

**Berkeley Unified School District  
Office of the Superintendent  
Council Chambers  
2134 Martin Luther King Jr. Way  
Berkeley CA 94704  
Phone: (510) 644-6206 Fax: (510) 540-5358**

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

Monday, March 3, 2008

Call to Order           The Presiding Officer will call the Meeting to Order at **7:00 pm**, recess to Closed Session at **7:05 p.m.** and reconvene in Public Session **by 8:00pm**

Roll Call

Members Present:

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

\* 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 MEETING AGENDA**

### **CALL TO ORDER**

Report Closed Session actions

Approve Special Meeting Agenda of March 3, 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  
Superintendent's Report  
Board Members' Reports

### **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.

**ACTION ITEMS**

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

**CONFERENCE ITEMS**

These items are submitted for advance planning and to assist the Board in establishing future agenda items. The Board may, however, take action.

**Personnel Services**

2.1-CF Resolution No. 08-35 Criteria for Determining Order of Seniority	<u>Staff Recommendation:</u> Receive report on criteria for determining order of seniority for those employees with the same first date of paid probationary service as information	<b>6</b>
2.2-CF Resolution No. 08-36 Decrease Number of Certificated Employees	<u>Staff Recommendation:</u> Receive report to decrease the number of certificated employees due to a reduction in particular kinds of services as information	<b>9</b>

**INFORMATION ITEMS**

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

**EXTENDED PUBLIC TESTIMONY  
ANNOUNCEMENTS**

**2008 Board of Education Meeting Dates**

March 12	August 20
March 26	September 10
April 9	September 24
April 23	October 8
May 14	October 22
May 28	November 12
June 11	December 10 - <b>organizational</b>
June 25	

**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:** William Huyett, Superintendent  
**FROM:** Lisa Udell, Assistant Superintendent, Human Resources  
**DATE:** March 3, 2008  
**SUBJECT:** Resolution No. 08-35 – Criteria for Determining the Order of Seniority

## **BACKGROUND INFORMATION**

The District is confronted with budgetary problems that reduce its ability to provide the same type of services at the same level, and in the same manner as provided in previous years. As a consequence, the Board has the authority to establish criteria for determining the order of seniority for those employees with the same first date of paid probationary service.

The resolution is presented at this meeting for information and discussion. It will be brought forward as an action item at the next Board meeting on March 12, 2008.

## **POLICY/CODE**

Education Code Sections 44955

## **FISCAL IMPACT**

Reduction in employee costs to alleviate budget deficit

## **STAFF RECOMMENDATION**

Receive Resolution No. 08-35 establishing criteria for order of seniority as an information and discussion item

**BERKELEY UNIFIED SCHOOL DISTRICT  
RESOLUTION NO. 08-35**

**CRITERIA FOR DETERMINING ORDER OF SENIORITY FOR THOSE  
EMPLOYEES WITH THE SAME FIRST DATE OF PAID  
PROBATIONARY SERVICE**

**WHEREAS**, Education Code section 44955 provides for the termination of certificated employees because of reduction of particular kinds of services;

**WHEREAS**, the order of termination is generally based on the date a teacher first rendered paid service in a probationary position under Education Code section 44845; and

**WHEREAS**, as among employees who first rendered paid service to the District on the same date, the law requires the Governing Board to determine the order of termination solely on the basis of the needs of the District and its students.

**THEREFORE**, be it resolved that to meet the requirements of section 44955, the following criteria for determining order of seniority for those hired on the same date will be used:

1. Possession any of the following authorizations (1 point for each authorization):
  - a. Bilingual Crosscultural Language and Academic Development (BCLAD)
  - b. Crosscultural Language and Academic Development (CLAD);
  - c. Specially Designed Academic Instruction in English (SDAIE);
  - d. Certificates of Completion of Staff Development in either SDAIE or English Language Development (SB 1969);
  - e. Bilingual Certificate of Competence (BCC);
2. Possession of a Pupil Personnel Services Credential with a Specialty in School Counseling (5 CCR section 80049.1(a)(1));
3. Possession of special education credential or provisional authorization (1 point);
4. Number of credentials held (1 point per credential);
5. Number of advanced degrees held (Masters 1 point, Ed.D. 2 points, Ph.D. 3 points);

6. Teaching experience at different grade levels, by numbers of grades taught. (1 point per grade level taught at District);
7. GLAD training (1 point for having completed training).

For those employees sharing the same first date of paid probationary service, employees shall be ranked in order of points accumulated, with the order of seniority being assigned according to the number of points accumulated. Seniority for employees with the same first date of paid probationary service accumulating the same number of points shall be determined by random drawing.

The Board finds that these criteria meet the needs of the District and its students.

ADOPTED by the Governing Board of the District on this 12th day of March 2008, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

I hereby certify that the foregoing is a true and correct copy of a Resolution of the Governing Board of the Berkeley Unified School District of Alameda County adopted by said Governing Board of the District at its meeting on March 12, 2008.

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Secretary of the Governing Board  
of the District

# **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** William Huyett, Superintendent  
**FROM:** Lisa Udell, Assistant Superintendent, Human Resources  
**DATE:** March 3, 2008  
**SUBJECT:** Resolution No. 08-36 – Decrease Number of Certificated Employees due to a Reduction in Particular Kinds of Services

## **BACKGROUND INFORMATION**

The District is confronted with budgetary problems that reduce its ability to provide the same type of services at the same level, and in the same manner as provided in previous years. As a consequence, the Board has the authority to reduce or discontinue particular kinds of service. “Particular Kinds of Services” are those services that are scheduled to be eliminated which are currently being provided by District certificated employees.

The Resolution proposed accomplishes two general objectives. It represents official action reducing particular kinds of services and it initiates the layoff process for affected certificated employees. The Resolution assumes that the District will no longer employ all current temporary and substitute employees after June 30, 2008. It further reflects the assumption that all employees on leave of absence will be returning, unless we have been noticed to the contrary.

The resolution is presented at this meeting for information and discussion. It will be brought forward as an action item at the next Board meeting on March 12, 2008.

## **POLICY/CODE**

Education Code Sections 44955

## **FISCAL IMPACT**

Reduction in employee costs to alleviate budget deficit

## **STAFF RECOMMENDATION**

Receive Resolution No. 08-36 reducing particular kinds of services as an information and discussion item



**BERKELEY UNIFIED SCHOOL DISTRICT  
RESOLUTION NO. 08-36**

**RESOLUTION TO DECREASE THE NUMBER OF CERTIFICATED  
EMPLOYEES DUE TO A REDUCTION IN PARTICULAR KINDS OF  
SERVICES**

**WHEREAS**, Education Code section 44955 permits the Governing Board of the District to reduce or discontinue particular kinds of services not later than the beginning of the following school year;

**WHEREAS**, the Governing Board of the District has determined that it shall be necessary to decrease the following programs of the District no later than the beginning of the 2008-2009 school year;

**WHEREAS**, it shall be necessary to terminate at the end of the 2007-2008 school year the employment of certain certificated employees of the District as a result of the elimination of the programs; and

**WHEREAS**, the Governing Board of the District has further determined that among employees who first rendered paid service to the District on the same day, the order of termination will be based solely on the needs of the District and the students thereof.

**THEREFORE, BE IT RESOLVED** by the Governing Board of the District that the following services shall be reduced or eliminated no later than the beginning of the 2008-2009 school year:

PARTICULAR KINDS OF SERVICES	NUMBER OF FULL TIME EQUIVALENT
<u>Administration</u>	<u>5.0</u>
Manager, Special Education	1.0
Principal on Special Assignment	1.0
Independent Study Coordinator	1.0
High School Vice Principal	1.0
Middle School Vice Principal	1.0



Sciences, Science: Chemistry; Science: Geosciences, Science: Physics, Social Sciences.

**Authorization:** Bilingual Crosscultural Language and Academic Development (BCLAD)

**BE IT FURTHER RESOLVED** that the Superintendent or his/her designated representative is directed to send appropriate notices to all employees whose positions may be lost by virtue of this action. Nothing herein shall be deemed to confer any status or rights upon temporary certificated employees or any other employee in addition to those specifically granted to such employees by statute.

ADOPTED by the Governing Board of the School District on this 12th day of March 2008, by the following votes:

AYES:

NOES:

ABSENT:

I hereby certify that the foregoing is a true and correct copy of a Resolution of the Governing Board of the Berkeley Unified School District of Alameda County adopted by said Governing Board of the District at its meeting on March 12, 2008.

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Secretary of the Governing Board of the  
District