional well being, and plans to continue providing meals. The stakeholder engagement process has consisted of various town hall meetings, weekly meetings with principal, educators and other stakeholder groups, and surveys for students and families. When allowed to reopen, in-person instructional offerings will focus on reducing the risk of COVID-19, reducing student learning loss and isolation and supporting families to return to work. A hybrid learning model will give students who need to stay home the option to continue with distance learning, and it will allow for students to come to campus in groups of 15 on different days and at staggered times. Professional Development was held prior to the start of the year and will continue throughout the school year. Star assessments will be implemented all across the board for reading and math to address learning loss. Family meetings at the elementary level and school advisory sessions at the middle school level will be held to provide mental health and social emotional support. The LCP is currently posted on the district website, will be brought back for approval on September 16 and will be sent to the Superintendent of Schools within five days following adoption.

Director Brown expressed some concern on the \$9 million budget for the installation of hand washing stations and asked if portable hand washing and sanitizing stations had been considered

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Dr. Stephens responded that staff did explore other options that required constantly refilling 5-gallon containers with sanitizer. Installing portable handwashing on grass is unsanitary and there may be an elevated sense to continue hygiene practices post COVID.

Director Sinai also expressed some reservations concerning the \$9 million price tag attached to handwashing stations. She asked if this could be revisited after looking at what other districts are doing.

Dr. Stephens responded that some of the work is already under way. He proposed that staff come back to the Board with information on the design already in progress and the Board can direct staff how to proceed after receiving the update.

President Appel added that no motion can be made at this because this is on the agenda for discussion tonight, but it can be reviewed at the facilities committee meetings and brought back at the September 16 meeting.

EXTENDED COMMENT:

A total of four people addressed the Board:

One comment on distance learning as students transition from fully online to in-person instruction via the hybrid model.

One comment suggesting use of outdoor space.

One comment in opposition to the scheduled installation of cell towers next to our schools.

One comment on positive data presented earlier and asking how school closure will be justified in light of this information.

ADJOURNMENT

9:38PM