

**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, February 24, 2010

Call to Order           The Presiding Officer will call the Meeting to Order at  
**6:00 p.m. and** recess to Closed Session and convene in  
public Session by **7:30 p.m.**

Roll Call

Members Present:

Karen Hemphill, President  
Beatriz Leyva-Cutler, Vice President  
Nancy Riddle, Director  
John T. Selawsky Director/Clerk  
Shirley Issel, Director  
Valeria Gonzalez \*\* - Student Director

Administration:

Superintendent William Huyett, Secretary  
Javetta Cleveland, Deputy Superintendent  
Neil Smith, Assistant Superintendent of Educational  
Services  
Lisa van Thillo, 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
- e) Public Employment /Appointment  
Contracts
- f) Liability Claims
- g) Property Acquisition & Disposal
- h) Superintendent's Evaluation

\* 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 February 24, 2010

**TEACHING AND LEARNING**

Kristin Collins, Berkeley Arts Magnet, "Implementation of Positive Behavior Supports (BEST) at BAM"

**RECOGNITION**

Washington Elementary School Staff for Title I Academic Achievement Award

**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.

**General Services**

1.1-C  
Resolution No. 10-25 Proclaiming March as Arts is Education Month

Staff Recommendation:  
Approve Resolution No. 10-25

**9**

1.2-C  
Resolution No. 10-26 Proclaiming March 4, 2010 as Statewide Day of Action to Defend Public Education

Staff Recommendation:  
Approve Resolution No.10-26

**12**

1.3-C Resolution No.10-27 Proclaiming February 2010 as Black History Month	<u>Staff Recommendation:</u> Approve Resolution No. 10-27	<b>14</b>
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**Human Resources**

2.1-C Approval of Personnel Report	<u>Staff Recommendation:</u> Approve Personnel Report No. 10-04	<b>16</b>
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**Educational Services**

3.1-C Approval of Overnight Field Trips	<u>Staff Recommendation:</u> Approve the overnight field trips consistent with District policies and instructional programs	<b>22</b>
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3.2-C Approval of Resolution for Child Care Services	<u>Staff Recommendation:</u> Approve Resolution for Child Care Services	<b>24</b>
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**Business Services**

4.1-C Approval of Contracts and Purchase Orders	<u>Staff Recommendation:</u> Authorize payment of contracts and purchase orders	<b>28</b>
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4.2-C Approval of Listing of Warrants Issued in December 2009 and January 2010	<u>Staff Recommendation:</u> Approve the listing of warrants issued in December 2009 and January 2010	<b>31</b>
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4.3-C Approval of Payroll Warrants Issued January 2010	<u>Staff Recommendation:</u> Approve payroll warrants issued in January 2010	<b>36</b>
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4.4-C Acceptance of Gifts/Donations	<u>Staff Recommendation:</u> Accept donations and gifts to the District and request staff to extend letter of appreciation	<b>39</b>
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4.5-C Approval of CalSafe Contract	<u>Staff Recommendation:</u> Approve contract with CalSafe	<b>41</b>
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4.6-C American Recovery and Reinvestment Act of 2009 (ARRA) Equipment Assistance Grants for School Food Authorities (SFAs)	<u>Staff Recommendation:</u> Accept award from the American Recovery and Reinvestment Act of 2009 (ARRA) Equipment Assistant Grants	<b>49</b>
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4.7-C Approval of the Revision in the Number of Students and the Estimated Cost for Non Public School Placements	<u>Staff Recommendation:</u> Approve the revised non-public school student placements and revisions to estimated cost for the 2009-10 school year	<b>57</b>
4.8-C Application for the Elementary and Secondary School Counseling Grant from the U.S. Department of Education: Office of Safe and Drug-Free Schools	<u>Staff Recommendation:</u> Approve submission of application for funding to increase counseling services in the elementary schools (grant is due February 26, 2010)	<b>59</b>
<b><u>Facilities</u></b>		
5.1-C Approval to Hire a Commercial Real Estate Firm to assist in the sale of the Hillside Facility	<u>Staff Recommendation:</u> Approve hire of commercial real estate firm to assist in the sale of the Hillside Facility	<b>60</b>
5.2-C Approval of Contract with Kleinfelder, Inc. for testing services related to the Berkeley High School stadium project	<u>Staff Recommendation:</u> Approve contract with Kleinfelder, Inc. for testing services related to the Berkeley High School stadium project	<b>65</b>
5.3-C Approval of Contract with Kleinfelder, Inc. for testing services related to the West Campus project	<u>Staff Recommendation:</u> Approve contract with Kleinfelder, Inc. for testing services related to the West Campus project	<b>66</b>
5.4-C Acceptance of the modernization of the Annex Building at Longfellow Middle School	<u>Staff Recommendation:</u> Acceptance of the modernization of the Annex Building at Longfellow Middle School	<b>67</b>
5.5-C Award the heating controls project at two sites	<u>Staff Recommendation:</u> Award the heating controls project at two sites	<b>69</b>
5.6-C Authorization to Accept the Stage Light Controls	<u>Staff Recommendation:</u> Accept the project as complete	<b>71</b>

**ACTION ITEMS**

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

**General Services**

**73**

1.1-A  
2010 CSBA Delegate Assembly Election

Staff Recommendation:  
Approve nominees to CSBA  
Delegate Assembly

**Human Resources**

**9:00 pm**

Open Public Hearing – Item 2.1-A  
Close Public Hearing

2.1-A  
Public Hearing on Local 21, IFPTE  
New Contract Proposals

Staff Recommendation:  
Hold a public hearing on the  
District and Local 21’s joint  
proposal for negotiation re-openers  
on two articles

**83**

**Business Services**

4.1-A  
Independent Audit Report for Fiscal Year  
Ending June 30, 2009

Staff Recommendation:  
Review and approve the Audit  
Report and Financial Statements as  
presented by Vavrinek Trine Day &  
Co, LLP. **(separate cover)**

**86**

**Facilities**

**9:30 pm**

5.1-A  
Review of Facilities Financing Options and  
Hire Public Opinion Surveyor

Staff Recommendation:  
Review facilities financing options  
and approve public opinion  
surveyor

**87**

**INFORMATION ITEMS**

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

**Human Resources**

2.1-I  
Joint Initial Proposal of the Berkeley Unified  
School District and the Berkeley Federation of  
Teachers for the 2010-2011 School Year

Staff Recommendation:  
Accept for “sunshining” the District  
and BFT’s joint proposal for as  
described above

**105**

**Educational Services**

**8:10 pm**

3.1-I  
Welcoming Schools Curriculum

Staff Recommendation:  
Accept Welcoming Schools  
Curriculum for first reading

**107**

**Facilities**

**9:10 pm**

5.1-I  
Acceptance of Report from the  
Superintendent's Facilities Committee

Staff Recommendation:  
Accept report from the  
Superintendent's Facilities  
Committee

**110**

**9:20 pm**

5.2-I  
Acceptance of Report from the Citizen's  
Construction Advisory Committee

Staff Recommendation:  
Accept report from the Citizen's  
Construction Advisory Committee

**118**

5.3-I  
Facilities Plan Update

Staff Recommendation:  
Receive Facilities Plan update as  
information

**126**

5.4-I  
Information About Potential Surplus Sites

Staff Recommendation:  
Receive report on potential surplus  
sites for information

**129**

5.5-I  
Maintenance and BB Second Quarter FY 2010  
Report

Staff Recommendation:  
Receive report for information

**131**

**EXTENDED PUBLIC TESTIMONY**

**ADJOURNMENT**

**UPCOMING BOARD MEETINGS**

March 3 – Study Session  
March 10  
March 24  
April 14  
April 28  
May 12  
May 26  
June 9

June 23  
June 30 –tentative  
August 18  
September 15  
September 22  
October 13  
October 27  
November 10  
December 8

**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:** Karen Hemphill, President, Board of Education  
**DATE:** February 24, 2010  
**SUBJECT:** Resolution Proclaiming March as Art is Education Month

## **BACKGROUND INFORMATION**

Arts education is an integral part of basic education for students and provides balanced learning and develops the full potential of their minds. The District has adopted the goal of the Fully Articulated Arts Program and the celebration of Art is Education Month is in keeping with that goal.

## **POLICY/CODE**

None

## **FISCAL IMPACT**

None

## **BOARD MEMBER RECOMMENDATION**

Approve Resolution No. 10-25 proclaiming March as Art is Education Month and distribute the approved Resolution to all school principals

# **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** Board of Education  
**FROM:** William Huyett, Superintendent  
**DATE:** February 24, 2010  
**SUBJECT:** Resolution No. 10-26 in Support of Statewide Day of Action to Defend Public Education

## **BACKGROUND INFORMATION**

The Board of Education has asked that a Resolution be executed in support of Statewide Day of Action to Defend Public Education, an organized day of action on March 4, 2010. This show of power will demonstrate the District's commitment to public education.

## **POLICY/CODE**

None

## **FISCAL IMPACT**

None

## **BOARD MEMBER RECOMMENDATION**

Approve Resolution No. 10-26 proclaiming March 4, 2010 as Statewide Day of Action to Defend Public Education

**BERKELEY UNIFIED SCHOOL DISTRICT**  
**Resolution No. 10-267**

**Proclaiming March 4, 2010 as Statewide Day of Action to  
Defend Public Education**

**WHEREAS**, budgets for public education in California is under attack at all levels. The fundamental right of every young person in California to a public education is threatened. In response, student organizations, unions, educational leaders, and community members are uniting to organize the March 4 Statewide Day of Action to Defend Public Education; and,

**WHEREAS**, students and educators are already organizing for the day, as are University of California President Mark Yudof, the California Federation of Teachers (CFT), the Berkeley Federation of Teachers (BFT), the Oakland Education Association (OEA), the California Faculty Association (CFA) and the United Educators of San Francisco; and,

**WHEREAS**, March 4<sup>th</sup> can be a tremendous show of power by all those who support public education. It can demonstrate our commitment to public education, and can strengthen our ability to make the political fights necessary to defend schools and universities at all levels; and,

**WHEREAS**, the Board of Education has a fundamental commitment to public education and to the young people of Berkeley, their future and their families. It is essential that we act now to make March 4<sup>th</sup> as broad and successful as possible.

**THEREFORE, BE IT RESOLVED**, that the Board of Education supports the March 4<sup>th</sup> day of Action for Public Education and encourages community action in defense of public education on that day.

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John T. Selawsky, Clerk  
Board of Education

## **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** Board of Education  
**FROM:** John T. Selawsky, Director, Board of Education  
**DATE:** February 24, 2010  
**SUBJECT:** Resolution No. 10-27 Proclaiming February 2010 as Black History Month

### **BACKGROUND INFORMATION**

The Berkeley Unified School District has a tradition of commemorating Black History Month in February of each year. African Americans have a rich history of outstanding accomplishments in every field of human endeavor from literature and art to science, industry, education, diplomacy, athletics and jurisprudence. It is important that our students learn about African American people and events that enrich our history.

### **POLICY/CODE**

None

### **FISCAL IMPACT**

None

### **BOARD MEMBER RECOMMENDATION**

Approve the Resolution No. 10-27 proclaiming February 2010 as Black History Month.

**BERKELEY UNIFIED SCHOOL DISTRICT**  
**Resolution No. 10-27**

**Proclaiming February 2010 as BLACK HISTORY MONTH**  
**Berkeley Unified School District**

**WHEREAS**, February has been designated Black History Month by various official bodies and is celebrated as such in schools, businesses, and governmental agencies throughout the nation; and

**WHEREAS**, Berkeley Unified School District recognizes and celebrates the contributions of African-American historical figures, leaders, teachers, parents, community activists, and students, and

**WHEREAS**, Berkeley Unified School District further recognizes and celebrates the value of diversity and the richness of cultural heritages within the City of Berkeley and within the District, and the integral part that each of our many communities plays in the overall fabric of our history as well as the present state of the City and District; and

**WHEREAS**, the Berkeley school community has chosen to name three of its schools after African-American leaders of national, and international, renown, i.e., Malcolm X Elementary, Martin Luther King Jr. Middle, and Rosa Parks Elementary, clearly reflecting the importance of these Black American leaders to the residents of the Berkeley community; and

**WHEREAS**, Berkeley Unified School District has a long-time commitment to integration in our public schools and a long-time commitment to an appreciation of and a celebration of diversity in our public schools, and further, a long-time commitment to recognizing the value, contributions, and importance of our African-American students, parents, teachers, and administrators; and

**WHEREAS**, Berkeley Unified School District again affirms its commitment to appreciating, celebrating, and valuing its African-American students, and recognizes the importance of acknowledging the history, culture, and struggles of our African-American community;

**THEREFORE, BE IT RESOLVED**, this 24th day of February, 2010, that February 2010 is declared Black History Month in the Berkeley Unified School District, and that the Board of Education encourages discussions, presentations, and projects relating to and enhancing the experience of Black History Month within the BUSD.

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John T. Selawsky, Clerk

Board of Education