

**Berkeley Unified School District
Office of the Superintendent
2134 Martin Luther King Jr. Way
Berkeley, CA 94704-1180
Phone: (510) 644-6206 Fax: (510) 540-5358**

BOARD OF EDUCATION – MEETING AGENDA*

Wednesday, October 24, 2007

Call to Order The Presiding Officer will call the Meeting to Order at **5:30 p.m.**, recess to Closed Session at **5:35 p.m.** and reconvene in Public Session by **7:30 p.m.**

Roll Call

Members Present:

Joaquin J. Rivera, President
John Selawsky, Vice President
Karen Hemphill, Director
Shirley Issel, Director
Nancy Riddle, Director
Rio Bauce, Student Director**

Administration:

Superintendent Michele Lawrence, Secretary
Javetta Robinson, Deputy Superintendent
Neil Smith, Assistant Superintendent of Educational Services
Lisa Udell, Assistant Superintendent of Human Resources

Prior to Closed Session, as necessary, staff/employee comments are taken per Government Code Section 54957

Recess to Closed Session (Government Code Sections 3549, 1(d), 54956.9(a) and 54957) and Education Code Section 49819(c)

- a) Conference with Legal Counsel – Existing Litigation/Anticipated
- b) Consideration of Student Expulsions
A report will be provided on the progress and status of previously expelled students in 2005-06 and 2006-07

0607-59-072792	0607-51-021292
0607-58-081492	0607-39-052695
0607-47-062192	0607-49-092893
0607-24-110190	0607-38-081694
0607-41-052492	0607-57-081492
0607-08-081493	0607-46-062294

- c) Collective Bargaining
- d) Public Employee Discipline/Dismissal /Release/Evaluation
- e) Public Employment /Appointment
- f) Liability Claims
- g) Property Acquisition

* Board agenda posted on District website: www.berkeley.k12.ca.us

** The Student Director does not attend Closed Session

The Berkeley Unified School District intends to provide reasonable accommodations in accordance with the Americans with Disabilities Act of 1990. If a special accommodation is desired, please call the Superintendent's Office 48 hours prior to the meeting at 510-644-6206

CALL TO ORDER

Report Closed Session actions

Approve the Regular Meeting Agenda of October 24, 2007

Teaching and Learning Presentation

Suzanne McCulloch, Visual and Performing Arts Coordinator, on the 4th and 5th grade Music Program and the Arts Anchor School

PUBLIC TESTIMONY

Persons wishing to address the Board should fill out a card located on the table by the door and submit the completed card to the Board Recorder. Speakers will be selected by lottery. The Public Testimony is limited to 30 minutes – 3 minutes per speaker. Speakers with the same concerns are encouraged to select a spokesperson to address the Board.

Union Representatives' Reports
Superintendent's Report
Board Members' Reports

CONSENT ITEMS

These items are considered routine and may be enacted by a single motion. Any items needing discussion may be moved to the appropriate section of the agenda upon the request of any member of the Board.

PAGE

General Services

1.1-C
Approval to Schedule Special Board Meeting

Staff Recommendation: **9**
Approve Special Board Meeting for January 16, 2008 to receive data presentation

Personnel Services

2.1-C
Approval of Personnel Report

Staff Recommendation: **10**
Approve Personnel Report No. 07-17 indicating changes in personnel status by Berkeley employees throughout the District

2.2-C
Approval of MOUs for Student Interns and Practice Teachers

Staff Recommendation: **17'**
Approve Memorandums of Understanding with colleges and universities to secure student teachers and teacher interns

Educational Services

3.1-C
Approval of Field Trips

Staff Recommendation: **18**
Approve overnight field trips and ratify field trip to Cazadero Performing Arts Camp for middle school students

3.2-C
Approval of New ELD Textbook at BHS

Staff Recommendation: **20**
Accept "Visions" as a new textbook for ELD at BHS for adoption consideration

3.3-C
Approval of MOU between BUSD and Newark Unified School District

Staff Recommendation: **21**
Approve MOU between BUSD and Newark Unified to provide new teacher training (BTSA)

Business Services

4.1-C
Approval of Contracts/Purchase Orders for Services

Staff Recommendation: **22**
Authorize Deputy Superintendent and/or Purchasing Agent to execute contracts and purchase orders

4.2-C Approval of Listing of Warrants Issued in September 2007	<u>Staff Recommendation:</u> Approve listing of warrants issued in September 2007	24
4.3-C Approval of Payroll Warrants Issued in September 2007	<u>Staff Recommendation:</u> Approve payroll warrants issued in September 2007	27
4.4-C Approval of Resolution No. 08-16 to Accept the East Campus Field Project	<u>Staff Recommendation:</u> Approve Resolution No. 08-16 to accept the East Campus Field Project	28
4.5-C Approval of ADA Transition Plan	<u>Staff Recommendation:</u> Approve ADA Transition Plan	30

ACTION ITEMS

These items are presented for action at this time. Some may have been reviewed at a previous meeting.

General Services

1.1-A Approval of Board Policy 5145.3	<u>Board Policy Subcommittee Recommendation:</u> Approve Board Policy 5145.3 – Non Discrimination/Harassment	31
1.2-A Approval of Board Policy 5030.2	<u>Board Policy Subcommittee Recommendation:</u> Approve Board Policy 5030.2 – Student Health and Social Services	35

Personnel Services

9:00 pm

Open Public Hearing on Item 2.1-A
Close Public Hearing on Item 2.1-A

2.1-A Berkeley Council of Classified Employees, Local 6192	<u>Staff Recommendation:</u> Provide for public comments and accept the proposals for negotiations from BCCE	38
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Educational Services

9:15 pm

Open Public Hearing on Item 3.1-A
Close Public Hearing on Item 3.1-A

3.1-A	<u>Staff Recommendation:</u>	49
Approval of Resolution for Grades K-12	Provide for public input and adopt the Resolution for Grades K-12 Textbook and Instructional Materials compliance for Fiscal Year 2007-08	

Business Services

4.1-A	<u>Staff Recommendation:</u>	51
Approval of Resolution No. 08-15 Tax and Revenue Anticipation Notes (TRANS)	Approve Resolution No. 08-15 Tax and Revenue Anticipation Notes (TRANS)	

CONFERENCE ITEMS

These items are submitted for advance planning and to assist the Board in establishing future agenda items. The Board may, however, take action.

General Services

1.1-CF	<u>Staff Recommendation:</u>	62
Appointees to Youth Commission	Discuss appointments to Youth Commission	

INFORMATION ITEMS

These items are intended to keep the Board informed on various District business matters, which do not require action by the Board.

Educational Services

8:15 pm

3.1-I	<u>Staff Recommendation:</u>	63
Web Access of Attendance and Grades	Receive report on web access of attendance and grades for parents and families	

8:30 pm

3.2-I	<u>Staff Recommendation:</u>	64
Berkeley High School Advisory Program	Receive input from Board of Education on BHS Program Advisory Program	

3.3-I Class Size Report	<u>Staff Recommendation:</u> Accept the K-12 Class Size Report as information	69
3.4-I Williams Case Settlement Report	<u>Staff Recommendation:</u> Receive the quarterly report on Williams' complaints received since July 1, 2007 as information	90
<u>Business Services</u>		
4.1-I Accessibility Report	<u>Staff Recommendation:</u> Receive the Accessibility Report as information	91
4.2-I Facilities Construction Financial Update	<u>Staff Recommendation:</u> Receive the Facilities Construction Financial Update report as information	96
4.3-I Update on West Campus	<u>Staff Recommendation:</u> Receive update on West Campus as information	109

ADDITIONAL ACTION ITEM

Approval of October 10, 2007 Minutes

EXTENDED PUBLIC TESTIMONY

ANNOUNCEMENTS

Schedule of Board of Education Meetings for 2007

November 14
December 12 - **organizational**

ADJOURNMENT

**Board of Education Meetings are broadcast live on KPFB/FM 89.3
Berkeley Government Access Channel 33**

Guidelines for Speakers

You are invited to participate in 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** and give it to the Board Secretary. Speakers will be selected by lottery. Your card must be submitted before the Presiding Officer calls for **PUBLIC TESTIMONY**.

You will be called to speak by the Presiding Officer. A Speaker has three minutes in which to make his/her remarks.

Any subject related to the District or its educational programs is welcome at the Board of Education Meetings. **However, we respectfully ask that matters pertaining to individual employees of the Berkeley Unified School District be discussed in private. 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.

MISSION AND GOALS OF THE BERKELEY UNIFIED SCHOOL DISTRICT

MISSION STATEMENT

The mission of the Berkeley Unified School District, a diverse community deeply committed to public education, is to ensure that all students discover and develop their special talents, achieve their educational and career goals, become life long learners, and succeed in a rapidly changing society by:

- empowering students, parents and staff,
- providing a strong standards based curriculum, and
- offering alternative learning experiences in a racially integrated, multilingual environment.

VISION

Berkeley Unified School District creates a system that enables every student, including those with diverse needs, to meet or exceed rigorous standards for academic performance. All students will develop the attitudes, skills and habits of mind needed to succeed in and beyond the classroom. The members of this school community share a vision of educational excellence, an appreciation for the partnerships with local government agencies, community based organizations, businesses, institutions of higher education and will work collaboratively to realize this vision.

PERFORMANCE GOALS

- 1. Increase the academic achievement of all students through effective instruction and a challenging and engaging curriculum**
- 2. Implement interventions that address barriers to student learning in order to meet the needs of the whole child**
- 3. Establish and maintain the culture and governance necessary to support an environment conducive to learning**

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Board of Education
FROM: Board Policy Subcommittee
DATE: October 24, 2007
SUBJECT: Board Policy 5145.3

BACKGROUND INFORMATION

The student nondiscrimination policy has been expanded and modified to include other aspects, characteristics and social profiles of the student population we serve. Specifically the policy now addresses gender differences, including transgender and gender non-conforming students, and guards against bias and stereotyping of students based on gender. The policy encourages curriculum, instruction and activities that are inclusive of all types of students and their families, and prohibits harassment in any form. It was approved for First Reading on October 10, 2007 and is being presented for formal approval.

POLICY/CODE

BP and AR 9310

FISCAL IMPACT

None

BOARD POLICY SUBCOMMITTEE RECOMMENDATION

Approve Board Policy 5145.3

Berkeley USD

BP 5145.3

Students

Nondiscrimination/Harassment

Philosophy and Beliefs

District programs and activities shall be free from discrimination and harassment of students with respect to their actual or perceived sex, gender, transgender or gender-non conforming, socio-economic status, their race, color, religion, ancestry, national origin, ethnic group identification, physical or mental disability, age, sexual orientation, marital or parental status.

Members of the school community are expected to treat each other with dignity and mutual respect and to honor the rich diversity that makes up the community. Disrespect among members of the school community is disruptive to the learning environment and potentially damaging to students' well-being, self-esteem and academic achievement. Students should therefore treat all persons equally and respectfully and refrain from the willful or negligent use of slurs against any person based on actual or perceived sex, gender, race, color, religion, ancestry, national origin, ethnic group identification, marital or parental status, physical or mental disability, age, or sexual orientation. Discrimination or harassment can take many forms, formal or informal, verbal, visual, written or physical, and as such, is prohibited at all times.

The Governing Board shall ensure equal opportunities for all students in admission and access to the educational program, guidance and counseling programs, athletic programs, testing procedures, and other activities curricular or co-curricular. School staff and volunteers shall carefully guard against segregation, bias and stereotyping in the delivery of all services and programs and respond appropriately to ensure schools are free from discrimination and harassment.

The Governing Board recognizes that students' respect for, and understanding of, the various, diverse and wide variety of family structures within our community can help to eliminate discrimination and harassment within the school. As such, curriculum, instruction and activities that promote the inclusion of all types of students and families should be encouraged and welcomed.

Procedures and Process

Students who harass other students shall be subject to appropriate discipline, up to and including counseling, suspension and/or expulsion. An employee who permits or engages in harassment may be subject to disciplinary action, up to and including dismissal.

The Board prohibits intimidation or harassment of any student by any employee, student or other person in the district. Staff shall be alert and immediately responsive to student conduct which may interfere with another student's ability to participate in or benefit from school services, activities or privileges and to bring to the attention of school personnel the instances of discrimination. Harassment complaint forms and complaint procedures will be available at every school site.

Any student who feels that he/she is being harassed should immediately contact either the nondiscrimination coordinator or the principal or designee. If a situation involving harassment is not promptly remedied by the nondiscrimination coordinator, principal or designee, a complaint may be filed with the Superintendent or designee who shall determine which complaint procedure is appropriate.

The Board hereby designates the following position(s) as Coordinator(s) for Nondiscrimination:

Director of Student Services
2134 Martin Luther King, Jr. Way
Berkeley, CA 94704
(510) 644 6315

Facilities and Accommodations

The schools shall provide male and female students with separate shower rooms in order to protect student modesty. In physical education, when objective standards have an adverse effect on students because of any of the factors listed in the first part above, other standards shall be used to measure achievement and create comparable educational opportunities. Step should be taken by all staff to recognize the consistently asserted gender differences of students who are transgender and non-conforming, and protect and ensure their safety while in school.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex, especially:

221.5 Prohibited sex discrimination

221.7 School-sponsored athletic programs; prohibited sex discrimination

48900.3 Suspension or expulsion for act of hate violence

48900.4 Suspension or expulsion for threats or harassment

48904 Liability of parent/guardian for willful student misconduct

48907 Student exercise of free expression

48950 Freedom of speech

49020-49023 Athletic programs

51006-51007 equitable access to technological education programs

51500 Prohibited instruction or activity
51501 Prohibited means of instruction
60044 Prohibited instructional materials
CIVIL CODE
1714.1 Liability of parents/guardians for willful misconduct of minor
CODE OF REGULATIONS, TITLE 5
4621 District policies and procedures
4622 Notice requirements
PENAL CODE
422.55 Interference with constitutional right or privilege
UNITED STATES CODE, TITLE 42
2000d-2000e-17 Title VI & VII Civil Rights Act of 1964 as amended
2000h-2-2000h-6 Title IX, 1972 Education Act Amendments
CODE OF FEDERAL REGULATIONS, TITLE 34
100.3 Prohibition of discrimination on basis of race, color or national origin
104.7 Designation of responsible employee for Section 504
106.8 Designation of responsible employee for Title IX
106.9 Notification of nondiscrimination on basis of sex
COURT DECISIONS
Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130

BERKELEY UNIFIED SCHOOL DISTRICT

Adopted: May 5, 2004 Berkeley, California
Revised: February 1, 2006
Revised:

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Board of Education
FROM: Michele Lawrence, Superintendent
DATE: October 24, 2007
SUBJECT: Special Board Meeting

BACKGROUND INFORMATION

In response to the Board's request to receive a data analysis presentation, we are requesting that a Special Board meeting to present data be scheduled for January 16, 2008. This will allow opportunity to modify goals, if necessary, before school plans are developed or make budget modifications to reflect student needs.

POLICY/CODE

None

FISCAL IMPACT

None

STAFF RECOMMENDATION

Approve addition of Special Board meeting

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Board of Education
FROM: Michele Lawrence, Superintendent
DATE: October 24, 2007
SUBJECT: Discussion of Appointees to Youth Commission

BACKGROUND INFORMATION

At the October 10 Board meeting, the Board appointed a Subcommittee composed of Directors Hemphill and Selawsky to speak to each candidate by phone and to return with recommendations for the rest of the Board. The Subcommittee members will discuss their results.

POLICY/CODE

None

FISCAL IMPACT

None

STAFF RECOMMENDATION

Discussion of appointees to Youth Commission

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Board of Education
FROM: Board Policy Subcommittee
DATE: October 24, 2007
SUBJECT: Board Policy 5030.2

BACKGROUND INFORMATION

This policy is being presented by the Board Policy Subcommittee to support our emphasis on the whole child by collaborating with other mental health and social service providers that offer integrated services. It allows us the option of becoming a billing agent and therefore eligible for reimbursement through Medi-Cal. To further encourage students' access to health care services, we propose to develop and implement outreach strategies to identify eligible students. It was approved for First Reading on October 10, 2007 and is being presented for formal approval.

POLICY/CODE

BP and AR 9310

FISCAL IMPACT

None

BOARD POLICY SUBCOMMITTEE RECOMMENDATION

Approve Board Policy 5030.2

Berkeley Unified School District

BP 5030.2

Students

Student Health and Social Services

The Governing Board recognizes that good physical and mental health is critical to a student's ability to learn and believes that all students should have access to comprehensive health and social services. The Board desires to collaborate with local and state health, mental health and social service providers in order to offer integrated services at or near district schools. The district may provide, in partnership with other agencies, preventive, diagnostic, therapeutic and/or rehabilitative health services on an outpatient basis at school sites.

The District, by Welfare and Institutions Code 14132.47, may become a billing agent and be reimbursed through the Medi-Cal Administrative Activities (MAA) program for some of their administrative costs and health services provided to an enrolled student under age 22. Therefore the district shall serve as a Medi-Cal or other insurance provider to the extent feasible, and comply with all related legal requirements in seeking reimbursement of costs to the extent allowed by law.

To further encourage students' access to health care services, the Superintendent or designee shall develop and implement strategies for outreach and enrollment of eligible students from low- to moderate-income working families in affordable, comprehensive state or federal health coverage programs and local health initiatives.

Legal Reference:

EDUCATION CODE

8800-8807 Healthy Start support services for children

49073-49079 Privacy of student records

49423.5 Specialized physical health care services

GOVERNMENT CODE

95020 Individualized family service plan

WELFARE AND INSTITUTIONS CODE

14124.90 Third-party health coverage

14132.06 Covered benefits; health services provided by local educational agencies

14132.47 Administrative claiming process and targeted case management
CODE OF REGULATIONS, TITLE 10
2699.6500-2699.6815 Healthy Families Program
CODE OF REGULATIONS, TITLE 17
2951 Testing standards
CODE OF REGULATIONS, TITLE 22
51009 Confidentiality
51050-51190.5 Definitions of Medi-Cal providers and services
51200 Requirements for providers
51231.2 Wheelchair van requirements
51270 Local educational agency provider; conditions for participation
51309 Psychology, physical therapy, occupational therapy, speech pathology, audiological services
51323 Medical transportation services
51351 Targeted case management services
51360 Local educational agency; types of services
51491 Local educational agency eligibility for payment
51535.5 Reimbursement to local educational agency providers
UNITED STATES CODE, TITLE 20
1232g Family Educational and Privacy Rights Act (FERPA)
CODE OF FEDERAL REGULATIONS, TITLE 45
164.500-164.534 Health Insurance Portability and Accountability Act (HIPAA)

Adopted:

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Richard J. Dodson, Labor Relations Director
DATE: October 24, 2007
SUBJECT: Berkeley Council of Classified Employees, AFT Local 6192,
AFL-CIO (BCCE) New Contract Proposals

BACKGROUND INFORMATION

The term of the last collective bargaining agreement between Berkeley Unified School District and the Berkeley Council of Classified Employees, AFT Local 6192, AFL-CIO (BCCE), expired June 30, 2007. BCCE has requested that bargaining commence on a successor agreement. Attached hereto and presented for Board consideration and public review and hearing, as required by law, are the articles and areas to be discussed at the collective bargaining table for the Berkeley Council of Classified Employees. This "Sunshine" of what is to be negotiated must be presented before collective bargaining can begin.

POLICY/CODE

Government Code section 3543.2 and 3547

FISCAL IMPACT

None

STAFF RECOMMENDATION

Conduct public hearing and Sunshine BCCE contract proposal for negotiations.

BCCE CONTRACT PROPOSALS

New Language: Underlined

Deleted Language: ~~Strikethrough~~

4.1.11 BCCE has the right to use the intra-district mail and electronic mail systems.

(a) Each BCCE member shall have a mailbox at his/her primary workplace.

4.2.2 All employees in the bargaining unit shall, as a condition of employment, have dues or an Agency or Fair Share Fee deducted from their salary starting with their first pay warrant. In no case shall the Agency Fee be greater than periodic dues and general assessments of the Union. The employee's pay warrant shall clearly denote whether the amount deducted is for Union dues or an Agency or Fair Share Fee.

6.12 Complimentary or laudatory letters may be included in personnel files.

8.1 The total salary increase for BCCE unit members for Fiscal Year 2007-2008 shall be 5.00% retroactive to July 1, 2007.

8.2 Salary Range, step, FTE and hourly wage shall be presented in writing to each new employee (a) upon hire, and (b) on every July 1 thereafter.

9.1.5 Early Retirement

(b) After age 65, a retired employee may enroll in a District medical plan for the employee and/or his/her dependents, with the premium paid in advance by the retiree, provided the carrier provides such coverage. ~~This provision applies to the employee only.~~

9.5 In Lieu Benefits

Employees who demonstrate alternate medical plan coverage may elect to have ~~80%~~ 60% of the District's contribution ~~directed into~~

~~an annuity fund~~ added to monthly salary. The amount of such contribution shall be calculated at the rate which the District would have contributed for the employee only, under the Kaiser Health plan at the premium rate established as of ~~December 1~~ October 1. Employees exercising this option must submit written notification to the ~~Business Benefits~~ Office thirty (30) days prior to the discontinuance of health plan coverage. Employees who wish to reactivate health plans may not do so until the next open enrollment period ~~which is currently the month of November~~ unless a qualifying life event occurs allowing medical plan changes.

9.8.1 Effective July 1, ~~1991~~ 2007, the meal allowance rates shall increase as follows:.....
Breakfast....~~\$8~~\$7...Lunch.....~~\$12~~\$10.....Dinner...~~\$25~~\$16

May not exceed ~~\$45~~\$33 per day.

~~Out of town trips do not include: Alameda, Albany, El Cerrito, Emeryville, Kensington, Oakland, Piedmont, Richmond and San Pablo.~~

9.10 Errors in Payment

9.10.3 ~~A payroll overpayment shall be repaid to the District over the same period of time the error occurred unless other arrangements are made with the Director of Classified Personnel or designee.~~

When the District believes there has been a payroll overpayment and/or a withholding underpayment on the employee's pay warrant(s), the District shall contact the employee in writing explaining the error(s) in payment and giving the employee the opportunity to arrange for a repayment plan with the Director of Classified Personnel or designee. In no event shall the District withhold a payroll overpayment and/or a withholding underpayment from subsequent pay warrants without the expressed authorization of the employee involved or an order from a court of competent jurisdiction mandating such withholding. The Union shall be informed in advance of any payroll deductions for alleged overpayments in salary and/or underpayments in withholding amounts.

9.11 Longevity Merit

6 years of service	\$57
10 years	\$62 \$56.66
15 years	\$69 \$62.00
20 years	\$79 \$68.41
25 years	\$106 \$79.11
30 years	\$135 \$106.90

9.12.1 Professional Growth

- (a) ~~\$40~~ \$50 per month for each 9 semester units of approved credits
- (b) A maximum of ~~7~~ 10 - ~~\$40~~ \$50 awards.....with a maximum total award of ~~\$280~~ \$500 per month.

9.12.4 Certain Berkeley Adult School courses shall be pre-approved for professional growth values.

9.13 State Disability Insurance Benefits

9.13.4 The District will make every effort to notify employees of their right to apply for these benefits by choosing from among the following Employee Options. There are three options available to employees who are otherwise eligible for SDI or FTDI benefits which are as follows:

[snip]

~~Disability checks received from SDI or FTDI must be endorsed by the employee to the District if the employee selects the option to integrate SDI or FTDI benefits with paid accruals. SDI or FTDI regulations shall apply to the integration plan.~~

If the employee selects the option to integrate SDI or FTDI benefits with paid accruals, the employee receiving SDI or FTDI disability checks shall inform the Payroll Manager or designee of the amount of such checks so the employee's paid leave usage and District pay can be reduced accordingly. In the event that the employee receives SDI or FTDI Disability payments covering the same period of time as the employee is receiving full District paid leave the employee and District shall meet and confer to arrange an appropriate repayment plan. It is the intent of this

section that the employee who selects the option to integrate SDI or FTDE benefits with paid accruals not receive more in District pay before deductions than the employee would receive if working or on full District paid leave.

9.14 Accrual of Vacation and Sick Leave

The employees shall continue to accrue vacation and sick leave in accordance with the contract and State law as long as they continue in a paid status with the District. The District shall credit sick and vacation leave for 10 and 11 month employees who work the Summer recess period at a rate of .006153 days vacation and .006153 days sick leave for each hour worked on a timesheet during the Summer recess period. Leave credits will be given to the employee no later than November 1 during the school year beginning after the Summer recess period worked.

9.17 Each employee may shall be granted a maximum of ~~one (1)~~ two (2) emergency advances per fiscal year. Such advances may only be drawn against earned income and, in all cases, the amount advanced shall be fully deducted from the employee's next ~~regular~~ paycheck. During Summer recess, such advances may be drawn against hours worked in an interim placement. The District shall provide a written explanation if such a request is denied.

9.19 Children of unit members who live outside the District shall have the right to attend Berkeley schools.

10.1.2 Permanent Increases

(a) An employee who works a minimum of 30 minutes per day in excess of his or her part-time assignment for a period of 20 consecutive working days or more, shall have the permanent assignment changed to reflect the longer hours worked in order to acquire retirement and fringe benefits on a properly prorated basis.

(b) When an existing permanent position is assigned increased work time per day, the employee in the same class working less than the new total number of hours per day with the greatest seniority at the site where the adjustment is being made shall be offered the position with the increased work time. If the employee with the greatest seniority prefers to remain at the same hours per day and prefers no increase in time, the adjustment will then be offered to the employee in the next order of seniority in that class at the site.

If no one at the site prefers the increased time, it will be made subject to the transfer policy as set forth in this Agreement.

10.1.3 Lunch Periods

All employees in the units covered by this agreement shall be entitled to an uninterrupted duty free lunch period. The length of time for such period shall be for a period of no longer than one hour nor less than one-half hour and shall be scheduled for all employees who work five (5) hours or more, at or about the midpoint of each work shift.

10.1.4 Rest Periods

All bargaining unit employees shall be granted duty free rest periods which insofar as practicable shall be in the middle of each work period at the rate of fifteen (15) minutes per 3 3/4 hours worked or major fraction thereof. One rest period of a total of 30 minutes on evening shifts may be scheduled. Other arrangements may be made with mutual agreement, but in no case shall the breaks total more than thirty (30) minutes per work shift. Break time for part-time employees shall be at the following rates:

10.1.5 Exceptional Work Days

~~When an employee of these units is assigned to a field trip or otherwise assigned thereby preventing his/her uninterrupted duty free lunch and/or granted assigned duty free rest breaks due to such an assignment, the employee shall be allowed to reduce his/her normal work day with no loss of pay, the same amount of actual time which would have otherwise been granted if the employee had not been on a field trip assignment, as granted by 10.1.3 above. The release time shall be granted within five (5) working days if requested by the employee. If taken on a day other than the day this occurred, release time shall be taken in 1 1/2 time. Earned comp time off shall be by mutual agreement between the employee and the supervisor paid on an overtime basis for all such time missed for duty free rest breaks and/or an uninterrupted duty free lunch period. In the event that the employee cannot take an uninterrupted duty free lunch because of such assignment, it shall be the responsibility of the District to provide the employee an on duty lunch period~~

whereby the employee has the opportunity to consume a meal.

10.2.1 Overtime

10.2.2 Compensation for overtime work shall be either in cash or, if the employee so requests at the time the overtime is assigned, in compensatory time off. At the time that the overtime is assigned, the supervisor, after considering the employee's preference, will indicate whether the employee will be compensated in cash or in compensatory time off. If the supervisor refuses to grant the compensatory time off in lieu of cash payment, the overtime may be declined by the employee.

10.2.3 Payment

Compensation in cash shall be at a rate equal to one and one-half (1 ½) times the employee's regular rate of pay for the overtime work in any shift lasting twelve (12) hours or less. Overtime worked beyond the twelfth hour in any shift shall be compensated at a rate equal to two (2) times the employee's regular rate of pay. Said cash compensation shall be added to the employee's next regular check paid to the employee on the next mid-month pay warrant.

10.8 Split-Shift Differential

10.8.1 Split-shift differentials apply to all employees in the bargaining unit who have a scheduled gap of more than one hour in their regularly scheduled work assignment.

10.8.2 Split-shift differentials will be as follows:

(a) An employee working less than five (5) hours per day receives one hour split-shift differential.

(b) An employee working more than five (5) hours but less than seven (7) hours per day receives ¾ hours split-shift differential.

(c) An employee working seven (7) or more but less than seven and one half (7 ½) hours per day will receive the amount of split shift differential time to bring his/her work day to 7 ½ hours or the equivalent

in premium pay of one hour's pay at the prevailing state minimum wage, whichever is greater.

(d) An employee working seven and one half (7 ½) hours per day shall be paid premium pay of one hour's pay at the prevailing state minimum wage as a split shift differential.

11.2.2 Sick Leave

(g)(3) No employee may be required to make more than one phone call to report an absence.

(f) The employee may convert accrued and unused sick leave to retirement credit if the employee is filing a request for retirement.

11.2.3 Maternity/Paternity Leave

(b) For the first seventy-five (75) working days of maternity/paternity leave, the employee shall receive 66 2/3 % of the employee's regular salary and shall continue to receive health and welfare benefits. For employees hired after February 23, 1978, during the first seventy-five (75) days of maternity/paternity leave, the employee shall instead receive 50% of regular salary ~~but~~ and shall continue to receive health and welfare benefits.

(c) after the seventy-five (75) days of maternity/paternity leave as provided for above have been fully utilized, the employee shall, upon written request, submitted not later than 20 working days prior to the expiration of the above-referenced seventy-five (75) days of maternity/paternity leave, be placed on extended maternity/paternity leave without pay until the end of the fiscal year or the end of the employee's work year which ever is sooner. The employee shall have the right to pay any or all fringe benefit premiums during this period. Additional maternity/paternity leave without pay may be requested and granted either pursuant to the provisions set forth in Article 11 or after the first year, up to four (4) additional years in total duration with the provision that it extends beyond the first year in

which it is taken and must be taken in annual increments.

(e) The seventy-five (75) working days used in this article (not counting paid holidays as work days) ~~(in this instance defined as the days for which the employee is paid)~~ must be consecutive with the beginning date of the leave. Once an employee returns to duty, the maternity/paternity leave and all of its provisions shall be terminated.

11.2.11 Industrial Accident and Industrial Illness Leave

(b) Paid industrial accident leave shall be for not more than sixty (60) working days in any fiscal year for each industrial accident or industrial illness suffered by the employee. Any industrial accident leave remaining on the books at the end of the fiscal year shall roll over into the next fiscal year for use in the new fiscal year for the same industrial accident or industrial illness.

(c) Paid industrial accident leave shall only be used during those times in the fiscal year when the employee would otherwise be entitled to use paid District leave except for the entitlement to paid industrial accident leave. Paid industrial accident leave shall be reduced by one day for each day of authorized absence regardless of the temporary disability allowance under Workers' Compensation or the District's self-insurance program. Days absent while on paid industrial accident leave shall not be deducted from the number of days of paid illness leave to which an employee may be entitled. If the authorized absence does not allow the employee to work during periods not scheduled in the employee's regular work year, the eligible employee shall be paid according to the temporary disability allowance under Workers' compensation or the District's self insurance program. If the employee is not eligible to receive a temporary disability allowance under Workers' compensation or the District's self insurance program the District shall inform the employee of his or her right to apply for State Disability Insurance benefits as outlined in Article 9.13 of this CBA.

(f) Upon return to service from any paid or unpaid leave resulting from an industrial accident or industrial illness, an employee shall be assigned to a position in his/her former class at the same FTE the employee had when he or she went on leave, and he/she may displace the most recently appointed employee in the class with less seniority. If an employee's former class has ceased to exist, the employee may be reassigned or placed on a suitable employment list.

(l) An employee may be treated for an industrial injury by a personal physician that the employee predesignates prior to the industrial injury by submitting the proper state form to the District. The District shall not restrict the effective term of such predesignation, nor when predesignation forms may be submitted

12.8 July 4th Provisions:

(a) Employees who work less than 12 months of the school year will be paid for July 4th if the number of unused vacation days paid out at the end of the school year pursuant to 11.2.9(i) carries the employee through ~~July 3~~ the last working day before the July 4th holiday. In that case, the employee will be paid July 4th holiday pay at the employee's regularly assigned School Year FTE.

13.3 Procedures [Safety]

13.3.6 The Safety Committee shall have the ability to determine whether a ~~room~~ work area is sufficiently safe for employees to carry out their duties.

14.1 Definitions [Layoffs]

14.1.3 Seniority

Seniority, or "length of service" shall be determined by date of hire in a permanent status, including probationary service, in a job classification. Employees shall have seniority in all classifications to which they have attained permanent status.

16.3.5 [General Provisions]

The failure of the District's representative to respond within the time limits and conditions set forth herein shall ~~give the grievant the right to move the grievance to the next level of these procedures.~~ be deemed to be an acceptance of the Union position, and the proposed remedies shall be final and binding.

Article 18 – PROMOTION

18.1 The goal of the District shall be to provide promotional opportunities to both permanent bargaining unit positions and limited term positions. When an outside applicant is selected over qualified promotional applicants, reasons for the District's decision to hire from the outside shall be given in writing to applicants upon request.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence Superintendent
FROM: Lisa Udell, Ed.D. Assistant Superintendent, Human Resources
 Alan Levinson, Director, Classified Personnel
DATE: October 24, 2007
SUBJECT: APPROVAL OF HUMAN RESOURCES REPORT 07-17
 Following is Human Resources Report 07-17 which reports details of personnel assignments, employment, and terminations.

CERTIFICATED EMPLOYEES						
NAME	POSITION	LOCATION	BUDGET	FTE & SALARY	FROM	TO
<u>TEMPORARY TEACHER</u>						
Richard Cobeen	Teacher	All District	General Fund	1.00/II-03	8/27/07	6/13/08
Molly Offermann	Counselor	Berkeley High	General Fund	1.00/VII-03	9/28/07	6/13/08
<u>ADULT SCHOOL TEACHER</u>						
Suzy Quenneville-Orpin	Teacher	Adult School	General Fund	\$32.18 Hrly	10/1/07	6/30/08
<u>EXTRA DUTY - STIPEND</u>						
Leorah Abouav-Zilberman	BPAR Consulting Teacher	All District	Peer Asst.	NTE \$3,176.00	8/27/07	6/13/08
Jared Baird	Academic Counselor	Berkeley High	General Fund	NTE \$5,000.00	8/27/07	6/13/08
Dwayne Byndloss	Academic Counselor	Longfellow	Restricted Donation	NTE \$611.00	10/2/07	10/31/07
Judy Bodenhauser	BPAR Consulting Teacher	All District	Peer Asst.	NTE \$3,176.00	8/27/07	6/13/08
Ray Cagan	Team Leader	Berkeley High	General Fund	NTE \$5,000.00	8/27/07	6/13/08
Matt Carton	Team Leader	Berkeley High	General Fund	NTE \$5,000.00	8/27/07	6/13/08
Victoria Edwards	Instructional Specialist	King	General Fund	NTE \$678.00	8/27/07	6/13/08

NAME	POSITION	LOCATION	BUDGET	FTE & SALARY	FROM	TO
Aaron Glimme	Team Leader	Berkeley High	General Fund	NTE \$2,000.00	8/27/07	6/13/08
Barbara Hopkins	BPAR Consulting Teacher	All District	Peer Asst.	NTE \$3,176.00	8/27/07	6/13/08
Sean Keller	Teacher In Charge	Jefferson	General Fund	NTE \$2,036.00	8/27/07	6/13/08
Linda Mengel	BPAR Consulting Teacher	All District	Peer Asst.	NTE \$3,176.00	8/27/07	6/13/08
Sherene Randle	Team Leader	Berkeley High	General Fund	NTE \$3,789.00	8/27/07	6/13/08
Marsha Saks	BPAR Consulting Teacher	All District	Peer Asst.	NTE \$3,176.00	8/27/07	6/13/08
Wyn Skeels	Team Leader	Berkeley High	General Fund	NTE \$5,000.00	8/27/07	6/13/08
Kate Trimlett	Team Leader	Berkeley High	General Fund	NTE \$5,000.00	8/27/07	6/13/08
Michael Weitz	Team Leader	Berkeley High	General Fund	NTE \$5,000.00	8/27/07	6/13/08
Benette Williams	Team Leader	Berkeley High	General Fund	NTE \$5,000.00	8/27/07	6/13/08
Glen Wolkenfeld	Team Leader	Berkeley High	General Fund	NTE \$3,000.00	8/27/07	6/13/08

CLASSIFIED EMPLOYEES

NAME	POSITION	LOCATION	BUDGET	CLASS RANGE STEP	FTE & SALARY	FROM	TO
<u>RESIGNATION</u>							
Heidi Erikson	Instructional Tech. (After School)	Thousand Oaks				8/29/07	
Michelle Farria	Instructional Assistant (Special Education)	Rosa Parks				9/19/07	
Gaye Gerdts	Director, Fiscal Services	Business Services				9/28/07	
Sandra Henneman	Program Assistant	Berkeley High				9/12/07	
Lori Lewis	Payroll Supervisor	Accounting				10/15/07	
Juan Quezada	Instructional Tech. (After School)	Le Conte				9/1/07	
Laura Sloane	Sous Chef Supervisor	Nutrition Services				9/21/07	
<u>FAMILY MEDICAL LEAVE OF ABSENCE WITH PAY</u>							
Ramona McGary	Program Specialist	District Administration	Measure A/ Parent Outreach	58/1	1.0 FTE \$26.14 hr	9/25/07	11/21/07
<u>INTERGRATE SICK LEAVE WITH STATE DISABILITY</u>							
Crystal Williams	Clerical III	King CDC	Child Care	35/5	1.0 FTE \$18.00 hr	9/3/07	9/11/07
<u>EXTENDED SICK LEAVE WITH 50% PAY</u>							
Crystal Williams	Clerical III	King CDC	Child Care	35/5	1.0 FTE \$18.00 hr	9/12/07	11/15/07
<u>PERMANENT (TEMPORARY REASSIGNMENT)</u>							
Abdul Mixon	Maintenance Tech.	Maintenance	Maintenance	45/3	1.0 FTE \$20.49 hr	9/24/07	2/1/08
<u>PERMANENT</u>							
Don Arreola-Burl	Instructional Specialist II (PE)	Washington	BSEP/21 st Century/ Restricted Donations	58/5	+.27 FTE \$31.79 hr	8/29/07	6/13/08
Sharondale King	Instructional Tech. (After School)	King	LRN SAFE	34/4	+.33 FTE \$16.72 hr	9/1/07	6/13/08
Jenae Williams	Instructional Tech.	Longfellow	LRN SAFE	34/2	+.03 FTE \$15.14 hr	9/4/07	6/13/08
<u>PROBATIONARY</u>							
Marva Anderson	Instructional Assistant (Special Education)	Jefferson`	Special Ed.	31/1	.80 FTE \$13.38 hr	9/17/07	3/16/08

CLASSIFIED EMPLOYEES

NAME	POSITION	LOCATION	BUDGET	CLASS RANGE STEP	FTE & SALARY	FROM	TO
Arturo Avila	Instructional Tech. (After School)	Malcolm X	LRN SAFE	34/1	.53 FTE \$14.41 hr	10/5/07	4/4/08
Casie Cameron	Instructional Tech (After School)	Willard	LRN SAFE	34/1	+.07 FTE \$14.41 hr	9/1/07	2/28/08
Douglas Cobb	Instructional Tech (After School)	Willard	21 st Century	34/1	.40 FTE \$14.41 hr	9/18/07	3/17/08
Leonard Collins	Storekeeper	Nutrition Services	Child Nutrition	42/1	.53 FTE \$17.24 hr	8/27/07	2/26/08
Charles Collison	Instructional Tech. (Cooking)	Thousand Oaks	Calif. Nut. Network	34/1	.60 FTE \$14.41 hr	9/24/07	3/23/08
Michelle Evans	Instructional Tech. (After School)	Longfellow	After School	34/1	+.03 FTE \$14.41 hr	9/1/07	10/31/07
Kenneth Fischer	Instructional Tech. (After School)	Arts Magnet	After School	34/1	.53 FTE \$14.41 hr	9/8/07	3/7/08
Rose Griffin	Instructional Tech. (After School)	John Muir	LRN SAFE	34/1	.53 FTE \$14.41 hr	9/7/07	3/6/08
Rosemary Hannon	Instructional Specialist (Dance)	Cragmont	BSEP	51/1	.50 FTE \$21.96 hr	9/13/07	3/12/08
Cean Harris	Instructional Assistant (Special Education)	Rosa Parks	Special Ed.	31/1	.80 FTE \$13.38 hr	8/29/07	2/28/08
Edward Hill, Jr	Instructional Assistant	Oxford	BSEP	29/1	.33 FTE \$12.75 hr	9/11/07	3/10/08
Edward Hill, Jr	Instructional Tech. (After School)	Oxford	BSEP	34/1	.53 FTE \$14.41 hr	10/5/07	4/4/08
Kuulani Imira	Instructional Tech. (After School)	Arts Magnet	21 st Century	34/1	.73 FTE \$14.41 hr	9/10/07	3/9/08
Laura Lowry	Instructional Specialist (Drama)	Malcolm X	BSEP	51/1	.27 FTE \$21.96 hr	9/4/07	3/3/08
Salli Lundgren	Instructional Tech. (After School)	Le Conte	After School	34/1	.53 FTE \$14.41 hr	10/5/07	4/4/08
Max McVeety	Instructional Assistant (Special Education)	Berkeley High	Special Ed.	31/1	.80 FTE \$13.38 hr	10/5/07	4/4/08
Jennifer Moore	Instructional Tech. (After School)	King	LRN SAFE	34/4	.53 FTE \$14.41 hr	8/29/07	2/28/08
Maisha Morris	Instructional Tech. (After School)	Le Conte	21 st Century	34/1	.53 FTE \$14.41 hr	9/7/07	3/6/08

CLASSIFIED EMPLOYEES

NAME	POSITION	LOCATION	BUDGET	CLASS RANGE STEP	FTE & SALARY	FROM	TO
Adekemi Omatade	Instructional Tech. (After School)	Emerson	After School	34/1	.67 FTE \$14.41 hr	10/5/07	4/4/08
Daniel Palau	Instructional Tech. (After School)	Thousand Oaks	After School	34/1	.60 FTE \$14.41 hr	8/30/07	2/28/08
Didese Sampson	Instructional Assistant (Special Education)	Longfellow	Special Ed.	31/1	.80 FTE \$13.38 hr	9/7/07	3/6/08
Kimberly Smith	Instructional Assistant (Special Education)	Berkeley High	Special Ed.	31/1	.80 FTE \$13.38 hr	9/10/07	3/9/08
Christine Trowbridge	Instructional Tech. (After School)	Oxford	LRN SAFE	34/1	.53 FTE \$14.41 hr	10/5/07	4/4/08
Stephanie Wieger	Instructional Tech. (After School)	Willard	After School	34/1	.23 FTE \$14.41 hr	8/29/07	2/28/08
<u>PROVISIONAL</u>							
Leticia Amezcua	Instructional Tech. (After School)	Le Conte	LRN SAFE/ After School	34/1	.53 FTE \$14.41 hr	8/29/07	11/28/07
Arturo Avila	Instructional Tech. (After School)	Malcolm X	LRN SAFE	34/1	.53 FTE \$14.41 hr	10/1/07	10/4/07
Paulette Butler	Instructional Tech. (After School)	Oxford	21 st Century	34/1	.13 FTE \$14.41 hr	8/29/07	11/28/07
Sara Delee	Instructional Assistant (Special Education)	Emerson	Special Ed.	31/1	.80 FTE \$13.38 hr	8/29/07	11/28/07
Allison Doolan	Instructional Assistant (Special Education)	Emerson	Special Ed.	31/1	.80 FTE \$13.38 hr	8/29/07	11/28/07
Ashley Gamboa	Instructional Tech. (After School)	Thousand Oaks	LRN SAFE	34/1	.56 FTE \$14.41 hr	8/29/07	11/28/07
Ashley Gephart	Instructional Specialist	Emerson	After School	51/1	.14 FTE \$21.96 hr	9/4/07	12/3/07
Maria Gil	Instructional Tech. (After School)	Arts Magnet	21 st Century	34/1	.13 FTE \$14.41 hr	10/1/07	12/20/07
Rose Griffin	Instructional Tech. (After School)	John Muir	LRN SAFE	34/1	.53 FTE \$14.41 hr	9/1/07	9/6/07
Edward Hill, Jr	Instructional Tech. (After School)	Oxford	BSEP	34/1	.53 FTE \$14.41 hr	8/29/07	10/4/07
Flora Keilch	Asst. Ext. Day Program Coordinator	Washington	After School	50/1	.73 FTE \$21.42 hr	9/1/07	11/30/07

CLASSIFIED EMPLOYEES

NAME	POSITION	LOCATION	BUDGET	CLASS RANGE STEP	FTE & SALARY	FROM	TO
Ken Lewis	Instructional Assistant (Special Education)	King	Special Ed.	31/1	.73 FTE \$13.38 hr	9/4/07	12/3/07
Salli Lundgren	Instructional Tech. (After School)	Le Conte	After School	34/1	.53 FTE \$14.41 hr	9/4/07	10/4/07
Tanossa Miller	Instructional Specialist	Emerson	After School	51/1	.14 FTE \$21.96 hr	9/4/07	12/5/07
Max McVeety	Instructional Assistant (Special Education)	Berkeley High	Special Ed.	31/1	.80 FTE \$13.38 hr	8/29/07	10/4/07
Carol Niehus	School Secretary I	John Muir	General Fund	44/1	1.0 FTE \$18.45 hr	9/1/07	11/30/07
Adekemi Omotade	Instructional Tech. (After School)	Emerson	After School	34/1	.67 FTE \$14.41 hr	10/1/07	10/4/07
Jennifer Rodriguez	Instructional Specialist	Longfellow	LRN SAFE	51/1	.12 FTE \$21.96 hr	9/7/07	12/6/07
Shanel Smith	Instructional Tech. (After School)	Thousand Oaks	LRN SAFE	34/1	.70 FTE \$14.41 hr	9/4/07	12/3/07
John Stewart, II	Instructional Tech. (After School)	Emerson	After School	34/1	.53 FTE \$14.41 hr	9/4/07	12/3/07
Javier Tenorio	Instructional Specialist	Longfellow	21 st Century	51/1	.30 FTE \$21.96 hr	8/29/07	11/30/07
Christine Trowbridge	Instructional Tech. (After School)	Oxford	LRN SAFE	34/1	.53 FTE \$14.41 hr	9/20/07	10/4/07
Stephanie Wieger	Instructional Tech. (After School)	Willard	After School	34/1	.23 FTE \$14.41 hr	8/29/07	10/4/07

AVAILABLE SUBSTITUTES

Ken Roy Higgins	Custodian I	All District	General Fund	32/1	NTE 7.5 hrs/day \$13.48 hr	10/1/07	6/13/08
Jasmine Mullen-Keenan	Instructional Assistant (Special Education)	All District	General Fund	31/1	NTE 7.5 hrs/day \$13.38 hr	9/4/07	6/13/08
Luanne Rogers	Account Tech.	Special Education	Special Ed.	43/5	NTE 7.5 hrs/day \$21.96 hr	7/21/07	6/13/08
Sally Theard	Instructional Assistant (Special Education)	All District	General Fund	31/1	NTE 7.5 hrs/day \$13.38 hr	9/10/07	6/13/08

CLASSIFIED EMPLOYEES

NAME	POSITION	LOCATION	BUDGET	CLASS RANGE STEP	FTE & SALARY	FROM	TO
Foroozan Toofan	Instructional Assistant (Special Education)	All District	General Fund	31/1	NTE 7.5 hrs/day \$13.38 hr	9/4/07	6/13/08
<u>TEMPORARY/HOURLY/LIMITED TERM</u>							
Evan Adorador	Noon Director	Emerson	General Fund	N/A	3 hrs/wk \$11.91 hr	9/14/07	6/13/08
Leticia Allejo	Noon Director	Rosa Parks	General Fund	N/A	7.5 hrs/wk \$11.91 hr	8/29/07	6/13/08
Arturo Avila	Instructional Tech. (After School)	Malcolm X	LRN SAFE	34/1	4 hrs/day \$14.41 hr	9/6/07	9/30/07
Alex Burr	Noon Director	Oxford	General Fund	N/A	7.5 hrs/wk \$11.91 hr	8/29/07	6/13/08
Douglas Cobb	Instructional Tech (After School)	Willard	21 st Century	34/1	10 hrs/wk \$14.41 hr	8/1/07	9/17/07
Rose Griffin	Instructional Tech. (After School)	John Muir	LRN SAFE	34/1	6 hrs/wk \$14.41 hr	8/28/07	6/17/08
Ken Lewis	Instructional Tech. (After School)	Cragmont	21 st Century	34/1	10 hrs/wk \$14.41 hr	8/28/07	6/13/08
Adekemi Omotade	Instructional Tech. (After School)	Emerson	After School	34/1	.67 FTE \$14.41 hr	9/20/07	9/28/07
<u>WORKING EVENING SHIFT, DIFFERENTIAL, ATTENDANT DUTIES, OR AS CONFIDENTIAL EMPLOYEE</u>							
Sara Delee	Instructional Assistant (Special Education)	Emerson	Special Ed.	31/1	10% differential \$1.33 hr	8/29/07	11/30/07
Allison Doolan	Instructional Assistant (Special Education)	Emerson	Special Ed.	31/1	5% differential \$.67 hr	8/29/07	11/30/07
Cean Harris	Instructional Assistant (Special Education)	Rosa Parks	Special Ed.	31/1	5% differential \$.67 hr	8/29/07	2/28/08
Max McVeety	Instructional Assistant (Special Education)	Berkeley High	Special Ed.	31/1	5% differential \$.67 hr	8/29/07	10/4/07
Didese Sampson	Instructional Assistant (Special Education)	Longfellow	Special Ed.	31/1	5% differential \$.67 hr	9/7/07	3/6/08
Kenny Washington	Custodian I	Longfellow	General Fund	32/3	6.5 hrs @ 5% differential \$.74 hr	8/29/07	

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Lisa Udell, Assistant Superintendent, Human Resources
DATE: October 24, 2007
SUBJECT: Memorandums of Understanding with the Colleges and Universities

BACKGROUND INFORMATION

The District works in partnership with colleges and universities to provide interns and practice teachers for our classrooms. We are seeking approval to enter into agreements with the following organizations:

Patton University – The agreement between Patton University and the District is to provide teaching experience through practice teaching.

Mills College – The District will provide teaching experience through practice teaching in schools and classes in the District.

Cal State University, East Bay, Speech Pathology Program – Cal State University, East Bay, Speech Pathology Program and the District will provide clinical experience for the university students.

Cal State University, East Bay, Special Education – The agreement between Cal State University, East Bay, Special Education and the District is to provide teaching experience to intern teachers that are enrolled in the Special Education Intern Program.

St. Mary's College - St. Mary's College Student Placement Agreement provides student teachers to the District.

Alameda Office of Education – The Alameda Office of Education as Fiscal Agent for the Teaching Internship Program of Alameda County (TIPAC) Alternative Certification Local Assistance Grant which will provide teaching interns to the District.

POLICY/CODE

None

FISCAL IMPACT

There is no cost to the District for services provided.

STAFF RECOMMENDATION

Approve the Memorandums of Understanding

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Neil Smith, Assistant Superintendent, Educational Services
DATE: October 24, 2007
SUBJECT: Resolution for Grades K-12 Textbook and Instructional Materials Compliance for Fiscal Year 2007-08

BACKGROUND INFORMATION

Education Code Section 60119 guidelines require the governing board to hold a public hearing at which the Board will determine, through a resolution, as to whether each pupil in each school in the district has sufficient textbooks or instructional materials, or both, that are consistent with the content and cycles of the curriculum framework adopted by the State Board of Education in these subjects: English/language arts, including English language development; mathematics; science; history/social science; foreign language (if student is enrolled in a foreign language course); and health (if student is enrolled in a health course). The governing board shall also determine the availability of science laboratory equipment as applicable to science laboratory courses in grades 9 through 12.

Staff can certify to the Board that where there is a textbook needed in an academic subject, a textbook aligned with the state adopted curriculum framework is being provided – with two exceptions. An additional 30 texts in seventh grade English and four in Spanish have been ordered for Willard, the result of loss from last year, and the orders have not arrived. Secondly, Berkeley High School recently requested an additional 80 texts in Spanish II, and these have been rush ordered. In general, students in Berkeley Unified have access to books and other instructional materials.

The resolution is required in order for the District to receive funding as part of the Pupil Textbook and Instructional Materials Incentive Program and/or funding for instructional materials from any state source.

The K-12 Instructional Materials Funding Realignment Program projected allocation for 2007-08 is \$69.32 per pupil, resulting in a total projected allocation of \$629,980 for Berkeley Unified School District.

The hearing tonight has been publicized, according to Ed Code requirements, and the proposed Resolution is attached.

POLICY/CODE

Education Code Sections 60117 and 60119

FISCAL IMPACT

\$629,980 for K-12 Instructional Materials for 2007-08

STAFF RECOMMENDATION

Approve the Resolution for Grades K-12 Textbook and Instructional Materials Compliance for Fiscal Year 2007-08.

BERKELEY UNIFIED SCHOOL DISTRICT

RESOLUTION FOR GRADES K-12 TEXTBOOK AND INSTRUCTIONAL MATERIALS COMPLIANCE FOR FISCAL YEAR 2007-08

WHEREAS, the governing board is required to hold a public hearing at which the governing board shall encourage participation of parents, teachers, members of the community interested in the affairs of the school district, and bargaining unit leaders; and

WHEREAS, the governing board is required to make a determination, through a resolution, as to whether each pupil in the district has sufficient textbooks or instructional materials, or both in English/language arts, mathematics, science, and history/social science; and

WHEREAS, the governing board is required to make a determination to whether each pupil enrolled in a foreign language or health course has sufficient textbooks or instructional materials; and

WHEREAS, these materials, in each subject, are consistent with the content and cycles of the curriculum framework adopted by the State Board of Education; and

WHEREAS, the governing board is also required to determine the availability of laboratory science equipment as applicable to science laboratory courses offered in grades 9 to 12; and

WHEREAS, the governing board is required to take action to ensure that each pupil has sufficient textbooks and instructional materials within two months of the beginning of the school year, if any insufficiencies are found;

THEREFORE, BE IT RESOLVED that the Berkeley Unified School District held a public meeting on October 24, 2007 and fulfilled all requirements listed above and in Education Code 60119.

Passed and adopted this 24th day of October, 2007.

Joaquin Rivera, President
Board of Education

Michele Lawrence
Superintendent

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence
FROM: Neil Smith, Assistant Superintendent of Curriculum and Instruction
DATE: October 24, 2007
SUBJECT: Overnight Field Trip Ratification and Requests

BACKGROUND INFORMATION

Cazadero Performing Arts Camp, October 19-21, 2007

Ratify participation of 110 middle school students, 11 music teachers, 18 chaperones, and 12 high school mentors, on a three-day, two-night retreat to Cazadero Performing Arts Camp. The group departed on Friday, October 19, and returned on Sunday, October 21, 2007. . BUSD buses provided transportation. Scholarships and parent/student donations funded the \$125.00 per student cost. B.S.E.P./Measure A funds covered the cost of the substitutes for the music teachers on Friday. No student was denied access based on ability to pay. Requested by Suzanne McCulloch, Visual and Performing Arts Coordinator

Marin Headlands, California – November 15-16, 2007

Approve participation of sixty (60) tenth grade CAS students and six (6) teachers from Berkeley High School on a two-day, one-night field trip to Marin Headlands. The group is scheduled to depart at 9:00 a.m. on Thursday, November 15, and will return at 3:00 p.m. on Friday, November 16, 2007. The purpose of the trip is to afford students the opportunity to build community, increase their sense of self-awareness and empowerment, and set academic and personal goals. Students will sleep in gender specific rooms at a youth hostel on the grounds. BUSD buses will provide transportation. Students will pay the \$50.00 cost per student. No student will be denied access based on ability to pay. Requested by Vernon Walton, Vice Principal – Berkeley High School.

Marin Headlands, California – December 6-7, 2007

Approve participation of sixty (60) twelfth grade CAS students and eight (8) teachers from Berkeley High School on a two-day, one-night field trip to Marin Headlands. The group is scheduled to depart at 9:30 a.m. on Thursday, December 6, and will return at 3:15 p.m. on Friday, December 7, 2007. The purpose of the trip is to afford students the opportunity to build community, increase their sense of self-awareness and empowerment, and set academic and personal goals. Students will sleep in gender specific rooms at a youth hostel on the grounds. BUSD buses will provide transportation. Students will pay the \$50.00 cost per student. No student will be denied access based on ability to pay. Requested by Vernon Walton, Vice Principal – Berkeley High School.

Marin Headlands, California – January 31-February 1, 2008

Approve participation of sixty (60) eleventh grade CAS students and ten (10) teachers from Berkeley High School on a two-day, one-night field trip to Marin

Headlands. The group is scheduled to depart at 9:30 a.m. on Thursday, January 31, and will return at 3:15 p.m. on Friday, February 1, 2008. The purpose of the trip is to afford students the opportunity to build community, increase their sense of self-awareness and empowerment, and set academic and personal goals. Students will sleep in gender specific rooms at a youth hostel on the grounds. BUSD buses will provide transportation. Students will pay the \$50.00 cost per student. No student will be denied access based on ability to pay. Requested by Vernon Walton, Vice Principal – Berkeley High School.

Santa Barbara, California – March 6-9, 2008

Approve participation of fifteen (15) girls lacrosse team members and five (5) other adults from Berkeley High School on a four-day, three-night trip to Santa Barbara. The group will depart at 7:00 a.m. on Thursday, March 6, and will return at 4:00 p.m. on Sunday, March 9, 2008. The trip will afford the BHS girls lacrosse team the opportunity to participate in athletic competition at U.C. Santa Barbara. Private vehicles will provide transportation between Berkeley and Santa Barbara. Accommodations are in the process of being finalized. A grant will provide funding for all costs - there is no cost for students. Requested by Kristin Glenchur, Athletic Director – Berkeley High School.

POLICY/CODE

Education Code 35330
Board Policy 6153

FISCAL IMPACT

As indicated above.

STAFF RECOMMENDATION

Approve the overnight field trip ratification and requests consistent with the District Policies and instructional programs.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Board of Education
FROM: Neil Smith, Assistant Superintendent of Educational Services
DATE: October 24, 2007
SUBJECT: Information on Providing Access to Secondary Grades and Attendance for Parents and Families

BACKGROUND INFORMATION

The technology department has been working with our high school and middle schools to make it possible to have grades and attendance available for review to parents and students through a web page access. This informational presentation will update the Board on a program in its initial stages in the district.

At the high school, the WASC (Western Association of Schools and Colleges) Plan set an explicit goal of providing access to grades and attendance to parents during this school year. A web page access is one way to accomplish this task. Currently, at both our middle schools and the high school various websites are being used by individual teachers to provide a place for teachers to post calendars and homework. But, no standard was set for reporting and no protocols have been established. To accomplish a consistent reporting structure and have a single identified web-page, a web-based communication portal called Edline is being explored and tested.

A few key features of this site is that it displays the attendance and reporting period grade data for each student that is stored in our District Student Information System (SASI); thus, making our data current and compatible with our other reporting requirements. It also provides teachers a website that they can post or update: news, calendars, assignments, tests, and classroom handouts.

POLICY CODE

None

FISCAL IMPACT

In current year technology budgets: Berkeley High \$3,636, King \$2,280, Willard and Longfellow \$1,524; B-Tech \$1,092.

STAFF RECOMMENDATION

Receive for information

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Neil Smith, Assistant Superintendent, Educational Services
DATE: October 24, 2007
SUBJECT: Receive the textbooks *Visions* Intro and Levels A, B and C for Adoption Consideration at Berkeley High School

BACKGROUND INFORMATION

Visions, Intro Level and Levels A, B and C, recently published by Thompson Heinle, is being presented to the Board for review in preparation for adoption.

Visions, an English language development and reading program, is designed to support EL students from pre-literacy through transition into mainstream classrooms. Every lesson is structured to ensure skill development and academic success. Each text level offers customized materials for students at different levels of language acquisition. For example, the Intro Level, for non-schooled and low-beginning students, provides systematic English language development as well as instruction in phonics and phonemic awareness.

These texts use high-interest, level appropriate literature and content readings that serve to motivate high school students. The scaffolding throughout all four books follows a three-pronged approach to reading and meeting the standards, a methodology entitled “into, through, and beyond.” In addition, the writing activities reinforce strategic language acquisition skills.

This series also provides formative as well as summative assessments, aligned with state standards, enabling teachers to target remediation.

In order to use the State Instructional Materials Funds to purchase the books, the Board is required to adopt the text. The books will be on display in the Superintendent’s Conference Room and will be brought to the Board meeting on November 14, 2007 for official adoption.

POLICY/CODE

Board Policy 6161.1

FISCAL IMPACT

Approximately \$7,980

STAFF RECOMMENDATION:

Accept *Visions* Intro Level and Levels A, B and C for adoption consideration.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Board of Education
FROM: Michele Lawrence, Superintendent
DATE: October 24, 2007
SUBJECT: Berkeley High School Advisory Program

BACKGROUND INFORMATION

When the Board of Education adopted policy to create small schools at Berkeley High School, part of the research data on the effectiveness of small schools was directly related to having students be able to connect with an influential adult in their life. Almost all schools nationwide have created an advisory program, and Berkeley High has been exploring the possibility of creating an advisory program for more than three years. This concept was also a part of the WASC Accreditation Plan.

Jim Slempp and the high school staff have had several in depth sessions around advisement and an advisory period. Tonight Mr. Slempp will give an update on the progress of these efforts and solicit input from the Board before next steps are taken.

POLICY/CODE

None

FISCAL IMPACT

None

STAFF RECOMMENDATION

Receive input from the Board on the concept of creating an advisory program at Berkeley High School and provide guidance for next steps