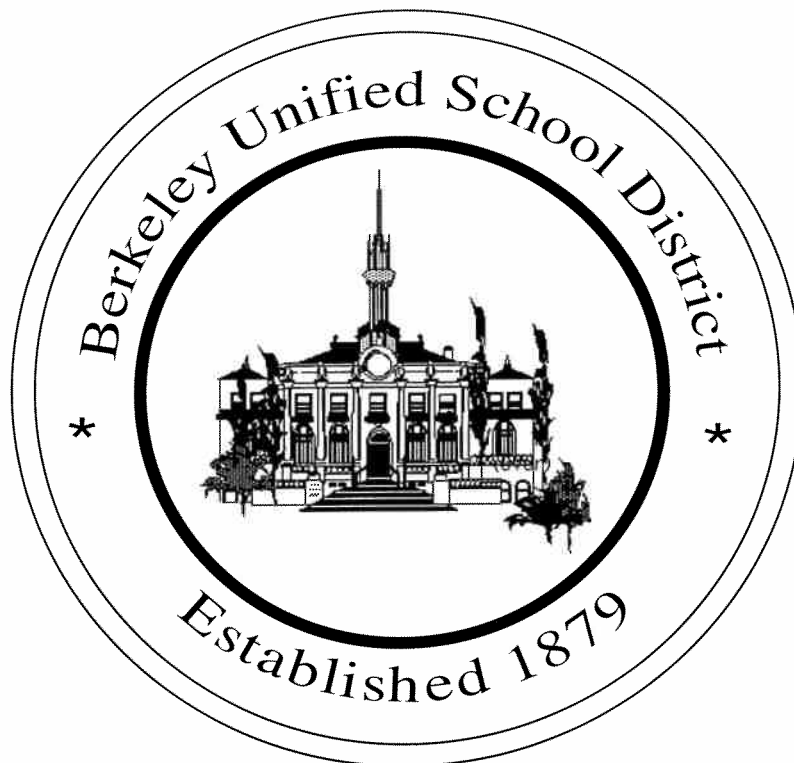


**BERKELEY UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION MEETING  
AND  
SUPERINTENDENT OF SCHOOLS**



**BOARD OF EDUCATION MEETING**

**JULY 5, 2001**

**REGULAR MEETING OF THE BOARD OF EDUCATION –AGENDA**

**Thursday, July 5, 2001 at 11:30 a.m.**

**Berkeley Alliance Conference Room**

**2320 Shattuck Avenue (between Bancroft & Durant)**

**Berkeley, CA 94704**

**CALL TO ORDER:** The Meeting will be Called to Order by the Presiding Officer at 11:30 a.m. and immediately recess to Closed Session.

1. **BOARD ROLL CALL:** President Terry S. Doran  
Vice President Shirley Issel  
Director Joaquin J. Rivera  
Director Ted Schultz  
Director John T. Selawsky  
Student Director-Elect Sarena M. Chandler\*

Administration: Stephen A. Goldstone, Ed.D., Interim Superintendent, Secretary

**11:30 a.m.-4:00 p.m.**

**Berkeley Alliance Conference Room**

**2320 Shattuck Avenue**

**Berkeley, CA 94704**

2. **Recess to Closed Session**  
a. Public Employment (Government Code Section 54957)  
Title: Superintendent of Schools

**4:00 p.m.-6:00 p.m.** - **BOARD RECESS**

**6:00 p.m.** - **RECONVENE TO PUBLIC SESSION**

**District Administrative Offices, Board Meeting Room**

**2134 Martin Luther King Jr. Way**

**Berkeley, CA 94704-1180**

**CALL TO ORDER:** The Presiding Officer will Call the Meeting to Order at 6:00 p.m.

3. **BOARD ROLL CALL:** President Terry S. Doran  
Vice President Shirley Issel  
Director Joaquin J. Rivera  
Director Ted Schultz  
Director John T. Selawsky  
Student Director-Elect Sarena M. Chandler\*

**REPORT OF ACTION TAKEN IN CLOSED SESSION**

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\*The Student Director does not attend Closed Session.

**Regular Meeting of the Board of Education – Agenda**

**Thursday, July 5, 2001, at 11:30 a.m.**

**Page 2 of 7**

**4. Recess to Closed Session – Board Conference Room**

- a. Conference with Legal Counsel—Existing Litigation (Government Code Section 54956.9(a):  
Case name unspecified – Disclosure would jeopardize:  
[ ] Service of Process [ x ] Existing Settlement Negotiations  
Specify number of case(s): One:
- b. Pending Litigation (Government Code Section 54956.9)
- c. Consideration of Student Expulsion (Education Code Section 48918© (K-12) (**Separate document**)
  - 1. Case No. 229
  - 2. Case No. 230
- d. Collective Bargaining Session (Government Code Section 3549.1(d))
- e. Public Employee Discipline/Dismissal/Release (Government Code Section 54957)
- f. Public Employment (Government Code Section 54957) (**Pages 1-7**)

**Certificated Transactions:**

- (1) Other Appointments (Summer School)
- (2) Leave of Absence: Leave of Absence without pay; Extension of Leave of Absence without pay
- (3) Resignations

**Classified Transactions:**

- (1) Substitutes, if and as needed: Custodian; Instructional Assistant; JV Baseball Coach; JV Football Coach; Special Education and ECE Extended Year Summer School Instructional Assistant; Occupational Therapist.
- (2) Resignation
- (3) Probationary
- (4) Tutor

**Extra Duty**

- (1) After School Program: City of Franklin MicroSociety Magnet School; Willard Middle School; Malcolm X Arts & Academic Magnet School; LeConte and Washington Elementary School. Attending Title I Meetings and Purchasing Food; G.A.T.E. Enrichment Classes; Hourly Curriculum Development; Hourly Teachers; Inquiry Group Coordinators; Intervention for 8<sup>th</sup> Grade Algebra I; Math; and Reading Teacher; MicroSociety Parent Workshop; Physical Fitness Testing; Staff Development; Student Achievement, Schoolwide Planning—Thousand Oaks; Teacher Preparation; Tenth Grade Counseling; Two Hours Recruitment Night; Mock Trial Coaching; Coordinator Student Study Teams; UCO/MESA Tutorial; ASMI (Association for Computing Machinery 2001) Conference; Computer Academy; SB1969 ELD/SDAIE Meeting; Staff Development SB 1882; PQR; Support Class for 8<sup>th</sup> Grade Students; Head Girls Basketball Coach; G.A.T.E.; Staff Development SB 395.

**RECONVENE TO PUBLIC SESSION**

7:30 p.m.

**5. BOARD ROLL CALL:**

President Terry S. Doran  
Vice President Shirley Issel  
Director Joaquin J. Rivera  
Director Ted Schultz  
Director John T. Selawsky  
Student Director-Elect Sarena Chandler

**REPORT OF ACTION TAKEN IN CLOSED SESSION**

**COLLECT “REQUESTS TO ADDRESS THE BOARD OF EDUCATION “ CARDS**

**PUBLIC TESTIMONY:** 30 Minutes Maximum- 3 Minutes Per Speaker

**UNION REPRESENTATIVES:** 5 Minutes Each

**ADVISORY COUNCILS** 5 Minutes Each

**SUPERINTENDENT’S REPORT**

**BOARD MEMBERS’ COMMENTS:** 5 Minutes Each

**SPECIAL ORDER OF BUSINESS**

6. Oath of Office for Sarena M. Chandler, newly elected Student Board Director

**\*\*8:30 p.m. PRESENTATION: Berkeley Adult School Overview**

<b>SPECIAL ORDER OF BUSINESS: ACTION</b>	<b>Placed on Agenda by</b>	<b>Disposition</b>	<b>Page ( s )</b>
<b>7. Acceptance of Gifts:</b> a. <b>Jerry Baer:</b> A donation of a computer and printer with an estimated value of \$500.00. b. <b>Peter &amp; Pearl Wong:</b> A donation of a refrigerator, microwave and coffee pot, to be used in the Library at Thousand Oaks Elementary School c. <b>Jan Knedcht:</b> A donation of a computer and computer equipment, with an estimated value of \$800.00	T.Doran 644-6550		Verbal



**Regular Meeting of the Board of Education – Agenda**

**Thursday, July 5, 2001, at 11:30 a.m.**

**Page 4 of 7**

<b>APPROVAL OF CONSENT CALENDAR</b>	<b>Placed on Agenda by</b>	<b>Disposition</b>	<b>Page ( s )</b>
8. Approval of Personnel Recommendations	D.Gomez 644-6150		1-7
9. Approval of Minutes: August 7, 2000	Q.Graham 644-6147		8-10
10. Approval of Contracts and Purchases in Excess of \$15, 000.00	C.E. James 644-8911		11-15
11. Approval of Resolution No. 7271: Authorization to Award Martin Luther King Jr. Middle School Moving Project	C.E.James 644-6674		16-17
12. Approval of Resolution No. 7276: Approval of Child Development Contract GCTR- 1004 for Fiscal Year 2001/2002	J.Santoro 644-6203		18-19
13. Approval of Resolution No. 7277: Approval of Child Development Contract FCTR- 1001 for Fiscal Year 2001/2002	J.Santoro 644-6203		20-21
14. Approval of Resolution No. 7278: Approval of Child Development Contract GPRE- 1001 for Fiscal Year 22001/2002	J.Santoro 644-6203		22-23
15. Approval of Resolution No. 7280: Authorization to Issue Tax and Revenue Anticipation Notes (TRANS)	C.E.James 644-6674		24-32
16. Authorization to Award Bid Schedule No. 1326 for Custodial Supplies	C.E.James 644-6674		33
17. Approval of the Memorandum of Agreement between Thousand Oaks Elementary School and Stiles Hall Rosa Parks Family Resource Center for Mental Health Services	J.Sinai 644-6959		34-36
18. Approval of Memorandum of Agreement between Berkeley Unified School District (BUSD) and Berkeley Youth Alternative (BYA) for Longfellow Healthy Start Program	J.Sinai 644-6959		37-43
19. Approval to Authorize a Contract to Provide Programmatic Study of Special Education in the District	S.Goldstone 644-6147		44
20. Approval of CalPERS Service Credit	D.Gomez 644-6150		45
21. Approval of UBA (Union of Berkeley Administrators) Contract—Increase in Salaries	D.Gomez 644-6150		46-50
22. Approval of Resolution No. 7279 ( <b>Revised</b> ): Designation of position of Associate Superintendent of Business & Operations as Senior Management	T.Brier 644-6150		51
22.a. <b>**Approval of Resolution No. 7281: Acceptance of the Base Bid of Southwest Recreational Inc., for Track Resurfacing at Berkeley High School</b>	C.E.James 644-6674		<b>Separate document.</b>

<b>APPROVAL OF CONSENT CALENDAR</b>	<b>Placed on Agenda by</b>	<b>Disposition</b>	<b>Page(s)</b>
23. Approval of Advanced Placement (AP) Environmental Science and AP Language Composition Courses at Berkeley High School for 2001-2002	C.Lim 644-6257		52-103
23.a.**Second Reading and Adoption of the Revised Board Policies 5117 Interdistrict Transfers and 5118 Transfers	C.Lim 644-6257		Separate document.
23.b.**Approval of Resolution Requesting the California School Boards Association to Make Alternative Arrangements for its Meetings, Events, and Lodging of the Delegate Assembly and Annual Education Conference Currently Scheduled for the San Francisco Marriott Hotel	T.Doran J.Selawsky 644-6550		Separate document.
23.c.**Action taken regarding decision of Student Expulsion Administrative Panels: a. Case No. 229 b. Case No. 230	C.Lim 644-6257		From Closed Session.

<b>APPROVAL OF ACTION ITEMS</b>	<b>Placed on Agenda by</b>	<b>Disposition</b>	<b>Page(s)</b>
24. Third Reading and Adoption of Modifications to Pupil Promotion/Retention Policy	C.Lim 644-6257		104-114
25. Approval of Proposed Design for Transportation Facility	C.E.James 644-6674		115-125
26. Approval of Proclamation in Support of “Pedaling for Peace”	T.Doran 644-6550		126-128
27. Approval of Resolution to investigate the use of Biodiesel in Berkeley Unified School District Vehicles	T.Doran J.Selawsky 644-6550		129-134
28. Approval of Recommendations contained in the Berkeley Schools Excellence Project (BSEP) Annual Plan FY 2002—Class Size Reduction Fund	S.Goldstone 644-6147		135-142
29. Approval of BSEP (Berkeley Schools Excellence Project) School Enrichment Program Plans for FY 2002	M.Thyberg 644-8717		143
30. Approval of Energy Audit	G.LeFevre 644-6526		Delivered prior to mtg.
30.a.**Approval of Seismic Improvements for Jefferson and Franklin Elementary Schools	C.E.James 644-6674		Separate document.

**Regular Meeting of the Board of Education – Agenda**  
**Thursday, July 5, 2001, at 11:30 a.m.**  
**Page 6 of 7**

<b>DISCUSSION/INFORMATION/REPORT</b>	<b>Placed on Agenda by</b>	<b>Disposition</b>	<b>Page(s)</b>
31. First Reading of Proposed Truancy Policy for Berkeley High School	C.Lim 644-6257 F.Lynch 644-6120		144-147
32. First Reading of Revisions to Board Policy 1312.3: Uniform Complaint Procedures	C.Lim 644-6257		148-155
33. Berkeley High School Intervention Program “Critical Pathways”	F.Lynch 644-6120		
34. A Plan for City of Franklin MicroSociety Magnet K-8 School through FY 2004	B.Penny-James 644-6260		
35. Request from the Youth Commission regarding Proposition 21	A.Mog H.Sternberg 644-6226		

**BOARD MATTERS**

36. Board Committee Appointments/Reports

- Berkeley Arts Education Steering Committee
- Berkeley School Financing Corporation
- Citizens Advisory Committee on Diversity
- Citizens Budget and Finance Advisory Committee
- Citizens Construction Program Advisory Committee
- Facilities Maintenance and Security Advisory Committee
- Music Program Committee
- Peace and Justice Commission
- Student Assignment Advisory Committee
- Two-by-Two Committee
- Youth Commission

**BOARD REQUESTS**

**ADJOURNMENT**

-

**11:00 p.m.**

**Board of Education Meetings are Broadcast live on KPFB/FM 89.3  
and  
Cable Television Channel 25  
Guidelines for Speakers at Board of Education Meetings**

You are invited to participate in the Meetings of the Board of Education and make your views known at these meetings.

**WHEN YOU WANT TO TALK ABOUT AN AGENDA ITEM OR A NON-AGENDA ITEM:**

Please fill in a **REQUEST TO ADDRESS THE BOARD OF EDUCATION CARD** (located on the side of the Speaker's Stand) and give it to the Board Recorder. Your card must be submitted before the Presiding Officer calls for the item –**PUBLIC TESTIMONY**.

You will be called on to speak by the Presiding Officer.

A speaker has three minutes in which to make his/her remarks. (The Presiding Officer will extend the time allocation for those with special speech needs.)

Any subject related to the District or its educational programs may be discussed at Board of Education Meetings **except matters pertaining to individual employees of the Berkeley Unified School District**. There is an established procedure for making such complaints. You may obtain information about this procedure from a school or from the Superintendent's Office.

qeg

## CERTIFICATED TRANSACTIONS

### 1. Other Appointments, Summer School

<u>King Middle School</u>	Garland, Rachel	Pagtakhan, Darren
Dimarco, Camille	Geiken, Brooks	Sinsheimer, Thomas
Garcia, David	Martin, Frank	Spiegelman, David

<u>Special Education</u>	<u>Teachers</u>		
Akers, Meredith	Middle	Novak, Monica	High School
Anderson, Anthony	Elementary	Ormsby, Pam	Elementary
Brandmeyer, Carole	Elementary	Paesch, Ruth	Middle
Brady, Brian	Elementary	Peck, Shira	Middle
Delgado, Pauline	Elementary	Peterson, Eric	High School
Ekno, Thomas	High School	Sabbagha, Sally	High School
Harrison, Robert	Elementary	Siegel, Marilyn	Elementary
Hirose, Anne	Elementary	Sims, Kay	Pre-School
Kinsella-Sublett, Julie	Elementary	Vaux, Prindle	Elementary
Lee, Mary	Middle	Wara De Baca, Sandra	Elementary
Miller, Joni	Pre-School	Witherspoon, Michelle	Elementary

### 2. Leave of Absence

#### Leave of Absence Without Pay, Effective the 2001-02 School Year

Gulley-Blemenkrantz, Janice	Malcolm X	8/28/01-6/13/01
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#### Extension of Leave of Absence Without Pay, Effective the 2001-02 School Year

Abel-Benavidez, Lisa	Arts Magnet	8/28/01-6/13/02
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### 3. Resignations

Lee, Barbara (4 years of service with BUSD) (Presently on leave)	Admin	6/30/01
Monahan, Anthony (5 years of service with BUSD)	Special Ed	6/14/01
Semien-Bradbury, Cynthia (2 years of service with BUSD)	Arts Magnet	6/14/01
Wawrukiewicz, Carol (4 years of service with BUSD)	BHS	6/14/01
Wieneke, Liesl (2 years of service with BUSD)	Franklin	6/14/01

## THE CLASSIFIED SERVICE

The following recommendations are made in accordance with the Rules and Regulations of the Merit System:

1. **Substitute** (Placed on Substitute List on an "if and as needed" basis), through August 30, 2001. (All District):

Custodian

Fontenette, John  
Williams, George

Dance Instructor

Shaeedah Deal

Parent Liaison

McKinley, DuShawne

Instructional Assistant

Ahorloo-Dedzo, Esi

Instructional Technician

Miles, Joshann

JV Baseball Coach

Fleming, Luther

JV Football Coach

Yanez, Diana

Special Education and ECE Extended Year Summer School  
Instructional Assistant

6/01-8/01

Acevedo-Buendia, Nancy  
Adams, Lori  
Adams, Wilma  
Agee, Christopher  
Alvarado, Peter  
Avery, Bennie  
Batsel, Julie  
Bipat, Shakuntala  
Boykin, Ron  
Brand, Lorna  
Brozosky, Edith  
Callen, Virgule  
Claassen, Tia  
Coaxum, Ethleen  
Decker, Evan  
DeSilva, Ciara  
Devers, Vicki  
Dobson, Helen  
Donnelly, Tim  
Dobson, Michelle  
Druss, Sarah  
Edwards, April  
Eisenberg, Rebekah  
Ester, Cheryl  
Faulk, Angela

Fisher, David  
Fitz, Sunna  
Foster, Arlene  
Gentry, Darren  
Gentry, Wanda  
Graggs, Venita  
Gutierrez, Emily  
Gutierrez, Leticia  
Hyodo-MacRae, Ikuko  
Johnson, Margrith  
Kramer, Kathya  
Leader, Theresa  
Leader, Theresa  
Lemon, Betty  
Levin, Ellen  
Linskil, William  
Longmeyer, Loretta  
McBay, Ida  
McCoy, Toni  
Melgar, Celia  
Molfino, Cypress  
Moore, Randolph  
Mora, Lupe  
Morales, Myra  
Murillo, Arlan

Powlis, Keita  
Ramia, Mark  
Robinson, Paula  
Robinson, Rasheed  
Rodriguez, Diana  
Rodriguez, Rosalia  
Rogers, Melinda  
Rolfing, Lorna  
Saffarian, Karen  
Samberg, Margie  
Sanchez, Gloria  
Sessions, Opal  
Singleton, Tanisha  
Singleton, Tiffany  
Slim, Joyce  
Suffarian, Karen  
Valentin, Vanessa  
Villa, Rose  
Villasenor, Efren  
Waters, Claudia  
Waters, Melissa  
Webster, Cassabdra  
Willaims, Nicole  
Wood, Dan  
Woods, Wilma Dean

Ferrell, Michelle  
Occupational Therapist  
Bartlett, Carrie  
Deutsch, Susan  
Wurcher, Kim

Patton, Odell

2. **Resignation**

Thomas, Pandora      21st Century After School Coordinator      6/18/01  
(4 years of service with BUSD)

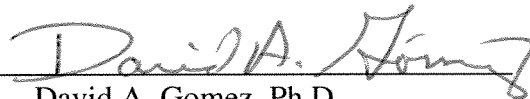
3. **Probationary**

Butler, Rachelle      Student Welfare & Attendance      6/26/01  
Parra, Isobel      Program Assistant - Bilingual      6/25/01  
Williams, Nicole      Instructional Assistant - Special Ed      5/1/01-6/14/01

4. **Tutors**

Ky, Emily  
Lee, Jooyoung  
Manyinge, Joseph  
Ortiz, Micaela  
Sway, Marc

Submitted by:



David A. Gomez, Ph.D.

Associate Superintendent, Administrative Services

Recommended by:



Dr. Steven A. Goldstone

Interim Superintendent

**EXTRA DUTY - CERTIFICATED  
2000-2001**

After School Program

City of Franklin

Marsden, Todd \$2,000

Willard

Fike, John \$2,500

Virk, Bhupender \$2,500

Malcolm X

Alexander, Susan

Gillespie, Virginia

\$700 each

Allman, Cynthia

Hiratzka, Marilyn

McDougal, Dynthe

Blumenkrantz, Janice

Huntington-Scott, Carol

Norris, Amy

Easley, Tara

Kass, Larry

Raguth, Mary

Foster, Barbara

LaRue, DeEtte

Richerson, Kathleen

LeConte

\$25/hour

Rossman, Leah

Washington

\$2,010 each

Burton, Kim

Kaer, Jane

Scholefield, Joel

Geminder, Mindy

Otto, Kristin

Sims, Kay

Hardy, Jodi

Ough, Mary

Suzuki, Shawna

Jones, Sandy

Reedy, Paul

Ungern, Pat

Attending Title I Meetings and Purchasing Food

Gopez, Rupert

Berkeley Arts Magnet

\$159

G.A.T.E. Enrichment Classes

Bindloss, Jon

Washington

Flushman, Michael

Willard

\$2,000

Rose, George

Willard

\$2,000

Virk, Bhupinder

Willard

\$2,000

Hourly Curriculum Development

Thorp, Carol

Malcolm X

Hourly Teacher

John Muir

3/1/01-6/14/01

Fowler, Kristine

Warburton, Marlo

Inquiry Group Coordinators

\$500 each

Burton, Kim

Washington

Fishercord, Matt

Simon, Bruce

Suzuki, Shawna

Watson, Ted



Intervention for 8th Grade Algebra I students

Berman, Karen	Willard	10/000-2/01
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Math and Reading Teacher

Bindloss, Jon	Washington	\$4,289
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Microsociety Parent Workshop

Lejano, Lourdes	Rosa Parks
Wieneke, Liesle	

Physical Fitness Testing

Ball, Jack	District	2/20/01-2/28/01
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Staff Development

Amador, Gloria	Rosa Parks	10/18/00
Burmester, Mary	Garcia, Jorge	Osuna, Jeannie
Crittenden, Mollie	Gilbert, Ann	Rogers, Peter
Dugan, Claire	Gordon, Karen	Riles, Letitia
	Lunine, Katherine	

Student Achievement, School-wide Planning      Thousand Oaks

Abarbuel, Amanda	Fletcher, Theresa	\$110 each
Beeson, Kimberly	Fuentes, Elizabeth	Rodriguez, Darlene
Casetta, Dora	Grunwaldt-Keys, Maria	Stinson, Jennifer
Covarrubias, Luis	Lee, Joyceline	Strachan, Sharon
Draper, Cheryl	Lipner, Mathew	Toll, Meredith
		Zembsch, Kimberly

Teacher Preparation (No Sub Available for P.E. Teacher)

Ian Berzon		4/3/01-4/14/01
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Tenth Grade Counseling

McKnight-Johnson, Ivery	BHS	\$5,295
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Two Hours Recruitment Night

Arthur, Sharon	Willard	2/7/01
Chinn, Ryan	Olson, Carol	
Evans, Gerald	Ono, Carole	
Flushman, Michael	Rose, George	
Juarez, Susan	Souryasack, Rassami	
	Stookey, Jake	

STIPENDS

<u>Mock Trial Coaching</u>	BHS	
Blatte, David		\$999
Shaw, Mark		\$200
<u>Coordinate Student Study Teams</u>	City of Franklin	\$750 each
Machens, Mary		
Raguth, Mary		
<u>UCO/MESA Tutorial</u>	MLK	\$500 each
Rathwell, Patricia		
Versage, Andres		
<u>ASMI Conference</u>	Longfellow	\$250 each
(Association for Computing Machinery 2001)		
Abouav-Zilberman, Leorah	Brannigan, Joan	Loper, Suzanna
al-Hakim-Hall ,Joette	Bush, Karen	McCullouch, Suzanne
Archuletta, Susan	Dozier, Tomas	McEvoy, Michael
Barrere, Crispin	Elnor, Nancy	Merritt, Betty
Bloomstein, Carole	Hunt, Tom	Myers, Michael
		Olsen, Kathryn
<u>Computer Academy</u>	BHS	
Bell, Susannah		\$2,500
Johnston, Anne		\$1,200
Skeels, Wyn		\$200
Wasdon, Dorothy		\$200
Winer, Gabrielle		\$200
<u>SB1969 ELD/SDAIE Meeting</u>	Willard	\$420 each
al-Hakim-Hall, Joette	Davies, Rita	Rodriguez, Darlene
Baier, Deborah	Delegeane, Evan	Sacksteder, Ruth
Barrett, Mary	Donnelly, March	Sako, Mary
Carta, Donatella	Kelly, Alison	Smallwood, Jennifer
Citrin, Bessie	Lang, Jeannie	Spohn, Vern
Colborn, Diane	Lono, Kristen	Woods, Jacquelyn
<u>Staff Development SB1882</u>	BHS	\$1,200 each
Bell, Susannah	Matan, Marguerite	Skeels, Wyn
Daly, Lucinda	McClendon, Crystal	Ward, Aaron
Dopman, James	Miller, Craig	Wasdon, Dorothy
Johnston, Annie	Russ, Flora	Winer, Gabrielle
<u>PQR</u>		
Jones, Cathleen	Willard	\$500

Support Class for 8th Grade Students

Stookey, Jake	Willard	\$2,600
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Head Girls Basketball Coach

Nakamura, Eugene	BHS	\$2,010
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G.A.T.E.

Martin Luther King

Cohen, Jay	\$2,000
Edwards, Victoria	\$500
Garlin, Rachel	\$1,000
Gordon, Betty	\$1,000
Lind, Barbara	\$1,000
Mireles, Rebecca	\$500
Pagtakhan, Darren	\$1,000
Seitz, Joyce	\$1,000
Silberg, Richard	\$2,000
Stenger, Leslie	\$1,000

Longfellow

\$500 each

Abouav-Zilberman, Leorah  
Barrere, Cris  
Bloomstein, Carole  
Cain, Martha

Staff Development SB395

Walbridge, Michael	MLK	\$600
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**Supplement to Board Agenda July 5, 2001**

**APPROVAL OF CONTRACTS/PURCHASE ORDERS**

ROLL: Motion Recommend: That the Board Authorized the Associate Superintendent, Business or Purchasing Manager to execute the following contracts and purchase orders.

**EXPENSE:**

**SERVICES CONTRACTS IN EXCESS OF FIFTEEN THOUSAND DOLLARS (\$15,000)**

<b>Request by</b>	<b>Vendor</b>	<b>Funding</b>	<b>Amount</b>	<b>MBE*</b>
1.C. James Assoc. Supt., Business Svcs	Pacific Care Behavioral Health 2300 Clayton Road Concord CA	General Fund	\$70,000	
Annual premium for EAP Services for the 01-02 school year				
2. C. James Assoc. Supt., Business Svcs	Health Net P O Box 9103 Van Nuys CA	General Fund	\$3,087,000	
Annual premium for Regular, Cobra and Retiree Groups for the 01-02 school year.				
3 C. James Assoc. Supt., Business Svcs	Kaiser Health Plan P O Box 1169 Oakland CA	General Fund	\$3,314,000	
Annual premium for Regular, Cobra and Retirees Groups for the 01-02 school year.				
4.C. James Assoc. Supt., Business Svcs	Transamerica Life Insurance C/O Keenan & Associates 180 Grand Avenue Oakland CA	General Fund	\$38,000	
Annual premium for the 01-02 school year.				
5.C. James Assoc. Supt., Business Services	Keenan & Associates P O Box 4328 Torrance CA	General Fund	\$1,000,000	
Annual premium for Dental Program for the 01-02 school year.				
6.C. James Assoc. Supt., Business Services	Arthur J. Gallagher & Co. P O Box 60000 San Francisco CA	General Fund	\$258,125	
Payment for excess property coverage, Lexington Ins. Policy #4017278 for the period June 5, 2000 through July 1, 2002.				

## APPROVAL OF CONTRACTS/PURCHASE ORDERS

7.C. James	Computer Exchange	General Fund	\$17,251
Assoc. Supt.,	1052 Melody LAN #210		
Business Svcs	Roseville CA		

Monthly rental of MCODE System 9250 located in Data Processing Department for the period July 1, 2001 through December 31, 2001 at a rate of \$2,875/month.

8.C. James	Jay Rawson Leiniger	Bond	\$24,000
Assoc. Supt.	517 Rosedale Avenue		
Business Svcs	Santa Rosa CA		

To provide inspection for Mechanical Modernization at Jefferson and Technology Modernization at City of Franklin Schools at a rate of \$12,000 per site.

9.D. Davis	Xerox Corporation	General Fund	\$128,767
Purch. Manager	800 Carillon Parkway		
Purchasing Dept.	St. Petersburg FL		

Monthly lease purchase payments on 15 copiers, full maintenance agreement payment on 23 copiers, \$8,304 to be charged to CDC, Teacher Program, State & Federal Programs and Cragmont School for the 01-02 school year.

10.D. Davis	Quality Copier	General Fund	\$25,000
Purch. Manager	1035 San Pablo Ave		
Purchasing Dept.	Albany CA		

Maintenance agreement on 27 Mita copiers for the 01-02 school year.

11.D. Davis	Pacific Bell	General Fund	\$350,000
Purch. Manager	Sacramento CA		
Purchasing Dept.			

Telephone line services for the 01-02 school year.

12.D. Davis	Sprint	General Fund	\$75,000
Purch. Manager	P O Box 79260		
Purchasing Dept.	City of Industry CA		

Long distance line services for the 01-02 school year.

13.J. Owens	6 <sup>th</sup> Street Incubatorspace	General Fund	\$198,000
Manager	2100 Gordon Avenue		
General Services	Menlo Park CA		

Monthly rent of \$16,500 for Transportation Department bus parking lot located at 1241-6<sup>th</sup> Street for the 01-02 school year.

## APPROVAL OF CONTRACTS/PURCHASE ORDERS

14.J. Owens	Pyramid Breweries	General Fund	\$216,000
Manager	901 Gilman Street		
General Services	Berkeley CA		

Monthly rent of \$18,000 for Transportation Department Shop located at 901 Gilman Street for the 01-02 school year.

15.J. Owens	J B 950 Gilman Street, LP	General Fund	\$37,800
Manager	320 Carrera Drive		
General Services	Mill Valley CA		

Monthly rent of \$3,150 for Transportation Department Office located at 1310 9<sup>th</sup> Street for the 01-02 school year.

16.C. James	J E School Consulting	Bond	\$20,500
Assoc. Supt.,	3687 Victoria Avenue		
Business Services	Los Angeles CA		

State program-consulting services for OPSC work Longfellow and Rosa Parks Schools.

17.J. Biondi	East Bay Therapy	Special Educ	\$490,000
Manager	2307 Grosvenor Heights CT	(increase of \$45,000)	
Special Education	Livermore CA		

Continuation of IEP required speech services for the 00/01 school year.

18.J. Biondi	Pawar Transport	Special Educ	\$61,000
Manager	550 Fletcher Street	(increase of \$24,000)	
Special Education	Bay Point CA		

Continuing student transportation for the 00/01 school year.

19.C. James	Modular Info Systems	General Fund	\$301,570
Assoc. Supt.,	3160 Crow Canyon	(increase of \$130,000)	
Business Services	San Ramon CA		

Data processing supports services for the 00/01 school year.

20.C James	Gudmundson Siggins	Insurance Fund	\$30,000
Assoc. Supt.,	Stone & Skinner	(increase of \$10,000)	
Business Services	One Embarcao Ctr San Francisco CA		

Professional legal services for the 00/01 school year.

21.J Sinai	Stiles Hall	After School	\$63,750
Manager	2400 Bancroft Way		
School Links Prog.	Berkeley CA		

Renew the contract between Rosa Parks Environmental Science Magnet School and Stiles Hall for the operation of the After School Learning and Safe Neighborhood Partnership Program for the 01-02 school year.

### APPROVAL OF CONTRACTS/PURCHASE ORDERS

22.C. James	Younger Wunar, Inc.	Bond	\$17,802
Assoc. Supt.,	2107 Kearney Street		
Business Services	El Cerrito CA		

Provide labor and materials to install soil preparation, planting and decorative mulch including irrigation system at Cragmont School.

23.C. James	Sam Clar Office Furniture	Fire Code	\$76,954
Assoc. Supt.,	1221 Diamond Way	(increase of \$17,500)	
Business Services	Concord CA		

To cover last month of rental charges.

24.C. James	Filice, Brown, Eassa	Insurance	\$47,000
Assoc. Supt.,	& McLeod	(increase of \$17,000)	
Business Services	1999 Harrison Street		
	Oakland CA		

Professional legal services for the 00/01 school year.

25.C. James	Computer Exchange	General Fund	\$43,050
Assoc. Supt.,	1052 Melody Lane	(increase of \$5,350)	
Business Services	Roseville CA		

Rental of MCOD System 9250 at a rate of \$1850 per month for the 00/01 school year.

26.C. James	Modular Info Systems	General Fund	\$100,000
Assoc. Supt.,	3160 Crow Canyon Place		
Business Services	San Ramon CA		

Data Processing support services for the 01-02 school year.

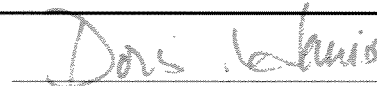
27.C. James	Curotto Law Offices	Insurance Fund	\$45,000
Assoc. Supt.,	Bret Harte Broadwalk	(increase of \$15,000)	
Business Services	2340 Lake Shore Avenue		
	Oakland CA		

Professional legal services for the 00/01 school year.

28.C. James	Akol & Yoshii Architects	Bond	\$1,888,000
Assoc. Supt.,	1407 Oakland Blvd		
Business Services	Walnut Creek CA		

Architectural services for Old Gym and Warm Pool Renovation at Berkeley High School with the City of Berkeley.

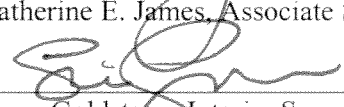
Prepared By:

  
Doris R. Davis, Purchasing Manager

Funds Available:

  
Catherine E. James, Associate Supt., Business

Recommend Approval:

  
Steve Goldstone, Interim Superintendent

## APPROVAL OF CONTRACTS/PURCHASE ORDERS

### EXPENSE:

A Minority Business Enterprise (MBE) is an independent and continuing business for profit, which performs a commercially useful function and which is owned and controlled by one or more minority persons residing in the United States or its territories. A Women Owned Business (WBE) is an independent and continuing business for profit, which performs commercially useful function and which is owned and controlled by one or more woman (women) residing in the United States or its territories.

The MBE/WBE as they appear on the July 5, 2001 Board Agenda is as follows:

### MBE/WBE PERCENTAGE Analysis of Purchasing CONTRACT/PURCHASE ORDERS\*

	Contracts/ Purchase Orders^	Construc- tion^	BIDS^	TOTAL	Total Dollars MBE/WBE*
This Meeting	100%	0%	0%	100%	\$1,905,802
FY2002 To Date	100%	0%	0%	100%	\$1,905,802
Total for FY 2001	10%	03%	0%	05%	\$2,080,978
Total for FY 2000	09%	%	0%	05%	\$738,046

**\*Percentages are computed based on total purchases less those purchase of which there was no option for MBE/WBE purchases. For example we must purchase electricity from PG&E.**

^Contracts/Purchase Orders are listed on this document.

^Construction is a Resolution, not part of this document.

^Bids is a separate document, not a part of this document.



## RESOLUTION NO. 7271

### RECOMMENDATION

It is recommended that the Board accept the bid of **Chipman Corporation, CA.** for the King Middle School Moving Project in the amount of **\$21,000.00.**

### SUMMARY AND DISCUSSION

The Board authorized advertisement for the purpose of bidding the King Middle School Moving Project on June 6, 2001. Four bids were picked up and two bids were received for the project.

The Board as heretofore on June 6, 2001 adopted Resolution No. 7263 for the King Middle School Moving Project as more fully described in the specification of Bid Schedule No. 2264.

The following bids were received on June 21, 2001

<u>CONTRACTOR</u>	<u>BASE BID</u>
<b>Chipman Corporation, CA</b>	<b>\$21,000</b>
Waters Moving & Storage, Inc.,	32,280

### FINANCIAL IMPLICATIONS

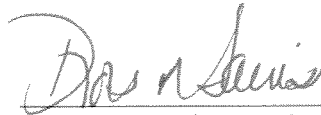
This project will be funded from the Bond

### RESOLUTION

NOW, THEREFORE, BE IT RESOLVED, that the bid of **Chipman Corporation, CA** in the **amount of \$21,000.00** be and the same hereby accepted; and the Associate Superintendent and/or Purchasing Manager of this Board be and they are hereby authorized to enter into a contract with said bidder for said amount in accordance with law.

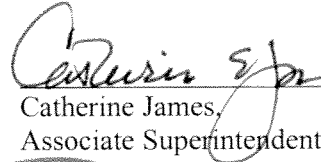
Resolution No. 7271  
Continued

Prepared by:



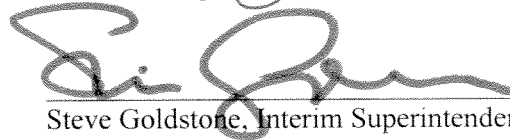
Doris R. Davis, Purchasing Manager

Reviewed by:



Catherine James,  
Associate Superintendent, Business

Recommend Approval:



Steve Goldstone, Interim Superintendent

PASSED AND ADOPTED by the Board of Education of the Berkeley Unified School District  
this 5th day of July, 2001.

AYES:

NOES:

ABSENT:

ABSTAIN:

Steve Goldstone, Interim Superintendent  
Secretary of the Board of Education  
Of the City of Berkeley and of Berkeley Unified  
School District of Alameda County, State of California

## BERKELEY UNIFIED SCHOOL DISTRICT

DATE: July 5, 2001  
TO: Board of Education  
FROM: Stephen A. Goldstone, Interim Superintendent  
SUBJECT: Child Development Contract GCTR-1004 for Fiscal Year 2001/2002  
Resolution # 7276

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### RECOMMENDATION

It is recommended that the Board authorize the State Contract with the California Department of Education for the purpose of providing child care and development services for fiscal year 2001/2002.

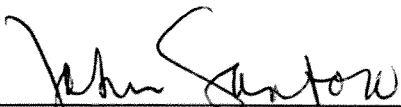
### SUMMARY AND DISCUSSION

This is the yearly contract with the State Department of Education.

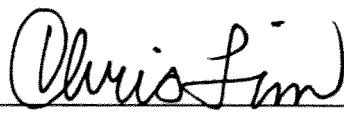
### FINANCIAL IMPLICATIONS

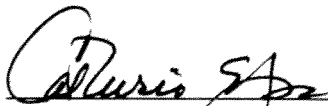
Approximately \$4,108,951.00 from the State Department of Education to the Berkeley Unified School District.

Prepared by:

  
\_\_\_\_\_  
John Santoro  
Principal, Early Childhood Education Program

Recommended Approval:

  
\_\_\_\_\_  
Chris Lim  
Associate Superintendent, Instruction



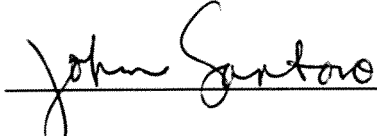
  
\_\_\_\_\_  
Catherine E. James  
Associate Superintendent, Business

RESOLUTION - No. 7276

This resolution must be adopted in order to certify the approval of the Governing Board to enter into this transaction with the California State Department of Education for the purpose of providing child care and development services and to authorize the designated personnel to sign contract for Fiscal Year 2001/02.

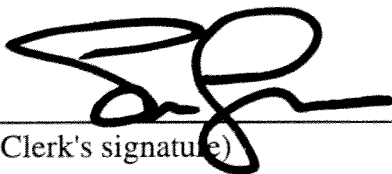
RESOLUTION

BE IT RESOLVED that the Governing Board of Berkeley Unified School District authorizes entering into local agreement number GCTR-1004 and that the person/s who is/are listed below, is/are authorized to sign the transaction for the Governing Board.

<u>NAME</u>	<u>TITLE</u>	<u>SIGNATURE</u>
<u>Stephen A. Goldstone</u>	<u>Interim Superintendent</u>	
<u>Chris Lim</u>	<u>Associate Superintendent, Instruction Services</u>	
<u>John Santoro</u>	<u>Principal, Early Childhood Education</u>	

PASSED AND ADOPTED THIS 5th day of July 2001/02 by, the Governing Board of Berkeley Unified School District, of Alameda, County, California.

I, Stephen A. Goldstone, Clerk of the Governing Board of Berkeley Unified School District, of Alameda County, California, certify that the foregoing is a full, true and correct copy of a resolution adopted by the said Board at a regular Board of Education meeting thereof held at a regular public place of meeting and resolution is on file in the office of said Board.

  
(Clerk's signature)

7/6/01  
(Date)

## BERKELEY UNIFIED SCHOOL DISTRICT

DATE: July 5, 2001  
TO: Board of Education  
FROM: Stephen A. Goldstone, Interim Superintendent  
SUBJECT: Child Development Contract FCTR-1001 for Fiscal Year 2001/2002  
Resolution # 7277

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### RECOMMENDATION

It is recommended that the Board authorize the State Contract with the California Department of Education for the purpose of providing child care and development services for fiscal year 2001/2002.

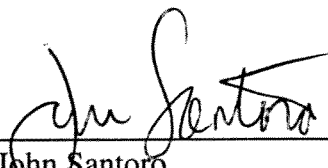
### SUMMARY AND DISCUSSION

This is the yearly contract with the State Department of Education.

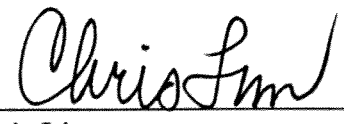
### FINANCIAL IMPLICATIONS

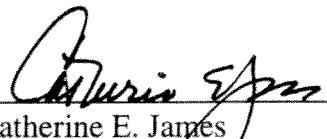
Approximately \$301,923.00 from the State Department of Education to the Berkeley Unified School District.

Prepared by:

  
\_\_\_\_\_  
John Santoro  
Principal, Early Childhood Education Program

Recommended Approval:

  
\_\_\_\_\_  
Chris Lim  
Associate Superintendent, Instruction


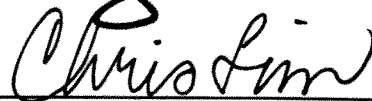
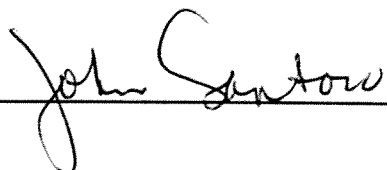
  
\_\_\_\_\_  
Catherine E. James  
Associate Superintendent, Business

RESOLUTION - No. 7277

This resolution must be adopted in order to certify the approval of the Governing Board to enter into this transaction with the California State Department of Education for the purpose of providing child care and development services and to authorize the designated personnel to sign contract for Fiscal Year 2001/02.


RESOLUTION

BE IT RESOLVED that the Governing Board of Berkeley Unified School District authorizes entering into local agreement number FCTR-1001 and that the person/s who is/are listed below, is/are authorized to sign the transaction for the Governing Board.

<u>NAME</u>	<u>TITLE</u>	<u>SIGNATURE</u>
<u>Stephen A. Goldstone</u>	<u>Interim Superintendent</u>	
<u>Chris Lim</u>	<u>Associate Superintendent, Instruction Services</u>	
<u>John Santoro</u>	<u>Principal, Early Childhood Education</u>	

PASSED AND ADOPTED THIS 5th day of July 2001/02 by, the Governing Board of Berkeley Unified School District, of Alameda, County, California.

I, Stephen A. Goldstone, Clerk of the Governing Board of Berkeley Unified School District, of Alameda County, California, certify that the foregoing is a full, true and correct copy of a resolution adopted by the said Board at a regular Board of Education meeting thereof held at a regular public place of meeting and resolution is on file in the office of said Board.

  
(Clerk's signature)

7/6/01  
(Date)

## BERKELEY UNIFIED SCHOOL DISTRICT

DATE: July 5, 2001  
TO: Board of Education  
FROM: Stephen A. Goldstone, Interim Superintendent  
SUBJECT: Child Development Contract GPRE-1001 for Fiscal Year 2001/2002  
Resolution # 7278

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### RECOMMENDATION

It is recommended that the Board authorize the State Contract with the California Department of Education for the purpose of providing State Preschool funds for the fiscal year 2001/2002.

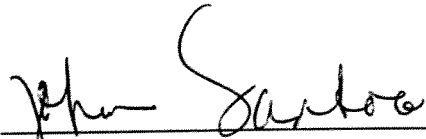
### SUMMARY AND DISCUSSION

This is the yearly contract with the State Department of Education.

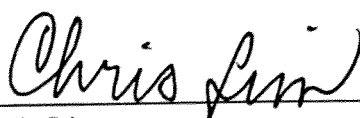
### FINANCIAL IMPLICATIONS

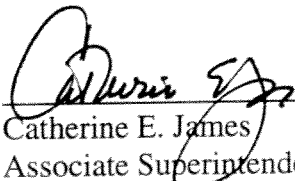
Approximately \$155,760.00 from the State Department of Education to the Berkeley Unified School District for half day programs for three-and four-year old children.

Prepared by:

  
\_\_\_\_\_  
John Santoro  
Principal, Early Childhood Education Program

Recommended Approval:

  
\_\_\_\_\_  
Chris Lim  
Associate Superintendent, Instruction


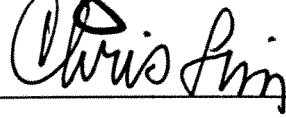
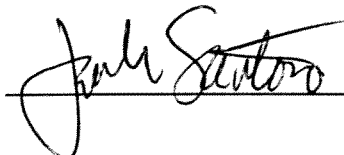
  
\_\_\_\_\_  
Catherine E. James  
Associate Superintendent, Business

RESOLUTION - No. 7278

This resolution must be adopted in order to certify the approval of the Governing Board to enter into this transaction with the California State Department of Education for the purpose of providing child care and development services and to authorize the designated personnel to sign contract for Fiscal Year 2001/02.

RESOLUTION

BE IT RESOLVED that the Governing Board of Berkeley Unified School District authorizes entering into local agreement number GPRE-1001 and that the person/s who is/are listed below, is/are authorized to sign the transaction for the Governing Board.

<u>NAME</u>	<u>TITLE</u>	<u>SIGNATURE</u>
<u>Stephen A. Goldstone</u>	<u>Interim Superintendent</u>	
<u>Chris Lim</u>	<u>Associate Superintendent, Instruction Services</u>	
<u>John Santoro</u>	<u>Principal, Early Childhood Education</u>	

PASSED AND ADOPTED THIS 5th day of July by the Governing Board of Berkeley Unified School District, of Alameda, County, California.

I, Stephen A. Goldstone, Clerk of the Governing Board of Berkeley Unified School District, of Alameda County, California, certify that the foregoing is a full, true and correct copy of a resolution adopted by the said Board at a regular Board of Education meeting thereof held at a regular public place of meeting and resolution is on file in the office of said Board.

  
(Clerk's signature)

7/6/01  
(Date)



## BERKELEY UNIFIED SCHOOL DISTRICT

DATE: July 5, 2001  
TO: Board of Education  
FROM: Stephen A. Goldstone, Interim Superintendent  
SUBJECT: Child Development Contract GCTR-1004 for Fiscal Year 2001/2002  
Resolution # 7276

---

### RECOMMENDATION

It is recommended that the Board authorize the State Contract with the California Department of Education for the purpose of providing child care and development services for fiscal year 2001/2002.


### SUMMARY AND DISCUSSION

This is the yearly contract with the State Department of Education.

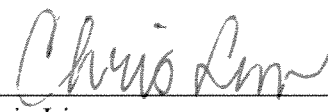
### FINANCIAL IMPLICATIONS

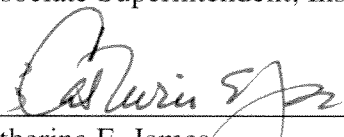
Approximately \$4,108,951.00 from the State Department of Education to the Berkeley Unified School District.

Prepared by:

  
\_\_\_\_\_  
John Santoro  
Principal, Early Childhood Education Program

Recommended Approval:

  
\_\_\_\_\_  
Chris Lim  
Associate Superintendent, Instruction

  
\_\_\_\_\_  
Catherine E. James  
Associate Superintendent, Business

RESOLUTION - No. 7276

This resolution must be adopted in order to certify the approval of the Governing Board to enter into this transaction with the California State Department of Education for the purpose of providing child care and development services and to authorize the designated personnel to sign contract for Fiscal Year 2001/02.

RESOLUTION

BE IT RESOLVED that the Governing Board of Berkeley Unified School District authorizes entering into local agreement number GCTR-1004 and that the person/s who is/are listed below, is/are authorized to sign the transaction for the Governing Board.

<u>NAME</u>	<u>TITLE</u>	<u>SIGNATURE</u>
<u>Stephen A. Goldstone</u>	<u>Interim Superintendent</u>	_____
<u>Chris Lim</u>	<u>Associate Superintendent, Instruction Services</u>	<u>Chris Lim</u>
<u>John Santoro</u>	<u>Principal, Early Childhood Education</u>	<u>John Santoro</u>

PASSED AND ADOPTED THIS 5th day of July 2001/02 by, the Governing Board of Berkeley Unified School District, of Alameda County, California.

I, Stephen A. Goldstone, Clerk of the Governing Board of Berkeley Unified School District, of Alameda County, California, certify that the foregoing is a full, true and correct copy of a resolution adopted by the said Board at a regular Board of Education meeting thereof held at a regular public place of meeting and resolution is on file in the office of said Board.

\_\_\_\_\_  
(Clerk's signature)

\_\_\_\_\_  
(Date)

## BERKELEY UNIFIED SCHOOL DISTRICT

DATE: July 5, 2001  
TO: Board of Education  
FROM: Stephen A. Goldstone, Interim Superintendent  
SUBJECT: Child Development Contract FCTR-1001 for Fiscal Year 2001/2002  
Resolution # 7277

---

### RECOMMENDATION

It is recommended that the Board authorize the State Contract with the California Department of Education for the purpose of providing child care and development services for fiscal year 2001/2002.


### SUMMARY AND DISCUSSION

This is the yearly contract with the State Department of Education.

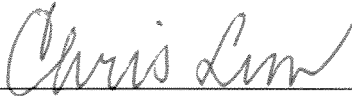
### FINANCIAL IMPLICATIONS

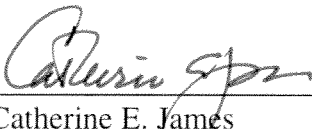
Approximately \$301,923.00 from the State Department of Education to the Berkeley Unified School District.

Prepared by:

  
\_\_\_\_\_  
John Santoro  
Principal, Early Childhood Education Program

Recommended Approval:

  
\_\_\_\_\_  
Chris Lim  
Associate Superintendent, Instruction

  
\_\_\_\_\_  
Catherine E. James  
Associate Superintendent, Business

RESOLUTION - No. 7277

This resolution must be adopted in order to certify the approval of the Governing Board to enter into this transaction with the California State Department of Education for the purpose of providing child care and development services and to authorize the designated personnel to sign contract for Fiscal Year 2001/02.

RESOLUTION

BE IT RESOLVED that the Governing Board of Berkeley Unified School District authorizes entering into local agreement number FCTR-1001 and that the person/s who is/are listed below, is/are authorized to sign the transaction for the Governing Board.

<u>NAME</u>	<u>TITLE</u>	<u>SIGNATURE</u>
<u>Stephen A. Goldstone</u>	<u>Interim Superintendent</u>	_____
<u>Chris Lim</u>	<u>Associate Superintendent, Instruction Services</u>	<u>Chris Lim</u>
<u>John Santoro</u>	<u>Principal, Early Childhood Education</u>	<u>John Santoro</u>

PASSED AND ADOPTED THIS 5th day of July 2001/02 by, the Governing Board of Berkeley Unified School District, of Alameda County, California.

I, Stephen A. Goldstone, Clerk of the Governing Board of Berkeley Unified School District, of Alameda County, California, certify that the foregoing is a full, true and correct copy of a resolution adopted by the said Board at a regular Board of Education meeting thereof held at a regular public place of meeting and resolution is on file in the office of said Board.

\_\_\_\_\_  
(Clerk's signature)

\_\_\_\_\_  
(Date)

## BERKELEY UNIFIED SCHOOL DISTRICT

DATE: July 5, 2001  
TO: Board of Education  
FROM: Stephen A. Goldstone, Interim Superintendent  
SUBJECT: Child Development Contract GPRE-1001 for Fiscal Year 2001/2002  
Resolution # 7278

---

### RECOMMENDATION

It is recommended that the Board authorize the State Contract with the California Department of Education for the purpose of providing State Preschool funds for the fiscal year 2001/2002.

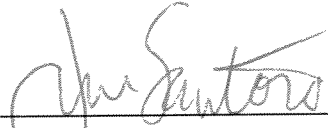
### SUMMARY AND DISCUSSION

This is the yearly contract with the State Department of Education.


### FINANCIAL IMPLICATIONS

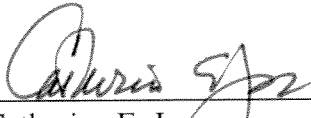
Approximately \$155,760.00 from the State Department of Education to the Berkeley Unified School District for half day programs for three-and four-year old children.

Prepared by:

  
\_\_\_\_\_  
John Santoro  
Principal, Early Childhood Education Program

Recommended Approval:

  
\_\_\_\_\_  
Chris Lim  
Associate Superintendent, Instruction


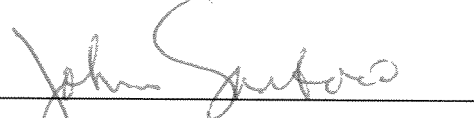
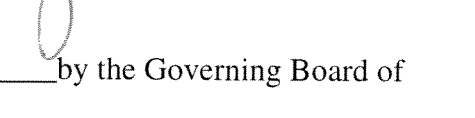
  
\_\_\_\_\_  
Catherine E. James  
Associate Superintendent, Business

RESOLUTION - No. 7278

This resolution must be adopted in order to certify the approval of the Governing Board to enter into this transaction with the California State Department of Education for the purpose of providing child care and development services and to authorize the designated personnel to sign contract for Fiscal Year 2001/02.

RESOLUTION

BE IT RESOLVED that the Governing Board of Berkeley Unified School District authorizes entering into local agreement number GPPE-1001 and that the person/s who is/are listed below, is/are authorized to sign the transaction for the Governing Board.

<u>NAME</u>	<u>TITLE</u>	<u>SIGNATURE</u>
<u>Stephen A. Goldstone</u>	<u>Interim Superintendent</u>	
<u>Chris Lim</u>	<u>Associate Superintendent, Instruction Services</u>	
<u>John Santoro</u>	<u>Principal, Early Childhood Education</u>	

PASSED AND ADOPTED THIS 5th day of July by the Governing Board of Berkeley Unified School District, of Alameda, County, California.

I, Stephen A. Goldstone, Clerk of the Governing Board of Berkeley Unified School District, of Alameda County, California, certify that the foregoing is a full, true and correct copy of a resolution adopted by the said Board at a regular Board of Education meeting thereof held at a regular public place of meeting and resolution is on file in the office of said Board.

\_\_\_\_\_  
(Clerk's signature)

\_\_\_\_\_  
(Date)

## BERKELEY UNIFIED SCHOOL DISTRICT

**DATE:** July 5, 2001

**TO:** Board of Education

**FROM:** Steven A. Goldstone, Ed.D, Interim Superintendent

**PREPARED BY:** Catherine James, Associate Superintendent, Support Services

**RE:** Authorization to Issue Tax and Revenue Anticipation Notes

---

**RECOMMENDATION:** It is recommended that the Board approve resolution 7280 requesting that the County Board of Supervisors issue Tax and Revenue Anticipation Notes in the name of BUSD for FY 2002.

**DISCUSSION:** A significant portion of the District's General Fund revenue comes from local property taxes. Local property taxes are collected in December and April. The District must pay its employees and vendors beginning in July. In order to resolve this cash flow shortage the District must borrow money. Tax and Revenue Anticipation Notes (TRANS) a form of short term borrowing with which the District borrows cash that is guaranteed against future taxes and revenues. The District has issued TRANS in each of the past several years. The amount of TRANS issued is based on the projected cash flows for the current year. The District's financial advisors, Kelling, Northcross and Nobriga work with staff to estimate the appropriate amount in each year. Staff will work KNN again this year to define the amount needed to meet our cash needs.

**FINANCIAL IMPLICATION:** In past years the amount of interest earned on the invested TRANS proceeds has been greater than the cost of the borrowing. It is anticipated that this will be the case in FY 2002, also.

**BERKELEY UNIFIED SCHOOL DISTRICT**

**RESOLUTION NO. 7280**

**RESOLUTION REQUESTING THE BOARD OF SUPERVISORS OF ALAMEDA COUNTY  
TO ISSUE TAX AND REVENUE ANTICIPATION NOTES IN THE NAME OF THE  
BERKELEY UNIFIED SCHOOL DISTRICT FOR FISCAL YEAR 2001-2002 IN THE  
PRINCIPAL AMOUNT OF NOT TO EXCEED \$20,000,000 AND AUTHORIZING THE  
SALE THEREOF AND AUTHORIZING PREPARATION OF AN OFFICIAL  
STATEMENT IN CONNECTION THEREWITH**

RESOLVED, by the Board of Education of the Berkeley Unified School District (the "District"), as follows:

WHEREAS, school districts organized and existing under the laws of the State of California are authorized by Article 7.6 (commencing with section 53850) of Chapter 4 of Part 1 of Division 2 of Title 5 of the California Government Code (the "Law") to borrow money by the issuance of temporary notes, the proceeds of which may be used and expended for any purpose for which the school district is authorized to spend moneys; and

WHEREAS, pursuant to the Law, such notes may be issued in the name of such school district by the board of supervisors of the county, the county superintendent of which has jurisdiction over such school district, as soon as possible following receipt of a resolution of the governing board of such school district requesting such borrowing;

WHEREAS, the District has determined that it is desirable that the District borrow funds in an amount not to exceed \$20,000,000 with respect to fiscal year 2001-2002 for authorized purposes of the District; and

WHEREAS, the financial advisor to the District has been directed to prepare an official statement meeting the requirements of Securities and Exchange Commission Rule 15c2-12 under the Securities Exchange Act of 1934 (the "Official Statement") and bond counsel to the District has been directed to prepare a notice of sale (the "Notice of Sale") and a notice of intention (the "Notice of Intention") relating to the offering and sale of the notes for the District;

NOW, THEREFORE, it is hereby DETERMINED and ORDERED as follows:

*Section 1. Request.* The Board of Supervisors (the "Board") of Alameda County (the "County") is hereby requested to issue tax and revenue anticipation notes in the name of the District in the principal amount of not to exceed \$20,000,000 (the "Notes"), under and pursuant to the provisions of the Law.

*Section 2. Limitation on Maximum Amount.* The principal amount of Notes, when added to the interest payable thereon, shall not exceed eighty-five percent (85%) of the estimated amount of the uncollected taxes, revenue and other moneys of the District for the general fund of the District attributable to Fiscal Year 2001-2002, and available for the payment of the notes and the interest thereon.



Section 3. Pledge. The Notes shall be obligations of the District and shall be secured by a pledge of and first lien and charge against the first "unrestricted moneys", as hereinafter defined, to be received by the County on behalf of the District in such months and in such amounts as shall be determined by the Superintendent (or the Superintendent's designee) prior to the date of sale of the Notes, sufficient to pay the principal of and interest on the Notes through the maturity date thereof (the "Pledged Revenues"). To the extent not so paid from the Pledged Revenues, the Notes shall be paid from any other moneys of the District lawfully available therefor. In the event that there are insufficient unrestricted moneys received by the District to permit the deposit in the Repayment Fund (as hereinafter defined) of the full amount of the Pledged Revenues to be deposited in any month on the last business day of such month, then the amount of any deficiency shall be satisfied and made up from any other moneys of the District lawfully available for the repayment of the Notes and interest thereon. The term "unrestricted moneys" shall mean taxes, income, revenue and other moneys received by the District allocable to Fiscal Year 2001-2002 which are generally available for the payment of current expenses and other obligations of the District.

Section 4. Approval of Issuance Resolution. The resolution entitled "Resolution Providing for the Borrowing of Funds in the Name of the Berkeley Unified School District for Fiscal Year 2001-2002 and the Issuance and Sale of 2001 Tax and Revenue Anticipation Notes Therefor" (the "Issuance Resolution"), to be adopted by the Board, in substantially the form presented to the Board of Education at this meeting, together with any additions to or changes therein deemed necessary or advisable by the Board, is hereby approved. The Notes shall be dated as of their date of delivery, shall mature (without option of prior redemption) on such date as shall be determined by the Superintendent (or the Superintendent's designee) prior to the date of sale of the Notes, and shall bear interest from their date, payable at maturity and computed on a 30-day month/360-day year basis.

Section 5. Form of Notes; Execution of Notes.

(a) The Notes shall be issued in fully registered form, without coupons, and shall be substantially in the form and substance set forth in Exhibit A attached hereto and by reference incorporated herein, the blanks in said form to be filled in with appropriate words and figures. The Notes shall be numbered from 1 consecutively upward, shall be in the denomination of \$1,000 each or any integral multiple thereof.

(b) The Notes shall be executed in the name of the District, with the manual or facsimile signature of the County Treasurer-Tax Collector or one or more of his duly authorized deputies and the manual or facsimile counter-signature of the Clerk of the Board of Supervisors (although at least one of such signatures shall be manual) with the seal of the Board impressed thereon, and said officers are hereby authorized to cause the blank spaces thereof to be filled in as may be appropriate.

Section 6. Official Statement. The Board of Education hereby authorizes the preparation by the District's financial advisor of an official statement describing the Notes (the "Official Statement"). The Board of Education authorizes the distribution by the District's financial advisor of the Official Statement to prospective purchasers of the Notes, and authorizes and directs the Superintendent (or the Superintendent's designee) on behalf of the District to deem "final" pursuant to Rule 15c2-12 under the Securities Exchange Act of 1934 (the "Rule") the Official Statement prior to its distribution by the District's financial advisor. The execution of the Official Statement, which shall include such changes and additions thereto deemed advisable by the Superintendent or any other qualified officer of the District and such information permitted to be excluded from the Official Statement pursuant to the Rule, shall be conclusive evidence of the approval of the Official Statement by the District.

The Superintendent (or the Superintendent's designee) is separately authorized and directed to execute the Official Statement and a statement that the facts contained in the Official Statement, and any supplement or amendment thereto (which shall be deemed an original part thereof for the purpose of such statement) were, at the time of sale of the Notes, true and correct in all material respects and that the Official Statement did not, on the date of sale of the Notes, and does not, as of the date of delivery of the Notes, contain any untrue statement of a material fact with respect to the District or omit to state material facts with respect to the District required to be stated where necessary to make any statement made therein not misleading in the light of the circumstances under which it was made. The Superintendent (or the Superintendent's designee) shall take such further actions prior to the signing of the Official Statement as are deemed necessary or appropriate to verify the accuracy thereof.

*Section 7. Sale of Notes.* The distribution of the Official Statement, the Notice of Sale and the Notice of Intention are approved in connection with the offering and sale of the Notes.

The actions of the District's financial advisor, on behalf of the District, in distributing the Official Statement and the Notice of Sale to such municipal bond brokers-dealers, to such banking institutions and to such other persons as may be interested in purchasing the Notes therein offered for sale, are hereby approved.

The Notes are hereby ordered to be sold by competitive bid. The Superintendent (or the Superintendent's designee) is hereby delegated the authority to accept the best responsible bid for the purchase of the Notes, determined in accordance with the Official Notice of Sale. The Superintendent (or the Superintendent's designee) is hereby authorized and directed to accept such bid, for and in the name of the District, by notice to the successful bidder. In the event two or more bids setting forth identical interest rates and premium, if any, are received, the Superintendent (or the Superintendent's designee), on behalf of the District, may exercise his or her own discretion and judgment in making the award and may award the Notes on a pro rata basis in such denominations as he or she shall determine. The Superintendent (or the Superintendent's designee), on behalf of the District, may, in his or her discretion, reject any and all bids and waive any irregularity or informality in any bid. The Superintendent (or the Superintendent's designee), on behalf of the District, shall award the Notes or reject all bids not later than 26 hours after the expiration of the time prescribed for the receipt of proposals unless such time of award is waived by the successful bidder.

The District's financial advisor is hereby delegated the responsibility of receiving, opening and analyzing bids submitted for the purchase of the Notes and to report the results thereof to the District and the County.

Consent is hereby given for Zions National Bank, the parent company of Kelling, Northcross & Nobriga, the District's financial advisor, to submit a bid for purchase of the Notes and to acquire or participate in the purchase of the Notes.

*Section 8. Tax Covenants*

(a) *Private Activity Bond Limitation.* The District shall assure that the proceeds of the Notes are not so used as to cause the Notes to satisfy the private business tests of section 141(b) of the Code (as hereinafter defined) or the private loan financing test of section 141(c) of the Code.

(b) *Federal Guarantee Prohibition.* The District shall not take any action or permit or suffer any action to be taken if the result of the same would be to cause any of the Notes to be "federally guaranteed" within the meaning of section 149(b) of the Code.

(c) *Rebate Requirement.* The District shall take any and all actions necessary to assure compliance with section 148(f) of the Code, relating to the rebate of excess investment earnings, if any, to the federal government, to the extent that such section is applicable to the Notes.

(d) *No Arbitrage.* The District shall not take, or permit or suffer to be taken any action with respect to the proceeds of the Notes which, if such action had been reasonably expected to have been taken, or had been deliberately and intentionally taken, on the date of issuance of the Notes would have caused the Notes to be "arbitrage bonds" within the meaning of section 148 of the Code.

(e) *Maintenance of Tax-Exemption.* The District shall take all actions necessary to assure the exclusion of interest on the Notes from the gross income of the registered owners of the Notes to the same extent as such interest is permitted to be excluded from gross income under the Code as in effect on the date of issuance of the Notes.

For purposes of this Section 8, the term "Code" means the Internal Revenue Code of 1986 as in effect on the date of issuance of the Notes or (except as otherwise referenced herein) as it may be amended to apply to obligations issued on the date of issuance of the Notes, together with applicable proposed, temporary and final regulations promulgated, and applicable official public guidance published, under the Code.

*Section 9. Continuing Disclosure.* The District hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate. Notwithstanding any other provision of this resolution, failure of the District to comply with the Continuing Disclosure Certificate shall not be considered an event of default; however, any holder or beneficial owner of the Notes may, take such actions as may be necessary and appropriate to compel performance, including seeking mandate or specific performance by court order.

For purposes of this Section 9, the term "Continuing Disclosure Certificate" means that certain Continuing Disclosure Certificate executed by the District and dated the date of issuance and delivery of the Notes, as originally executed and as it may be amended from time to time in accordance with the terms thereof. For purposes of this Section 9, the term "Participating Underwriter" shall have the meaning ascribed thereto in the Continuing Disclosure Certificate.

*Section 10. No Temporary Transfers.* It is hereby covenanted and warranted by the District pursuant to Article XVI, Section 6 of the Constitution of the State of California that it will not request the County Treasurer-Tax Collector to make temporary transfers of funds in the custody of the County Treasurer-Tax Collector to meet any obligations of the District during the 2001-2002 fiscal year.

*Section 11. Further Authorization.* All actions heretofore taken by the officers and agents of the District with respect to the sale and issuance of the Notes are hereby approved, and the Superintendent, the Secretary of the Board and any and all other officers of the District are hereby authorized and directed for and in the name and on behalf of the District, to do any and all things and take any and all actions relating to the execution and delivery of any and all certificates, requisitions, agreements and other documents, which they, or any of them, may deem necessary or advisable in order to consummate the lawful issuance and delivery of the Notes in accordance with the Issuance Resolution and this resolution.

The District hereby authorizes the Superintendent or the Superintendent's designee to execute an agreement for bond counsel services by and between the District and Quint &

Thimmig LLP, and an agreement for financial advisory services by and between the District and Kelling, Northcross & Nobriga, which firms are hereby appointed to serve as bond counsel and financial advisor, respectively, for the Notes. All costs incurred by the Board or the District in connection with the issuance of the Notes, including but not limited to printing of any official statement, rating agency costs, bond counsel fees and expenses, underwriting discount and costs, paying agent fees and expenses, the cost of printing the Notes, and any compensation owing to any officers or employees of the Board, the County or the District for their services rendered in connection with the issuance of the Notes, shall be payable by District.

*Section 12. Indemnification.* The District shall indemnify and hold harmless, to the extent permitted by law, the County and its officers and employees (the "Indemnified Parties"), against any and all losses, claims, damages or liabilities, joint or several, to which such Indemnified Parties may become subject, because of action or inaction related to the Notes. The District shall also reimburse the Indemnified Parties for any legal or other expenses incurred in connection with investigating or defending any such claims or actions.

*Section 13. Effective Date.* This resolution shall take effect from and after its adoption.

\* \* \* \* \*

I hereby certify that the foregoing resolution was duly adopted at a meeting of the Board of Education of the Berkeley Unified School District held on the 5th day of July, 2001, by the following vote:

AYES, and in favor of, Board Members:

NOES, Board Members:

ABSENT, Board Members:

By \_\_\_\_\_  
Secretary of the Board of Education

## EXHIBIT A

Board of Supervisors of Alameda County, California  
in the Name of the  
BERKELEY UNIFIED SCHOOL DISTRICT  
(Alameda County, California)

### 2001 TAX AND REVENUE ANTICIPATION NOTE

INTEREST RATE:	MATURITY DATE:	ISSUE DATE:	CUSIP:
_____%	_____, 2002	_____, 2001	_____

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: \_\_\_\_\_ DOLLARS

The BERKELEY UNIFIED SCHOOL DISTRICT, Alameda County, State of California (the "District"), acknowledges itself indebted, and promises to pay, to the Registered Owner stated above, or registered assigns (the "Owner"), on the Maturity Date stated above, the Principal Sum stated above, in lawful money of the United States of America, and to pay interest thereon in like lawful money at the rate per annum stated above, payable on the Maturity Date stated above, calculated on the basis of 360-day year comprised of twelve 30-day months. Both the principal of and interest on this Note shall be payable [at maturity] to the Owner.

It is hereby certified, recited and declared that this Note is one of an authorized issue of notes in the aggregate principal amount of \_\_\_\_\_ dollars (\$ \_\_\_\_\_), all of like tenor, issued pursuant to the provisions of a resolution of the Board of Supervisors (the "Board") of Alameda County (the "County") duly passed and adopted on \_\_\_\_\_, 2001 (the "Resolution"), and pursuant to Article 7.6 (commencing with section 53850) of Chapter 4, Part 1, Division 2, Title 5, of the California Government Code, and that all conditions, things and acts required to exist, happen and be performed precedent to and in the issuance of this Note exist, have happened and have been performed in regular and due time, form and manner as required by law, and that this Note, together with all other indebtedness and obligations of the District, does not exceed any limit prescribed by the Constitution or statutes of the State of California.

The principal amount of the Notes, together with the interest thereon, shall be payable from taxes, revenue and other moneys which are received by the County on behalf of the District for Repayment Fund of the District (as defined in the Resolution) for the Fiscal Year 2001-2002. As security for the payment of the principal of and interest on the Notes, the Board, in the name of the District, has pledged the first "unrestricted moneys", as hereinafter defined (a) in an amount equal to fifty percent (50%) of the principal amount of the Notes to be received by the County on behalf of the District in February, 2002, (b) in an amount equal to fifty percent (50%) of the principal amount of the Notes to be received by the County on behalf of the District in May, 2002, and (c) in an amount equal to all interest due on the Notes at maturity to be received by the County on behalf of the District in June, 2002 (such pledged amounts being hereinafter called the "Pledged Revenues"). The principal of the Notes and the interest thereon shall constitute a first lien and charge thereon and shall be paid from the

Pledged Revenues. To the extent not so paid from the Pledged Revenues, the Notes shall be paid from any other moneys of the District lawfully available therefor. The term "unrestricted moneys" shall mean taxes, income, revenue and other moneys received by the District allocable to Fiscal Year 2001-2002 which are generally available for the payment of current expenses and other obligations of the District.

The Notes are issuable as fully registered notes, without coupons, in denominations of \$1,000 each or any integral multiple thereof. Subject to the limitations and conditions as provided in the Resolution, Notes may be exchanged for a like aggregate principal amount of Notes of other authorized denominations and of the same maturity.

The Notes are not subject to redemption prior to maturity.

This Note is transferable by the Owner hereof, but only under the circumstances, in the manner and subject to the limitations provided in the Resolution. Upon registration of such transfer a new Note or Notes, of authorized denomination or denominations, for the same aggregate principal amount and of the same maturity will be issued to the transferee in exchange for this Note.

The Board may treat the Owner hereof as the absolute owner hereof for all purposes and the Board shall not be affected by any notice to the contrary.

Unless this certificate is presented by an authorized representative of The Depository Trust Company to the issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or such other name as requested by an authorized representative of The Depository Trust Company and any payment is made to Cede & Co., ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL since the registered owner hereof, Cede & Co., has an interest herein.

IN WITNESS WHEREOF, the Board of Supervisors of Alameda County, California has caused this Note to be issued in the name of the District and to be executed by the manual or facsimile signature of the County Treasurer-Tax Collector and countersigned by the manual or facsimile signature of the Clerk of the Board, all as of the Issue Date stated above.

BOARD OF SUPERVISORS OF  
ALAMEDA COUNTY

By \_\_\_\_\_  
Treasurer-Tax Collector

(S E A L)  
Countersigned:

\_\_\_\_\_  
Clerk of the Board

031

## ASSIGNMENT

For value received the undersigned hereby sells, assigns and transfers unto

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(Name, Address and Tax Identification or Social Security Number of Assignee)

the within registered Note and hereby irrevocably constitute(s) and appoints(s) \_\_\_\_\_ attorney,  
to transfer the same on the Note register of the Treasurer-Tax Collector with full power of substitution in  
the premises.

Dated: \_\_\_\_\_

Signature:

\_\_\_\_\_  
Note: The signature(s) on this Assignment must  
correspond with the name(s) as written on the face of  
the within Note in every particular without alteration  
or enlargement or any change whatsoever.

Signature Guaranteed:

\_\_\_\_\_  
Note: Signature(s) must be guaranteed by a qualified  
guarantor.

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## BERKELEY UNIFIED SCHOOL DISTRICT

**DATE:** July 5, 2001  
**TO:** Board of Education  
**FROM:** Steven A. Goldstone, Ed.D, Interim Superintendent  
**PREPARED BY:** Doris Davis, Purchasing Agent  
**RE:** Authorization to Award Bid Schedule No. 1326 for Custodial Supplies

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### RECOMMENDATION

It is recommended that the Board award the contract for Custodial supplies to **California Janitorial Supply** for items 5-7, 14-15, 20, 23, 25, 28, 40, 43, 54-55, 58-59, 63A – 63D, 64C, 66, 68-69, 71-73, 76, 80, 84-90, 92-93, 95-97, 101-103, 108-109 and **Tamaras Supply** for items 1-4B, 10-11, 13, 16-19, 24, 26-27, 29-31, 34-36, 41, 44, 57-58, 60-62, 64A& B, 65, 67, 70, 74-75, 76-79 A&B, 82, 94, 98-100, 104 and **Champion** for items 42 and **Universal Building Supply** for items 4A, 12, 21, 37-39, 53, and **West-Lite Supply** for items 45- 52, 103-105 **DNF Industries** for items 32-33 for the period July 1, 2001 through June 30, 2002.

### SUMMARY AND DISCUSSION

On May 4, 2001 fourteen (14) bids were mailed out and on June 1, 2001 seven (7) bids were received, these bids were analyzed by the Purchasing Manager, considering compliance with specifications and price. Based on this analysis the above-mentioned vendors were recommended as the lowest responsible bidders.

### FINANCIAL IMPLICATIONS

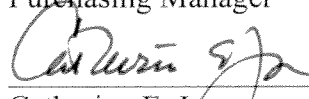
The budget for 2000- 2001 is approximately \$100,000.

Prepared by:



Doris R. Davis  
Purchasing Manager

Reviewed by:



Catherine E. James  
Associated Supt., Business

Recommend Approval:



Steve Goldstone  
Interim Superintendent

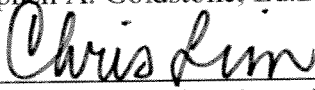




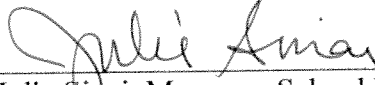
## Berkeley Unified School District

DATE: July 5, 2001  
TO: Members, Board of Education  
FROM: Stephen A. Goldstone, Ed.D., Interim Superintendent

PREPARED BY:



Chris Lim, Associate Superintendent, Instruction



Julie Surai, Manager, School Linked Programs

SUBJECT: Memorandum of Agreement between Thousand Oaks Elementary School and Stiles Hall Rosa Parks Family Resource Center for Mental Health Services.

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**RECOMMENDATION:** It is recommended that the Board of Education approve the Memorandum of Agreement (MOA) between Thousand Oaks Elementary School and Stiles Hall Rosa Parks Family Resource Center to provide mental health services to Thousand Oaks students.

**DISCUSSION:** The U.S. Department of Education, 21<sup>st</sup> Century Community Learning Center (CLC) awarded three years of funding to the BUSD Cluster of Thousand Oaks, Cragmont, Longfellow and King for the school years 2001-2004. An integral component of the grant for all four schools was the inclusion of on-site mental health (counseling and case management) services for students. With funding from their 21<sup>st</sup> CLC grant, Thousand Oaks Elementary School will contract with the Rosa Parks Family Resource Center to provide on-site individual therapy to 7-12 students and group therapy (2-3 groups of 5-8 students per group). The assigned therapist will possess an M.S.W. degree and a Pupil Personnel Services (P.P.S.) Credential. The therapist will be experienced in providing therapy to K-5<sup>th</sup> grade students and will be stationed at Thousand Oaks two days per week. The services will be modeled from the successful 4-year old program at Rosa Parks. A social welfare student intern will be assigned to work at Thousand Oaks under the supervision of the therapist. This program will help to serve the students and families at Thousand Oaks while supporting the initiatives to sustain the services at the Rosa Parks Family Resource Center (FRC). Rosa Parks FRC began LEA MediCal reimbursement billing last year, earning \$3000 for continued services. Rosa Parks FRC intend to continue this practice at Thousand Oaks.

**FINANCIAL IMPACT:** There is no financial impact to the General Fund.

**MEMORANDUM OF AGREEMENT  
BETWEEN THOUSAND OAKS ELEMENTARY SCHOOL AND STILES HALL  
ROSA PARKS ELEMENTARY SCHOOL  
FAMILY RESOURCE CENTER  
2001-2002**

THIS MEMORANDUM OF AGREEMENT ("MOA"), dates as of August 1, 2001 ("Effective Date"), is by and between Thousand Oaks Elementary School and Stiles Hall Rosa Parks Elementary School Family Resource Center.

The Rosa Parks Elementary School Family Resource Center (FRC) will provide the following personnel and mental health services to Thousand Oaks Elementary School during the 2001-201 academic year.

Personnel Services- A. The Rosa Parks Family Resource center will assign and supervise a part-time therapist and student intern at Thousand Oaks Elementary School.

B. The assigned therapist will possess and M.S.W. degree and a Pupil Personnel Services Credential; will be experienced in providing therapy to K-5<sup>th</sup> grade students; and will be stationed at Thousand Oaks School two days per week.

C. A social welfare student intern, provided one can be assigned be a local university, will work at Thousand Oaks School under the supervision of the therapist.

Scope of Service-The therapist and student intern assigned to Thousand Parks School will conduct 2 to 3 groups of 5 to 8 children per group. These groups will be limited to children with specific mental health issues as determined be the therapist.

Seven to twelve children will receive individual therapy following parental consent and a minimum of one face to face interview with a parent or guardian.

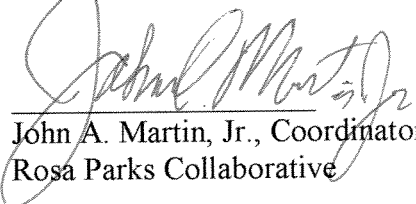
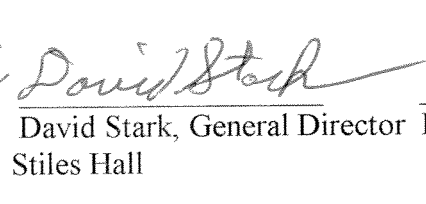
All client records will be kept confidential in accordance with California statutes and professional ethics. Parent/s guardian/s of all minors receiving services will sign appropriate consent forms. All mandated staff and interns will obtain background and TB checks. FRC will facilitate and communicate with Thousand Oaks Teachers/Principal and staff. FRC will participate in the 21<sup>st</sup> Century Community Learning Program evaluation.

Thousand Oaks School – Thousand Oaks School will provide satisfactory space, as determined by Rosa Parks Family Resource Center staff, for delivery of the services set forth above.


Thousand Oaks School will pay Stiles Hall, the fiscal agent for the Rosa Parks Family Resource Center, a total of \$25,000.00 as compensation for the services set forth above. Payment will be in two installments of \$12,500.00 each to be delivered on November 1, 2001 and March, 2002.

Finally, it should be understood that the Rosa Parks Family Resource Center is currently awaiting decisions on operational grants from several sources for the 2001-2002 academic year. The Family Resource Center will not be able to continue operating in the 2001-2002 academic year with receipt of these grants. Therefore this contract between the Rosa Parks Family Resource Center and Thousand Oaks School is contingent upon the former receiving said grants.

Term and Termination. This MOA shall commence on the Effective Date and shall continue for the duration of the grant (June 30, 2002) unless sooner terminated pursuant to this paragraph. Either party may terminate this MOA prior to expiration as a result of a breach by the other party of any material term of this MOA. Following receipt of written notice of such a breach, the breaching party shall have thirty (30) days from the date of receipt to cure the breach. If after thirty days from receipt of the notice the breach has not been cured, the non-breaching party may terminate this MOA, effective seven (7) days after the notice of termination. Payment for all services rendered to the date of termination shall be due and payable within fifteen (15) calendar days after termination. All reports required to be prepared by CBO and which are outstanding at the date of termination shall be delivered to BUSD within fifteen (15) calendar days after termination.

	5/30/01		6-14-01
John A. Martin, Jr., Coordinator	Date	David Stark, General Director	Date
Rosa Parks Collaborative		Stiles Hall	

Acknowledged and accepted by:

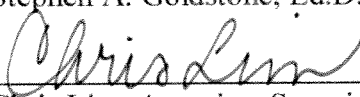
	6/14/01
Kevin Wooldridge, Principal	Date
Thousand Oaks Elementary School	


## Berkeley Unified School District

DATE: July 5, 2001

TO: Members, Board of Education

FROM: Stephen A. Goldstone, Ed.D., Interim Superintendent

PREPARED BY:   
Chris Lim, Associate Superintendent, Instruction

  
Julie Sinai, Manager, School Linked Programs

SUBJECT: Memorandum of Agreement between BUSD and Berkeley Youth  
Alternative (BYA) for Longfellow Healthy Start Program

---

**RECOMMENDATION:** It is recommended that the Board of Education approve the Berkeley Youth Alternative (BYA) as the fiscal sponsor for Longfellow Arts and Technology Magnet Middle School Healthy Start Program.

**DISCUSSION:** Longfellow is entering its second year of a three-year operational grant, effective July 1, 2001. Longfellow is proposing a Memorandum of Agreement with BYA, a strong community-based agency with a long history at Longfellow, to administer the Healthy Start Program. BYA will handle all financial issues including the hiring of employees supported by the grant. BYA will also assist Longfellow to sustain the Healthy Start Program.

**FINANCIAL IMPACT:** There is no financial impact to the General Fund.

MEMORANDUM OF AGREEMENT  
2001 - 2002  
BERKELEY UNIFIED SCHOOL DISTRICT  
BERKELEY YOUTH ALTERNATIVE

This Memorandum of Agreement (MOA) dated as of June 30, 2001 (Effective Date), is by and between the Berkeley Unified School District (BUSD) and Berkeley Youth Alternative, a California public benefit corporation.

RECITALS

BUSD and Berkeley Youth Alternative (BYA), intend to implement and to operate jointly the Healthy Start Operational Program (Healthy Start Program) at Longfellow Arts & Technology Magnet Middle School, 1500 Derby Street, Berkeley CA. The goals of the Healthy Start Program are (1) to create, develop, refine, evaluate and replicate successful programs of support for students and their families and (2) to integrate such programs into school support and extended day programs at Longfellow in a seamless, comprehensive support system.

B. The purpose of this MOA is set forth the terms and conditions on which BUSD and Berkeley Youth Alternative will operate the Healthy Start Program.

C. BUSD has recognized a group of parents, teachers, administrators, and community members at Longfellow, (the Longfellow Arts & Technology Magnet Middle School Community Collaborative (LATMMSC Collaborative)) and authorized them to advise in the operation of the Collaborative sponsored programs at Longfellow School. The LATMMSC Collaborative shall serve as the Governing Board for the Longfellow Healthy Start Program.

D. It is the intention of the parties that BYA will assist Longfellow to effectively manage the specific resources that support the Collaborative Coordinator salary.

NOW, THEREFORE, intending to be legally bound hereby, the parties agree as follows:

1. Employment of Healthy Start Staff. BYA will employ and administratively supervise the Collaborative Coordinator. The Collaborative Coordinator will be the chief operating officer of the Collaborative sponsored Programs at Longfellow School.

1.1 Recruitment. Representatives of the LATMMSC Collaborative, under the advisement of BYA, will recruit and screen potential staff members for the Healthy Start Program. The Site Collaborative as a whole including a representative of BYA will interview and select a prospective candidate for the Collaborative Coordinator's position, and BYA at its sole discretion, will hire that individual. Other Program staff will be recruited and screened by the Collaborative Coordinator with the advice and assistance of the Collaborative Personnel Committee and conditional on the prospective staff member meeting the requirements of employment at the BYA.



1.2 Screening. BYA will provide all required pre-employment screening, including fingerprinting and tuberculosis testing for each Program staff member.

1.3 Specific Employment Issues. The BYA's Personnel Policies and Practices will apply to staff employed under the terms of this contract, unless supplemental policies proposed for the LATMMSC Collaborative have been approved by the BYA. Policies regarding terms of employment will be incorporated in a contract with each employee which will specify holidays, salaried or hourly compensation, and days of work to conform to site-specific requirements at Longfellow. The BYA will pay salaried employees on an eleven (11) month basis from August 14th to July 14th of each full year of employment. Should employment be terminated for any reason, no vacation shall be considered to have been accrued. Salaried employees will be expected to work as required to complete the tasks associated with their job descriptions. Hourly employees will be compensated for their hours of work and for each holiday taken by the BUSD on a prorata basis, but they will not accrue vacation benefits.

1.4 Employee Evaluation. The BYA along with selected members of the LATMMSC Collaborative Personnel Committee, will evaluate the Collaborative Coordinator. BUSD shall by notice to BYA designate one or more persons, who may include but shall not be limited to the Principal or Vice-Principal of Longfellow and the Chair of the LATMMSC Collaborative who will be charged with advising BYA regarding day-to-day performance of the Collaborative Coordinator. BYA will be responsible for and shall implement all procedures involving employee evaluation, compensation decisions and disciplinary actions for the Collaborative Coordinator with the advice of BUSD and its designees. All other evaluations will be conducted by the Collaborative Coordinator as the agent of BYA with the advice of BUSD and the LATMMSC Collaborative through its Personnel Committee. Such evaluations shall occur at the end of each staff member's orientation period and at least annually thereafter. The evaluation shall be in writing and shall be in such form as BYA shall reasonably direct in accordance with its personnel practices. BYA through its agent, the Collaborative Coordinator, will be responsible for and shall implement all procedures involving employee evaluation, compensation decisions and disciplinary actions for the LATMMSC Collaborative staff members.

2. Program Support. BUSD shall provide adequate space at Longfellow, as well as access to telephone service, duplication equipment, clerical support, and student performance data as reasonably required to implement an effective programs.

3. Management Services by BYA. BYA will provide the following management and human resources services to the LATMMSC Collaborative during the entire term of the MOA.

- All depository, accounting, and financial reporting as are required by the LATMMSC Collaborative and by BUSD.
- Payroll, benefits program and management for all designated contracted LATMMSC Collaborative staff members; and
- Personnel supervision and discipline within the parameters of its employment

contracts and any specific agreements with BUSD and the LATMMSC Collaborative.

4. Training and Planning. BUSD will invite all staff members of the LATMMSC Collaborative to participate in any relevant in-service training offered to the employees of BUSD and to participate in those planning activities and case review meetings as are reasonably determined by BUSD to be relevant to the work of the LATMMSC Collaborative staff members. BYA will invite employees of BUSD who are actively engaged in the LATMMSC Collaborative Programs to training programs conducted by or for the LATMMSC Collaborative staff members. BYA's staff members may actively participate in the LATMMSC Collaborative meetings.

In addition to its other duties hereunder, BYA may provide consultation, advice and assistance to the LATMMSC Collaborative and the BUSD in maximizing other revenue sources which could support the programs of the LATMMSC Collaborative on a sustainable basis, including Medi-Cal, Healthy Families and grant funding.

5. Compensation and Reports. BUSD shall pay to BYA the initial contract amount of \$50,000 in one installment as of August 30, 2001, plus such additional amounts as the parties may, in writing agree upon for services beyond those described in the budget included in Exhibit 1 hereto. BYA charges 7% ( seven percent) for its services of the contract revenues it administers. A 7% allocation for such services shall be budgeted within this contract.

5.1 Medi-Cal Income. It is the intention of the parties that pursuant to a Memorandum of Understanding with the City of Berkeley, the Mental Health Division of the Berkeley Health and Human Services Department will bill Medi-Cal for services rendered to Healthy Start Program participants by licensed practitioners and registered interns.

5.2 Financial Reporting. BYA will provide to BUSD a monthly financial statement for the LATMMSC Collaborative detailing the expenses and budget variance for the preceding month and the year-to-date expenses and budget variance. Each report will be made by line item within BYA's chart of accounts. Specialized reporting formats, as needed for the California Department of Education (CDE), will be provided to BUSD annually. Additional specialized reports are not covered within the scope of this MOA, but will be provided at additional charge, based on the staff time needed for preparation. BUSD shall provide the CDE with all reports required under the Healthy Start grant. BYA will provide the BUSD with the required financial information in a timely manner so that BUSD can meet its reporting obligations.

6. Indemnification.

6.1 BYA's Obligation. BYA shall indemnify, defend and hold harmless BUSD, its officers, agents and employees from and against any claims, damages, expenses, including an amount equal to reasonable attorney's fees, or liabilities arising out of or in any way connected with this agreement including, without limitation, claims, damages, expenses, or liabilities for loss or damage to any property, or for any death or

injury to any person or persons in proportion to and to the extent that such claims, damages, expenses, or liabilities arise from the negligence or willful acts or omissions of BYA, its officers, agents, or employees.

6.2 BUSD's Obligation. BUSD shall indemnify, defend and hold harmless BYA, its officers, agents and employees from and against any claims, damages, expenses, including an amount equal to reasonable attorney's fees, or liabilities arising out of or in any way connected with this MOA including, without limitation, claims, damages, expenses, or liabilities for loss or damage to any property or for death or injury to any person or persons in proportion to and to the extent that such claims, damages, expenses, or liabilities arise from the negligence or willful acts or omissions of BUSD, its officers, agents, or employees.

7. Insurance.

7.1 BYA's Insurance. BYA at its sold cost and expense, shall obtain, keep in force and maintain insurance as follows:

(a) Comprehensive or Commercial Form General Liability Insurance (contractual liability included) with minimum limits as follows:

●	Each Occurrence	\$1,000,000
●	Products/Completed Operations	
	Aggregate	\$1,000,000
●	Personal and Advertising Injury	\$1,000,000
●	General Aggregate*	\$2,000,000

\*applicable to commercial form only

If such insurance is written on a claims-made form, coverage shall survive from a period of not less than three (3) years following termination of this license. Coverage shall provide for a retroactive date of placement prior to or coinciding with the effective date of this license.

(b) Workers' Compensation and Employers Liability Insurance in form and amount covering BYA's full liability under the Workers' Compensation Insurance and Safety Act of the State of California as amended from time to time.

The insurance and the coverage referred to under (a) of this subparagraph 7.1 shall be endorsed to include the BUSD as an additional insured, and provide for thirty (30) days advance written notice to BUSD of any modification, change or cancellation. Upon execution of this license, CBO shall furnish BUSD with Certificates of Insurance evidencing compliance with all requirements.

7.2 BUSD's Insurance. BUSD will maintain insurance, or a program of self-insurance, in amount and coverage equal to or in excess of those described in subparagraph 7.1. General Liability Insurance coverage shall be endorsed to include BYA as an additional insured.

8. Term and Termination. This MOA shall commence on the Effective Date and shall continue until June 30, 2003 unless sooner terminated pursuant to this paragraph. Either party may terminate this MOA prior to expiration as a result of a breach by the other party of any material term of this MOA. Following receipt of written notice of such a breach, the breaching party shall have thirty (30) days from the date of receipt to cure the breach. If after thirty days from receipt of the notice the breach has not been cured, the non-breaching party may terminate this MOA, effective seven (7) days after the notice of termination. Payment for all services rendered to the date of termination shall be due and payable within fifteen (15) calendar days after termination. All reports required to be prepared by BYA and which are outstanding at the date of termination shall be delivered to BUSD within fifteen (15) calendar days after termination.

9. Notices Any notice required by this MOA shall be in writing and shall be conclusively deemed given and received when personally delivered or deposited in the United States mail, registered or certified, postage prepaid, addressed to the other party at the following respective address, or at such other addresses or to such other persons as the parties may from time to time designate by written notice to the other:

BUSD: Julie Sinai  
Berkeley Unified School District  
2134 Martin Luther King Jr. Way  
Berkeley, California 94702

BYA: Nicola Williams  
2141 Bonar  
Berkeley CA 94702

10. Amendment No amendment to or modification of the MOA shall be effective unless set forth in writing and signed by the parties.

IN WITNESS WHEREOF, the parties hereto have duly executed this MOA as of the date first above written.

BERKELEY UNIFIED SCHOOL DISTRICT

By: Stephen H. Goldstone  
Superintendent

Date 7/6/01

BERKELEY YOUTH ALTERNATIVE

By: Nicola Williams  
Executive Director

Date June 26, 2001

EXHIBIT 1

**Memorandum of Agreement between BUSD and Berkeley Youth Alternative (BYA)  
Budget for 2001-2001**

**Revenue**

Healthy Start Operational Grant Managed by BYA	\$53,500
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**Expenses**

Collaborative Coordination	\$50,000
Administrative Fee (7%)	\$ 3,500

<b>MOA Total</b>	<b>\$53,500</b>
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Berkeley Unified School District

DATE: July 5, 2001  
TO: Members, Board of Education  
FROM: Steve Goldstone, Interim Superintendent  
SUBJECT: Contract to Provide Programmatic Study of Special Education in the District

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**RECOMMENDATION:**

It is recommended that the Board of Education authorize the Superintendent to enter into a contract with an appropriate consultant to provide a programmatic study of Special Education in the District.

**DISCUSSION**

At its meeting of May 16, 2001, the Board approved a contract with School Services of California to provide a financial study and audit of Special Education funding and expenditures. The purpose of the study and the audit is to ensure that the District is maximizing its potential income and appropriately and effectively expending that income to best meet the needs of students.

It is advisable to also have periodic programmatic reviews of the Special Education Program to be certain that appropriate services are provided to students. Such a study, conducted by an expert in the field with no ties to the District, can, in some instances, provide important information that can be used to improve the program as well as assurance that programs are appropriate to the needs of special education students.

**FINANCIAL IMPACT:**

To be determined.



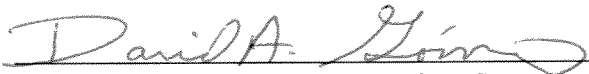


BERKELEY UNIFIED SCHOOL DISTRICT

DATE: July 5, 2001

TO: Members, Board of Education

FROM: Stephen A. Goldstone, Ed.D., Interim Superintendent

PREPARED BY:   
David A. Gomez, Ph.D., Associate Superintendent,  
Administrative Services

RE: CalPERS Service Credit

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**RECOMMENDATION:**

It is recommended the Board approve the payment of additional monies for employee contributions to CalPERS from January, 2001 to May, 2001 in accordance with Assembly Bill 2177.

**DISCUSSION:**

Beginning January 1, 2001 CalPERS Service Credit and Contribution requirements were changed in accordance with the passing of Assembly Bill 2177. Prior to that time the CalPERS contribution was 7% of the monthly earning in excess of \$133.33. With the passing of Assembly Bill 2177, the CalPERS contribution changed to 7% of the total monthly earnings with no \$133.33 reduction. Although this change went into effect on January 1, 2001 the additional contribution of \$9.33 for each employee subject to CalPERS was not deducted (i.e. 7% of \$133.33) and now needs to be paid to ensure that each employee's CalPERS account is correct and in compliance with the legislation. Correction deductions will begin with the June 30 payroll. It is proposed that the District absorb the cost of the employees' contribution which was not deducted from January - May 2001.

**FINANCIAL IMPACT:**

The amount of repayment from the District is calculated at approximately \$23,325 (\$9.33 x 500 employees).

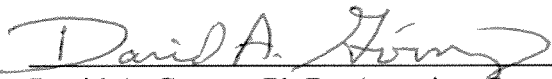


BERKELEY UNIFIED SCHOOL DISTRICT

DATE: July 5, 2001

TO: Members, Board of Education

FROM: Stephen A. Goldstone, Ed.D., Interim Superintendent

PREPARED BY:   
David A. Gomez, Ph.D., Associate Superintendent,  
Administrative Services

RE: UBA Contract - Increase in Salaries 2001-2002

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**RECOMMENDATION:**

It is recommended the Board approve item #3g" of the UBA proposal and the increase in salaries to a minimum of the 55th percentile (Rank of 15) within the agreed to 31 Comparison Districts and formula as specified in the UBA Contract 3g for 2001-2002.

**DISCUSSION:**

A survey was taken from 31 comparison districts (Rank of 15) which reported the highest salary for elementary principal, middle school vice principal and secondary vice principal. Results were tallied to determine the new salaries of BUSD Administrators. Under the provisions of AB1200 the Board must report the financial impact of the proposed agreement for review and approval by the County Superintendent of Schools. Staff will submit this report once the Board has approved the agreement.

The Board had approved the UBA proposal, except "3g" and "4" on May 2, 2001.

Please refer to UBA Contract #3g (attached).

**FINANCIAL IMPACT:**

Please refer to UBA Contract #3g (attached).

Under the current agreement we have calculated salary increases to be 5.56% (1.89 CCI + 3.67 COLA). The cost of implementation is approximately \$218,646.00. This amount has been included in the 2001-2002 budget.

# BERKELEY UNIFIED SCHOOL DISTRICT

## MEMORANDUM

TO: Berkeley Board of Education

FROM: Berkeley Unified School District  
Union of Berkeley Administrators

DATE: May 2, 2001

SUBJ: Contract Proposal

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### PROPOSAL

1. Term of contract: 3 years, from 7/1/00 to 6/30/03.
2. All items not mentioned herein are to remain the same as in the 7/01/97 - 6/30/00 contract unless negotiated hereafter.
3. Compensation Article:
  - a. For the 2000-2001 school year, the UBA salary schedules shall receive BUSD COLA (2.99% ) plus other adjustments to the salary schedule to a total of 6% across the board. This includes a 6% increase on longevity and a 6% increase on advanced degrees. This increase is retroactive to 7/01/00, i.e.  $1.06 \times$  entries on existing contract = new rate. See attached schedule.
  - b. A new, fourth, longevity step will be added to the salary schedule effective retroactive to 7/01/00 as shown on the attached salary schedule. This schedule reflects the 6% increase, rounded to the nearest dollar described in part a.
  - c. UBA members will have no reduction in their prior longevity placement. Future UBA members will be placed based on years of certificated management experienced with BUSD. Experience from other districts may also be considered at the discretion of the District.
  - d. A fifth step will be created for all Department Chairpersons, Program Supervisors, and Coordinators. Every one of these members will be moved to this new fifth step retroactive to 7/01/00. The salary for this new step will be 3% higher than the step four created by part a. above, i.e.  $1.03 \times$  (current step four  $\times$  1.06) = new rate.

- e. The fifth step, created in part d. will be the minimum entry level for Department Chairpersons, Program Supervisors, and Coordinators. In other words, steps one through four are eliminated for these categories.
- f. Retroactive compensation may be paid in a separate issued check by 2/28/01 for all members if possible. Last year's retroactive will be paid on January, 2001 check.
- g. The District will increase salaries to a minimum of the 55th percentile (Rank of 15) within the agreed to 31 Comparison Districts and using agreed upon like job descriptions, as measured by the Composite Compensation Index outlined below, by the 2002 - 2003 school year.
  - A = highest step Elementary Principal per diem including benefits
  - B = highest step Middle School Vice-Principal per diem including benefits.
  - C = highest step High School Vice-Principal per diem including benefits.

$$CCI = A + B + C$$

BUSD will collect the data for establishing and updating the CCI for the following year. A committee of BUSD and UBA members will then meet to calculate the CCI by January 31, 2001 based on the Comparison Districts' salary schedules in effect on these dates. The District and UBA may agree to extend the timeline for calculating the CCI if necessary. UBA and BUSD will continue to monitor, with support from UBA, all unsettled districts through May 1, 2001.

For the calculation for 2001-2002 CCI, a simulated highest Step 5 will be created for the three positions: Elementary Principal, Middle School Vice Principal, High School Vice Principal, using Step 4 of the 2000-2001 year multiplied by (x) 1.03% to create the 5th step.

A percentage will be determined that would raise UBA's CCI to the halfway mark between its 2000-2001 ranking and the 55th percentile or rank of 15. If there is a difference between the January 31 and May 1 CCI data, the percent raise will be increased up to, but not exceed, an additional 2%.

The BUSD COLA will then be added to the percentile raise established using the CCI data to achieve the 2001-2002 salary increase. For example, if a 5% raise is necessary to bring UBA to the halfway point and COLA is 2.4%, UBA will receive a 7.4% raise. If UBA is already at the 55th percentile, compensation will increase by the BUSD COLA. This increase would then be applied to the fourth step for every job title which

has a fourth step, and to the fifth (only) step for Department Chairpersons, Program Supervisors, and Coordinators. The fifth step will apply to all eligible UBA members beginning July 1, 2001.

h. For the 2001 - 2002 school year, there will be an addition of a fifth step for all positions not mentioned in part d above. This step will be created by increasing the new step four created in g. by 3%, i.e.  $1.03 \times$  step four. UBA members who are currently on step four, other than those described in part d, will move to this step five for the 2001-2002 school year.

i. Step 3 will be recalculated by dividing the new step 4 created in part g. by 1.03, so that step 3 is 3% less than step 4. This process will be continued to compute steps 1 and 2 for job titles which still have these steps.

j. For the 2002 - 2003 school year, a percentage raise will be determined, using the CCI created by January 31, 2002 and May 1, 2002 CCI data, which will bring UBA to the 55th percentile or rank of 15.

k. The FY03 BUSD COLA will be applied in addition to the competitive percentile raise that has been established for 2002 - 2003. The percent determined in part j, plus the COLA will constitute the salary increase for the UBA unit. Any salary schedule restructuring will be agreed upon by UBA and BUSD.

4. The district shall provide supervisory employees with liability insurance coverage. The district shall pay the full premium for this coverage which shall include the following: (Cathy will get exact figures for contract)

a. (\$10,000,000) per occurrence, in cases of bodily injury and property damage to third parties.

b. (\$5,000,000) for errors or omissions (malpractice).

c. (\$10,000,000) per occurrence in cases of accidents proximately caused by district owned automobiles or private car while on school-district related business.

d. The above benefits shall be limited to liability arising from and within the course and scope of employment, for activities, duties, and responsibilities carried out on behalf of the district.

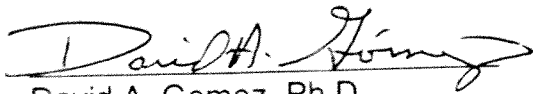
5. Summer school compensation for administrators will be negotiated yearly based on summer school model and available summer school funding.

6. A vice principal temporarily assigned to full days of replacement service for his/her principal for longer than 10 consecutive days, or in the case where the

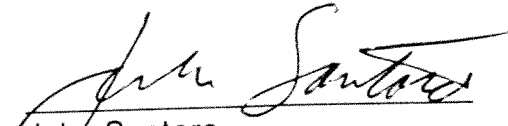
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administrative model for the school is not intact, shall receive additional compensation of \$35.00 per day. If temporary service continues for more than 20 consecutive days, the added daily compensation shall increase to \$45.00 per day. In cases of absences that are projected to last for an extended period, the Superintendent shall appoint an acting Principal whose compensation shall be based on the salary schedule for a school Principal.

7. In special circumstances, a unit member may request compensatory time for services rendered on evenings, weekends, and holidays which do not require a full day's service. Prior to providing such a service, permission must be obtained from the superintendent or his/her designee. The compensatory time should be scheduled at a time that is not disruptive to normal operations.



David A. Gomez, Ph.D.  
Associate Superintendent,  
Administrative Services  
Berkeley Unified School District



John Santoro  
President  
Union of Berkeley Administrators





BERKELEY UNIFIED SCHOOL DISTRICT  
RESOLUTION NO. 7279

RESOLUTION IN THE MATTER THE  
DESIGNATION OF CERTAIN CLASSIFIED POSITIONS AS SENIOR  
MANAGEMENT

**WHEREAS**, Education Code Section 45100.5 authorizes the Board of Education to designate certain positions as senior management of the classified service; and

**WHEREAS**, the Board of Education of the Berkeley Unified School District believes that the best interests of the District would be served by designating such positions.

**NOW, THEREFORE**, the Board of Education of the Berkeley Unified School District hereby resolves as follows:

1. In accordance with the Education Code Section 45100.5 the following position is designated as senior management of the classified service: Associate Superintendent of Business and Operations.
2. All previous designations of positions as senior management of the classified service are superseded by this resolution.

PASSED AND ADOPTED by the following called vote this 5th day of July, 2001.

AYES:

NOES:

ABSTENTIONS:

ABSENT:

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Clerk of the Board of Education of Berkeley  
Unified School District

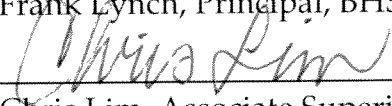
## Berkeley Unified School District

DATE: July 5, 2001

TO: Members, Board of Education

FROM: Stephen A. Goldstone, Ed.D., Interim Superintendent

PREPARED BY: Frank Lynch, Principal, BHS

REVIEWED BY:  Chris Lim, Associate Superintendent, Instruction

SUBJECT: Approval of AP Environmental Science and AP Language Composition Courses at Berkeley High School for 2001-2002

---

### RECOMMENDATION:

It is recommended that the Board approve the AP Environmental Science and AP Language Composition courses for Berkeley High School.

### DISCUSSION:

Attached for review and approval are two AP courses that Berkeley High School would like to add to the 2001-2002 course offerings.

These courses have been chosen to facilitate a more representative enrollment in AP courses at Berkeley High, and in order to meet specific educational and program needs expressed by parents, students and staff at Berkeley High.

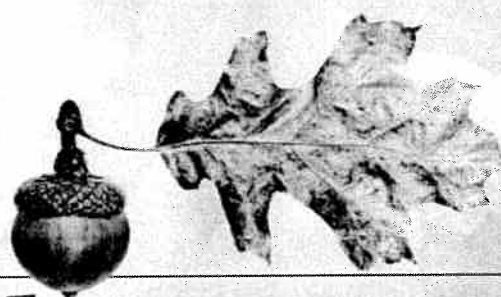
In the case of the AP Environmental Science course, the text is the same as the text which was approved for the non-AP Environmental Science course which already exists at BHS. Further, we will not need to purchase any additional texts for this course, because the number of texts on site is adequate to handle the combined enrollment in Environmental Studies and AP Environmental Studies. Diane Pico was informed about the text situation several months ago, when the Board first reviewed the AP Environment Science course description.

Along with the AP Language and Composition course description, a master reading list and a sample course outline from another school which offers this course are included in this packet. Berkeley High School is very excited to add this course to the BHS offerings, since BHS students and parents agree that literary appreciation and analysis need to be balanced by structural knowledge and craft mastery in literary construction and general communication.

Please note also that the staff who plan to teach these courses in the coming year are enrolled in the appropriate summer training institutes.

### FINANCIAL IMPACT:

There is no financial impact on the General Fund.



# Advanced Placement Program<sup>®</sup> Course Description

## Environmental Science

May 2000, May 2001



The College Board  
Educational Excellence for All Students

**This Course Description is intended for use by AP<sup>®</sup> teachers for course and exam preparation in the classroom; permission for any other use must be sought from the Program. Teachers may reproduce it, in whole or in part, in limited quantities, for face-to-face teaching purposes *but may not mass distribute the materials, electronically or otherwise*. This Course Description and any copies made of it may not be resold, and the copyright notices must be retained as they appear here. This permission does not apply to any third-party copyrights contained herein.**

## Introduction

The Advanced Placement Program® consists of 33 college-level courses and exams in 19 disciplines designed for highly motivated students in secondary schools. Its exceptional reputation is made possible by the close cooperation of secondary schools, colleges, and the College Board. More than 2,900 universities and colleges worldwide grant credit, advanced placement, or both to students who have performed satisfactorily on the exams, and approximately 1,400 institutions grant sophomore standing to students who have demonstrated their competence in three or more of these exams.

Each course is developed by a committee made up of college faculty and AP teachers. Members of these Development Committees are appointed by the College Board and serve for overlapping terms of up to four years. Courses and exams are now available in the following subject areas:

**Art:** Art History, Studio Art (Drawing and General)

**Biology**

**Calculus:** AB, BC

**Chemistry**

**Computer Science:** A\* and AB

**Economics:** Macroeconomics\*, Microeconomics\*

**English:** English Language and Composition, English Literature and Composition, International English Language

**Environmental Science\***

**French:** French Language, French Literature

**German Language**

**Geography:** Human Geography\* (2001)

**Government and Politics:** Comparative\*, U.S.\*

**History:** European, U.S.

**Latin:** Literature, Vergil

**Music Theory**

**Physics:** B, C: Electricity and Magnetism\*, C: Mechanics\*

**Psychology\***

**Spanish:** Language, Literature

**Statistics\***

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\*This subject is the equivalent of a half-year college course.

Advanced Placement is a significant force in education, especially at the secondary level. Approximately 14,000 high schools throughout the world participate in the AP Program, and in May 1998, approximately 635,000 of their students took more than one million AP Exams.

You will find further information about the AP Program at the back of this Course Description, and on our website at

**[www.collegeboard.org/ap](http://www.collegeboard.org/ap)**

Specific queries can also be addressed to any Regional Office of the College Board or to the National Office in New York (see the inside back cover of this booklet).

## **The AP Exams**

AP Exams are offered throughout the world each May; see the outside back cover for the exam date in this subject. They are administered at participating schools or at multischool centers. Any school may participate; it need only file the AP Participation Form sent to all high schools every fall. Except for Studio Art — which consists of a portfolio assessment — all exams contain a free-response section (either essay or problem-solving) and another section consisting of multiple-choice questions. The modern language exams also contain a performance section that includes the recording of students' responses on audiotape, and the Music Theory exam includes a sight-singing task.

[www.collegeboard.org/ap](http://www.collegeboard.org/ap)

# AP Environmental Science

Shaded text indicates important new changes in this subject.

The AP Environmental Science course is designed to be the equivalent of a one-semester, introductory college course in environmental science. Unlike most other college introductory-level science courses, environmental science is offered from a wide variety of departments, including geology, biology, environmental studies, environmental science, chemistry, and geography. Depending on the department offering the course, different emphases are placed on various topics. Some courses are rigorous science courses that stress scientific principles and analysis, and that often include a laboratory component; other courses emphasize the study of environmental issues from a sociological or political perspective rather than a scientific one. The AP Environmental Science course has been developed to be most like the former; as such, it is intended to enable students to undertake, as first-year college students, a more advanced study of topics in environmental science, or alternatively, to fulfill a basic requirement for a laboratory science and thus free time for taking other courses.

The AP Course Description and AP Examination have been prepared by environmental scientists and educators who serve as members of the Advanced Placement Environmental Science Development Committee. In both breadth and level of detail, the content of the course reflects what is found in many introductory college courses in environmental science. The examination is representative of such a course and therefore is considered appropriate for the measurement of skills and knowledge in the field of environmental science.

## The Course

The goal of the AP Environmental Science course is to provide students with the scientific principles, concepts, and methodologies required to understand the interrelationships of the natural world, to identify and analyze environmental problems both natural and human-made, to evaluate the relative risks associated with these problems, and to examine alternative solutions for resolving and/or preventing them.

Environmental science is interdisciplinary; it embraces a wide variety of topics from different areas of study. Yet there are several major unifying constructs, or themes, that cut across the many topics included in the

study of environmental science. The following themes provide a foundation for the structure of the AP Environmental Science course.

1. Science is a process.
  - Science is a method of learning more about the world.
  - Science constantly changes the way we understand the world.
2. Energy conversions underlie all ecological processes.
  - Energy cannot be created; it must come from somewhere.
  - As energy flows through systems, at each step more of it becomes unusable.
3. The Earth itself is one interconnected system.
  - Natural systems change over time and space.
  - Biogeochemical systems vary in ability to recover from disturbances.
4. Humans alter natural systems.
  - Humans have had an impact on the environment for millions of years.
  - Technology and population growth have enabled humans to increase both the rate and scale of their impact on the environment.
5. Environmental problems have a cultural and social context.
  - Understanding the role of cultural, social, and economic factors is vital to the development of solutions.
6. Human survival depends on developing practices that will achieve sustainable systems.

## **Who Should Take AP Environmental Science?**

The AP Environmental Science course is an excellent option for any interested student who has completed two years of high school laboratory science—one year of life science and one year of physical science (for example, a year of biology and a year of chemistry). Due to the quantitative analysis that is required in the course, students should also have taken at least one year of algebra. Also desirable (but not necessary) is a course in earth science. Because of the prerequisites, AP Environmental Science will usually be taken in either the junior or senior year.



Admission to an AP course ordinarily depends on the student's interest in the subject as well as on a superior academic record. Experience has shown that the most successful students in AP courses are those who are both well prepared and highly motivated. AP Environmental Science, a rigorous science course with several prerequisites, is no exception. Yet, because many high school students express interest in the environment and environmental issues, it is expected that this interest may provide an incentive for students (some of whom might otherwise not opt for an AP course in science) to enroll in AP Environmental Science.

## Textbooks

The following textbooks are commonly used in colleges, and are examples of texts that are appropriate for an AP Environmental Science course. Inclusion of a text in the list below does not constitute endorsement by the College Board, ETS, or the AP Environmental Science Development Committee.

Botkin, Daniel B., and Edward A. Keller. *Environmental Science: Earth as a Living Planet*, 2nd ed., New York: John Wiley & Sons, 1998.

Chiras, Daniel D. *Environmental Science: Action for a Sustainable Future*, 4th ed., Addison Wesley Longman, Inc., 1994.

Cunningham, William P., and Barbara Woodworth Saigo. *Environmental Science: A Global Concern*, 5th ed., Dubuque, IA: William C. Brown, 1999.

Enger, Eldon D., and Bradley F. Smith. *Environmental Science: A Study of Interrelationships*, 6th ed., Dubuque, IA: William C. Brown, 1997.

Miller, G. Tyler, Jr. *Living in the Environment: Principals, Connections, and Solutions*, 10th ed., Belmont, CA: Wadsworth, 1997.

Morgan, Michael D., Joseph M. Moran, and James H. Wiersma. *Environmental Science: Managing Biological and Physical Resources*, Dubuque, IA: William C. Brown, 1993.

Raven, Peter H., Linda R. Berg, and George B. Johnson. *Environment*, 2nd ed., Ft. Worth, TX: Saunders College/HBJ, 1998.

Supplemental resources for teachers include the following:

Allen, John L., ed. *Environment 98/99*, Annual Editions, 17th ed., Guilford, CT: Dushkin/McGraw Hill, 1998.

Goldfarb, Theodore D., ed. *Taking Sides: Clashing Views on Controversial Environmental Issues*, 7th ed., Guilford, CT: Dushkin/McGraw Hill, 1997.

For more information and to find out how to subscribe to an online discussion group with other AP teachers, please see our website: [www.collegeboard.org/ap/environmental-science](http://www.collegeboard.org/ap/environmental-science).

## Outline of Topics

Following is an outline of major topics, which serves to define the scope of both the AP Environmental Science course and the AP Exam. The order of topics in the outline holds no special significance, since there are many different sequences in which the topics can be appropriately addressed in the course. It is expected that teachers will cover major environmental topics such as acid rain, loss of biodiversity and global warming. These may fit in more than one area of the content outline below, for example, acid rain (I.B.1.; I.D.2.; IV.A.2.c.). The percentage after each major topic heading shows the approximate proportion of questions on the examination that pertain to that heading; thus the percentage also indicates the relative emphasis that should be placed on the topics in the course.

- I. Interdependence of Earth's Systems: Fundamental Principles and Concepts (25%)
  - A. The Flow of Energy
    - 1. forms and quality of energy
    - 2. energy units and measurements
    - 3. sources and sinks, conversions
  - B. The Cycling of Matter
    - 1. water
    - 2. carbon
    - 3. major nutrients
      - a. nitrogen
      - b. phosphorus
    - 4. differences between cycling of major and trace elements
  - C. The Solid Earth
    - 1. Earth history and the geologic time scale
    - 2. Earth dynamics: plate tectonics, volcanism, the rock cycle, soil formation

- D. The Atmosphere
  - 1. atmospheric history: origin, evolution, composition, and structure
  - 2. atmospheric dynamics: weather, climate
- E. The Biosphere
  - 1. organisms: adaptations to their environments
  - 2. populations and communities: exponential growth, carrying capacity
  - 3. ecosystems and change: biomass, energy transfer, succession
  - 4. evolution of life: natural selection, extinction
- II. Human Population Dynamics (10%)
  - A. History and Global Distribution
    - 1. numbers
    - 2. demographics, such as birth and death rates
    - 3. patterns of resource utilization
  - B. Carrying Capacity—Local, Regional, Global
  - C. Cultural and Economic Influences
- III. Renewable and Nonrenewable Resources: Distribution, Ownership, Use, Degradation (15%)
  - A. Water
    - 1. fresh: agricultural, industrial, domestic
    - 2. oceans: fisheries, industrial
  - B. Minerals
  - C. Soils
    - 1. soil types
    - 2. erosion and conservation
  - D. Biological
    - 1. natural areas
    - 2. genetic diversity
    - 3. food and other agricultural products
  - E. Energy
    - 1. conventional sources
    - 2. alternative sources

F. Land

1. residential and commercial
2. agricultural and forestry
3. recreational and wilderness

IV. Environmental Quality (20-25%)

A. Air/Water/Soil

1. major pollutants
  - a. types, such as  $\text{SO}_2$ ,  $\text{NO}_x$ , and pesticides
  - b. thermal pollution
  - c. measurement and units of measure such as ppm, pH,  $\mu\text{g/L}$
  - d. point and nonpoint sources (domestic, industrial, agricultural)
2. effects of pollutants on:
  - a. aquatic systems
  - b. vegetation
  - c. natural features, buildings and structures
  - d. wildlife
3. pollution reduction, remediation, and control

B. Solid Waste

1. types, sources, and amounts
2. current disposal methods and their limitations
3. alternative practices in solid waste management

C. Impact on Human Health

1. agents: chemical and biological
2. effects: acute and chronic, dose-response relationships
3. relative risks: evaluation and response

V. Global Changes and Their Consequences (15-20%)

A. First-order Effects (changes)

1. atmosphere:  $\text{CO}_2$ ,  $\text{CH}_4$ , stratospheric  $\text{O}_3$
2. oceans: surface temperatures, currents
3. biota: habitat destruction, introduced exotics, overharvesting

B. Higher-order Interactions (consequences)

1. atmosphere: global warming, increasing ultraviolet radiation
2. oceans: increasing sea level, long-term climate change, impact on El Niño
3. biota: loss of biodiversity

## VI. Environment and Society: Trade-Offs and Decision Making (10%)

### A. Economic Forces

1. cost-benefit analysis
2. marginal costs
3. ownership and externalized costs

### B. Cultural and Aesthetic Considerations

### C. Environmental Ethics

### D. Environmental Laws and Regulations (International, National, and Regional)

### E. Issues and options (conservation, preservation, restoration, remediation, sustainability, mitigation)

## Laboratory and Field Investigation

Because it is designed to be a course in environmental *science* rather than in environmental studies, the AP Environmental Science course must include a strong laboratory and field investigation component. The goal of this component is to complement the classroom portion of the course by allowing students to learn about the environment through firsthand observation. Experiences both in the laboratory and in the field provide students with important opportunities to: test concepts and principles that are introduced in the classroom, explore specific problems with a depth not easily achieved otherwise, and gain an awareness of the importance of confounding variables that exist in the “real world.” In these experiences students can employ alternative learning styles to reinforce fundamental concepts and principles. Because all students have a stake in the future of their environment, such activities can motivate students to study environmental science in greater depth.

Laboratory and field investigation activities in the course should be diverse. As examples, students can acquire skills in specific techniques and procedures (such as collecting and analyzing water samples), conduct a long-term study of some local system or environmental problem (such as the pollution of a nearby stream), analyze a real data set (such as mean global temperatures over the past 100 years), and visit a local public facility (such as a water-treatment plant).

Although there is a great diversity in the laboratory and field activities that would be appropriate for the course, they should include the following elements.

1. The activity should always be linked to a major concept in science and to one or more areas of the course outline.
2. The activity should allow students to have direct experience with an organism or system in the environment.
3. The activity should involve observation of phenomena or systems, the collection and analysis of data and/or other information, and the communication of observations and/or results.

The relative magnitudes of these elements may vary from activity to activity. As a whole, the course's laboratory and field investigation component should encompass all of the elements.

The laboratory and field investigation component of the AP Environmental Science course should challenge the students' abilities to:

- critically observe environmental systems
- develop and conduct well-designed experiments
- utilize appropriate techniques and instrumentation
- analyze and interpret data, including appropriate statistical and graphical presentations
- think analytically and apply concepts to the solution of environmental problems
- make conclusions and evaluate their quality and validity
- propose further questions for study
- communicate accurately and meaningfully about observations and conclusions

## Sample Laboratory and Field Investigations

Eighteen sample laboratory/field investigations are described below. It should be noted that these activities are provided here as examples only; they are NOT meant to represent a required or complete laboratory/field investigation program. Each sample activity is cross-referenced to the major topic in the course outline (I–VIII) to which it is relevant and to possible resources (by author) for the activity. A brief list of the materials and equipment required for each sample activity is also included.

Due to the broad scope and interdisciplinary nature of environmental science, the laboratory and field investigation activities should be drawn from many areas of scientific study, such as biology, ecology, chemistry, physics, geology, meteorology, and oceanography. The laboratory/field component of the AP Environmental Science course should include a diversity of experiences (e.g., experimental design, structural observation, field trips, and analysis of existing sets of data). It is not likely that a single laboratory manual can serve to effectively address the diverse elements of the course.

### 1. Introductory Environmental Journal

#### Relevant Topic: I

**Objectives:**

- To observe an organism in the schoolyard environment
- To measure abiotic environmental factors, such as air and soil temperature, humidity, precipitation, wind speed and direction, cloud cover, barometric pressure
- To describe the biotic environment of an organism
- To collect qualitative and quantitative data
- To propose hypotheses that suggest ways in which people affect an organism and its environment

**Resources:** Tomera, Wolf

**Materials/Equipment:** Metric ruler, hand lens, Celsius thermometer, wind speed and direction indicator, barometer, hygrometer (optional: digital weather station)



## **2. The Dynamics of Plate Tectonics: Earthquakes and Volcanic Activity**

### **Relevant Topic: II**

- Objectives:**
- To describe the theory of Plate Tectonics and its relationship to earthquake and volcanic activity
  - To interpret seismograms (S & P waves) as used to locate earthquake epicenters
  - To identify the general effects of volcanic eruptions and the relationship to weather patterns
  - To relate plate tectonics to changing rates of evolution and the diversity of organisms

**Resources:** Anderson; Moyle, Rosenzweig; The World Resources Institute

**Materials/Equipment:** VCR, lab booklets, colored pencils, drafting compass, metric ruler, 386 IBM computer or compatible computer, CD-ROM drive, Microsoft Windows 3.1 or higher

## **3. The Rock Cycle and Soil Formation**

### **Relevant Topic: II**

- Objectives:**
- To describe the effects of mechanical and chemical weathering on several rock samples
  - To measure the rate of weathering in several rock samples
  - To relate the physical and chemical processes involved in weathering to soil formation
  - To identify examples of weathering in the student's environment

**Resources:** Enger; Ward's *Exploring Mechanical and Chemical Weathering*

**Materials/Equipment:** Rock samples (sandstone, conglomerate, granite, marble, limestone, dolomite), plastic jars, glass jars (8 and 16 ounce), strainer, magnifier, shallow aluminum dishes, glass vial, graduated cylinder (100 ml), laboratory balance, dilute HCl or vinegar, nail, heat source, tongs, empty coffee can



#### **4. Environmental Influences on Population Distribution**

**Relevant Topic:** II

**Objectives:**

- To isolate several abiotic environmental variables
- To measure the effect of environmental variables on the distribution of a population
- To compare test results to a control
- To identify environmental variables that are significant
- To describe the habitat preferences of a laboratory organism

**Resources:** Enger

**Materials/Equipment:** Test containers (i.e., plastic troughs), 1% HCl, 1% KOH, crushed ice, infrared heat lamp, light source, cardboard, laboratory organisms (i.e., brine shrimp)

#### **5. Population Studies—in the Laboratory**

**Relevant Topic:** II

**Objectives:**

- To graph and interpret data obtained from the growth of a population
- To calculate doubling time
- To observe the effects of rapid, unchecked population growth
- To define carrying capacity in terms of limiting factors
- To interpret population growth models

**Resources:** Alexander, Lopez, Tomera

**Materials/Equipment:** Fruit flies (*Drosophila*), ether, cotton balls, dissecting microscope, white paper, paint brushes, jars and medium for growing *Drosophila*, IBM computer (or IBM-compatible computer)

#### **6. Population Studies—in the Field**

**Relevant Topic:** II

**Objectives:**

- To determine the organisms in a field community using the quadrant or transect sampling method
- To calculate population density
- To identify stages of succession within the study area
- To construct a food web for the field community

## 9. Energy Consumption

**Relevant Topics:** IV, VII

**Objectives:**

- To analyze energy-consumption data, such as for natural gas, electricity, and gasoline
- To calculate monthly and/or annual costs
- To identify renewable and nonrenewable energy resources
- To propose a plan of action to conserve and preserve energy resources

**Resources:** Enger, Roa, Rockett, Wolf, The World Resources Institute

**Materials/Equipment:** Suitable data sets, calculator, graph paper, IBM computer (or IBM-compatible computer)

## 10. Air Pollution

**Relevant Topic:** V

**Objectives:**

- To collect and measure airborne particulate matter
- To compare data collected to the EPA National Ambient Air Quality Standards
- To relate weather and topography to air pollution
- To identify major types of air pollution and their sources
- To determine the effects of airborne particulate matter on human health

**Resources:** Alexander, Harley, The World Resources Institute

**Materials/Equipment:** Forceps, glass microfiber filters (8" x 10") or Millipore field-monitor filters, envelopes, desiccator, HI-volume air sampler, prepared slides of smoker's lung, miner's lung and healthy lung tissue, microscope with an ocular micrometer, IBM computer or IBM-compatible computer

## 11. Toxicity Testing

**Relevant Topic:** V

**Objectives:**

- To measure the effect of various toxic materials on a laboratory population
- To determine the LD50 for various toxic materials
- To relate toxicity test results to environmental degradation and human health

**Resources:** Alexander, Enger, Harley, Tomera

**Materials/Equipment:** String, wood stakes, meter stick, field guides to flora and fauna, plastic bags for specimens, insect nets

## **7. Human Population Demographics**

**Relevant Topic:** III

**Objectives:**

- To determine the population growth rate of different human populations by calculating percent growth rate and doubling time
- To construct and interpret population age structure histograms for several countries
- To describe human populations in terms of age distribution, birth rates, death rates, and male/female ratios
- To analyze the impact of population growth rate on the utilization of global resources

**Resources:** Alexander, Enger, Harley (simulation), The World Resources Institute

**Materials/Equipment:** Calculator, data sheets, IBM computer (or IBM-compatible computer)

## **8. Soil Analysis**

**Relevant Topic:** IV

**Objectives:**

- To measure the slope of an area
- To identify the horizons in a soil profile
- To describe soil characteristics such as color, texture, and water-holding capacity
- To identify the chemical composition of soil (pH, nitrogen, phosphorus, and potash)
- To identify suitable land use options

**Resources:** Alexander, Ward's *Exploring Porosity and Permeability* (water-holding only)

**Materials/Equipment:** Meter sticks, centimeter rulers, leveling instruments, soil probes, soil-test kits, sample containers

**Resources:** Enger, Harley, Mitchell (*Heavy Metals Manual*)

**Materials/Equipment:** CuSO<sub>4</sub> solutions (10%, 1%, 0.1%, 0.01%), petri dishes, eyedroppers, filter paper, various chemical “pollutants” (such as combined sewer overflow, vinegar, aspirin, rubbing alcohol, coffee, motor oil, pesticide, zinc chloride, mice or rat droppings, stream water—the chemicals used depend on the specific laboratory activity), laboratory organisms (such as brine shrimp, yeast, protists, *Daphnia*, lettuce seeds). Note: the composition of the stream water may be analyzed by the use of a spectrophotometer.

## 12. Water-Quality Testing

**Relevant Topic:** V

**Objectives:**

- To measure and analyze coliform levels, dissolved oxygen (DO), and biochemical oxygen demand (BOD)
- To determine the relationship between DO and BOD
- To measure temperature, total phosphates, nitrates, turbidity and total solids using appropriate water-quality tests
- To compare test results to EPA water-quality standards
- To assess overall water quality

**Resources:** Alexander (DO & BOD only), Enger, Mitchell, Rockett, Stapp

**Materials/Equipment:** Lactose presumptive test kits, BGLB (Brilliant Green Lactose Bile) test kits, EMB (Eosin Methylene Blue) plates, incubator, DO test kit, BOD respirometer, water test kit, Secchi disk, various water samples

## 13. Water/Wastewater Treatment

**Relevant Topic:** V

**Objectives:**

- To conduct an on-site inspection of a water and/or wastewater treatment facility
- To construct a flow chart from input through the treatment process to output (effluent)
- To explain the function of each treatment phase
- To compare contaminant levels present in raw water or wastewater to those present in the effluent (for example, dissolved and suspended solids, BOD, nitrogen, phosphorous, toxic substances)

**Resources:** Harley, Rockett, The World Resources Institute, Tomera, Wolf

**Materials/Equipment:** Transportation to and from site location, data-collection sheets, IBM computer (or IBM-compatible computer)

#### **14. Solid-Waste Management**

**Relevant Topic:** V

**Objectives:**

- To determine the types and amounts of solid waste generated by students and their families
- To compare student data to the US Municipal Solid Waste data
- To conduct an on-site inspection of a municipal solid waste facility
- To identify the method(s) of disposal currently employed in the local municipality
- To evaluate methods of disposal and their effectiveness

**Resources:** Enger, Harley, Rockett, Tomera, Wolf

**Materials/Equipment:** Suitable data sets, data charts, calculator, transportation to and from site location

#### **15. The Greenhouse Effect**

**Relevant Topic:** VI

**Objectives:**

- To construct a model that demonstrates the greenhouse effect
- To explain the greenhouse effect
- To identify the major greenhouse gases and their sources
- To explain the relationship between greenhouse gases and global warming
- To analyze the environmental impact of global warming
- To describe how greenhouse gas emissions may be reduced

**Resources:** Harley, Roa, The World Resources Institute

**Materials/Equipment:** Clear plastic boxes, bottles, or aquaria; plastic wrap or bag, thermometers, cardboard, dark- and light-colored sand or soil, rocks, light source (100 watt or more), IBM computer (or IBM-compatible computer)

## **16. Acid Deposition**

**Relevant Topics:** II, VI

**Objectives:**

- To collect water samples from various sources, such as streams, lakes, ponds, and precipitation (rain or snow)
- To measure pH levels
- To compile pH data over an extended period of time (such as a month)
- To identify sources of pollutants that can affect pH
- To describe ways to reduce the amounts and types of pollutants produced
- To explain the role of the water cycle in acid deposition
- To analyze the relationship between acid deposition and weather patterns

**Resources:** Enger, Harley, Rockett

**Materials/Equipment:** Sample jars, graduated cylinders, wide- and short-range pH paper or pH meter, daily weather maps (e.g., from the newspaper)

## **17. The Effects of Radiation on Growth**

**Relevant Topic:** VI

**Objectives:**

- To measure the growth of irradiated and unirradiated seeds
- To graph experimental and control data as a function of time and radiation dose
- To analyze the effects of different amounts of radiation on growth parameters (iq, root and shoot length, germination rates)
- To predict the effects of common radiation exposures and nuclear accidents on plant growth

**Resources:** Enger

**Materials/Equipment:** Irradiated and unirradiated seeds, petri dishes, millimeter rulers

## 18. Research Project

**Relevant Topics:** I, VII, VIII (and possibly others)

**Objectives:**

- To define a local environmental problem
- To design and conduct a field study
- To use appropriate techniques and instrumentation
- To perform appropriate laboratory tests
- To analyze and interpret data
- To identify applicable environmental laws and regulations—local, regional, and federal
- To propose a possible solution(s) to the problem

**Resources:** Jackson, *Regional Environmental Issues Manuals*, Wolf

**Materials/Equipment:** These will vary according to the project—IBM computer or IBM-compatible computer (386 or above) with Windows (3.1), CD-ROM player, sound board with audio speakers, mouse

## Laboratory Resources

The following lists represent a sampling of the types of resources that may be helpful in the development of a laboratory/field investigation program for an AP Environmental Science course. Inclusion of a publication or software package in the lists below does not constitute endorsement by the College Board, ETS, or the AP Environmental Science Development Committee.

### General Resources

Berman, E. Ann. *Exploring the Environment through Satellite Imagery*, Virginia: Tri-Space, Inc., 1994.

Explains remote sensing and how it is used to analyze weather systems including its applications to oceanography and agriculture; contains remote sensing images and a listing of activities and problems. Multimedia remote sensing products also available in CD-ROM format.

EPA. *Summary of US EPA Approved Methods, Standard Methods and other Guidance for the 301h Monitoring Variables*

GREEN. *Investigating Streams and Rivers: An Interdisciplinary Curriculum Guide for Use with Mitchell and Stapp's Field Manual for Water Quality Monitoring*, Ann Arbor, MI: The Global Rivers Environmental Education Network (GREEN), 1992.

A curriculum guide which includes information on how to participate in the GREEN international computer conference network—EcoNet.

Mitchell, Mark. *Heavy Metals Manual*, Ann Arbor, MI: The Global Rivers Environmental Education Network (GREEN), 1994.

A manual developed for the Great Lakes Basin, however, applicable to other regions; includes chapters on the ecological effects of toxics, heavy metals and human health, sources of pollutants and their distribution, policies and laws regarding toxics, and field monitoring and laboratory techniques.

Mitchell, Mark K., and William B. Stapp. *Field Manual for Water Quality Monitoring*, 9th ed., Dexter, MI: Thomson-Shore Printers, 1995.

A guide to water quality which includes an action-research component and a problem-solving component. Specifics include how to collect, test, analyze and interpret water quality; how to examine water quality in relationship to river systems; and how to develop courses of action to preserve, promote or restore the health of water systems. Copies may be ordered from William B. Stapp, 2050 Delaware Ave., Ann Arbor, Michigan 48103.

New Jersey Department of Environmental Protection and Energy. *Field Sampling Procedures Manual*, 1992.

Although published by the NJDEPE, this manual is based on EPA procedures for the collection, handling and preservation of field samples: water, sediment, micro- and macro-organisms, air, soil, and hazardous wastes.

Project del Rio. *Project del Rio Lesson Plans for a 16-Day Water Quality Monitoring Project*, Ann Arbor, MI: The Global Rivers Environmental Education Network (GREEN), April 1992.

Includes daily lesson plans, guide to the use of watershed, land use, drinking water and sewage water maps, data tables and



worksheets, water-quality quiz, equipment list, site survey, problem-solving activities and a list of water-related resources.

*Regional Environmental Issues Manuals*, New York: Saunders College Publishing/Harcourt Brace College Publishers, 1993.

Each of the following manuals specifically addresses regional environmental issues through readings that present various viewpoints, questions and commentary; designed to provide stimulus for further student investigations.

Ambrose, William G., Jr., David B. Knowles, Joseph J. Luczkovich, Paul F. Romp, Barbara Roller, and Donald W. Stanley. *Southeast Regional Environmental Issues Manual* (Tennessee, North and South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana)

Butler, Jack L., and Cheryl Schmidt. *Midwest Regional Environmental Issues Manual* (North and South Dakota, Iowa, Nebraska, Kansas, Missouri, Arkansas)

Jahoda, John C. *Northeast Regional Environmental Issues Manual* (Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York)

Leighton, Tony. *Canadian Regional Environmental Issues Manual*

Naseri, Muthena. *Southwest Regional Environmental Issues Manual* (Southern California, Nevada, Arizona, New Mexico, Utah, Oklahoma, Texas, Hawaii)

Racle, Fred A., Mark R. Luttenton, and Sharon L. Heaney. *Great Lakes Regional Environmental Issues Manual* (Ohio, Indiana, Illinois, Minnesota, Wisconsin, Michigan)

Thomas, Barry. *Northwest Regional Environmental Issues Manual* (Alaska, Washington, Idaho, Oregon, Montana, Wyoming, Colorado, Northern California)

Underwood, Larry. *Mid-Atlantic Regional Environmental Issues Manual* (New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, Kentucky)

Roa, Michael L. *Environmental Science Activities Kit*, West Nyack, NY: The Center for Applied Research on Education, 1993.

A resource book for grades 7-12 with many cooperative learning and open-ended activities, discussion questions as well as a few applicable laboratory activities and extensions designed to require only common materials and equipment. Pages are reproducible and each unit includes a teacher's guide.

Stapp, William B., and Mark K. Mitchell. *Field Manual for Global Low-Cost Water Quality Monitoring*, Dexter, MI: Thomson-Shore Printers, 1995.

A manual designed to supplement the *Field Manual for Water Quality Monitoring* (9th edition) with inexpensive monitoring options. Copies may be ordered from GREEN Office, 721 E. Huron, Ann Arbor, Michigan 48104.

The World Resources Institute. *World Resources 1994-95: A Guide to the Global Environment*, New York: Oxford University Press, 1994.

A reference that provides current accurate information on environment and development; divided into four parts—People and the Environment, Regional Focus (China and India), Conditions and Trends, and Data Tables. A World Resources Data Base IBM or compatible Diskette is available with 503 variables for up to 198 countries, nine regions and two economic groupings, complete with a User's Guide.

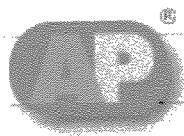
Tomera, Audrey N. *Understanding Basic Ecological Concepts*, Portland, ME: J. Weston Walch, 1989.

A basic work text with a few applicable laboratory activities.

### **Laboratory Manuals**

Alexander, W. Merle, Heidi A. Marcum, and Daniel E. Beams. *Laboratory Manual to Accompany Environmental Science: Action for a Sustainable Future*, 3rd ed., New York: Addison Wesley Longman, Inc., 1991.

A general introductory laboratory manual with 14 laboratory activities that address fundamental concepts of environmental science.



**Advanced  
Placement  
Program**



**AP English Language**



## The Course

The AP English Language and Composition course is designed to help students become skilled readers of prose written in a variety of periods, disciplines, and rhetorical contexts and to become skilled writers who can compose for a variety of purposes. By their writing and reading in this course, students should become aware of the interactions among a writer's purposes, audience expectations, and subjects, as well as the way generic conventions and the resources of language contribute to effective writing.

The college composition course that the AP Language and Composition course is intended to parallel is one of the most varied in the curriculum. The college course often allows students to write in a variety of forms - narrative, exploratory, expository, argumentative - and on a variety of subjects from personal experiences to public policies, from imaginative literature to popular culture. But the main objective in most first-year writing courses is to enable students to write effectively and confidently in all their college courses and in their professional and personal lives. Therefore, most composition courses emphasize the expository, analytical, and argumentative writing that forms the basis of academic and professional communication, as well as the personal and reflective writing that fosters the ability to write in any context. As in the college course, the purpose of the AP Language and Composition course is to enable students to read complex texts with understanding and to write prose that is rich enough and complex enough for mature readers.

College writing programs recognize that skill in writing follows from students' awareness of their own composing processes: the way they explore ideas, reconsider strategies, and revise their work. This process is the essence of the first-year writing course, and should be emphasized in the AP Language and Composition course. For example, students can write essays that proceed through several stages or drafts, with revision aided by teacher and peers. Although these extended, revised essays cannot be part of the AP examination, the writing experience may help students' performance on the exam itself.

### Organizing an AP English Language and Composition Course

An AP course in Language and Composition may be organized in a variety of ways. It might be organized thematically around a group of ideas or issues, using a variety of works and examining rhetorical strategies and stylistic choices. Another possibility is to organize a course around sequences of assignments devoted to writing in particular forms (argumentative, narrative, expository), or to group readings and writing assignments by form, theme, or voice, asking students to identify writers' strategies and then practice them. Still another alternative is to use genre as an organizing principle. The study of language itself -- differences between oral and written discourse, formal and informal language, historical changes in speech and writing -- is often a useful strategy.

Whatever form the course takes, students should write in informal as well as formal contexts to gain authority and to learn to take risks in writing. Imitation exercises, journal keeping, collaborative writing, and in-class responses are all good ways of helping students become increasingly aware of themselves as writers and of the techniques employed by other writers. Students should also read a wide variety of prose styles from many disciplines and historical periods to gain an understanding of the connections between interpretive skill in reading and writing.

**Stylistic Development**

The AP Language and Composition course assumes that students already understand and use standard English grammar. The intense concentration on language use in this course should enhance their ability to use grammatical conventions both appropriately and with sophistication as well as to develop stylistic maturity in their prose. Stylistic development is nurtured by emphasizing the following:

- a balance of generalization and specific illustrative detail;
- a wide-ranging vocabulary used appropriately and effectively;
- a variety of sentence structures, including appropriate use of subordination and coordination;
- a logical organization, enhanced by specific techniques to increase coherence, such as repetition, transitions, and emphasis; and
- an effective use of rhetoric, including controlling tone, establishing and maintaining voice, and achieving appropriate emphasis through diction and sentence structure.

When students read, they should become aware of how stylistic effects are achieved by writers' linguistic choices. Since imaginative literature often highlights such stylistic decisions, fiction and poetry clearly have a place in the AP Language and Composition course. The main purpose for including such literature is to help students understand rhetorical and linguistic choices, rather than to study literary conventions.

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## AP English Language — Sample Multiple-Choice Question #1 Answers & Rationales

Read the following passage carefully before you choose your answers.

- It is not easy to write a familiar style. Many people mistake a familiar for a vulgar style, and suppose that to write without affectation is to write at random. On the contrary, there is nothing that requires more precision, and, if I may so say, purity of
- (5) expression, than the style I am speaking of. It utterly rejects not only all unmeaning pomp, but all low, cant phrases, and loose, unconnected, slipshod allusions. It is not to take the first word that offers, but the best word in common use; it is not to throw words together in any combination we please, but to follow and
- (10) avail ourselves of the true idiom of the language. To write a genuine familiar or truly English style, is to write as any one would speak in common conversation, who had a thorough command and choice of words, or who could discourse with ease, force, and perspicuity, setting aside all pedantic and oratorical flourishes.
- (15) Or to give another illustration, to write naturally is the same thing in regard to common conversation, as to read naturally is in regard to common speech. It does not follow that it is an easy thing to give the true accent and inflection to the words you utter, because you do not attempt to rise above the level of
- (20) ordinary life and colloquial speaking. You do not assume indeed the solemnity of the pulpit, or the tone of stage-declamation: neither are you at liberty to gabble on at a venture, without emphasis or discretion, or to resort to vulgar dialect or clownish pronunciation. You must steer a middle course. You are tied down
- (25) to a given and appropriate articulation, which is determined by the habitual associations between sense and sound, and which you can only hit by entering into the author's meaning, as you must find the proper words and style to express yourself by fixing your thoughts on the subject you have to write about. Any one
- (30) may mouth out a passage with a theatrical cadence, or get upon stilts to tell his thoughts: but to write or speak with propriety and simplicity is a more difficult task. Thus it is easy to affect a pompous style, to use a word twice as big as the thing you want to express: it is not so easy to pitch upon the very word that
- (35) exactly fits it. Out of eight or ten words equally common, equally intelligible, with nearly equal pretensions, it is a matter of som nicety and discrimination to pick out the very one, the preferableness of which is scarcely perceptible, but decisive. The reason why I object to Dr. Johnson's style is, that there is no discrimination,
- (40) no selection, no variety in it. He uses none but tall, opaque words, "taken from the first row of the rubric:" -- words with the greatest number of syllables, or Latin phrases with merely English terminations. If a fine style depended on this sort of arbitrary pretension, it would be fair to judge of an author's
- (45) elegance by the measurement of his words, and the substitution

- of foreign circumlocutions (with no precise associations) for the mother-tongue. How simple it is to be dignified without ease, to be pompous without meaning! Surely, it is but a mechanical rule for avoiding what is low to be always pedantic and affected. It is
- (50) clear you cannot use a vulgar English word, if you never use a common English word at all. A fine tact is shown in adhering to those which are perfectly common, and yet never falling into any expressions which are debased by disgusting circumstances, or which owe their signification and point to technical or professional
- (55) allusions. A truly natural or familiar style can never be quaint or vulgar, for this reason, that it is of universal force and applicability, and that quaintness and vulgarity arise out of the immediate connection of certain words with coarse and disagreeable, or with confined ideas.

(1821)

1. Which of the following best describes the rhetorical function of the second sentence in the passage?
  - A. It makes an appeal to authority.
  - B. It restates the thesis of the passage.
  - C. It expresses the causal relationship between morality and writing style.
  - D. It provides a specific example for the preceding generalization.
  - E. It presents a misconception that the author will correct.

The correct answer, E, is supported by the second sentence of the passage and how this sentence relates to the rest of the passage. The author's intention to rectify a "misconception" is conveyed through such word choices as "mistake," "suppose," and "random." Also, note that the third sentence begins with "On the contrary" and proceeds to state the opposite (and the author's) point of view.

2. Which of the following phrases does the author use to illustrate the notion of an unnatural and pretentious writing style?
  - A. "unconnected, slipshod allusions" (line 7)
  - B. "throw words together" (lines 8-9)
  - C. "gabble on at a venture" (line 22)
  - D. "get upon stilts" (lines 30-31)
  - E. "pitch upon the very word" (line 34)

The correct answer, D, is the only option that describes a characteristic of the ostentatious style about which the question asks. Options A, B, and C are incorrect because they refer to misconceptions that some people have about the familiar style of writing. Option E is also incorrect because it characterizes the familiar style -- to choose the "common" word that is best in context.

3. In lines 10-32 of the passage, the author uses an extended analogy between
  - A. language and morality
  - B. preaching and acting
  - C. writing and speaking
  - D. vulgar English and incorrect pronunciation
  - E. ordinary life and the theater

The predominant focus in this section is a comparison between written and spoken language. The comparison is stated in lines 10-15 and developed and amplified in the lines that follow; thus, answer C is best.

4. In context, the expression "to pitch upon" (line 34) is best interpreted as having which of the following meanings?
  - A. To suggest in a casual way
  - B. To set a value on
  - C. To put aside as if by throwing
  - D. To utter glibly and insincerely
  - E. To succeed in finding

In lines 32-38, the author's point is to emphasize the difficulty in selecting the exact word to convey a particular meaning. Thus, the term "to pitch upon" in line 34 is best interpreted as option E.

5. The author's tone in the passage as a whole is best described as
- A. harsh and strident
  - B. informal and analytical
  - C. contemplative and conciliatory
  - D. superficial and capricious
  - E. enthusiastic and optimistic

Of the choices given, option B best describes the author's tone. It is both informal, using unaffected language, and analytical, making careful distinctions.

[See this question without the correct answers and rationales](#)

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**Barbara V. Swovelin, Cliffs Advanced Placement English Language and Composition Examination Preparation Guide.**

## **Autobiographers and Diarists of Literary Merit**

**Maya Angelou (1928- ), I Know Why the Caged Bird Sings; Life Doesn't Frighten Me; All God's Children Need Traveling Shoes; Wouldn't Take Nothing for My Journey Now.**  
**Meena Alexander, Fault Lines : A Memoir; Manhattan Music : A Novel; Night-Scene; The Garden (Short Works Series);**  
**The Shock of Arrival : Reflections on Postcolonial Experience; Truth Tales: Contemporary Stories by Women Writers of India.**  
**James Boswell (1740 - 1795), The General Correspondence of James Boswell : 1766-1769, 1768-1769 (Yale Editions of the Private Papers of James Boswell, Vol 7).**  
**Judith Ortiz Cofer (1952- ), The Year of Our Revolution : New and Selected Stories and Poems; Woman in Front of the Sun; On Becoming a Writer; Silent Dancing : A Partial Remembrance of a Puerto Rican Childhood; The Latin Deli : Prose and Poetry; An Island Like You : Stories of the Barrio.**  
**Frederick Douglass (1817?-1895), Narrative of the Life of Frederick Douglass : An American Slave; Approaches to Teaching Narrative of the Life of Frederick Douglass; Autobiographies : Narrative of the Life My Bondage and My Freedom Life and Times by Frederick Douglass, Henry Louis, Jr. Gates (Editor); Escape from Slavery : The Boyhood of Frederick Douglass in His Own Words.**  
**Ben Franklin (1706-1790), The Autobiography of Benjamin Franklin.**  
**Lillian Hellman (1905-1984), An Unfinished Woman : A Memoir; Pentimento : A Book of Portraits.**  
**Helen Keller (1880-1968), Story of My Life.**  
**Maxine Hong Kingston (1940- ), The Woman Warrior : Memoirs of a Girlhood Among Ghosts; Tripmaster Monkey : His Fake Book; China Men; Conversations With Maxine Hong Kingston.**  
**T. E. Lawrence (1888-1935), Seven Pillars of Wisdom : A Triumph.**  
**John Henry Newman (1801?1890), The Heart of Newman : A Synthesis.**  
**Samuel Pepys (1633-1703), A Pepys Anthology : Passages from the Diary of Samuel Pepys.**  
**Richard Rodriguez, Hunger of Memory : The Education of Richard Rodriguez; Days of Obligation : An Argument With My Mexican Father.**  
**Richard Wright (1908- ), Black Boy; Native Son.**  
**Malcolm X (1925-1965), The Autobiography of Malcolm X.**  
**Anzia Yezierska (1885-1970), Red Ribbon on a White Horse.**

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**James Boswell (1740 - 1795) , Boswell's Life of Samuel Johnson.**  
**Thomas Carlyle (1795-1881), History of Friedrich II of Prussia; History of Friedrich II Of Prussia Called Frederick The Great Part 2; History of Friedrich II Of Prussia Called Frederick The Great Part 3; History of Friedrich II Of Prussia Called Frederick The Great Part 4; History of Friedrich II Of Prussia Called Frederick The Great Part 5; The Life of Friedrich Schiller; On Heroes, Hero-Worship and the Heroic in History; Past and**

**Present (1909): Sartor Resartus - The Life and Opinions of Herr Teufelsdröckh.**  
**Winston Churchill (1874-1965),** Second World War: Closing the Ring (The Second World War, Vol 5); The Gathering Storm (The Second World War, Vol 1); The Great Republic: A History of America; Heroes Of History; The Hinge of Fate (The Second World War, Vol 4); His Father's Son: The Life Of Randolph Churchill; A History Of The English Speaking Peoples-Part IV: The Great Democracies; A History Of The English Speaking Peoples-Vol I The Birth Of Britain; A History Of The English Speaking Peoples-Vol II The New World; A History Of The English Speaking Peoples-Vol III The Age Of Revolution; London To Ladysmith; The Malakand Field Force; Marlborough: His Life And Times Part 1 Of 3; Marlborough: His Life And Times Part 2 Of 3; Marlborough: His Life And Times Part 3 Of 3; Memoirs of the Second World War: An Abridgement of the Six Volumes of the Second World War With an Epilogue by the Author on the Postwar Years Writt; Mr. Brodrick's Army; My African Journey; My Early Life: A Roving Commission.  
**Vine Deloria, Jr. (1933- ),** Behind the Trail of Broken Treaties: An Indian Declaration of Independence;  
**Leon Edel (1907-1997),** A Bibliography of Henry James;  
**John Hope Franklin (1915- ),** African Americans and the Living Constitution.  
**Antonia Fraser (1932? ),** The Wives of Henry VIII; Mary Queen of Scots; Faith and Treason: The Story of the Gunpowder Plot;  
The Cavalier Case; Cool Repentance; Cromwell; Faith and Treason: The Story of the Gunpowder Plot; Henry VIII.  
**Edward Gibbon (1734-1794),** The Decline and Fall of the Roman Empire/Volumes 1, 2, & 3; The Decline and Fall of the Roman Empire: Volumes 4-6; The Decline and Fall of the Roman Empire: An Abridged Version.  
**Gerda Lerner (1920- ),** The Creation of Feminist Consciousness: From the Middle Ages to Eighteen-Seventy; The Creation of Patriarchy;  
Black Women in White America: A Documentary History.  
**Thomas Babbington Macaulay (1800-1859),** History of England; Lays of Ancient Rome.  
**Samuel Eliot Morison (1887-1976),** The Maritime History of Massachusetts, 1783-1860; The Oxford History of the American People: 1789 Through Reconstruction; Admiral of the Ocean Sea: A Life of Christopher Columbus; The Battle of the Atlantic, September 1939-May 1943; History of the United States Naval Operations in World War II; Breaking the Bismarcks Barrier: History of the United States Naval Operations in World War Two; Christopher Columbus, Mariner; Founding of Harvard College.  
**Francis Parkman (1823-93),** The Conspiracy of Pontiac and the Indian War After the Conquest of Canada: From the Spring of 1763 to the Death of Pontiac; The Conspiracy of Pontiac and the Indian War After the Conquest of Canada: To the Massacre at Michillimackinac; Francis Parkman: France and England in North America: Vol. 2: Count Frontenac and New France under Louis XIV, A Half-Century of Conflict, Montcalm and Wolfe; The Francis Parkman Reader; The Conspiracy of Pontiac and the Indian War After the Conquest of Canada: From the Spring of 1763 to the Death of Pontiac; Francis Parkman: France and England in North America: Vol. 2: Count Frontenac and New France under Louis XIV, A Half-Century of Conflict, Montcalm and Wolfe; The Oregon Trail; Francis Parkman and the Plains Indians; The Francis Parkman Reader; Francis Parkman, Historian As Hero: The Formative Years; The Jesuits in North America in the Seventeenth Century; La Salle and the Discovery of the Great West; Montcalm and Wolfe; Montcalm and Wolfe: The Riveting Story of the Heroes of the French & Indian War; The Book of Roses.  
**Simon Schama, A History of Britain: At the Edge of the World, 3500 B.C.-1603 A.D; The**

**Embarrassment of Riches : An Interpretation of Dutch Culture in the Golden Age; Landscape and Memory; Citizens : A Chronicle of the French Revolution; Dead Certainties; Patriots and Liberators : Revolution in the Netherlands 1780-1813; Rembrandt's Eyes.**

**Arthur M. Schlesinger (1888-1965) , A Life in the Twentieth Century : Innocent Beginnings, 1917 - 1950; The Disuniting of America : Reflections on a Multicultural Society; Imperial Presidency.**

**Lytton Strachey, Biographical Essays; Eminent Victorians.**

**Ronald Takaki, Double Victory : A Multicultural History of America in World War II ; A Larger Memory : A History of Our Diversity, With Voices; Strangers from a Different Shore : A History of Asian Americans; A Different Mirror : A History of Multicultural America; From Different Shores : Perspectives on Race and Ethnicity in America ; Hiroshima: Why America Dropped the Atomic Bomb; In the Heart of Filipino America : Immigrants from the Pacific Isles; Iron Cages : Race and Culture in 19th-Century America; A Larger Memory : A History of Our Diversity, With Voices; Strangers from a Different Shore : A History of Asian Americans; Breaking Silences.**

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**Barbara Tuchman, The Guns of August; March of Folly : From Troy to Vietnam; A Distant Mirror : The Calamitous 14th Century.**

## **Critics of Literary Merit**

**Paula Gunn Allen (1939- ), Off the Reservation : Reflections on Boundary-Busting, Border-Crossing Loose Canons; The Sacred Hoop : Recovering the Feminine in American Indian Traditions : With a New Preface by Paula Gunn Allen; As Long As the Rivers Flow : The Stories of Nine Native Americans; Hozho: Walking in Beauty Native American Stories of Inspiration, Humor, and Life.**

**Gloria Anzaldua (1942- ), La frontera / Borderlands; Making Face, Making Soul/Haciendo Caras : Creative and Critical Perspectives by Women of Color.**

**Michael Arlen, Living Room War (Television Series); Passage to Ararat (Hungry Mind Find); Story of Christianity: A Celebration of 2,000 Years of Faith; The View from Highway 1 : Essays on Television.**

**Matthew Arnold (1822?1888), Culture and Anarchy and Other Writings; The Apostles Creed.**

**Kenneth Clark (1903-83), The Nude; Leonardo Da Vinci.**

**Samuel Taylor Coleridge (1772-1834), Biographia Literaria.**

**Arlene Croce, Writing in the Dark, Dancing in the New Yorker.**

**Ralph Waldo Emerson (1803-1882), Ralph Waldo Emerson : Essays and Lectures.**

**Henry Louis Gates, Jr. (1950- ), The Signifying Monkey : A Theory of African-American Literary Criticism.**

**William Hazlitt (1778-1830), Offspring of Thought in Solitude; The Plain Speaker : The Key Essays; Selected Writings; The Selected Writings of William Hazlitt; William Hazlitt : The Plain Speaker : The Key Essays.**



bell hooks (1952- ), Feminism Is for Everybody : Passionate Politics; Where We Stand : Class Matters; Teaching to Transgress : Education As the Practice of Freedom; Ain't I A Woman : Black Women and Feminism; All About Love : New Visions; Art on My Mind : Visual Politics.

Samuel Johnson (1709-1784), Samuel Johnson : The Major Works.

Pauline Kael (1919- ), 5001 Nights at the Movies : Expanded for the 90s; Conversations With Pauline Kael; Going Steady : Film Writings 1968-1969.

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Walter Pater (1839-1894), The Renaissance; The Child in the House: An Imaginary Portrait; Gaston De Latour : The Revised Text (1880-1920).

Neil Postman, Amusing Ourselves to Death : Public Discourse in the Age of Show Business; Technopoly : The Surrender of Culture to Technology; The Disappearance of Childhood; Building a Bridge to the 18th Century : How the Past Can Improve Our Future; Conscientious Objections : Stirring Up Trouble About Language, Technology, and Education; The End of Education : Redefining the Value of School; How to Watch TV News; Audible.com: Technopoly; The Disappearance of Childhood (Cassette); Technopoly; Television and the Teaching of English; Crazy Talk, Stupid Talk : How We Defeat Ourselves by the Way We Talk and What to Do About It; Language in America; Linguistics : A Revolution in Teaching; School Book.

John Ruskin (1819-1900), The Bible of Amiens, Valle Crucis, The Art of Enland, The Pleasurers of England (The Complete Works o John Ruskin - Volume 33).

George Santayana (1863-1952), The Birth of Reason & Other Essays.

George Bernard Shaw (1856-1950), Bernard Shaw on Cinema.

Susan Sontag (1933- ), On Photography; Against Interpretation, and Other Essays.

Cornel West (1953- ), The African-American Century : How Black Americans Have Shaped Our Country; The Cornel West Reader; Race Matters.

Oscar Wilde (1854-1900), Complete Letters of Oscar Wilde; Complete Works of Oscar Wilde : Stories, Plays, Poems and Essays; Complete Fairy Tales of Oscar Wilde.

Edmund Wilson, Patriotic Gore : Studies in the Literature of the American Civil War; The Cold War and the Income Tax: A Protest; The American Earthquake; Apologies to the Iroquois; Axel's Castle : A Study of the Imaginative Literature of 1870-1930; The Bit Between My Teeth: A Literary Chronicle of 1950-1965; Classics and Commercials: A Literary Chronicle of the Forties; The Cold War and the Income Tax: A Protest; The Devils and Canon Barham: Ten Essays on Poets, Novelists and Monsters; The Duke of Palermo: And Other Plays, with an Open Letter to Mike Nichols; The Edmund Wilson Reader; Europe Without Baedeker: Sketches Among the Ruins of Italy, Greece and England, Together with Notes from a European Diary: 1963-1964; The Fifties : From Notebooks and Diaries of the Period; The Forties: From Notebooks and Diaries of the Period; From the Uncollected Edmund Wilson; The Higher Jazz; Israel and the Dead Sea Scrolls.

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James Agee (1909-55), A Death in the Family.

Margaret Atwood (1939- ), The Blind Assassin; The Handmaid's Tale; Alias Grace; Annas Pet.

Jane Austen, Emma; Mansfield Park, 1814; Northanger Abbey, 1803; Persuasion, 1818; Pride and Prejudice, 1813; Lady Susan; Sense and Sensibility, 1811.

Francis Bacon (1561-1626), Essays.

Oscar Wilde (1854-1900), Complete Letters of Oscar Wilde; Complete Works of Oscar Wilde : Stories, Plays, Poems and Essays; Complete Fairy Tales of Oscar Wilde.  
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Francis Bacon (1561-1626), Essays.

James Baldwin (1924-1987), Collected Essays : Notes of a Native Son / Nobody Knows My Name / The Fire Next Time / No Name in the Street / The Devil Finds Work / Other Essays; Giovanni's Room; The Fire Next Time; 1 Day When I Was Lost : A Scenario Based on Alex Haley's 'the Autobiography of Malcolm X'; Another Countrys Baldwin; The Devil Finds Work.

G. K. Chesterton (1874-1936), The Man Who Was Thursday; The Penguin Complete Father Brown.

John Cheever, "Reunion."

Charles Dickens, American Notes; Barnaby Rudge; Bleak House; A Tale of Two Cities; A Christmas Carol; Dombey and Son; Great Expectations; Hard Times; Little Dorrit; The Pickwick Papers; David Copperfield; The Old Curiosity Shop; Our Mutual Friend; Oliver Twist; The Uncommercial Traveller.

Joan Didion, Slouching Towards Bethlehem; The White Album; Play It As It Lays; After Henry; A Book of Common Prayer; The Last Thing He Wanted; Miami; Salvador; Democracy; Run River.

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Get a complete list of [newspapers online](#).

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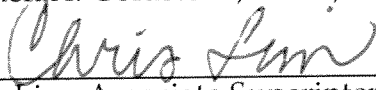
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## Berkeley Unified School District

DATE: July 5, 2001

TO: Members, Board of Education

FROM: Stephen A. Goldstone, Ed.D., Interim Superintendent

PREPARED BY:   
Chris Lim, Associate Superintendent, Instruction

SUBJECT: 3<sup>rd</sup> Reading and Adoption of Modifications to the Pupil  
Promotion/Retention Policy

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### RECOMMENDATION:

It is recommended that the Board approve the modifications to the Pupil Promotion/Retention Policy reinstating the "D" grade as passing in English and mathematics at the Middle School and English, mathematics, science and history at the High School.

### DISCUSSION:

After completing three semesters with the "C" as passing in English and mathematics at the middle school and "C" as passing in English, mathematics, history and science at the 9<sup>th</sup> grade it is the overwhelming opinion of middle school and high school staff that the "D" be reinstated as a passing grade. In addition, it is also the overwhelming opinion of staff that if a student receives a "D" in English or mathematics at the middle school or any core subject in the 9<sup>th</sup> grade, that it be strongly recommended that s/he attend an intensive intervention program and/or mandatory summer school since s/he is barely meeting grade level standards.

Among the many reasons staff gave for reinstating the "D" grade were the following:

- Provides more accurate information for students and parents on student progress,
- Consistency across all courses (i.e., science, physical education, history and electives),
- More grading options for teachers, and
- The "D" grade reflects that the student is doing some work and some engagement in the curriculum.

After further discussion with staff after the June 20, 2001 Board Meeting, it was decided the proposed revisions made at the June 6, 2001, and June 20, 2001 Board Meetings would be difficult to implement for the following reasons:

1. Students who receive a "D" grade can only be recommended, not required, to attend summer school since they have already earned a passing grade,
2. In the event that a student does not attend summer school, reverting the grade(s) from a "D" to an "F" would have to be done by hand by clerical staff,
3. Grade changes would result in an overwhelming number of program changes late in late summer/early fall, and
4. Staff felt strongly that the "D" grade should be the minimum level of passing in all courses as it more accurately reflects effort and performance than the "C-".

**FINANCIAL IMPACT:**

There is no financial impact to the General Fund.

**Berkeley Unified School District**  
**Promotion, Retention, Acceleration and Assignment Policy**

The District is committed to the early identification of students at risk of retention in the belief that early detection and intervention enhance the potential for success. Student's academic progress is based upon meeting a range of expectations for promotion including academic grade level standards, course requirements, state and local assessments. Students performing outside this range may be considered for acceleration, assignment, or retention.

The law requires that the classroom teacher(s) make the recommendation that a student be retained. A Student Study Team process may be used to consult and review decisions regarding promotion, acceleration, assignment, or retention. Intensive instructional programs will be provided to students who are recommended for retention or identified as being at risk of retention.

Promotion at the elementary level is based on the student meeting minimum grade level standards in Reading, Language Arts and mathematics. At the middle school level promotion is based on student's earning credits. The promotion of high school students is based upon the completion of graduation requirements and credit status.

# **I. Definition of Terms**

When implementing the Promotion, Retention, and Assignment Policy, the following definitions of terms shall be used:

- A. **Promotion** shall be defined as the advancement to the next higher grade level for a student who has met or exceeds the criteria for promotion as defined by the district's adopted indicators of achievement.
- B. **Assignment** Students who have not met the criteria for promotion, as defined on district adopted indicators of achievement may be assigned to the next grade.
- C. **At-Risk of Retention** shall be defined as a student experiencing serious difficulty in meeting grade level standards. At-risk students are eligible for Intensive Instructional Support Programs that focus on improving student academic achievement.
- D. **Retention** shall be defined as a student remaining in the grade level s/he is currently enrolled in for a subsequent year because it is decided that s/he does not meet the minimum districtwide grade level criteria for assignment and will make significant academic progress by remaining in the current grade level. This decision is typically made after academic interventions have been implemented to improve academic deficiencies and appropriate progress is not made in meeting grade level standards.
- E. **Acceleration** shall be defined as the process of advancing an exceptional, high-achieving student at a more rapid rate than year-by-year promotion.
- F. **Age-Appropriate Advancement** shall be defined as the process of advancing an over-aged student at a more rapid rate than year-by-year advancement. This definition also includes the advancement of a student from elementary to middle school level outside the usual time frame for promotion or assignment.
- G. **Reclassified** shall be defined as high school student's grade level status as a result of not earning sufficient units to be on schedule for promotion to the next grade.
- H. **Grade Level Standards** are the state and district standards that determine minimum and mastery performance of students at each grade level.
- I. **Criteria for Retention** shall be defined as not meeting performance standards on identified indicators of achievement and other classroom/social indicators.
- J. **Intensive Instructional Support Programs** shall be defined as supplemental instruction for students in grades 1-9 who have been retained or are at risk of being retained as defined by the district's multiple measures.
- K. **Student Study Team** shall be defined as a group of professional staff (principal, teachers, support personnel), the student's parent/guardian, and the student when appropriate, who explore strategies and interventions to support the student's academic, social, and emotional growth.



## II. Procedural Guidelines

For Promotion, Assignment, Retention, Acceleration, Age Appropriate Advancement, Administrative Placement and Intensive Instructional Support Programs, the following criteria and procedural guidelines shall be implemented:

- A. **Promotion:** Students who meet the criteria for promotion shall be promoted.
- B. **Assignment:** Students who have not met the criteria for promotion, as defined on district adopted indicators of achievement may be assigned to the next grade when:

### Elementary

- The recommendation of the teacher or the Student Study Team is that the student will not benefit from another year at the same grade level, or
- The student has been previously retained in the elementary grades.

### Middle School

- The recommendation of the English and/or mathematics teacher is that the student will not benefit from another year at the same grade level, or
- The student has been previously retained in the middle school grades.

If a student is assigned from middle school to high school and is not at grade level in English or mathematics, s/he will be required to attend an Intensive Instructional Support Program.

Any student assigned to the next grade will be required to attend Mandatory Summer School.

## C. **Retention:**

1. **General Criteria for Retention:** The minimum criteria that will be used to identify all students who are at-risk of retention or who shall be retained include a composite score of multiple assessment measures. The minimum assessments that shall be used for identification are:
  - A. Annual districtwide multiple assessments that measure mastery of instructional standards at the student's grade level.
  - B. Grades/Rubrics
  - C. Assessment results on standardized testing (SAT-9 in total reading and mathematics)
  - D. Social Emotional factors listed below



**Elementary:** The decision to retain shall be made by the classroom teacher based upon the student's grades and district adopted indicators of achievement. A student with no elementary retention history who has not met the minimum criteria for assignment to the next grade shall be retained unless the student's regular classroom teacher, after considering additional non-academic factors that can contribute to a successful retention, determines, in writing, that repeating the grade is not the appropriate intervention for the student's academic deficiencies. Factors to be considered must include:

- Academic success in reading, mathematics, or other academic areas
- Student attitude about retention
- Parent support for retention
- Chronological age
- Maturity
- Physical Size
- Social Adjustment
- Ability Level
- Availability of alternative programs
- Previous/possible interventions

This determination shall specify the reasons that retention is, or is not appropriate for the student and shall include recommendations for interventions that are necessary to assist the student in attaining acceptable levels of academic achievement.

If the teacher's recommendation for assignment is contingent on the student's participation in Mandatory Summer School or an interim session remediation program, the student's academic performance shall be reassessed at the end of the remediation program, and the decision to retain or assign the student shall be reevaluated at that time. The parents/guardians and the home school principal shall meet before any final determination of retention is made.

If a decision to retain is made, the classroom teacher shall put it in writing on the final report of the student and an Individual Retention Plan shall be developed. Such plan should include an evaluation of the student's needs as well as recommended strategies to help him/her reach specific academic goals.

**Middle School:**

A sixth, seventh or eighth grade student in a middle school who has earned at least 10 out of 12 or 12 out of 14 credits per year, met state, district, and teacher's standards, and

passed all English and mathematics courses with a *D or better* shall be promoted.

*Any student who receives a D in English and/ or Mathematics will be strongly recommended to attend an Intensive Instructional Support Program and/or Mandatory Summer School.*

Any student not enrolled in a six period day will have specific course completion requirements identified by the Student Study Team and approved by the Principal.

Any student receiving a *F in English and/or mathematics* is considered failing the course and will be assigned to an Intensive Instructional Support Program, including but not limited to Mandatory Summer School, and/or administered an end of course final exam to earn the necessary credits. If the exam is passed, credit is given, but failing grade remains. Any student who fails honors Algebra will be given the 8<sup>th</sup> grade level exit exam to earn course credit with the failing grade remaining.

Students who have not received sufficient credits per year will retain the same grade status, but may be given classes in the next grade. They will be required to attend Summer School and/or an Intensive Instructional Support Program. Upon earning the necessary credits he/she will be granted status in the next grade.

2. **Timeline For Notification Of Being At-Risk of Retention:**

When a pupil is identified as being at risk of retention, a parent shall be notified as early in the school year as possible. Initial notification will take place no later than at the completion of the first full grade cycle the student attends, at which time an individualized intervention plan will be developed with the parent/guardian. Second notification will take place at the completion of the second full grading cycle. Third notification along with recommendations for Mandatory Summer School and fall placement will take place in April.

At any time during this process a parent/guardian can request a conference with his/her child's teacher or a Student Study Team.

- D. **Intensive Instructional Support Programs:** A student who does not meet the minimum criteria for promotion shall be required to participate in Supplemental Intensive Instructional Programs that are age appropriate and designed to meet the needs of the participants.

### Elementary

1. Classroom Intervention Strategies: Interventions within the school day may include, but are not limited to, purposeful regrouping for specific skills, differentiated instruction, and intensive instructional time in language arts and/or mathematics.
2. Students in grades 1 through 3 who have not met the designated reading level, and student's in grades 4 and 5 who have not met the designated Reading, Language Arts and mathematics levels on the Pupil Progress Report after the first full grading cycle shall be identified as at-risk and eligible for Intensive Instructional Support Programs. Retained students shall be required to participate in Intensive Instructional Support Programs.
3. Students who have been retained during the previous school year will have first priority and students who were at risk of being retained during the previous school year will be given the second priority for enrollment in Intensive Instructional Support Programs.

### Middle School

1. Interventions within the school day may include supplemental reading and mathematics classes in lieu of electives, purposeful regrouping for specific skills, differentiated instruction, and intensive instruction for English Language Learners (ELL).
- E. **Acceleration:** A student may be accelerated to a higher grade level when the student demonstrates exceptionally high levels of academic achievement, social and emotional maturity. The wishes of the student and parent and the long-range effect on the student shall be important considerations before advancement takes place. No student will be advanced without the approval of his/her parent/guardian and the recommendation of the Student Study Team.
- F. **Age-Appropriate Advancement:** Students who are over-age due to prior retention or late entry into school may be advanced with the recommendation of the classroom teacher in consultation with the Student Study Team. The wishes of the student and parents and the long-range effect on the student shall be important considerations before advancement takes place. No student will be advanced without the approval of his/her parent/guardian and the consultation of the Student

Study Team. In addition the student will be assigned to mandatory summer school.

- G. **Administrative Placement:** Administrative Placement may be used for new students with no records or for students who do not meet the criteria for promotion. The principal or designee may place the student in the grade determined most likely to result in academic success and a positive social adjustment, after an evaluation of the following criteria:
  - The student's chronological age
  - The student's/parent's description of prior school experience
  - Results of initial site level assessments
  - Classroom performance after initial placement
  - The final decision for student placement rests with the principal
- H. **Student Study Team:** A Student Study Team may be utilized at each site at the request of the teacher, parent, or administrator. This process involves professional staff, the parent/guardian, and students as appropriate, and ensures follow up and monitoring of intervention strategies. The team evaluates the academic, social, emotional, and physical development of the student in reaching its decisions.

### III. **High School Procedural Guidelines**

#### A. **Promotion:**

- Grade 9: Based on the current graduation requirements of 220 credits, students must earn fifty-five (55) units for promotion to the tenth grade. *Credit is given if the student earns a grade of D or better.*
- Grade 10-12 Progression: Students must earn fifty-five (55) units each year to be promoted to the next grade and be eligible for graduation. *Credit is given if the student earns a grade of D or better.*
- *Any student receiving a F in English, mathematics, history and science shall be strongly recommended to attend an Intensive Instruction Support Program and/or Mandatory Summer School or s/he will be deficient credits towards high school graduation.*

- B. **Reclassification:** At the high school level students are encouraged to maintain progress toward graduation by having clear guidelines for promotion from grade to grade. Students who do not earn sufficient units to be promoted at the end of each year are considered reclassified. A reclassified student is at risk of not graduating on time and may be required to participate in Intensive Instructional Support to ensure graduation.

### IV. **Monitoring Procedures for Reclassified High School Students**

- A. Students who have not earned sufficient units to move to the next grade are notified by mail in August prior to the start of the school year.
- B. In the spring of each year, each student meets with his/her counselor to review the student's progress toward meeting graduation requirements. The following year's schedule is determined by the student, with

guidance from the counselor, and approved by the parent and Principal/designee.

- C. If a student is reclassified s/he may be required to attend Intensive Instructional Support before/after school, on Saturdays or during the summer.

#### **V. Appeal Process**

To appeal a retention decision, the appealing party shall submit a written request to the principal specifying the reason(s) for the appeal. The appeal must be initiated within five (5) school days of the notification of retention. The principal shall respond to the appeal within fifteen (15) school days with one of three recommendations.

- Uphold Retention
- Deny Retention
- Set aside retention pursuant to fulfillment of remediation agreement.

The principal's decision may be appealed by submitting a written appeal to the Superintendent/designee within ten (10) school days. Within fifteen (15) school days of receipt of a written appeal, the Superintendent/designee shall decide the appeal. The Superintendent/designee's decision may be made on the basis of documentation prepared as part of the appeal process, or at the discretion of the Superintendent/designee, s/he may meet with the appealing party, the teacher and the principal to decide the appeal.

#### **VI. English Learners**

Students who are classified as English Language Learners (ELL) are expected to meet criteria for promotion. However, SAT 9 scores will not be used as criteria for ELL students. In addition, ELL students may receive special accommodations and should not be retained strictly on the on their lack of fluency in English. Consideration for retaining English Language Learners should take place when students are making satisfactory progress in meeting English Language Development Standard. To the greatest degree possible, all English Language Learners should have access to the core curriculum through sheltered instruction.

#### **VII. Special Needs Students**

Students with special needs will have their education objectives, including decisions on promotion, defined through their Individual Education Plan (IEP) or 504 Plan. This plan will describe the conditions by which the student will take standardized tests and alternative classroom tests and assessments. If modified or differential criteria are set, they will be stated in the IEP or 504 Plan.

The case manager for the Special Education child shall ensure that the Regular Education teacher is aware of criteria for promotion/retention for each Special Education Child.

#### **VIII. Monitoring Results of the Policy**

- A. Data in promotion, retention, and assignment of students will be gathered annually and presented to school principals
- B. Each principal will review the data for their school and the district with their staff as part of the planning for the School Improvement Plan.
- C. An annual report will be made to the board in the fall.

## BERKELEY UNIFIED SCHOOL DISTRICT

**DATE:** July 5, 2001

**TO:** Board of Education

**FROM:** Steven A. Goldstone, Ed.D, Interim Superintendent

**PREPARED BY:** Catherine James, Associate Superintendent, Business and Operations  
Dan Eggen, Project Manager, URS

**RE:** Proposed Design for Transportation Facility

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### RECOMMENDATION:

It is recommended that the Board approve the preliminary Transportation Yard design in order to proceed with the necessary environmental review.

### DISCUSSION:

In November 2000, the District acquired property on Gilman Street between 6<sup>th</sup> and 7<sup>th</sup> Streets to provide the Transportation Department with a new home. For the past several years the department has been split up, operating from leased facilities on three sites within the same neighborhood. The project consolidates the separated operations onto one, District owned, site. Baker Vilar Architects were approved in January 2001 to work with the Transportation Department to develop a program and design for the transportation yard to be built on this site.

Several sessions have been held with a committee of Transportation Department staff and other District staff to define the Transportation Department's needs. This committee will continue to meet on an as needed basis. Nearby merchants and property owners, as well as City Council woman Linda Maio's assistant and City transportation engineers attended two meetings and provided input to the project. The current plan reflects the input of all these groups.

The preliminary design includes a new maintenance shop capable of handling 3 buses and a van as well as District maintenance vehicles and an administration building to house the operations of the Department including a drivers' ready room, drivers' training room, dispatch and other offices. Parking is provided for buses and vans. Employee and visitor parking for transportation are provided on site. Exiting and access is planned according to the recommendations of the City Traffic Department.

The yard is a former industrial site with typical light contamination of the soil from earlier operations. Appropriate measures to mitigate the conditions are under way. Environmental site assessments, risk analysis of soils conditions, topographical and underground utilities surveys, and geotechnical evaluations have taken place.

The California Environmental Quality Act (CEQA) requires the District to perform a study to determine the environmental impact the new yard will have on the neighborhood. In order to move ahead with the study a basic design for the improvements and projected traffic flow are needed. Approval of the proposed preliminary design for the Transportation Yard will allow us to proceed with the study and with the next level of design.

Once the CEQA data is collected and a report prepared and circulated, a public hearing will be held to allow citizens to comment on the proposed project and its impacts. It is anticipated that this hearing will be held in September.

## **FINANCIAL IMPLICATION:**

Approval of this preliminary design does not commit the Board to construction. The existing contract with the architects will allow them to continue working on the design throughout the CEQA process.

A first estimate of the cost to make the proposed site improvements and build the facilities proposed in the preliminary design is, in round figures, \$5 million. This is additional to the cost for purchasing the property. Although the property was purchased with the intent to build a Transportation Yard, there are no funds currently identified to pay for the improvements and facilities. The cost to purchase the property (approximately \$3 million) was to be funded through the issuance of Certificates of Participation (COPs) or some other financing which would be repaid with the General Fund savings on property rentals and leases. There are several options that should be considered for financing the improvements necessary to realize the goal of a permanent home for the BUSD Transportation Department.

- ❑ Borrow cash from bond proceeds to be repaid from the General Fund – This solution was suggested by our financial advisors, KNN. For FY 2002 approximately \$415,000 will be expended from the General Fund for rental of the current Transportation facilities. This amount could be used to repay a loan for both the land purchase and the proposed construction project. An interfund loan would allow the District to set its own terms for the borrowing. For instance, the repayment schedule could be delayed until the Transportation Department is able to move out of the rented facilities and the General Fund begins to realize savings. Without considering interest and without increasing the expense to the General Fund the debt could be repaid within 20 years.
- ❑ Issue COPs or other similar financing to be repaid from the General Fund – The cost to repay such a large borrowing could place a heavy burden on the General Fund, taking resources away from other programs and operations of the District prior to the availability of any savings from the reduction of rental expenses. Under this alternative the repayment period could be extended to reduce the annual amount to be paid, for instance, the repayment period could be 30 years. However, the District would have less control over the terms of the agreement than with the alternative described in the previous paragraph.
- ❑ Utilize monies anticipated from the Office of Public School Construction (OPSC) – The District is eligible from State funding through (OPSC) for several projects. The amount may be as high as \$10 million; the King Middle School project alone should be eligible for approximately \$5 million.



Receipt of these funds is contingent upon the State winning voter support for a new round of bonds. It is anticipated that a proposal to issue bonds will go to the voters next spring. Choosing this alternative would require use of BUSD bond proceeds which would be back-filled once the OPSC funding is received.

- ❑ Sale of surplus property – The District has two sites that are not used for District programs and are not expected to be used for such programs in the future: Hillside and 6<sup>th</sup> Street. Proceeds from the sale of surplus property can only be used for facilities construction, improvements or purchase. The District has no current plan to sell property.
- ❑ Reallocate bond funds from future projects – The District has an approved Facilities Plan which outlines the use of all Measure A and Measure AA proceeds. Redefining the priorities for these funds to pay for the Transportation Yard project would reduce or eliminate projects currently planned for other sites.

These alternatives may not be mutually exclusive. For instance, some combination of additional financing, OPSC funds and reallocation of priorities in the Facilities Plan could be a solution. A decision as to how this project will be financed must be made as a part of the decision to proceed with construction. In the meantime, Board approval of this preliminary design will allow us to move ahead with the CEQA process without delay as we further refine the plan.

# Berkeley Unified School District

## TRANSPORTATION YARD

June 25, 2001

Site and Facilities Plan Report  
Baker Vilar Architects

The Berkeley Unified School District and the District's Transportation Department requested the development of a Site and Facilities Plan for vehicle parking and transportation department services at the recently acquired property in West Berkeley. Located between Sixth and Seventh Streets along the Gilman Street Corridor (previously occupied by Urban Ore), the 1.88-acre lot is currently zoned MU-U-LI; Mixed-Use/Light Industrial as described in the West Berkeley Plan adopted in 1998 by the City Council. The type of use described in this report is a permitted use under the City ordinance. The scale of the project and its prominence in the Gilman Street corridor will require a public hearing in order to obtain the necessary permits for occupancy.

The District's Transportation Department is currently housed in several leased sites throughout West Berkeley. The preliminary design presented here provides space for most of the Transportation Department needs. It provides parking space for the District's full size buses, vans and for staff, visitor and disabled parking as well as new facilities for the department's mechanical shop and administrative offices. The Architects held several meetings with District Staff, Transportation Department Staff, local merchants and representatives of the City's Transportation Department and City Council. The result is a proposed building program that includes the following:

- 22 parking spaces for 8'x40' buses, 13 vans, 1 tow truck and 49 passenger vehicles. Separate driveways, entrance and exit points are assigned for buses/vans and private vehicles for easier and unobstructed traffic flow along Sixth and Seventh Streets.
- A new building of 7,328 square feet in area located at the corner of Seventh and Gilman Streets for the Mechanical Shop. The Mechanical Shop is provided for repair and maintenance of all District's vehicles. There are 3 service bays that can accommodate 40' buses and 1 bay for vans and other vehicles, an office in the front, parts storage, a break/lunch room for mechanics, toilet and shower facilities and space for tools, oil, tires and batteries. Bicycle racks are located near the front office.
- A new two-story 4,456 square foot Administrative Offices building adjacent to the Mechanical Shop. The Administration Office consists of private offices, a reception area and a dispatch office, toilets and a driver's lounge. The upper floor includes a training/conference room for the Transportation Department and for District wide use, a first aid room, a quiet room, toilets, a shower room and lockers.
- Vehicle Washing Stations and Fueling Stations for unleaded gas and possibly compressed natural gas. Diesel fueling will continue to take place off-site.

- Other site features include an exterior toilet facility for drivers' use during off-hours, perimeter fencing and site lighting for security, pedestrian access from all streets and a covered walkway linking the administration office and the mechanical shop.

The New Transportation Yard is envisioned as an attractive, clean and economical "State of the Art" sustainable facility that will be viewed as a good neighbor by local residents and merchants. Solar powered energy alternatives for water heating and for electricity are being considered. Trees and other landscaping throughout the site are proposed for the enjoyment of its occupants and for neighborhood appeal and urban charm, noise control and containment of pollutants will be incorporated into the final design and the materials used for the building's finishes will blend with the existing industrial-commercial vernacular. Metal roof and wall siding with wood panel sunscreens are the main finish materials shown in the drawings. The use of pre-engineered structures is appropriate for the types of buildings proposed and will help keep construction cost to a minimum.

The existing houses on the northwest corner of the property are scheduled to remain during the initial construction phase proposed. Future development and expansion of the proposed facilities has been incorporated into the current design and will require removal of these structures.

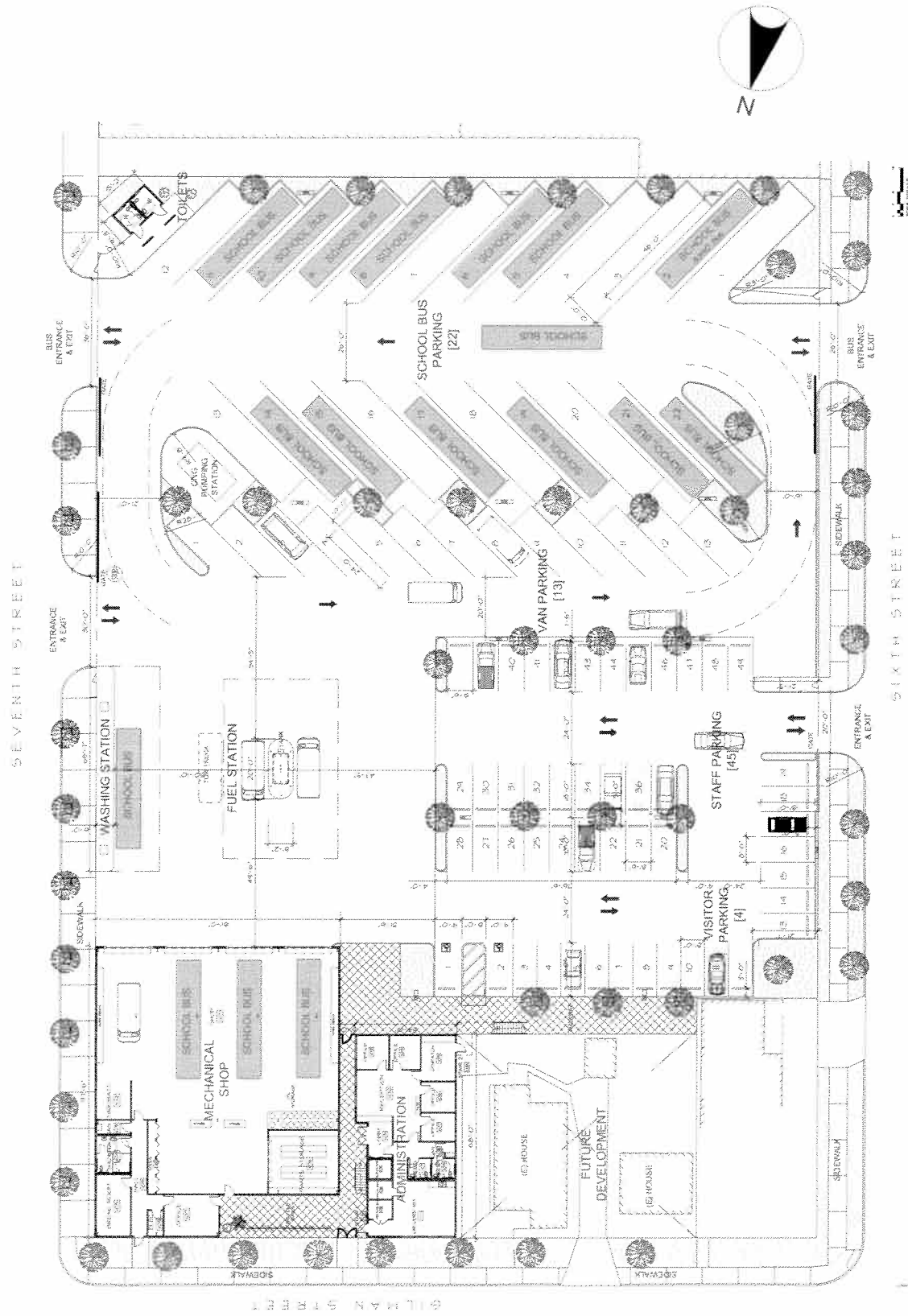
Schematic Design Documents based on the preliminary design presented here can be completed after the CEQA report is approved by the District and used for the public hearing process in order to obtain the necessary permits for occupancy.

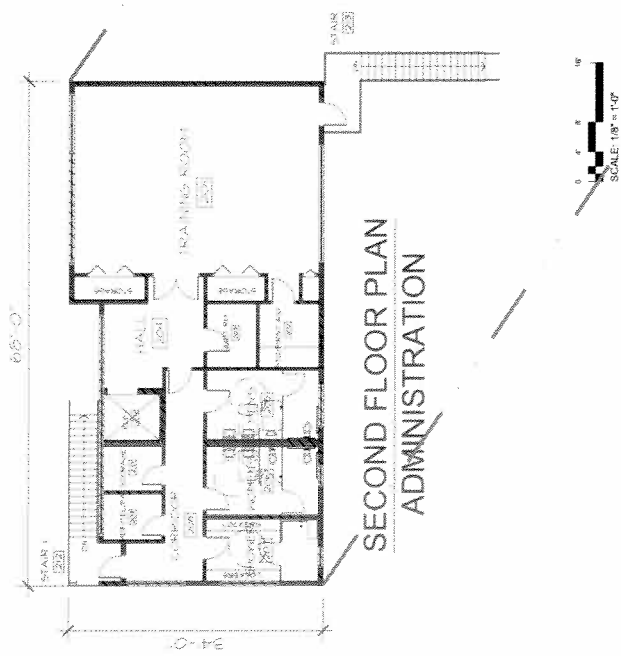
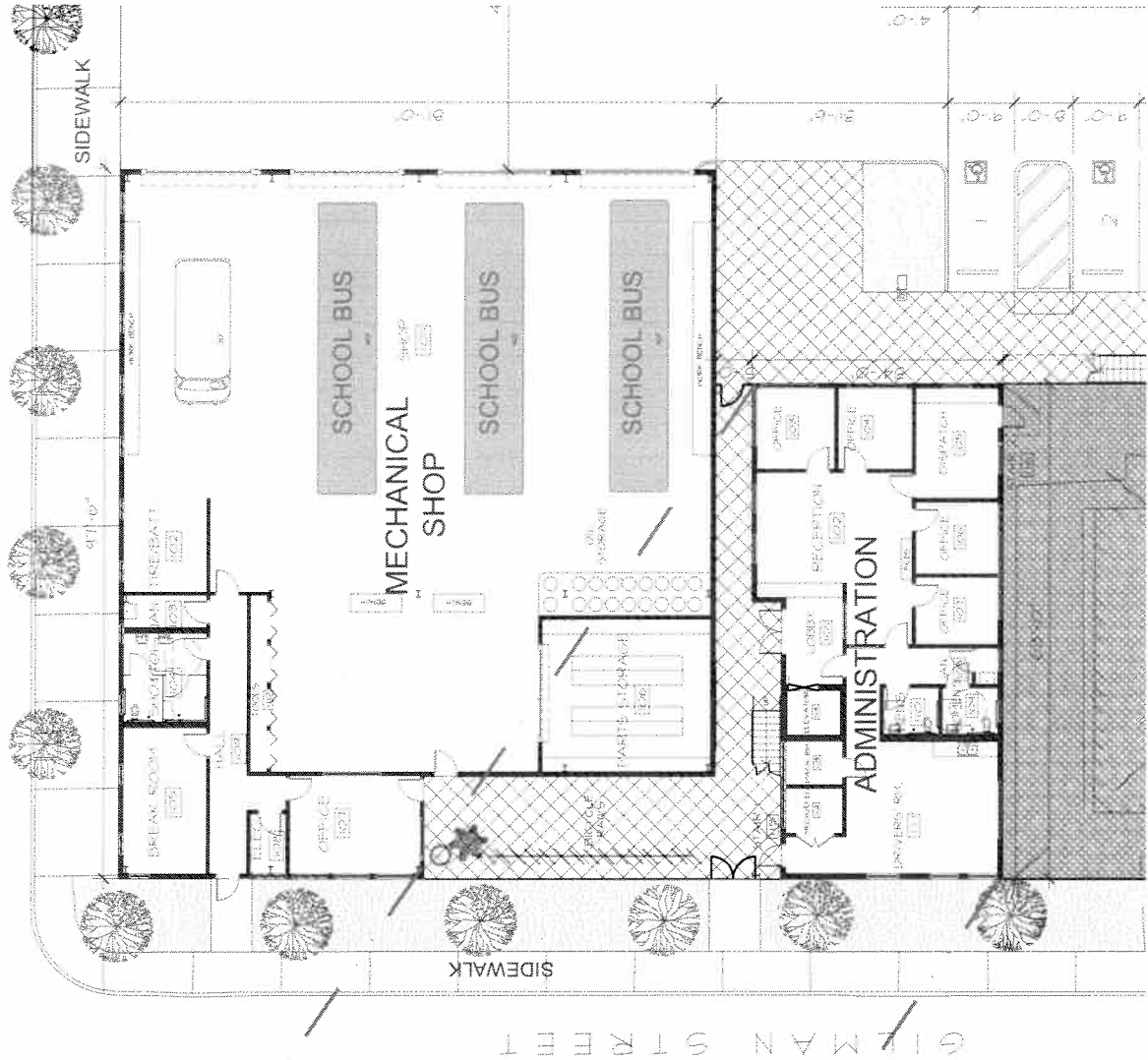
# AREA TABULATION

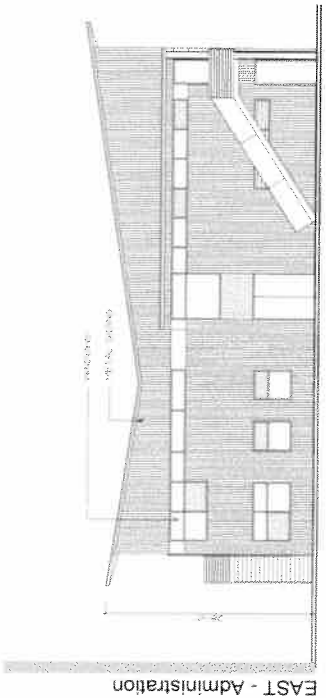
ADMINISTRATION		
Room number	Room name	Area
101	LOBBY	107. SF
102	RECEPTION	542. SF
103	OFFICE	138. SF
104	OFFICE	126. SF
105	DISPATCH	192. SF
106	OFFICE	124. SF
107	OFFICE	116. SF
108	JAN.	22. SF
109	WOMEN'S	60. SF
110	MEN'S	57. SF
111	DRIVERS' RM.	501. SF
112	MECH./ELEC.	58. SF
113	MACH. RM.	58. SF
114	ELEVATOR	60. SF
115	STAIR 1	93. SF
116	STAIR 2	122. SF
201	TRAINING ROOM	983. SF
202	STO/FIRST AID	79. SF
203	QUIET RM.	62. SF
204	HALL	181. SF
205	MEN'S	158. SF
206	WOMEN'S	159. SF
207	SHOWER	148. SF
208	CORRIDOR	197. SF
209	MDF/TEL/FA	58. SF
210	STORAGE	58. SF
		4456. SF

MECHANICAL SHOP		
Room number	Room name	Area
101	SHOP	5553. SF
102	TIRE/BATT.	156. SF
103	JAN.	60. SF
104	SHO&TOI	156. SF
105	BREAK ROOM	254. SF
106	PARTS STORAGE	522. SF
107	OFFICE	267. SF
108	ELEC.	49. SF
109	HALL	243. SF
110	TOOLS	68. SF
		7328. SF

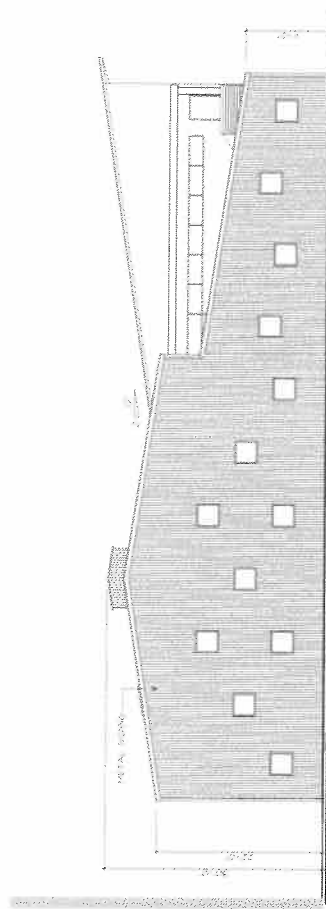
TOILET		
Room number	Room name	Area
001	MEN'S	70. SF
002	WOMEN'S	70. SF
		140. SF



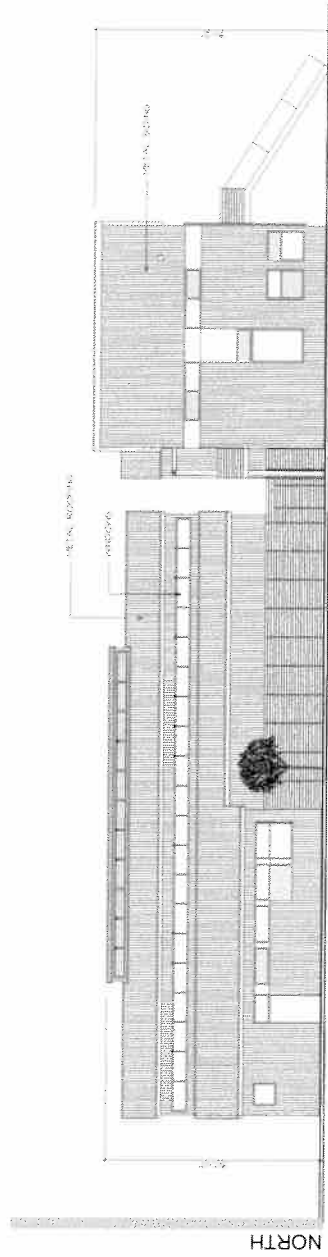




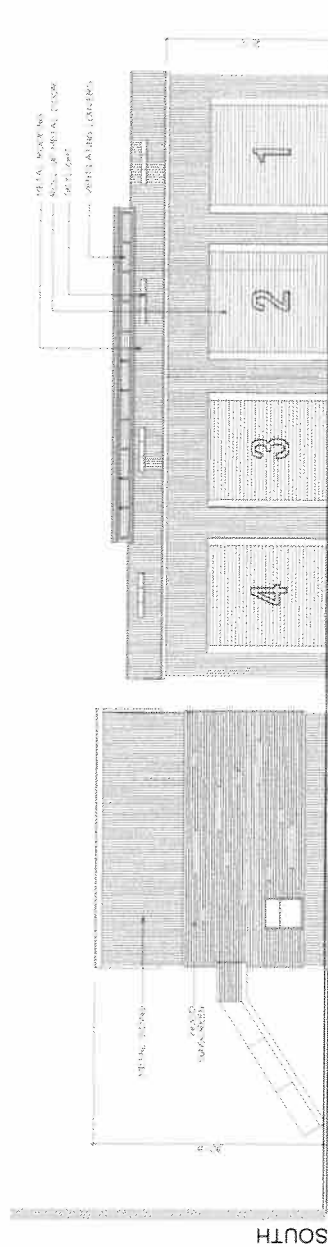
EAST - Administration



EAST - Mechanical Shop

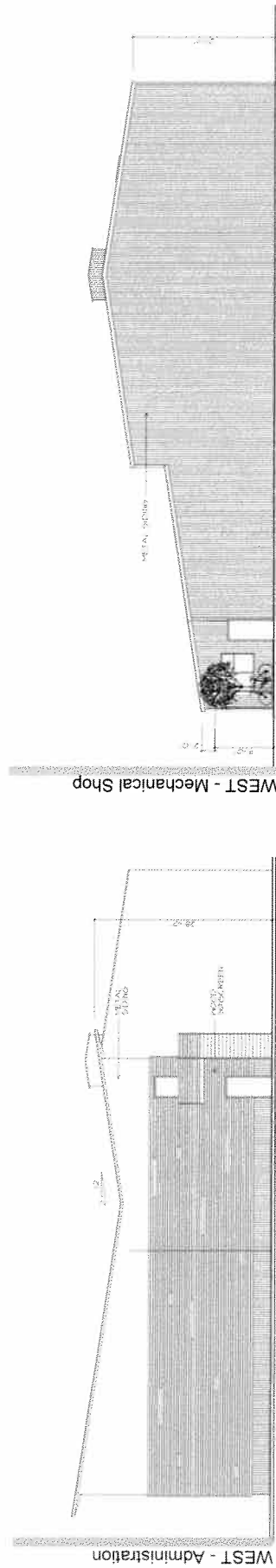
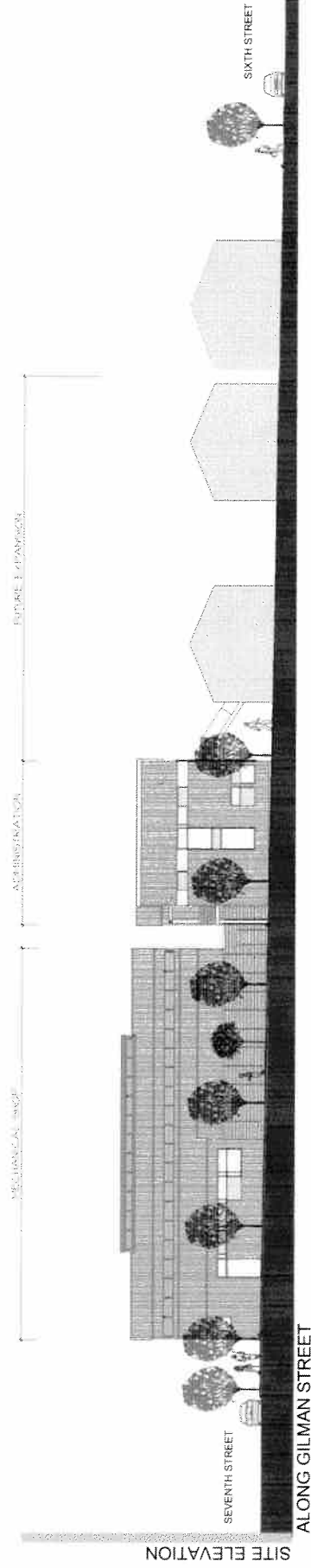


NORTH



SOUTH





BERKELEY UNIFIED SCHOOL DISTRICT

DATE: July 5, 2001

TO: Members, Board of Education

FROM: Terry S. Doran, President of the Board

PREPARED BY: Terry S. Doran and Ove M. Wittstock, Executive Director,  
Berkeley Boosters Association

RE: Proclamation in support of "Pedaling For Peace"

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RECOMMENDATION:

It is recommended that the Board of Education approve the Proclamation in support of the Berkeley Boosters Police League sponsored program, "Pedaling For Peace."

DISCUSSION:

Pedaling For Peace is an innovative program designed by the Berkeley Police Activity League in partnership with the California Department of Parks and Recreation. A group of Berkeley Teenagers, along with adult chaperones, will be taking a bicycle tour from Berkeley to the city of Santee between August 6, 2001-August 19, 2001 as an activity called "Pedaling For Peace." Students, educators, parents and concerned community members of the city of Berkeley are faced with many of the same challenges and issues that face the city of Santee. One of our biggest challenges is the appearance of our students lacking a sense of connection to each other, family, school and community. Pedaling for Peace participants will work with caring adult role models and have an opportunity to communicate with their peers from Santana High School as well as other teenagers in the thirteen different overnight camping locations along the route from Berkeley to Santee.

There is no doubt that the Pedaling for Peace Program will provide an exciting physical challenge. Perhaps even more importantly, it will begin to reconnect teens to the endless possibilities of their world. The goal of the program is to have each and every teen know this bit of truth for themselves, "IF I CAN DREAM IT; I CAN ACHIEVE IT."

FINANCIAL IMPACT:

There is no financial impact to the District.

# BERKELEY UNIFIED SCHOOL DISTRICT

## ***PROCLAMATION***

APPROVED: July 5, 2001

**WHEREAS**, the *Berkeley Boosters* has served the community with its unique combination of at-risk youth and law enforcement officers since 1983, promoting family involvement, educational success, and community support and collaboration as a method of helping at-risk youth become functioning, self-supportive citizens of our community; and

**WHEREAS**, the *Berkeley Boosters Police Activities League* has designed the “Pedaling For Peace” program in partnership with the California Department of Parks & Recreation to provide twenty 10<sup>th</sup> & 11<sup>th</sup> grade *R.I.S.E. Project* students from **Berkeley High School** who have been identified as at-risk, and who would not otherwise have an opportunity to participate in a program of this kind, a challenging 14 day bicycle ride from **Berkeley High School** to Santee, California where participants will meet with their peers from **Santana High School**;

**WHEREAS**, the “Pedaling For Peace” program of the *Berkeley Boosters* incorporates the following goals:

1. Help reduce teen violence
2. Raise self-esteem
3. Encourage cross-cultural understanding
4. Establish links for teens throughout the state

**NOW, THEREFORE, BE IT RESOLVED** that the **Berkeley Unified School District Board** supports this effort and extends their best wishes to the participants for a successful trip.

**BE IT FURTHER RESOLVED** that the **Berkeley Unified School District** sends their best wishes to the **School Board of Grossmont Union High School District**.

## **PEDALING FOR PEACE ITINERARY**

**August 6, 2001 – August 19, 2001**

1	Monday, August 6 <sup>th</sup> Bart to S.F., Pedal from S.F. to Half Moon Bay State Beach	<b>20 miles</b>
2	Tuesday, August 7 <sup>th</sup> Half Moon Bay State Beach to New Brighton or Sea Cliff State Beach	<b>55-60 miles</b>
3	Wednesday, August 8 <sup>th</sup> , New Brighton or Sea Cliff to Monterey	<b>25-30 miles</b>
4	Thursday, August 9 <sup>th</sup> , Monterey to Big Sur	<b>25-30 miles</b>
5	Friday, August 10 <sup>th</sup> , Big Sur to San Simeon State Beach	<b>60 miles</b>
6	Saturday, August 11 <sup>th</sup> , Layover day	<b>0</b>
7	Sunday, August 12 <sup>th</sup> , San Simeon to Pismo State Beach	<b>50 miles</b>
8	Monday, August 13 <sup>th</sup> , Pismo State Beach to Gaviota	<b>50 miles</b>
9	Tuesday, August 14 <sup>th</sup> , Gaviota to Carpinteria	<b>35-40 miles</b>
10	Wednesday, August 15 <sup>th</sup> , Carpinteria to Point Mugu	<b>45-50 miles</b>
11	Thursday, August 16 <sup>th</sup> , Point Mugu to LA	<b>50 miles</b>
12	Friday, August 17 <sup>th</sup> , LA to Dana Point	<b>50 miles</b>
13	Saturday, August 18 <sup>th</sup> , Dana Point to San Elijo	<b>50 miles</b>
14	Sunday, August 19 <sup>th</sup> , San Elijo to Santana High School	<b>50 miles</b>



BERKELEY UNIFIED SCHOOL DISTRICT

DATE: July 5, 2001  
TO: Members, Board of Education  
FROM: Terry S. Doran, John Selawsky, Board members  
PREPARED BY: Terry S. Doran, John Selawsky  
RE: Resolution to investigate the use of biodiesel in BUSD vehicles

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RECOMMENDATION:

It is recommended that the Board of Education approve the resolution to investigate the use of biodiesel in Berkeley Unified School District vehicles.

DISCUSSION

Petroleum diesel fuel is traditionally and still remains the standard fuel for most school buses, city buses, and various other large-engine vehicles. Recently an alternate fuel has been developed that is capable of replacing petroleum diesel fuel: biodiesel. This is primarily vegetable oil (recycled is possible) with a small amount of added catalyst, ethanol and sulphuric acid. It is capable of being produced in large batches in three days; the process involves slow heating. Biodiesel fuel burns much cleaner than conventional petroleum diesel, is potentially cheaper to produce (utilizing a renewable resource) and actually recycles readily available used deep-fry oil as a major ingredient. Emission reduction comparisons are reported below. One other benefit that has been noted is the odor of french fries in trucks burning biodiesel fuel.

Emissions: first number B100/second number B20, both in comparison with petroleum diesel

Carbon Monoxide	-43.2%/-12.6%
Hydrocarbons:	-56.3%/-11.0%
Particulates:	-55.4%/18.0%
Nitrogen Oxides:	+5.8%/+1.2%
Air Toxics:	-60%+/-12%+
Mutagenicity:	-80%+/-20%
Carbon Dioxide	-78.3%/-15.7%

B100 is Neat biodiesel fuel data averaged from 14 EPA tests.

B20 is 20% biodiesel fuel with low sulfur/low aromatic CARB diesel averaged from 14 EPA tests.

Also note: Opacity measurements performed by Michael Roberts of the California Council on Diesel Education and Technology at the Berkeley Ecology Center on recycling trucks (1994 Volvo diesels) indicated a 25-30% drop in opacity levels with B20 and a 75-85% reduction in particulate by opacity measurements with B100 (April 2000 and November 2000 tests).

#### FINANCIAL IMPACT:

The cost of staff time to prepare this report.

BERKELEY UNIFIED SCHOOL DISTRICT  
JULY 5, 2001

RESOLUTION SUPPORTING THE INVESTIGATION OF THE USE OF BIODIESEL IN  
DISTRICT VEHICLES

**WHEREAS**, the Berkeley Unified School District has shown its commitment to do everything within its power to conserve natural resources, reduce pollution and keep our community and world as clean as possible; and

**WHEREAS**, the Berkeley Unified School District has already initiated a food policy that encourages the use of natural, safe, nutritious organic foods as much as possible; and

**WHEREAS**, the Berkeley Unified School District passed, March 7, 2001, a resolution "Establishing a Green Procurement and Sustainable Procedures Policy"; and

**WHEREAS**, many of the Berkeley Unified School District vehicles run on diesel fuel; and

**WHEREAS**, the availability of biodiesel, an alternative fuel for diesel engines is readily available to our city; and

**WHEREAS**, biodiesel, made from vegetable oil, primarily virgin soybean oil, and also recycled deep fryer oil, is fleet-tested and can be used immediately in our vehicles with a minimum of expense or need of any new refueling infrastructure; and

**WHEREAS**, vehicles using biodiesel reduce toxic air contaminants by as much as 80 percent over petroleum diesel; and

**WHEREAS**, the City of Berkeley's ten recycling trucks are being run on 100 percent biodiesel and school buses in Phoenix, Medford, New Jersey, city buses in Cincinnati and Cedar Rapids, Iowa, and backup generators at the University of California at Riverside, are run completely or partially with biodiesel.

**THEREFORE, BE IT RESOLVED**, that the Berkeley Unified School District staff be directed to investigate the possibility and feasibility of using biodiesel fuel in District vehicles.

**FINALLY, BE IT RESOLVED**, that the District staff report back to the Board of Education by the October 3, 2001 School Board Meeting, with a detailed report outlining the possible benefits and financial implications of using biodiesel fuel in the Berkeley Unified School District.

**PASSED AND ADOPTED** this 5<sup>th</sup> day of July 2001.

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Terry S. Doran, President  
Board of Education

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Stephen A. Goldstone, Ed.D.  
Interim Superintendent



## MY WORD

# Energy of the future: biodiesel

**T**HE energy crisis has brought about a proliferation of backup diesel generators in California, set to run on petroleum diesel. The California Air Resources Board estimates there are 11,000 diesel generators in California, and now even more are being put into place to avert blackouts.

The prospect of thousands of diesel generators rumbling to life throughout the state this summer is ominous. The pollution from diesel generators will be added to the already staggering amount of pollution spewed out by diesel-powered vehicles. The alternative is biodiesel.

Biodiesel is made from vegetable oil, primarily virgin soybean oil, and also recycled deep fryer oil. Biodiesel is fleet-tested and available today. One source in the East Bay is CytoCulture in Point Richmond, the supplier for Berkeley's recycling trucks.

Petroleum diesel exhaust contains pollutants that are of concern to everyone. The American Lung Association of California recently developed an ad campaign that states, "70 percent of cancer risk from toxic air contaminants comes from diesel exhaust," and that it "contributes to bronchitis and asthma attacks."

The environmental consequences, such as acid rain caused by sulphur emissions and global warming from carbon dioxide, round out the failing report card on petroleum diesel. Its only positives are

## RICHARD BANGERT

supply and price, and the price difference is narrowing.

Research conducted at the University of California at Davis has shown that the cancer-causing potential of biodiesel particulate matter is 80 percent less than that of petroleum

*Converting to biodiesel wherever possible begins the needed transition to cleaner, renewable energy sources for power.*

diesel. It is less toxic than table salt and as biodegradable as sugar. The only emission not significantly reduced is nitrogen oxide, and catalytic converters are available to address this problem.

We can start using biodiesel now. It is the only alternative fuel that can be used in buses, trucks and ferries without necessitating large capital expenditures or a new refueling infrastructure. Biodiesel can be blended with petroleum diesel and offers benefits even at the 20 percent level.

Nevada's biodiesel efforts were in the news this spring when a Volkswagen Beetle, dubbed the Bio Bug, drove to the National Clean Cities Conference in Philadelphia and back to Las Vegas running on recycled cooking oil collected from the MGM Grand Casino

Resort. Discarded fryer grease is a free fuel source waiting to be tapped.

The availability of biodiesel in California will increase this month with the opening of the Coachella Valley Biodiesel Production Facility that will initially be able to produce 10 million gallons of biodiesel annually. Owned by Southern States Power Co., they already supply biodiesel fuel for the buses of

the largest school district in Arizona and a fleet of 100 cement trucks.

They will also supply biodiesel for the backup generators leased by the University of California at Riverside, which will run exclusively on biodiesel.

Converting to biodiesel wherever possible begins the needed transition to cleaner, renewable energy sources for powering electricity production facilities and vehicles.

**T**HE means are here now for a shift in fuel usage and improvement in air quality. The Green Party encourages every business and government agency to add biodiesel to their vocabulary and begin using it in their fleets and generators. Greater use of biodiesel would be one breath of fresh air coming out of this energy crisis.

For more information, contact the National Biodiesel Board at [www.biodiesel.org](http://www.biodiesel.org).

*Richard Bangert is a steering committee member of the city of Alameda Green Party.*

# Berkeley first in Bay Area to recycle with biodiesel

Trucks from Ecology Center run on waste oil from restaurants

By Tyche Hendricks  
CHRONICLE STAFF WRITER

**T**he city of Berkeley, which pioneered curbside recycling, has scored another environmental first by running the trucks that pick up newspapers, bottles and

cans on fuel made from recycled vegetable oil.  
"It smells like doughnuts, it's pretty weird," truck driver Todd Miller said yesterday. "I'm used to it now, but for the first couple weeks it smelled like one of those all-night doughnut shops."  
The fuel, known as biodiesel, is

made from waste oil collected from restaurants such as McDonald's, Dunkin' Donuts and KFC. Advocates say that although the fuel is more expensive than regular diesel, it burns cleaner, is an alternative to fossil fuels and can be used in any diesel engine.  
Berkeley's 10 recycling trucks

are "the first municipal fleet to use 100 percent biodiesel," according to Randall von Wedel, founder of CytoCulture, an environmental biotechnology company that supplies the fuel to the nonprofit Ecology Center that runs the city's curbside program. Other cities around the country have begun using a blend of 20 percent biodiesel and 80 percent

conventional diesel fuel. Among those using the mixture are school buses in Phoenix and Medford, N.J., and city buses in Cincinnati and Cedar Rapids, Iowa. Research boats in the Channel Islands National Park, off Santa Barbara, use 100 percent biodiesel, as does a pickup truck

► **FUEL:** Page A17 Col. 1

# Recycling trucks run on biodiesel in Berkeley

## ► FUEL

From Page A13

at Yosemite National Park.

Closer to home, San Francisco International Airport is testing both the 100 percent and 20 percent biodiesel fuels for possible use in the shuttle buses that take passengers to and from the long-term parking lots and rental car

agencies.

"It's a little more expensive," said airport spokesman Ron Wilson. "But we're willing to foot the extra cost to offset pollution."

The cost to Berkeley is about \$3 a gallon, or about 50 percent more than conventional diesel fuel, said Dave Williamson, who runs the Ecology Center's recycling program.

But the price may come down if the city buys larger quantities and converts all 50 of its diesel-run vehicles, from fire trucks to backhoes, as officials hope to do by next fall.

Even now, biodiesel costs less than half of what it did just a couple of years ago, when the University of California at Davis tested it on its maintenance trucks, AC Transit used it in city buses and a San Jose recycling company used it in garbage trucks.

And with new state and federal regulations on diesel emissions, the plant-based fuel is expected to become increasingly popular.

"From an air-quality standpoint we're very concerned about diesel because the particulates are



Dave Williamson showed off a bottle of clean biodiesel fuel.

an air quality problem and a toxics problem," said Terry Lee, spokeswoman for the Bay Area Air Quality Management District. "We need to find ways to move away from diesel in our school buses and our trucks."

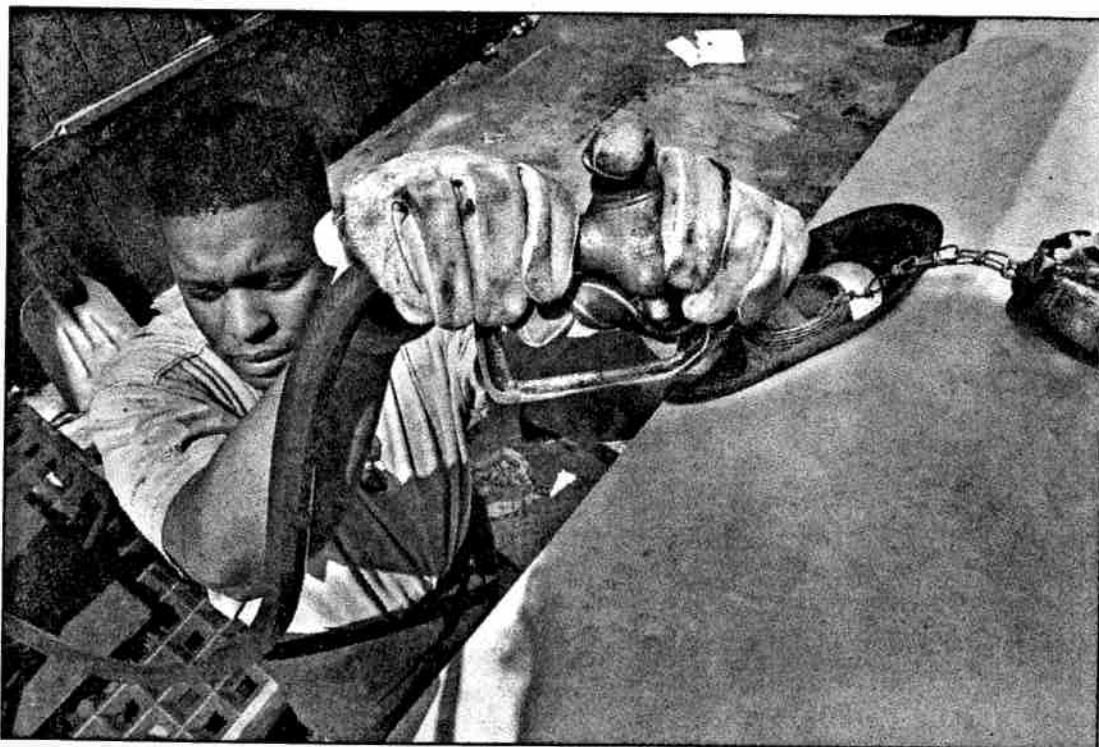
Most biodiesel is made not from recycled grease, but from virgin soybean oil, to the delight of soybean farmers in the country's heartland. The U.S. Department of Agriculture has begun subsidizing the soybean oil variety, which means that of the seven

## Biodiesel fuel

Some facts:

- Made from waste oil collected from fast-food restaurants or from virgin vegetable oil, primarily soybean oil in the United States.
- Nontoxic and biodegradable and contains no petrochemicals.
- Burns cleaner than petroleum-based diesel but is more expensive.
- Can be used in any diesel engine, and causes less wear and tear. Rubber fuel lines in older engines must be replaced with plastic lines to avoid corrosion.

Sources: CytoCulture International Inc., National Biodiesel Board



Photos by PENNI GLADSTONE / The Chronicle

**Maurice Robinson, a driver at the Ecology Center in Berkeley, filled his truck with biodiesel fuel.**

major biodiesel plants in the United States, only one will continue using waste oil, said von Wedel.

On a smaller scale, students at the University of California at Berkeley and Humboldt State University have experimented with making their own biodiesel from recycled oil, and von Wedel

hopes to one day produce it in California.

Von Wedel said he will open a biodiesel filling station in San Francisco next month, and he plans retail outlets in Richmond, Sacramento and Petaluma as a result of demand from farmers, building contractors, delivery

truck operators and drivers of old Mercedes-Benz station wagons.

Biodiesel has been around for a century, according to the Ecology Center's Williamson.

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*E-mail Tyche Hendricks at  
thendricks@sfchronicle.com.*



Berkeley Unified School District

DATE: July 5, 2001

TO: Members, Board of Education

FROM: Steve Goldstone, Interim Superintendent

SUBJECT: District Proposals Regarding Recommendations Contained in Berkeley Schools Excellence Project (BSEP) Annual Plan FY 2002 – Class Size Reduction Fund

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**RECOMMENDATION:**

It is recommended that the Board of Education take the following positions on the eight recommendations contained in the BSEP Annual Plan FY 2002 – Class Size Reduction Fund:

**BSEP Recommendation:**

1. That the Berkeley Unified School District Board of Education conduct a public forum on the BUSD FY 2002 Budget within 45 days of final passage of the State's Budget for the 2001-2002 fiscal year. This public forum should be conducted before any actions are taken to adjust the BUSD FY 2002 budget based on updated financial and enrollment information that will be available at that time.

*District Position:*

*Within 45 days of final passage of the State budget, and as required by law, the Board will receive and act on a revised budget. This time period will likely coincide with the Board meeting scheduled for August 15, 2001. Such budget shall contain only additional income, or loss of income, as a result of the State budget and no discretionary additional funding will be included. It is further suggested that a public forum be held in September, when financial information becomes clear, to discuss discretionary additions to expenditures, if financial conditions allow.*

BSEP Recommendation:

2. That the Berkeley Unified School District Board of Education establish as its highest priority for FY 2002 the restoration of classroom teacher staffing at the high school, at a level sufficient to provide a class size ratio of 28:1 and full funding of the high school enrichment formula

*District Position:*

*The Board conducted a number of Budget Study sessions to consider adjustments and reductions to the 2001-2002 general fund budget. Included in those discussions was a list of recommend Future Funding Considerations. After discussion by the Board, the list contained the following seven items (not listed in priority order):*

- *Build reserve to assist the 2002-2003 budget in consideration of one-time reduction savings in the 2001-2002 budget.*
- *Restore reductions in class size.*
- *Add 1 FTE administrator at Berkeley High School.*
- *Increase custodial budget.*
- *Restore reduction in School Safety Officers.*
- *Restore School Service Aide ratio.*
- *Fund Emergency Disaster Plan.*

*After extensive discussion, the Board chose not to prioritize the above list.*

*Due to the above discussions, it is recommended that the Board consider additions to the budget from this list as and if funds become available. Priorities should be established at that time, based on current conditions and considerations.*

BSEP Recommendation:

3. We recommend that the Board direct BUSD staff to report to the Board at its meeting on September 19, 2001, regarding:
  - \* Actual enrollment at all grade levels, including variances from budget projections, actual classroom teacher FTE allocations by site and grade levels, impact on actual class sizes, and recommendations for adjusting teacher allocations to grade levels or school sites.
  - \* To provide accountability regarding the District's ability to meet class size reduction goals, a listing of all classes at Berkeley High School in which enrollment exceeds 32, or is less than 20.

*District Position:*

*Because neither adequate nor accurate information may be available in time for the September 19, 2001 Board meeting, it is recommended that the requested information be presented at the first Board meeting in October. Since decisions regarding adjusting teacher allocations to grade levels or school sites are administrative functions, data regarding such decisions will be included in the report for information.*

*In order to provide balanced information regarding the District's ability to meet class size reduction goals, a listing of all Berkeley High School classes in excess of 32 or less than 26 shall be included in the October report.*

BSEP Recommendation:

4. That the Berkeley Unified School District Board of Education, to the fullest extent possible, endeavor to fully meet the goals, priorities, and obligations of the BSEP Class Size Reduction and Program Diversity Fund when budgeting classroom teacher FTE for FY 2002, specifically by:
  - \* Allocating sufficient funding from the General Fund, in addition to Class Size Reduction revenues from all sources, to establish student-teacher ratios not to exceed 20:1 in grades K-3, 26:1 in grades 4-6, and 28:1 in grades 7-12;
  - \* Allocating sufficient FTE to provide a wider diversity of course offerings in all of grades seven through twelve.  
[This is projected to be 7 FTE to Berkeley High School for the purpose of Program Diversity ("Enrichment"); and, estimated to be 2.4 FTE at the Middle Schools (based on the same formula used for "Enrichment" at BHS) that could be used to enhance "Program diversity" in grades 7 and 8.]



*District Position:*

*This issue has been a focal point of each Budget Study session and is included in the above items. In addition, although the 2.4 FTE at the middle schools has been recommended in the past and is highly desirable, it has not been implemented. To implement and provide for this additional staffing in this challenging budget year would require reductions in other programs and/or staffing levels.*

BSEP Recommendation:

5. That the Board corrects the error in the formula for calculating the class size ratios for the 6<sup>th</sup> grade. The BSEP measure specifically indicates that the class size reduction goals for grade 6 should be the same as those for grades K-5. The BSEP Planning and Oversight Committee has consistently recommended that this formula be corrected to be in compliance with the requirements of the BSEP measure, that is, 32:1 class size paid from the General Fund with BSEP funds used to reduce that ratio to the level established for grades K-5 (currently 26:1).

*District Response:*

*While this staffing ratio is a requirement of the BSEP measure, the reconfiguration of grade levels was accomplished after the requirement was established. Thus, a need exists to change the grade structure when the measure is re-written. To implement this change in budget year 2001-2002 would require reductions in other programs and/or staffing levels.*

BSEP Recommendation:

6. That, as previously requested by this Committee, the Board convene a public forum to consider possible courses of action to achieve a balance between its class size reduction goals and inter-district transfer permits. Following consideration of community input through a public forum, we recommend that the Board clearly articulate, broadly communicate, and consistently implement a policy regarding inter-district enrollment. As part of this request, we ask that the interim Superintendent provide current criteria for evaluating and approving interdistrict transfer requests, to which he referred during the Board meeting of March 21, 2001. We also repeat our request from our previous communication that the Board “Demonstrate the cost-benefit of official interdistrict Transfers: *Does the revenue received offset the additional costs, service burdens, and effects on the District’s commitment to the goals of BSEP?*” (emphasis added).

*District Response:*

*A well-planned, clear, and informative dialogue to address the issues of non-Berkeley students attending Berkeley schools is strongly recommended. Community and District concerns should be freely and openly discussed and pertinent issues identified and addressed. Included in this open communication should be the issue of the financial impact of non-resident students as well as a clear understanding of the legal requirements for accepting as well as denying enrollment of non-resident students.*

*It is suggested that an approach to the issue of enrollment take into consideration the following:*

- *Determine desirable enrollment numbers at each instructional level (elementary, middle, and high school) based on educational, financial, and physical considerations.*
- *Adjust the number of non-resident enrollment allowed to meet the desired enrollment numbers.*
- *Conduct a positive and assertive campaign to attract Berkeley students who are not enrolled in Berkeley public schools to take advantage of the incredible opportunities offered in our schools. This could serve several purposes:*
  - *Allow students of taxpaying citizens of Berkeley to enjoy the benefits that their tax dollars provide.*
  - *Generate the energy and involvement of more citizens in their public schools.*
  - *Limit available space for non-resident students as a result of an increase in Berkeley students thereby avoiding any negative financial impact.*

BSEP Recommendation:

7. We recommend that the District allocate from the General Fund sufficient revenues to fully fund classroom teachers at the class size ratios established in the BSEP measure, for all students enrolled in BUSD through interdistrict transfers.
- \* We request, in addition, that the District staff provide information regarding the number of students attending each BUSD school site through interdistrict transfers.
- \* We again request that the Board require District staff to complete an analysis of the “unofficial” enrollment of students who do not live in the District.
- \* We recommend that the Board request a timely update on the implementation of new BHS enrollment procedures, and review their impact.

*District Position*

*In responding to this BSEP recommendation, the negative impact of funding inter-district transfer students through General Fund and not BSEP relative to class size reduction must be considered, especially in a very challenging budget year. It is recommended that such a transfer of funds not be implemented in order to avoid further programmatic as well as possible staff reductions. Without added income, the District is still dealing with the same overall financial limitations in both the general fund and the BSEP budgets combined.*

*Additional information requested should be provided relative to “the number of students attending each BUSD school site through inter-district transfer.” It is also suggested that more complete information be provided as practical regarding other non-resident students. To provide a more complete analysis, the number of students leaving the District on inter-district permits should be provided in addition to those entering the District.*

*The logistics of providing an “analysis of the ‘unofficial’ enrollment of students who do not live in the District” must be considered in any attempt to identify such students. If such students can be identified, they should either be required to proceed with the inter-district attendance process or be returned to their districts of residence. The enrollment procedures to be implemented in the new school year will help to control the number of students attending Berkeley schools without proper permits.*

*An update on “new BHS procedures” will be presented to the Board with the Student Assignment Report in November.*

BSEP Recommendation:

8. We recommend that the District discontinue the practice of allocating basic costs for school site administration to BSEP. These routine costs should be paid from the District's General Fund, not from the limited BSEP funds that are needed to pay for classroom teachers.
- \* In addition, we recommend that the Board direct BUSD staff to report to the Board and to the BSEP Planning and Oversight Committee regarding the methodology used to calculate Direct Support charges attributable to Class Size Reduction, prior to allocating any BSEP Class Size Reduction funds for this purpose.

*District Position:*

*The impact of discontinuing this practice needs to be analyzed and the effect on the general fund's ability to continue to fund programs and staffing at the current level needs careful analysis and understanding. The practicality of doing as recommended by BSEP, no matter where one is in supporting the concept, must be understood.*

*It is appropriate for the District to provide information about the methodology used to calculate direct support charges that can be attributed to Class Size Reduction. Such information should be made available prior to the allocation of any BSEP Class Size Reduction funds.*

## **DISCUSSION**

The Berkeley Schools Excellence Project Annual Plan FY 2002 was presented to the Board of Education at its meeting of June 6, 2001 for information. The plan was adopted by the Board at its meeting of June 20, 2001.

The BSEP Annual Plan contains eight recommendations from the BSEP Planning and Oversight Committee in the Class Size Reduction section of the report. At the time of its adoption, the Board requested that those eight recommendations be returned to the Board at its next meeting for discussion.

The responses included above to the BSEP recommendations are presented herein for Board consideration. Since many of the BSEP Recommendations and the District Responses may have a major impact on the District, its students, staff, and community, it

is recommended that this report be presented once again at a future Board meeting, allowing the new Superintendent to provide her reaction and recommendations.

**FINANCIAL IMPACT:**

To be determined.



**BERKELEY UNIFIED SCHOOL DISTRICT**  
**BERKELEY SCHOOLS EXCELLENCE PROJECT**

2134 Martin Luther King, Jr. Way, Berkeley, CA 94704  
Phone: 644-8717 Fax: 644-8923

**DATE:** July 5, 2001  
**TO:** Board of Education  
Stephen Goldstone, Ed.D., Interim Superintendent  
**FROM:** Monica M. Thyberg, BSEP Program Manager *MMT*  
**RE:** BSEP School Enrichment Program Plans for FY 2002<sup>†</sup>

Since the 1987 school year, each Berkeley school has received an allocation from the BSEP School Enrichment Program Fund, the use of which is determined by each schools' BSEP Site Committee. This committee of parents, teachers, principal, classified staff, and sometimes students, after conducting a school-wide needs assessment/goal setting process, struggles to choose from among the myriad of creative ideas that could benefit their school. It is their decisions, their resourceful and imaginative use of these BSEP funds that are presented here.

The allocation to each school from the BSEP School Enrichment Program Fund for FY 2002 is **\$135 per pupil**.<sup>\*</sup> Most of these BSEP monies are devoted to retaining resource personnel such as music, art, and science specialists, tutors and other personnel who bring a rich diversity of instruction and student support programs to our students.

Although the allocation for next year represents a slight increase of five dollars per pupil more than the allocation of FY 2001, this increase is not commensurate with the rising costs of personnel. This has made BSEP Site Committees' decisions extremely difficult. Schools have been hard pressed to maintain beloved programs. In order to achieve a balanced budget, some personnel time has been reduced and some programs have had to be eliminated altogether. Once again, parent groups are scrambling to undertake fundraising efforts to sustain programs that BSEP School Enrichment Program funds have been able to provide since 1987.

Following is a summary and the individual schools' Annual Plans for the BSEP School Enrichment Program Fund for FY 2002.

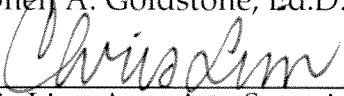
<sup>†</sup> **DOCUMENT UNDER SEPARATE COVER**

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<sup>\*</sup> **Note:** A second distribution of funds, based on actual enrollment of October, 2001, will be made to the sites in late fall, 2001.



## Berkeley Unified School District

DATE: July 5, 2001  
TO: Members, Board of Education  
FROM: Stephen A. Goldstone, Ed.D., Interim Superintendent  
PREPARED BY:   
Chris Lim, Associate Superintendent, Instruction  
SUBJECT: 1<sup>st</sup> Reading of Proposed Truancy Policy

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### **RECOMMENDATION:**

This is the Board's first reading of the proposed Truancy Policy.

### **DISCUSSION:**

This policy was drafted by Berkeley High School Staff with input from students, parents and the community. This policy begins intervention with students who have 3 unexcused absences. The intervention steps are progressive in severity for every two unexcused absences after the initial three. Frank Lynch, Principal, will be present to explain the policy in detail.

### **FINANCIAL IMPACT:**

There is no cost to the General Fund to implement this policy. In fact, implementation of a Truancy Policy may increase ADA revenue for the District.



# **Truancy Policy**

## **2000-2001**

### **Draft**

#### **Stage 1: 3 unexcused absences**

Teacher will make a phone call to the home explaining the ramifications of missing class and its effect on the student's grade. Teacher at this time can use this time to relay to the parent/guardian any other issues with the student and work for remedies. Teacher will fill out a Truancy Intervention Form recording the time/date of call, # of absences and any other details. Teacher should make at least 2 attempts to reach parent/guardian before moving to next step.

#### **Stage 2: 5 unexcused absences**

Teacher should fill out Truancy Intervention Form and send triplicate form to Check and Connect Truancy Intervention Coordinator. Truancy Coordinator should make another call to home and reemphasize the importance of being in school from both the graduating and the legal angles. The Coordinator can at this stage assign a Youth/Peer Advocate or mentor to check up with the student on his/her progress. The Coordinator can facilitate getting the student to see appropriate guidance counselor or other "official" counselor to deal with any other issues that the student might have. A "contract" or plan can be set up at this point to begin process of correcting attendance pattern. Any and all information shall be distributed to student's counselor, parents and teachers.

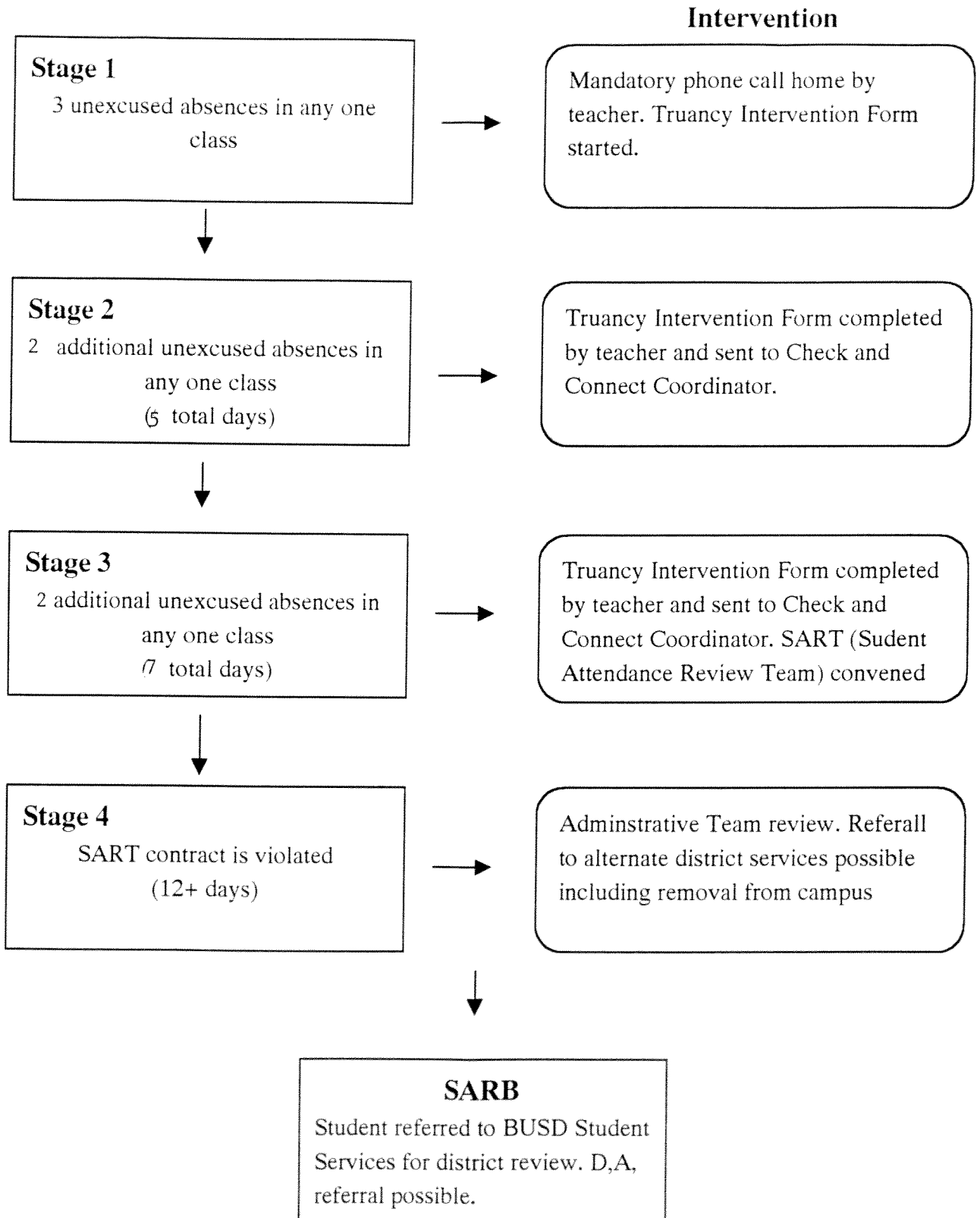
#### **Stage 3: 7 unexcused absences**

If contract/plan has been violated or student has reached the above number of absences, the teacher/ and Check and Connect Coordinator shall take steps to perform a SART (Student Attendance Review Team) with student. Coordinator shall work with appropriate administrator to make sure that the SART is fully staffed, that all processes are performed and that all necessary parties are in place.

**Stage 4: Administrative Review**

If SART is violated, the student and parent/guardian, will have to meet the BHS administrative team to review and recommend placement in another program/school or services that can assist in correcting attendance or academic issues. Student can be referred to BUSD Student Services department for SARB or referred to District Attorney.

**Berkeley High School  
Truancy Policy  
Process of Referrals**



## Berkeley Unified School District

DATE: July 5, 2001

TO: Members, Board of Education

FROM: Stephen A. Goldstone, Ed.D., Interim Superintendent

PREPARED BY: Chris Lim  
Chris Lim, Associate Superintendent, Instruction

SUBJECT: 1<sup>st</sup> Reading Revisions to Board Policy 1312.3 -Uniform  
Complaint Procedures

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This is the first of two required readings for revisions to Board Policy 1312.3 Uniform Complaint Procedures.

### **DISCUSSION:**

In order to fully resolve non-compliant items related to our Uniform Complaint Procedures, the attached revisions are necessary. The revisions were drafted with assistance from the California Department of Education Categorical Programs Complaints Management Unit. The Uniform Complaint Policy covers the following programs: Adult Basic Education, Consolidated Categorical Programs, Child Nutrition, Migrant Education, Childcare and Development Programs, Special Education and Vocational Education Programs.

### **FINANCIAL IMPACT:**

There is no financial impact to the General Fund.

**1312.3 Uniform Complaint Procedures (Concerning Consolidated Categorical Aid Programs)**

A. Compliance Responsibility. The Board recognizes that it is the District's responsibility to ensure compliance with applicable federal and state laws and regulations governing the educational programs listed below and to investigate allegations of non-compliance. Accordingly, consistent with the Uniform Complaint Procedures and the following administrative regulation; any individual, public agency or organization may file a written complaint with the District alleging a violation of federal or state law or regulation governing the following programs:

1. Adult Basic Education
2. Consolidated Categorical Aid Programs
3. Migrant Education
4. Vocational Education
5. Child Care and Development
6. Child Nutrition
7. Special Education

B. Discrimination Complaints

1. In addition, discrimination complaints may be filed with the District alleging unlawful discrimination on the basis of ethnic group identification, religion, age, sex, color, or physical or mental disability, in any of the above programs conducted by the District which are funded directly by, or that received or benefits from any state financial assistance. A discrimination complaint may also be filed with the California Department of Education, if direct intervention is requested by the person allegedly harmed or by a person on behalf of another.
2. Discrimination complaints shall be filed with the District or the California Department of Education not later than six (6) months from the date the alleged discrimination occurred, or the date complainant first obtained knowledge of the facts of the alleged discrimination. The California Superintendent of Public Instruction may upon written request and for good cause extend the period of filing a discrimination complaint.

- C. Prohibits. The Board prohibits retaliation for the filing of a complaint, the reporting of discrimination, or for the participation in the complaint procedures. The District shall maintain the identity of a complainant alleging discrimination confidential, except to the extent necessary to carry out the investigation or complaint proceedings.
- D. Annual Notification. At least annually, the Board designated compliance officer shall notify parents / guardians, employees, committees, students and other interested parties of the District's local complaint procedures, including the opportunity to appeal the District's decision. The notice must also advise recipients of any civil law remedies that may be available. The notice shall be in English, a language other than English when 15 percent (15%) or more of the students in a school speak that language, or in the mode of communication of the recipient of the notice.
- E. Procedures for Filing and Responding to Complaints
1. Informal Resolution. Before filing a formal written complaint, the following procedures may be followed by any individual, public agency or organization wishing to make a suggestion or resolve informally a complaint regarding any of the programs specified in the **Uniform Complaint Procedures**.
    - a. Contact the school principal, site or advisory council chairperson, or any representative of the site or advisory council to seek resolution of any problems and suggestions.
      1. If any representative of the site or advisory council receives a suggestion or complaint, the chairperson of the site or advisory council shall be informed immediately.
      2. The chairperson shall inform the school principal of any suggestions or complaints, and the school principal shall inform the chairperson of any suggestions or complaints.
      3. The school principal, in cooperation with the chairperson and the program administrator, shall attempt to resolve any suggestions or complaints raised by individuals or groups.
      4. When a complaint or suggestion is not resolved and their assistance is needed, the total site or

advisory council will be informed of complaints and/or suggestions.

2. Formal Complaint Procedures. If a complaint cannot be resolved at the informal level, the following procedures shall be used to address complaints which allege that the District has violated federal or state laws or regulations governing the educational programs specified in *the Uniform Complaint Procedures*. The Board designates the following compliance officer to receive and investigate written complaints and ensure District compliance with law:

(Title/Position): Associate Superintendent of Instruction

(Address): 2134 Martin Luther King Jr. Way  
Berkeley, CA 94704

(Telephone Number): (510) 644-6257

- a. The complainant shall file a written complaint with the designated compliance officer. The complainant may use the District complaint form. If a complainant is unable to put a complaint in writing due to conditions such as illiteracy or other disabilities, District staff shall help him/her to file the complaint.
  - b. The District's compliance officer, in cooperation with the chairperson, program administrator, and the principal, shall investigate the complaint and provide an opportunity with five (5) days of receiving the complaint for the complainant or the complainant's representative to present evidence relevant to the complaint, including an opportunity to question the parties involved.
  - c. *Within thirty (30) days of receiving the Complaint, the District's compliance officer in cooperation with the chairperson, program administrator, and the principal, shall prepare and send to the complainant a written report summarizing the findings and disposition of the complaint, including corrective actions if any, the rationale for such disposition, notice of the complainant's right to appeal such decision. to the Berkeley Unified School District Board of Education within 5 calendar days. The report will also include the requirement that an appeal to the Department of Education must be made within 15 days of the receipt of the final report.*
1. The report shall be in English and, when necessary in the language or mode of communication best understood by the complainant.

2. Assistance in responding to a complaint shall be obtained from District administrative staff, including the Superintendent or his/her designee, and the Board.
- d. If a complainant is dissatisfied with the compliance officer's written response he/she may file within five (5) calendar days of receipt of the written report, his/her complaint the Board in writing. The Board may consider the matter at its next regularly scheduled Board meeting or at a special meeting convened to meet the sixty (60) day time limit within which the complaint must be answered. If the Board decides not to hear the complaint, the compliance officer's decision shall be final. If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within sixty (60) calendar days of receipt of the initial complaint unless the complainant agrees in writing to extend the sixty (60) day timeline.
3. Appeal to California Department of Education. If a complainant is dissatisfied with the resolution of his/her complaint by the Board, he/she may appeal to the State Department of Education within fifteen (15) days of complainant's receipt of the District's final written report. (See Section Appendix for timeline and procedures for California Department of Education intervention.)
4. Outside Resolution. *No part of this policy precludes a complainant from pursuing civil law remedies outside of the District's administrative procedures at the complainant's own expense. Such remedies may include mediation centers, public/private interest attorneys, injunctions, restraining orders, etc. However, the Board recognizes that neutral mediator can often suggest an early compromise or resolution that is agreeable to all parties in the dispute. The superintendent shall ensure that the mediation results are consistent with state and federal laws and regulations. For discrimination complaints a complainant must wait until sixty (60) days has elapsed from the filing of an appeal with the California Department of Education before pursuing civil law remedies. The moratorium does not apply to injunctive relief and is applicable only if the district has appropriately, and in a timely manner, apprised the complainant of his/her right to file a complaint. For assistance*



*with any of the above outside remedies  
complainants may contact:*

**Mediation Services –**

**Berkeley Dispute Resolution Service – (510) 428-1811**

**California Community Dispute Services – (510) 231-4190**

**Civil Law Services –**

**East Bay Community Law Center – (510)548-3040**

**Community Legal Aid Society of Alameda County –  
(510)451-9261**

**State Bar of California – (800) 843-9053**

**Legal References**

*Educational Code*

200-262.3 Prohibition of Discrimination

35146 Closed Sessions

33031 Governing Board Rules and Regulations

49556 Non-Compliance

48985 Notices in Languages Other Than English

*Government Code*

54957-54957.8 Closed Sessions

11138 Rules and Regulations

*California Regulations*

Title 5, CCR Section 3080 – Application of Sections 4600-4671

Title 5, CCR Section 4600-4671 – Uniform Complaint Procedures

*Federal Regulations*

Title 34, CFR Sections 76.780-783 and 106.8 Complaints

1312.1(A) Adopted: 10/15/74; Revised: 11/07/84

1312.1(B) Adopted: Prior to 1975

1312.2 Adopted: Prior to 1975; Revised: 06/29/76

1312.3 Adopted: 12/02/92; Revised 6/01

## Uniform Complaint Process Concerning Categorical Aid Programs

* Adult Basic Education	* Consolidated Categorical Aid Programs
* Child Nutrition	* Migrant Education
* Childcare and Development Programs	* Special Education
* Vocational Education	

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

- Please print name, address, and telephone number.

Date \_\_\_\_\_

# Berkeley Unified School District

## Flow Chart of Uniform Complaint Procedures

### Step 1 - Informal Resolution

Complainant fills out form and contacts school principal, site or advisory council, or any representative of the site or advisory council to seek resolution of any problem. If complaint is unresolved, PROCEED TO NEXT STEP.	<b>IF COMPLAINT IS RESOLVED, PROCESS STOPS HERE</b>
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### Step 2 - Formal Complaint Procedures 60 day process

The complainant shall file a written complaint with the designated compliance officer. The designated compliance officer, in cooperation with the program administrator, chairperson and the principal shall investigate the complaint and provide an opportunity within <u>five (5) days</u> of receiving the complaint from the complainant or the complainant's representatives or both, and the District's representatives to present evidence relevant to the complaint, including an opportunity to question the parties involved.	<b>BUSD Compliance Officer</b> Christine Lim, Associate Superintendent Instructional Services 2134 Martin Luther King, Jr. Way Berkeley, CA 94710 (510) 644-6257 <u><b>5 Days</b></u>
Within <u>thirty (30) days</u> of receiving the Complaint, the District's compliance officer in cooperation with the chairperson, program administrator, and the principal, shall prepare and send to the complainant a written report summarizing the findings and disposition of the complaint, including corrective actions if any, the rationale for such disposition, notice of the complainant's right to appeal such decision. to the Berkeley Unified School District Board of Education within 5 calendar days. The report will also include the requirement that an appeal to the Department of Education must be made within 15 days of the receipt of the final report.	<b>IF COMPLAINANT IS SATISFIED, PROCESS STOPS HERE.</b>  <u><b>30 Days</b></u>
If complainant is dissatisfied with the compliance officer's written response, he/she may file within <u>five (5) calendar days</u> of receipt of the written report, his/her complaint with the Board of Education in writing.	<u><b>5 Days</b></u>
The Board of Education may consider the matter at its next regularly scheduled Board meeting or at a special meeting convened to meet the <u>sixty (60) days</u> time limit within which the complaint must be answered. If the Board decides not to hear the complaint, the compliance officer's decision shall be final. If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within sixty (60) calendar days of receipt of the initial complaint unless the complainant agrees in writing to extend the sixty (60) day deadline. IF COMPLAINANT IS DISSATISFIED, PROCEED TO NEXT STEP.	<b>IF COMPLAINANT IS SATISFIED, PROCESS STOPS HERE.</b>  <u><b>20 Days</b></u>

### Step 3 - Appeal to California Department of Education

If a complainant is dissatisfied with the resolution of her/his complaint by the Governing Board, he/she may appeal to the State Department of Education within fifteen (15) days of complainant's receipt of the District's final written report. See attached timeline and procedures for California Department of Education intervention.	
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### Outside Resolution

No part of this policy precludes a complainant from pursuing civil law remedies outside of the District's administrative procedures at the complainant's own expense. Such remedies may include mediation centers, public/private interest attorneys, injunctions, restraining orders, etc. However, the Board recognizes that neutral mediator can often suggest an early compromise or resolution that is agreeable to all parties in the dispute. The superintendent shall ensure that the mediation results are consistent with state and federal laws and regulations. For discrimination complaints a complainant must wait until sixty (60) days has elapsed from the filing of an appeal with the California Department of Education before pursuing civil law remedies. The following agencies can provide assistance: Berkeley Dispute Resolution Service – (510) 428-1811, California Community Dispute Services – (510) 231-4190, East Bay Community Law Center – (510)548-3040, Community Legal Aid Society of Alameda County – (510)451-9261, State Bar of California – (800) 843-9053

## Berkeley Unified School District

DATE: July 5, 2001

TO: Members, Board of Education

FROM: Stephen A. Goldstone, Ed.D., Interim Superintendent

PREPARED BY: Chris Lim  
Chris Lim, Associate Superintendent, Instruction

SUBJECT: Berkeley High School Intervention Program "Critical Pathways"

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### RECOMMENDATION:

It is recommended that the Board accept the Berkeley High School Intervention Program "Critical Pathways"

### DISCUSSION:

The "Critical Pathways" program will identify and assess students entering into 9<sup>th</sup> grade in the fall at BHS who are at risk at the 8<sup>th</sup> grade level. The 8.5 Bridge Program will introduce these students to Berkeley High School and assess them in reading and math. After the assessment, the students will be placed in the BHS Critical Pathways Program for the additional support and monitoring needed to ensure success in the ninth grade. A major component of the program is literacy. Much of the curriculum is being developed by 9<sup>th</sup> grade teachers and counselors over the summer.

### FINANCIAL IMPACT:

There is no financial impact to the General Fund.

Berkeley High School 9<sup>th</sup> Grade Intervention Program  
“Critical Pathway”  
June 27, 2001

1. There are currently 100 students that have been identified as 8<sup>th</sup> grade “retention candidates” in our three public Middle Schools. These 100 students have been invited to Berkeley High School’s 8.5 Summer Bridge Program. The Bridge Program will focus on English and Mathematics review along with orientation to the campus and community building. During the week of August 6-10<sup>th</sup> the 100 students will also be assessed in both reading skills and algebra standings. The 8.5 Bridge Program is the first piece to our “Critical Pathway”.
2. Critical Pathway and the BHS Literacy Program: Students that are assessed and found to be below grade level in the area of reading will be placed in reading classes during their instructional day, (these were previously the Backup classes). Reading Coordinator, Meg Matan will be training the BHS Reading teachers throughout the year. See Attached Literacy Program description.
3. Freshman Seminar: All 9<sup>th</sup> graders will take the year long course that includes both their Ethnic Studies and Social Living requirements. Teachers and counselors will be working over the summer to combine and create the curriculum for this new Freshman Seminar. This class will also include study skills, a geography unit, and many other subjects that 9<sup>th</sup> graders need to cover, (the importance of attending class).
4. Critical Pathway Core Program: One hundred identified students will be strategically placed in 10 selected cores. These cores will have specifically chosen teachers who are aware of the additional 5 at-risk students per class. The teachers and counselors, along with the Reading Coordinator will place these students in the many services provided at BHS. Additional supports such as peer-tutoring and mentoring will be provided and closely monitored to ensure the students success their freshman year.

### Freshman Core Program – Overview

- ◆ Core: 40 ninth grade students in two back-to-back classes: English and Freshman Seminar.
- ◆ Cluster: 2 cores (80 students), and one back-up English class with 20 students at risk of retention.
- ◆ If there are 32 sections, there are 16 cores, each involving two teachers.
- ◆ Depending on how many cores each teacher has, clusters will have between three and five teachers.

Cluster Type 1	Cluster Type 2
English Tchr A (2 sections)	English Tchr A (4 sections)
English Tchr B (2 sections)	Seminar Tchr A (4 sections)
Seminar Tchr A (2 sections)	Backup English Tchr (1 section)
Seminar Tchr B (2 sections)	
English Back-up (1 section)	

- ◆ Clusters need common preps to conduct weekly meetings. No core classes are scheduled during 7<sup>th</sup> period. If a core teacher has a 7<sup>th</sup> period class, they must be in a cluster with other teachers who have a common prep other than 7<sup>th</sup> period.

### Freshman Seminar

A new year-long course will be created, using the current curriculum from ethnic studies and social living courses, and adapting them to focus on academic and social skills. This course will be integrated with the ninth grade english course. All teachers involved will participate in creating, teaching, and evaluating the success of this new freshman seminar. Curriculum to be developed will be determined at the staff development day on Friday, June 15. Curriculum development work will take place over the summer and will be presented at a staff development day before school begins in August.

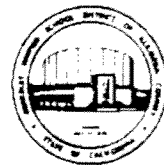
### 9<sup>th</sup> Grade Intervention Program

To facilitate providing services to the students at risk of retention, the Backup English classes will be assessed and revised. The freshman counselors will assist in developing the curriculum to ensure that teachers and students have access to information and resources, such as computerized literacy assessment tools, the writing center, ILP assistance, etc. 100 students at risk of retention will be identified and placed into ten selected cores (five per class), so that additional supports can be put in place (such as peer-tutoring from the Bridge program) and their success can be closely monitored.

# Berkeley Unified School District

## BERKELEY HIGH SCHOOL

2223 MLK Jr WY, Berkeley, California 94703 (510) 644-6120 FAX: 548-4221



### PRINCIPAL

Dr. Frank Lynch

### SUPERINTENDENT

Dr. Stephen A. Goldstone

June 26, 2001

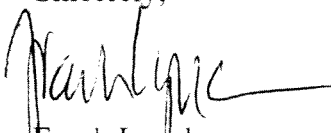
Dear Parents:

Berkeley High School is implementing a summer bridge program for incoming ninth graders. This program has been developed to offer additional support for students who have been identified as retention candidates from the eighth grade.

The focus will be academic support in English and Math. There will also be campus orientations and community building strategies. The program will be offered August 6-10, on the Berkeley High School campus. The hours will be 8:30 – 12:30 daily. The students will be meeting in the Library on Monday morning, August 6<sup>th</sup> at 8:30.

This will be a valuable tool for your student as he/she enters into the ninth grade. We strongly encourage your student's participation in this weeklong program to help make their transition to high school a successful one.

Sincerely,

  
Frank Lynch  
Principal

Please fill out and sign the attached form and have your student bring it with them on August 6<sup>th</sup>. Thank you.

Student's Name \_\_\_\_\_

Address \_\_\_\_\_

Phone Number \_\_\_\_\_

Parent's Name (Please Print)

\_\_\_\_\_ Signature for Permission \_\_\_\_\_

# BHS Literacy Program

## Literacy Program

Meg Matan .4

1. Literacy Prep. (Formally Back Up)
  - 5 Sections – Teachers Trained
  - Critical Pathways
  - Computerized Assessment (District Compatible)
    - A. SSR (Silent Sustained Reading)
    - B. Reading Level Compatible
    - C. Comprehension Based Program (SSR)
    - D. Motivation (Hand Picked Teachers)
6. Senior/ Freshman Bridge – trained (literacy coaches)
2. Overall Literacy (Making literature Accessible)
  - A. English Classes – Teachers Strategies to open Literature to everybody (Modeling, Chunking, Focus Sheets, Read- Around, Cooperative Learning)
  - B. Training Teachers Across Curriculum:
    1. Read Subject specific print
    2. Techniques
      - A. Graphic organizers
      - B. How is the piece layed-out?
3. Reading/ Writing Connection: - Mary Lee Cole
  - A. Reading Room
  - B. Writing Room
  - C. Trained Coaches/ Teachers
  - D. Resources
    1. Community
    2. UC Berkeley Students
4. Computerized Reading
  - A. SLC
  - B. Computer Lab



5. Reading Celebration Enrichment

- A. Book Clubs
- B. Reading Celebration

6. Parent Resources Center

- A. Train Literacy Coaches – Irma Parker/ Beth Montano
- B. Out- Reach to Parents
  - 1. Support Children Literacy
  - 2. Support Parents Literacy

Notes: \* Critical Pathway Coordinator:

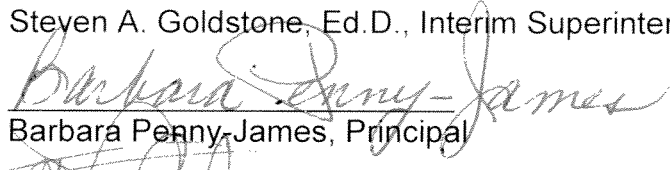
- After School Program
- SST (MaryAnn Valles )
- SAP – Malli Latham
  - Health Center – eye check
    - Physical and emotional assessment
  - Mentor Program (Grant)
  - Check & Connect (BSEP) check list
- ILP Report cards/Attendance
- Parental Support
- RISE
- Saturday Reading Center

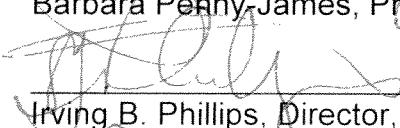
## BERKELEY UNIFIED SCHOOL DISTRICT

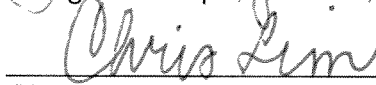
**DATE:** July 5, 2001

**TO:** Members, Board of Education

**FROM:** Steven A. Goldstone, Ed.D., Interim Superintendent

**PREPARED BY:**   
Barbara Penny-James, Principal

**REVIEWED BY:**   
Irving B. Phillips, Director, Magnet Programs

  
Chris Lim, Associate Superintendent for Instruction

**SUBJECT:** A Plan for City of Franklin Microsociety Magnet K-8 School through FY 2004

---

### RECOMMENDATION:

It is recommended that the Board of Education review the following plan for the implementation of the City of Franklin K-8 school through FY 2004 for information.

### DISCUSSION:

Because of concerns about the viability of the City of Franklin MicroSociety Magnet School, the Superintendent directed that measurable multi-year goals be established for the school

The following plan for City of Franklin is divided into two major sections. First, two goals relative to student enrollment are presented. These goals are based on projected student enrollment through 2003-2004 and the projected diversity of that enrollment.

The second portion of the report discusses programmatic, facility, and marketing issues as methods to achieve the goals as listed in the first section. The program section presents ideas for attracting students to Franklin who may not have considered the school in the past. The impact of currently approved facilities projects is discussed because there will be an impact on the school while the projects are in process. And lastly, a strategic plan for marketing is discussed.

## PART I

### Goals

#### 1. Projected Enrollment

	2001-2002		2002-2003		2003-2004	
	classes	enrollment	classes	enrollment	classes	enrollment
K	2	40	2	40	2	40
1	1.5	30	2	40	2	40
2	2.5	50	1.5	30	2	40
3	1	20	2.5	50	2	40
4	1	26	1	26	2	52
5	1	26	1	26	1	26
6	2	56	2	56	2	56
7	0	0	2	56	2	56
8	0	0	0	0	2	56
Total	11	248	14	324	17	406

This plan acknowledges the current K-5 enrollment at Franklin and projects the addition of two classes per grade for grades 6-8. It illustrates that the school will grow by 3 classrooms per year.

#### 2. Diversity

By FY 2003-2004 Franklin will have a demographic distribution within the guidelines for other BUSD schools in Kindergarten and 6<sup>th</sup> grade. By 2002-2003, the enrollment will achieve 50% of the goal with the remainder being achieved in the final year. Achieving this goal will involve an aggressive marketing plan and also depends on cooperation from many BUSD offices and staff.

## **PART II**

### **Plan**

The following plan for program, facilities and marketing will be implemented in order to achieve the enrollment and diversity goals.

#### **1. Program**

City of Franklin has been an elementary MicroSociety Magnet for two years. During that time the program was funded by a combination of district funding and Magnet grants. The staff is committed to the innovative hands-on approach of the program which incorporates rigorous academic standards through the creation of a mini-city.

This plan includes the extension of the program into the middle school, including the implementation of a stock market, a brokerage house, French, and an ancient history museum complete with a gift shop. Resources permitting, French will also become a part of the K-5 program. These additional programs are the result of the work of the school site K-8 visioning committee and the MicroSociety steering committee. Since the school has a mini-city as its base, the development of leadership programs for students will be beneficial. Visual and performing arts opportunities will be offered as part of student initiated enterprises. It is felt that the addition of these programs will enhance the attractiveness of the school for students and their parents.

#### **2. Facilities**

The City of Franklin school building is experiencing construction related to Measure A. This is starting at the end of the FY 2000-2001 school year. The scope of work includes technology wiring for the entire school, scheduled to be completed during summer 2001.

A Measure AA project (Orange Book page 14) is planned for completion in two phases, summer and fall of 2002 for phase I and through June 2003 for phase II. The scope of work for this project includes required modernization work, accessibility, and educational facilities upgrades. Two double-sided elevators are planned, one during each phase of the construction. Other elements of the project include moving the library to the main hallway, installation of a chair lift to the stage, installing a science lab, and moving two kindergarten classroom to the current library location. A school site committee has met with the architects and

project director to design not only the scope of work but the educational specifications that impact the design. The Board of Education approved the schematic design for this project on June 20, 2001. The school site facilities committee will continue to meet as the project progresses to insure that the desires of the school community are met. In addition, an adjustment in the MASTER PROJECT SCHEDULE will be required in order to meet the requirements of the student population goals.

There is also funding in Measure AA to upgrade the cafeteria at Franklin. The scope of work and schedule for this portion of the school renovation will be determined at a later date in cooperation with other BUSD offices.

Measure BB will have an impact on the school since general upkeep on the building and grounds will be enhanced. A maintenance request list will be developed by the school site facilities committee along with the maintenance department.

The landscaping of the Franklin site is of concern to the school community. There is no current funding plan to address these concerns. It should be noted that poorly maintained grounds can have an adverse effect of the ability of the school to recruit students.

### **3. Marketing**

The success of the attainment of the enrollment and diversity goals depends on a successful and aggressive marketing plan. The current staff and community of the school are developing such a plan. Elements of the plan include:

- a. Identification of contact persons, including persons at newspapers, radio and television, service clubs, pre-schools, and private schools
- b. Inform contact persons of all special events and community meetings along with staff profiles.
- c. Development of a student website
- d. Development of a professional quality school marketing video
- e. Development of student produced videos and other multi-media for use in marketing events
- f. Special events at the school will be publicized in local media such as Groundbreaking, and remodeling events.
- g. Press and media packets will be developed.
- h. Contact will be made with local real estate agencies so as to inform them of the schools' attractiveness.
- i. Booth participation in local events such as the Solano Stroll and the Chamber of Commerce trade Show

- j. Encouragement of Community Partners to market the school

This initial list will be brought to the school PTA and school site council along with other interested friends of the school for implementation.

#### **FINANCIAL IMPACT:**

The school is supported through per pupil allocations along with pending Magnet Schools Assistance Program grant funds.

# Terms And Conditions

**Definitions** On this Airbill "we," "our," and "us" refer to Federal Express Corporation, its employees, and agents. "You" and "your" refer to the sender, its employees, and agents.

**Agreement To Terms** By giving us your package to deliver, you agree to all the terms on this Airbill and in our current Service Guide, which is available on request. You also agree to those terms on behalf of any third party with an interest in the package. If there is a conflict between the Service Guide and this Airbill, the Service Guide will control. No one is authorized to change the terms of our Agreement.

**Responsibility For Packaging And Completing Airbill** You are responsible for adequately packaging your goods and properly filling out this Airbill. If you omit the number of packages and/or weight per package, our billing will be based on our best estimate of the number of packages we received and/or an estimated "default" weight per package as determined by us.

**Responsibility For Payment** Even if you give us different payment instructions, you will always be primarily responsible for all delivery costs, as well as any cost we incur in either returning your package to you or warehousing it pending disposition.

**Limitations On Our Liability And Liabilities Not Assumed**

- Our liability in connection with this shipment is limited to the lesser of your actual damages or \$100, unless you declare a higher value, pay an additional charge, and document your actual loss in a timely manner. You may pay an additional charge for each additional \$100 of declared value. The declared value does not constitute, nor do we provide, cargo liability insurance.
- In any event, we will not be liable for any damage, whether direct, incidental, special, or consequential in excess of the declared value of a shipment, whether or not Federal Express had knowledge that such damages might be incurred including but not limited to loss of income or profits.

- We won't be liable:

- for your acts or omissions, including but not limited to improper or insufficient packing, securing, marking, or addressing, or those of the recipient or anyone else with an interest in the package;
- if you or the recipient violates any of the terms of our Agreement;
- for loss or damage to shipments of prohibited items;
- for loss, damage, or delay caused by events we cannot control, including but not limited to acts of God, perils of the air, weather conditions, acts of public enemies, war, strikes, civil commotions, or acts of public authorities with actual or apparent authority.

## Declared Value Limits

- The highest declared value allowed for a FedEx Envelope/Letter and FedEx Pak shipment is \$500.
- For other shipments, the highest declared value allowed is \$50,000 unless your package contains items of extraordinary value, in which case the highest declared value allowed is \$500.
- Items of extraordinary value include shipments containing such items as artwork, jewelry, furs, precious metals, negotiable instruments, and other items listed in our Service Guide.

- You may send more than one package on this Airbill and fill in the total declared value for all packages, not to exceed the \$100, \$500, or \$50,000 per package limit described above. (Example: 5 packages can have a total declared value of up to \$250,000.) In that case, our liability is limited to the actual value of the package(s) lost or damaged, but may not exceed the maximum allowable declared value(s) or the total declared value, whichever is less. You are responsible for proving the actual loss or damage.

## Filing A Claim

**YOU MUST MAKE ALL CLAIMS IN WRITING** and notify us of your claim within strict time limits set out in the current Service Guide.

You may call our Customer Service department at 1-800-50FedEx® (800-463-3339) to report a claim; however, you must still file a timely written claim.

Within 90 days after you notify us of your claim, you must send us all the information you have about it. We aren't obligated to act on any claim until you have paid all transportation charges, and you may not deduct the amount of your claim from those charges.

If the recipient accepts your package without noting any damage on the delivery record, we will assume the package was delivered in good condition. For us to process your claim, you must make the original shipping cartons and packing available for inspection.

**Delivery to Residential Locations** Shipments to residential locations using FedEx Express Saver may be delivered without obtaining the recipient's signature.

**Right To Inspect** We may, at our option, open and inspect your packages before or after you give them to us to deliver.

**Right Of Rejection** We reserve the right to reject a shipment when such shipment would be likely to cause delay or damage to other shipments, equipment, or personnel or if the shipment is prohibited by law, or if the shipment would violate any terms of our Airbill or our current Service Guide.

**C.O.D. Services** C.O.D. SERVICE IS NOT AVAILABLE WITH THIS AIRBILL. If C.O.D. Service is required, please use a Federal Express C.O.D. Airbill.

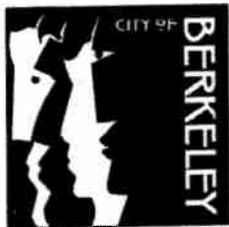
**Air Transportation Tax Included** A federal excise tax when required by the Internal Revenue Code on the air transportation portion of this service, if any, is paid by us.

**Money-Back Guarantee** In the event of untimely delivery, Federal Express will, at your request and with some limitations, refund or credit all transportation charges. See current Service Guide for more information.









Office of the City Manager

01 JUN 27 AM 8:38  
RECEIVED  
OFFICE OF  
SUPERINTENDENT

June 19, 2001

Steve Goldstone  
Interim Superintendent of Schools  
Berkeley Unified School District  
2134 Martin Luther King, Jr. Way  
Berkeley, California 94704

Dear Dr. Goldstone:

The Youth Commission submitted an item to the City Council, at its June 12, 2001 meeting, entitled "Impact of Proposition 21 on Berkeley Youth." A copy of this report is attached.

At that meeting, the Berkeley City Council voted to approve and submit the recommendations on Proposition 21 to the Board of Education for the Berkeley Unified School District's consideration and adoption.

I would appreciate being notified of the School Board's action on this item when it comes before them.

Thank you for your assistance with this project.

Sincerely,

WELDON RUCKER  
City Manager

Attachment

cc: Fred Medrano, Director of Health and Human Services  
Sherry Kelly, City Clerk  
Arrietta Chakos, Chief of Staff

167



Berkeley Youth Commission

01 JUN 25 PM 4:45  
RECEIVED  
OFFICE OF  
SUPERINTENDENT

June 2, 2001

To: STEVE GOLDSTONE, Superintendent, Berkeley Unified School District

From: ALICIA MOG & ANDRE STERNBERG, Co-Chairpersons, Youth Commission

Subject: REQUEST TO PLACED ON JULY 5, 2001 AGENDA OF BERKELEY  
UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION MEETING

On February 20, 2001, the Berkeley City Council requested the Youth Commission to work with the City Manager and other appropriate community groups to study the impact of Proposition 21. This comes to request that the Berkeley Youth Commission be placed on the July 5, 2001 Agenda of the Berkeley Unified School District Board of Education meeting to present results of the study, and to submit recommendations.

RECOMMENDATION:

Approve and submit the following recommendations on Proposition 21 to the Board of Education for the Berkeley Unified School District for consideration and adoption:

- Inform middle and high school students about Proposition 21;
- Provide information in classrooms, libraries, Berkeley Unified School District administrative offices, counseling centers, and security offices;
- Include information in Berkeley High School orientation packet;
- Develop "street law" curriculum incorporated into 9<sup>th</sup> grade and ethnic studies classes; and
- Offer "street law" seminars in the Berkeley High School Student Learning Center (e.g., after-school in September and 2-3 times a year).

BACKGROUND:

On February 20, 2001, Council requested the Youth Commission to work with the City Manager and other appropriate community groups to:

- Investigate the impact of Proposition 21 on juveniles and juvenile crime in Berkeley;
- Determine if there are any recently-passed ordinances that have had an unintended negative effect on young people;
- Alert the City Council to any inadvertent actions that potentially could involve young people in the criminal justice system;

## IMPACT OF PROPOSITION 21

- Research the crime prevention efforts of Alameda County, particularly in relation to the county program developed through the Stiff-Cardenas Crime Prevention Act of 2000 (Assembly Bill 1913); and
- Sponsor a community forum to present this information to Council members and the public, and include specific outreach to Berkeley High School students.

### Proposition 21

Proposition 21, entitled “The Gang Violence and Juvenile Crime Prevention Act” became state law on March 8, 2000. It changed juvenile criminal laws and laws for both juveniles and adults regarding gang-related crimes and violent crimes. Over 50 pages long, its basic theme is:

- Requires adult trial for juveniles 14 or older charged with certain murders and specified sex offenses.
- Eliminates informal probation for juveniles committing felonies.
- Increases punishment for gang-related felonies.
- Authorizes wiretapping for gang activities.
- Requires registration for gang-related offenses.

Under Proposition 21, District Attorneys are allowed to directly file charges against juvenile offenders in adult court for a greater number of serious crimes without first obtaining permission of the juvenile court. However, this provision is currently unenforceable because it was ruled unconstitutional in the case of *Manfully v. Superior Court* (2001) 86 Cal.App.4<sup>th</sup> 1198. The decision was appealed to the California Supreme Court. The Supreme Court granted a review of the *Manfully* case, thereby staying the decision.

On May 16, 2001, the Court of Appeal again ruled that this provision was unconstitutional in the case of *Reseda v. Superior Court* (2001) 89 Cal.App.4<sup>th</sup> 1. It is anticipated that this recent ruling will be merged into the Supreme Court’s pending decision on the *Manfully* case.

The only issue being disputed regarding Proposition 21 is the constitutionality of the District Attorneys’ authority to file charges against juvenile offenders in adult court without judicial review of that decision by the courts. Previously, District Attorneys could charge juveniles as adults in many instances, but the courts could send it back to juvenile courts if they so chose.

The *Manfully* and *Reseda* cases note that under the California Constitution, the executive branch (District Attorneys) has the power to bring criminal charges, the legislative branch has the power to set sentences, and the judicial branch (courts) has the power to impose sentencing subject to the guidelines established by the legislative branch. These different spheres of authority in the criminal process (and other aspects of our government) are mandated by the “Separation of Powers” doctrine, thereby creating checks and balances. According to the Court of Appeal, Proposition 21 changed that separation of powers in an impermissible way.

Adult courts impose harsher sentences than juvenile courts. For this reason alone, the Court of Appeal ruled that Proposition 21 has effectively taken away certain sentencing decisions from the judicial branch and given that power to the executive branch. This shift in authority from the judicial branch (courts) to the executive branch (District Attorneys) was ruled unconstitutional

## IMPACT OF PROPOSITION 21

because it upsets the constitutional separation of powers that gives sentencing decisions to the judicial branch (courts).

At this time, the District Attorney's power to file charges against a juvenile offender in adult court without judicial review is on hold until the California Supreme Court issues a decision. However, the District Attorney can continue to file charges against a juvenile in adult court, but the courts will likely continue to review such decisions.

### Youth Commission Process

Beginning March 12, 2001, Youth Commission co-chairs Sophia Lieby and Niles Lichtenstein along with Commissioners Alicia Mog, Andre Sternberg and Nick Rizzo met with the Commission secretary and a representative from the City Manager's Office to plan and implement responses to Council's request. A special meeting of the Youth Commission was held on March 26 and a committee was appointed to plan and develop a roundtable and forum. The committee was comprised of Sophia Lieby, Alicia Mog, Nick Rizzo, Will Lerner, Niles Lichtenstein, and Ben Chambers. Commissioners prepared announcements and invitations, agendas and questions. The matter was placed on the Youth Commission meeting agenda for April 2, where it was discussed and approved. On April 12 a Roundtable on Proposition 21 was held at the Civic Center Building (see Attachment A for list of participants). The purpose of the Roundtable was to convene juvenile justice officials, youth service representatives, and other concerned individuals to consider the impacts of Proposition (Prop) 21.

### Youth Commission Findings

#### 1. The impact of Proposition 21 on Berkeley youth

Tony Creer from Alameda County Juvenile Probation Department noted that in six Bay Area counties only 28 cases have been prosecuted under Prop 21, only five cases in Alameda County, none of which were from Berkeley. All of the above cases would have been tried as adults even before Prop 21. Creer pointed out that because of Berkeley's extensive diversion efforts and alternative programs; only the most severe juvenile cases get referred to Alameda County authorities. Sgt. Steve Odom from the Berkeley Police Department's Youth Services Bureau estimates that 75 fewer youth were referred to Alameda County justice system last year than the year before, and the numbers have been going down annually. Retired District Attorney Radisch stated that Proposition 21 has not made a difference. Juvenile Court Commissioner Stanley sees about 30-50 youth a day. For this youth group, her biggest problem is with contacting and communicating with the parents and/or guardians, who are largely absent in the lives of these youth. She notes that there is potential for increases in filings for youth as adults, but Alameda County appears to be good at diversion and only files charges against youth offenders in adult court for the most severe juvenile cases. There has not been much change.

#### 2. Negative effects of recently-passed ordinances

Matt Orebic from the City Attorney's Office reviewed Council actions over the past two years and reported that the City of Berkeley's existing and future ordinances are not likely to have any impact on the prosecution of juveniles under Prop 21. There is virtually no potential interplay between Prop 21 and the City of Berkeley's criminal ordinances because the City does not have

## IMPACT OF PROPOSITION 21

the authority to enact an ordinance that creates a felony offense.

### 3. Alert the City Council to actions that could criminalize young people

It is the City Attorney's opinion that there is virtually no potential scenario in which a City ordinance could be used to prosecute a juvenile under Prop 21. According to Mr. Orebic, if any person including a juvenile violates a City ordinance that is a misdemeanor with the specific intent of assisting a criminal street gang, then the District Attorney could potentially use Section 186.22(d) to obtain a longer sentence than might already be provided by the misdemeanor. However, this scenario is extremely remote and unlikely. This is because the Alameda County District Attorney almost never criminally prosecutes individuals for failure to comply with City ordinances and is unlikely to use a City ordinance to prosecute criminal street gang activity under any circumstances. Rather, if a misdemeanor were to be used, it would likely be a state law misdemeanor such as battery or brandishing a weapon.

The Berkeley Youth Commission is very concerned about Prop 21 and was outspoken and active in its opposition. The Youth Commission will continue to monitor City Council actions and alert the Council to any inadvertent actions that potentially could involve young people in the criminal justice system.

### 4. Research crime prevention efforts of Alameda County

Under the Cardenas-Cardenas Crime Prevention Act of 2000, Alameda County received \$5 million to institute a community probation program. The Young Adult Project, Berkeley Youth Alternatives and Berkeley Police Department Youth Services Bureau representatives participate on the Alameda County Community Collaborative on Juvenile Probation. The Community Probation Program is a collaborative effort among the probation officer, family, police, and informal community resource supports. The program places probation officers in the field to work with police officers, schools and other youth serving organizations. Berkeley representatives will continue to participate in Alameda County juvenile crime prevention efforts. In addition, Youth Commissioners Chris Darby and Andy Turner are assisting Supervisor Keith Carson in getting the County Youth Commission underway.

### 5. Community Forum on Proposition 21

A community forum on Prop 21 was held in the City Council chambers on May 9. Commissioners Niles Lichtenstein, Sophie Lieby, Alicia Mog, and Nick Rizzo convened the panel. Also on the panel were retired District Attorney Jack Radisch, Trina Stanley from the Juvenile Division of Alameda County Superior Court, Assistant District Attorney Walter Jackson of Alameda County, and 19-year old Theresa Miller from the Young Adult Project Teen Club. An estimated 100 youth attended from Berkeley High School.

An audience member asked if Prop 21 changed the way we look at kids? Assistant DA Jackson noted that "the perception by the public, in general, is that kids are more disrespectful and disobedient and the generation is getting bigger and mature earlier. The public is afraid of kids. There is erosion of public perception of treating kids as kids. There is an effort to take away their protections."

A youth asked, "If youth are going to be treated as adults at age 14, why not let them vote, drive, buy alcohol and tobacco?" Ms. Miller answered that a lot of little kids think they're grown, and they already buy alcohol, tobacco and drugs. Mr. Rizzo noted, "The adult justice system is supposed to be punitive and the juvenile system rehabilitative. Prop 21 at least tells youth what the punishment will be for certain crimes. But should the price be so extreme at a young age?" A youth challenged that walking down the street with friends creates a risk: police can stop you for gang association and profiling. Commissioner Stanley noted that there is potential for abuse under this statute, but DA Jackson noted that walking down the street with friends is not a criminal activity.

Commissioner Stanley noted that kids don't know where to go to get information. She suggested the Youth Law Center in Oakland. It covers every conceivable area of youth law. Many kids come to her with alcohol and drug problems; kids need to know where to go to get help. DA Jackson pointed out two important impacts of Prop 21. First, Prop 21 creates a state database of felony convictions for juvenile offenders. It lessens the rights to seal files. Second, the one-strike sex offense (kidnap and rape, burglary and rape) now face 25 years to life and commits to direct filing in adult court. Furthermore, graffiti is considered vandalism and Proposition 21 allows it to be considered a felony based upon cost of damage. Mr. Jackson recommended more recreation and safe after-school programs to keep kids out of trouble.

On May 14, 2001, the Berkeley Youth Commission unanimously approved that the following recommendations be submitted to the Board of Education for the Berkeley Unified School District for consideration and adoption:

- Inform middle and high school students about Proposition 21;
- Provide information in classrooms, libraries, Berkeley Unified School District administrative offices, counseling centers, and security offices;
- Include information in Berkeley High School orientation packet;
- Develop "street law" curriculum incorporated into 9<sup>th</sup> grade and ethnic studies classes; and
- Offer "street law" seminars in the Berkeley High School Student Learning Center (e.g., after-school in September and 2-3 times a year).

ATTACHMENT A

In attendance at the April 12, 2001 Roundtable were:

Irv Phillips and Mallie Latham of BUSD  
Pat Kuhi and Helene LeCar of the League of Women Voters  
Miriam Hawley of the Berkeley City Council  
Yvonne Bailey and Marcus Boulinger of the Boulinger Group  
Alicia Mog from the Youth Commission  
Patricia Pitre and Bertha Brown from the Young Adult Project  
Reverend Dickerson of the South Berkeley Community Church  
Irma Parker of the BHS Parent Center  
Rodney Brooks, Supervisor Keith Carson's Office  
Tony Creer, Alameda County Probation Department  
Fred Medrano, Director of Health and Human Services  
Matt Orebic, City Attorney's Office  
Steve Odom, Berkeley Police Department  
Philip Harper-Cotton, Secretary to the Youth Commission  
Steven Paskowitz, City Manager's Office  
Weldon Rucker, City Manager



BERKELEY UNIFIED SCHOOL DISTRICT  
RESOLUTION NO.  
7279

RESOLUTION IN THE MATTER OF THE  
DESIGNATION OF CERTAIN CLASSIFIED POSITIONS AS SENIOR  
MANAGEMENT

**WHEREAS**, Education Code Section 45100.5 authorizes the Board of Education to designate certain positions as senior management of the classified service; and

**WHEREAS**, the Board of Education of the Berkeley Unified School District believes that the best interests of the District would be served by designating such positions.

**NOW, THEREFORE**, the Board of Education of the Berkeley Unified School District hereby resolves as follows:

1. In accordance with the Education Code Section 45100.5 the following position is designated as senior management of the classified service: Associate Superintendent of Business and Operations.


PASSED AND ADOPTED by the following called vote this 5th day of July, 2001.

AYES: Directors Doran, Issel, Rivera, Schultz, Selawsky,  
(Student Director Chandler)

NOES: None

ABSTENTIONS: None

ABSENT: None



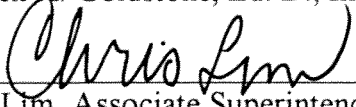
Clerk of the Board of Education of Berkeley  
Unified School District

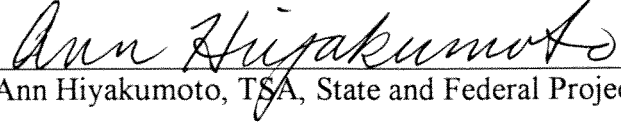
## Berkeley Unified School District

DATE: June 13, 2001

TO: Members, Board of Education

FROM: Stephen A. Goldstone, Ed. D., Interim Superintendent

PREPARED BY:   
Chris Lim, Associate Superintendent, Instruction

  
Ann Hiyakumoto, TSA, State and Federal Projects

SUBJECT: Approval of the Application for Funding the English Language Acquisition Program (ELAP)

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### RECOMMENDATION:

It is recommended that the Board of Education of the Berkeley Unified School District approve the application for funding of the English Language Acquisition Program (ELAP) for submittal to the California State Department of Education.

### DISCUSSION:

Local education agencies choosing to apply for these funds must use the funds in support of English Learners. Funds go directly to the school site and are based on a funding base of \$100.00 allocation for each English Learner in grades 4 to 8. Funds can be utilized by school sites to provide a program for English language development instruction to assist students to achieve the English language development standards adopted by the State Board of Education and to provide access to the core curriculum. Additionally, funds can be utilized to provide supplemental instructional support opportunities for English Learners or to coordinate services and funding sources for English Learners.

### FINANCIAL IMPLICATIONS:

There are no financial implications.

## English Language Acquisition Program (ELAP) Application for Funding, Fiscal Year 2001-2002

*(Please complete this application form according to the instructions contained on page 4 of this document.)*

\*\*\*\*\*

### Part I: Local Educational Agency (LEA) Information

First Time Applicant: ☐

Name of LEA Berkeley Unified School District

County/District Code 01/61143

Mailing Address 2134 Martin Luther King Jr. Way

City Berkeley

State CA

Zip Code 94704 - \_\_\_\_

Program Contact Person Name Ann Hiyakumoto

Title/Office TSA/State and Federal Projects

Telephone Number (510) 644 - 6202 x \_\_\_\_\_

FAX Number (510) - 644 - 8815

E-mail Address Ann.Hiyakumoto@Berkeley.k12.ca.us

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### Part II: Student Data

*(Please list individual language groups, as necessary.)*

- Enter the total number of English learners currently enrolled in grades 4 to 8 to be served with funds from ELAP.

Grade Level	4	5	6	7	8	District Total
Number of English Learners	88	90	75	89	62	404

- Enter by language category, the total number of currently enrolled English learners to be served with funds from ELAP.

Language	Spanish	Chinese	Vietnamese	Pilipino	Hmong	Other
Number of English Learners	280	25	7	4	0	85

3. List by rank all schools participating in the ELAP (with the highest English learners enrollment first).

<u>Column A</u>	<u>Column B</u>	<u>Column C</u>
<u>Name of School</u>	<u>Number of English learners in Grades 4 to 8</u>	<u>Total Enrollment In School (all grades)</u>
King Jr. Way	113	843
Willard Jr. Way	82	709
Rosa Parks	52	378
Thousand Oaks	43	391
Longfellow Jr. High	29	458
Malcolm X	16	434

(Continue on additional page if necessary.)

**\*The number of students reported in items 1, 2, and 3 must be the same. Funding will be based on this number.**

\*\*\*\*\*

### Part III: Certifications and Signatures

Pursuant to Education Code section 404, local education agencies that choose to participate must certify that they will do the following:

1. Conduct academic assessments of English learners to ensure appropriate placement of those pupils. Assessments shall include:
  - (a) Initial assessment of English language learners to determine their English proficiency level.
  - (b) Ongoing assessment conducted at least annually to ensure accurate placement of English language learners, to communicate progress, and to provide formative assessment information to refine the program. Assessment measures shall include, but are not limited to, the state standardized testing and reporting program required by Section 60604, unless a pupil is exempted by law, and the English language development instrument to be developed pursuant to Section 60811, when it is developed.
2. Provide a program for English language development (ELD) instruction to assist pupils in successfully achieving the English language development standards adopted by the State Board of Education pursuant to Section 60811. The program shall include structured immersion instruction to be provided for English learners, such as specially designed academic instruction in English, and sheltered English strategies to ensure access by English language learners to the core curriculum, unless the local educational agency has obtained a waiver pursuant to Section 310.
3. Provide supplemental instructional support, such as intercession, before and after school, opportunities or summer school, to provide English learners with continuing English language development. These opportunities are to supplement the regular school program and may include, but are not limited to, newcomer centers and tutorial support, mentors, or any other program that meets the objectives of the program established pursuant to this chapter. Academic support services needed to provide these opportunities may be funded by this program.
4. Coordinate services and funding sources available to English learners, including but not limited to, community-based English tutoring programs established pursuant to Article 4 (commencing with Section 315) of Chapter 3, programs for at-risk youth, after-school, intercession, and summer school programs, reading programs established pursuant to Chapter 2 of the Statutes of 1999 (First Extraordinary Session) and any available federal funds. The local educational agency shall also certify that it integrates adult community-based tutoring resources with the program established pursuant to this chapter.

**Part II: Student Data**

3. List by rank all schools participating in the ELAP ( with the highest English Learners enrolled first.

Name of School	Number of English Learners in Grades 4 to 8	Total Enrollment in School
John Muir	13	245
Cragmont	12	398
Washington	11	432
Emerson	9	337
Leconte	8	339
Franklin	7	166
Jefferson	5	320
Arts	2	417
Oxford	2	302

All participating local education agencies will be required to report to the State Superintendent of Instruction on the LEA's effectiveness in:

1) Increasing the rate of redesignation;

The number and percentage of English learners redesignated annually to fluent English proficient (FEP).

2) Increasing the high school completion rate;

The number and percentage of English learners graduating from high school.

3) Improving test scores on ELD and SAT9;

Annual measurements on the percentage of English learners scoring at/above the 25<sup>th</sup> percentile, as measured by the state standardized testing and reporting program required by Section 60604, unless a pupil is exempted by law.

Initial and annual measurements of the average score for all English learners, as measured by the English language development instrument to be developed pursuant to Section 60811.

The average score of all English learners, as measured in grade level standards established by Sections 60640 and 60811, in the areas of English language development, reading, writing, mathematics, science, and history/social science established pursuant to Sections 60640 and 60811.

4) Problems encountered in the operation of the program;

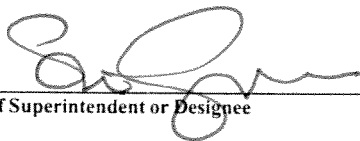
Problems encountered in the design and operation of the program, including identification of any federal, state, or local statute or regulation that impedes program implementation.

*If you are a first time applicant and have not previously submitted information on items 1-4 above, briefly describe how you will ensure that the student data and program information will be collected beginning in FY 2000-2001 and ready to report by 10/01/03.*

\*\*\*\*\*

### ACCEPTANCE OF CONDITIONS

I HEREBY CERTIFY THAT I HAVE READ THE CONDITIONS CONTAINED IN THIS DOCUMENT AND AGREE TO COMPLY WITH ALL REQUIREMENTS AS A CONDITION OF FUNDING.



Signature of Superintendent or Designee

Steven Goldstone

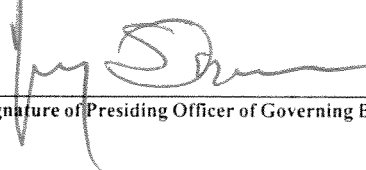
Printed Name

Superintendent

Title

6/20/01

Date Signed



Signature of Presiding Officer of Governing Board or Designee

Terry Doran

Printed Name

President, Board of Education

Title

June 20, 2001

Date of Approval by Board of Education

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