

**BERKELEY UNIFIED SCHOOL DISTRICT  
REGULAR MEETING OF THE BOARD OF EDUCATION – AGENDA  
Wednesday, October 3, 2001, at 6:00 p.m.**

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. The Board will recess to Closed Session at 6:00 p.m. and reconvene in Public Session at 7:30 p.m.

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 Sarena M. Chandler\*

Administration: Superintendent Michele Lawrence, Secretary

2. Prior to Closed Session, as necessary, staff/employee comments are taken per Government Code Section 54957
3. Recess to Closed Session – Board Conference Room
  - a. Conference with Legal Counsel—Existing Litigation (Government Code Section 54956.9(a):  
☐ Service of Process ☒ Existing Settlement Negotiations
  - b. Collective Bargaining Session (Government Code Section 3549.1(d)
  - c. Public Employee Discipline/Dismissal/Release (Government Code Section 54957)
  - d. Public Employment and Appointments (Government Code Section 54957)

**RECONVENE IN PUBLIC SESSION** - 7:30 p.m.

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\*The Student Director does not attend Closed Session.

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

**REPORT OF ACTION TAKEN IN CLOSED SESSION**

**PUBLIC TESTIMONY:** 30 Minutes—3 Minutes Per Speaker

**UNION REPRESENTATIVES:** 5 Minutes Each

**ADVISORY COUNCILS:** 5 Minutes Each

**SUPERINTENDENT'S COMMENTS**

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

<b>APPROVAL OF CONSENT CALENDAR</b>	<b>Placed on Agenda by</b>	<b>Disposition</b>	<b>Page(s)</b>
5. Approval of Minutes: September 19, 2001	Q.Graham		1-8
6. Approval of Personnel Report	D.Gomez		9-14
7. Approval of Purchases in Excess of \$15,000	J.Malone		15-16
8. Approve change order with Vicenti, Lloyd and Stutzman for school business consultant services	J.Malone		17
9. Authorization to Enter into contract for Berkeley Unified School District Safety Health and Environmental Compliance Program	J.Malone		18-39
10. Approval of Listing of Warrants issued in August 2001	J.Malone		40-58

**Regular Meeting of the Board of Education – Agenda**  
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<b>APPROVAL OF CONSENT CALENDAR</b>	<b>Placed on Agenda by</b>	<b>Disposition</b>	<b>Page(s)</b>
11. Receive and Approve Information on the issuance of payroll warrants for Employee Services for June 2001, July 2001 and August 2001	J.Malone		59-62
12. Approval of Resolution No. 7287: Authorization to Bid Landscape Maintenance Services for the Calendar Year (December 1, 2001-November 30, 2002)	J.Malone		63-66
13. Authorization to Award Required Asbestos Hazard Emergency Response Act (AHERA) Inspection to Robert Gils and Associates (RGA)	J.Malone		67
14. Resolution Supporting the Berkeley City Council in making the City of Berkeley a Hate-Free Zone	T.Doran		68-71

<b>APPROVAL OF ACTION ITEMS</b>	<b>Placed on Agenda by</b>	<b>Disposition</b>	<b>Page(s)</b>
15. Accept Proposal from Modular Information Systems (MIS) Data General for replacing the existing Micro Data Computer with a Hewlett Packard Computer	J.Malone		72-73
16. Approval of Modifications to Board Policy 6146.1: Graduation Requirements/Standards of Proficiency—Second Reading	C.Lim		74-79

**Regular Meeting of the Board of Education – Agenda**  
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<b>DISCUSSION/INFORMATION/REPORTS</b>	<b>Placed on Agenda by</b>	<b>Disposition</b>	<b>Page(s)</b>
17. Disapproval of Budget—AB1200	M.Lawrence		80
18. Facilities Department Strategic Plan	M.Lawrence		81-82

**ADDITIONAL PUBLIC TESTIMONY** - 10 Minutes

<b>BOARD MATTERS</b>
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- |   |
|---|
| <p>19. Board Committee Appointments/Reports</p> <ul style="list-style-type: none"><li>• Berkeley Arts Education Steering Committee</li><li>• Berkeley School Financing Corporation</li><li>• Citizens Advisory Committee on Diversity</li><li>• Citizens Budget and Finance Advisory Committee</li><li>• Citizens Construction Program Advisory Committee</li><li>• Facilities Maintenance and Security Advisory Committee</li><li>• Music Program Committee</li><li>• Peace and Justice Commission</li><li>• Student Assignment Advisory Committee</li><li>• Surplus Facilities Advisory Committee</li><li>• Two-by-Two Committee</li><li>• Youth Commission</li></ul> |
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<b>BOARD REQUESTS</b>

**ADJOURNMENT**

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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



TO: Michele Lawrence, Superintendent  
 FROM: David A. Gomez, Ph.D.  
 Associate Superintendent, Administrative Services  
 DATE: October 3, 2001  
 SUBJECT: PERSONNEL REPORT 01-05

Following is Personnel Report 01-05 which reports details of personnel assignments, employment and terminations.

CERTIFICATED PERSONNEL				EFFECTIVE	
NAME	POSITION	LOCATION	FTE & SALARY	FROM	TO
<b><u>RESIGNATION</u></b>					
Lisa Abel-Benavidez (6 years of service)	Teacher	On Leave	1.0	9/21/01	
<b><u>TEMPORARY</u></b>					
Jennifer De Monte	Teacher	Le Conte	1.0 Class II Step 4	9/24/01	6/13/02
Kathleen Mc Grath	Teacher	Le Conte	1.0 Class II Step 4	9/24/01	6/13/02

PERSONNEL REPORT 01-05  
October 3, 2001  
CLASSIFIED PERSONNEL

						EFFECTIVE	
NAME	POSITION	LOCATION	BUDGET	CLASS RANGE STEP	FTE & SALARY	FROM	TO
<b><u>TERMINATION</u></b>							
Prentice Gray	Instructional Technician	Berkeley High School				9/6/01	
Russ Pederson	Communication Technician	Technology				9/6/01	
<b><u>RESIGNATION</u></b>							
Julie Kinsella Sublett	Instructional Assistant Interpreter for Deaf	District				9/21/01	
<b><u>RETIREMENT</u></b>							
Harvey Pressman	TLTC Project Director	Technology Led Teacher Challenge				10/2/01	
Elaine Pecot	Manager of Transportation	Transportation				1/31/02	
<b><u>SUBSTITUTES</u></b>							
Jeronimo Carlos	Instructional Assistant Special Ed	District				8/27/01	
Aman Mebrahtu	Student Worker	District		N/A	As Needed \$6.25 /hr	8/10/01	8/31/02
Shannon Purcell	Student Worker	Vera M. Casey Center		N/A	.20	9/3/01	6/29/02
LaTrina Rhinehard	Tutor	Vera M. Casey Center		N/A	15 hrs/wk \$11.45/hr	9/3/01	12/28/01
Becki Turner	Noon Director	Washington		N/A	2 hrs/ day \$11.45/hr	9/10/01	6/13/02
Meayhin Saechao	Tutor	King Extended Day Program		N/A	16 hrs/wk \$11.45/hr	8/28/01	6/13/02
Kathleen McCormack	Tutor	Berkeley Alternative High School		N/A	As Needed \$11.45/hr	8/1/01	6/13/02
Rosa Dunbar	Noon Director	Malcolm X		N/A	180 hrs \$11.45/hr	9/1/01	6/13/02
Estella Sisneros	Noon Director	LeConte		N/A	5-10 hrs/wk \$11.45/hr	9/4/01	6/13/02
Paulette Butler	Noon Director	LeConte		N/A	5-10 hrs/wk \$11.45/hr	9/4/01	6/13/02
Roghieh Seshkalani	Noon Director	Le Conte		N/A	5-10 hrs/wk \$11.45/hr	9/4/01	6/13/02
Juanita Romero	Noon Director	LeConte		N/A	3/10/02	9/4/01	6/13/02



## PERSONNEL REPORT 01-05

October 3, 2001

## CLASSIFIED PERSONNEL

NAME	POSITION	LOCATION	BUDGET	CLASS RANGE STEP	FTE & SALARY	EFFECTIVE	
						FROM	TO
Malcolm McKinney	School Safety Officer	District		44/1	As Needed \$16.62/hr	8/27/01	6/13/02
Tina Piggee	Instructional Assistant Special Education	District		31/1	As Needed \$12.06/hr	8/27/01	6/13/02
Alane Johnson	Clerical Assistant I	Purchasing		30/1	10-12 hrs/wk \$11.77/hr	9/4/01	6/13/02
Michael McEnvoy	Coach	Longfellow Extended Day		N/A	Stipend \$500 per sports team coaching	8/30/01	6/13/02
Arlene Chavez	Coach	Longfellow Extended Day		N/A	Stipend \$500 per homework center + \$500 sports team coaching	8/30/01	6/13/02
Flora Keiltch	Coach	Longfellow Extended Day		N/A	Stipend \$500 per homework center + \$500 sports team coaching	9/6/01	6/13/02
Jason Smith	Coach	Longfellow Extended Day		N/A	Stipend \$500 per homework center + \$500 sports team coaching	8/30/01	6/13/02
Charles Butler	Coach	Longfellow Extended Day		N/A	Stipend \$500 per homework center + \$500 sports team coaching	9/5/01	6/13/02
Jeremy Cohen	Coach	Longfellow Extended Day			Stipend \$500 per sports team coaching	8/29/01	9/11/02

## PERSONNEL REPORT 01-05

October 3, 2001

## CLASSIFIED PERSONNEL

							EFFECTIVE
NAME	POSITION	LOCATION	BUDGET	CLASS RANGE STEP	FTE & SALARY	FROM	TO
Megan Snyder	Student Worker	Berkeley High School		N/A	Less than 3 hours daily \$6.25/hr	8/28/01	6/29/02
Diego Gamez	Student Worker	District		N/A	As Needed \$6.25/hr	8/10/01	9/7/01
Laura Smith	Instructional Assistant Interpreter for Deaf	District		45/1	As Needed \$17.05/hr	9/11/01	6/13/02
<b><u>PROBATIONARY</u></b>							
Steven May	Locksmith	Maintenance		50/1	1.0 \$19.30/hr	9/24/01	3/24/02
Michael Bauce	Instructional Specialist	LeConte		51/1	.67 \$19.79/hr	9/10/01	3/10/02
Susanne Jensen	Instructional Specialist	Willard		51/1	.47 \$19.79/hr	9/10/01	3/10/02
Clay Oliff	Instructional Specialist	Malcolm X		51/1	.76 \$19.79/hr	9/10/01	3/10/02
Kathleen Russell	Instructional Specialist	John Muir		51/1	.33 \$19.79/hr	9/10/01	3/10/02
Amanda Ibarra	Instructional Technician	Vera M. Casey Center		34/3	.80 \$14.33/hr	7/1/01	1/1/02
Tara Creehan	Instructional Specialist	Washington		51/1	.80 \$19.79/hr	9/4/01	3/4/02
Adelia Butler	Instructional Technician	John Muir		34/1	.17 \$12.99/hr	9/10/01	3/10/02
Deborah Blessing	Instructional Specialist	Thousand Oaks		51/1	.13 \$19.79/hr	9/10/01	3/10/02
Tasha Prys	Instructional Specialist	Rosa Parks		51/1	.43 \$19.79/hr	9/10/01	3/10/02
Fele Upersa	Instructional Technician	King Extended Day Program		34/1	20 hrs/wk \$12.99/hr	8/28/01	2/28/02
Nhung (Rose) Huynh	Food Service Assistant	Emerson		26/1	.80 \$10.66/hr	8/22/01	2/22/02
Bethany Hines	Instructional Technician	King Extended Day Program		34/1	6 hrs/wk \$12.99/hr	9/4/01	9/4/02

## PERSONNEL REPORT 01-05

October 3, 2001

## CLASSIFIED PERSONNEL

							EFFECTIVE
NAME	POSITION	LOCATION	BUDGET	CLASS RANGE STEP	FTE & SALARY	FROM	TO
Bernice Biggs	Instructional Technician	Willard		34/1	1.0 \$12.99/hr	8/27/01	2/27/02
Brenna Turman	Instructional Technician	LeConte		34/1	.67 \$12.99/hr	9/10/01	3/10/02
Diana Gonzalez	Instructional Technician	Vera M. Casey Center		34/1	.20 \$12.99/hr	9/3/01	3/3/02
Josh Church	Instructional Technician	King Extended Day Program		34/1	10 hrs/wk \$12.99/hr	8/28/01	2/28/02
Lehua Kaku	Accounting Technician	District		43/3	1.0 \$17.91/hr	10/1/01	4/1/02
Jeffrey Lee	Instructional Technician	John Muir		34/1	\$12.99/hr	9/5/01	3/5/02
Arthur Tidwell	Delivery Driver	Purchasing		40/1	.73 \$15.07/hr	9/10/01	3/10/02
Monica McClinton	Accounting Technician	District		43/1	1.0 \$16.22/hr	10/1/01	4/1/02
Reginald Van Hook	Storekeeper	Purchasing		42/5	1.0 \$19.30/hr	9/10/01	3/10/02
<b><u>PROVISIONAL</u></b> Jeremy Cohen	Instructional Specialist	Longfellow		58/1	.71 \$23.54/hr	8/29/01	
Courtney Dilworth	Delivery Driver	Food Service		40/1	.93 \$15.07/hr	9/1/01	
Felecia Hopkins	Snack Bar Operator	King		34/1	.87 \$12.99/hr	8/22/01	
Patricia Greene	School Bus Driver	Transportation		42/1	.80 \$15.83/hr	8/27/01	
Michelle Jordan	Instructional Specialist	King Extended Day Program		51/1	.20 \$19.79/hr	9/10/01	
Allan Jones	School Bus Driver	Transportation		42/1	.80 \$15.83/hr	8/27/01	
Laquetta Osborne	Instructional Technician	Franklin		34/1	\$12.99/hr		
Rita McIntyre	Secondary Production Supervisor	Willard		40/3	1.0 \$16.62/hr	8/22/01	

## PERSONNEL REPORT 01-05

October 3, 2001

## CLASSIFIED PERSONNEL

						EFFECTIVE	
NAME	POSITION	LOCATION	BUDGET	CLASS RANGE STEP	FTE & SALARY	FROM	TO
Martin Slavens	Instructional Technician	Cragmont		34/1	4 hrs/day \$12.99/hr	9/5/01	6/13/02
<b><u>TRANSFER</u></b> Guadalupe Rivas	Instructional Assistant	Hopkins ECE		29/1	.80 \$11.48/hr	9/10/01	6/13/02
Tara Creeman	Instructional Specialist	Washington		51/1	.80 \$19.79/hr	9/4/01	6/13/02
<b><u>LIMITED TERM</u></b> Grace Munoz	Lifeguard	Berkeley High School		N/A	10 hrs/wk \$9.99/hr	9/4/01	6/13/02
Inti Fernandez	Lifeguard	Berkeley High School		N/A	7 hrs/wk \$9.99/hr	9/4/01	6/13/02
<b><u>PERMANENT</u></b> Arlan Murillo	Instructional Assistant Special Education	Thousand Oaks		31/3	.20 \$13.33/hr	8/27/01	

## Supplement to Board Agenda October 3, 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)

Request by	Vendor	Funding	Amount	MBE*
1.M. Patterson Principal Willard Middle	BACR 375 Doherty Drive Larkspur CA	Healthy Start	\$52,000	
Agreement between the Willard Middle School Healthy Start Collaborative and Bay Area Community Resource is for the purpose of maintaining BACR as the fiscal Agent for the Willard Healthy Start Coordinator position for the period August 27, 2001 through June 30, 2002 at a cost of \$52,000.				
2.M. Patterson Principal Willard Middle	BACR 375 Doherty Drive Larkspur CA	Youth Support Program	\$66,900	
Agreement between the Willard Middle School and BACR is for the purpose of maintaining BACR as the fiscal agent for the Willard Middle School Youth Support Program (YSP) for the period August 27, 2001 through June 30, 2002,at a cost of \$66,900.				
3.D. Gomez Assoc. Supt. Adm. Services	Myers Steven 26101 Marguerite Pkwy Mission Viejo CA	General Fund	\$42,255	
Payment of premium for interscholastic athletics 6-12, tackle football, field trips and catastrophic student insurance program for the FY2002.				
4.M. Kirkpatrick Principal BAS	State of California Department of Rehab. P O Box 94422	Adult Fund	\$58,270	
Workability II matching funds for FY 2002 per contract agreement #22478.				
5.M. Kirkpatrick Principal BAS	Folgergraphics 2339 Davis Street Hayward CA	Adult Fund	\$23,000	
Printing of Fall, Spring and Summer Brochures for FY 01-02.				

## APPROVAL OF CONTRACTS/PURCHASE ORDERS

6.G.LeFerve	Communication Service Co.	Bond	\$25,000
Director	525 Second Street	(increase of \$10,000)	
Maintenance	Rodeo CA		

Furnish labor and materials for electrical repairs on fire alarm system for the period August 31, 2001 through June 30, 2002.

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7.J. Sinai	Lincoln Child Center	Healthy Start	\$103,740
Manager	4368 Lincoln Avenue		
Schools Link	Oakland CA		

Renewal of contract between Jefferson School Healthy Start and Lincoln Child Center for professional services in the amount of \$103,740.

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8.D. Gomez	Kaiser Foundation	General Fund	\$625,000
Assoc. Supt.,	P O Box 1169	(increase of \$550,000)	
Adm. Services	Oakland CA		

Annual premium for retirees for the period July 1, 2001 through June 30, 2002. The original purchase order was for \$75,000 board approved on July 5, 2001.

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Public Contracts Code: 20111  
Education Code: 39657  
Board Policy: DJED

## **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** Michele Lawrence  
**FROM:** John Malone  
**DATE:** October 3, 2001  
**SUBJECT:** Approve change order with Vicenti, Lloyd and Stutzman for school business consultant services

### **BACKGROUND INFORMATION**

In July 2001 the Board of Education approved a contract with Vicenti, Lloyd and Stutzman to provide services during the period of time the District would be without a chief business official. The contract was originally proposed to provide services between two and three days a week. However, in August additional days of services were needed and authorized by the Superintendent. These additional days increased the contract \$14,500 for the month of August. Since that time it has become clear that it is necessary to provide services four days per week rather than three days per week.

Now, because of the delays in finding qualified candidates to fill the Associate Superintendent for Business position it was necessary to renegotiate the contract with Vicenti, Lloyd and Stutzman. They have agreed to maintain the four-day a week schedule and lowered the hourly rate. The new monthly rate will not exceed \$23,000, which includes travel time, airline and housing costs. These costs are approximately the same as the expected cost of a full-time Associate Superintendent.

### **POLICY/CODE**

Government Code 53060

### **FISCAL IMPACT**

From the general fund: \$14,500 for August, \$23,000 per month effective September 2001.

### **STAFF RECOMMENDATION**

Ratify the change in the contract with Vicenti, Lloyd and Stutzman for business consultant services.





## **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** Michele Lawrence  
**FROM:** John Malone  
**DATE:** October 3, 2001  
**SUBJECT:** Authorization to Enter into contract for Berkeley Unified School District Safety Health and Environmental Compliance Program

### **BACKGROUND INFORMATION**

State law requires that school districts develop and implement a plan for dealing with hazardous waste and chemicals. In the spring of 2001, the district received notification from the District Attorney of Alameda County that the District was being investigated for failure to comply with applicable state law regarding the storage and handling of chemicals.

During the summer of 2001, the district worked with MS Environmental Solutions, Inc. of Concord California to develop a process for chemical inventory, staff training, hazardous waste removal and documentation regarding chemical storage. The process to comply with the concerns of the City of Berkeley's Toxic Material Division and the District Attorney's office is now almost complete. In order to be in total compliance the District needs to develop a district wide hazardous material and training system.

MS Environmental Solutions, in addition to preparing the material, which was previously required, can also complete the additional work needed to bring the District in full compliance with the law. The estimated costs to complete projects and provide training is approximately \$90,400. The District currently has \$50,000 budgeted in a hazardous material account in the 2001-2002 budget. If the Board approves this item and the item for AHERA, these funds will be depleted. The state of California through the mandated cost program is expected during fiscal year 2002-2003 to reimburse the district approximately \$20,000 of the dollars expended on this project.

Complete copies of the proposal have been made available to the Board of Education for their review. Copies are available from the Business Services Department at 510-644-8593 upon request.

### **POLICY/CODE**

Government Code 53060  
Education Code 49411  
CAC VIII Section 5191 et seq.

**FISCAL IMPACT**

From the general fund: \$94,000.

**STAFF RECOMMENDATION**

Approve Contract with MS Environmental Solutions for work under completion and future contract for proposed work to be completed on a district-wide hazardous communication and training plan.

September 25, 2001

Mr. Gene Le Fevre  
Director of Maintenance, Grounds  
and Custodial Services  
Berkeley Unified School District  
1707 Russell Street  
Berkeley, CA 94703

**Re: Cost Summary for Berkeley Unified School District Safety, Health and Environmental Compliance Program**

Dear Mr. Le Fevre:

Because of the scope of work and the specific requirements associated with it, MSES has prepared three different proposals. To assist you in procuring these services under a new purchase order, I have itemized the projects as follows:

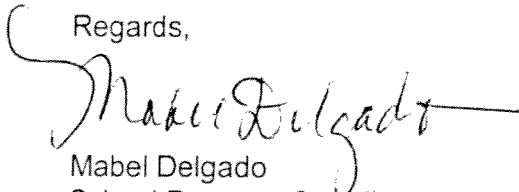
Project No.	Project Name	Cost	Status
O1.075.01	BHS & MLK CHP/HMBP Chem. Inventory, Training	\$19,365.00	85% Completed
O1.078.01	District-wide HazCom, HMB, CHP, Training	\$41,450.00	Proposed
01.120.00	BHS & MLK Haz Waste Removal	\$ 7,450.00	Completed
01.146.00	BHS & MLK Chemicals Removal	\$ 9,450.00	Proposed
01.075.02	BUSD Fees for DTSC	\$ 670.75	Completed
01.149.00	BUSD Maint. & Op. Yard HW Management	\$10,106.00	Proposed
01.148.00	BHS Mercury Spill Clean up	\$ 1,890.00	Completed

*→ SEPARATE INVOICE*  
**Total Cost: \$90,381.75**

Please see the enclosed individual proposals for each work task. The above total cost does include the development of two more HMBP and two CHP that are anticipated to be developed as a result of MSES inspections.

Please do not hesitate to contact me if you have any questions regarding this proposal.

Regards,

  
Mabel Delgado  
School Program Coordinator

June 5, 2001

**Proposal: 01.075.01**

Mr. Gene Le Fevre  
Director of Maintenance, Grounds  
and Custodial Services  
Berkeley Unified School District  
1707 Russell Street  
Berkeley, CA 94703

**Re: Proposal for Science Department Safety & Health Assessment, Chemical Survey, Development/Implementation of Chemical Hygiene Plans and Hazardous Materials Business Plan for Berkeley High School and Martin Luther King Middle School**

Dear Mr. Le Fevre:

Thank you for giving us the opportunity to submit a proposal to assist the Berkeley Unified School District in conducting a professional, independent safety & health assessment, chemical survey/inventory, Chemical Hygiene Plan preparation for the science laboratories at Berkeley High School and Martin Luther King Middle School, and report preparation as required by the State of California Department of Education under the on-going maintenance of the chemical inventory present in the science department. In addition, the Hazardous Materials Business Plan will be developed for Berkeley High School. MS Environmental Solutions, Inc. (MSES) has demonstrated experience in conducting chemical surveys and report preparation at School Districts in California. Our personnel responsible for conducting all field activities meet and exceed OSHA regulatory training requirements in chemical hygiene practices, procedures, and techniques as well as chemical identification and hazard awareness.

Our final chemical survey/inventory report meets formatting guidelines and contains reportable data required by the State of California School Mandated Cost Reimbursement Program. The chemical inventory report consists of four inventories: (1) *Accumulative Chemical Inventory*, (2) *Removal Chemical Inventory*, (3) *Immediate Removal Chemical Inventory*, and (4) *Claimable Chemical Inventory*. All four inventories are provided in a hard copy report format as well as made available to the District via MSES' secured web site. The *Removal Chemical Inventory* list contains the chemical reagents identified with a shelf life code in the *Science Safety Handbook for California Public Schools*, 1999 Edition. A breakdown by shelf life code, percentage of total inventory, and removal rate are provided in the summary at the end of the list as well as a breakdown of any explosive compounds or extremely hazardous chemicals for prompt disposal.

Furthermore, the final chemical inventory report is approved by an MSES Registered Environmental Manager (REM) and master level Certified Hazardous Materials Manager (CHMM) to certify that the report is in compliance with Education Code, Chapter 1107, Section 49411(b) specifications and in compliance with the Commission of State Mandates regulations as defined in Government Code, Section 17564.

## **1.0 Scope of Work**

Berkeley Unified School District (BUSD) has requested professional services for Berkeley High School (BHS) and Martin Luther King Middle School (MLKMS) to accomplish the following safety, health, and environmental consulting services in response to City of Berkeley Toxics Department's request, Cal-OSHA requirements, and California Department of Education mandated programs:

### **1.1 Science Department Safety & Health Assessment and Chemical Survey**

Conduct an independent safety & health assessment, chemical survey audit to identify chemical reagents whose shelf life have expired and to prepare an inventory report for the removal of those chemical reagents whose risk outweighs their educational value as defined by the California Department of Education at BHS and MLKMS. The chemical survey is in support of the on-going maintenance of the chemical reagents regulated under the *Science Safety Handbook for California Public Schools*, 1999 Edition. The chemical inventory reports shall meet the State of California Mandated Cost Reimbursement Program requirements.

### **1.2 Chemical Hygiene Plan (CHP)**

Development and implementation of the Chemical Hygiene Plan (CHP) for both BHS and MLKMS. A chemical inventory of the chemical reagents stored in the laboratories is an integral component of the CHP; consequently, MSES will utilize the chemical inventory (reconciled inventory) prepared for the school sites during the survey/assessment phase.

### **1.3 Hazardous Materials Business Plan (HMBP)**

To provide BHS with the technical and regulatory assistance to prepare the Hazardous Materials Business Plan (HMBP) including employee training modules as required by City of Berkeley Toxics Department and adhering to California Health & Safety Code, Division 20, Chapter 6.95, Section 25500.

## **2.0 Work Plan**

MSES will ensure that all field activities at BHS and MLKMS are in compliance with Education Code, Section 49411.

MSES chemical survey procedures include conducting a detailed accumulative chemical inventory that includes the name of the chemical, concentration/purity, quantity, and type of container, purchase date, and shelf life code. The report letter that accompanies the (1) *Accumulative Chemical Inventory*, (2) *Removal Chemical Inventory*, (3) *Immediate Removal Chemical Inventory*, and (4) *Claimable Chemical Inventory* analyzes the chemical inventories with respect to acceptable parameters defined in the Department of Education's *Science Safety Handbook for California Public Schools*, 1999 Edition, Chapter 5, Safety in the Chemistry Laboratory, Table 1-*Explosive Chemicals*, Table 2-*Extremely Hazardous Chemicals for Prompt Disposal*, and Table 3-*Hazardous Chemicals Reference Table*.

MSES proposes to assign a Project Manager to coordinate all on-site activities at the science instruction, preparation and storage areas. The Project Manager is also responsible for the quality assurance/quality control of the on-site activities. The Project Manager is assisted by an Environmental Field Chemist and Environmental Specialist trained in the areas of chemical compatibility, hazardous class, and compliance with the *Science Safety Handbook for California Public Schools*, 1999 Edition, regulatory requirements such as chemical shelf life. The Environmental Field Chemist is responsible for conducting MSES' safety & health assessment inspections in the following six areas of regulatory compliance:

1. Hazardous Materials Education (Education Code, Section 49340 et seq.);
2. Removal of Chemicals (Education Code, Section 49411);
3. Occupational exposure to hazardous chemicals in laboratories; Chemical Hygiene Plan (*California Code of Regulations, Title 8, General Industry Safety Orders, Section 5191*);
4. Bloodborne Pathogens (*California Code of Regulations, Title 8, General Industry Safety Orders, Section 5193*);
5. Hazard Communication; Material Data Safety Sheets (*California Code of Regulations, Title 8, General Industry Safety Orders, Section 5194*);
6. Hazardous Materials Release Response Plans and inventory (*Health and Safety Code, Chapter 6.95, Section 25000 et seq.*).

After conducting the safety & health assessments, the Environmental Field Chemist and the Environmental Specialist map the inventoried chemicals prior to collecting the required information for each of the chemical reagents present in the storeroom and preparation areas. The Environmental Field Chemist is also responsible for data collection and processing utilizing MSES' proprietary software during the field activities. MSES personnel wear company uniforms to ensure that school personnel readily identify them. **Furthermore, MSES certifies that all employees assigned to the BUSD are permitted to work on school sites around children and have been cleared under California Law and the Education Code, including fingerprint clearance through the California Department of Justice.**

The inventory is conducted as to not interfere with the regular usage of the science laboratories by students and teachers.

MSES' Project Manager coordinates with you and your staff access to the laboratories and the work schedule. The report is prepared and submitted to you within 45 working days from the completing the site survey.

The proposed development of the CHP includes the definition of standard operational procedures, clarifications on control measures, employee information & training, medical consultation/examination, hazard identification, hazardous materials inventory management, hazardous waste disposal, and record keeping as they relate to the operation of the science department. High School and Middle Schools science laboratories, where hazardous chemicals are used, are required by California Code of Regulations, Title 8, General Industry Safety Orders, Section 5191 Occupational Exposure to Hazardous Chemicals in Laboratories to develop and implement a CHP. The purpose of the CHP is to protect employees from exposure to harmful levels of hazardous substances. The Plan developed for both school sites will specifically outline the following areas of regulatory requirements:

1. Furnish standard laboratory operating procedures that are relevant to the safety and health of employees using hazardous chemicals.
2. Explain control measures that reduce employee's exposure to hazardous chemicals, engineering controls, protective equipment, and hygiene practices.
3. Provide properly functioning fume hoods and biological safety cabinets.
4. Supply each employee with information and training on the CHP and all hazards of chemicals present in the science department at the time of an employee's initial assignment and each time a new hazardous substance is used. Training will include the guidelines established in the *Science Safety Handbook for California Public Schools*, 1999 Edition.
5. Define the circumstances under which particular laboratory operations require prior approval by the BHS.
6. Make available free medical consultation and examination on suspicions of exposure to hazardous substances.
7. Designates personnel responsible for the implementation of the CHP, including a Chemical Hygiene Officer.
8. Provide additional employee protection when particularly hazardous substances are handled.

MSES proposes to meet the training requirement of the CHP by training the science teachers on the three effective segments outlined in CCR Title 8, Section 5191, using the *Science Safety Handbook for California Public Schools*, 1999 Edition; in particular, Chapter 5. Please note that according to Ms. Carleen Wessler, Financial Analyst, at the State Controller's Office, the Commission of State Mandates has confirmed that training is reimbursable as long as it relates to the *California Science Safety Handbook for California Public Schools*. The latest Mandated Cost Manual for Public Schools incorporates the Commission of State Mandates latest revision to the Reimbursement for Removal and Disposal of Chemicals.

Furthermore, in order for the CHP to be effective, the chemical reagents inventory at the science department storerooms require management on an on-going basis. This can be accomplished by establishing a Maintenance & Operations (M&O) program. MSES has the capability to set-up inventory management procedures utilizing our proprietary computerized system *Chemical Classification Software* after the completion of the CHP if it is determined to be required. MSES' chemical inventory is formatted to include Flinn's compatible chemical family codes for storage.

In addition, MSES inspects each bottle present in the storeroom and labels each container. Each label includes an inventory control number, inventory date, and specific location in the shelving system. MSES' key regulatory specialist and scientist work closely with you and the Science Chair. Mr. Nestor B. Mejia, Certified Hazardous Materials Manager (CHMM) and Mr. Adam Springer, Industrial Hygienist (IH) are responsible for the preparation of the CHP and the implementation of the various components.

MSES proposes to assign a Project Manager to coordinate the collection of field data activities at the science instruction and preparation areas prior to the development of the CHP. The Project Manager is also responsible for the quality assurance/quality control of the on-site activities.

The Project Manager is assisted by an Environmental Field Chemist and an Environmental Specialist trained in the areas of chemical compatibility, hazardous class, and compliance with the CCR 8, Section 5191 requirements

## **2.1 Hazardous Materials Business Plan (HMBP) Work Plan**

MSES will prepare the Hazardous Materials Business Plan (HMBP) for Berkeley High School in accordance with California Health & Safety Code, Division 20, Chapter 6.95, Section 25500. MSES will collect facility contacts; land use information. Facility Maps: Storage, electrical, sprinklers, plumbing drainage, site map, and all floor plans. Separation, containment and monitoring information, hazardous material inventories statement (HMIS) (Waste and non-Waste). Emergency Response Training: Chemical Handlers, Emergency Response Team, Emergency Response Documents, Emergency Evacuation Notification Information, Emergency Contacts, Emergency Response Equipment, Record Keeping, Inspection Log, Recordable Discharge Log; Waste Disposal Information:

State Regulation Title 8 CCR 5194 requires that Berkeley High School maintain a Hazardous Communication Program to furnish employees information to protect themselves from hazardous substances and to detect the presence of a hazardous chemical in their work area. MSES will inventory and evaluate all hazardous and potentially hazardous materials, train and monitor personnel.



A specific training program will be developed for Berkeley High School employees involved in the operation and management of hazardous materials. The training provided to the schools' personnel includes the proper utilization of the Hazardous Communication Program.

### 3.0 Cost Proposal

Please note that your District is reimbursed for the ongoing costs of maintaining a program for the regular removal and disposal of all chemicals identified in *the Science Safety Handbook for California Public Schools*, 1999 Edition. These costs also include consultant fees for preparation of initial chemical inventories, preparation of chemical profile inventories for chemical disposal purposes, transportation and disposal. The following itemized costs per compliance program is presented as follows:

#### Berkeley High School

ID	Plan Name	Reg. Citation	Training	Plan Cost
1	Chemical Hygiene Plan (CHP)	CCR 8, 5191	Yes	\$ 4,950.00
2	Chemical Survey at Science Laboratories	Ed. Code 49411	Yes	\$ 3,250.00
3	Hazardous Materials Business Plan (HMBP)	H&SC Div 20, Ch 6.95, Sec 25500	Yes	\$ 5,480.00
Total Estimated Cost:				\$ 13,680.00

#### Martin Luther King Middle School

ID	Plan Name	Reg. Citation	Training	Plan Cost
1	Chemical Hygiene Plan (CHP)	CCR 8, 5191	Yes	\$ 3,235.00
2	Chemical Survey at Science Laboratories	Ed. Code 49411	Yes	\$ 2,450.00
Total Estimated Cost:				\$ 5,685.00

*CHP and HMBP costs includes training of science teachers and other school personnel.*

### 4.0 Actual Claim-Supporting Documentation

MSES wishes to assist the Berkeley Unified School District in maximizing reimbursement from the "removal of chemicals fund" from the State of California Mandates Program, by conducting, preparing and delivering to the District final report products that are detailed and complete. Our reports and supporting documentation have been analyzed, verified, and approved by mandated claims professionals in Sacramento as meeting and exceeding actual claim requirements for their submittal of an "actual" claim to the State Controller's Office on behalf of School Districts in various Regions of the California County Offices of Education. Since establishing the California School District Environmental Compliance Division, MSES strives to obtain 100% reimbursement from the State Controller's Office for all chemical survey and chemical removal/disposal projects involving cost reimbursable items.

## 5.0 Risk Financing – Public Liability and Worker's Compensation

MSES will provide a Certificate of Insurance naming the Berkeley Unified School District as "Additional Insured" upon the issuance of a Purchase Order. MSES' insurance representative, Van Oppen & Co. Insurance Services, Inc., will mail the insurance certificate directly to the BUSD. Our insurance types and limits are outlined as follows:

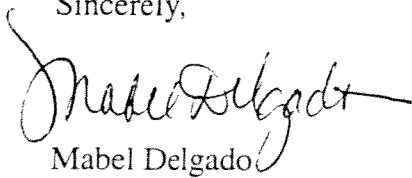
1. Commercial General Liability	\$2,000,000
2. Automobile Liability	\$1,000,000
3. Workers Compensation/Liability	\$1,000,000
4. Professional Omission/Errors	\$1,000,000
5. Contractor's Pollution	\$2,000,000 (general aggregate)
6. Hazardous Waste Transportation	\$1,000,000

## 6.0 Project Terms and Conditions

1. This proposal is valid for a period of 30 days;
2. The inventory is limited to the science laboratories;
3. Chemical items identified for removal and disposal because of their shelf life will be handled by MSES on a separate contract;
4. Payment terms are net 30 days.

Mr. Le Fevre, MSES is looking forward to providing the Berkeley Unified School District with highly responsive and professional services. Should you find our proposal reasonable and acceptable, please provide us with a Purchase Order to schedule the services. If you have any questions involving this proposal, please do not hesitate to contact me at (925) 685-1376.

Sincerely,



Mabel Delgado  
School Program Coordinator

September 18, 2001

**Proposal: 01.078.01**

Mr. Gene Le Fevre  
Director of Maintenance, Grounds  
and Custodial Services  
Berkeley Unified School District  
1707 Russell Street  
Berkeley, CA 94703

**Re: Proposal to Conduct District-Wide Hazcom Inventory, HMBP and CHP  
Development and Training**

Dear Mr. Le Fevre:

MS Environmental Solutions, Inc. (MSES) is very pleased to provide you with a cost proposal to assist the Berkeley Unified School District with the regulatory requirements relating to the evaluation of hazardous materials present at all District sites.

**1.0 Scope of Work**

MSES will provide the Berkeley Unified School District with the technical and regulatory assistance to conduct and compile a detailed hazardous materials survey, inventory and report for all of the District Sites listed in 1.1 below including but not limited to janitorial closets, industrial arts classrooms, art classrooms, photo classrooms, print shops, administration buildings, maintenance buildings and transportation buildings.

The hazardous materials inventory will be reviewed for each site with recommendations made for removal of hazardous materials no longer used prior to determining that a Hazardous Materials Business Plan (HMBP) is required for a particular site. MSES will provide on site HMBP training to District employees whose job description requires them to handle hazardous materials. The training will take place after the hazardous materials inventory for each site has been reviewed and required HMBPs have been developed.

The District's Hazardous Communication Program, including the Material Safety Data Sheets (MSDS) will be evaluated for each site. After evaluation, site-specific MSDS binders will be produced for each site lacking an MSDS binder and provided to each school site contact as required by SARA Title III and the local Fire Department. MSES will use Flynn Scientifics' MSDS software, which will be purchased directly by the District.

## 1.1 District Sites

The following sites will participate in the District-wide safety, health and environmental compliance program.

### Berkeley Unified School District Sites

#	High Schools	#	Elementary Schools	#	Other Sites
1	Berkeley High East Campus	1	Columbus Elementary	1	Berkeley Adult Center
		2	Cragmont Elementary	2	Transportation Yard (3 sites)
		3	Emerson Primary	3	Plant Operations
#	Middle School				
1	Longfellow Arts & Tech.	4	Jefferson Elementary		
2	Martin Luther King Middle	5	John Muir Elementary		
3	Willard Middle	6	LeConte Elementary		
		7	Malcolm X Elementary		
		8	Oxford Elementary		
		9	Thousand Oaks Elementary		
		10	Washington Elementary		
		11	Whittier/Arts Elementary		

## 2.0 Work Plan

MSES personnel consisting of Environmental Field Chemists and Environmental Specialists will visit each school site and location within the District involved in the hazardous materials inspection/survey to determine and document the presence of commercial products whose chemical constituents deem them hazardous materials.

**MSES certifies that all employees assigned to the BUSD are permitted to work on school sites around children and have been cleared under California Law and the Education Code, including fingerprint clearance through the California Department of Justice.** MSES personnel wear company uniforms to ensure that school personnel readily identify them.

A hazardous materials inventory report will be prepared for each school site, warehouse, maintenance yard and administration building. The final report will contain information relating to the hazardous materials name, quantity, composition, concentration, and physical state, type of container, manufacturer, purchase date, hazardous class, and location.

## 3.0 SARA Title III Compliance Program

The Emergency Planning and Community Right-to-Know Act also known as SARA Title III has four major sections. These sections deal with, emergency release notification, community right-to-know reporting, toxic chemical release inventory reporting and emergency planning.

MSES will evaluate the overall compliance of the BUSD as it relates to SARA Title III. Our evaluation identifies hazardous substances listed as extremely hazardous substances as published in 40 CFR Part 355 or on a list of substances subject to the emergency notification requirements under CERCLA, Section 103(a), in 40 CFR part 302.4.

In addition, MSES will evaluate the overall status of the Material Safety Data Sheet (MSDS) Program as required by the local Fire Department. Our personnel determine the completion status of the Districts' Toxic Chemical Release Inventory (Form R) as specified in section 313 of SARA Title III. This inventory is composed of routine chemical emissions that may be present at your District sites. The completion of this form is required and due annually. Furthermore, MSES will assess the overall integrity of the Districts' Emergency Planning Program and its compliance as required by Sections 301, 302, and 303 of SARA Title III.

#### **4.0 Evaluation of the Need to Prepare a Hazardous Materials Business Plan (HMBP)**

MSES will evaluate the need to prepare a Hazardous Materials Business Plan (HMBP) in accordance with the City of Berkeley, Planning and Development Department, Alameda County's Fire Department and Health Department requirements.

During our hazardous materials inventory efforts, MSES personnel will determine if the need to develop a HMBP for a particular District facility is required based on the following criteria:

- 1) 55 gal of liquid hazardous materials present as aggregate.
- 2) 500 lbs of solid hazardous materials present as aggregate.
- 3) 200 cu ft of compressed gases
- 4) Exceed reportable thresholds for Extremely Hazardous Substances as defined in 40 CFR, Part 355, Appendix A.

MSES personnel will also collect facility contacts, land use information, facility maps, storage, electrical, sprinklers, plumbing drainage, site map, and floor plans. This information is required to complete the preparation of a HMBP in the event one is required after review. It is anticipated that two HMBP will be developed based on the site usage and expected hazardous materials inventory.

#### **5.0 Hazardous Communication Program**

Federal Regulation 29CFR 1910.120/1910-1200 and State Regulation Title 8 CCR 5194 require that the BUSD maintain a Hazardous Communication Program to furnish employees information to protect themselves from hazardous substances and to detect the presence of a hazardous chemical in their work area. MSES will inventory and evaluate all hazardous and potentially hazardous materials.

## 6.0 Chemical Hygiene Plan

The proposed CHP development includes the definition of standard operational procedures, clarifications on control measures, employee information & training, medical consultation/examination, hazard identification, hazardous materials inventory management, hazardous waste disposal, and recordkeeping as they relate to the operation of science departments at each of 2 middle schools. High Schools and Middle Schools science laboratories, where hazardous chemicals are used, are required by California Code of Regulations, Title 8, General Industry Safety Orders, Section 5191 Occupational Exposure to Hazardous Chemicals in Laboratories to develop and implement a CHP. The purpose of the CHP is to protect employees from exposure to harmful levels of hazardous substances.

The standard can be found in California Code Regulation, Title 8, Section 5191. Training requirements for the employees (science teachers) can be found in Section 5191(4)-Training. The standard requires that the training provided to employees include “(1) Methods and observations that may be used to detect the presence or release of hazardous chemicals...(2) The physical and health hazards of chemicals in the work area; and (3) The measures employees can take to protect themselves from these hazards, including, specific procedures the employer has implemented to protect employees from exposure to hazardous chemicals...”

Since the *California Science Safety Handbook for California Public Schools*, 1999 Edition, Appendix C-Reimbursement for Removal and Disposal of Chemicals, Section A(c) suggests that training for the management of hazardous chemicals is a reimbursable cost component, it has been used by other school districts to meet the laboratory standard, and at the same time, provides the science teachers the opportunity to receive environmental, safety, and health management training as suggested in appendix C. Furthermore, since the *California Science Safety Handbook for California Public Schools* is specific to non-production/small scale laboratories, it is excellent reference training material in the areas of safety and health practice in the science laboratory.

Consequently, MSES has proposed to meet the training requirement of the CHP by training the science teachers on the three effective segments outlined in CCR Title 8, section 5191, using the *California Science Safety Handbook for California Public Schools*, 1999 Edition; in particular, Chapter 5.

MSES has the capability to set-up inventory management procedures utilizing our proprietary computerized system *Chemical Classification Software* after the completion of the CHP if it determined to be required. MSES' chemical inventory is formatted to include Flinn's compatible chemical family codes for storage. In addition, MSES inspects each bottle present in the storeroom and labels each container.

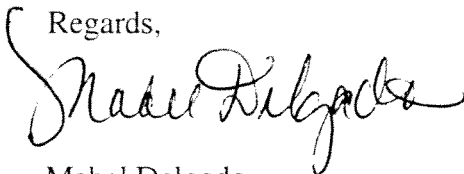
Each label includes an inventory control number, inventory date, and specific location in the shelving system. MSES' key regulatory specialist and scientist work closely with you and the Science Chairs at all schools.

## 7.0 Cost

The cost to perform site-specific hazardous materials inventories, review of hazardous materials, and provide hazardous materials reports, HMBP development and CHP completion as presented in our work plan is \$41,450.00. The cost includes the initial training for those District employees whose job classification requires them to be part of the HazCom Program, HMBP or CHP training requirements.

Mr. Le Fevre, we thank you for the opportunity to submit this proposal. We are looking forward to providing the Berkeley Unified School District with professional, expedited, accurate, environmental compliance consulting services. Please do not hesitate to contact me at (925) 685-1376 if you have any question regarding this proposal.

Regards,



Mabel Delgado  
School Program Coordinator

August 3, 2001

Proposal: 01.120.00

Mr. Gene Le Fevre  
Director of Maintenance, Grounds  
and Custodial Services  
Berkeley Unified School District  
1707 Russell Street  
Berkeley, CA 94703

**Re: Hazardous Waste Removal from Martin L. King Middle School and Berkeley High School**

Dear Mr. Le Fevre:

After completing the draft HMBP, we have determined that there are several waste streams that need to be removed for disposal. By depositing of these unwanted and old hazardous materials, the final HMBP will not require to include these wastes.

The following is a summary of the waste at each of the school sites:

**Non-Science Chemical Inventory**

School: Berkeley High School

Date Surveyed: 6/15/2001

Inventory Prepared by: Adam Springer

	Hazardous Materials Name	Amount	Unit of Measurement	Quantity	Location		
					Wing	Floor	Grid No.
3	LPB-40 FG (Cal-Pac Company, Inc.)	55	gal	10	C	First	B 5
4	Isoguard Liquid Nitrate Corrosion Inhibitor (Dubois Chemicals)	5	gal	3	C	First	B 5
5	CL-7G Pitting and Corrosion Inhibitor (Rochester Midland)	5	gal	8	C	First	B 5
6	Roofing Tar	5	gal	1	C	First	B 5

**Non-Science Chemical Inventory**

School: Martin Luther King Middle School

Date Surveyed: 6/18/2001

Inventory Prepared by: Adam Springer

	Hazardous Materials Name	Amount	Unit of Measurement	Quantity	Storage Location
1	Waste Liquid (looks like Cupric Chloride)	500	ml	12	Science Bldg, Hallway
2	Specimen Containers	1	gal	5	Science Bldg, Hallway
3	Specimens	1	gal	1	Science Bldg, Hallway
4	Latex Paint	946	ml	6	Science Bldg, Hallway
5	Various specimens in formaldehyde that would fit into a 20 gal box	20	gal	1	Science Bldg, Hallway
6	Various specimens in formaldehyde that would fit into a 30 gal box	30	gal	1	Science Bldg, Hallway



Based on the type of waste stream and quantity, the cost to package, transport and dispose is \$7,450.00.

Mr. Le Fevre, we are looking forward to continue providing environmental compliance support to your school district. Please do not hesitate to call me if you have any questions.

Regards,

Mabel Delgado  
School Program Coordinator

September 18, 2001

**Proposal: 01.146.00**

Mr. Gene Le Fevre  
Director of Maintenance, Grounds  
and Custodial Services  
Berkeley Unified School District  
1707 Russell Street  
Berkeley, CA 94703

**Re: Berkeley High School and Martin L. King Middle School  
Proposal for the Removal of Chemical Reagents from Science Laboratories**

Dear Mr. Le Fevre:

MS Environmental Solutions, Inc (MSES) has demonstrated experience in conducting segregation, classification, packaging and removal of chemical reagents at school districts in California. Our personnel responsible for conducting all field activities meet and exceed OSHA regulatory training requirements in chemical hygiene practices, procedures, techniques, and disposal technologies. Furthermore, MSES certifies that all employees assigned to the Berkeley USD are permitted to work on school sites around children and have been cleared under California Law and the Education Code, including fingerprint clearance through the California Department of Justice.

## **1.0 Scope of Work**

Berkeley Unified School District (BUSD) has requested professional services to segregate, classify, package, transport and dispose of hazardous waste consisting of off-specification chemical reagents, stored at Berkeley High School and Martin L. King Middle School's science laboratories in accordance with the Department of Education Cal-EPA 22 CC and USDOT 49 CFR 172.101 regulations.

## **2.0 Removal of Off-Specification Items Work Plan**

MSES proposes to classify, segregate, containerize, label, prepare waste profiles for the selected disposal facilities, complete the Uniform Hazardous Waste Manifest and the Land Ban Certification Forms. The packed drums will be transported to hazardous waste disposal facilities that have provided MSES with the most cost-effective and environmental sound technology.

MSES field personnel will segregate the waste inventories in hazardous classes in accordance with the US Department of Transportation and US Environmental Protection Agency. The segregated waste will then be placed in compatible containers that meet USDOT packing performance standards. Lab pack containers will have a detailed packing inventory sheet where the waste description, chemical composition, physical characteristics, and waste codes are documented.

A field crew composed of a Project Manager, an Environmental Field Chemist and Environmental Specialist, all exceeding HAZWOPER and manifesting training requirements (29 CFR 1910.120, 49 CFR 172.704 and 40 CFR 265.16) will be responsible for the classification, consolidation, and packaging of the waste stream and preparation of the shipment documents. The packing sheets are then evaluated by MSES' project manager for the selection of the disposal facility that meets the following factors: (1) Regulatory Compliance, (2) Cost Effectiveness, (3) Location, and (4) Waste Acceptance Turnaround.

Incineration is the Best Demonstrated Available Technology that reduces the long-term liability to the Berkeley Unified School District. The following treatment and disposal method will be employed:

1. Incineration

MSES will utilize Treatment, Storage, and Disposal Facilities (TSDF) that are in full compliance with State and Federal agencies. In addition, each facility was selected based on the criteria outlined above and their fulfillment of the minimum insurance requirement of \$5 MM. The following is the TSDF proposed to accept the waste streams:

1. Environmental Systems Company (ENSCO)

### **3.0 Project Price Proposal**

The cost estimate to segregate, package, label, transport and dispose of the off-specification chemical reagents is \$9,450.00.

### **4.0 Project Terms and Conditions**

1. This proposal is valid for a period of 30 days;
2. This proposal is limited to science laboratory and selected areas where waste is accumulated;
3. Payments terms are net 30 days.

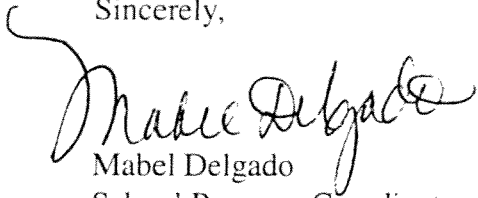
Director of Maintenance, Grounds  
and Custodial Services

Proposal for the Removal of Chemical Reagents

September 18, 2001

Mr. Le Fevre, MSES is looking forward to providing the Berkeley Unified School District with highly responsive and professional lab packing services. If you have any questions involving this proposal, please do not hesitate to contact me at (925) 685-1376.

Sincerely,



Mabel Delgado  
School Program Coordinator

September 25, 2001

**Proposal: 01.149.00**

Mr. Gene Le Fevre  
Director of Maintenance, Grounds  
and Custodial Services  
Berkeley Unified School District  
1707 Russell Street  
Berkeley, CA 94703

**Re: Proposal for Hazardous Waste Removal Present at BUSD Operations and Maintenance Yard**


Dear Mr. Le Fevre:

MS Environmental Solutions, Inc. (MSES) has completed inventorying the additional paint, fertilizer, boiler treatment, thinner, aerosol cans, and other hazardous materials at your District Maintenance and Operations Yard. The inventory is enclosed for you review.

MSES proposes to segregate, pack, label, transport, and dispose of additional hazardous waste in accordance with USDOT and USEPA guidelines and sent for destructive incineration. The cost associated with this statement of work is \$10,106.00. The work can be conducted within the next two weeks or at your earliest convenience.

Mr. Le Fevre, if you have any questions regarding the cost proposal and the proposed time line for the completion of this project, please do not hesitate to contact me at (925) 685-1376.

Sincerely,



Mabel Delgado  
School Program Coordinator

Enclosure

## WORK PERFORMANCE AUTHORIZATION

I hereby authorize MS Environmental Solutions, Inc. (MSES) to perform the work under costs, terms and conditions described in proposal number **01.149.00**:

MSES has completed inventorying the additional paint, fertilizer, boiler treatment, thinner, aerosol cans, and other hazardous materials at your District Maintenance and Operations Yard.

MSES proposes to segregate, pack, label, transport, and dispose of additional hazardous waste in accordance with USDOT and USEPA guidelines and sent for destructive incineration. The cost associated with this statement of work is \$10,106.00. The work can be conducted within the next two weeks or at your earliest convenience.

Authorized signature in the space provided below makes this Agreement binding on its parties. Both MSES and the Client must approve any changes to this contract.

Client: \_\_\_\_\_ Accepted by: \_\_\_\_\_  
Signature of Authorized Representative

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

Date: \_\_\_\_\_ P.O. #: \_\_\_\_\_  
(If required by your organization)

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**MSES**

## **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** Michele Lawrence  
**FROM:** John Malone  
**DATE:** October 3, 2001  
**SUBJECT:** Approve Listing of Warrants issued in August 2001

### **BACKGROUND INFORMATION**

Each month the district writes many checks to vendors for services provided and goods received. The checks are written on both the general fund and restricted funds. The attached copy is for warrants for the month of August 2001.

### **POLICY/CODE**

Educational Code Section 41010 et seq.

### **FISCAL IMPACT**

None

### **STAFF RECOMMENDATION**

Approve the monthly bill warrant list for August 2001.





## **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** Michele Lawrence  
**FROM:** John Malone  
**DATE:** October 3, 2001  
**SUBJECT:** Receive and Approve Information on the issuance of payroll warrants for Employee Services for June, July 2001 and August 2001

### **BACKGROUND INFORMATION**

On a regular basis the Board receives information, which indicates the total amount paid during a monthly processing cycle for payroll services. The attached represents pay warrants from various funds for the months of June, July and August 2001.

### **POLICY/CODE**

Educational Code 41010 et seq.

### **FISCAL IMPACT**

None

### **STAFF RECOMMENDATION**

Approve payroll payments made in June, July and August 2001.

BERKELEY UNIFIED SCHOOL DISTRICT  
District Payroll -- Accounting Department  
BUSD PAYROLL ISSUES FOR JUNE 2001

COMPUTER GENERATED	AMOUNT
GENERAL FUND	\$ 2,929,196.92
ADULT FUND	\$ 301,740.81
CAFETERIA FUND	\$ 97,415.29
CHILD DEVELOPMENT FUND	\$ 253,485.85
MEASURE 'A' BOND FUND	\$ 22,439.49
SCHOOL ENRICHMENT FUNDS	\$ 197,909.04
MAN.ISSUES & AND CANCELLATIONS	\$ 65,666.28
TOTAL DISTRICT PAYROLL	<u>\$ 3,867,853.68</u>

Approved by : 

BERKELEY UNIFIED SCHOOL DISTRICT

District Payroll -- Accounting Department

BUSD PAYROLL ISSUES FOR JULY 2001

<u>COMPUTER GENERATED</u>	<u>AMOUNT</u>
GENERAL FUND	\$ 2,955,129.88
ADULT FUND	\$ 266,971.64
CAFETERIA FUND	\$ 53,766.70
CHILD DEVELOPMENT FUND	\$ 321,206.49
MEASURE 'A' BOND FUND	\$ 12,151.95
SCHOOL ENRICHMENT FUNDS	\$ 136,620.12
 TOTAL DISTRICT PAYROLL	 <u><u>\$ 3,745,846.78</u></u>

Approved by : 

BERKELEY UNIFIED SCHOOL DISTRICT  
District Payroll -- Accounting Department  
BUSD PAYROLL ISSUES FOR AUGUST 2001

<u>COMPUTER GENERATED</u>	<u>AMOUNT</u>
GENERAL FUND	\$ 2,778,693.23
ADULT FUND	\$ 263,626.26
CAFETERIA FUND	\$ 44,842.83
CHILD DEVELOPMENT FUND	\$ 358,579.03
MEASURE 'A' BOND FUND	\$ 12,151.95
SCHOOL ENRICHMENT FUNDS	\$ 112,385.42
SELF INSURANCE FUND	\$ 4,422.41
 TOTAL DISTRICT PAYROLL	 <u><u>\$ 3,574,701.13</u></u>

Approved by : 

## BERKELEY UNIFIED SCHOOL DISTRICT

**TO:** Michele Lawrence  
**FROM:** John Malone  
**DATE:** October 3, 2001  
**SUBJECT:** Authorization to Bid Landscape Maintenance Services for the  
Calendar year (December 1, 2001 - November 30, 2002)

### **BACKGROUND INFORMATION**

The citizens approved Measure BB in November of 2000. Currently the District is unable to maintain its landscaping at an acceptable level consequently, until such time as there are additional and better trained staff there is the need to perform contracted services for a longer period of time.

From June through the end of September, the District has authorized a landscape contractor (Cagwin and Dorward) to perform services at five sites. Cost to date totals approximately \$23,000. This work done is in excess of bidding requirements of \$15,000. We can not perform new services until the bid authorized by this action is accepted thus we may need to authorize some selective overtime or other contracted services between now and the end of November.

When this item is approved, we will bid the services as required by the code. The bidding process includes a job conference/information session on October 15, 2001, acceptance of bids on October 23, 2001, and award of the project to the lowest responsive responsible bidder at the Board Meeting on November 14, 2001.

### **POLICY/CODE**

California Public Contract Code 20110 – 20118.

### **FISCAL IMPACT**

The expenses to produce specifications, advertise, and the landscape services itself will be paid from the Measure BB proceeds.

### **STAFF RECOMMENDATION**

Approve the advertisement for landscaping maintenance services.

RESOLUTION NO. 7287

**AUTHORIZATION to ADVERTISE FOR BIDS for LANDSCAPE  
MAINTENANCE, ALL DISTRICT**

WHEREAS, in the judgement of the Board of Education of the Berkeley Unified School District of Alameda County, it is necessary to secure all labor, materials, equipment, mechanical workmanship, transportation and services required for furnishing and installation of **LANDSCAPE MAINTENANCE ALL DISTRICT**, all in accordance with the plans and specifications for the same, Prepared by Berkeley Unified School District, Facilities Planning Office, Berkeley, California, which are on file in the office of said Board and which said plans and specifications are hereby approved and adopted;

NOW, THEREFORE, BE IT RESOLVED that the general prevailing rates of wages as Heretofore ascertained and determined by the Director of the State Department of Industrial Relations in accordance with Labor Code Section 1770 and by said Board shall be the general prevailing rates of per diem wages for each craft or type of worker or mechanic needed to execute this contract; and

BE IT FURTHER RESOLVED, that the Secretary of the Board be and he is hereby authorized to advertise for proposal for the completion of said work in accordance with law by publishing the same in newspapers of general circulation published and circulated in said district; and

BE IT FURTHER RESOLVED, that the Notice to Contractor shall be in form as follows:

NOTICE TO CONTRACTORS

NOTICE IS HEREBY GIVEN, that the Board of Education of the Berkeley Unified School of Alameda County hereby calls for sealed proposals to be delivered to the Purchasing Agent of said Board at the Purchasing Office of said Board 1720 Oregon Street, Berkeley, California until **3:00 PM October 23, 2001** at which time and place said bids will be opened for the furnishing of all labor, materials, equipment, mechanical workmanship, transportation and services to be used and employed in the installation of Landscape Maintenance, All District, located at 1707 Russell Street, Berkeley, California, for the Board of Education of the Berkeley Unified School District of Alameda County.

These bids shall be presented in accordance with plans and specifications for said work prepared by Berkeley Unified School District, Facilities Planning Office, 1720 Oregon Street, Berkeley, California 94703, which are on file at the said office of said Board located at above mentioned address.

Bids must be made on bid forms obtained at the said office of the Purchasing Agent, 1720 Oregon Street, and must be signed by the bidder.

The contractor and all subcontractors under him/her must pay all labors, workers and mechanics on said work, or any part thereof, not less than the general prevailing rate of per diem wages and not less than the general prevailing rate of per diem wages for legal holiday and overtime work for work of a similar character in locality in which the work is performed, to wit; said school district, which per diem wages shall not be less than the stipulated rates contained in a schedule thereof which has been ascertained and determined by the Director of the State Department of Industrial Relations in accordance with Labor Code Section 1770 and by said Board and which is now on file in the office of said Board and by reference incorporated and specified herein and made a part hereof, copies of which are available at said office of said Board, to any interested party upon requested.

Any contractor and his subcontractors shall be bound by said wage scale and shall agree to pay all wages in accordance with said wage schedule.

**There will be no fax bids.**

**Optional Job Walk to be held on October 15, 2001 at 9:00 am to meet at 1707 Russell Street.**

The Board reserves the right to reject any and all bids, or any or all items or alternates or proportions of such bids.

Resolution No. 7287  
Continue

First Issue: October 7, 2001  
Second Issue: October 14, 2001

Purchase Order No. 21.13909 – Send Invoice to Purchasing Department, 1720 Oregon Street, Berkeley, California 94703

Charge to Bond:

PASSED AND ADOPTED by the Board of Education of the Berkeley Unified School District this 3<sup>rd</sup> day of October, 2001 by the following called vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Michele Lawrence 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**

**TO:** Michele Lawrence  
**FROM:** John Malone  
**DATE:** October 3, 2001  
**SUBJECT:** Authorization to Award Required Asbestos Hazard  
Emergency Response Act (AHERA) Inspection to Robert Gils  
and Associates (RGA).

### **BACKGROUND INFORMATION**

On October 22, 1986, the federal Government passed the Asbestos Hazard Emergency Response Act (AHERA). The Act required several things, including the designation of a "responsible person" to monitor the management of asbestos containing materials, surveying all school buildings and ensuring that information regarding asbestos materials be available both centrally and at each site. The Act requires a re-inspection of the buildings every three years.

The School District performed its first inspection in the late 1980's. Robert Gils and Associates conducted that survey. The buildings were re-inspected several times. The last inspections were done in 1996. The District is currently out of compliance with the required re-inspection. We also believe that the site copies have been lost at many schools.

Significant removal of asbestos and encapsulation of asbestos has been done over the past ten years. This process has given the District assurance that buildings are safe for students and staff. Approval of this contract would provide formal certification to the District; put in place required documents, and brings us into full compliance with the law.

The expenses to perform the re-inspection and produce new copies of both the original information and the re-inspections will be charged to the General Fund Hazardous Material account.

### **POLICY/CODE**

Asbestos Hazard Emergency Response Act of the Federal Government of 1986.

### **FISCAL IMPACT**

Approximately \$25,000 from general fund

### **STAFF RECOMMENDATION**

Approve the contract for asbestos re-inspection with RGA in an amount not to exceed \$25,000.



## **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** Members, Board of Education  
**FROM:** Terry S. Doran, President of the Board  
**DATE:** October 3, 2001  
**SUBJECT:** Approval of Resolution supporting the Berkeley City Council in making the City of Berkeley a Hate-free zone

### **BACKGROUND INFORMATION:**

The Berkeley City Council voted unanimously, during their special meeting of September 24, 2001, to "Establish the city of Berkeley as a Hate-Free Zone". The Peace and Justice Commission, which is an advisory body to both the City and the School District, also supported the City Council resolution establishing Berkeley as a "Hate-Free Zone". And students at Berkeley High School have initiated a campaign to unite all Berkeley High School students against Hate.

### **FISCAL IMPACT:**

None.

### **BOARD RECOMMENDATION:**

It is recommended that the board approve this resolution in support of the efforts of the City Council in establishing the City of Berkeley as a "Hate-Free Zone" and which encourages all our staff in participating in activities that publicize our community as "Hate-Free Zones".

BERKELEY UNIFIED SCHOOL DISTRICT  
October 3, 2001

**RESOLUTION SUPPORTING THE BERKELEY CITY COUNCIL IN  
MAKING THE CITY OF BERKELEY A HATE-FREE ZONE**

**WHEREAS**, the tragic events of September 11 have focused much attention on individuals of Middle Eastern descent; and

**WHEREAS**, this focus has led to a rise in violence toward Arab-Americans, Americans of Middle Eastern descent, American Muslims, and those perceived to be Muslims; and

**WHEREAS**, it is the duty of the agencies of the City of Berkeley to protect the inhabitants of this city, the students of our School District, and their civil rights; and

**WHEREAS**, the students of Berkeley High School have initiated a campaign to unite all Berkeley High School students against Hate; and

**WHEREAS**, the Berkeley City Council voted unanimously, during their special meeting of September 24, to "Establish the city of Berkeley as a Hate-Free Zone".

**NOW THEREFORE, BE IT RESOLVED**, that the Berkeley School Board commend the City Council for establishing Berkeley as a Hate-free zone.

**BE IT FURTHER RESOLVED**, that the Berkeley Unified School District urge all employees to post at their work sites the "Our Community is a Hate-Free Zone" poster which is available free at [www.globalexchange.org/september11](http://www.globalexchange.org/september11) and which is attached for your reference.

**PASSED AND ADOPTED** this 3<sup>rd</sup>. day of October 2001

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Terry S. Doran  
President, Board of Education

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Michele Lawrence  
Superintendent

**Our community is a hate-free zone**

**我們社區不容許仇視存在**

**Nuestra comunidad es una zona libre de odio**

**مجتمعنا خالي من الكراهية**

**Dapat ang puso ng ating bayan ay walang "hate"**

**Cộng-đồng chúng ta là cộng-đồng không  
căm-ghét và không kỳ thị**



*We condemn the increase in threats and violence against Arabs, Muslims and South Asians in the wake of the horrible tragedies of September 11. We pride ourselves on diversity and respect for people of all races and faiths. Racism is a spiral of hatred that only leads to more violence. As a community, we unite to say, "No More Innocent Victims," both at home and around the world. And we say no to war. Only love and respect lead to peace with justice.*

To get involved, please call: 415-255-7296

GLOBAL  EXCHANGE

[www.globalexchange.org/september11](http://www.globalexchange.org/september11)

Peace and Justice Commission  
City of Berkeley  
Special Meeting, September 24, 2001

Resolution Recommending Establishing the  
City of Berkeley as a Hate-Free Zone

WHEREAS, the Berkeley Municipal Code, Chapter 3.68, establishes the Peace and Justice Commission as advisory to both the City Council of Berkeley and the Board of the Berkeley Unified School District; and

WHEREAS, the Peace and Justice Commission supports Agenda Item 27 of September 25, 2001, establishing the City of Berkeley as a Hate-Free Zone; and

WHEREAS, the investigations since September 11 have focused on individuals of Middle Eastern descent; and

WHEREAS, this focus has led to a rise in violence toward Arab-Americans, Americans of Middle Eastern descent, American Muslims, and those perceived to be Muslims; and

WHEREAS, the City of Berkeley has a diverse ethnic population and historically has welcomed immigrants, especially those fleeing hardship and persecution; and

WHEREAS, the Berkeley City Council has already declared and reaffirmed Berkeley as a City of Refuge (1971 Resolution No. 44,784 N.S. and in 1985, relating to Central American refugees, Resolution No. 52,596 N.S.); and

WHEREAS, the Berkeley City Council specifically reaffirmed the protection of the civil rights of the Arab-American community in 1991 (Resolution No. 555,765 N.S.); and

WHEREAS, it is the duty of the agencies of the City of Berkeley to protect the inhabitants of this city and their civil rights.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Berkeley support Agenda Item 27 (Sept 25, 2001), and establish the City of Berkeley as a Hate-Free Zone.

BE IT FURTHER RESOLVED that the City of Berkeley urge its officials, businesses, schools and residents to post the "Our Community is a Hate-Free Zone" poster which is available for free at [www.globalexchange.org/september11](http://www.globalexchange.org/september11) and which is attached for your reference.

Moved by Commissioner Wagley, seconded by Commissioner Freedkin; approved unanimously. September 24, 2001.

## **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** Michele Lawrence, Superintendent  
**FROM:** John Malone, Associate Superintendent for Business  
**DATE:** October 3, 2001  
**SUBJECT:** Accept Proposal from Modular Information Systems (MIS) Data General for replacing the existing Micro Data Computer with a Hewlett Packard Computer.

### **BACKGROUND INFORMATION**

The Berkeley Unified School District currently operates its business information system on a Micro Data Computer. The computer, installed in approximately in 1982, is slow, outdated and parts are not readily available. This computer runs software, referred to as the Berkeley Information System (BIS), which was developed and used in several school districts in the early 1980s. While other districts have phased out of this platform of technology, it still supports the major business functions in our school district including accounting, payroll and the personnel information systems.

In 1997 the school district purchased a Data General Avian Model computer, which would have upgraded the district's capacity and increase processing speed but this was never installed. Now because of its age, and the advancement of technology, migrating to this computer would serve little purpose. Consequently, the administration recommends that a newer computer be purchased and install to replace our existing system instead of the Data General. The newer computer, a Hewlett Packard will be much more stable. There are several thousand of these computers including several installed in the East Bay Area; therefore parts and technical assistance is available. The new system will also provide increased capabilities and speed and will eliminate the rental payments we currently make on the outdated computer.

Although the District currently intends to transfer to QSS software using the Pleasanton Unified computer, the purchase of the Hewlett Packard computer will increase stability and productivity of the Business Department during the months of conversion. Despite existing budget constraints, it is nevertheless necessary to replace the existing computer and install software. There will be a one-time cost of \$79,000. Once the conversion has been completed, we can reduce yearly costs, and the Hewlett Packard will store our archival data.

### **POLICY/ISSUE**

Government Code 53060

**FISCAL IMPACT**

The estimated cost for this project will not exceed \$79,000.

**STAFF RECOMMENDATION**

Authorize the purchase of a Hewlett Packard computer and programming installation.



## **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** Michele Lawrence  
**FROM:** Christine Lim  
Associate Superintendent, Instruction  
**DATE:** October 3, 2001  
**SUBJECT:** Second Reading – Modifications to Board Policy 6146.1  
Graduation Requirements/Standards of Proficiency

### **BACKGROUND INFORMATION:**

At the first reading of modifications to *Board Policy 6146.1 Graduation Requirements/Standards of Proficiency* on September 5, 2001, the Board raised the following issues:

- The requirement of Physical Education at the 9<sup>th</sup> grade
- The issue of Physical Education credit for participation on an interscholastic sports team
- The modifications to section #7- *Additional Course Requirements*

This initial attempt to bring the graduation requirements in line with current Education Code has raised several inconsistencies between Board Policy and current practices. More work is still to be done, however, the following is offered as an interim solution:

- To align with current practice, the Physical Education requirement for 10<sup>th</sup> grade has been removed, leaving a Physical Education requirement of twenty (20) credits, ten (10) of which must be earned in 9<sup>th</sup> grade. Additionally, Physical Education credit for participation in inter-scholastic sports has been revised/added from current policy (*cf 6145.2C*) to this section.
- To align with current practice and Education Code, the section titled *Additional Course Requirement* has been changed from two (2) courses of the following listed: art, performing arts, business, home economics, industrial arts and career education, to two (2) courses of foreign language or visual and performing arts (*cf Education Code Section 51225.3E*)
- The wording of section *C. Subjects Required for Graduation* has been changed to align with the language used in the 2001-2002 course catalogue. All requirements meet or exceed graduation requirements set forth by Education Code Section 51225.3.

In the attached document, all changes and deletions are lined through and all additions are in bold.

This policy will require other modifications which need to include the California High School Exit Exam and the implications for students who have not passed this test. The process for making those revisions has begun and the revisions will be brought to the Board at a later date.

### **POLICY/CODE:**

Board Policy 9311.1 – Policy Adoption and Revision

### **FINANCIAL IMPACT:**

None

**STAFF RECOMMENDATION:**

Adopt the modifications to Board Policy 6146.1 - Graduation Requirements/Standards of Proficiency.

## 6146 Graduation Requirements/Standards of Proficiency

### 6146.1 High School Graduation Requirements/Standard of Proficiency

- A. Graduation Requirements. To graduate from Berkeley High School a student must complete the twelfth (12) grade in that school and 220 semester-~~periods credits~~ of work, 140 of which must be completed in grades ten (10) through twelve (12).
- B. Semester ~~Periods credits~~. Five (5) semester-~~periods credits~~ shall be earned in each ~~subject period~~ completed each term. ~~except for driver training education (a six week (6) course) in which two and a half (2 1/2) semester periods credits are earned. A semester period credit shall be defined as one (1) period of forty (40) to sixty (60) minutes per week for one semester of not less than seventeen (17) weeks. Therefore, a subject taken each day of the week for one (1) semester carries five (5) semester periods credits. of credit.~~
- C. Subjects Required for Graduation. The subjects required for graduation shall be:

1. English. ~~Three and a half (3 1/2) years (35 semester periods) Four (4) years (40 semester credits) in grades nine (9) through twelve (12), including one (1) semester of composition, with two and a half (2 1/2) years (25 semester periods credits) in grades ten (10) through (12). Students who read below the eighth (8th) grade level when they enter grade twelve (12) will be required to take an additional semester of reading.~~

Forty credits, eight (8) semester courses: three (3) year courses (English 1A/B, World Lit, American Lit), and two(2) semester courses (English Electives).

2. History. ~~Three and a half (3 1/2) years (35 semester periods credits) in grades nine (9) through twelve (12), including one and a half (1 1/2) years (15 semester periods credits) U. S. History/ Government. This three (3) semester sequence may be started in the second (2nd) semester of the tenth (10th) grade or the first (1st) semester of the eleventh (11th) grade.~~

Thirty-five (35) semester credits, seven (7) semester courses: two year courses (World History and U.S. History), three (3) semester courses (one semester of

American Government, Economics and a history elective)

3. Science. ~~One (1) year (10-20 semester periods) Two (2) years (20 semester credits) in grades nine (9) through twelve (12). One (1) year of Biology (10 semester credits) and one year of Physical Science (10 semester credits).~~

Twenty (20) semester credits, four (4) semester courses: one-year course of study in a physical science, and one-year course of study in a biological science.

4. Social Living. ~~Nine (9) weeks in tenth (10th) grade (2 1/2 semester periods).~~

Five semester credits, one semester.

5. Mathematics. ~~Two (2) years (20 semester periods credits) in grades nine (9) through twelve (12); or by a general mathematics examination.~~

Twenty (20) semester credits, four (4) semester courses.

6. Physical Education. ~~Two years (20 semester periods credits) in grades nine (9) and ten (10). One year (10 semester credits) must be in grade nine (9).~~

Twenty (20) semester credits, two (2) years. One year, ten (10) semester credits must be completed in grade nine (9).

If a student is involved in an afterschool interscholastic sport, the student can earn a maximum of five (5) Physical Education credits per semester which meets the ninth grade requirement.

Any student who participates on a state or nationally sponsored competitive sports activity can request a waiver of the Physical Education requirement from the Superintendent or Designee. Should a waiver be granted the coach and/or supervisor of the sport will be required to sign an assurance that the student is meeting state physical education standards and competencies through participation in the activity. Any student receiving a waiver is still required to earn the total number of credits required for graduation (220).

Waivers must be requested annually four (4) weeks before the beginning of the school year.

7. Additional Required Courses. Two (2) courses (10-20 semester periods):
  - a. ~~At least one (1) course must be selected from any two (2) of the following areas in grades nine (9) through twelve (12):~~
    1. ~~Art~~
    2. ~~Performing Arts~~
    3. ~~Business~~
    4. ~~Home Economics~~
    5. ~~Industrial Arts~~
    6. ~~Career Education~~

Foreign Language or Visual and Performing Arts. One (1) year (10 semester credits).

8. Transfer Students
  - a. Transfer students are expected to spend a year at Berkeley High prior to graduation.
  - b. Students who transfer into Berkeley high for the senior year are expected to meet graduation requirements of their former high school.

~~Note: See Board Minutes, April 18, 1978, pp. 14-16. Also see High School Graduation Standards Task Force Committee, Report To Board, September 28, 1977. Also see Martin Luther King Junior High School, West Campus, and Berkeley High School, Content Course Catalogs.~~

D. Ethnic Studies/High School Graduation Requirement

1. *Requirement.* Effective with the freshman class of the 1991/1992 academic school year, the Board established policy that a one- (1) semester course in Ethnic Studies shall constitute a high school graduation requirement for the District.

2. *Defined.* An ethnic studies course is defined as an academic comparative analysis of the historical and contemporary experiences of the major racial groups in the United States, the Berkeley Unified School District and Berkeley High School. The purpose of the course will be to stress cross-cultural understanding and the breakdown of racial stereotypes. Staff and students will design the course.
3. *Course Design.* This course shall be designed to enable and encourage ninth (9th) grade students to understand and appreciate racial, ethnic, and cultural differences among members of the community. Staff **and students** designing the course may consider the use of class discussion, creative writing, and similar techniques directed toward exploring the personal attitudes of students in the course.

## **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** Board of Education  
**FROM:** Michele Lawrence  
**DATE:** October 3, 2001  
**SUBJECT:** Disapproval of Budget-AB1200

### **BACKGROUND INFORMATION**

This week the office of the Superintendent and the President of the Board received a formal letter from Alameda County Office of Education disapproving the District's annual budget. This action was in compliance with AB 1200 legislation and the provisions of Education Code Section 42127. Based on earlier conversations with the County, and the formal Board presentation in late August, this was not unexpected, however the letter now formally sets into action the next steps in the County and State Department's efforts to monitor and assist in our financial and organizational concerns.

Tonight the Superintendent will outline to the Board and the public those steps and present recommendations that are necessary to manage our current budget problems.





# **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** Board of Education  
**FROM:** Michele Lawrence  
**DATE:** October 3, 2001  
**SUBJECT:** Facilities Department Strategic Plan

## **BACKGROUND INFORMATION**

In May of 2001, after the passage of measure BB, the Board approved a Maintenance Operations Business Plan for 2001-2002. While the plan has many important features, there are aspects that need reconsideration and a more comprehensive long-term strategic plan should be developed before the District moves forward to implement the one-year plan. Tonight the superintendent and staff would like to discuss the framework and timelines for the development of this comprehensive approach that can serve as a service delivery model for the various aspects of facilities, which are not just limited to maintenance.

A more comprehensive strategic plan can become a framework on which an Annual Maintenance Plan can be developed, approved, and measured against. The following ideas, concerns and concepts need to be analyzed and/or incorporated into a finalized strategic plan:

- ξ The 2001-2002 Plan included an organizational structure that was limited to only the maintenance department. Our inter-dependency as an organization requires a larger view of facilities to ensure internal coordination of personnel and financial resources. Construction, community use, rental agreements, and ancillary educational programs impact the cleanliness and repair of facilities. Plant security, disposal of waste and materials and disaster readiness need also be considered.
- ξ The District has a significant number of unique job classifications that hampers cross training, limits assignments, tasks and promotional opportunities. Many districts and public institutions have more general maintenance positions rather than trade specialists.
- ξ The Maintenance Department currently does all of its work between 7:30 AM and 3:30 PM, Monday through Friday. This overlaps with the school day, causing interruptions and conflicts with the educational program. Work schedules need to be developed that allow for more flexible distribution of the work calendar.

- ξ The Maintenance Department is accustomed to assigning work to an individual based on a single work order. The employee is expected to complete the task with little help or supervision. A maintenance model based on a team approach is needed to foster better, communications, provide accountability and enhance teamwork among staff.
- ξ Individuals accountable for tasks must be empowered to supervise employees assigned to their site or department. Currently the source of funding drives the supervision model, this limits the ability of an organization to effectively deliver services.

Based on these additional ideas and concepts, the staff would like to discuss in more depth the aspects mentioned and solicit from the Board any other components or possesses that should be incorporated. It is also recognized that conversations and input also needs to be gathered from the advisory committees, the principals, other staff and Local 1 before a plan can be presented to the Board for final approval.