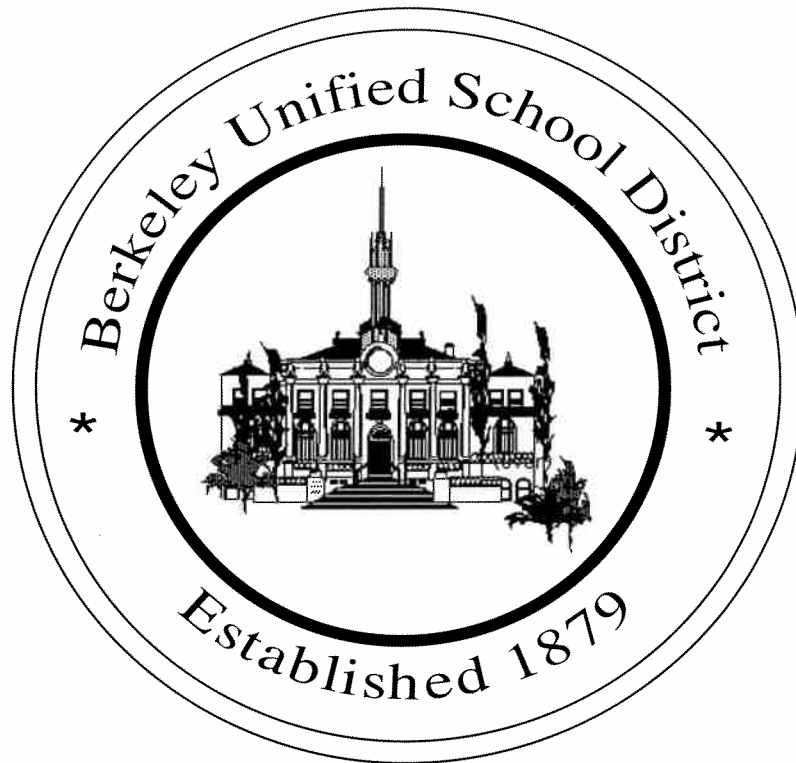


**BERKELEY UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION MEETING
AND
SUPERINTENDENT OF SCHOOLS**



BOARD OF EDUCATION MEETING

NOVEMBER 14 , 2001

Queen Graham
Executive Assistant
to the Superintendent
& Board of Education

BERKELEY UNIFIED SCHOOL DISTRICT
REGULAR MEETING OF THE BOARD OF EDUCATION – AGENDA
Wednesday, November 14, 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 (Government Code Sections 3549.1(d), 54956.9, 54956.9(a) and 54957) and Education Code Section 48918(c)—Board Conference Room
 - a. Conference with Legal Counsel—Existing Litigation
[] Service of Process [x] Existing Settlement Negotiations
 - b. Consideration of Student Expulsion (**Separate document**)
 1. Case #11-02
 - c. Collective Bargaining Session
 - d. Public Employee Discipline/Dismissal/Release
 - e. Public Employment and Appointments

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

*The Student Director does not attend Closed Session.

Regular Meeting of the Board of Education – Agenda
Wednesday, November 14, 2001, at 6:00 p.m.
Page 2 of 7

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

APPROVAL OF AGENDA AS PRINTED

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

APPROVAL OF MINUTES	Placed on Agenda by	Disposition	Page(s)
5. Approval of Minutes: October 17, 2001	Q.Graham		1-10

APPROVAL OF CONSENT CALENDAR	Placed on Agenda by	Disposition	Page(s)
6. Approval of Personnel Report	D.Gomez		11-16
7. Action taken regarding decision of Student Expulsion Administrative Panels: a. Case #11-02	C.Lim		From Closed Session
8. Approval to deny claims against the District	D.Gomez		17
9. Approval of Purchases in Excess of \$15,000	J.Malone		18-20
10. Approval of Resolution No. 7288: the Gann Limit Appropriation Computation is for a State Constitutional initiative that was enacted in the early 1980's. It allows the state of California to make budget appropriations within the requirements of that law. The amendments to that initiative allowed for the compliance with the Gann initiative to transfer from the local level to the state level	J.Malone		21-23
11. Approval of Resolution No. 7290: Resolution authorizing the use of school Facilities by a Religious Organization: Strawberry Creek Friends use of Berkeley Alternative High School's Multi-Purpose Room and classrooms for Religious Services	J.Malone		24-25
12. Approval of Resolution No. 7291: Resolution authorizing the use of School facilities by a Religious Organization: Open Gate Sangha's use of Thousand Oaks Elementary School's Multi-purpose Room for Religious Services	J.Malone		26-27
13. Approval of Resolution No. 7292: Authorization to Accept completion of the Berkeley High School Softball Field Turf Renovation Project	J.Malone		28-29

APPROVAL OF CONSENT CALENDAR (continued)	Placed on Agenda by	Disposition	Page(s)
14. Approval of Resolution No. 4289: Authorization to Award Landscape Maintenance Services for the Calendar Year (December 1, 2001- November 30, 2002)	J.Malone		30-32
15. Approval of Resolution: Student Bus Passes, AC Transit Three-Year Pilot Program	J.Selawsky		33-37
16. Receive and Approval Information on the Issuance of Payroll Warrants for Employee Services for October 2001	J.Malone		38-39
17. Approval to Receive the Specific Learning Disability Classification Grant from the California Department of Education, Special Education Division for a period of One and one-half years	C.Lim		40-41
18. Approval of Expenditure Plan for Governor's Performance Award for Emerson and John Muir Elementary Schools and Willard Middle School	C.Lim		42-45
19. Approval of Expenditure Plan for the Academic Performance Index (API) School Site Employee Bonus Award for Emerson and John Muir Elementary Schools and Martin Luther King Jr. Middle School	C.Lim		46-53
20. Approval of Overnight Field Trip Requests	C.Lim		54-55
21. Approval of Out-of-State Travel Requests	C.Lim		56
22. Approval of the Extension of STRS Exemption—Darrel Taylor	D.Gomez		57
23. Approval of Nominations for CSBA (California School Boards Association) Delegate Assembly, 2002	S.Issel		58

APPROVAL OF CONSENT CALENDAR (continued)	Placed on Agenda by	Disposition	Page(s)
24. Acceptance of Gifts: a. Rose & Sean Marx: A donation of forty cases of copy paper, valued at \$2600, to be used at John Muir Elementary School; b. Cheri Hinkley: A donation of Wooden puzzles, clay equipment and teacher resource books, valued at \$250; c. Dan Curry: A donation of a computer printer, valued at \$100; d. LeRoy Blea: A donation of a Toshiba computer, valued at \$500; e. Claudia Berger: A donation of a Piano and bench, to be used at LeConte Elementary School, valued at \$850.	T.Doran		Verbal.

APPROVAL OF ACTION ITEMS	Placed on Agenda by	Disposition	Page(s)
25. Approval of Memorandum of Understanding between Berkeley High School and the California Technology Assistance Project Region IV for CTAP Language Arts Grant	C.Lim		59-63

DISCUSSION/INFORMATION/REPORTS	Placed on Agenda by	Disposition	Page(s)
26. Receive for Adoption consideration of the <i>Introduction to the Practice of Statistics</i>	C.Lim		64
27. Discussion of the Secondary Literacy Staff Development Plan	C.Lim		65-67
28. Maintenance and Measure BB Update	J.Malone		68-75
29. First Reading of Revision of Board Policy 4030: Non-Discrimination In Employment	D.Gomez		76-80

9:30 p.m.	Placed on Agenda by	Disposition	Page(s)
PUBLIC HEARING			
30. Public Hearing on the District's Proposals to Public Employees Union Local One Reopeners	D.Gomez		81

ADDITIONAL PUBLIC TESTIMONY

- 10 Minutes Maximum

BOARD MATTERS
31. Board Committee Appointments/Reports <ul style="list-style-type: none"> • 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 • Surplus Facilities Advisory Committee • Two-by-Two Committee • Youth Commission

BOARD REQUESTS

ADJOURNMENT

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.

Willard MIDDLE SCHOOL



2425 Stuart Street, Berkeley, California 94705 (510) 644-6330 Fax (510) 548-4219

PRINCIPAL
Gail Hojo

VICE PRINCIPAL
Ellen Dean

VICE PRINCIPAL
Gene Nakamura

Case # 11-02

Student Name: Carlos DelCid DOB: 1/8/84 School: Berkeley High School

Parent: Mr. Carlos Chavez Grade: 11

Date of Hearing: November 13, 2001

Presenter: Mr. Larry Lee, Vice Principal, Berkeley High School

Hearing Panel: Greg John, Vice Principal Willard Middle
Sussana McCulloch, Visual and Performing Arts Coordinator
Eugene Nakamura, Manager of Student Services

Hearing Facilitator: Robert Tryon

Panel Recommendation: Expulsion from School for 2 semesters. The student may apply for reinstatement in the Fall Semester of 2002*

Comments: The family of Carlos DelCid was not present at the hearing. The hearing began at 9:10 a.m. with Berkeley High Vice Principal, Larry Lee, presenting the case for the district. The police report and statements made it clear that Carlos assaulted the Berkeley High student whom he thought had assaulted his younger brother, Alex Chavez. Carlos has had a record of non attendance and poor academic grades the last year at Berkeley High. The school felt he presented a continuing danger to himself and other students at the school. The panel voted unanimously 3-0 for a 2 semester expulsion ending on June 14, 2002

* It has been verified that Carlos has a Richmond address so I will communicate to the West Contra Costa School District regarding enrollment of Carlos DelCid in their schools.

It is further recommended that Carlos DelCid as part of his expulsion follow through with the following stipulations:

1. Carlos should participate in a regularly scheduled counseling program on anger management and conflict resolution.
2. Carlos must not commit a suspendable offense.
3. Carlos must maintain an exemplary attendance record.
4. Carlos should be encouraged to pursue an Adult Education Program to finish High School. This is due to his age and units completed in school.

Respectfully submitted by,

Eugene Nakamura

Eugene Nakamura
Manager of Student Services

**Berkeley Unified School District
Board of Education
Expulsion Hearing Summary**

Case number: 11-02	Date: 11/13/01	Time: 9:00
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Student Name: Delcid, Carlos	School: Berkeley High School
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Parent/Guardian Present at Hearing? () Yes (**x**) No
Name & Relation:

Findings:

Student violated **Student violated Ed Code 48900(a) (1)(2) Caused physical injury to another person. Ed. Code 48900(k) Defied the valid authority of Supervisor, teachers, administrators and school officials. Ed. Code 48915(b)(2) Presence of pupil causes a continuing danger to the physical safety of the pupil of others.**

Expulsion:

- () No
(**x**) Yes. How many semesters? **Two semesters**
() Suspended Expulsion. How Many Semester?

Vote:

Moved by: **Greg John** Second by: **Susanna McCulloch**

Vote count:	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>
	(3)	(0)	(0)

Expulsion Conditions:

- (**x**) Carlos must maintain an exemplary attendance record
- (**x**) Committing a suspend able offense will result in automatic expulsion from the District without further hearing
- (**x**) Carlos must participate in a regularly scheduled counseling program on anger management and conflict resolution.
- (**x**) Carlos should be encouraged to pursue an Adult Education Program to finish High school. This is due to his age and units completed in school.

BERKELEY UNIFIED SCHOOL DISTRICT

OFFICIAL BUT UNADOPTED MINUTES

MINUTES, REGULAR MEETING

Page 1

Wednesday, October 17, 2001

District Administrative Offices

Board Meeting Room

2134 Martin Luther King Jr. Way

Berkeley, CA 94704-1180

CALL TO ORDER

President Doran Called the Meeting to Order at 6:00 p.m.

1. BOARD ROLL CALL:

MEMBERS PRESENT:

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

No one addressed the Board at this time.

- 3. Recess to Closed Session (Government Code Sections 3549.1(d), 54956.9, 54956.9(a) and 54957 and Education Code Section 49818(c)—Board Conference Room**
- a. Conference with Legal Counsel—Existing Litigation
[] Service of Process [x] Existing Settlement Negotiations
 - b. Liability Claims:
 - 1. Claim filed by an employee for damage and reimbursement of expenses allegedly caused by students at Longfellow Arts & Technology Magnet Middle School
 - 2. Claim filed by a parent for reimbursement of medical expenses and possible pain and suffering for her child when she allegedly fell at Emerson Elementary School
 - 3. Claim filed by a parent for reimbursement of medical expenses and possible pain and suffering for her child when her child allegedly scratched his face on a nail at Arts Magnet Elementary School.

*The Student Director does not attend Closed Session.

3. Recess to Closed Session (Government Code Sections 3549.1(d), 54956.9, 54956.9(a) and 54957 and Education Code Section 48918(c)--(continued)

- c. Consideration of Student Expulsion: Case #07-02
- d. Collective Bargaining Session
- e. Public Employee Discipline/Dismissal/Release
- f. Public Employment and Appointments

RECONVENE IN PUBLIC SESSION

The Board returned to Public Session at 8:00 p.m.

4. BOARD ROLL CALL

MEMBERS PRESENT: President Terry S. Doran
Vice President Shirley Issel
Director Joaquin J. Rivera
Director Ted Schultz
Director John T. Selawsky
Student Director Sarena M. Chandler

APPROVAL OF AGENDA AS PRINTED

Motion: Directors Rivera/Selawsky and approved unanimously on voice vote:

That the agenda is approved as printed.

REPORT OF ACTION TAKEN IN CLOSED SESSION

President Doran stated that there was nothing to report from Closed Session.

PUBLIC TESTIMONY

The following people addressed the Board regarding various issues: Ms. Lois Burbach and Ms. Mary Wainwright, representatives from the League of Women Voters; Mr. Jeffrey Linman, a Berkeley High School parent, Berkeley Unified School District employee and taxpayer; Ms. Stephanie Allen, Co-Chairperson, Maintenance Advisory Committee; Ms. Gail Kellerman, Berkeley High School Maintenance Advisory Committee; Mr. Dan Pippen, a Berkeley High School parent; Ms. Yolanda Huang, a Berkeley High School parent; Ms. Beebo Turman, a member of the Facilities Maintenance and Security Advisory Committee; and, Mr. Jerome Wiggins, a member of the Alameda County Board of Education.

UNION REPRESENTATIVES

No one addressed the Board at this time.

ADVISORY COUNCILS

Ms. Nancy Riddle, Co-Chairprson, BSEP (Berkeley Schools Excellence Project) and Ms. Yolanda Huang, Co-Chairperson, Facilities Maintenance and Security Advisory Committee, addressed the Board.

SUPERINTENDENT'S COMMENTS

The Superintendent did not make a report at this time.

BOARD MEMBERS' COMMENTS

Board Members responded to comments made during Public Testimony and during the Advisory Councils section of the agenda.

Director Rivera stressed the importance of all District stakeholders working together to reach our ultimate goal of educating all of our students.

Director Selawsky reported on the Berkeley High School benefit, which was held at Spenger's Restaurant. He thanked Ms. Karen McKie, a strong supporter of the Berkeley schools, and everyone else who supported this successful event. Director Selawsky said it was an inspiring activity and should be an annual event.

President Doran announced that the remaining scheduled Board of Education Meetings for the year are: November 14, 2001 and December 5, 2001. He also announced that Ms. Thelette A. Bennett, Vice Principal, Longfellow Arts and Technology Magnet Middle School, will be recognized at the Berkeley Community Fund's Annual Dinner on October 25, 2001 at the Radisson Hotel. Ms. Bennett will receive an Individual Achievement Award for her contributions to the students of the Berkeley Unified School District.

AGENDA REORDER

APPROVAL OF ACTION ITEMS

19. Approve the submitting of a waiver to suspend the Budget Review Team Process

Superintendent Michele Lawrence explained that since the District has received formal notification from the Alameda County Office of Education that the District's budget has been disapproved; the additional requirements under AB 1200 are being planned and implemented. She then introduced and deferred to Ms. Sheila Jordan, Superintendent of Schools, Alameda County Office of Education.

Ms. Sheila Jordan stated that she is officially appointing FCMAT (Fiscal Crisis Management Team) as the District's fiscal agent. She introduced Ms. Lou Highlander, Director, District Business and Advisory Services, Alameda County Office of Education, and Mr. Joel Montero, Deputy Executive Officer, FCMAT (Fiscal & Crisis Management Assistance Team). Mr. Montero gave a detailed outline of what FCMAT will do for the District. He said FCMAT will create a short and long-term work plan for the District. Their approach is a recovery team approach. There will be a full-time FCMAT representative in the District with a technical background. The FCMAT representatives will address the future of the Business Office, which includes reviewing the District's Data Processing, Accounting and Payroll systems. After they have completed their analysis, they will submit their recommendations to the Superintendent and Board of Education.

Motion: Directors Rivera/Schultz and approved unanimously on voice vote:

Approve the submitting of a waiver to suspend the Budget Review Team Process.

AGENDA REORDER

DISCUSSION/INFORMATION/REPORTS

21. Presentation of the Third Annual Report on the District's Early Literacy Plan

Ms. Christine Lim, Associate Superintendent, Instruction, reviewed the history of the District's Early Literacy Plan. She said the Early Literacy Plan reads:

"By the end of third grade, all students who have completed kindergarten through third grade in Berkeley schools...will read at or above grade level...as measured by a District-wide assessment system."

DISCUSSION/INFORMATION/REPORTS (continued)

21. Presentation of the Third Annual Report on the District's Early Literacy Plan
(continued)

Ms. Lim introduced seven staff members who are involved in various portions of the Early Literacy Plan. The staff members highlighted ten successes of the Plan, which includes the following:

- Early Literacy Groups (small group reading instruction model) was implemented at nine sites at the K-3 grade level.
- All sites have identified Literacy Teacher Leaders, K-5, who provide peer coaching and support in literacy practices, site training in District assessments, and staff development.
- Eleven/twelve sites have received K-3 training in a research-based, classroom reading methodology.

Ms. Christine Lim, Associate Superintendent, Instruction, said the next ten steps includes continuance of effective literacy classroom instruction and the increase of hourly feedback time for coaching to seven hours per teacher. She said sites that do not currently have Reading Recovery at full implementation will begin to identify ways to increase the number of students served and the remaining three sites will implement Early Literacy Groups.

22. Report on 2001 Day & Extended School Year Programs

Ms. Christine Lim, Associate Superintendent, Instruction, reported that instructional support and intervention for students at risk of retention in the District is provided in two ways: (1) the Extended School Year Program and (2) Extended Day Programs.

Board Members asked if the schools are meeting the needs of the students in the program and if there is an effective assessment of the success of the students. They suggested that comparative evaluation test results be done of students from the regular school year and the summer school program. The Board asked if there is any data on how the SST (Student Study Team) is working.

23. Notice and Advertisement Concerning Personnel Commission Vacancy

Dr. David Gomez, Associate Superintendent, Administrative Services, explained this item.

PUBLIC HEARING AND AUTHORIZATION

24. Public Hearing on District Reopener Proposals for Public Employees Union Local One and Authorization to Develop Negotiations Proposals

President Doran opened the Public Hearing at 10:19 p.m.

Dr. David Gomez, Associate Superintendent, Administrative Services, explained this item.

President Doran declared the Public Hearing closed at 10:20 p.m.

Motion: Directors Rivera/Schultz and approved 5-(1) on voice vote:

Authorization to develop negotiations proposals on the District's reopener proposals for Public Employees Union Local One.

AYES: Directors Doran, Issel, Rivera, Schultz, Selawsky

ABSTAIN: (Student Director Chandler. The Student Director does not vote on negotiation items.)

AGENDA REORDER

APPROVAL OF MINUTES

5. Approval of Minutes: September 29, 2001 and October 3, 2001

Motion: Directors Rivera/Schultz and approved unanimously on voice vote:

Approval of the September 29, 2001 Minutes as printed.

Approval of the October 3, 2001 Minutes as amended. The amendment is on page 8 of the minutes, item #16, and last paragraph. The paragraph now reads:

"Some Board Members said they would like for the District's graduation requirements to align with the University of California and California State **University admissions** requirements."

APPROVAL OF CONSENT CALENDAR

The Board pulled, for separate consideration, items 7 and 13.

Motion: Directors Rivera/Schultz and approved unanimously on voice vote:

That items 6, 8, 9, 10, 11, 12, 14, 15, 16, 17 and 18 are approved.

6. Approval of Personnel Report

The Student Director does not vote on personnel items.

7. Action taken regarding decision of Student Expulsion Administrative Panel: Case Number 07-02

Please see page 8 of these minutes for action on this item.

8. Approval to deny claims against the District

9. Approval of Purchases in Excess of \$15,000

10. Approval of Contract Between Berkeley Unified School District and Hatchuel, Tabernik and Associates

11. Approval of Contract Between Berkeley Unified School District and the Bay Area Community Resources (BACR)

12. Approval of Placement of Two Special Education Students in Non-Public Schools:

a. Seneca for the period of September 28, 2001 to June 30, 2002, at a cost of \$30,137

b. La Cheim for the period of October 1, 2001 to June 30, 2002, at a cost of \$35,600

13. Approval of Memorandum (MOU) between the City of Berkeley and Berkeley Unified School District related to architectural and engineering services for the Warm Water Pool and Old Gymnasium Project at Berkeley High School

Please see page 8 of these minutes for action on this item.

14. Approval of Expenditure Plan for Governor's Performance Award for Willard Middle School

15. Approval of Out-of-State Travel Requests

16. Adoption of Resolution No. A331: Authorization to Accept Completion of the Electrical Conduit Project at Multiple Sites

APPROVAL OF CONSENT CALENDAR (continued)

17. Receive and Approve Information on the issuance of payroll warrants for Employees Services for September 2001
18. Approval of Consulting Services related to operations of the District's Business Information System for the period, October 17, 2001 to January 31, 2002

7. Action taken regarding decision of Student Expulsion Administrative Panel:

Motion: Directors Issel/Selawsky and approved 3-2-(1) on voice vote:

To accept the Student Expulsion Administrative Panel's recommendation.

AYES: Directors Doran, Issel, Selawsky

NOES: Directors Rivera, Schultz

ABSTAIN: (Student Director Chandler. The Student Director does not vote on Closed Session items.)

13. Approval of Memorandum (MOU) between the City of Berkeley and Berkeley Unified School District related to architectural and engineering services for the Warm Water Pool and Old Gymnasium Project at Berkeley High School

Board Members expressed concern that the City of Berkeley's timeline might not mesh with the District's timeline. They wanted to know what will happen if the City is ready and the District is not ready?

Motion: Directors Issel/Selawsky and approved unanimously on voice vote:

That this item is approved.

AGENDA REORDER

APPROVAL OF ACTION ITEMS

20. Approve the Comprehensive Plan for Facilities Operations and Maintenance

Superintendent Lawrence presented this item. She said she is very sensitive to the staff and community members who have worked on this plan in the past. Ms. Lawrence reiterated the importance of developing a long-term strategy for dealing with facilities operations and maintenance in the District. She feels this plan is the blueprint, which will guide the District in the right direction.

President Doran asked if this new plan is approved, will the other plan be discarded?

Director Rivera requested that staff submit a status report to the Board regarding the District's energy audit.

Vice President Issel inquired about the cost of the positions, which are listed in the Facilities Maintenance and Security Advisory Plan.

Motion: Directors Rivera/Schultz and approved unanimously on voice vote:

Approval of the Comprehensive Plan for Facilities Operations and Maintenance, including the organizational chart.

ADDITIONAL PUPBLIC TESTIMONY

There was no Additional Public Testimony at this time.

BOARDS MATTERS

25. 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
- Surplus Facilities Advisory Committee
- Two-by-Two committee
- Youth Commission

There were no appointments nor reports regarding the above committees and commissions.

BOARD REQUESTS

There were no Board Requests at this time.

ADJOURNMENT

President Doran declared the Regular Meeting October 17, 2001, adjourned at 11:09 p.m.

APPROVED:

ATTEST:

President, Board of Education
Berkeley Unified School District

Secretary, Board of Education
Berkeley Unified School District

qeg

TO: Michele Lawrence, Superintendent
 FROM: David A. Gomez, Ph.D.
 Associate Superintendent, Administrative Services
 DATE: November 14, 2001
 SUBJECT: PERSONNEL REPORT 01-07

Following is Personnel Report 01-07 which reports details of personnel assignments, employment and terminations.

CERTIFICATED PERSONNEL				EFFECTIVE	
NAME	POSITION	LOCATION	FTE & SALARY	FROM	TO
<u>RESIGNATION</u>					
Alexander Bilik (2 months employment)	Teacher	Longfellow	1.0 \$32,245	10/13/01	
Frank Lynch (1 year employment)	Principal	Berkeley High School	1.0 \$112,731	10/31/01	
<u>SUBSTITUTES</u>					
Susan Arendt			\$115.48/day	11/15/01	
Tom Brown			\$115.48/day	11/15/01	
Karen Caronna			\$115.48/day	11/15/01	
Alissa Cox			\$115.48/day	11/15/01	
Bill Dane			\$115.48/day	11/15/01	
Gloria Elissha			\$115.48/day	11/15/01	
Peggy Ellis			\$115.48/day	11/15/01	
Theresa Enedah			\$115.48/day	11/15/01	
Eric Greene			\$115.48/day	11/15/01	
Hana Hammer			\$115.48/day	11/15/01	
Lori Kasle			\$115.48/day	11/15/01	
Lawrence Kelp			\$115.48/day	11/15/01	
Lillian Liu			\$115.48/day	11/15/01	
Alexia Marquis			\$115.48/day	11/15/01	
Susan Mickiewicz			\$115.48/day	11/15/01	
Sergio Ovias			\$115.48/day	11/15/01	
Lindsay Parker			\$115.48/day	11/15/01	
Heidi Sawicki			\$115.48/day	11/15/01	
Elena Scott			\$115.48/day	11/15/01	
Caroline Standley			\$115.48/day	11/15/01	
Karen Thompson			\$115.48/day	11/15/01	
Karen Wilson			\$115.48/day	11/15/01	
John Wright			\$115.48/day	11/15/01	
<u>TERMINATION</u>					
Paul Rose	Substitute	District	\$115.48/day	10/3/01	
<u>RETIREMENT</u>					
Katherine Evans	Teacher	Le Conte	1.0 \$67,028	6/14/01	

PERSONNEL REPORT 01-07

November 14, 2001

CLASSIFIED PERSONNEL

						EFFECTIVE	
NAME	POSITION	LOCATION	BUDGET	CLASS RANGE STEP	FTE & SALARY	FROM	TO
<u>RESIGNATION</u>							
Susan Moyles	Library Technician	Jefferson				11/30/01	
Steven May	Locksmith	Maintenance				10/22/01	
Robert Downes	General Maintenance Worker	Berkeley High School				11/2/01	
Susan Gilstad	Personnel Assistant	Personnel				12/01/01	
Anthony Berdecio	Instructional Technician	Thousand Oaks				10/31/01	
<u>RETIREMENT</u>							
Salvador Murillo	Attendance Coordinator	Student Services				11/1/01	
Lila Washington	Instructional Assistant Special Education	Berkeley High School				11/27/01	
Helen Louise Younger	Senior Secretary	Student Services				12/14/01	
<u>TERMINATION</u>							
Kevin Ervin	Custodian I	Berkeley High School				11/15/01	
Stephon Scruggs	School Bus Driver	Transportation				11/15/01	
<u>SUBSTITUTES</u>							
Leticia Gutierrez	Instructional Assistant	Thousand Oaks		29/1	3.5 hrs/day \$12.06/hr	9/1/01	6/13/02
Antonia Smith	Student Records Clerk	Martin Luther King		34/1	As Needed \$12.99/hr	8/2/01	6/13/02
Melba Evans	Instructional Assistant	LeConte		29/1	6 hrs/wk \$12.06/hr	10/1/01	6/13/02
Cassandra Powell	Intramural Director	Berkeley High School		N/A	As Needed \$11.45/hr	11/1/01	6/13/02
<u>PROBATIONARY</u>							
Mary Anne Reynolds	School Safety Officer	Berkeley High School		44/1	1.0 \$16.62/hr	11/1/01	5/1/02
Geoff Butts	Account Clerk	Business Office		36/1	1.0 \$13.64/hr	11/8/01	5/8/02

PERSONNEL REPORT 01-07
November 14, 2001
CLASSIFIED PERSONNEL

NAME	POSITION	LOCATION	BUDGET	CLASS RANGE STEP	FTE & SALARY	EFFECTIVE	
						FROM	TO
David Ceaser	Instructional Specialist (Garden/Nutrition)	Rosa Parks		51/1	.64 \$19.79/hr	10/1/01	4/1/02
Thomas Beatty	Instructional Assistant (Special Education)	Berkeley High School		31/1	.80 \$12.06/hr +10%	10/8/01	4/8/02
Susanne Jensen	Instructional Specialist (Garden/Nutrition)	Willard		51/1	.43 \$19.79/hr	10/1/01	4/1/02
Jacquelyn Osby	Elementary School Secretary	Washington		42/1	1.0 \$15.83/hr	11/1/01	5/1/02
Paul Jones	Instructional Assistant (Special Education)	Thousand Oaks		31/1	.80 \$12.06/hr +5%	10/1/01	4/1/02
Joyce Carter	School Safety Officer	Berkeley High School		44/1	1.0 \$16.62/hr	11/1/01	5/1/02
Kathleen Russell	Instructional Specialist	John Muir		51/1	.45 \$19.79/hr	10/1/01	4/1/02
Tenisha Smith- Douglas	Instructional Assistant (Special Education)	Willard		31/1	.80 \$12.06/hr +5%	10/3/01	4/3/02
Carlo Mogavero	Instructional Technician	Emerson		34/1	.20 (increased FTE only) \$13.64/hr	10/1/01	4/1/02
Margaret Posey	Supervisor, Child Nutrition Services	Nutrition Services		54/1	1.0 2 hr + 5% \$20.26/hr	11/13/01	10/13/02
Amielle Zemach	Instructional Assistant (Special Education)	Berkeley High School		31/1	.80 \$12.06/hr +5%	10/1/01	4/1/02
<u>PERMANENT</u>							
Brenda Wallace	Instructional Technician	Technology Led Teacher Challenge		34/5	.60 1 hr. \$15.83/hr	11/1/01	6/13/02
Travis Smith	Instructional Specialist (Garden)	District		51/1	1.0 \$19.79/hr	10/1/01	6/13/02
Taeko Okamura	Instructional Assistant	Martin Luther King		29/1	.80 \$11.48/hr	8/1/01	7/1/02

PERSONNEL REPORT 01-07
November 14, 2001
CLASSIFIED PERSONNEL

NAME	POSITION	LOCATION	BUDGET	CLASS RANGE STEP	FTE & SALARY	EFFECTIVE	
						FROM	TO
Benn Goff	Instructional Specialist (Garden)	LeConte		51/1	1.0 \$19.79/hr	9/4/01	6/13/02
Lupe Furentes	School Service Assistant	Thousand Oaks		31/1	.80 \$12.06/hr	9/1/01	6/13/02
<u>PROVISIONAL</u>							
Sadie Coops	Instructional Technician	Willard		34/1	1.0 \$12.99/hr	9/24/01	12/24/01
Gadi Shoba	Account Clerk	Accounting Department		36/1	1.0 \$13.64/hr	11/19/01	2/19/02
Ellen Reynolds	Technology Literacy Coordinator	Oxford		42/1	.80 \$15.83/hr	8/27/01	6/13/02
Brenda Wallace	Instructional Assistant	Early Childhood Education		29/1	.40 \$11.48/hr	11/1/01	2/1/02
Joyce Knezevich	Program Specialist	Washington		58/3	1.0 \$23.54/hr	10/1/01	1/1/02
Jennie Maier	Drama Specialist	Thousand Oaks		58/1	.80 \$23.54/hr	11/1/01	2/1/02
Adam Ganes	Instructional Technician	Thousand Oaks		34/1	.67 \$12.99/hr	10/29/01	1/29/02
<u>TEMPORARY</u>							
Marina Lopez	Bilingual Student Tutor	Martin Luther King		31/1	As Needed \$12.06/hr	10/1/01	5/1/02
Norman Brown	Noon Director	City of Franklin		N/A	As Needed \$11.45/hr	9/21/01	6/13/02
Carolyn (Suzy) Meade	Noon Director	John Muir		N/A	2 hrs/day \$11.45/hr	11/5/01	1/1/02
Carolyn (Suzy) Meade	Home School Liaison	John Muir		37/1	2 hrs/day \$13.99/hr	11/5/01	1/1/02
Zhonghui Li	Student Tutor (Specialty)	Berkeley High School		N/A	5 hrs/wk \$12.06/hr	10/1/01	6/13/02
Juanita Romero	Translator	Le Conte		56/1	5 hrs/mo \$22.37/hr	9/26/01	6/13/02
Simon Kaplan	Noon Director	Malcolm X		N/A	\$11.45/hr 180 hrs	10/2/01	6/13/02
Carlos Acevedo	School Safety Officer	Berkeley High School		44/1	1.0 \$16.62/hr	11/1/01	12/14/01

PERSONNEL REPORT 01-07
November 14, 2001
CLASSIFIED PERSONNEL

NAME	POSITION	LOCATION	BUDGET	CLASS RANGE STEP	FTE & SALARY	EFFECTIVE	
						FROM	TO
Juan Buendia	School Safety Officer	Berkeley High School		44/1	.50 \$16.62/hr	11/1/01	12/14/01
Kelsy Hiyakumoto	Student Tutor	Willard		N/A	As Needed \$11.45/hr	9/1/01	6/13/02
Sharon Cook	Student Tutor	Malcolm X		N/A	As Needed \$11.45/hr	10/22/01	6/13/02
Yasmeen Kabir	Student Tutor	Longfellow		N/A	10 hrs/wk \$11.45/hr	10/15/01	6/13/02
Yuseef Turner	Noon Director	Washington		N/A	2 hrs/day \$11.45/hr	11/7/01	6/13/02
Dejuan Dobie	Student Tutor	Longfellow		N/A	20 hrs/wk \$11.45/hr	10/15/01	6/13/02
Teyren Brown	Student Tutor	Longfellow		N/A	15 hrs/wk \$11.45/hr	10/15/01	6/13/02
Chris Simon	Student Tutor	Independent Study		N/A	10 hrs/wk \$11.45/hr	10/22/01	6/13/02
Toshi Quides	Student Tutor	Independent Study		N/A	6 hrs/wk \$11.45/hr	10/22/01	6/13/02
Gisele Binder	Student Tutor	Independent Study		N/A	10 hrs/wk \$11.45/hr	10/22/01	6/13/02
Miriam Gonzales	Student Tutor	Independent Study		N/A	10 hrs/wk \$11.45/hr	10/22/01	6/13/02
Monica Torres	Student Worker	Adult School		N/A	As Needed \$6.29/hr	10/16/01	6/13/02
Iyana Clardy	Student Worker	Berkeley High School (Special Education)		N/A	As Needed \$6.29/hr	9/5/01	8/31/02
Aubert Gholston	Student Worker	Berkeley High School		N/A	10 hrs/wk \$6.29/hr	9/24/01	8/31/02
Soraya PourmiKail	Student Worker	Berkeley High School		N/A	10 hrs/wk \$6.39/hr	9/6/01	8/31/02
Charles Copeland	Noon Director	Longfellow		N/A	5 hrs/wk \$11.45/hr	9/18/01	6/12/02

PERSONNEL REPORT 01-07
November 14, 2001
CLASSIFIED PERSONNEL

						EFFECTIVE	
NAME	POSITION	LOCATION	BUDGET	CLASS RANGE STEP	FTE & SALARY	FROM	TO
Ubaldo Ayon Jr.	Student Tutor/Coach	King Extended Day Program		N/A	10 hrs/wk \$11.45/hr	10/22/01	6/13/02
Karen Young	Student Tutor	King Extended Day Program		N/A	7.5 hrs/wk \$11.45/hr	10/22/01	6/13/02
April Edwards	Student Tutor	King Extended Day Program		N/A	5 hrs/wk \$11.45/hr	10/22/01	6/13/02
Claudia Waters	Student Tutor	King Extended Day Program		N/A	7.5 hrs/wk \$11.45/hr	10/22/01	6/13/02
<u>LIMITED TERM</u>							
Zakarya Diouf	Instructional Specialist (Music)	Berkeley High School		51/1	.53 \$19.79/hr	9/4/01	6/13/02
Katharine Brooks	Instructional Specialist (Music)	Jefferson		51/1	.20 \$19.79/hr	9/1/01	6/13/02
Michael Bush	Instructional Specialist (Garden)	John Muir		51/1	.40 \$19.79/hr	10/1/01	6/13/02
Adelia Butler	Instructional Specialist (Garden)	John Muir		51/1	.15 \$19.79/hr	10/1/01	6/13/02
Tonya Warren	Noon Director	Emerson		N/A	As Needed \$11.45/hr	10/22/01	6/13/02
Lisa Carey	Instructional Specialist (Garden)	City of Franklin		51/1	.30 \$19.79/hr	10/1/01	6/13/02
Eric Rydman	Instructional Assistant (Bilingual)	Rosa Parks		29/1	.50 \$11.48/hr	10/18/01	6/13/02
Joseph Hammond	General Maintenance Worker	Maintenance Department		40/1	1.0 \$15.07/hr	11/15/01	3/15/01
Peter Schaaphok	Painter	Maintenance Department		50/1	1.0 \$19.30/hr		
Don Burl	Instructional Specialist (Physical Education)	Washington and John Muir		51/1	.56 \$19.79/hr	10/1/01	6/13/02
Betty Ladzekpo	Instructional Specialist (Dance)	Berkeley Arts Magnet and ECE		51/1	.75 \$19.79/hr	10/1/01 9/1/01	3/29/02 6/13/02

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: David Gomez, Ph.D.
Associate Superintendent, Administrative Services
DATE: November 14, 2001
SUBJECT: Liability claims submitted to Berkeley Unified School District

BACKGROUND INFORMATION

The following claims for damages to person or property have been filed against Berkeley Unified School District:

1. Claim filed by a parent for reimbursement of items allegedly stolen from her daughter at Berkeley High School.
2. Claim filed by various Berkeley Unified School District employees for reimbursement wages allegedly withheld illegally.

POLICY/CODE

Government Code Section 910

FISCAL IMPACT

None.

STAFF RECOMMENDATION

Deny all claims presented.

Supplement to Board Agenda November 14, 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.L. Jones Manger Facilities	Tyco Simplex/Grinnell 6952 Preseton Avenue Livermore CA	BB	\$35,000	

Fire Alarm yearly test and inspections for twelve (12) sites. Quarterly tests for water sprinkler systems. Both items are required by the Fire Marshal.

2.L. Jones Manager Facilities Planning	Bay Cities Protectors 1435 Park Avenue Emeryville CA	BB	\$20,000	
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Fire Alarm yearly test and inspections for twelve sites. Required by the Fire Marshal.

3.L. Jones Manager Facilities Planning	More Iascafano and Goltsman 800 Hearst Avenue Berkeley CA	BB	\$50,000	
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Design services as needed to design replacement and some safety corrections as identified in the Playground Safety report. The actual repairs and replacements will be budgeted to BSEP Fund 7. The consultant costs will be charged to BB.

4.L. Jones Manager Facilities Planning	GE Capital Modular Space 21201 Cabot Boulevard Hayward CA	Bond Fund AA	\$45,000	
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Lease to purchase two Department of Housing portables for Jefferson Elementary School. Prices include delivery and setup, ramps and skirting. These portables can only be used for three years under a waiver. Our current plan is to install them this year and remove them at the end of the 2002/2003 school year.

5.L. Jones Manager Facilities	Orrick, Herrington & Sutcliffe 500 Sansome Street San Francisco CA	Bond Fund AA	\$28,000	
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Confirming order for legal services provided to the District in connection with the sale of the General Obligation Bond in May and June 2001.

APPROVAL OF CONTRACTS/PURCHASE ORDERS

6.L. Jones Manager Facilities Planning	Chipman United Moving & Storage 1551 Buena Vista Avenue Alameda CA	Bond Fund \$26,225 AA (increase of \$5,225)
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Moving of furnishings, equipment, and supplies from the main building at King Middle School into the portables. The original amount of the purchase order was for \$21,000 board approved on July 5, 2001.

7.C. Basom Director State & Federal Projects	Angela Barra 2143 Rose Street Berkeley CA	State & Federal \$22,000 Projects
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Consultant to train lead teachers for the Systemwide Title VII Grant for the 2001/2002 School Year for the period of September 25, 2001 to May 30, 2002 at a rate of \$82.85 per hour/maximum \$800.00 per day for 15 days (85 hours).

8.L. S. Neill Principal Arts Magnet	Aviva Consulting 1645 Allston Way Berkeley CA	State & Federal \$15,000 Projects
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Project planning, analysis and implementation for the lunchtime/wellness project, including preliminary and final plan to be completed during the period of December 1, 2001 to May 2, 2002.

9.K. Nelson Controller Accounting	Accountemps 1999 Harrison Street Oakland CA	General Fund \$37,500 (increase of \$14,500.00)
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To pay salaries for an Accounts Payable Clerk, \$27.50 per hour for eight hours per day.

10.C. Lim Assoc. Supt., Instruction	Jordona Elderts 1230 College Avenue Alameda CA	Federal Class \$25,125 Size Reduction
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Consultant will provide staff development, coaching and mentoring to Middle School teachers in the area of literacy and reading. District to pay consultant a rate of \$335 per day for 75 days.

11.K. Nelson Controller Accounting Dept.	Employment Development Department Employees Bureau P.O. Box 2482 Sacramento CA	General Fund \$75,000
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Total annual Unemployment Insurance coverage for the 2001/2002 fiscal year.

APPROVAL OF CONTRACTS/PURCHASE ORDERS

12.L. Jones	RGA Environmental Inc.	Bond Fund	\$87,380
Manager	4701 Doyle Street	AA (increase of \$51,970)	
Facilities Planning	Emeryville CA		

Lead asbestos and PCB abatement survey design and monitoring. The design for the modernization has changed drastically since RGA submitted their proposal in December 1998. Since then it was determined that all wall finishes in the main building were to be removed. The original amount of this purchase order was \$35,450 board approved on January 20, 1999.

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

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: John Malone, Interim Associate Superintendent of Business
DATE: November 14, 2001
SUBJECT: Gann Limit - Resolution No. 7288

BACKGROUND INFORMATION

"Each School district shall report to the Superintendent of Public Instruction and to the Director of Finance at least annually its appropriations limit, its appropriations subject to limitation, the amount of its state aid apportionments and subventions included within the proceeds of taxes of the school district, and amount excluded from its appropriations limit, at a time and in a manner prescribed by the Superintendent of Public Instruction and the Director of Finance."

Education Code Sections 1629 and 14132 specify that by September 30, county office and district governing boards shall adopt a resolution identifying their estimated appropriations limits for the current year and their actual appropriations limit for the preceding year. The California Department of Education has extended the deadline due to delayed submission of forms and instructions. The documentation supporting the adopted resolution shall be made available to the public.

The Gann Limit Calculation for FY 2000-01 and 2001-02 does not have any effect on the funding of the District.

The attached Resolution and Calculations will be submitted to the County Office of Education for transmittal to the California Department of Education.

POLICY/CODE

Education Code Sections 1629 and 14132
Government code Section 7906(f).

FISCAL IMPACT

None

STAFF RECOMMENDATION

Board Approval

BERKELEY UNIFIED SCHOOL DISTRICT

Board of Education
RESOLUTION NO. 7288

RESOLUTION FOR ADOPTING THE "GANN" LIMIT

(Normal, no increase to Limit pursuant to G.C. 7902.1 [nothing on line K {COE LINE P}])

WHEREAS, in November of 1979, the California electorate did adopt Proposition 4, commonly called the Gann Amendment, which added Article XIII-B to the California Constitution; and,

WHEREAS, the provisions of that Article establish maximum appropriation limitations, commonly called "Gann Limits," for public agencies, including school districts; and,

WHEREAS, the District must establish a revised Gann limit for the 2000-01 fiscal year and a projected Gann Limit for the 2001-02 fiscal year in accordance with the provisions of Article XIII-B and applicable statutory law;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Berkeley Unified School District does provide public notice that the attached calculations and documentation of the Gann limits for the 2000-01 and 2001-02 fiscal years are made in accord with applicable constitutional and statutory law;

AND BE IT FURTHER RESOLVED THAT THIS Board does hereby declare that the appropriations in the Budget for the 2000-01 and 2001-02 fiscal years do not exceed the limitations imposed by Proposition 4;

AND BE IT FURTHER RESOLVED that the Superintendent provide copies of this resolution along with the appropriate attachments to interested citizens of the district.

PASSED AND ADOPTED by the Board of Education of the Berkeley Unified School District this 14th day of November, 2001.

AYES: Directors Doran, Issel, Rivera, Schultz, Selawsky (Student Director Chandler)

NOES: None

ABSENT: None

ABSTAIN: None



Michele Lawrence,
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
Board of Education

RESOLUTION NO. 7288

RESOLUTION FOR ADOPTING THE "GANN" LIMIT

(Normal, no increase to Limit pursuant to G.C. 7902.1 [nothing on line K {COE LINE P}])

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WHEREAS, the provisions of that Article establish maximum appropriation limitations, commonly called "Gann Limits," for public agencies, including school districts; and,

WHEREAS, the District must establish a revised Gann limit for the 2000-01 fiscal year and a projected Gann Limit for the 2001-02 fiscal year in accordance with the provisions of Article XIII-B and applicable statutory law;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Berkeley Unified School District does provide public notice that the attached calculations and documentation of the Gann limits for the 2000-01 and 2001-02 fiscal years are made in accord with applicable constitutional and statutory law;

AND BE IT FURTHER RESOLVED THAT THIS Board does hereby declare that the appropriations in the Budget for the 2000-01 and 2001-02 fiscal years do not exceed the limitations imposed by Proposition 4;

AND BE IT FURTHER RESOLVED that the Superintendent provide copies of this resolution along with the appropriate attachments to interested citizens of the district.

PASSED AND ADOPTED by the Board of Education of the Berkeley Unified School District this 14th day of November, 2001.

AYES:

NOES:

ABSENT:

ABSTAIN:

Michele Lawrence,
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: Board of Education
FROM: John Selawsky
DATE: November 14, 2001
SUBJECT: Student Bus Passes: AC Transit Three-Year Pilot Program

BACKGROUND INFORMATION

More than thirty-three thousand middle and high school children from low-income families in the AC Transit service district receive subsidized lunches. These children's families often find it difficult to afford the school bus fare and many of the students miss class at the end of each month when the money runs out. East Bay school districts have lost millions of dollars in Average Daily Attendance (ADA) revenues due to student absences. Students are denied access to school because of an inability to pay transportation fares.

In the City of Berkeley there are approximately 1,500 to 2,000 middle school and high school students who would benefit from a free/reduced fare bus pass. Presently we have no accurate count of free/reduced lunch students at Berkeley High, however, the average percentage at our elementary schools is 34%. Consequently, we can anticipate the same number at middle and high school levels.

Last year, AC Transit commissioned a study of student transit needs, school attendance, and social equity in its service area. A proposal for a three-year pilot for a free/reduced fare student AC Transit pass is a result of that study. Students qualifying for free and reduced lunches would qualify for a free AC bus pass under this proposal, and all other students would qualify for a \$95 per year AC Transit bus pass. Costs of the pilot program would be borne by AC Transit. Current costs are \$27 per month for all students, regardless of need.

Currently, the Metropolitan Transit Commission (MTC) is considering the proposal as part of an overall Regional Transportation Plan (RTP) to be voted on Wednesday, December 19, 2001. There have been discussions by MTC Commissioners to limit the service area or to scale back the pilot program, including leaving Berkeley and other areas out of the program. The attached resolution covers the Board's commitment to have Berkeley students benefit from this proposal.

FISCAL IMPACT

There is no fiscal impact to the District.

STAFF RECOMMENDATION

Endorse the Metropolitan Transit Commissions proposal and direct the Superintendent to forward the resolution.

BERKELEY UNIFIED SCHOOL DISTRICT

Resolution: Student Bus Passes: AC Transit Three-Year Pilot Program

WHEREAS, we believe attendance is the first step in the educational process, and know that a child not in school cannot successfully complete required work or credits toward graduation; and

WHEREAS, citing Board Policy 0100.2, Purposes of Education “we must renew our efforts to remove all barriers to education such barriers as poverty, prejudice, ignorance, and apathy”; it has been shown that students from families of low and moderate incomes who rely on public transit often do not have adequate money for fares at certain periods each month, and thus often miss school entirely because of lack of ability to pay bus fare; and

WHEREAS, the Berkeley School Board believes every child should have full and unlimited access to school, without restriction due to ability to pay transportation costs, and further believes that children from limited economic backgrounds especially benefit from a full and complete educational experience; and

WHEREAS, the Berkeley School Board believes that the ability to pay for transportation to school should not impede nor limit any child’s access to a free, quality education;

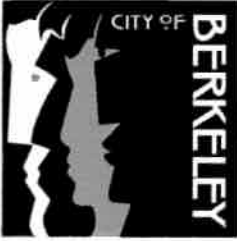
THEREFORE, BE IT RESOLVED, this 14th day of November, 2001, the Berkeley Unified School District Board endorses the Metropolitan Transit Commissions staff proposal for free subsidized AC Transit bus passes for students who qualify for a free/reduced lunch within the entire AC Transit service area for a three-year pilot program, and a \$95 per year bus pass for all other students in the AC Transit service area; and

FURTHER, BE IT RESOLVED, the Berkeley Unified School District will contact the Metropolitan Transit Commission, Assemblyperson Dion Aroner, Alameda County Supervisor Keith Carson, and Contra Costa County Supervisor John Gioia (co-sponsors of this proposal) well in advance of the expected vote on Wednesday, December 19, 2001, for the RTP that includes this student-fare proposal, informing them of this District’s strong support for full implementation of the three-year pilot program.

PASSED AND ADOPTED this 14th day of November 2001.

Terry S. Doran
President, Board of Education

Michele Lawrence
Superintendent



Peace and Justice Commission

November 8, 2001

To: Board of Education, Berkeley Unified School District

From: Peace and Justice Commission

Subject: FREE SUBSIDIZED BUS PASSES

RECOMMENDATION:

Adopt a Resolution endorsing the Metropolitan Transit Commission's staff proposal for free subsidized AC Transit bus passes for students who qualify for a free/reduced lunch within the entire AC Transit service area for a three-year pilot program, and a \$95 per year bus pass for all other students in the AC Transit service area.

BACKGROUND:

At our meeting of November 5, 2001, the Peace and Justice Commission discussed the issue of a subsidized bus pass for students and passed the following motion:

M/S/C (Freedkin, Lavine) to endorse and urge passage of the following resolution by the Berkeley Unified School District board of directors:

WHEREAS, we believe attendance is the first step in the educational process, and know that a child not in school cannot successfully complete required work or credits toward graduation; and

WHEREAS, it has been shown that students from families of low- and moderate incomes who rely on public transit often do not have adequate money for fares at certain periods each month, and thus often miss school entirely because of lack of ability to pay bus fare; and

WHEREAS, the Berkeley School Board believes every child should have full and unlimited access to school, without restriction due to ability to pay transportation costs, and further believes that children from limited economic backgrounds especially benefit from a full and complete educational experience; and

WHEREAS, the Berkeley School Board believes that the ability to pay for transportation to school should not impede nor limit any child's access to a free, quality education.

NOW THEREFORE, BE IT RESOLVED this 14th day of November, 2001, that the Berkeley School Board endorses the Metropolitan Transit Commission's staff proposal for free subsidized AC transit bus passes for students who qualify for a free/reduced lunch within the entire AC transit service area for a three-year pilot program, and a \$95 per year bus pass for all other students in the AC transit service area.

BE IT FURTHER RESOLVED, that the Berkeley Unified School District will contact the Metropolitan Transit Commission, Assemblyperson Dion Aroner, Alameda County Supervisor Keith Carson, and Contra Costa County Supervisor John Gioia (co-sponsors of this proposal) well in advance of the expected vote on Wednesday, December 19, 2001 for the Regional Transportation Plan that includes this student-fare proposal, informing them of this District's strong support for full implementation of the three-year pilot program. Ayes: Unanimous; Absent: Cohen.


FINANCIAL IMPLICATIONS:

None.

CONTACT PERSON:

Anne Wagley, Chairperson, Peace and Justice Commission, (510) 204-9505
Manuel Hector, Secretary, Peace and Justice Commission, (510) 981-5110

Approved by:



Anne Wagley, Chairperson
Peace and Justice Commission

RESOLUTION NO. -N.S.

ENDORING THE METROPOLITAN TRANSIT COMMISSION'S STAFF PROPOSAL FOR FREE SUBSIDIZED AC TRANSIT BUS PASSES FOR STUDENTS WHO QUALIFY FOR A FREE/REDUCED LUNCH WITHIN THE ENTIRE AC TRANSIT SERVICE AREA FOR A THREE-YEAR PILOT PROGRAM, AND A \$95 PER YEAR BUS PASS FOR ALL OTHER STUDENTS IN THE AC TRANSIT SERVICE AREA

WHEREAS, we believe attendance is the first step in the educational process, and know that a child not in school cannot successfully complete required work or credits toward graduation; and

WHEREAS, it has been shown that students from families of low- and moderate incomes who rely on public transit often do not have adequate money for fares at certain periods each month, and thus often miss school entirely because of lack of ability to pay bus fare; and

WHEREAS, the Berkeley School Board believes every child should have full and unlimited access to school, without restriction due to ability to pay transportation costs, and further believes that children from limited economic backgrounds especially benefit from a full and complete educational experience; and

WHEREAS, the Berkeley School Board believes that the ability to pay for transportation to school should not impede nor limit any child's access to a free, quality education.

NOW THEREFORE, BE IT RESOLVED this 14th day of November, 2001, that the Berkeley School Board endorses the Metropolitan Transit Commission's staff proposal for free subsidized AC transit bus passes for students who qualify for a free/reduced lunch within the entire AC transit service area for a three-year pilot program, and a \$95 per year bus pass for all other students in the AC transit service area.

BE IT FURTHER RESOLVED, that the Berkeley Unified School District will contact the Metropolitan Transit Commission, Assemblyperson Dion Aroner, Alameda County Supervisor Keith Carson, and Contra Costa County Supervisor John Gioia (co-sponsors of this proposal) well in advance of the expected vote on Wednesday, December 19, 2001 for the Regional Transportation Plan that includes this student-fare proposal, informing them of this District's strong support for full implementation of the three-year pilot program.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence
FROM: John Malone
DATE: November 14, 2001
SUBJECT: Receive and Approve Information on the issuance of payroll warrants for Employee Services for October 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 October 2001.

POLICY/CODE

Educational Code 41010 et seq.

FISCAL IMPACT

None

STAFF RECOMMENDATION

Approve payroll payments made in October 2001.

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

COMPUTER GENERATED	AMOUNT
GENERAL FUND	\$ 2,736,353.62
MEASURE BB FUND	\$ 110,166.74
ADULT FUND	\$ 311,225.89
CAFETERIA FUND	\$ 95,729.67
CHILD DEVELOPMENT FUND	\$ 263,069.35
MEASURE A +AA (BOND FUND)	\$ 13,703.32
SCHOOL ENRICHMENT FUNDS	\$ 146,124.49
SELF INSURANCE FUND	\$ 4,681.76
TOTAL DISTRICT PAYROLL	<u>\$ 3,681,054.84</u>

Approved by :  11/6/01

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Chris Lim, Associate Superintendent, Instruction
DATE: November 14, 2001
SUBJECT: Approval to Receive the Specific Learning Disability Classification Grant from the California Department of Education, Special Education Division for a Period of One and One Half Years.

BACKGROUND INFORMATION:

The District has been awarded a grant by the California Department of Education, Special Education Division to implement a scientifically defensible model for identifying students with learning disabilities that is different from the model that is currently in practice in the California Education Code. Six proposals were accepted from districts in the State of which the Berkeley Unified School District was one. The grant will be piloted at Cragmont Elementary School. The award is \$16,500.00, which covers materials, supplies and staff training.

Berkeley's proposal uses a pre-referral functional assessment which examines an "at risk" student's educational performance and behavior in the general education classroom. Coupled with this is the use of Curriculum Based Measurement that will be used to determine reading fluency.

Identified students will be referred to the Student Study Team (SST). The SST will recommend behavioral and instructional interventions for these "at risk" students. Continuous charting of student progress will measure the efficacy of interventions. If the interventions are proven successful within the general education program, it will not be necessary to consider Special Education testing.

If interventions fail to result in adequate improvement or the interventions were deemed to not be feasible within the general education setting, then the student would be referred for an individual assessment to determine eligibility for Special Education. The data collected during the pre-referral interventions will assist the Individual Education Program Team (IEP) in determining eligibility and program planning.

It is hoped that this method of pre-referral interventions will differentiate those students with a learning disability in reading from those students who need

further modifications in their general education reading instructional programs.

POLICY/CODE:

CCR Title 5, Section 3030j

EC 56337

34CFR 300.541(a)(1)

FISCAL IMPACT:

There will be no impact on the general fund.

STAFF RECOMMENDATION:

Approve award of the Specific Learning Disability Classification Grant from the California State Special Education Department at Cragmont Elementary School.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Christine Lim, Associate Superintendent, Instruction
DATE: November 14, 2001
SUBJECT: Approval of Expenditure Plan for Governor's Performance Award for Emerson, John Muir and Willard Middle Schools

BACKGROUND INFORMATION:

All public schools in the state of California that met their Academic Performance Index (API) growth targets for the 1999-2000 school year have received two separate monetary awards from the State Department of Education. Education Code section 52057 requires that the School Site Councils and the Governing Boards of school districts have agreement on an expenditure plan for the Governor's Performance Award prior to any expenditures. The Governor's Performance Award (GPA) was funded at \$63 per pupil and is unrestricted.

Emerson

The attached form indicates the expenditures approved by Emerson School Site Council for a total of \$18,806.00.

John Muir

The attached form indicates the expenditures approved by John Muir School Site Council for a total of \$15,956.00.

Willard

The attached form indicates the expenditures approved by Willard Middle School Site Council for a total of \$36,880.00.00. Note: this is not Willard's complete award amount. \$7,000.00 is still pending site council approval.

POLICY/CODE:

California Education Code, Chapter 6.1 – Public Schools Accountability Act of 1999 (§ 52057)

FISCAL IMPACT:

None.

STAFF RECOMMENDATION:

Approve the Governor's Performance Award expenditure plan for Emerson, John Muir and Willard Middle Schools.

**Berkeley Unified School District
Governor's Performance Award
Expenditure Plan
2000-2001**

SITE: Emerson School		AWARD AMOUNT: \$18,806.00	
EXPENDITURE	RATIONALE	DISTRICT GOAL	AMOUNT
Furniture including mobile cafeteria tables with benches, classroom desks, and folding chairs.	Mobile cafeteria tables are needed to replace current unsafe tables and benches. Desks are needed to replace current unsafe desks in two classrooms. Folding chairs needed to seat students and audiences for performances.	Provide a safe and positive environment for all students, parents, and staff	\$ 8906.00
Office Equipment including fax machine, cordless headset, printer, laminator, and risograph machine.	A current model fax machine and office printer will enable the office to perform tasks with ease. The existing laminator needs replacement. A cordless headset will allow the school secretary to answer phone calls away from her desk. A risograph will enable Emerson to make large quantities of copies at a lower price while easing the load on an overburdened copier.	Provide a safe and positive environment for all students, parents, and staff.	\$ 9900.00

Note: Sites are strongly discouraged from using these funds for on-going staffing salaries, as the funds are one-time, not on-going.

Revised 4/19/01

Berkeley Unified School District
Governor's Performance Award
Expenditure Plan
2000-2001

SITE: JOHN MUIR SCHOOL			AWARD AMOUNT: \$15,956.00	
EXPENDITURE	RATIONALE	DISTRICT GOAL	AMOUNT	
IMAC Computers/ Computer Lockdowns	Our computer lab that serves all students in grades 1-5 is in desperate need of upgraded hardware. This allotment of money will help us complete the lab with all new IMAC computers.	A major goal of the district is that "all students graduating from Berkeley High will demonstrate a minimum level of competency in the use of a computer.	\$9,000.00	
Staff Development (conferences, subs, student support)	Educators need opportunities to develop professionally. Conferences can provide training in Literacy, Math, the Arts, Technology, etc... Substitutes are needed for this and to allow teachers to work on site in analyzing data to assess student and school site needs. Funds will also support fall 2002 staff development.	Providing staff support is the key to meeting the goal to "promote maximum academic achievement for every student."	\$4,956.00	
Disaster Supplies/ Radios	Schools need to be prepared for possible disasters. In addition, radios contribute to improve communications and a safer school.	The district wants students and staff to feel safe at all times.	\$2,000.00	

Note: Sites are strongly discouraged from using these funds for on-going staffing salaries, as the funds are one-time, not on-going.

Berkeley Unified School District
Governor's Performance Award
Expenditure Plan
2000-2001

SITE: Willard Middle School AWARD AMOUNT: \$ 36,880

EXPENDITURE	RATIONALE	DISTRICT GOAL	AMOUNT
Televisions sets and VCRs equipment	Each classroom would have a television and VCR to facilitate classroom instruction.	Promote maximum academic achievement for every student	\$30,000
Staff Development Retreat	Provide opportunity for total staff involvement in planning and organizing goals and objectives for the school year	Promote maximum academic achievement for every student.	\$6,880

Note: Sites are strongly discouraged from using these funds for on-going staffing salaries, as the funds are one-time, not ongoing basis. Revised 4/19/01

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence
FROM: Christine Lim
Associate Superintendent, Instruction
DATE: November 14, 2001
SUBJECT: Approval of Expenditure Plan for the Academic Performance Index (API) School Site Employee Bonus Award for Emerson, John Muir and King Middle Schools

BACKGROUND INFORMATION:

All public schools in the state of California that met their Academic Performance Index (API) growth targets for the 1999-2000 school year have received the two separate monetary awards from the State Department of Education. The School Site Employees Bonus Award was funded at \$1182.64 per FTE, with \$591.32 going to each salaried employee who worked at the site during the 1999-2000 school year and \$591.32 going to the site to spend. Education Code section 52057 requires that the School Site Councils and the Governing Boards of school districts have agreement on an expenditure plan for the site portion School Site Employee Bonus Award prior to any expenditures.

During the previous administration and with previous personnel practices the use of one-time funds for personnel, while strongly discouraged, was acceptable. With a new administration and tightening of personnel practices, District staff will assist sites in phasing out the use of one-time money for personnel during this year.

To assist sites in understanding the ramifications of the use of one time money for staff, and the practice will be phased out each principal, school site council chair and funded employee is required to sign the attached One -time Money Use Certification.

Emerson

The attached form indicates the expenditures approved by the Emerson School Site Council for a total of \$15,569.44.

John Muir

The attached form indicates the expenditures approved by the John Muir School Site Council for a total of \$20,122.60.

King

The attached form indicates the expenditures approved by the King Middle School Site Council for a total of \$47,411.99.

POLICY/CODE:

California Education Code, Chapter 6.1 – Public School Accountability Act of 1999 (§ 52057)

FINANCIAL IMPACT:

None.

STAFF RECOMMENDATION:

Approve the School Site Employee Bonus Award expenditure plan
Emerson, John Muir and King Middle Schools.

**Berkeley Unified School District
School Site Employee Bonus (Site Portion)
Expenditure Plan
2000-2001**

SITE: Emerson School			AWARD AMOUNT: \$15,569.44	
EXPENDITURE	RATIONALE	DISTRICT GOAL	AMOUNT	
Technology including three computers, three TV's and VCR's, appropriate locking mechanisms and carts.	Replacement computers will improve the quality of instruction in the computer lab. New TV's and VCR's will replace current broken sets. TV/VCR's provide academic support to classroom instruction.	Promote maximum academic achievement for every student.	\$ 6400.00	
Berkeley Mental Health	This contract provides Emerson students with mental health interns who provide individualized counseling and group counseling to students in need.	Provide a safe and positive environment for all students, parents, and staff. Develop citizens who respect and listen to others and who help improve our multi-cultural society.	\$ 5,000.00	
Materials and Supplies for after school programs, and office supplies.	With the purchase of new office equipment (see Governor's Performance Award plan) Emerson needs to purchase corresponding supplies as well as additional materials and supplies for the after school program.	Provide a safe and positive environment for all students, parents, and staff.	\$ 3219.44	
Fans for selected classrooms.	Certain classrooms at Emerson are particularly warm and need additional circulation. (Example: Computer Lab)	Provide a safe and positive environment for all students, parents, and staff.	\$ 950.00	

Note: Sites are strongly discouraged from using these funds for on-going staffing salaries, as the funds are one-time, not on-going.

Revised 4/19/01

Berkeley Unified School District
School Site Employee Bonus (Site Portion)
Expenditure Plan
2000-2001

SITE: JOHN MUIR SCHOOL			AWARD AMOUNT: \$20,122.60	
EXPENDITURE	RATIONALE	DISTRICT GOAL	AMOUNT	
Supplies: (Copy costs, Art materials, student awards, staff incentives)	Teachers often need to copy materials to support the standards-based curriculum. Supplies are necessary for effective teaching practices. K-5 students need art materials to support the state standards. Student and staff incentives promote a positive environment for learning.	Goal I: Promote maximum academic achievement for every student. Goal III: Provide a positive environment for students and staff.	\$4,000.00	
Non-consumable Instructional Materials/ Supplemental Materials	To provide an effective academic program, teachers use differentiated instructional strategies. Materials are needed to support these efforts.	Goal I: Promote maximum academic achievement for every student.	\$6,422.60	
Berkeley Symphony Educational Program	Students perform better when the academic setting includes a study of the arts. Musical experiences enhance any educational program.	Goal I: Promote maximum academic achievement for every student.	\$1,600.00	

Note: Sites are strongly discouraged from using these funds for on-going staffing salaries, as the funds are one-time, not on-going.

Berkeley Unified School District
School Site Employee Performance Bonus (Site Portion)
Expenditure Plan (p. 1 of 2)

SITE: Martin Luther King Middle School			AWARD AMOUNT: \$47,411.99	
EXPENDITURE	RATIONALE	DISTRICT GOAL	AMOUNT	
.2 FTE Classroom Teacher to teach a pilot program in writing aimed at E.L.L. students	E.L.L. students need additional instruction to improve fluency in written English	Promote maximum achievement for all students.	\$10,924.32	
.2 FTE Classroom Teacher to oversee a pilot program for retained eighth graders	Students attending a fourth year at middle school need a special program to engage them and help them succeed academically	Promote maximum achievement for all students.	\$10,924.32	
Remodel existing bungalow into a classroom kitchen for the Edible Schoolyard program	Another kitchen facility is needed to continue the Edible Schoolyard program now that the main building is under construction	Provide a positive environment for students and staff.	\$5,000.00	
30 Student desks and chairs for a sixth grade classroom	A set of new classroom furniture is needed to replace old tables and chairs	Provide a positive environment for students and staff.	\$2,700.00	

Note: Sites are strongly discouraged from using these funds for on-going staffing salaries, as the funds are one-time, not ongoing.

Berkeley Unified School District
School Site Employee Performance Bonus (Site Portion)
Expenditure Plan (p. 2 of 2)

SITE: Martin Luther King Middle School

AWARD AMOUNT:

EXPENDITURE	RATIONALE	DISTRICT GOAL	AMOUNT
Staff Development for teachers and administrators	Training should be available in subject area standards, teaching methodologies, diversity and middle school philosophy	Promote maximum achievement for all students.	\$7,500.00
.1 FTE Counselor to address the social, emotional and academic needs of middle school students	This position is a priority and is multifunded through a variety of programs annually	Promote maximum achievement for all students.	\$8,009.74
Portable sound system for the gymnasium	This is needed for student assemblies and for school events, particularly now that there is no access to the auditorium.	Provide a positive environment for students and staff.	\$1,000.00
Furniture, such as bookcases, storage cabinets and file cabinets	The portables have no built-in shelves or closet	Provide a positive environment for students and staff.	\$2,353.61

Note: Sites are strongly discouraged from using these funds for on-going staffing salaries, as the funds are one-time, not ongoing.

Berkeley Unified School District
Instructional Services

To: NEIL SMITH Date: 10/20/01
 From: Chris Lim, Associate Superintendent, Instruction
 Re: .4 FTE Teacher for Pilot Programs
(Position)

With the new administration and the tightening of personnel procedures, District staff will be assisting sites in phasing out the use of one time money for personnel this school year. In future years, personnel expenses will not be an allowable use of one time money and any plans forwarded for Board approval that include funding personnel will not be brought before the Board.

One-time Money Use Certification

My School Site Council has authorized the use of one-time funds for salaried personnel costs. I have explained to them that this practice will be phased out this year and no further personnel costs may be funded from one time money. It is clear that this practice can lead to the lay off of staff should future funding not be secured. Additionally, this has been discussed with the staff person funded with these one-time funds and s/he understands that s/he will be subject to a lay off if future funding is not secured.

Nail Smith 10/23/01
 Principal's Signature Date

Nancy Riddle 10/30/01
 School Site Council Chairperson's Signature Date

I understand that my current position, or a portion of my current position is funded with one-time money. I also understand that this means that I will be subject to a lay off if future funding is not secured.

Lisa Ingram 10/23/01
 Employee's Signature Date

Berkeley Unified School District
Instructional Services

To: NEIL SMITH Date: 10/20/01
 From: Chris Lim, Associate Superintendent, Instruction
 Re: .1 FTE Counselor
 (Position)

With the new administration and the tightening of personnel procedures, District staff will be assisting sites in phasing out the use of one time money for personnel this school year. In future years, personnel expenses will not be an allowable use of one time money and any plans forwarded for Board approval that include funding personnel will not be brought before the Board.

One-time Money Use Certification

My School Site Council has authorized the use of one-time funds for salaried personnel costs. I have explained to them that this practice will be phased out this year and no further personnel costs may be funded from one time money. It is clear that this practice can lead to the lay off of staff should future funding not be secured. Additionally, this has been discussed with the staff person funded with these one-time funds and s/he understands that s/he will be subject to a lay off if future funding is not secured.

Nui Smith 10/30/01
 Principal's Signature Date
Nancy Riddle 10/30/01
 School Site Council Chairperson's Signature Date

I understand that my current position, or a portion of my current position is funded with one-time money. I also understand that this means that I will be subject to a lay off if future funding is not secured.

Jan Wells 10/30/01
 Employee's Signature Date

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Christine Lim
Associate Superintendent, Instruction
DATE: November 14, 2001
SUBJECT: Overnight Field Trip Requests

BACKGROUND INFORMATION:

The following overnight field trip requests are being made:

1. Ratify participation of approximately 50 tenth graders, two teachers and two other adults to participate in the Communication Arts and Sciences (CAS) retreat at the Marin Headlands Youth Hostel at the Marin Headlands in Marin County on November 8-9, 2001. Transportation will be provided by District buses. The cost of this trip is being funded by BSEP funds. Requested by Laura Leventer, Co-Principal, BHS.
2. Ratify participation of approximately 125 sixth grade students seven teachers and 15 other adults from King Middle School, to Point Reyes on October 29-31, 2001 (2 classes, 3 teachers, 5 other adults), November 5-7, 2001 (1 class, 2 teachers, 4 other adults) and November 7-9, 2001 (2 classes, 3 teachers, six other adults). This annual sixth grade trip provides students the opportunity to study habitats and ecosystems and sixth grade science standards. Transportation will be provided by District buses. The \$65 cost per student is being funded by grants, BSEP, the King PTA and parent contributions. No student will be denied participation because of cost. Requested by Neil Smith.
3. Participation of approximately 50 eleventh graders, two teachers and two other adults to participate in the Communication Arts and Sciences (CAS) retreat at the Marin Headlands Youth Hostel at the Marin Headlands in Marin County on December 6-7, 2001. Transportation will be provided by District buses. The cost of this trip is being funded by BSEP funds. Requested by Laura Leventer, Co-Principal, BHS
4. Participation of three fifth grade classes (75 students), three teachers and 12 other adults Malcolm X school to attend the Web of Life Field School at Camp Gualala in Annapol, California, June 3 through Thursday, June 6, 2002. The purpose of this trip is to extend the 5th grade science program in environmental education, enhance and extend regular science curriculum by enabling students to participate in hands-on field work, direct observation and community building exercises. Transportation will be provided by Sierra Pacific Tours. The \$18,825 cost of this trip is being funded by a grant from the Berkeley Public Education Foundation, the

Malcolm X PTA, class fundraising and parents. No student will be denied participation because of cost. Requested by Cheryl Chinn

5. Participation of the Berkeley High School Girls Varsity and Junior Varsity Basketball teams (approximately 24 team members) five coaches and ten to twelve parents in the Nike National Invitational Tournament of Champions in Phoenix, Arizona on December 19-23, 2001. The Berkeley High School Varsity Girls Basketball Team has participated in this tournament for the past 12 years. This is the first year there has been a junior varsity tournament, and the junior varsity team was invited as well. Transportation will be provided by Southwest Airlines. The cost of this trip is being funded by team fundraising. Non-team members must pay their own way. Requested by Gene Nakamura.
6. Participation of the Berkeley High School Girls Varsity Basketball Team (approximately 12 members), three coaches, and parent chaperones in the World Youth Basketball Association Pre-season Challenge Shoot-out in Lynwood, California on November 31-December 1, 2001. This trip will provide the team an opportunity to play one of southern California's best teams and prepare for the upcoming season. Transportation will be provided by private vehicle in accordance with District Policy. The World Youth Basketball Association is paying the cost of lodging. Team members will pay incidental expenses. Requested by Gene Nakamura.
7. Participation of 31 fifth grade students, and three certificated teachers from John Muir School at the Sempervirens Outdoor School near Santa Cruz, California, May 20-24, 2002. This trip is the capstone of the John Muir fifth graders, supporting and celebrating their lifeskills and ecoliteracy curriculums. Instruction is provided both by John Muir teachers and Sempervirens Outdoor School. Transportation will be provided by District buses. The \$225.00 cost per student is being funded by school fundraising and family donations. No student will be denied participation because of cost. Requested by Nancy D. Waters.

POLICY/CODE:

Education Code, Section 35330 - Excursions and Field Trips
Board policy 6153 – School Sponsored Trips

FISCAL IMPACT:

As indicated above.

STAFF RECOMMENDATION:

Approve the overnight field trips for students consistent with the District Policies and instructional programs.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Christine Lim
Associate Superintendent, Instruction
DATE: November 14, 2001
SUBJECT: Approval of Out-of-State Travel Request

BACKGROUND INFORMATION

The following out-of-state travel request is being made:

1. Carla Basom, Program Manager, State and Federal Projects, Ann Hiyakumoto, Teacher on Special Assignment, State and Federal Projects, and Joyce Sutton-Hamilton, Program Coordinator, State and Federal Projects, are requesting to travel to Tampa, Florida on January 22, 2002 – January 27, 2002, to attend the National Title I Conference. The purpose of attendance at the conference is to receive the most up-to-date program and funding information on the Federal Title I Program. Due to the size and importance of the information provided at this conference it is necessary for three key State and Federal Projects staff to attend. The costs are to be paid from District level Title I funds.
Estimated Costs: \$ 825.00 per person

POLICY/CODE

Board Policy DJD – Travel Expense Reimbursement Policy

FISCAL IMPACT

\$ 2,475.00 restricted funds.

STAFF RECOMMENDATION

Approve the out-of-state travel request.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: David A. Gomez, Ph.D., Associate Superintendent,
Administrative Services
DATE: November 14, 2001
SUBJECT: Extension of STRS Exemption - Darrel Taylor

BACKGROUND INFORMATION:

The independent contractor hired to assist as the Berkeley High School Fire Recovery and Transition Team Leader had an original termination date of 12/31/00; but due to the project not fully completed, his contract needed to be extended to 7/31/01. As a result, the extended date for STRS was affected, and he is now asking to extend his STRS exemption. The Board had approved this work extension on 8/15/01

POLICY/CODE:

Education Code Sections 2414 and 2416.

FISCAL IMPACT:

None.

STAFF RECOMMENDATIONS:

Approval of Extension of STRS Exemption for Darrel Taylor.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Board of Education
FROM: Michele Lawrence
DATE: November 14, 2001
SUBJECT: Call for Nominations for CSBA Delegate Assembly

BACKGROUND INFORMATION

The Delegate Assembly is made up of approximately 240 delegates who are elected by local board members in 21 geographic regions throughout the state. Some geographic regions have been further divided into subregions. Ex-officio members of the Delegate Assembly with all privileges of membership include members of CSBA's Board of Directors, past presidents of CSBA and the immediate past president of the California County Boards of Education.

Delegates serve two-year terms. They usually meet twice a year to conduct business, and may also meet with the other delegates and the director within their region.

Our Board Member, Joaquin Rivera, has, for four years, effectively represented Subregion 7-B, Alameda County, as a member of the Delegate Assembly. Director Rivera's term expires on April 2001 and would need to be nominated again to continue serving as a delegate. He is interested in seeking re-election so that he can continue his aggressive work for our District and the other districts in Alameda County.

FISCAL IMPACT

There is no fiscal impact to the District.

STAFF RECOMMENDATION

Nominate Director Joaquin J. Rivera to the CSBA Delegate Assembly.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Christine Lim
Associate Superintendent, Instruction
DATE: November 14, 2001
SUBJECT: Approval of Memorandum of Understanding between Berkeley High School and the California Technology Assistance Project Region IV for CTAP Language Arts Grant

BACKGROUND INFORMATION

The Berkeley High School Digital High School Program was granted a California Technology Language Arts Grant on September 15, 2001. This grant will provide a laptop computer directly from the CTAP organization for every English teacher for the period of one year. In addition to the laptops, Berkeley High School has been awarded \$15,000 to compensate teachers for the following:

2001-2002

- Creation, implementation and modification of 15 standards-based Language Arts technology integration units
- Submission of units created to the California Learning Resources Network (CLRN) for verification of standards alignment and potential web publishing.

2002-2003

- Scheduling one visit per semester during which teachers from other high schools will observe the use of technology in the Language Arts Department's classrooms.
- A team of teachers who created the units of study will present some of the units of study to Digital High School mentors, project leaders and administrators at CTAP workshops
- The team of teachers will also offer two after school or Saturday workshops for Bay area High School Teachers

POLICY/CODE

1230.1 – Cooperative Partnerships and Joint Ventures

FISCAL IMPACT

None.

STAFF RECOMMENDATION

Approve the Memorandum of Understanding between Berkeley High School and the California Technology Assistance Project Region IV for CTAP Language Arts Grant



**MEMORANDUM OF UNDERSTANDING
BETWEEN
CTAP REGIONAL IV
AND
BERKELEY HIGH SCHOOL**

This Memorandum of Understanding, hereinafter referred to as "MOU," is being executed between Region IV of the California Technology Assistance Project (CTAP), hereinafter referred to as "CTAP," and Berkeley High School, hereinafter referred to as "DHS Satellite Site"

1.0 Effective Date

The effective date of this MOU shall be September 15, 2001.

2.0 Purpose

The purpose of this MOU is to specify the constraints, requirements, fiscal responsibilities, and discretionary authority of CTAP and the DHS Satellite Site for the implementation of specific activities as described in Attachment One: *DHS Satellite Site's Application for funding.*

3.0 Scope of Work

The DHS Satellite Site is to create fifteen units of study in language arts as specified in Attachment One during the 2001-2002 school year that use technology to support standards-based instruction. Participating teachers will implement the units in their classrooms and modify them. They will submit units to CLRN (California Learning

Resources Network) for verification of standards alignment and potential web publishing. During the 2002-2003 school year, the DHS Satellite Site will schedule one site visit per semester, during which teachers from other high schools will observe the use of technology in the Language Arts Department's classrooms. In addition, the team of teachers who created the units will present some units of study to DHS mentors, DHS project leaders, and DHS administrators at CTAP workshops. They will also offer two after school or Saturday workshops for Bay Area High School teachers.

4.0 Time of Performance

The DHS Satellite Site shall provide the services under this MOU between October 1, 2001 and June 30, 2003.

5.0 Funding

In consideration for the services satisfactorily performed under this MOU, the CTAP agrees to pay the DHS Satellite Site a sum not to exceed \$15,000, which has been allocated for the purposes of this MOU.

6.0 Method of Payment

- 6.1 Payment shall be made by the Alameda County Office of Education.
- 6.2 To obtain payment, the DHS Satellite Site shall submit an invoice for \$15,000 to:

Bonnie Marks, CTAP Regional Director
Alameda County Office of Education
313 West Winton Avenue
Hayward, CA 94544-1198

7.0 Records, Maintenance, Retention, and Access

The DHS Satellite Site shall maintain proper accounting records and supporting documents that reflect all expenditures related to activities under this MOU. CTAP

shall have right of access to these records and service documents for the purpose of monitoring and evaluating DHS Satellite Site's performance of services.

8.0 Use of Laptops on Loan

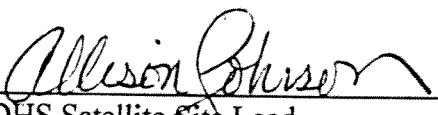
The DHS Satellite Site agrees to maintain the Laptops on Loan, which will be under a three-year service warranty. Stickers shall be applied to this portable equipment indicating that the equipment is the property of CTAP Region IV.

9.0 Nondiscrimination and Equal Employment Opportunities

No person shall on the ground of race, religion, color, handicap, national origin, sex, age, political affiliation, or beliefs be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded or otherwise financially assisted, in whole or in part with funds made available hereunder.

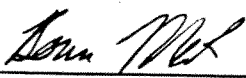
No attention or variation of the terms of this MOU shall be valid unless made in writing and signed by both parties, hereto, and no oral understanding or agreement shall be binding on any of the parties. The names, addresses, and telephone numbers of the direct contact person for each of the parties is as follows:

CTAP Region IV
Bonnie Marks, Director
Alameda County Office of Education
313 West Winton Avenue
Hayward, CA 94544-1198
(510) 670-4162


DHS Satellite Site Lead
Berkeley High School
2246 Milvia Street
Berkeley, CA 94704-1495
510-644-6120

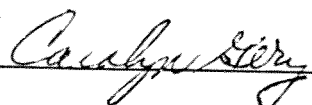
IN WITNESS WHEREOF, the parties hereto have executed this MOU effective the day and year signed below:

CTAP REGION IV


Bonnie Marks, CTAP Director

10/8/01
Date

BERKELEY HIGH SCHOOL


Carolyn Gery, Technology Coordinator
Name, printed and Title

10/11/01
Date

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Chris Lim, Associate Superintendent for Instruction
DATE: November 14, 2001
SUBJECT: Receive for Adoption Consideration *Introduction to the Practice of Statistics*

BACKGROUND INFORMATION

The textbook, *Introduction to the Practice of Statistics*, is being brought to the Board of Education for review and subsequent adoption.

Introduction to the Practice of Statistics is aligned with the Advanced Placement Probability and Statistics standards that are part of the State Board's Mathematics Content Standards for California Public Schools Kindergarten Through Grade Twelve. The book is presently being used in the high school course: Advanced Placement (AP) Statistics. The AP Statistics course outline indicates how the book aligns with the AP Statistics standards. Both the textbook and the course outline are on display in the Instructional Services Office.

Approximately three years ago, regular grade 9-12 instructional materials funds, different from Schiff-Bustamante moneys, were used to purchase the book. Now additional copies are needed due to increased enrollment, meet replacement needs, and a new AP Statistics opening in the Common Ground program next semester. In order to use the State Schiff-Bustamante funds the Board is required to adopt the text.

Introduction to the Practice of Statistics will be brought to the next Board meeting for official adoption.

POLICY/CODE

Berkeley Unified School District Board of Education Policy 6161.1
Education Code Section 60451

FISCAL IMPACT

Approximately 35 copies will be ordered for a total of \$2898 including tax and shipping.

STAFF RECOMMENDATION

Receive for review.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Christine Lim
Associate Superintendent, Instruction
DATE: November 14, 2001
SUBJECT: Secondary Literacy Staff Development Plan

BACKGROUND INFORMATION

As an extension of the Early Literacy Plan's Staff Development component, the following Secondary Literacy Staff Development plan is being implemented this year. The Middle School Component will be led by a consultant who is a highly trained literacy/reading specialist and has worked with two of the three middle schools in previous years. The High School Component will be led by the Reading Specialist currently on staff.

The necessary \$65,000.00 (\$50,000 for the middle school component and \$15,000 for the high school component) to fund the Secondary Literacy Staff Development Plan is being provided by Title VI, Federal Class Size Reduction, which allows districts with a 20:1 student to teacher ratio at the K-3 level to use a portion of the funds for staff development and coaching in addition to reducing class size at any designated grade level. In addition to funding the Secondary Literacy Staff Development, Federal Class Size Reduction funds are used to lower class size by one student in the 6th grade and provide a .10 reading teacher who further reduces class size for one period of reading daily.

Middle School Component

Objective

Train grades 6-8 teachers in coordinated, research based literacy methodology to facilitate student growth in all components of literacy development.

Goals

- Coordinate literacy goals to align with the elementary school and site goals.
- Develop consistent individual assessment for underperforming students and train teachers in the administration of the assessment. This year's focus will be 6th grade with other grades to follow in subsequent years.
- Through on-going staff development, inform middle school teachers of the most current reading strategies
- Begin establishing a safety net for students achieving several grades below grade level.
- Develop on-going communication and articulation with middle schools on literacy needs and begin developing a comprehensive District wide literacy plan.

Assessment

Currently at grades 3-5 the Qualitative Reading (QRI) Assessment is used with all students. One middle school site currently uses portion of that assessment with students who are underperforming. The discussion and a decision will be made as to the appropriateness of using the QRI at the middle school and what adaptations if any modifications should be made.

Staff Development Content

All teachers interested will be able to participate in literacy training. Each site will have one teacher leader to facilitate communication between the literacy coordinator and their site teachers.

Literacy Trainings

Literacy trainings will occur as a combined group and with teachers on site. These trainings will be held approximately once a month as a whole group with follow up site meetings. Topics will include:

- Conducting assessments
- Interpreting assessments
- Guided reading
- Word work
- Grouping strategies
- Content reading
- Components of a balanced reading program
- Selecting appropriate materials
- Writing strategies

Coaching/Modeling

Coaching will be an integral part of the staff development process. Each teacher will have scheduled time to be observed by the literacy coordinator as well as time for feedback and discussion of the observation.

In addition to coaching and feedback, the literacy coordinator will model lessons in teachers' classrooms and teachers will also be given release time to observe their colleagues model lessons.

Evaluation

Student assessment will be a key measure of program effectiveness once teachers are fully trained in assessment procedures and interpretation. Evaluations of the staff development training sessions will be done following each session. Additionally, the literacy coordinator will meet regularly with school site and District administrators to evaluate the effectiveness of the program.

High School Component

Objective

To provide students who enter Berkeley High School with poor reading skills a coordinated system to support the reading and writing students. The components of the program include training, classroom implementation, coordination and assessment.

Goals

- Coordinate literacy goals to align with the high school and District goals.
- Develop individual assessment for underperforming students and train 9th grade and Student Learning Center teachers in administration of the assessment (other grades will follow in subsequent years).
- Though on-going staff development, inform high school teachers, across curriculum, of the most current reading strategies.
- Establish safety nets, and reading classes for students achieving several grades below grade level, beginning with incoming freshmen and those enrolled in the Student Learning Center.
- Develop on-going communication with middle schools regarding literacy needs and begin developing comprehensive site literacy plans.

Assessment

Phase I would use a uniform assessment with 9th grade students in the English Workshop classes and the Student Learning Center. Next year would include assessment of the entire 9th grade class and any incoming students.

Staff Development

Literacy trainings are currently being offered after school every other Thursday. The first session is nearly completed. In each session a concept is introduced, modeled, and discussed. Topics include literacy strategies as well as broader strategies such as reciprocal teaching. Each meeting is 90 minutes. There are 5 meetings per session; Approximately 10 teachers participate per session. Additional paid reflection/response follow up time will be provided ten weeks after the end of the last literacy workshop.

Coaching/Modeling

Each teacher will schedule a time with the reading specialist to plan and implement a literacy lesson with time for follow up and discussion after the lesson is completed. Teachers can also schedule time for the reading specialist to model lessons with their class. Additionally, teachers can schedule time to observe each other and/or team teach a lesson. Idea and strategy exchanges are strongly encouraged.

Evaluation

Teachers will complete evaluations following staff development sessions. The reading specialist will review and discuss teacher evaluations with teachers, site administrators, District staff and the early literacy coordinator. Student assessment will play a key role in program evaluation once the assessment is established and staff is trained on assessment administration and assessment data interpretation.

POLICY/CODE

Board Policy 4131.5 – Staff Professional Development Opportunities

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Board of Education
FROM: Michele Lawrence
DATE: November 14, 2001
SUBJECT: Maintenance and Measure BB Update

BACKGROUND INFORMATION

Staff has been asked to provide a current update on issues affecting the Maintenance Department. Included for the Board's information is a review of the status of: vehicles and equipment, training, staffing, budget, and progress on the correction of identified safety problems.

Since the budget generated from Measure BB was allocated, there have been two major presentations to the Board of Education concerning a restructuring of the entire Facilities Maintenance and Operations Division. There have also been two major meetings with the Facilities Maintenance and Security Advisory Committee as well as two negotiations sessions with Local 1. A Merit Commission meeting is scheduled for later this month to discuss job descriptions and classifications of future personnel.

Although a considerable amount of work was done at the high school over the summer, the primary focus of the staff in the past month has been to assess and prioritize the safety matters presented to the Board over the past few years. The correction of these items will be the prime focus of the department this year.

VEHICLES AND EQUIPMENT

The Transportation Department submitted and received funding for alternative energy maintenance vehicles. It is finalizing the particulars for vehicle replacement and will solicit bids in the next month. We expect that a bid award will be recommended to the Board in January.

Interviews have been conducted with employees to assess general equipment needs and to explore the purchase of the recycling equipment funded through BSEP Fund 7 Budget.

TRAINING

Initial meetings have been conducted to determine when and what training components should be initiated given the current number of employees and the potential growth in staffing.

STAFFING ISSUES

Current staffing includes temporary, provisional and permanent employees. It includes all positions listed on the Board Approved (May 2001) plan. The following chart lists positions by function:

Director	Vacant
Supervisors	3 permanent, 1 provisional
Office Help	1 permanent, 1 temporary (contract)
Accounting Personnel	1 permanent
Trades (includes communication technician)	12 permanent
Fire Code Assistant	1 provisional
General Maintenance	2 permanent
Grounds	3 permanent

Once work has been completed on the development of a yearly plan, it will guide the employment of future permanent employees.

BUDGET

To advance the department's numerous projects, temporary, provisional and contracted personnel will be presented to the Board at the next meeting.

The initial budget setup contained some inaccurate accounting and some inappropriate charges to the BB funds. These will be corrected in the next month. The original budget may also need to be revised to focus additional monies on contracted services in the short term. Staff will provide a full report of expenditures at the conclusion of the second quarter.

SAFETY REPORT PROGRESS

The Department is working with three source documents to identify safety related issues. They are:

- A Report by ABM Engineering Services produced in the Spring of 2000;
- A Report prepared by the former Director of Maintenance: "Report on Safety Deficiencies," dated, June, 2000;
- A Playground Inspection Report with a revised date of November 2000.

These documents do not necessarily encompass all safety items, but they do indicate the items that are the focus of the department. Each of these reports lists a significant number of deficiencies.

ABM ENGINEERING REPORT

In March of 1998, the BSEP Buildings and Grounds Subcommittee of the BSEP Planning and Oversight Committee recommended to the Oversight Committee that the District devote a portion of the BSEP Fund 7 proceeds to hiring a consultant to assist the District in a number of tasks. Those tasks were to:

- Complete a multi-year systematic plan including protocols which address preventative, routine and deferred maintenance of the District's facilities, and which also recommends school site safety improvements;
- Review and evaluate current staffing in relation to the "Standard Level of Service" report and make recommendations to boost resources until a reasonable staffing level can be achieved;
- Review and make recommendations regarding the Maintenance Department's organizational structure;
- Make recommendations for a coordinated training program for the maintenance staff;
- Evaluate a site-based management structure for certain maintenance tasks; and
- Recommend needed training and encourage full adoption of the District's work order management system.

On October 1, 1999, the District signed an agreement with ABM Engineering to provide the following services:

- Conduct facilities surveys for mechanical, electrical and plumbing systems;
- Enter that information into ABM's preventative maintenance program;
- Prepare inventory and summary sheets for all major equipment in operation and recommend maintenance tasks for each piece of equipment;
- Turn over to the District printed records to be entered the into our work order system;
- Review job descriptions and make recommendations for changes;
- Conduct personnel training assessments; sixteen people were scheduled to undergo skills assessment.

We are still trying to assess whether all the tasks identified in the ABM contract have been completed or whether adjustments were made in their contract. This document will focus on the Board report produced by ABM in the Spring of 2000, which includes a survey of only 11 schools. The survey document lists general impressions, equipment malfunctions and safety problems. It appears that the surveys were not done in a systematic fashion. It is possible that different staff were assigned to the task or that they did not develop a checklist before beginning. The surveys did not prioritize the safety deficiencies or note mechanical problems.

The ABM Report examines safety conditions in the following 11 schools: Franklin; Malcolm X; John Muir; Emerson; Jefferson; Oxford; LeConte; Berkeley High School; Arts Magnet and King Middle School. Washington and Longfellow were reviewed in a subsequent report.

Over the past 18 months, a number of safety violations have been corrected. Several boiler systems are being replaced or have been repaired. Both the Berkeley High School B building and the King main building are no longer in use by the District and thus have been removed from the list. To date, the ABM report has not been systematically addressed. This report is the beginning of that process.

Over the course of the past month, maintenance staff has been assigned to identify the status of each item listed by ABM as needing repair. We have begun to sort tasks by type so that we can address which can be addressed by contracts and which can be addressed by internal personnel. An example of a task which would be contracted is the scanning of electrical panels to detect any shorts. An example of a task which would be done internally is the replacement of rubber mats in front of the electrical panels for safety.

We have listed by site which tasks are completed, which have been scheduled and which have received no consideration. We plan to update this list on a routine basis to keep the Board and public informed of the progress on these important projects.

These tasks and items will be filed in a computer database over the coming months; however, a hard copy of the reports is available on request. Attached to this report is a sample of the monitoring format. A rating system of 1-5 indicates the level of urgency (#1 is most important or urgent). Any item listed as scheduled to be complete on October 10th has been completed at the time of our survey. There are four hundred and seventy tasks listed at the eleven schools. One hundred seventy-nine are completed; thirty-nine are scheduled; and two hundred fifty-two are not currently scheduled, but are intended to be assessed or completed during the year.

MAINTENANCE REPORT ON SAFETY DEFICIENCIES

This report includes a cover memorandum from Gene LeFevre, former Director of Maintenance, 12 Fire Marshall reports and a report on the playground at Jefferson School.

It is unclear whether the timing of the Board Agenda process drove the particular school list from the Fire Marshall. Presumably other schools were also surveyed by the Fire Department, and they may have been completed or they may not have been included in the Board report. The dates of the violations documented by the Fire Department begin as early as June 15, 1999 and run through June 5, 2000. We intend to complete the tasks listed on the reports and also to work on any current notices of violation which may exist. We have also recently instituted a requirement for a written response to violations with scheduled completion dates for the Fire Marshall. Without such follow-up, it is very difficult for management to track the schedule of completion.

Some tasks will be done internally, and some will be contracted. An example of a task which will be done internally is the removal of debris from electrical closets. An example of a task which must be contracted is testing our wet stands (sprinkler systems) both quarterly and every five years. On this Board agenda is a recommendation to hire a contractor who can perform these tests.

As with the ABM list, we have listed by site which tasks are completed, which are scheduled and which are not scheduled. The presentation is structured as listed in the ABM section of this report. There are four hundred and ninety-three tasks listed at the twelve schools. Two hundred sixty-five are completed; one hundred twenty-three are scheduled; one hundred and four are not currently scheduled; and one is not required.

PLAYGROUND SAFETY REPORT

This report was compiled by Rick Guagliardo, CPSI. A landscape architecture firm, MIG, has been interviewed, and we have recommended to the Board that they be hired to assist us in our repair efforts. We held a meeting on October 17th to define the scope of work at various sites. Our approach to the report is still being developed, but we have grouped the schools into two categories—schools where only repair is needed and schools where some replacement is needed. The replacement may be a component or may be a whole structure. The schools that require repair may require public bids; we are still assessing the dollar amount of the repairs. The schools that require some replacement will have a very limited opportunity for design input. We intend to replace structures, not review the entire play environment. It is possible that we will determine in the next month that one or two of the schools listed for replacement will require a more extensive design process. It is probable that we have insufficient funds available in the current budget to address all the problems. We will need to budget moneys from future budgets (the bond, BB or BSEP Fund 7) to finish the repairs.

The repair sites will probably require public bidding. If they do, it may take almost six months to accomplish all the needed repairs. The replacement sites will probably require close to nine months for the projects to be completed. If a more extensive design process is required, the replacement will take even longer.

REPAIR ONLY

Cragmont
Emerson
Franklin
King CDC
Rosa Parks

REPLACEMENT

Franklin PN	
Jefferson	Possibly a larger design effort
John Muir	
LeConte	
Malcolm X	
Oxford	
Washington	
Whittier	
1810 Hopkins	

SCHOOL	REPORT	EXPLANATION	TYPE	URGENT	COMPLETE
ARTS MAGNET	FIRE	SPRINKLER TESTING	CONTRACT	3	15-Oct
ARTS MAGNET	FIRE	REMOVE DEBRIS	IN-HOUSE	3	10-Oct
ARTS MAGNET	FIRE	OFFICE WALL HOLES	IN-HOUSE	4	TBD
ARTS MAGNET	FIRE	CUSTODIAN DEBRIS	IN-HOUSE	3	10-Oct
ARTS MAGNET	FIRE	SPRINKLER CLEARANCE	IN-HOUSE	3	10-Oct
ARTS MAGNET	FIRE	CLOSER ON 102	IN-HOUSE	3	10-Oct
ARTS MAGNET	FIRE	LIBRARY EXTENSION CORDS	IN-HOUSE	3	TBD
ARTS MAGNET	FIRE	ELEVATOR DOOR	CONTRACT	4	TBD
ARTS MAGNET	FIRE	104 EXTENSION CORDS	IN-HOUSE	3	10-Oct
ARTS MAGNET	FIRE	106 EXTINGUISHER	CONTRACT	2	15-Nov
ARTS MAGNET	FIRE	110 EXTINGUISHER	CONTRACT	2	15-Nov
ARTS MAGNET	FIRE	ADJUST COORIDOR CLOSER	IN-HOUSE	3	10-Oct
ARTS MAGNET	FIRE	STAGE EQUIPMENT BLOCKED	IN-HOUSE	1	15-Nov
ARTS MAGNET	FIRE	STAGE EGRESS OBSTRUCTED	IN-HOUSE	1	15-Nov
ARTS MAGNET	FIRE	STAGE FIRE ALARM OBSTRUCTED	IN-HOUSE	1	15-Nov
ARTS MAGNET	FIRE	FIRE ALARM SERVICE FOR HOOD	CONTRACT	2	15-Oct
ARTS MAGNET	FIRE	LOUNGE SWITCH COVER	IN-HOUSE	1	30-Nov
ARTS MAGNET	FIRE	203 EXTENSION CORDS	IN-HOUSE	3	TBD
ARTS MAGNET	FIRE	204 SWITCH COVER	IN-HOUSE	1	10-Oct
ARTS MAGNET	FIRE	BALCONY DOOR CLOSER	IN-HOUSE	3	15-Nov
ARTS MAGNET	FIRE	STORAGE ROOM AT 205 DEBRIS	IN-HOUSE	3	15-Nov
ARTS MAGNET	FIRE	STORAGE ROOM AT 205 PANEL	IN-HOUSE	2	30-Nov
ARTS MAGNET	FIRE	STORAGE ROOM AT 205 HOLES	IN-HOUSE	4	TBD
ARTS MAGNET	FIRE	206 SHAFT COVER	IN-HOUSE	2	15-Dec
ARTS MAGNET	FIRE	205 CLOCK WIRE	IN-HOUSE	1	15-Dec
ARTS MAGNET	FIRE	205 DOOR CLOSER	IN-HOUSE	3	30-Nov
ARTS MAGNET	FIRE	CHECK KILN INSTALLATION	ASSESS	4	TBD
ARTS MAGNET	FIRE	REMOVE ART SUPPLY SHELVES	IN-HOUSE	3	TBD
ARTS MAGNET	FIRE	205 CEILING TILES	IN-HOUSE	4	10-Oct
ARTS MAGNET	FIRE	REMOVE CEILING PAPER	IN-HOUSE	2	15-Oct
ARTS MAGNET	FIRE	B17 CLOSER	IN-HOUSE	3	15-Dec
ARTS MAGNET	FIRE	B-17 MOUNT FIRE EXTINGUISHER	CONTRACT	1	10-Oct
ARTS MAGNET	FIRE	B-17 LABEL CLASSROOM	CONTRACT	5	TBD
ARTS MAGNET	FIRE	B-15 CLOSERS	IN-HOUSE	3	15-Dec
ARTS MAGNET	FIRE	B-15 COVER PLATES	IN-HOUSE	1	15-Dec
ARTS MAGNET	FIRE	B-15 FIRE EXTINGUISHER	CONTRACT	1	10-Oct
ARTS MAGNET	FIRE	B-14 COVER PLATES	IN-HOUSE	1	15-Dec
ARTS MAGNET	FIRE	B-1 CLOSER	IN-HOUSE	3	10-Oct
ARTS MAGNET	FIRE	B-1 MOUNT FIRE EXTINGUISHER	IN-HOUSE	1	30-Nov
ARTS MAGNET	FIRE	B-2 REPLACE FIRE EXTINGUISHER	IN-HOUSE	1	10-Oct
ARTS MAGNET	FIRE	B-16 CLOSER	IN-HOUSE	3	30-Dec
ARTS MAGNET	FIRE	B-16 FIRE EXTINGUISHER	CONTRACT	1	15-Nov
ARTS MAGNET	FIRE	B-16 REPAIR RAMP	ASSESS	3	10-Oct
ARTS MAGNET	FIRE	B-3 EXTENSION CORDS	IN-HOUSE	3	31-Oct

SCHOOL	REPORT	EXPLANATION	TYPE	URGENT	COMPLETE
FRANKLIN	ABM	CLEAN DUCTS	CONTRACT	5 TBD	
FRANKLIN	ABM	PANEL LABELS	ASSESS	5	1-Nov
FRANKLIN	ABM	TAPED BREAKERS	IN-HOUSE	1	12-Oct
FRANKLIN	ABM	INRARED PANELS	CONTRACT	5 TBD	
FRANKLIN	ABM	BOILER MAINTENANCE	IN-HOUSE	4	10-Oct
FRANKLIN	ABM	AIR COMPRESSOR RUNOFF	IN-HOUSE	4	10-Oct
FRANKLIN	ABM	FIRE PANEL TROUBLE	CONTRACT	1	10-Oct
FRANKLIN	ABM	INRARED PANELS	CONTRACT	4 TBD	
FRANKLIN	ABM	PANEL LABELS	ASSESS	4 TBD	
FRANKLIN	ABM	RUBBER MATS	IN-HOUSE	4	30-Nov
FRANKLIN	ABM	MASTERCLOCK WIRING	ASSESS	1	10-Oct
FRANKLIN	ABM	EXTERIOR LIGHTS	IN-HOUSE	4	31-Oct
FRANKLIN	ABM	MAINTAIN FAN COIL	IN-HOUSE	4	10-Oct
FRANKLIN	ABM	DUCT CLEAN AND ATTACH	CONTRACT	4	10-Oct
FRANKLIN	ABM	SPRINKLER QUARTER TEST	CONTRACT	3 TBD	
FRANKLIN	ABM	SPRINKLER CHECK TYPE	IN-HOUSE	5	30-Nov
FRANKLIN	ABM	EXIT SIGNS	ASSESS	3 TBD	

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: David A. Gomez, Ph.D., Associate Superintendent,
Administrative Services
DATE: November 14, 2001
SUBJECT: First Reading Revision of Board Policy on Non-Discrimination in
Employment

BACKGROUND INFORMATION:

As a result of Proposition 209 and subsequent court cases effecting California laws, it is now necessary to change the District's policy on Non-Discrimination in the workplace to be in compliance with current law. The new policy is a compilation of information from CSBA and other public school districts whose policies meet compliance. The proposed policy will replace policy 4030 (attached for Board information). A draft of the new policy is submitted for first reading. While changes in policy meet current requirements, staff will continue to aggressively recruit applicants who reflect our District's diversity.

POLICY/CODE:

Board Policy 4030.

FISCAL IMPACT:

None.

STAFF RECOMMENDATIONS:

Accept the first reading of Board Policy #4030.

4030 NONDISCRIMINATION IN EMPLOYMENT

The Board of Education prohibits unlawful discrimination against and/or harassment of district employees and job applicants on the basis of actual or perceived race, color, national origin, ancestry, religious creed, age, marital status, pregnancy, physical or mental disability, medical condition, veteran status, gender, sexual orientation, at any district site and/or activity. The Board also prohibits retaliation against any district employee or job applicant who complains, testifies or in any way participates in the district's complaint procedures instituted pursuant to this policy.

Any district employee who engages in unlawful discrimination or harassment shall be subject to disciplinary action up to and including dismissal.

Any district employee who permits unlawful discrimination or harassment may be subject to disciplinary action up to and including dismissal. A district employee shall be deemed to have permitted unlawful discrimination or harassment if he/she fails to report an observed incident of discrimination and/or harassment, whether or not the victim complains.

The Superintendent or designee shall regularly publicize this nondiscrimination policy and the availability of complaint procedures throughout the district and the community. He/she shall provide district employees and job applicants with copies of this policy, district regulations and complaint procedures as necessary.

The Board designates the Associate Superintendent, Administrative Services as Coordinator for Nondiscrimination in Employment.

Other Remedies

An employee may, in addition to filing a discrimination complaint with the district, file a complaint with either the Equal Employment Opportunity Commission (EEOC) or the California Department of Fair Employment and Housing (DFEH).

Legal References:Education Code

44100 Legislative intent, affirmative action employment

Government Code

11135 Unlawful discrimination

12900-12996 Fair Employment and Housing Act

Labor Code

1102.1 Employment Discrimination: Sexual orientation

United States Code, Title 20

1681-1688 Discrimination based on sex or blindness, Title IX

United States Code, Title 29

621 et seq. Age Discrimination in Employment Act.

791 et seq. Vocational Rehabilitation.....of 1973, Sections 503 and 504

United States Code, Title 38

2011 et seq. Vietnam Era Veterans' Act

United States Code, Title 42

12101-12213 Americans with Disabilities Act

2000d & 2000d-7 Title VI Civil Rights Act of 1964

2000e-20003-17 Title VII, Civil Rights Act of 1964 as amended

2000h-2 - 2000h-6 Title IX, 1972 Education Act Amendments

Code of Federal Regulations, Title 28

35.101-35.190 Americans with Disabilities Act

Code of Federal Regulations, Title 29

1630.2(r) Direct Threat

Code of Federal Regulations, Title 34

100.6 Compliance Information

104.8 Notice

106.8 Designation of responsible employed and adoption of grievance procedure

106.9 Dissemination of policy

Berkeley Unified School District Board Policy 4030.

Board Policy Adopted:

4030 Employee Affirmative Action Program

4030.1 Statement of General Policy

It is the policy of the Board to enhance the quality of integrated education. The integration of the Berkeley staff is imperative in order to provide both a broad instructional perspective and a socially exemplary staff. To meet these educational needs, the District, through its classified and certificated employee regulations and practices, will actively promote equal employment opportunities without discrimination because of race, national origin, sex, sexual orientation, or handicap through a positive, aggressive, continuing affirmative action program.

4030.2 Basic Affirmative Action Goal

- A. Goal. A primary goal of this affirmative action program is to improve representation of racial minority, women, and handicapped employees throughout the District to reflect the student population of the district. Furthermore, the District recognizes that because there has been historic discrimination on the basis of sexual orientation, self-identified lesbians and gay men are underrepresented among District employees. Another goal of this affirmative action program is to improve the representation of self-identified lesbian and gay male employees throughout the District to reflect the population of the City of Berkeley. It is generally believed that lesbians and gay men may make up approximately ten percent (10%) of the population.
- B. Implementation of Goal. To accomplish these goals, the Board recognizes that it must be not only an "equal opportunity employer" but also an employer that offers equal opportunities to its employees and prospective employees. It is, therefore, the intention of the District to emphasize personnel and other organizational practices that will improve the District's performance in implementing this affirmative action policy. The specific practices to receive priority consideration include, but, are not limited to: recruitment, hiring, compensation, retention, staff development, assignment, and termination. By assigning a high priority to those aspects of organizational staffing, practices and climate, the District should enhance its capability to attract, train and retain personnel in the spirit and practice of affirmative action. In addition, the District will emphasize practices which will improve the District's competitive position as an employer and thereby reinforce its performance in implementing its policy of affirmative action.

- C. Legal Compliance. In the adoption of this policy and the pursuit of these goals, the Board embodies the requirements of Federal Executive Orders 11246 and 11375, as amended; the laws of the State of California; the Rules and Regulations of the California State Board of Education and the Department of Education; the rules and regulations of the Personnel Commission of the Merit System; and the policies of the Board. Furthermore, the Board recognizes that it has gone beyond the minimum requirements of federal and state law in including self-identified lesbians and gay men in its affirmative action policy.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: David A. Gomez, Ph.D., Associate Superintendent,
Administrative Services
DATE: November 14, 2001
SUBJECT: District Proposal to Local #1 Reopeners

BACKGROUND INFORMATION:

As a part of the public notification process required through collective bargaining legislation, it is necessary for the District to announce the response to the classified unions' request of articles to bargain which is outlined in the Local #1 contract. In response, the District declares its intent to bargain Articles 8, 9 (Salary and Benefits) and Article 10 (Work Day/Work Year).

POLICY/CODE:

Government Code §3543.2.
District/Local #1 Agreement Article 25.

FISCAL IMPACT:

None.

STAFF RECOMMENDATIONS:

Approval of District's reopeners.