

**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**

**SPECIAL BOARD OF EDUCATION – MEETING AGENDA\***

Wednesday, November 19, 2008

Call to Order           The Presiding Officer will call the Meeting to Order at  
**6:00 pm**, and reconvene in Public Session at or around  
**7:30 p.m.**

Roll Call

Members Present:

John T. Selawsky, President  
Nancy Riddle, Vice President  
Joaquin J. Rivera, Director  
Karen Hemphill, Director  
Shirley Issel, Director  
Eve Shames \*\* - Student Director

Administration:

Superintendent William Huyett, Secretary  
Javetta Cleveland, Deputy Superintendent  
Neil Smith, Assistant Superintendent of Educational  
Services  
Lisa Udell, 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
- f) Liability Claims
- g) Property Acquisition & Disposal
- h) Case Review/Planning

\* 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***

## **SPECIAL BOARD MEETING AGENDA**

### **CALL TO ORDER**

Report Closed Session actions

Approve Special Meeting Agenda of November 19, 2008

### **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 ITEM**

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 for Director Joaquin Rivera

Staff Recommendation:

Resolution No.09-23 honoring  
outgoing Director Joaquin Rivera  
(under separate cover)

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**INFORMATION ITEMS**

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

**General Services**

1.1-I  
Duties and Responsibilities of the Merit Commission and Board of Education

Staff Recommendation:  
Discuss duties and responsibilities of Merit Commission and Board of Education

**Separate cover**

**Educational Services**

3.1-I  
2020 Vision and Academic Plan

Staff Recommendation:  
Receive report on 2020 Vision and Academic Plan as information

**7 +  
Separate cover**

3.2-I  
Berkeley High School Grant

Staff Recommendation:  
Receive report on Berkeley High School's Smaller Learning Communities Grant as information

**9 + separate cover**

**Business Services**

**7:45 pm**

**Open Public Hearing on 4.1-I**  
Approval of Public Disclosure of Collective Bargaining Agreement documents

**Close Public Hearing on 4.1-I**

4.1-I  
Approval of Public Disclosure of Collective Bargaining Agreement documents

Staff Recommendation:  
Public Disclosure documents for Collective Bargaining Agreements for BCCE, Local 39, UBA and Local 21 have been disclosed for public hearing

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**EXTENDED PUBLIC TESTIMONY**

**2008 Board of Education Meeting Dates**

December 10 - **organizational**

**ADJOURNMENT**

**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:** John T. Selawsky, President, Board of Education  
**DATE:** November 19, 2008  
**SUBJECT:** Resolution for Outgoing Director, Joaquin Rivera

### **BACKGROUND INFORMATION**

Director Rivera is being presented Resolution No. 09-23 honoring his twelve years of service to the Board of Education.

### **POLICY /CODE**

None

### **FISCAL IMPACT**

None

### **STAFF RECOMMENDATION**

Approve Resolution for outgoing Director Joaquin Rivera

## **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** William Huyett, Superintendent  
**FROM:** Neil Smith, Assistant Superintendent  
**DATE:** November 19, 2008  
**SUBJECT:** Report on the *2020 Vision for Berkeley's Children and Youth*

### **BACKGROUND INFORMATION**

On June 11, 2008, the Board affirmed the *2020 Vision for Berkeley's Children and Youth*:

*That all children, regardless of race, ethnicity and income, who enter Berkeley public schools beginning in 2007 (and remain in the district) will achieve equitable outcomes with no proficiency differences by the time they graduate in June, 2020; and that all children born in Berkeley in 2007 and beyond, receive a healthy start and are equally ready to learn and succeed in the Berkeley public schools.*

The School Board and the City Council committed to working together to eliminate the achievement gap by focusing on the areas that will have an impact on it, including educational success for all students, healthy child development, services to address barriers to learning, professional development, staff recruitment and hiring practices, parent and youth engagement, community partnerships, resource generation and allocation, and shared accountability.

Members of the *2020 Vision* Planning Group will outline for the Board the work that has been done thus far as well as the plans that have been developed to achieve the vision. The presentation will include these components:

- An update from the City of Berkeley, focusing on the City services that are essential to address barriers to learning and promote healthy development for all students
- A report from United in Action on efforts to build and strengthen partnerships with parents and the community
- A report from the District's Equity Team on the current steps to improve teaching and learning for all students, with the explicit goal of raising the achievement level of all groups while closing the gap between our highest and lowest performing groups
- The plan for the All City Equity Task Force, presented by the Berkeley Alliance.

Documents for this Board workshop will be provided under separate cover.

**POLICY /CODE**

None

**FISCAL IMPACT**

None

**STAFF RECOMMENDATION**

Review and comment on the report on the *2020 Vision for Berkeley's Children and Youth*.

## **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** Board of Education  
**FROM:** William Huyett, Superintendent  
**DATE:** November 19, 2008  
**SUBJECT:** Report on Smaller Learning Communities Grant at Berkeley High School

### **BACKGROUND INFORMATION**

Last spring, Berkeley High School received a Smaller Learning Communities Grant from the U.S. Department of Education. The grant supports the continuing efforts at Berkeley High to personalize the high school by adding one new small school, creating an Advisory Program for all students, and modifying the schedule to provide more opportunities for students and accommodate the Advisory Program. The school has developed a proposal that addresses these three components: a new small school with a math and science theme, an advisory period twice each week led by all staff members, and a block schedule with eight 90-minute classes, four being offered each day on an every other day A-B schedule. School staff will explain this proposal and present how this effort aligns with the recommendations from the school's WASC report and research on successful school reform efforts. The school's description of the proposal will be delivered to the Board on Monday.

The school is reviewing this proposal with staff, the community and the School Governance Council. The School Governance Council will review input from the various groups and vote on the proposal in December. The Board of Education will have the opportunity to review and make judgment on the proposal in January 2009. The school plans to implement the program in the 2009-10 school year.

### **POLICY CODE**

None

### **FISCAL IMPACT**

This is to be determined

### **STAFF RECOMMENDATION**

The Board is asked to review and make comment upon the proposed new small school, advisory and block schedule for 2009-10.

## **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** William Huyett, Superintendent  
**FROM:** Javetta Cleveland, Deputy Superintendent  
**DATE:** November 19, 2008  
**SUBJECT:** Approval of Public Disclosure of Collective Bargaining Agreement documents

### **BACKGROUND INFORMATION**

The Berkeley Unified School District and the bargaining units listed below negotiated tentative agreements that were ratified by their members.

- Berkeley Council of Classified Employees, AFT Local 6192, AFL-CIO (“BCCE”)
- International Union of Operating Engineers, Stationary Engineers, Local 39
- Union of Berkeley Administrators, AFSA, Local 81, AFL-CIO (“UBA”)
- International Federation of Professional & Technical Engineers, Local 21, AFL-CIO

These tentative agreements include a settlement of compensation for Fiscal Year 2007-2008 and new bargaining unit agreements that will be valid for the next three fiscal years from July 1, 2008 through June 30, 2011. Each bargaining unit reserves the right to re-open negotiations on salary during the term of the 2008-2009 agreement. Additionally, if the District agrees to a higher total compensation increase for any other bargaining unit during the term of these agreements, the District shall increase the total compensation of each unit’s members by the same percentage.

In accordance with AB1200 (Chapter 1213/1991) and Government Code Section 3547.5, each public disclosure documents summarizes the fiscal impact of each of the collective bargaining agreements has been provided to the Board under separate cover and is on file in the Superintendent’s office and available for review by the public. The public disclosure documents include the fiscal impact of collective bargaining agreements on the unrestricted general (fund 01) and the fiscal impact on the unrestricted/restricted General Fund combined (Fund 01-08) for each bargaining unit.

AB1200 expands the role of county offices of education in monitoring school districts and mandates that they intervene, under certain circumstances, to ensure districts can meet their financial obligations. These circumstances include a disapproved budget, a qualified or negative interim report or recent actions by a district that lead the county office to conclude that the district will not be able to meet its financial obligations. The Public Disclosure Documents for each collective bargaining agreement have been submitted to the Alameda County Office of Education for their review. These documents indicate that the

District will maintain a positive certification at first interim, with reliance on parcel tax dollars. As of Fiscal Year 2007-2008, the District had met the 3% state required reserved without reliance on backfill of General Fund's share of parcel tax dollars. In order to maintain the District's goal of not relying on restricted parcel tax funds, ongoing budget cuts must be made for Fiscal Year 2008-2009 and subsequent years.

Government Code Section 3547.5 stipulates "(a) Before a public school employer enters into a written agreement with an exclusive bargaining unit, including, but not limited to, the costs that would be incurred by the public school employer under the agreement for the current and subsequent fiscal years, shall be disclosed at a public meeting of the public school employer in a format established for this purpose by the Superintendent of Public Instruction. (b) The superintendent of the school district and chief business official shall certify in writing that the costs incurred by the school district under the agreement can be met by the district during the term of the agreement. This certification shall be prepared in a format similar to that of the reports required pursuant to sections 42130 and 42131 of the Education Code and shall itemize any budget revision necessary to meet the costs of the agreement in each year of its term. (c) If a school district does not adopt all of the revisions to its budget needed in the current fiscal year to meet the costs of a collective bargaining agreement; the county superintendent of schools shall issue a qualified or negative certification for the district on the next interim report pursuant to Section 42131 of the Education Code."

The Superintendent and the Chief Business Officer has certified that there are no budget revisions necessary to meet the costs of the agreement in each year of its terms.

**POLICY CODE**

Government Code section 3547.5

**FISCAL IMPACT**

See AB1200 Public Disclosure documents for fiscal impact of collective bargaining agreements.

**STAFF RECOMMENDATION**

Public Disclosure documents for Collective Bargaining Agreements for BCCE, Local 39, UBA and Local 21 have been disclosed for public hearing.