

**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 23, 2010

Call to Order           The Presiding Officer will call the Meeting the Regularly Scheduled Board of Education Meeting to Order **at 6:00 pm**, recess to Closed Session and convene in Public Session by **7:30 pm**

Members Present:

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

The Board will recess into closed session under the authority of the Brown Act (including but not limited to Government Code section 54954.5, 54956.8, 54956.9, 54957, 54957.6, as well as Education Code section 35146). Under Government Code section 54954.3, members of the public may address the board on an item on the closed session agenda, before closed session.

- a) Conference with Legal Counsel – Existing Litigation/Anticipated
- b) Consideration of Student Expulsions  
**0910-52-080796**
- c) Collective Bargaining
- d) Public Employee Discipline/Dismissal /Release/Evaluation  
**Classified Employee/Certificated Employee**  
Employee Contract
- e) Public Employment /Appointment  
**Certificated Employee**
- f) Liability Claims  
**Claim No. 09-84037**  
**Claim No. 10-82088**  
**Claim No. 07 BSD 0064**
- g) Property Acquisition & Disposal

\* 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 23, 2010

### **RECOGNITION**

Cheryl Chinn, Principal, Malcolm X Elementary

### **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 Approval of Resolution No. 10-66 Denouncing Arizona State Senate Bill 1070	<u>Board Member Recommendation:</u> Approve Resolution No. 10-66	<b>9</b>
1.2-C Approval of Resolution No. 10-65 Opposing Budget Reductions of Child Care Programs	<u>Board Member Recommendation:</u> Approve Resolution No. 10-65	<b>12</b>
1.3-C Approval of Resolution No.10-67 in Support of Robles-Wong v. California	<u>Staff Recommendation:</u> Approve Resolution No.10-67	<b>15</b>

**Human Resources**

2.1-C Approval of Personnel Report	<u>Staff Recommendation:</u> Approve Personnel Report No. 10-11	<b>18</b>
2.2-C Approval of Board Resolution 10-63: Board Consent of Teacher Teaching Outside of Credential Area	<u>Staff Recommendation:</u> Approve Resolution No. 10-63 re consent of teacher teaching outside of credential area	<b>22</b>

**Educational Services**

3.1-C Approval of Overnight Field Trip	<u>Staff Recommendation:</u> Approve the overnight field trip consistent with District policies and instructional programs	<b>24</b>
3.2-C Approval of King Middle School Site Plan	<u>Staff Recommendation:</u> Approve King Middle School Site Plan <b>(separate cover)</b>	<b>25</b>

**Business Services**

4.1-C Approval of Contracts and Purchase Orders	<u>Staff Recommendation:</u> Authorize the Purchasing Manager or Deputy Superintendent to execute contracts and purchase orders	<b>26</b>
4.2-C Approval of Listing of Warrants Issued in May 2010	<u>Staff Recommendation:</u> Approve the listing of warrants issued in May 2010	<b>31</b>

4.3-C Approval of Payroll Warrants Issued in May 2010	<u>Staff Recommendation:</u> Approve payroll warrants issued in May 2010	<b>34</b>
4.4-C Approval of Purchase Order with City of Berkeley for Diesel Fuel	<u>Staff Recommendation:</u> Approve purchase of diesel fuel from the City of Berkeley for District fleet vehicles and school buses	<b>37</b>
4.5-C Property Liability, Excess Workers' Compensation and Student Insurance Premiums	<u>Staff Recommendation:</u> Approval of payment for Fiscal Year 2010-11 for property and liability and excess workers' compensation and student insurance premiums	<b>38</b>
4.6-C Approval of contracts for legal services for Fiscal Year 2010-11	<u>Staff Recommendation:</u> Approve contract for legal services for FY 2010-11	<b>40</b>
4.7-C Independent Contract Reading and Writing Project	<u>Staff Recommendation:</u> Approve Ind. Contract for \$56,250 for Summer Literacy Institute Training with the Reading and Writing Project	<b>43</b>
<b><u>Facilities</u></b>		<b>44</b>
5.1-C Approval of a Contract with ENV Environmental International, Inc. to Hazardous Waste Disposal and Consulting Services to Maintenance and Operations	<u>Staff Recommendation:</u> Approve Contract With ENV Environmental International, Inc to Hazardous Waste Disposal and Consulting Services to Maintenance and Operations	<b>45</b>
5.2-C Approval of an Increase to the Jefferson Classroom Project and Approve an Increase to the Contract with HKIT Architects to Provide Design Services for that Project	<u>Staff Recommendation:</u> Approve an Increase to the Jefferson Classroom Project and Approve an Increase to With HKIT Architects to Provide Design Services for that Project	<b>46</b>
5.3-C Approval of an Increase to the Contract with Baker Vilar Architects to Provide Design Services for the West Campus Board Room	<u>Staff Recommendation:</u> Approve an Increase to the Contract with Baker Vilar Architects to Provide Design Services for the West Campus Board Room	<b>48</b>
5.4-C Acceptance of the Heating Controls Project at Washington and Oxford Elementary Schools	<u>Staff Recommendation:</u> Accept the Heating Controls Project at Washington and Oxford Elementary Schools	<b>48</b>

5.5-C Acceptance of the Berkeley High School Community Theatre Sound System Project	<u>Staff Recommendation:</u> Accept the Berkeley High School Community Theater Sound System Project	<b>50</b>
5.6-C Authorization to Reject Bids for Stage Lighting Project at the Berkeley Community Theatre	<u>Staff Recommendation:</u> Reject Bids for Stage Lighting Project at The Berkeley Community Theater	<b>52</b>
5.7-C Approval of Contract for the Purchase and Installation of Wall Mounted Cafeteria Tables at Two Sites	<u>Staff Recommendation:</u> Approve contract for the purchase and installation of wall mounted cafeteria tables at two sites	<b>54</b>
5.8-C Approval to Enter Into an Agreement with Clean Source to Continue to Purchase Custodial Supplies as a Part of a Piggyback Bid with Sacramento Unified School District	<u>Staff Recommendation:</u> Approve a contract with Clean Source to continue to purchase custodial supplies as a part of a piggyback bid with Sacramento Unified School District	<b>55</b>
5.9-C Approval of the 2010/11 Measure BB Annual Plan	<u>Staff Recommendation:</u> Approve the 2010/11 Measure BB Annual Plan	<b>56</b>

**ACTION ITEMS**

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

**Human Resources**

2.1-A Approval of Resolution No. 10-70 Classified Layoffs	<u>Staff Recommendation:</u> Approve Resolution No. 10-70	<b>71</b>
2.2-A Approval of Resolution No. 10-68 – Child Care Program Layoffs	<u>Staff Recommendation:</u> Approve Resolution No. 10-68	<b>74</b>
2.3-A Approval of Resolution No. 10-69 to Release and Non-Re-elect Teachers at Berkeley Adult School	<u>Staff Recommendation:</u> Approve Resolution 10-69	<b>76</b>

**Business Services**

**8:15 pm**

Open Public Hearing on 4.1-A – Budget Trailer Bill (SBX 34) Categorical Flexibility for Fiscal Year 2010-11

4.1-A  
Resolution No. 10-62 for Budget Trailer Bill (SBC 34) Categorical Flexibility for Fiscal Year 2010-11

Staff Recommendation:  
Approve Resolution No. 10-62 to provide transparency and accountability establishing an accounting procedure identifying the funding sources affected and the program to which the funding will be transferred to during the State’s fiscal crisis

**78**

**8:20 pm**

Open Public Hearing on Item 4.2-A Adoption of the 2010-11 Budget for the Berkeley Unified School District

4.2-A  
Adoption of 2010-11 Budget

Staff Recommendation:  
Acceptance, Discussion and Adoption of Recommended FY 2010-11 Budget, Goals and Related Actions (**separate cover**)

**86**

**INFORMATION ITEMS**

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

**General Services**

1.1-I  
Proposed Bylaws for BHS School Governance

Staff Recommendation:  
Read and give direction for revision leading to adoption of Bylaws for BHS school governance

**87**

**Educational Services**

3.1-I  
Consent Decree, Final Report

Staff Recommendation:  
Receive final report on Consent Decree for information (**separate cover**)

**113**

3.2-I  
Receive *Biology: Course Companion* for a First Reading for Adoption Consideration

Staff Recommendation:  
Accept *Biology: Course Companion* for a first reading for adoption consideration

**115**

<b>8:30 pm</b>	<u>Staff Recommendation:</u>	<b>116</b>
3.3-I	Accept plan to address use and abuse of	
Plan to Address Use and Abuse of	alcohol, tobacco and other drugs for	
Alcohol, Tobacco and Other Drugs	information <b>(separate cover)</b>	

**Facilities**

5.1-I	<u>Staff Recommendation:</u>	<b>147</b>
Maintenance and Measure BB Update	Receive and accept Maintenance and	
	Measure BB Update information	

5.2-I	<u>Staff Recommendation:</u>	<b>150</b>
Maintenance Standards	Receive and accept Maintenance Standards	

**EXTENDED PUBLIC TESTIMONY  
ADJOURNMENT**

**UPCOMING BOARD MEETINGS**

June 30	September 22
August 4 – special	October 13
August 18	October 27
September 15	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**