

**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 30, 2010

Call to Order The Presiding Officer will call the Meeting the Regularly Scheduled Board of Education Meeting to Order **at 6:30 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
Student Case No. 0910-28-032296
- c) Collective Bargaining
- d) Public Employee Discipline/Dismissal /Release/Evaluation
Employee Contract
- e) Public Employment /Appointment
Certificated Employee
- f) Liability Claims
- 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 June 30, 2010

TEACHING AND LEARNING

Maria Carriedo, Principal, Early Childhood Education, "DRDP" Overview & Results for 2009-2010 School Year

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

Board Member Recommendation:
Approve Resolution No. 10-66

7

Human Resources

2.1-C
Approval of Personnel Report

Staff Recommendation:
Approve Personnel Report No. 10-13

10

Educational Services

3.1-C Berkeley High School Expenditure Plan for Economic Impact Aid	<u>Staff Recommendation:</u> Approve Berkeley High School Economic Plan	12
3.2-C Adoption of New Textbook for BHS International Baccalaureate	<u>Staff Recommendation:</u> Approve adoption of SL Biology, <i>Course Companion textbook</i> for the Berkeley High School International Baccalaureate program	13
3.3-C Approval of Overnight Field Trip	<u>Staff Recommendation:</u> Approve the overnight field trip consistent with District policies and instructional programs	14
3.4-C Approve Consolidated Application for Categorical Programs	<u>Staff Recommendation:</u> Approve Consolidated Application for Categorical Programs (separate cover)	15

Business Services

4.1-C Approval of Contracts Orders for Service Contracts	<u>Staff Recommendation:</u> Authorized the Purchasing Manager or Deputy Superintendent to execute contracts and purchase orders	17
4.2-C Memorandum of Understanding (MOU) between Berkeley Adult School and The Advanced Medical School of Nursing	<u>Staff Recommendation:</u> Approve the Memorandum of Understanding Between the Berkeley Adult School and THE Advanced Medical School of Nursing.	18
4.3-C Approval of Contract with Bay Area Coalition for Equitable Schools ("BayCES")	<u>Staff Recommendation:</u> Approve Contract with Bay Area Coalition for Equitable Schools ("BayCES") in the amount of \$ 119,700 at Berkeley High School	24
4.4-C Approval of Resolution to Authorize the Contracts with California Department of Education for the Child Development Programs for 2010-11	<u>Staff Recommendation:</u> Approve the Resolution to authorize the contracts with the California Department of Education for the Childhood Development Programs for 2010-11	31

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 BFT Contract Extension

Staff Recommendation:
Approve Contract Extension with BFT

37

2.2-A
Approval of Tentative Ratification Agreements with Local 21

Staff Recommendation:
Approve Tentative Ratification Agreements with Local 21

40

Facilities

8:30 PM

5.1-A

Staff Recommendation:
Approve Resolution to accept the Mitigated Negative Declaration

44

Approve Resolution to Accept the Mitigated Negative Declaration for the East Campus Curvy Derby Field
(separate cover)

5.2-A

Staff Recommendation:
Approve project at East Campus Field

57

CONFERENCE ITEM

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

Staff Recommendation:
Review and discuss SSC Bylaws, accept for First Reading

58

SSC Bylaws

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

Staff Recommendation:
Receive report on Mission, Vision and Values as information

83

Mission, Vision and Values

Educational Services

3.1-I
Report on Small Schools at Berkeley
High School

Staff Recommendation:
Receive Report on Small Schools at Berkeley
High School for Information **(separate
cover)**

86

3.2-I
Special Education IEP Compliance
Report

Staff Recommendation:
Receive Special Education IEP Compliance
Report for information

87

Facilities

5.1-I
Facilities Plan Update

Staff Recommendation:
Receive and accept Facilities Plan update as
information

89

**EXTENDED PUBLIC TESTIMONY
ADJOURNMENT**

UPCOMING BOARD MEETINGS

August 4 – special
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: Beatriz Leyva-Cutler, Vice President, Board of Education
DATE: June 30, 2010
SUBJECT: Resolution No. 10-66 Denouncing Arizona State Senate Bill 1070

BACKGROUND INFORMATION:

The Arizona legislature passed SB1070 (Support Our Law Enforcement and Safe Neighborhoods Act), which the Arizona Governor, Jan Brewer, signed into law on April 23, 2010. This legislation gives local Arizona laws enforcement officials when practicable” to detain people they “reasonably suspect” are in the country without authorization; allows the police to charge immigrants with a state crime for not carrying immigration documents; creates a private right of action to sue cities upon belief that the government has a policy or practice that restricts immigration law enforcement; and makes it a crime to stop on a public street to attempt to hire a temporary worker.

POLICY/CODE:

None

FISCAL IMPACT:

None

BOARD MEMBER RECOMMENDATION:

Approve Resolution No. 10-66 Denouncing Arizona State Senate Bill 1070

BERKELEY UNIFIED SCHOOL DISTRICT

Resolution No. 10-66 denouncing Arizona State Senate Bill 1010

1

WHEREAS, Berkeley Unified School District is committed to providing excellent educational opportunities to all of our students, without regard to race, ethnicity, national origin, income, sexual orientation, or disability, and is guided by the core values of equity, inclusiveness and high academic expectations for all students;

WHEREAS, the Arizona legislature passed SB1070 (Support Our Law Enforcement and Safe Neighborhoods Act), which the Arizona Governor, Jan Brewer, signed into law on April 23, 2010, legislation that gives local Arizona laws enforcement officials, who are not trained in federal immigration law, substantial responsibility for enforcing immigration laws;

WHEREAS, SB 1070 requires the police “when practicable” to detain people they “reasonably suspect” are in the country without authorization; allows the police to charge immigrants with a state crime for not carrying immigration documents; creates a private right of action to sue cities upon belief that the government has a policy or practice that restricts immigration law enforcement; and makes it a crime to stop on a public street to attempt to hire a temporary worker; and

WHEREAS, BUSD seeks to provide a well-rounded and quality education that exposes students to cultures that are critical to understanding our nation, past and present, and that helps our students appreciate the histories and cultural contributions of their own communities;

WHEREAS, BUSD offers African American Studies and integrates ethnic studies within our curriculum, with the objective of preparing our students to be global citizens with an appreciation for the contributions of multiple cultures to the tapestry of our civilizations and communities; and,

WHEREAS SB1070 will inevitably lead to racial profiling, jeopardizes public safety, and creates a wedge between law enforcement and ethnic communities; and

WHEREAS, civil rights leaders, constitutional rights scholars, elected officials and school districts across the country are repudiating SB 1070; and now therefore, be it

RESOLVED, that unless and until Arizona rescinds SB 1080, Berkeley Unified School District and the Board of Education will restrain from (1) entering into any new or amended contracts to purchase goods or services from any company that is headquartered in Arizona (2) avoid sending Board members or BUSD employees to conferences in Arizona and (3) review contracts as they come up for renewal for the purchase of goods and services with companies headquartered in Arizona and explore opportunities to discontinue those contracts consistent with the terms of those contract and principals of fiscal responsibility, and

FURTHER RESOLVES, that the Board directs the Superintendent to encourage BUSD teachers to develop units in civics and history classes to discuss the recent laws enacted in Arizona in the context of the American values of unity, diversity and Equal Protection for all,

FURTHER RESOLVED, that the Berkeley Board of Education urges our community to take a stand against such discriminatory law and to be aware of Arizona policies violating visitors civil rights if traveling to that state; and

FURTHER RESOLVED that the Governing Board of Berkeley Unified School District express its outrage and condemnation of SB 1070 and HB228 and calls on the leadership of the State of Arizona to reverse these punitive and misguide measures;

FURTHER RESOLVED, that Berkeley Unified School District and the Board of Education hereby direct the Clerk of the Board to send a copy of this Resolution to Senator Loni Hancock and to display prominently on the District's website.

ADOPTED by the Board of Education this 30th day of June, 2010.

John T. Selawsky, Clerk
Board of Education

BERKELEY UNIFIED SCHOOL DISTRICT

TO: William Huyett, Superintendent
FROM: Lisa van Thillo, Assistant Superintendent, Human Resources
DATE: June 30, 2010
SUBJECT: APPROVAL OF HUMAN RESOURCES REPORT 10-13
 Following is Human Resources Report 10-13 which reports details of personnel assignments, employment, and terminations.

CERTIFICATED EMPLOYEES						
NAME	POSITION	LOCATION	BUDGET	FTE & SALARY	FROM	TO
<u>RESIGNATION</u>						
Christa Henderson	Teacher	Oxford	General Fund	1.00	6/18/10	
<u>CHILD REARING LEAVE WITH PAY</u>						
Sacha Moutakas	Teacher	Washington	General Fund	1.00	9/24/10	2/23/11
<u>LEAVE OF ABSENCE WITHOUT PAY</u>						
Roald De Jean	Teacher	King	General Fund	.20	8/30/10	6/17/11
Kerry Erspamer	Teacher	BHS	General Fund	1.00	8/30/10	6/17/11
Amanda Salzman	Teacher	BHS	General Fund	.20	8/30/10	6/17/11
Allison Smith	Teacher	BHS	General Fund	1.00	8/30/10	6/17/11
<u>UNION LEAVE OF ABSENCE WITH PAY</u>						
Tracey Iglehart	Teacher	Rosa Parks	General Fund	.50	8/30/10	6/17/11

CLASSIFIED EMPLOYEES

NAME	POSITION	LOCATION	BUDGET	CLASS RANGE STEP	FTE & SALARY	FROM	TO
<u>RECALL FROM LAYOFF</u>							
Don Arreola-Burl	Instructional Specialist (PE)	Washington	BSEP/Donations	58/5	1.0 FTE \$33.60 hr	9/1/10	6/17/11
<u>TEMPORARY/HOURLY/LIMITED TERM</u>							
Maruko Hiratzka	Clerical I	Malcolm X	EIALEP	30/5	270 total hrs \$16.82 hr	9/1/10	6/17/11
Dalia Ortiz Pon	Student Worker	Berkeley High	General Fund	N/A	20 hrs/wk \$8.00 hr	1/30/10	6/30/10
<u>STIPENDS</u>							
Selina Eadie	JV Coach (Girls Lacrosse)	Berkeley High	General Fund	N/A	\$1129.60	2/8/10	6/1/10
Tim Moellering	Freshman Coach (Baseball)	Berkeley High	General Fund	N/A	\$1745.00	2/4/10	5/30/10
Laila Nossier	Freshman Coach (Girls Soccer)	Berkeley High	General Fund	N/A	\$1255.20	11/9/09	3/25/10
Gulliver Scott	Assistant Coach (Boys Crew)	Berkeley High	General Fund	N/A	\$1071.00	2/4/10	5/30/10
Jerome Wiggins	Assistant Coach (Baseball)	Berkeley High	General Fund	N/A	\$1309.20	2/4/10	5/30/10
<i>Page 2 of 2</i>							

BERKELEY UNIFIED SCHOOL DISTRICT

TO: William Huyett, Superintendent
FROM: Neil Smith, Assistant Superintendent, Educational Services
DATE: June 30, 2010
SUBJECT: 2010-11 BHS Expenditure Plan for Economic Impact Aid Funding

BACKGROUND INFORMATION:

California Department of Education requires every school participating in school based coordinated categorical programs to have a board approved Single Plan for Student Achievement that must be reviewed annually. Berkeley High uses its Board approved WASC plan as its Single Plan for Student Achievement. This year BHS has not completed their annual review which was begun and should continue at the start of the school year as they prepare for the WASC self-study prior to the WASC review.

Based on the current WASC plan, BHS has developed an expenditure plan for its state Economic Impact Aid funding (EIA). This includes funding in two categories: English Learner (EL) and State Compensatory Education (SCE). This plan does not expend the total budget of EIA but does allow for additional resource allocation after the review of the existing plan is completed. This EIA expenditure plan does not serve as the school's Single Plan for Student Achievement or WASC.

Berkeley High School's English Learner Advisory Committee participated in developing the Berkeley High Expenditure Plan for recommendation to the schools' School Governance Council (SGC) and School Site Council (SSC). Berkeley High's SGC, which includes its SSC, approved the plan for submission to the school board.

The complete Berkeley High WASC Plan and the EIA expenditure plan is available in the Superintendent's Conference Room for public viewing.

POLICY/CODE:

Education Code Section 52850-52863

FISCAL IMPACT:

There is no impact on the General Fund.

STAFF RECOMMENDATION:

Approve the 2010-11 Berkeley High EIA Expenditure Plan

BERKELEY UNIFIED SCHOOL DISTRICT

TO: William Huyett, Superintendent
FROM: Neil Smith, Assistant Superintendent, Educational Services
DATE: June 30, 2010
SUBJECT: Adopt *Biology: Course Companion* for use at Berkeley High School

BACKGROUND INFORMATION

The staff at Berkeley High School is recommending the adoption of the text, *Biology: Course Companion*, to strengthen the IB Biology curriculum.

Biology: Course Companion, by Andrew Allott and David Mindorff and published by Oxford University Press in Cooperation with the International Baccalaureate, is used widely by schools offering the International Baccalaureate program as a textbook for the one-year SL Biology course. The Companion provides valuable summaries of essential content for students as they work to master the subject of biology. It provides critical practice in data-based analysis of experiments as well as sample questions and answers that students use to prepare for their exams. In addition, the Companion links biology content to concepts that students are learning in their other classes at BIHS, often providing valuable perspectives on ethical issues and international current events. The text also provides strong support for the laboratory component of the course with descriptions of the expectations for lab reports and examples of completed reports.

The textbook and the course outline have been on display in the Superintendent's Conference Room since it was presented at the Board meeting last week. The book is now being recommended for official adoption.

POLICY/CODE

Board Policy 6161.1

FINANCIAL IMPACT

Approximately \$1,200 for one class set

STAFF RECOMMENDATION

Approve *Biology: Course Companion* for adoption at Berkeley High School.