

Berkeley Unified Board of Education

Discussion Item: 30 year extension of the Development Agreement between the City of Berkeley and Bayer Pharmaceuticals (Bayer) - Community Benefits for Science Technology Engineering Arts and Math (STEAM) Education

Date: November 17, 2021

Item Description

The City of Berkeley and Bayer have tentatively agreed to a 30 year extension of the 1992 Bayer Development Agreement (DA). Like the 1992 DA, the 2022 agreement includes various community benefits, including, but not limited to, STEM education. The 2022 proposed DA dedicates nearly 50% of the overall Community Benefits allocation toward STEAM Education through February 2052. The DA is expected to go before the Berkeley City Council for a first reading on Nov. 30 and final approval Dec. 14.

The current Development Agreement initiated in 1992 launched the Biotech Academy at Berkeley High School, established the Biotech Partners Program, and provided funding for the District's K-8 STEM programming, expliciting prioritizing Berkeley students from South and West Berkeley. The two- year Biotech Academy at BHS serves 11th and 12th students from backgrounds historically underrepresented in STEM majors and careers. Approximately 50 Biotech Academy students participate in high value paid summer internships between their Junior and Senior years. These internships are largely supported by Bayer through our collaboration with the Biotech Partners Program. In addition to Bayer, other industry partners and internship providers include BioMarin, Genentech, Berkeley Labs, Libby Laboratories, Children's Hospital Oakland Research Institute (CHORI) and East Bay Municipal Utility District (EBMUD). Funds from the existing Development Agreement have also supported internships for students enrolled in the BioManufacturing Institute at the community college level, including many of our Biotech Academy graduates.

The total Community Benefits Package element of the proposed 2022 extension is \$33,100,000 over the 30 year period with "Forty-Eight and One Half (48.5%) directed towards Science, Technology, Engineering, Arts and Math ("STEAM") Education /Career Technical Education Partners." Over the summer months Mayor Arreguin and Council Member Taplin (D2) convened an Ad Hoc Advisory Group to explore the Community Benefits portion of the DA. Directors Vasudeo and Sinai and Wyn Skeels, CTE Coordinator for BUSD, served on this Ad Hoc Committee and are very pleased to report that there was overwhelming support for STEAM education among the diverse representatives in the group.

The resulting agreement between the City and Bayer in year one, 2022, for STEAM education would be \$388,000 and escalate at roughly 2% per year over the duration of the agreement.

This would be divided as follows:

- 10% Transitional Kindergarten - 8th grade programs
- 50% High School Career Technical Education and paid internships
- 40% Community college STEAM career pathways and paid internships

We are very pleased to see that the City of Berkeley and Bayer are continuing a 30 year commitment to STEAM education.

In keeping with the spirit of the 1992 DA and the 2020 Vision for Berkeley's Children and Youth, we are recommending some friendly amendments to the proposed DA that would retain a focus on students who are underrepresented in STEAM education and career pathways.

Specifically, we respectfully request that City Council amend Section IV Parameters Governing Community Benefit Program and City Development Fees, to include these four key points:

- 1) Ensure the educational experts seated on the Grant Committee have STEAM experience serving populations historically underrepresented in STEAM majors and careers;
- 2) Be clear and intentional about directing grants to Berkeley's public schools students with emphasis on serving students from populations historically underrepresented in STEAM majors and careers and contribute to diversifying the STEAM career pipeline;
- 3) Adjust the timeline to align with planning for academic year - March 1st for awarding funds
- 4) Have a minimum time frame of 5 years for grant award period, with the understanding that for ramping up and sustainability of a STEAM education program more than five years may be needed.

For details of where these amendments (in blue) would reside in the Community Benefit section of the DA, please see the attached document.

Appendix

Recommendation:

That the Berkeley City Council amend the Section IV Parameters Governing Community Benefit Program and City Development Fees, A. STEAM Education/Career Technical Education Partners as follows (amendments in blue):

2. Bayer shall convene a committee charged with administering the issuance of grants for the purposes and according to the allocations set forth in this Section IV.A, subject to the following terms:

- a) A grant committee of stakeholders shall include representatives from Bayer, education experts, and community leaders. **Education experts shall have experience working in STEAM education serving students from populations historically underrepresented in STEAM majors and careers.** Grant committee members shall serve on a volunteer basis. Such committee is not a municipal committee and is not exercising any municipal authorities (and is not authorized to do so), but is a private committee of individuals per the terms of this Exhibit, and for the grant award purposes set forth in this Exhibit.
- b) The grant committee shall consist of nine (9) or fifteen (15) persons, as the parties may mutually agree.
- c) The City shall have the right to select one or more community leaders and one or more education experts to serve on the private committee, constituting 1/3 of the committee membership. The City and Bayer, by mutual agreement, shall have the right to select one or more community leaders and one or more education experts to serve on the private committee, constituting 1/3 of the committee membership. Representatives from Bayer selected by Bayer shall constitute 1/3 of the committee membership. Grant committee members shall each serve terms of four (4) years, and shall be reappointed or replaced upon expiration of their terms (or earlier replaced for cause) in the manner described above for their appointment.
- d) Grant committee members shall meet at least annually and shall not make any decision unless a quorum of committee members participate, where a quorum shall be fifty (50) percent of committee members. Decisions of the grant committee shall be made by majority vote.
- e) Grant award protocols shall be established by written policies and procedures established by the grant committee. **Grant awards shall be directed towards Berkeley's public school students with an emphasis on serving students from populations historically underrepresented in STEAM majors and careers and contribute to diversifying the STEAM Career Pipeline.** The policies and procedures shall provide that the issuance and/or award of grants, the evaluation of awardees ~~against performance standards,~~ **using evidenced based metrics and practices directed towards**

serving underrepresented student in STEAM, and the termination of grants shall be made on the basis of criteria and ~~performance standards~~ outcome metrics established in writing and provided to prospective grantees and incorporated as applicable into grant agreements.

- f) To the extent feasible and consistent with the terms of the Agreement, the parties shall establish the grant committee within six (6) months of the Effective Date, and in no event later than 60 days prior to the first required Community Benefits payment.
- g) Grants funded by monies under this Section IV.A shall be awarded by the grant committee by **March 1st** and disbursed by Bayer to grantees by September 1 in each calendar year during the term of the Agreement for purposes consistent with the terms of this Section IV.A and consistent with the terms of the Agreement.
- h) The foregoing grant committee shall not be dissolved prior to the end of the term set forth in the Agreement unless Bayer and the City mutually consent to dissolution in writing, and have agreed on alternative procedures for awarding grants under this Section IV.A.
- i) The grant committee shall award grants with ~~at least~~ a minimum five-year (5-year) **term** to eligible recipients with grant review of performance annually, and with an option to extend any awarded grants according to criteria and performance standards established pursuant to this Section IV.A.