

**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, June 17, 2009

Call to Order           The Presiding Officer will call the Meeting to Order at  
**6:30 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

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
- c) Collective Bargaining
- d) Public Employee Discipline/Dismissal /Release/Evaluation  
Evaluation of Staff
- e) Public Employment /Appointment
- f) Liability Claims
- g) Property Acquisition & Disposal  
6<sup>TH</sup> Street

\* Board agenda posted on District website: [www.berkeley.k12.ca.us](http://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 June 17, 2009

### 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

### ACTION ITEMS

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

### Educational Services

6

3.1-A  
2009-2010 School Site Plans

Staff Recommendation:  
Approve School Site Plans for 2009-2010 school year **(under separate cover)**

### Business Services

**8:00 pm**

**OPEN PUBLIC HEARING**

**on Item 4.1-A**

**CLOSE PUBLIC HEARING**

Resolution No. 09-69 or  
Budget Trailer Bill  
(SBC#34) Categorical  
Flexibility for the Berkeley  
Unified School District  
Budget for Fiscal Years  
2008-2009 through 2012-  
2013

|  |   |          |
|--|---|----------|
| 4.1-A<br>Resolution No. 09-69 or<br>Budget Trailer Bill<br>(SBC#34) Categorical<br>Flexibility for the Berkeley<br>Unified School District<br>Budget for Fiscal Years<br>2008-2009 through 2012-<br>2013 | <u>Staff Recommendation:</u><br>Approve Resolution No. 09-69 to<br>provide transparency and<br>accountability establishing an<br>accounting procedure identifying the<br>funding sources affected and the<br>program to which the funding will be<br>transferred to during the State's<br>fiscal crisis | <b>8</b> |
|--|---|----------|

|   |   |           |
|---|---|-----------|
| 4.2-A<br>Approval of<br>Superintendent's Budget<br>Reductions to Address May<br>Revisions | <u>Staff Recommendation:</u><br>Approve Superintendent's Budget<br>reductions as a result of the<br>Governor's May Revised Budget | <b>17</b> |
|---|---|-----------|

**CONFERENCE ITEMS**

This item is 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<br>Berkeley High School<br>Governance | <u>Subcommittee Recommendation</u><br>Discuss and provide direction on the overall<br>structure of governance at Berkeley High School | <b>19</b> |
|--|---|-----------|

**Business Services**

|   |   |           |
|---|---|-----------|
| 4.1-CF<br>2009-2010 Preliminary<br>Budget | <u>Staff Recommendation:</u><br>Review and discuss the 2009-2010 Preliminary<br>Budget and Multi-Year Projections ( <b>under<br/>separate cover</b> ) | <b>21</b> |
|---|---|-----------|

**INFORMATION ITEM**

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

**Educational Services**

|   |  |           |
|---|--|-----------|
| 3.1-I<br>Committee to Address Use<br>of Alcohol, Tobacco and<br>Other Drugs by Students | <u>Staff Recommendation:</u><br>Receive report for information | <b>22</b> |
|---|--|-----------|

**ADDITIONAL ACTION ITEMS**

Approve Minutes of 5-13-09

Approve Minutes of 5-27-09

**UPCOMING BOARD MEETINGS**

|              |             |
|--------------|-------------|
| June 24      | October 14  |
| August 12    | October 28  |
| September 9  | November 18 |
| September 23 | December 9  |

**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:** Neil Smith, Assistant Superintendent, Educational Services  
**DATE:** June 17, 2009  
**SUBJECT:** 2009-2010 Consolidated School Plans for Student Achievement

## **BACKGROUND INFORMATION:**

California Department of Education requires every school participating in school based coordinated categorical programs to have a board approved Site Plan for Student Achievement that must be revised annually based on current data. In addition, each school is required to have the Board approve its plan for the use of Berkeley Schools Excellence Program (BSEP) Site Enrichment Funds.

To meet these requirements, the Principal at each site led the faculty and parent leaders in developing a comprehensive plan for the school, beginning with a review of data from previous years with assistance from the Office of Evaluation and Assessment. (The conclusions from the analyses of the site data were presented to the Board on January 14, 2009.) At most sites, the school's goals are based on the District's Goals for 2006-09 and the Strategies to Close the Achievement Gap, approved by the Board on January 14, 2009. For Berkeley High, the goals are identified in the school's six-year WASC Plan. Each SGC then developed an action plan, identified strategies to address school needs, using both State and Federal categorical funds and BSEP funds, and allocated resources to meet the needs of the students at the site in 2009-10.

Each of the School Plans, with the exception of BHS which develops separate plans for categorical and BSEP funds, includes the following components:

- A cover page listing all members of the committee(s) and signed assurances that all regulations have been followed;
- Planned Improvements in Student Performance
- Appendix A - Program Summary
- Appendix B – A list of Projected Centralized Services Expenditures is included under separate cover.

The Consolidated School Plans comply with the basic legal assurances for all of the categorical programs as well as BSEP Measure A. Compliance with these assurances is required, indicating that the school district and the site will follow all the federal, state and local regulations for the program funds included in the school plan.

The Consolidated School Plans have been reviewed by the Office of State and Federal Programs and the BSEP Office. The staff believes that each site has an understanding and ownership of its plan and has identified strategies to increase the performance all students while accelerating the achievement of those who have not been succeeding in school.

The complete 2009-10 Consolidated School Plan for Student Achievement for each school is available in the Superintendent's Conference Room for public viewing. A copy of each site's cover page, assurances, action plan and budgets has been submitted under separate cover.

**POLICY/CODE:**

Education Code Section 52850-52863  
Berkeley Public Schools Educational Excellence Act of 2006 (Section 3B)

**FISCAL IMPACT:**

There is no impact on the General Fund.

**STAFF RECOMMENDATION:**

Approve the 2009-10 Consolidated School Plans.

# BERKELEY UNIFIED SCHOOL DISTRICT

**TO:** William Huyett, Superintendent  
**FROM:** Javetta Cleveland, Deputy Superintendent  
**DATE:** June 17, 2009  
**SUBJECT:** Resolution Number 09-69  
SBX3 4 - Categorical Flexibility for the Berkeley Unified  
School District Budget for Fiscal Years 2008-2009 through  
2012-2013

## **BACKGROUND INFORMATION**

On February 20, 2009, the Governor signed a package of bills designed to revise the enacted 2008-2009 Budget and put into place a 2009-10 Budget. The budget package included flexibility options that allows school districts to have transferability authority to redirect funds from 40 programs to any "educational purpose" over a five-year period ending July 1, 2013 as allowed in SBX3 4, Section 15. School Districts will also be able to use restricted account balances from 2007-2008 for any educational purpose.

### Public Hearing

The CDE has received clarification from the bill's authors that a public hearing as provided in *EC 42605(c)(2)* is a condition for receipt of funds from the 39 budget items made flexible by the bill, but is not a condition of the funds being flexible as is suggested in *EC 42605(e)(4)*. To receive funds, the governing board, at a regularly scheduled open public hearing, shall take testimony from the public and shall discuss and approve or disapprove the proposed use of funding. It is the intent of the authors that the annual governing board budget adoption may satisfy this requirement.

Action by the governing board to transfer funds from one use to another is not necessary for the funds to be flexible. Accordingly, there is no requirement for a public hearing on the proposed transfer of funds for the funds to be deemed flexible. The funds are deemed flexible upon receipt and retroactively to July 1, 2008.

Consistent with past practice, funds have been allocated to school districts prior to any determination as to whether a public hearing occurred. If a subsequent compliance review were conducted and a determination made that the public hearing requirement was not met, the school district would be subject to potential return of the funds. Due to the statutory timelines of the 2008-09 audit guide development, the CDE anticipates no audit of the public hearing requirement in 2008-09.



## Categorical Program Flexibility

Section 15 of SBX3 4 (*California Education Code (EC) Section 42605*) authorizes complete flexibility in the use of funds appropriated in 39 budget act items. For 2008-09 through 2012-13, school districts may use funds from these 39 items for any educational purpose. The funds are therefore unrestricted; program or funding requirements, as otherwise provided in statute, regulation, and budget act provisional language associated with the funding, are not in effect. Note that although *EC 42605(e)* describes certain continuing requirements with which school districts must comply relating to the provision of instructional materials and the delivery of CalWORKS services, the existence of these requirements does not alter the newly unrestricted nature of the funding.

A school district may choose to use funds from one or more of the 39 items in a manner completely different from how the funds could be used in years prior to 2008-09. Conversely, a school district may choose to use the funds to continue to operate a program in the same manner as in the past. Both of these scenarios reflect a local decision as allowed by the flexibility provisions; any restrictions imposed on the funds from these 39 items are therefore local restrictions. There are no state restrictions or requirements, such as expenditure reports or compliance reviews, associated with the funding.

Berkeley Unified School District does not receive State funds for all 39 items. The District receives funding for 18 of the 39 items. A listing of BUSD's programs along with program descriptions has been attached. Staff is recommending that the Board approve resolution # 09-69 to receive all of the items on the attached list for Unrestricted General Fund purposes. The Superintendent has recommended and the Board has already approved the programs that the District will actually use for Unrestricted General Fund purposes. The other programs, although now unrestricted, will continue to be used to operate programs in the same manner as in the past. The programs that will be used for unrestricted programs have been identified on the attached list.

### **FISCAL IMPACT**

Proposed fiscal impact is an increase in the Unrestricted General Fund Budget in the amount of \$11.7 million for 2008-2009 and \$11.2 million for 2009-2010. However, only \$713,942 for 2008-2009 and \$1,991,465 for fiscal year 2009-2010 will actually be used for educational purposes under the unrestricted general fund.

**STAFF RECOMMENDATION**

Staff is requesting Board approval of resolution # 09-69 to accept revenue of Berkeley Unified School District's SBX3 4 Flexibility programs as unrestricted funds.

**Berkeley Unified School District**

**List of Restricted resources that will be received as unrestricted resources**

| <b>RS</b> | <b>New RS</b> | <b>Name of Program</b>                         | <b>Fund</b> | <b>2008-2009 Revenue</b> | <b>2008-2009 Unrestricted Use (A)</b> | <b>2009-2010 Revenue</b> | <b>2009-2010 Unrestricted Use (A)</b> |
|-----------|---------------|--|-------------|--------------------------|---------------------------------------|--------------------------|---------------------------------------|
| 6091      | 0091          | Cal Safe Supportive Services                   | 01          | \$ 33,840                | \$ -                                  | \$ 32,317                | \$ -                                  |
| 6267      | 0267          | National Board Certification                   | 01          | 4,230                    | -                                     | 4,040                    | -                                     |
| 6405      | 0405          | School Safety & Violence Prevention            | 01          | 110,680                  | -                                     | 105,699                  | -                                     |
| 6760      | 0760          | Arts & Music Block Grant                       | 01          | 127,370                  | -                                     | 121,638                  | 121,638                               |
| 7055      | 0055          | California High School Exit Exam               | 01          | 134,995                  | 135,000                               | 128,920                  | -                                     |
| 7080      | 0080          | Supplemental School Counseling Program         | 01          | 275,064                  | -                                     | 262,686                  | -                                     |
| 7140      | 0140          | Gifted and Talented Education                  | 01          | 65,113                   | -                                     | 62,183                   | 40,000                                |
| 7156      | 0156          | Instructional Material Realignment             | 01          | 520,035                  | 211,000                               | 496,633                  | 250,000                               |
| 7271      | 0271          | CA Peer Assistance & Review Program            | 01          | 38,444                   | -                                     | 36,714                   | -                                     |
| 7390      | 0390          | Pupil Retention Block Grant                    | 01          | 160,919                  | -                                     | 153,678                  | -                                     |
| 7393      | 0393          | Professional Development Block Grant           | 01          | 436,074                  | -                                     | 416,451                  | -                                     |
| 7394      | 0394          | Targeted Instructional Improvement Block Grant | 01          | 4,545,289                | -                                     | 4,340,751                | -                                     |
| 7395      | 0395          | School Library Improvement Program (SLIP)      | 01          | 523,798                  | -                                     | 500,227                  | 500,227                               |
| 0010      | 0010          | Summer School Program Funding                  | 01          | 310,310                  | -                                     | 310,310                  | -                                     |
| 6285      | 0285          | Community Based English Tutoring               | 11          | 31,695                   | -                                     | 29,859                   | 29,859                                |
| 6390      | 0399          | Adult Education Apportionment                  | 11          | 3,982,523                | -                                     | 3,803,309                | 400,000                               |
| 6092      | 0092          | Cal-Safe Child Care & Development              | 12          | 50,760                   | -                                     | 48,476                   | -                                     |
| 6205      | 0205          | Deferred Maintenance Apportionment             | 14          | 367,942                  | 367,942                               | 349,731                  | 349,731                               |
|           |               |  |             | <b>\$ 11,719,081</b>     | <b>\$ 713,942</b>                     | <b>\$ 11,203,622</b>     | <b>\$ 1,691,455</b>                   |

(A) - Full or partial funding for these programs will be used for educational purposes under the unrestricted general fund. All other programs on this list will be used for the same purpose as if the program was still restricted.

## DESCRIPTION OF RESTRICTED PROGRAM USE OF FUNDS UNDER SBX3 4

|   |  |
|---|--|
| <p><b>6091</b></p> <p>CAL-SAFE Academic and Supportive Services</p>                       | <p>This part of the program pays for the academic and supportive services that help qualified students with their educational programs.</p>  |
| <p><b>6092</b></p> <p>CAL-SAFE Child Care and Development Services</p>                    | <p>Funding for CalSAFE child care component for teens who have become parents and qualify for extra support.</p>   |
| <p><b>6205</b></p> <p>Deferred Maintenance Program (DMP) Apportionment (OPSC)</p>         | <p>Funds on a dollar-for-dollar basis to assist school districts and county offices of education with such items as major repair or replacement of existing school facility systems, hazard abatement, and interior and exterior painting of school buildings.</p> |
| <p><b>6267</b></p> <p>National Board Certification Teacher Incentive Grant</p>            | <p>Funding allocated to school districts for the purpose of providing incentive grants to teachers who are teaching in low-performing schools and have attained certification from the National Board for Professional Teaching Standards.</p>                     |
| <p><b>6285</b></p> <p>Community-Based English Tutoring</p>                                | <p>Provides free or subsidized programs of adult English language instruction to parents and other community members who pledge to provide personal English language tutoring to children with limited English proficiency.</p>                                    |
| <p><b>6390</b></p> <p>Adult Education Apportionment</p>                                   | <p>Funding for adult education classes or programs.</p>  |
| <p><b>6405</b></p> <p>School Safety &amp; Violence Prevention, Grades 8-12, Deferrals</p> | <p>Funding for additional personnel, training programs, and school site communication, equipment and safety infrastructure for the purpose of establishing programs that promote school safety and prevent school violence.</p>                                    |
| <p><b>6760</b></p>  | <p>Block grants provided to support</p>  |

## DESCRIPTION OF RESTRICTED PROGRAM USE OF FUNDS UNDER SBX3 4

|   |  |
|---|--|
| Arts and Music Block Grant  | standards-aligned art and music instruction in kindergarten and grades 1 to 12. Funds may be used for professional development, supplies and equipment, and to hire credentialed teachers.   |
| <b>7055</b><br><br>California High School Exit Exam (CAHSEE) Intensive Instruction and Services | Funding provided for intensive instruction and services to those pupils who have failed one or both parts of the CAHSEE, up to \$520 per pupil.  |
| <b>7080</b><br><br>Supplemental School Counseling Program, MS and HS (Grades 7 thru 12)         | Funding provided for additional counseling services for pupils in grades seven through twelve, inclusive. These students are in danger of not meeting high school graduation requirements.   |
| <b>7140</b><br><br>Gifted & Talented Education (GATE) - Deferrals                               | Funding provided to design and deliver a differentiated program for gifted and talented students.  |
| <b>7156</b><br><br>Instructional Materials Realignment, IMFRP (AB 1781)                         | Funds are used to purchase instructional materials for standards-aligned textbooks that have been state and board approved.  |
| <b>7271</b><br><br>California Peer Assistance & Review Program For Teachers (CPARP)             | Funding allocated to local education agencies in support of the Peer Assistance and Review (PAR) program, a program of observation and monitoring, assistance, and evaluation of teachers' performance in the classroom vis-a-vis performance goals that are aligned with pupil learning objectives. |
| <b>7390</b><br><br>Pupil Retention Block Grant (PRBG) (AB 825)                                  | Funding targets pupils who require additional assistance to succeed in school: Elementary School Intensive Reading, Intensive  |

**DESCRIPTION OF RESTRICTED PROGRAM USE OF FUNDS UNDER SBX3 4**

|  |  |
|--|--|
|  | Algebra Instruction Academies, Continuation High School Foundation, High Risk Youth Education and Public Safety, Tenth Grade Counseling, District Opportunity Programs, Dropout Prevention and Recovery, Early Intervention for School Success and At-Risk Youth.  |
| <b>7393</b><br>Professional Development Block Grant (AB 825)                   | Funding used for any purpose authorized by the Instructional Time and Staff Development Reform, Teaching as a Priority Block Grant, and Intersegmental Staff Development Programs.   |
| <b>7394</b><br>Targeted Instructional Improvement Block Grant (TIIBG) (AB 825) | (TIIBG) combines funds from Supplemental and Targeted Instructional Improvement Grants into one block grant. TIIBG funding can be expended for any of the purposes or for a combination of purposes of the programs included in the block grant after any court-ordered desegregation obligations are met. |
| <b>7395</b><br>School and Library Improvement Block Grant (SLIBG)              | Funds used for any purpose of either School Library Materials or School Improvement Programs as determined by the School Governance Council.   |

# **BERKELEY UNIFIED SCHOOL DISTRICT**

## **RESOLUTION 09-69**

### **SBX3 4 - Categorical Flexibility for the Berkeley Unified School District Budget for Fiscal Years 2008-2009 through 2012-2013**

**WHEREAS**, the students in the Berkeley Unified School District deserve the highest quality education; and

**WHEREAS**, the Legislature and governor already imposed at least \$16 billion in education cuts since September 2008, resulting in significant reduction of essential programs and services to students that are integral to their success, and

**WHEREAS**, these statewide budget reductions have resulted in serious cuts in the Berkeley Unified School District including significant reductions in unrestricted general funds, categorical program funding, deferred maintenance and adult education funds

**WHEREAS**, SBX3 4 provided limited fiscal flexibility for the next five fiscal year to allow school districts to utilize funding received from the state budget act for “Tier 3” categorical programs for any educational purpose; and

**WHEREAS**, the governing board of the Berkeley Unified School District took testimony as a regularly-scheduled public hearing from the public, including parents, community members, representatives from all school personnel including teachers, administrators and classified employees; and

**WHEREAS**, following the public testimony, the Board discussed the flexibility provision, how to prioritize the use of limited resources, and the affect on the specific programs offered by the school district; and

**WHEREAS**, any transfer of funds will be used to ensure that the district’s overall goals for student learning will be at the forefront of the use of this flexibility; and

**NOW, THEREFORE, BE IT RESOLVED** that, following a public hearing in which the public was provided an opportunity for input, the Berkeley Unified School District will utilize the flexibility provided through SBX3 4 during the State's fiscal crisis to transfer funds in Tier 3 categorical programs for any educational purpose.

**THEREFORE, BE IT FURTHER RESOLVED**, that, in order to provide transparency and accountability, the Superintendent shall establish an accounting procedure that identifies the funding sources affected and the program to which the funding will be transferred to.

**APPROVED AND ADOPTED** by the Board of Education on the 17<sup>th</sup> day of June 2009, by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

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John T. Selawsky, Clerk  
Board of Education



# BERKELEY UNIFIED SCHOOL DISTRICT

**TO:** William Huyett, Superintendent  
**FROM:** Javetta Cleveland, Deputy Superintendent  
**DATE:** June 17, 2009  
**SUBJECT:** Approval of Superintendent's Proposed Budget Reductions for Governor's May Revisions

## IMPACT OF GOVERNOR'S MAY REVISIONS

The Governor released May Revisions, which included greater cuts to Local Education Agency's Unrestricted General Funds for Fiscal Year (FY) 2008-2009 and 2009-2010. The May Revisions, which occurred on May 14th and again on May 29th included a reduction in revenue limit per ADA of \$223 for FY 2008-2009 and an additional \$134.25 for FY 2009-2010. These reductions amount to \$1.9 million for FY 2008-2009 and \$3.1 million for FY 2008-2009. The May Revisions also included a reduction of Home to School State Transportation funding in the amount of .5 million. The cut to Home to School State Transportation funding will result in an impact on the District's Unrestricted General Fund.

The net change is summarized in the table below:

|                               | FY 2008-09            | FY 2009-10            | Total                 |
|-------------------------------|-----------------------|-----------------------|-----------------------|
| Enacted Budget Cut Target     | \$ 3,108,325          | \$ 4,928,592          | \$ 8,036,917          |
| May Revise Adjustment         | <u>\$ 1,943,300</u>   | <u>\$ 3,631,849</u>   | <u>\$ 5,858,599</u>   |
| Revised Budget Cut Target     | \$ 5,051,625          | \$ 8,560,441          | \$ 13,612,066         |
| Less Federal Stimulus funds   | \$ -                  | \$ (800,000)          | \$ (800,000)          |
| Less State Flexibility        | \$ (1,812,764)        | \$ (1,191,455)        | \$ (3,004,219)        |
| First round Budget Reductions | <u>\$ (1,536,633)</u> | <u>\$ (2,933,307)</u> | <u>\$ (4,469,940)</u> |
| Balance Remaining to Cut      | <u>\$ 1,702,228</u>   | <u>\$ 3,635,679</u>   | <u>\$ 5,337,907</u>   |

## STAFF PROPOSED BUDGET REDUCTIONS TO ADDRESS IMPACT OF MAY REVISIONS

Staff recommended the following budget revisions/adjustments for FYs 2008-2009 and 2009-2010 to address the additional reductions due to the Governor's May Revisions. The Superintendent is recommending and requesting the Board approve the staff's recommendations.

|  | FY 2008-09   | FY 2009-10   |
|--|--------------|--------------|
| ADA increase of 49.75 in 2008-2009               | \$ 314,200   | \$ -         |
| Transfer from Payroll Clearance -Retiree Benefit | \$ 794,000   | \$ -         |
| Transfer from worker's compensation fund         | \$ 305,000   | \$ -         |
| Budget Savings/Flexibility Transfers             | \$ 300,000   | \$ -         |
| Use of ARRA Federal Stimulus Stabilization Funds | \$ -         | \$ 2,200,000 |
| Reduce Retiree Benefits Rate from 4.05 to 3.0%   | \$ -         | \$ 340,000   |
| Reduce W/C Rate from 3.45 to 2.45%               | \$ -         | \$ 340,000   |
| Proposed Reduction in Health Benefit Costs       | \$ -         | \$ 150,000   |
| Flexibility Transfer - Adult Education Funds     | \$ -         | \$ 400,000   |
| Defer payment to the City of Berkeley            | \$ -         | \$ 180,000   |
| Flexibility Transfer - SLIP                      | \$ -         | \$ 100,000   |
|  | \$ 1,713,200 | \$ 3,710,000 |

**STAFF RECOMMENDATION**

Approve the Superintendent's proposed budget reductions to offset the Governor's May revisions.

# **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** Board of Education  
**FROM:** Board Policy Subcommittee  
**DATE:** June 17, 2009  
**SUBJECT:** Berkeley High School Governance

## **BACKGROUND INFORMATION**

The Board Subcommittee on Policy asks the Board as a whole to discuss and give direction on the overall structure of governance at Berkeley High School. The Subcommittee recommends that governance at Berkeley High School be reformed to align with the structure that exists with the District's other K-8 schools. Specifically, that the school form a Leadership Team and a Shared Governance Committee instead of the current hybrid structure that now exists. The Committee also would like to discuss the future of the site BSEP Committee to consider if it should remain as is or become a Subcommittee (s) of the Shared Governance Committee.

After the Board gives direction on this overarching issue, the Board Subcommittee will then put together a plan to work with the school and community to gather information and input in preparation of a formal presentation to the Board next fall.

## **POLICY/CODE**

Board Bylaw 9005 (Governance)

## **FISCAL IMPACT**

N/A

## **SUBCOMMITTEE RECOMMENDATION**

Discuss and provide direction on the overall structure of governance at Berkeley High School

# **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** William Huyett, Superintendent  
**FROM:** Javetta Cleveland, Deputy Superintendent  
**DATE:** June 17, 2009  
**SUBJECT:** 2009– 2010 Preliminary Budget

## **BACKGROUND INFORMATION**

The 2009–2010 Preliminary Budget, Budget Assumptions, Multi-Year Projections and Multi-Year Projections assumptions are submitted under separate cover for review and discussion.

## **POLICY/CODE**

California Education Code Sections 42122-42129

## **FISCAL IMPACT**

N/A

## **STAFF RECOMMENDATION**

Review and discuss the 2009 – 2010 Preliminary Budget and Multi-Year Projections (under separate cover).

## **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** William Huyett, Superintendent  
**FROM:** Neil Smith, Assistant Superintendent, Educational Services  
Javier Mendieta, Manager, Student Welfare and Attendance  
**DATE:** June 17, 2009  
**SUBJECT:** Process to Develop a Plan to Address the Use of Alcohol,  
Tobacco and Other Drugs by Students

### **BACKGROUND INFORMATION**

This past spring the Board received a report from the Berkeley Evaluation and Assessment Office regarding the most recent California Healthy Kids Survey based on data collected in spring 2008. The report included data regarding the use of drugs and alcohol by students in the District, the county and the state based on information provided by students in grades five, seven, nine and eleven.

The data reflected a significant increase in the use of marijuana and alcohol by Berkeley Unified School District students from the previous survey completed in the spring of 2006. The information presented raised concerns among staff and the Board. As a result, the District's Student Services staff is organizing a process to collaborate with the City to create a plan to address the use of alcohol, tobacco and other drugs (ATOD) here in Berkeley. Staff is outlining the process for the Board for information.

The staff wants to develop a comprehensive plan to decrease ATOD use by Berkeley Unified School District students below the county or state average as measured by California Healthy Kids Survey scheduled for spring 2010. This is a specific target that we can identify now. It is expected that the plan will identify other measurable goals as well.

To begin the process, the Director of Student Services is inviting representatives from the District, the City of Berkeley Health & Human Services staff, BUSD parents and students to come together to develop a plan for ATOD services that will address the needs of BUSD students, staff and community. The City has already done much work in this area, but with little input from the District, so the City plan has not been widely implemented in the schools. However, this previous work will provide a good foundation for the committee.

The committee will need to include the following components in a comprehensive plan.

### Identify Needs and Target Goals

- Review the California Healthy Kids Survey data presented to the Board to identify the needs
- Identify measurable goals
- Identify methods of evaluation which may include other measures in addition to the CHKS

### ATOD Policies and Procedures

- Review district and school policies and procedures related to ATOD and make recommendations to update as necessary
- Review disciplinary consequences for using and/or selling alcohol and other drugs
- Ensure that processes for intervention and referral have been developed and disseminated
- Ensure that the responsibilities of students, teachers and administrators for maintaining a positive classroom and school environment are outlined

### Prevention Strategies

- Establish a focus on connecting students with the school through a variety of strategies.
- Identify an ATOD curriculum and instruction component aligned with the *Health Framework for California Public Schools*, including a recommendation for an approved curriculum for the secondary schools
- Identify effective programs and strategies currently used at the school sites, such as Upfront: A Reality Drug Education & Support Program for High Schools, which is being piloted at B-Tech, and Smoking Cessation at the middle schools
- Research and identify effective initiatives and programs used by other school districts or public agencies that could be implemented in BUSD

- Reinforce student leadership on this issue, expanding peer education models

#### Intervention Strategies

- Work with City to provide access to counseling and other mental health services
- Define the role of the Health Center in dealing with students who are having issues with ATOD
- Identify community based interventions, including cessation programs and medical assessment/intervention
- Recommend both alternative placements and alternative disciplinary consequences for students dealing with ATOD issues

#### Family and Community Outreach

- Develop a process for consultation with and input from parents, local agencies and the community regarding ATOD issues impacting school district
- Provide information and education to parents and the community on ATOD issues related to the schools

#### Professional Development

- Ensure that all appropriate staff receives training on ATOD issues addressed in the *Health Framework for California Public Schools*

#### Evaluation

- Provide updates to the Board, the staff and the community with specific data
- Increase the number of students participating in CHKS

The committee, with suggested members listed below, will be convened no later than September with a goal of presenting a plan to Board in January.

Felton Owens, Director of Student Services, BUSD

Barbara White, Alcohol & Other Drugs Coordinator, City of Berkeley  
Angela Gallegos-Castillo, Assistant to the City Manager, City of Berkeley  
Lisa Sterner, Berkeley High Health Center  
Karyn Tribble, Mental Health Services, City of Berkeley  
Representatives (3) from Berkeley High School  
Representative from B-Tech Academy  
Representative each from King, Willard and Longfellow Middle Schools  
Parents from the community  
Students from both BHS and B-Tech Academy

**POLICY/CODE**

Board Policy 5131.6

**FISCAL IMPACT**

None

**STAFF RECOMMENDATION**

Receive for information.