

Oct. 5, 2016

Statement from the Superintendent and Board President

A number of people have expressed interest in the matter of a BUSD teacher who has been placed on paid administrative leave, and several people have spoken about the matter during the public comment session. The Board has also received a number of emails on the subject.

Although we cannot comment on the specifics of any particular case, we note that there is a significant difference between a suspension and being placed on paid administrative leave. An employee who is suspended is not paid during the suspension. An employee who is placed on paid administrative leave receives full pay and benefits during the pendency of the leave.

While the difference between paid administrative leave and suspension is significant for the employee, we recognize that the impact on students is the same, and we do not take this impact lightly. We appreciate the sincere and understandable concerns of students and their families when a teacher is removed from the classroom. Please know that we are working hard to address these concerns. We are committed to ensuring that all of our students have access to a challenging and enriching education.

We have also heard concerns about the way in which students have been interviewed. Students speak with administrators (including principals and District staff) and even sometimes District legal counsel for a variety of reasons in a variety of different settings. In some instances, the law or District policy requires parental notification before an interview can take place. In other instances, it is not required by law or District policy. At the moment, we cannot comment further on the recent interviews that took place because it would implicate confidential personnel matters.

Finally, some have asked that we place the matter regarding the teacher who is on paid leave on the open meeting agenda of the Board. While members of the public are welcome to address any BUSD-related topic during public comment sessions, confidentiality rules and California law generally prevent Board members from discussing personnel issues in open session. The only exception to this rule is if the Board is hearing specific complaints or charges against an employee, in which case the employee has the right to have the complaints or charges heard in an open, public session of the Board.

The laws regarding confidentiality in personnel matters are designed to ensure fairness and adequate privacy protections for employees. We appreciate the public's understanding of the necessity to uphold these safeguards.

Beatriz Leyva-Cutler, President of the Board of Education
Donald Evans, Superintendent

Any questions may be addressed to the BUSD Public Information Officer, Charles Burress, charlesburress@berkeley.net, 510-644-6320.