

**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, April 15, 2009

Call to Order The Presiding Officer will call the Meeting to Order at
6:00 pm, recess to Closed Session until and begin the
regular meeting agenda at **7:30 pm**

Roll Call

Members Present:

Nancy M. Riddle, President
Karen Hemphill, Vice President
Shirley Issel, Director
John T. Selawsky, Director/Clerk
Beatriz Leyva-Cutler, Director
Eve Shames ** - Student Director

Administration:

Superintendent William Huyett, Secretary
Javetta Cleveland, Deputy Superintendent
Neil Smith, Assistant Superintendent of Educational
Services
Cliff Wong, Acting 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

Student Case No. 0809-27-053196.

c) Collective Bargaining

d) Public Employee Discipline/Dismissal /Release/Evaluation

e) Public Employment /Appointment

f) Liability Claims

Claim Nos. 2006048886, 2006045891, 08 BSD 002, 07 BSD 0025, 07
BSD 0115 and 00 BSD 0000

g) Property Acquisition & Disposal

* 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

REGULAR MEETING AGENDA

CALL TO ORDER

Report Closed Session actions

Approve Regular Meeting Agenda of April 15, 2009

RECOGNITION

Jill Bergan, King Middle School Science Teacher for her recognition by the National Science Teachers' Association

TEACHING AND LEARNING

Improving English Language Arts Instruction through Coaching and Collaboration:
Cheryl Wilson, Principal, Le Conte Elementary 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
Board Members' Reports
Superintendent's Report

APPROVE CONSENT CALENDAR

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.

Personnel

2.1-C
Approval of Personnel Report

Staff Recommendation:
Accept Personnel Report No. 09-07
which tracks personnel changes
throughout the District

8

Educational Services

3.1-C Approval of Overnight Field Trips Staff Recommendation: **12**
Approve the overnight field trips consistent with District policies

Business Services

4.1-C Approval of Contracts and Purchase Orders Staff Recommendation: **15**
Authorize the Purchasing Manager or Deputy Superintendent to execute contracts and purchase orders

4.2-C Approval of Memorandum of Understanding for Rubicon Programs Staff Recommendation: **17**
Approve the Berkeley Adult School/Rubicon Programs Memorandum of Understanding

4.3-C Approval to Amend Contracts with Consultants for the Fiscal Services Department Staff Recommendation: **25**
Approve contracts with consultants for the Fiscal Services department

4.4-C Acceptance of Gifts and Donations to the District Staff Recommendation: **26**
Accept the donations and gifts to the District and request staff to extend letter of appreciation

4.5-C Approval to Apply for the EPA Grant for Clean Diesel Staff Recommendation: **27**
Authorize the Transportation Manager or the Deputy Superintendent to apply for funding for Clean Diesel under the EPA Grant

4.6-C Approval of Contract with Berkeley/Albany YMCA and the Berkeley Unified School District for Cal SAFE Programs Staff Recommendation: **29**
Approve increase of contract for FY 2008-09 between Berkeley /Albany YMCA and BUSD for Cal SAFE Program

Facilities

5.1-C Approval to Award the Bid for the Modernization of Longfellow Annex Staff Recommendation: **30**
Approve bid for the modernization of Longfellow Annex

5.2-C Approval to Advertise for Additional Portables at Berkeley High School Project Staff Recommendation: **33**
Approve to advertise for additional Portables at Berkeley High School

5.3-C Approval to Advertise for Willard and Jefferson Roof Projects	<u>Staff Recommendation:</u> Approve to advertise for the Willard And Jefferson Roof projects	35
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5.4-C Ratification of an Application to the Department of Energy for Funds to Create a Comprehensive Solar Study	<u>Staff Recommendation:</u> Approve application to the Department of Energy for funds to create a comprehensive solar study	37
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ACTION ITEMS

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

Personnel

2.1-A Approval of Classified Layoffs	<u>Staff Recommendation:</u> Approve classified layoffs	54
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Educational Services

3.1-A Approval of Proposed Mural at King Middle School	<u>Staff Recommendation:</u> Approve the proposed mural at King Middle School	57
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3.2-A English Language Arts Textbook Adoption for Middle School	<u>Staff Recommendation:</u> Approve <u>Pearson Literature California Reading and Language</u> and <u>Pearson Language Central</u> for adoption	58
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Facilities

5.1-A Approval of Process to Examine Capacity at K-5 Schools and possible zone modifications	<u>Staff Recommendation:</u> Approve process to examine capacity at K-5 schools and possible zone modifications	60
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5.2-A Approval of Facilities Initiatives	<u>Staff Recommendations:</u> Approve facilities initiatives	62
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9:00 pm		<u>Staff Recommendation:</u>	65
5.3-A		Approve report from the City Wide Pool Task Force and recommend that the City proceed with environmental analysis of the preferred option and the alternatives (separate cover)	
Accept the Report from the City Wide Pool Task Force and Recommend the City Proceed with Environmental Analysis of the Preferred Option and the Alternatives			

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

			68
3.1-I		<u>Staff Recommendation:</u>	
Plan to Close the Achievement Gap		Accept the 2009-2010 Plan to Close the Achievement Gap for information	

			86
3.2-I		<u>Staff Recommendation:</u>	
IEP Compliance Report		Receive IEP Compliance Report as information	

Business Services

			89
4.1-I		<u>Staff Recommendation:</u>	
Adult Education Budget Reductions		Receive report of proposed budget reductions for Adult Education as information	

			93
4.2-I		<u>Staff Recommendation:</u>	
Monthly School Enrollment and Average Daily Attendance Summaries		Receive this monthly enrollment and average daily attendance summary report for information	

8:30 pm			
4.3-I		<u>Staff Recommendation:</u>	117
Safe Routes to Schools		Safe routes to school consultants will make a presentation	

Facilities

			118
5.1-I		<u>Staff Recommendation:</u>	
Facilities Construction Financial Update		Receive and accept Facilities Construction Financial update	

ADDITIONAL ACTION ITEM

Approve Minutes of 3-25-09

**EXTENDED PUBLIC TESTIMONY
ADJOURNMENT**

Board of Education Meeting Dates for 2009

April 29	August 12
May 13	September 9
May 27	September 23
June 10	October 14
June 17	October 28
June 24	November 18
	December 9 - org

**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

STRATEGIES TO CLOSE THE ACHIEVEMENT GAP

- A. Continue to build and implement a pre-K-12 comprehensive and aligned system of core curriculum, instruction, assessment and intervention
- B. Strengthen the ability of BUSD staff to educate a diverse student body
- C. Partner meaningfully with parents pre-K to 12
- D. Prepare pre-school children for success in elementary school
- E. Attract, support and retain teachers and administrators of color

BERKELEY UNIFIED SCHOOL DISTRICT

TO: William Huyett, Superintendent
FROM: Lisa Udell, Ed.D. Assistant Superintendent, Human Resources
DATE: April 15, 2009
SUBJECT: APPROVAL OF HUMAN RESOURCES REPORT 09-07
 Following is Human Resources Report 09-07 which reports details of personnel assignments, employment, and terminations.

CERTIFICATED EMPLOYEES						
NAME	POSITION	LOCATION	BUDGET	FTE & SALARY	FROM	TO
<u>LEAVE OF ABSENCE</u>						
Megan Abramson-Ward	Teacher	Thousand Oaks	General Fund	.60 FTE	8/31/09	6/18/10
Hannah Acevedo-Schiesel	Teacher	Special Education	General Fund	.20 FTE	8/31/09	6/18/10
Cathy Campbell (Union)	Teacher	All District	General Fund	1.00 FTE	8/31/09	6/18/10
Linda Carr	Teacher	BHS	General Fund	.40 FTE	8/31/09	6/18/10
Dora Casetta	Teacher	Thousand Oaks	General Fund	.40 FTE	8/31/09	6/18/10
Jay Cohen	Teacher	King	General Fund	1.00 FTE	8/31/09	6/18/10
Amy Crawford	Teacher	BHS	General Fund	.40 FTE	8/31/09	6/18/10
Carol Dorf	Teacher	BHS	General Fund	.25 FTE	8/31/09	6/18/10
Theresa Fletcher	Teacher	Thousand Oaks	General Fund	.40 FTE	8/31/09	6/18/10
Hazelle Fortich	Teacher	Washington	General Fund	.50 FTE	8/31/09	6/18/10
Tamara Friedman	Teacher	BHS	General Fund	.40 FTE	8/31/09	6/18/10
Kathleen Gadway	Teacher	Rosa Parks	General Fund	.40 FTE	8/31/09	6/18/10
Elizabeth Hooper	Teacher	Jefferson	General Fund	1.00 FTE	8/31/09	6/18/10
Jessie Luxford	BHS	BHS	General Fund	1.00 FTE	8/31/09	6/18/10

CERTIFICATED EMPLOYEES

NAME	POSITION	LOCATION	BUDGET	FTE & SALARY	FROM	TO
Simone Miller	Teacher	Washington	General Fund	.50 FTE	8/31/09	6/18/10
Miranda Thorman	Teacher	BHS	General Fund	.40 FTE	8/31/09	6/18/10
Susan Werd	Counselor	BHS	General Fund	1.00 FTE	8/31/09	6/18/10
<u>MEDICAL LEAVE OF ABSENCE WITH PAY</u>						
Eleanor Goldstein-Erickson	Librarian	BHS	General Fund	1.00 FTE	4/13/09	6/12/09
<u>MATERNITY LEAVE</u>						
Allison Krasnow	Teacher	Willard	General Fund	1.00 FTE	4/13/09	6/12/09
<u>SABBATICAL LEACE OF ABSENCE</u>						
Martha Cain	Teacher	Longfellow	General Fund	1.00 FTE	8/31/09	6/18/10
Thomas Fairchild	Teacher	Washington	General Fund	1.00 FTE	8/31/09	6/18/10
<u>EXTRA DUTY: STIPEND</u>						
Lori Barnes (SST Coordinator)	Teacher	Emerson	General Fund	NTE \$955.50	9/29/08	6/12/09
Sandra Farmer (Teacher in Charge)	Teacher	Franklin	General Fund	NTE \$2188.00	7/1/08	10/31/09
Sandra Farmer (Teacher in Charge)	Teacher	Franklin	General Fund	NTE \$1094.00	11/1/09	6/30/09
Marie Hunter (Teacher in Charge)	Teacher	Hopkins	General Fund	NTE \$1094.00	7/1/08	3/31/09
Winona Layne (Teacher in Charge)	Teacher	Hopkins	General Fund	NTE \$1094.00	7/1/08	3/31/09
Winona Layne (Teacher in Charge)	Teacher	Hopkins	General Fund	NTE \$2188	4/1/09	6/30/09
Dale Long (Teacher in Charge)	Teacher	King CDC	General Fund	NTE\$ 2188.00	7/1/08	6/30/09
Connie Murphy (Teacher in Charge)	Teacher	Franklin	General Fund	NTE\$ 2188.00	7/1/08	10/31/08
Connie Murphy (Teacher in Charge)	Teacher	Franklin	General Fund	NTE \$1094.00	11/1/08	6/30/09
Raymond Wiley (Teacher in Charge)	Teacher	Whittier	General Fund	NTE \$2188	7/1/08	6/30/09

CLASSIFIED EMPLOYEES

NAME	POSITION	LOCATION	BUDGET	CLASS RANGE STEP	FTE & SALARY	FROM	TO
<u>RESIGNATION</u>							
Lindsey Saffold	Instructional Tech. (After School)	Cragmont				3/20/09	
<u>PERMANENT</u>							
Stephanie Hagar	Student Assignment Specialist	Admissions	General Fund	52/2	+ .50 FTE \$25.02 hr	3/23/09	
<u>PROVISIONAL</u>							
Tara Jones	Clerical Specialist	Human Resources	General Fund	42/1	1.0 FTE \$18.57 hr	3/11/09	6/11/09
<u>AVAILABLE SUBSTITUTES</u>							
Robert Sanders	School Safety Officer	All District	General Fund	44/1	NTE 7.5 hrs/day \$19.07/hr	1/8/09	6/12/09
Rabia Shaikh	Instructional Assistant (ECE)	All District	General Fund	29/01	NTE 7.5 hrs/day \$13.48/hr	3/12/09	6/30/09
Eleanor Sterns	Clerical Specialist	All District	General Fund	42/1	NTE 7.5 hrs/day \$18.57 hr	3/6/09	6/30/09
Eleanor Sterns	Secretary to Superintendent	Superintendent's Office	General Fund	52/1	NTE 7.5 hrs/day \$23.78 hr	3/6/09	6/30/09
Tiffany Strickland	Instructional Assistant (Special Education)	All District	General Fund	31/1	NTE 7.5 hrs/day \$14.10 hr	3/10/09	6/30/09
<u>TEMPORARY/HOURLY/LIMITED TERM</u>							
Nicholas Allen	Student Worker (Workability)	Berkeley High	Special Ed.	N/A	15 hrs/wk \$8.00 hr	1/5/09	6/30/09
Lizette Arroyo	Tutor-Specialty (After School)	Longfellow	After School	31/1	18 hrs/wk \$14.15 hr	2/17/09	6/19/09
David Barba	Tutor	Rosa Parks	BSEP	N/A	15 hrs/wk	2/1/07	6/13/09
Linda Johnson	Instructional Specialist	B-Tech	21 st Century	51/1	10 hrs/wk \$23.22/hr	12/1/08	6/12/09
Sally Reed	Administrative Assistant	Human Resources	General Fund	50/5	37.5 hrs/wk \$27.61 hr	3/9/09	6/30/09
<u>STIPENDS</u>							
Charles Blackwell	Coach (6 th Grade Boys Basketball)	Longfellow	BSEP	N/A	\$600.00	12/10/08	2/28/09

CLASSIFIED EMPLOYEES

NAME	POSITION	LOCATION	BUDGET	CLASS RANGE STEP	FTE & SALARY	FROM	TO
Charles Blackwell	Coach (7 th Grade Boys Basketball)	Longfellow	BSEP	N/A	\$600.00	12/10/08	2/28/09
John Cazden	Coach (Soccer)	King	21 st Century	N/A	\$600.00	11/3/08	12/19/08
Trung Du	Coach (6 th Grade Boys Basketball)	King	21 st Century	N/A	\$600.00	1/20/09	3/13/09
Behzad Golemmadi	80% Assistant Coach (Boys Soccer)	Berkeley High	General Fund	N/A	\$1191.20	11/1/08	3/15/09
Brian Guinn	Head Coach (Boys Basketball)	Berkeley High	General Fund	N/A	\$2248.00	11/10/08	3/15/09
Charles Hope	60% Assistant Coach (Girls Basketball)	Berkeley High	General Fund	N/A	\$1348.80	11/10/08	3/1/09
Anna Johnson	60% Assistant Coach (Girls Basketball)	Berkeley High	General Fund	N/A	\$1348.80	11/10/08	3/1/09
John Leaks, Jr.	Coach (8 th Grade Boys Basketball)	King	21 st Century	N/A	\$600.00	2/2/09	3/13/09
Terrance McLaney	80% Assistant Coach (Girls Basketball)	Berkeley High	General Fund	N/A	\$1798.40	11/10/08	3/15/09
Sherman Montgomery	Coach (7 th Grade Boys Basketball)	King	21 st Century	N/A	\$600.00	2/2/09	3/13/09
Steven Morrison	80% Assistant Coach (Girls Soccer)	Berkeley High	General Fund	N/A	\$1191.20	11/10/08	3/15/09
Gene Nakamura	Head Coach (Girls Basketball)	Berkeley High	General Fund	N/A	\$2248.00	1/10/08	3/1/09
Mark Perrilliant	80% Assistant Coach (Boys Basketball)	Berkeley High	General Fund	N/A	\$1798.40	11/10/08	3/15/09
Philip Scicluna	Head Coach (Boys Soccer)	Berkeley High	General Fund	NA	\$1489.00	11/10/08	3/15/09
Suzanne Sillet	Head Coach (Girls Soccer)	Berkeley High	General Fund	N/A	\$1489.00	11/10/08	3/15/09
Byron St. Jules	80% Assistant Coach (Boys Basketball)	Berkeley High	General Fund	N/A	\$1798.40	11/10/08	3/15/09

BERKELEY UNIFIED SCHOOL DISTRICT

TO: William Huyett, Superintendent
FROM: Neil Smith, Assistant Superintendent, Educational Services
DATE: April 15, 2009
SUBJECT: Overnight Field Trip Requests

BACKGROUND INFORMATION:

The following overnight field trips requests are being made:

Washington, D.C., March 29 – April 3, 2009.

Ratify approval of participation of sixty (60) sophomore students and three (3) teachers from Berkeley High School on a six-day, five-night field trip to Washington, D.C. to participate in the Close Up High School Program. Parent carpools were used between BHS and the San Francisco Airport, and students traveled via United Airlines. Close Up staff provided student supervision at a ration of 10:1, and accommodations were gender specific. Student fund raising was utilized to cover the cost of \$2,000 per student. No student was denied access based on ability to pay. Requested by Amy Fry, B.H.S. Vice Principal

Marin Headlands, Marin, CA, April 16 – 17, 2009.

Approve Participation of fifty-eight (58) CAS sophomores and six (6) teachers from Berkeley High School on a two-day, one-night field trip to the Point Bonita YMCA Conference Center, Marine Headlands. The group will depart BHS on April 16 at 9:00 a.m. and return on April 17 at 2:00 p.m. BUSD will provide transportation. CAS students will participate in a series of structured activities designed to develop personal academic plans and build trust and respect among members of the group. Students will sleep in gender specific dorm-style accommodations. The cost of \$75 per student will be paid from student donations, CAS and BHS grant funds. No student will be denied access based on ability to pay. Requested by Uri Skowronski, B.H.S. Vice Principal

Petaluma Adobe Historic State Park, Petaluma, CA, April 21 – 22, 2009.

Approve participation of twenty-five (25) fourth grade students, one (1) teacher, and ten (10) other adults from Cragmont Elementary School on a two-day, one-night field trip to Petaluma Adobe Historic State Park. The group will depart Cragmont Elementary at 9:30 a.m. on Tuesday, April 21, and return at 11:30 a.m. on Wednesday, April 22, 2009. Students will participate in a living history program, experiencing life during the California Rancho Period. BUSD will provide transportation. Students and chaperones will sleep in sleeping bags dormitory style in the Fandango Room. The cost of \$35 per student is being paid from parent donations. No student will be denied access based on ability to pay. Requested by Evelyn Bradley, Cragmont Principal

State Capitol, Sacramento, CA, April 30 – May 1, 2009.

Approve participation of fifty (50) twelfth-grade students, four (4) teachers, and two (2) other adults from Berkeley High School on a two-day, one-night field

trip to the State Capitol in Sacramento, CA. The group will depart BHS at 8:30 a.m. on Thursday, April 30, and return on Friday, May 1 at 3:30 p.m. Students will research current issues in legislature, develop and write positions, deliver them to legislators and argue them in person. BUSD will provide transportation. Students will sleep in gender specific rooms at a local youth hostel. The cost of the trip is being paid from Community Partnership Academy Grant Funds, BHS Development Grant Funds and parent donations. No student will be denied access based on ability to pay. Requested by Vernon Walton, BHS Vice Principal

Mosaic Project Camp, Napa, CA, May 4 – 8, 2009.

Approve participation of thirty-two (32) fourth grade students and one (1) teacher from Rosa Parks Elementary School on a five-day, four-night field trip to the Mosaic Project Camp, which provides a staff of trained adults to work with student groups. The group will depart Rosa Parks at 8:45 a.m. on Monday, May 4, and return on Friday, May 8, at 3:30 p.m. BUSD will provide transportation. This field trip will enable students to learn social skills, particularly conflict resolution, and to engage in environmental studies. Students sleep in gender specific cabins on the grounds. Parent contributions, PTA & School Governance funds will pay for the cost of the camp. No student will be denied access based on ability to pay. Requested by Kathy Hatzke, Rosa Parks Principal

Sierra Outdoor School, Sonora, CA, May 6 – 8, 2009.

Approve participation of forty-four (44) fourth grade students, three (3) teachers, and three (3) other adults from LeConte Elementary School on a three-day, two-night field trip to the Sierra Outdoor School in Sonora, CA. The group will depart LeConte at 7:15 a.m. on Wednesday, May 6, and return on Friday, May 8, at 5:00 p.m. BUSD will provide transportation. Students will learn about the historic significance of the gold rush and its effect upon the environment. Students will be housed in gender specific dorms. The cost for the trip is being paid for by the LeConte PTA. No student will be denied access based on ability to pay. Requested by Cheryl Wilson, LeConte Principal

Valley of the Moon Campsite, Glen Ellen, CA, May 7 - 8, 2009.

The following field trip was approved by the Board on March 25 for April 16 – 17, 2009 and has now been rescheduled.

Approve participation of forty (40) B.H.S. eleventh grade students, four (4) teachers, and two (2) other adults on a two-day, one-night field trip to Valley of the Moon Campsite, Glen Ellen, CA. The group will depart Berkeley High School on Thursday, May 7, at 8:30 a.m., and return Friday, May 8, at 3:30 p.m. The group will focus on academic goal setting, community building and preparation for writing college essays. BUSD will provide transportation. Students will sleep in gender specific cabins. Cost for the trip will be paid from Community Partnership Academy funds and parent donations. No student will be denied access based on inability to pay. Requested by Kristin Glenchur, B.H.S. Vice Principal

POLICY/CODE:

Education Code, Section 35330
Board Policy 6153

FISCAL IMPACT:

As indicated above.

STAFF RECOMMENDATION:

Ratify and approve the overnight field trips consistent with the District Policies and instructional programs.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: William Huyett, Superintendent
FROM: Javetta Cleveland, Deputy Superintendent
DATE: April 15, 2009
SUBJECT: Approval of Contracts/Purchase Orders for Services
Contracts

BACKGROUND INFORMATION

The District contracts with consultants or independent contractors who can provide valuable and necessary specialized services not normally required on a continuing basis.

The following contract services are requested. Expenditures are within budget.

- 1 Ratification of contract to Berkeley Police Department, to provide security services at Berkeley High School events for the 2008/09 SY. The cost will not exceed \$35,000. To be paid from School Safety and Violence Prevention Budget. Requested by Felton Owens.
- 2 Ratification of contract to Regents of the University of California, to provide Destination: College AmeriCorps Program support for Berkeley High School CP Academy for the 2009 SY. The cost will not exceed \$12,935. To be paid from General Fund Budget. Requested by Jim Slempp.
- 3 Ratification of contract to Bay Area Community Resources to provide AmeriCorp volunteer services to support the Willard Middle School Greening Project for 2008/09 SY. The cost will not exceed \$26,000. To be paid from BSEP Fund 4. Requested by Robert Ithurburn.
- 4 Ratification of contract to Bay Area Community Resources to provide management support for the Willard Youth Support program including training, supervising mentors and guidance for approximately 100 students for 2008/09 SY. The cost will not exceed \$20,000. To be paid from BSEP Fund 4. Requested by Robert Ithurburn.
- 5 The Mosaic Project to provide attendance for a maximum of 27 Rosa Parks 4th grade students at the Human Relations Outdoor School Program on May 4-8, 2009. The cost will not exceed \$10,000. To be paid from BSEP Fund 4. Requested by Kathy Hatzke.

- 6 Increase in contract, PO 901177, to Bay Area Children First to provide additional counseling services for students at Thousand Oaks School for the 2008/09 SY. The original purchase order in the amount of \$8,000 was issued on October 16, 2009. The additional amount requested is \$2,500 for a total amount of \$10,500. To be paid from BSEP Fund 4. Requested by Julianna Sikes.

- 7 City of Berkeley to provide and/or coordinate outreach and integrated support functions to eligible teen parents in association with the CalSAFE program for 2008/09 SY. The cost will not exceed \$40,000. To be paid from the Cal SAFE grant. Requested by LaSonya McCain.

POLICY/CODE

Public Contract Code: 20111

Board Policy 3310

STAFF RECOMMENDATION

Approve the contracts with Consultants or Independent Contractors as submitted.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: William Huyett, Superintendent
FROM: Margaret Kirkpatrick, Principal, Berkeley Adult School
DATE: April 15, 2009
SUBJECT: Rubicon Programs Memorandum of Understanding

BACKGROUND INFORMATION

Staff is requesting the Board to approve a memorandum of understanding between Berkeley Adult School Career Technical Education, Adult Basic Education and Adult Secondary Education and Rubicon Programs Inc. This agreement allows for a spirit of cooperation that uses the resources of these various programs to better serve mutual customers. The purpose of this agreement is to coordinate resources to ensure the effective and efficient delivery of workforce services in the North Cities area. It also establishes joint processes and procedures that will enable partners to integrate the current service delivery system resulting in a seamless and comprehensive array of education, human service, job training and other workforce development services to customers.

Rubicon Programs is a 501c3 non-profit agency. Rubicon operates the One-Stop Career Center located at 1918 Bonita Avenue in downtown Berkeley. The center makes referral of students to our Career Technical Education Courses. The mission of Rubicon Programs is to create and deliver integrated solutions to profound social problems. Their purpose is to make a positive and lasting impact on people living in poverty and on people living with disabilities, especially psychiatric disabilities. They empower people to move out of poverty and improve their quality of life. Since 1973, Rubicon has built and operated affordable housing and provided employment, job training, mental health, and other supportive services to individuals who have disabilities, are homeless, or are otherwise economically disadvantaged.

This agreement satisfies our Five Year Career Technical Education Plan as well as Rubicon Program's mandated Workforce Investment Board partnership with local Adult Education.

POLICY/CODE

California Education Codes: 51041, 51056 and 52579. This agreement satisfies the requirements of the Carl D. Perkins Career and Technical Education Improvement Act of 2006 P.L. 109-270

FISCAL IMPACT

There is no fiscal impact on any funding sources.

STAFF RECOMMENDATION

Approve the Berkeley Adult School / Rubicon Programs Memorandum of Understanding.

D. Partner Agency Signature Page

On behalf of my organization, I acknowledge our intent to formally collaborate with the Proposer (Operator) in the implementation of the One-Stop Career Center. I have read the proposal and it accurately reflects my organization's proposed role and commitment. I understand that a Memorandum of Understanding and a Resource Sharing Agreement with Cost Allocation Plan will be required delineating our fiduciary and/or programmatic responsibilities.

Legal Name of Partner Agency Berkeley Unified School District/Berkeley Adult School

Address of Partner Agency 2134 Martin Luther King Jr. Way, Berkeley, CA 94704

Authorized Signature for Partner Agency

Date

Ms. Javetta Cleveland

Name of Authorized Signatory

Deputy Superintendent

(510) 644-8593

Title

Telephone Number

Mandatory: WIA II Adult/Literacy

Partner Category

**MEMORANDUM OF UNDERSTANDING BETWEEN
RUBICON PROGRAMS INC.
North Cities One-Stop Career Center
AND
BERKELEY ADULT SCHOOL**

MISSION STATEMENT

The mission of the North Cities One-Stop Career Center is to serve as the focal point for local and regional workforce development activities and to integrate workforce preparation services to address the job, education, training, and employment needs in the North Cities area which includes Berkeley, Albany, Emeryville, and Piedmont. It is a seamless system based upon a comprehensive array of services which meet our customer needs, including job seekers, employed workers and employers. The One-Stop system is built on four guiding principles; to provide universal access, customer choice, service integration and accountability for which the customers, partners and stakeholders will take ownership.

PURPOSE OF MOU

This agreement is entered into in a spirit of cooperation by Rubicon Programs Inc. (Rubicon) and Berkeley Adult School Career Technical Education, Adult Basic Education and Adult Secondary Education (<http://bas.berkeley.net>) to describe how their resources can be utilized to better serve mutual customers.

The purpose of this agreement is to coordinate resources to ensure the effective and efficient delivery of workforce services in the North Cities area. This agreement will also establish joint processes and procedures that will enable partners to integrate the current service delivery system resulting in a seamless and comprehensive array of education, human service, job training and other workforce development services to customers.

OBJECTIVES

The services of the North Cities One-Stop Career Center will:

- Empower job seekers to actively achieve long-term economic self-sufficiency.
- Assist employers in meeting their present and future workforce needs.
- Be delivered in the most cost-effective and efficient manner.
- Strengthen the bonds between economic development and employment and training programs by continual communication and coordination between the public and private sectors.
- Provide for universal access for all customers, including those with special needs and barriers to employment.
- Provide for customer choice in the mechanisms through which services are accessed and in the services themselves, based on individual needs.
- Be monitored for the purpose of continuous improvement to ensure the best possible services.
- Refer adult clients to Berkeley Adult School for basic education, high school diploma and CAHSEE (California High School Exit Exam) preparation, GED testing and preparation and Career Technical Education when needed

TERMS AND CONDITIONS OF AGREEMENT

Nothing herein shall be construed as obligating the partners to expend funds or be construed as involving the partners in any contract or other obligation for the future payment of money. This MOU is neither a fiscal or funds obligation document. Any activities which

will involve the transfer or expenditure by either partner will require execution of separate agreements or contracts. Each subsequent agreement or contract involving transfer of money, services or property between the partners to this MOU must comply with all applicable statutes and regulations.

Effective Dates:

This MOU shall become effective on 7/1/08 and terminate on 6/30/11 and will continue in effect until such time as it is revised, extended or terminated, as provided below.

Revisions and Modifications:

Either partner to this MOU may request a revision or modification of the agreement.

Extension Policy:

This MOU may be extended by written agreement of both partners, provided such agreement is signed by both partners prior to the termination date of the prior agreement, and contains the following:

- a statement of intent to continue all provisions of the MOU,
- revised effective and termination dates, and
- dated signatures from each partner.

Termination Policy:

Berkeley Adult School may elect to terminate its participation in this Memorandum of Understanding without cause by delivering a sixty (60) day written notice of intent to terminate to each of the remaining partners.

CONFIDENTIALITY

Customer information shall be shared by partners solely for the purpose of enrollment, referral or provision of services. The Center's Management Team will develop a Confidentiality Policy for the North Cities One-Stop Career Center consistent with the needs of all Center and Affiliated Partners. The policy shall include:

- An informed consent process.
- Sanctions against staff for violating these policies consistent with Center and Affiliated Partners' personnel policies and procedures.
- Certification that all staff understand the Confidentiality Policy and the associated sanctions.
- Include the elements and conditions set forth in the Berkeley Adult School Privacy and Personal Information Policy (<http://bas.berkeley.net/policies.html>)

ADMINISTRATIVE AND OPERATIONS MANAGEMENT

Each partner integrated into the North Cities One-Stop Career Center is bound by its own personnel, labor, regulatory, and fiscal constraints which supersede those which may need to be implemented to function in a One-Stop Center. Partners will need to address their own administrative and operational issues to ensure that the Center's policies and procedures are allowable in terms of collective bargaining contracts, personnel and administrative regulations.

Ultimate responsibility for performance and budget spending will be the responsibility of each partner. However, partners agree to work collaboratively to develop financial, integrated case management, and performance reporting systems to track and report on the outputs and service costs, and to achieve performance and budget objectives.

Accountability and responsibility for the North Cities One-Stop Career Center's administrative and operational activities rests with the Management Team. The membership of this Management Team will be made up of the highest ranking local agency representative (or their designee) of each of the Center Partners. In addition to Berkeley Adult School and Rubicon, the Center Partners include:

- Alameda County SSA
- Berkeley City College
- Berkeley Youth Alternatives
- BOSS
- Employment Development Department
- Department of Child Support Services
- Berkeley Adult School
- Job Corps
- California Department of Rehabilitation

The primary responsibilities of the Management Team will be to:

- Promote and support the total integration of services.
- Promote the philosophy of "quality" for both external and internal customers.
- Develop, approve and review the North Cities One-Stop Career Center policies.
- Develop, approve and monitor annual and long-range goals for the North Cities One-Stop Career Center.
- Develop a Confidentiality Policy consistent with the needs of all Center and Affiliated Partners.
- Ensure universal access to services.
- Monitor the North Cities One-Stop Career Center's activities to ensure continuous improvement of services and their relation to the stated mission.
- Ensure customer choice and satisfaction in the provision of services through the North Cities One-Stop Career Center.
- Develop and monitor a multi-dimensional referral system.
- Development of a public relations system.

FINANCIAL RESPONSIBILITIES

The partners agree to work collaboratively to develop a financial system to track and equitably allocate costs associated with the services provided through the North Cities One-Stop Career Center to the partners. Partners will commit resources for the operation of the Center through separate Cost Sharing Agreements (contracts/agreements), such as leases and resource sharing agreements. Cost Sharing Agreements will be developed in accordance with each partners' level of participation in the Center and applicable statutes, regulations, and Office of Management and Budget Circulars.

Cost Sharing Agreements are separate contracts that are not bound by the provisions of this MOU.

SERVICES PROVIDED

The services provided by North Cities One-Stop Career Center are integrated, comprehensive, customer focused and performance based. All partners shall provide services in accordance with applicable regulations and policies governing their organization.

SSA will provide disability awareness training, accommodation negotiation training, and disability education.

In accordance with the Workforce Investment Act, below is a brief summary of core, intensive and training services for current Berkeley Adult School clients and eligible referrals from the North Cities One-Stop Career Center:

Core Services shall be available to all eligible clients and include:

- Eligibility determination
- Outreach, intake and orientation
- Initial assessment
- Refer clients to Career Technical Education training and education programs
- Job search and placement assistance

Provision of the following Information:

- Employment statistics
- Performance and program costs of local service providers
- Local performance measures
- Availability of support services
- Unemployment Insurance claims
- Follow-up services

Intensive Services are provided to eligible clients who are:

1. Unemployed and are unable to obtain employment through core services;
2. Determined to be in need of intensive services in order to obtain employment; or
3. Employed, but determined to be in need of intensive services to obtain or retain employment to ensure self-sufficiency.

Intensive services include:

- Comprehensive and specialized assessments
- Development of Individual Employment Plan (IEP)
- Group counseling
- Individual counseling and career planning
- Case management
- Short-term prevocational services

Training Services are provided to eligible clients who are unable to obtain or retain employment through core or intensive services; and are determined to be in need of training services and have the skills and qualifications to successfully participate in a training program.

Training services include:

- Occupational skills training
- On-the-job training
- Combined workplace and related instructional training
- Private sector training
- Skill upgrading and retraining
- Entrepreneurial training
- Job readiness training

- Adult Basic Education, High School Diploma, CHASEE and GED preparation and administration, Career Technical Education or Post Secondary Program
- Customized training for direct employment by a specific employer

Berkeley Adult School commits to the following:

1. Identification of an Berkeley Adult School representative to the One Stop Management Team.
2. Periodic stationing of Berkeley Adult School staff at the North Cities One Stop, to ensure smoothly coordinated services to Berkeley Adult School participants and prospective participants.

Development of referral procedures for non-participants North Cities residents who seek services at Berkeley Adult School, who could benefit from using the One-Stop.

DISPUTE RESOLUTION (non-financial)

Rubicon and SSA agree to communicate openly and directly with other partners. Every effort will be made to resolve any problems or disputes related to the North Cities One-Stop Career Center in a cooperative manner and at the lowest level of intervention possible. For disputes that cannot be resolved through communication between partners, the local Workforce Investment Board will be called upon to resolve the differences.

ANTI-DISCRIMINATION CLAUSE

Rubicon and Berkeley Adult School shall not unlawfully discriminate, harass, or allow harassment, against any employee or customer for services because of sex, sexual orientation, race color, ancestry, religious creed, national origin, physical disability (including HIV and AIDS), mental condition, age (over 40), or marital status. Partners shall ensure that the evaluation and treatment of their employees and customers are free from such discrimination and harassment.

ADA COMPLIANCE

Rubicon agrees to comply with the Americans With Disabilities Act (ADA) of 1990 (42 U.S.C. Section 12101 et seq.), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. Section 794), and California Government Code Section 11135 et seq., as well as the regulations which implement these statutes, which prohibit discrimination on the basis of disability. Rubicon specifically understands and agrees that by entering into this MOU it is obligated to comply with Title II of the ADA where the obligations imposed by Title II are more stringent than Rubicon's obligations would otherwise be under Title I or Title III of the ADA.

**Berkeley Unified School District
MEMORANUM OF UNDERSTANDING**

CONTRACTOR

Contractor / Agency Name: Rubicon Programs
Address: 1918 Bonita Avenue
Berkeley, CA 94704
Contractor's Contact Person: Ms. Jane Fischberg

Title: Executive Director
Telephone: (510) 809-1300 **e-mail:** janef@rubiconprograms.org

Signature: _____ **Date:** _____

BERKELEY UNIFIED SCHOOL DISTRICT

By Superintendent / Deputy: _____

Signature: _____ **Date:** _____

BERKELEY UNIFIED SCHOOL DISTRICT

TO: William Huyett, Superintendent
FROM: Javetta Cleveland, Deputy Superintendent
DATE: April 15, 2009
SUBJECT: Approval and ratification of Consultant contracts for Fiscal Services.

BACKGROUND INFORMATION

Getachew Demeku Consultant

The Special Education Department has been utilizing the services of Getachew Demeku, a consultant to cover a vacant Senior Budget Analyst position. The Senior Budget Analyst is responsible for budget development, monitoring and analysis of the Special Education Budget. On February 25, 2009, the Board approved \$49,600 to cover these services through 03/31/2009. Staff is requesting Board approval to increase the contract by \$14,000 for an additional forty days from April 1, 2009 to May 31, 2009. The contracted hourly rate is \$48. The total cost for these services will not to exceed \$14,400. The District has completed testing for the Senior Budget Analyst and is planning to interview and fill this position by May 15, 2009. The consultant will be used to transition work to the new employee.

Robert Half International

The Payroll Department used consultants from Robert Half International (RHI) to transition work to the newly hired Payroll Specialist during the period of January 12, 2009 to February 12, 2009. Staff is requesting the Board to ratify an increase of \$7,440 for the final payment of these services. The Board previously approved \$65,288 for Robert Half Inc., for consulting services to fill behind the vacant Payroll Specialist position that how now been filled.

POLICY/CODE

Public Contract Code: 20111
Education Code 39800
Board Policy 3310

FISCAL IMPACT

\$14,400 to be paid from the Special Education Budget and \$7,440 will be paid by the General Fund.

STAFF RECOMMENDATION

Approve the increase of contract to Getachew Demeku and authorize the final payment for services received from Robert Half International.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: William Huyett, Superintendent
FROM: Javetta Cleveland, Deputy Superintendent
DATE: April 15, 2009
SUBJECT: Acceptance of Gifts/Donations

BACKGROUND INFORMATION

The Board may accept and utilize on behalf of the District any bequests or gifts of money or property for a purpose deemed to be suited by the Board.

The following donations have been presented to the District:

1. Wells Fargo Community Support Campaign donated \$25 to Rosa Parks School to be utilized as needed.
2. Lu and Rick Sweeney donated an electronic keyboard valued at \$300 to the Berkeley Unified School District.

BOARD POLICY

BP 3290

FISCAL IMPACT

The District received a total of \$ 325 in donations.

STAFF RECOMMENDATION

Accept the donations/gifts to the District and request staff to extend letter of appreciation.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Bill Huyett, Superintendent
FROM: Javetta Cleveland, Deputy Superintendent
Bernadette Cormier, Transportation Manager
DATE: April 15, 2009
SUBJECT: Approval to Apply for American Recovery and Reinvestment Act
Funding for the national Clean Diesel Funding Assistance Program

BACKGROUND INFORMATION

The U.S. Environmental protection Agency (EPA's) National Clean Diesel Campaign has announced the availability of assistance through the American Recovery and Reinvestment Act (ARRA) of 2009. The EPA program is soliciting application for projects that can be commenced quickly, reduces diesel emissions, and maximizes job preservation and/or creation and promotes economic recovery through a variety of diesel emission reduction strategies. The total estimated funding for this competitive opportunity is \$156 million nationwide.

Reducing emissions from diesel engines is a high priority in the national agenda on air quality. Since 2003 EPA's Clean School Bus Program has been effectively helping to reduce children's exposure to diesel exhaust. School buses provide 24 million of our nation's children with safe and convenient transportation between their homes and classrooms.

Through outreach, education, modern emission control technology, cleaner fuels and bus replacement, the EPA has developed the main strategies used to address the harmful effects of diesel exhaust from school buses; particularly older ones that lack emissions control devices.

The grant funds would be used to replace school buses and / or replace particulate traps on our existing fleet in accordance with our School Bus Replacement Plan. Berkeley Unified School District has a Board adopted School Bus Replacement Plan. The plan is designed to continue to build a fleet with the cleanest fuels and/or the most effective particulate trap devices available. Currently, our transit type diesel buses run 20% biodiesel and are equipped with particulate traps. Our newly purchased diesel van type buses are equipped with more efficient engines and we currently have a funding application with the Bay Area Air Quality Management District for emission reduction technologies. Unfortunately, these Proposition 1B monies have been temporarily delayed due to the State of California.

We will be working with our grant writer to identify the best strategies to utilize this funding opportunity in order to reach the increasingly stringent emissions targets set forth by the California Air Resources Board becoming effective over the next several years.

POLICY/CODE

FISCAL IMPACT

We will utilize school bus replacement funds as a match for bus replacement, emissions traps and related infrastructure.

STAFF RECOMMENDATION

Approve the application for Grant funds through the EPA to fund clean fuel technologies to include bus replacement, and bus retrofit with particulate traps

BERKELEY UNIFIED SCHOOL DISTRICT

TO: William Huyett, Superintendent
FROM: Neil Smith, Assistant Superintendent, Educational Services
DATE: April 15, 2009
SUBJECT: CalSAFE Agreement with the Berkeley-Albany YMCA Head Start Program

BACKGROUND INFORMATION

The District subcontracts annually with the Berkeley-Albany YMCA Head Start Program, to provide child care services to children of eligible teen parents through the California School Age Family Education (CalSAFE) grant bestowed by the California Department of Education.

Through the agreement, the Berkeley-Albany YMCA Head Start Program commits to provide the child development program services for a maximum of seven hours per day for infants for a minimum of 180 days per year. These services are typically provided at the Vera Casey Center. The District allocates the CalSAFE grant funds to pay for these services.

The Board approved \$39,000 on March 25, 2009 for cost incurred through December 31, 2008. Staff is requesting approval from the Board to increase this contract to cover the costs through June 30, 2009. The additional amount will not exceed \$30,000 for a total contracted amount of \$69,000.

POLICY/CODE

California Development Division
Ed Code Title 5

FISCAL IMPACT

\$30,000 of CalSAFE grant funds to be paid to Berkeley-Albany YMCA

STAFF RECOMMENDATION

Approve the increase in contract amount for the CalSAFE agreement for Child Development Services between Berkeley Unified School District (BUSD) and the Berkeley-Albany YMCA Head Start Program.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: William Huyett, Superintendent
FROM: Lew Jones, Director of Facilities
DATE: April 15, 2009
SUBJECT: Approve a Contract With DL Falk Construction to Modernize the Longfellow Annex

BACKGROUND INFORMATION

On January 14, 2009, the Board approved advertising to solicit bids to modernize the Longfellow Annex. On March 17, 2009, eighteen bids were received. There were a significant number of bids and all bids were below the estimate. We are recommending award to the low bidder.

If approved by the Board, the project will be substantially below the budget. On this same Agenda is a Facilities Financial Update which recognizes this savings.

POLICY/CODE

Public Contract Code 20110 – 20118.

FISCAL IMPACT

Cost to be paid from the Bond.

STAFF RECOMMENDATION

Approve DL Falk Construction to modernize the Longfellow Annex for \$1,844,000.