

**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, January 23, 2008

Call to Order The Presiding Officer will call the Meeting to Order at **5:30 p.m.**, recess to Closed Session at **5:35 p.m.** and reconvene in Public Session by **7:30 p.m.**

Roll Call

Members Present:

John Selawsky, President
Nancy Riddle, Vice President
Joaquin Rivera
Karen Hemphill
Shirley Issel
Rio Bauce ** - Student Director

Administration: Superintendent Michele Lawrence, Secretary
Javetta Robinson, 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
Student Case No. 0607-24-110190
Student Case No. 0708-09-012191
- c) Collective Bargaining
- d) Public Employee Discipline/Dismissal /Release/Evaluation
Contract Renewals for Assistant Superintendents
Contract Revisions for Superintendent
- e) Public Employment /Appointment
- f) Liability Claims
- g) Property Acquisition

* 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 January 23,2008

Teaching and Learning

Ubiquitous Library Access for BUSD Students and Families - Becca Todd,
District Library Coordinator

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

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.

| <u>General Services</u> | PAGE |
|--|---|
| 1.1-C Approve Revised Board of Education Meeting Schedule | <u>Staff Recommendation:</u> Approve change in Board of Education Meeting Schedule for 2008 10 |
| 1.2-C Approval of Agreement | <u>Staff Recommendation:</u> Approve Agreement for special legal services between the District and Atkinson, Andelson, et al for the period 2008-2010 11 |

Personnel Services

2.1-C
Approval of Personnel Report 08-03

Staff Recommendation: **16**
Approve Personnel Report No. 08-03 indicating changes in personnel status by Berkeley employees throughout the District

8:45 pm
Open Public Hearing on Item 2.2-C
Close Public Hearing on Item 2.2-C

Staff Recommendation:
Allow public comment and discussion on Local 39's request to bargain specific contract articles

2.2-C
Approval of Local 39 New Contract Proposals

Staff Recommendation: **22**
Approval "Sunshine" of Local 39's proposals for contract negotiations

Educational Services

3.1-C
Approval of MOU Between BUSD and Seneca

Staff Recommendation: **24**
Approve MOU between BUSD and Seneca Center to provide school based mental health services to special education students

3.2-C
Approval of MOU between BUSD and Faith Network of the East Bay

Staff Recommendation: **28**
Approve MOU between BUSD and Faith Network of the East Bay to provide fingerprinting for after school volunteers

3.3-C
Approval of Oakland Children's Hospital Contract with Berkeley High Athletics

Staff Recommendation: **31**
Approve contract between Children's Hospital and Berkeley High Athletics to provide athletic services

3.4-C
Approval of Overnight Field Trips

Staff Recommendation: **33**
Approve the overnight field trips consistent with District policies and procedures

Business Services

| | | |
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| 4.1-C Approval of Contracts and Purchase Orders | <u>Staff Recommendation:</u> Authorize the Purchasing Manager of Deputy Superintendent to execute contracts and purchase orders | 34 |
| 4.2-C Approval of Listing of Warrants | <u>Staff Recommendation:</u> Approve listing of warrants issued by BUSD in December 2007 | 36 |
| 4.3-C Approval of Listing of Payroll Warrants | <u>Staff Recommendation:</u> Approve listing of payroll warrants issued in December 2007 | 39 |
| 4.4-C Approval of Budget Development Calendar | <u>Staff Recommendation:</u> Approve Budget Development Calendar for FY 2008-09 | 42 |
| 4.5-C Approval of Re-Appointment of Audit Committee Member | <u>Staff Recommendation:</u> Approve the re-appointment of Dan Lindheim to the Audit Committee for a two-year term | 45 |
| 4.6-C Approval of Costs Related to City of Berkeley | <u>Staff Recommendation:</u> Approve costs related to City of Berkeley permit fees for the transportation facility project | 46 |
| 4.7-C Approval to hire Architect | <u>Staff Recommendation:</u> Approve hire of architect to design BHS portable and four other classrooms | 47 |
| 4.8-C Approval to Advertise to Solicit Bids | <u>Staff Recommendation:</u> Approve the advertisement to solicit bids for the Solar Project at Washington Elementary School | 48 |

4.9-C
Resolution Nos. 08-29 and 08-30
Approval of Resolutions

Staff Recommendation: **50**
Approve Resolutions
identifying the authorized
agents and signers for fiscal
purposes for the Berkeley
Unified School effective
February 1, 2008

ACTION ITEMS

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

8:15 pm

Open Public Hearing on Item 1.1-A
Appointment to Merit Commission
Close Public Hearing on Item 1.1-A

Staff Recommendation:
Allow for public comment on
appointment to Merit Commission

1.1-A

Final Approval of an Appointee to Merit
Commission

Staff Recommendation: **55**
Approve appointment of Dan Lee
to Merit Commission or select
another individual as the Board's
appointment

1.2-A

Approval of Board Policies

Board Policy Subcommittee **56**
Recommendation:
Approve Board Policies 5030,
5030.1, 5030.2 and 5030.4 for
adoption

Educational Services

8:00 pm

Open Public Hearing on Item 3.1-A
Close Public Hearing

3.1-A

Approval of CAHSEE Apportionment
Waiver

Staff Recommendation: **63**
Approve waiver of CASHEE
apportionment

3.2-A

Approval of Proposal and Reorganization

Staff Recommendation: **65**
Approve position of new Program
Supervisor of Extended Learning
and the restructuring of EDC and
LEARNS centralized staff

Business Services

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|--|---|--------------------------------------|
| 9:45 pm 4.1-A Approval of Independent Audit Report for FY ending June 30, 2007 | <u>Staff Recommendation:</u> Review and accept the audit report and financial statements as presented by Vavrinek Trine Day & Co, LLP | 70 + under separate cover |
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| 4.2-A Budget Adjustment to Offset Potential Budget Shortfall | <u>Staff Recommendation:</u> Approval to allocate bond interest proceeds to the Pupil Transportation Equipment Fund. These funds will be used to replace buses and to provide small wares to the King Dining Commons. | 71 |
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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.

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

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| 1.1-I Board Appointments | <u>Staff Recommendation:</u> Receive revised list of board appointments to committees and community advisories as information | 75 |
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Educational Services

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|---|---|-----------|
| 3.1-I Monthly Enrollment and ADA Reports | <u>Staff Recommendation:</u> Receive monthly enrollment and average daily attendance report as information | 79 |
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| 3.2-I 2007-08 Student Assignment Plan | <u>Staff Recommendation:</u> Receive the report on student assignment as information | 102 |
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3.3-I
Consent Decree Quarterly Report

Staff Recommendation:
Receive quarterly consent decree compliance report for Year 2 as information

131 + under separate cover

Business Services

4.1-I
Facilities Plan Update

Staff Recommendation:
Receive and accept facilities plan update as information

132

4.2-I
Information on Governor's Budget

Staff Recommendation:
Receive information on the Governor's Budget for Fiscal Year 2008-09 which was released on January 10, 2008

137

ADDITIONAL ACTION ITEMS

- Approve Minutes of December 18, 2007
- Approve Minutes of December 19, 2007
- Approve Minutes of January 9, 2008

EXTENDED PUBLIC TESTIMONY ANNOUNCEMENTS

2008 Board of Education Meeting Dates

| | |
|-------------|-------------------------------------|
| February 13 | June 11 |
| February 27 | June 25 |
| March 12 | August 20 |
| March 26 | September 10 |
| April 9 | September 24 |
| April 23 | October 8 |
| May 14 | October 22 |
| May 28 | November 12 |
| | 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**