

**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](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 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.

<b><u>General Services</u></b>	<b>PAGE</b>
1.1-C Approve Revised Board of Education Meeting Schedule	<u>Staff Recommendation:</u> Approve change in Board of Education Meeting Schedule for 2008 <b>10</b>
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 <b>11</b>

**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**

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	<b>34</b>
4.2-C Approval of Listing of Warrants	<u>Staff Recommendation:</u> Approve listing of warrants issued by BUSD in December 2007	<b>36</b>
4.3-C Approval of Listing of Payroll Warrants	<u>Staff Recommendation:</u> Approve listing of payroll warrants issued in December 2007	<b>39</b>
4.4-C Approval of Budget Development Calendar	<u>Staff Recommendation:</u> Approve Budget Development Calendar for FY 2008-09	<b>42</b>
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	<b>45</b>
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	<b>46</b>
4.7-C Approval to hire Architect	<u>Staff Recommendation:</u> Approve hire of architect to design BHS portable and four other classrooms	<b>47</b>
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	<b>48</b>

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**

<p><b>9:45 pm</b> 4.1-A Approval of Independent Audit Report for FY ending June 30, 2007</p>	<p><u>Staff Recommendation:</u> Review and accept the audit report and financial statements as presented by Vavrinek Trine Day &amp; Co, LLP</p>	<p><b>70 + under separate cover</b></p>
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<p>4.2-A Budget Adjustment to Offset Potential Budget Shortfall</p>	<p><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.</p>	<p><b>71</b></p>
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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**

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

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

**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:** Michele Lawrence, Superintendent  
**DATE:** January 23, 2008  
**SUBJECT:** Revision to 2008 Board of Education Meeting Schedule

## **BACKGROUND INFORMATION**

The Board has asked that the meeting schedule for 2008 be revised since the October 8 meeting is presently scheduled on the eve of Yom Kippur. We suggest the October dates be changed from October 8 and 22 to October 15 and 29.

## **POLICY CODE**

None

## **FISCAL IMPACT**

None

## **STAFF RECOMMENDATION**

Approve the change to the 2008 Board of Education Meeting Schedule

# **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** Board of Education  
**FROM:** Michele Lawrence, Superintendent  
**DATE:** January 23, 2008  
**SUBJECT:** Approval of Legal Services Agreement

## **BACKGROUND INFORMATION**

The Board has several contract agreements with law firms that provide a variety of service. Atkinson, Andelson, Loya, Ruud & Romo has submitted their standard Agreement for Special Services to cover legal matters for the period 2008-2010 to include representation in administrative and court proceedings as requested by the District. AALRR has worked with the district for the past seven years on an as needed basis. The contract extension allows the Board and administration to use these legal services as desired.

## **POLICY CODE**

None

## **FISCAL IMPACT**

None

## **STAFF RECOMMENDATION**

Approve the Agreement for Special Services

# BERKELEY UNIFIED SCHOOL DISTRICT

**TO:** Michele Lawrence Superintendent  
**FROM:** Lisa Udell, Ed.D. Assistant Superintendent, Human Resources  
 Alan Levinson, Director, Classified Personnel  
**DATE:** January 23, 2008  
**SUBJECT:** APPROVAL OF HUMAN RESOURCES REPORT 08-03  
 Following is Human Resources Report 08-03 which reports details of personnel assignments, employment, and terminations.

<b>CERTIFICATED EMPLOYEES</b>						
<b>NAME</b>	<b>POSITION</b>	<b>LOCATION</b>	<b>BUDGET</b>	<b>FTE &amp; SALARY</b>	<b>FROM</b>	<b>TO</b>
<b><u>RETIREMENT</u></b>						
Judith Doyle	Teacher	King	General Fund	1.00	6/13/08	
Alan Joy	Program Supervisor	Special Ed	General Fund	1.00	6/30/08	
Michele Lawrence	Superintendent			1.00	2/1/08	
<b><u>EXTRA DUTY – STIPEND (MIDDLE SCHOOL DEPARTMENT LEADER)</u></b>						
Gerald Evans	Teacher	Williard	General Fund	NTE \$709.00	8/27/07	6/13/08
Vana James	Teacher	Willard	General Fund	NTE \$709.00	8/27/07	6/13/08
Allison Krasnow	Teacher	Willard	General Fund	NTE \$709.00	8/27/07	6/13/08
Sonya Martin	Teacher	Willard	General Fund	NTE \$709.00	8/27/07	6/13/08
George Rose	Teacher	Willard	General Fund	NTE \$709.00	8/27/07	6/13/08
Michael Williams	Teacher	Willard	General Fund	NTE \$709.00	8/27/07	6/13/08
Mary Wrenn	Teacher	Willard	General Fund	NTE \$709.00	8/27/07	6/13/08
<b><u>EXTRA DUTY – STIPEND (BTSA SUPPORT PROVIDER)</u></b>						
Leorah Abouav-Zilberman	Teacher	BHS	BTSA	NTE \$7,000.00	8/29/07	6/13/08
Alexander Angell	Teacher	BHS	BTSA	NTE \$2,800.00	8/29/07	6/13/08
Lynda Arnold	Teacher	Rosa Parks	BTSA	NTE \$2,800.00	8/29/07	6/13/08
Deborah Barer	Teacher	LeConte	BTSA	NTE \$1,400.00	8/29/07	6/13/08
Candyce Cannon	Teacher	Malcolm X	BTSA	NTE \$1,400.00	8/29/07	6/13/08

**CERTIFICATED EMPLOYEES**

<b>NAME</b>	<b>POSITION</b>	<b>LOCATION</b>	<b>BUDGET</b>	<b>FTE &amp; SALARY</b>	<b>FROM</b>	<b>TO</b>
Jay Cohen	Teacher	King	BTSA	NTE \$1,400.00	8/29/07	6/13/08
Rita Davies	Teacher	District	BTSA	NTE \$1,400.00	8/29/07	6/13/08
Ruth Dorman	Teacher	District	BTSA	NTE \$1,400.00	8/29/07	6/13/08
Victoria Edwards	Teacher	District	BTSA	NTE \$1,400.00	8/29/07	6/13/08
Katherine Freeburg	Teacher	District	BTSA	NTE \$1,400.00	8/29/07	6/13/08
Akemi Hamai	Teacher	King	BTSA	NTE \$1,400.00	8/29/07	6/13/08
Phillipe Henri	Teacher	BHS	BTSA	NTE \$1,400.00	8/29/07	6/13/08
Susan Jones	Teacher	BHS	BTSA	NTE \$2,800.00	8/29/07	6/13/08
Leah Katz	Teacher	BHS	BTSA	NTE \$1,400.00	8/29/07	6/13/08

**CLASSIFIED EMPLOYEES**

<b>NAME</b>	<b>POSITION</b>	<b>LOCATION</b>	<b>BUDGET</b>	<b>CLASS RANGE STEP</b>	<b>FTE &amp; SALARY</b>	<b>FROM</b>	<b>TO</b>
<b><u>RESIGNATION</u></b>							
Douglass Cobb	Instructional Tech. (After School)	Longfellow				11/9/07	
Gabriel Getchell	Ext. Day Program Coordinator	Thousand Oaks				1/12/08	
James Harris	Custodian I	Adult School				11/30/07	
Adolphus Turner, Jr.	Custodian I	King				1/4/08	
<b><u>MEDICAL LEAVE OF ABSENCE WITH PAY</u></b>							
Vanessa King	Food Service Satellite Operator	B-Tech/ Rosa Parks	Child Nutrition	31/5	.73 FTE \$16.01 hr	10/1/07	10/14/07
Vanessa King	Custodian I	Rosa Parks	General Fund	32/2	.27 FTE \$14.15 hr	10/1/07	10/14/07
Reginald VanHook	Storekeeper	Purchasing	General Fund	42/5	1.0 FTE \$21.03 hr	11/6/07	11/30/07
<b><u>FAMILY MEDICAL LEAVE OF ABSENCE WITH PAY (4 hrs/week)</u></b>							
Jemal A'Omar	Instructional Assistant II	Adult School	Adult School	31/5	1.0 FTE \$16.01 hr	12/17/07	6/30/08
<b><u>INTEGRATE SICK LEAVE WITH STATE DISABILITY</u></b>							
Vivian Hutson	Instructional Assistant (ECE)	Hopkins	State Gen. Child Care	29/5	.93 FTE \$15.53 hr	1/1/08	2/1/08
Alfred Lawrence	Custodian I	Longfellow	General Fund	32/4	1.0 FTE \$15.61 hr	12/1/07	12/31/07
Reginald VanHook	Storekeeper	Purchasing	General Fund	42/5	1.0 FTE \$21.03 hr	12/3/07	1/4/08
<b><u>EXTENDED SICK LEAVE WITH 50% PAY</u></b>							
Kevin Campbell	Custodian II	Cragmont	General Fund	37/5	1.0 FTE \$18.58 hr	1/1/08	1/31/08
Vanessa King	Food Service Satellite Operator	B-Tech/ Rosa Parks	Child Nutrition	31/5	.73 FTE \$16.01 hr	10/15/07	1/31/08
Vanessa King	Custodian I	Rosa Parks	General Fund	32/2	.27 FTE \$14.15 hr	10/15/07	1 /31/08
<b><u>PERMANENT</u></b>							
Irma Parker	Parent Liaison	Berkeley High	General Fund	45/5	+0.06 FTE \$23.08 hr	8/29/07	6/13/08
<b><u>PROBATIONARY</u></b>							
Kenneth Lewis	Instructional Assistant (Special Education)	King	Special Ed.	31/1	.73 FTE \$13.38 hr	12/6/07	6/5/08

**CLASSIFIED EMPLOYEES**

<b>NAME</b>	<b>POSITION</b>	<b>LOCATION</b>	<b>BUDGET</b>	<b>CLASS RANGE STEP</b>	<b>FTE &amp; SALARY</b>	<b>FROM</b>	<b>TO</b>
Josner Tiles	Parent Liaison	Berkeley High	General Fund	45/1	.50 FTE \$18.93 hr	1/7/08	9/6/08
<b><u>PROVISIONAL</u></b>							
Hermelinda Guerrero	Account Tech.	Special Education	Special Ed.	43/4	.50 FTE \$20.88 hr	12/6/07	3/4/08
Terri Kirkwood	Accountant	Business Services	General Fund/LRN SAFE	47/1	1.0 FTE \$19.87 hr	1/9/08	4/8/08
<b><u>AVAILABLE SUBSTITUTES</u></b>							
Lolita Aragon	School Secretary I	All District	General Fund	44/1	NTE 7.5 hrs/day \$18.45 hr	1/8/08	6/13/08
	Clerical Specialist	All District	General Fund	42/1	NTE 7.5 hrs/day \$17.58 hr	1/8/08	6/13/08
Clarence Banks	School Safety Officer	All District	General Fund	44/1	NTE 7.5 hrs/day \$18.10 hr	11/29/07	6/13/08
Lalane Coaxum	Clerical Specialist	All District	General Fund	42/1	NTE 7.5 hrs/day \$17.58 hr	11/16/07	6/13/08
Marcellus Dunlap	School Safety Officer	All District	General Fund	44/1	NTE 7.5 hrs/day \$18.10 hr	11/16/07	6/13/08
	Custodian I	All District	General Fund	32/1	NTE 7.5 hrs/day \$13.48 hr	11/16/07	6/13/08
John Fontenette	Custodian I	All District	General Fund	32/1	NTE 7.5 hrs/day \$13.48 hr	12/19/07	6/13/08
Raul Garcia-Fuente	School Safety Officer	All District	General Fund	44/1	NTE 7.5 hrs/day \$18.10 hr	11/28/07	6/13/08
Fredrick Griffin	Instructional Assistant (Special Education)	All District	General Fund	31/1	NTE 7.5 hrs/day \$13.38 hr	11/17/07	6/13/08
Dennis Litzsey	Custodian I	All District	General Fund	32/1	NTE 7.5 hrs/day \$13.48 hr	12/20/07	6/13/08

**CLASSIFIED EMPLOYEES**

<b>NAME</b>	<b>POSITION</b>	<b>LOCATION</b>	<b>BUDGET</b>	<b>CLASS RANGE STEP</b>	<b>FTE &amp; SALARY</b>	<b>FROM</b>	<b>TO</b>
Michael McNair	Food Service Assistant	All District	General Fund	26/1	NTE 7.5 hrs/day \$11.91 hr	10/12/07	6/13/08
Jonathan Secrease	Instructional Assistant (Special Education)	All District	General Fund	31/1	NTE 7.5 hrs/day \$13.38 hr	11/17/07	6/13/08
	Custodian I	All District	General Fund	32/1	NTE 7.5 hrs/day \$13.48 hr	12/19/07	6/13/08
Tanisha Taylor	Instructional Assistant (Special Education)	All District	General Fund	31/1	NTE 7.5 hrs/day \$13.38 hr	12/12/07	6/13/08
Anna Viel	Instructional Tech. (After School)	All District	General Fund	34/1	NTE 7.5 hrs/day \$14.41 hr	12/17/07	6/13/08
	Instructional Specialist (Cooking)	All District	General Fund	34/1	NTE 7.5 hrs/day \$21.96 hr	12/17/07	6/13/08
Cassandra Webster	Instructional Assistant (Special Education)	All District	General Fund	31/1	NTE 7.5 hrs/day \$13.38 hr	1/10/08	6/13/08
	School Safety Officer	All District	General Fund	44/1	NTE 7.5 hrs/day \$18.10 hr	1/10/08	6/13/08
	Custodian I	All District	General Fund	32/1	NTE 7.5 hrs/day \$13.48 hr	1/10/08	6/13/08
Joyce Younger	Instructional Assistant (Special Education)	All District	General Fund	31/1	NTE 7.5 hrs/day \$13.38 hr	11/19/07	6/13/08
<b><u>TEMPORARY/HOURLY/LIMITED TERM</u></b>							
Diego Amado	Student Worker (Workability)	Berkeley High	Special Ed.	N/A	6 hrs/wk \$7.50 hr	10/1/07	6/13/08
Margaret Aytac	Tutor-Specialty (CAHSEE)	Berkeley High	CAHSEE	31/1	20 total hrs \$13.38 hr	11/1/07	6/13/08
Guillermina Gonzalez	Instructional Assistant	State & Federal	Title I	29/1	80 total hrs \$12.75 hr	9/15/07	6/13/08
Ana Maria Herrera	Instructional Assistant	State & Federal	Title I	29/1	80 total hrs \$12.75 hr	9/15/07	6/13/08



**CLASSIFIED EMPLOYEES**

<b>NAME</b>	<b>POSITION</b>	<b>LOCATION</b>	<b>BUDGET</b>	<b>CLASS RANGE STEP</b>	<b>FTE &amp; SALARY</b>	<b>FROM</b>	<b>TO</b>
Ana Maria Herrera	Instructional Assistant	Le Conte	ENG. TUT.	29/1	4.5 hrs/wk \$12.75 hr	11/1/07	6/13/08
Sai Cheung	Student Worker (Workability)	Berkeley High	Special Ed.	N/A	6 hrs/wk \$7.50 hr	9/24/07	6/13/08
Ptriscilla Munoz	Instructional Assistant	State & Federal	Title I	29/1	24 total hrs \$12.75 hr	10/24/07	6/13/08
Oliver Suttice	Instructional Tech. (After School)	Longfellow	Title I	34/3	8 total hrs \$15.90 hr	10/4/07	10/25/07
<b><u>STIPENDS</u></b>							
Manuel Jiminez	Coach (Soccer)	King	21 <sup>st</sup> Century	N/A	\$600.00	11/30/07	1/7/08
Cody Keffer	Assistant Coach (Girls & Boys Water Polo)	Berkeley High	General Fund	N/A	\$2144.00	8/13/07	11/30/07

# **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** Michele Lawrence, Superintendent  
**FROM:** Richard J. Dodson, Labor Relations Director  
**DATE:** January 23, 2008  
**SUBJ:** International Union of Operating Engineers, Stationary Engineers,  
Local 39 New Contract Proposals

## **BACKGROUND INFORMATION**

The term of the last collective bargaining agreement between Berkeley Unified School District and the International Union of Operating Engineers, Stationary Engineers, Local 39 (Local 39) expired June 30, 2007. Local 39 and the District must bargain a successor agreement and Local 39 has submitted additional proposals attached hereto for the Board's consideration and public review as required by law.

## **POLICY/CODE**

Government Code section 3543.2 and 3547

## **FISCAL IMPACT**

To be negotiated.

## **STAFF RECOMMENDATION**

Allow public review, approve the request to negotiate and direct staff to establish parameters to negotiate with Local 39 on these proposals.



# Stationary Engineers, Local 39

INTERNATIONAL UNION OF PROFESSIONAL ENGINEERS, LOCAL 39

HENRY KAUFMAN  
Business Representative

26 December 2007

Richard Dodson  
Director of Labor Relations  
Berkeley Unified School District  
2134 Martin Luther King Jr. Way  
Berkeley, CA 94704-1108

Dear Mr. Dodson:

Stationary Engineers Local 39 is requesting to reopen the Collective Bargaining Agreement between Local 39 and the Berkeley Unified School District for modifications and improvements. Below are additional "sunshine" proposals being sent to you for presentation at a public meeting, for comments, if any, from the public.

### Article 33: Most Favored Nation Clause (New Section)

The Union will be proposing that if the Berkeley Unified School District Board approves increases in salary, health benefits, retirement, longevity merit pay, professional growth pay, meal allowance rates, vacation or pay differentials greater than those increases shall be granted to the employees covered by this agreement. The effective dates shall be the same. Any dispute of this section can be appealed directly to arbitration.

### Article X1: Filling of Vacancies (New Section)

The Union will be proposing that the District shall fill all vacancies within ninety (90) days from the date the position became vacant.

### Article X2: Use of Substitute Staff (New Section)

The Union will be proposing that the District shall limit all appointments of substitute staff to a period of thirty (30) days in a six month period.

### Article X3: Ratios of Supervisors to Rank and File Staff (New Section)

The Union will be proposing that the District agrees to conduct a study to review its ratio of supervisors to rank and file staff and determine if the ratio is within best interest practices for similarily situated school districts.

If you have any questions, please feel free to contact us at 415-861-2135.

Sincerely,

Henry Kaufman  
Business Representative

Norma J. Lopez  
Business Representative

207 JALISCUA STREET • DUBLIN, CALIFORNIA 94568 • FAX (415) 861-2294 • (415) 861-2135  
www.iupeng.com

# **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** Michele Lawrence, Superintendent  
**FROM:** Elaine Eger, Manager of Special Education, and  
Lisa Warhuus, Manager of Integrated Resources  
**DATE:** January 23, 2008  
**SUBJECT:** Memorandum of Understanding (MOU) between Berkeley  
Unified School District and Seneca Center for the 2007-2008  
School Year

## **BACKGROUND INFORMATION**

For the past two years, BUSD has offered a special education, counseling enriched program to qualifying elementary school students who have significant mental health challenges. This program has helped BUSD to expand its array of services and allow more students to be served within a minimally restrictive school environment, rather than a non-public school setting.

In the past, the district has been able to provide the services required for such a program with its own employees, but recently we have been experiencing increasing challenges in ensuring both appropriate classroom staffing and adequate mental health services. While we are committed in the long term to expanding our internal capacity for providing quality, classroom-based mental health services to students who need them, our current challenges have compelled us to collaborate with community agencies in the short term in order to meet the legal compliance of implementing IEPs. The proposed MOU with Seneca Center directly addresses our short-term needs and keeps us in legal compliance.

Seneca Center is among the most reputable agencies in Northern California offering school-based mental health services to students and their families. In the proposed MOU, Seneca will provide a social worker to provide mental health services, two Mental Health Assistants in the classroom, and the supervision of the Seneca staff. In turn, the District will pay for services provided by Seneca Mental Health Assistants (until we are able to replace them with qualified BUSD staff), provide work space for Seneca staff, and assign a Special Education Program Supervisor to oversee the program. Funding will come from vacant positions. This solution will allow us to redirect our focus from scrambling to fill gaps toward building our counseling enriched program to meet student needs.

## **POLICY /CODE**

None

**FISCAL IMPACT**

\$60,000 from General Fund

**STAFF RECOMMENDATION**

Approve the MOU between BUSD and Seneca Center for the 2007-2008 school year.

# **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** Michele Lawrence, Superintendent  
**FROM:** Elaine Eger, Manager of Special Education, and  
Lisa Warhuus, Manager of Integrated Resources  
**DATE:** January 23, 2008  
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School District and Seneca Center for the 2007-2008 School  
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## **BACKGROUND INFORMATION**

For the past two years, BUSD has offered a special education, counseling enriched program to qualifying elementary school students who have significant mental health challenges. This program has helped BUSD to expand its array of services and allow more students to be served within a minimally restrictive school environment, rather than a non-public school setting.

In the past, the district has been able to provide the services required of such a classroom with its own employees, but in the past eight months we have been experiencing increasing challenges in ensuring both appropriate classroom staffing and adequate mental health services. While we are committed in the long term to expanding our internal capacity for providing quality, classroom-based mental health services to students who need them, our current challenges have compelled us to seek out collaboration with community agencies in the short term in order to meet the legal compliance of implementing IEPs. The proposed MOU with Seneca Center directly addresses our short-term needs and keeps us in legal compliance.

Seneca Center is among the most reputable agencies in Northern California offering school-based mental health services to students and their families. In the proposed MOU, Seneca will provide a social worker to provide mental health services, two Mental Health Assistants in the classroom, and supervision to Seneca staff. In turn, we will pay for services provided by Seneca Mental Health Assistants (until we are able to replace them with qualified BUSD staff), provide work space to Seneca staff, and assign a special education supervisor to oversee the program. Funding will come from vacant solutions. This solution will allow us to redirect our focus from scrambling to fill gaps toward building our counseling enriched program capacity to meet student needs.

## **POLICY /CODE**

None

**FISCAL IMPACT**

\$60,000 from general fund.

**STAFF RECOMMENDATION**

Approve the MOU between BUSD and Seneca Center for the 2007-2008 school year.

## **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** Michele Lawrence, Superintendent  
**FROM:** Neil Smith, Assistant Superintendent, Educational Services  
**DATE:** January 23, 2008  
**SUBJECT:** MOU with Faith Network of the East Bay to Provide Fingerprinting for After School Program Volunteers

### **BACKGROUND INFORMATION**

Berkeley LEARNS, the District's after school program, is interested in insuring that volunteers working with students have been fingerprinted. However, the District staff does not have the capability to process these volunteers in addition to all employees. As a result, the LEARNS staff has contacted Faith Network of the East Bay, a non-profit organization that provides a similar service for Oakland Unified School District.

The MOU between Berkeley LEARNS and Faith Network of the East Bay will be in effect through June 30, 2008. Costs for the fingerprinting will be borne by the LEARNS programs, so there will be no cost to the General Fund.

### **POLICY/CODE**

Education Code 45125

### **FISCAL IMPACT**

There is no direct cost to the General Fund.

### **STAFF RECOMMENDATION**

Approve the MOU with Faith Network of the East Bay to provide fingerprinting for After School Program Volunteers.



# Memorandum of Understanding between Faith Network of the East Bay and the Berkeley LEARNS After School Programs

Academic Year 2007-2008

## Purpose of Program

The purpose of the partnership between Faith Network of the East Bay and the Berkeley LEARNS After School Programs is to strengthen the after school programs by providing fingerprinting service for volunteers who have committed to serving as enrichment instructors.

## Responsibilities

### Faith Network of the East Bay

- Provide documentation verifying Faith Network's status as a fingerprinting agency.
- Provide fingerprint forms to Berkeley LEARNS
- Monitor the fingerprint process with California Department of Justice for identified applicants
- Communicate with Berkeley LEARNS when fingerprints clear
- Communicate with Berkeley LEARNS if any negative information results from the screening
- Reimburse volunteers for any costs associated with fingerprinting
- Invoice Berkeley LEARNS for reimbursement costs

### Berkeley LEARNS

- Determine eligible candidates for fingerprinting
- Communicate with Faith Network regarding applications
- Follow up on any negative information from the screening process
- Keep an updated database of all fingerprinted volunteers for Faith Network's reference
- Reimburse Faith Network for any reimbursements issued to volunteers

### Site Coordinator at Local Berkeley LEARNS program

- Serve as the point person for the volunteer
- Provide the volunteer with a space and schedule of classes

## Fiscal Procedures

### Faith Network

- Provide an invoice in April of 2008 for any reimbursement costs associated with fingerprinting.

### Berkeley LEARNS

- Remit payment of invoice within 30 days of receipt of invoice.

## Staffing and Reporting Relationships

**Faith Network**

- The Administrative Assistant, Chelsea Boniak, will contact Emily Davidow, Program Coordinator for Berkeley LEARNS.

**Berkeley LEARNS**

- Emily Davidow will contact the Administrative Assistant Chelsea Boniak with concerns regarding program administration issues.

**Reporting Requirements**

**Faith Network**

- Faith Network will store all fingerprint reports.

**Berkeley LEARNS**

- LEARNS will maintain a record of the volunteers printed.

\_\_\_\_\_  
**Michele Lawrence**  
Superintendent of Schools  
Berkeley Unified School District

\_\_\_\_\_  
**Randy Roth, President**  
Faith Network of the East Bay

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

## **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** Board of Directors  
**FROM:** Jim Slemp, Principal Berkeley High School and Kristin  
Glenchur, Athletic Director  
**DATE:** January 23, 2008  
**SUBJECT:** Oakland Children's Hospital Contract with Berkeley High  
Athletics.

### **BACKGROUND INFORMATION**

Berkeley Athletics employs a part-time certified athletic trainer Monday through Friday from 3:15-7:00. He tapes, provides warm and cold therapy, muscle stretching and, as is required by the C.I.F., is on site for all football games. He also attends other home competitions throughout the year as time allows.

Oakland Children's Hospital and Research Center has proposed a reciprocal relationship with Berkeley High Athletics. They offer to employ the athletic trainer and provide his services to Berkeley High Athletics for the same hours he currently works. In exchange, the district and Berkeley High (via ASB gate receipts) will pay them the amount he currently costs and they are allowed to publicize their services in the training room and in our facilities after administrative approval. **Additional services they will provide include organizational protocols and procedures for training services, free sports physicals for needy athletes, educational presentations, participation in athletic training ROP class at Berkeley High, back up support for outside athletic trainer in case of illness or scheduling conflict, community partner for the improvement of safety/injury prevention for BHS athletes, long-term stability for training program at BHS, direct access to all services at CHO for BHS students and reduced cost on bulk order medical supplies for our teams.**

Oakland Children's Hospital has already established a relationship with the North Coast Section of CIF to provide athletic trainers to their post-season contests and hopes to expand the service by creating a pilot with Berkeley High and other public high schools in the area.

We are seeking Board approval of the contract between Oakland Children's Hospital and Berkeley Athletics. There will be no change in budgeted costs, so the contract is cost neutral to the school. At this time, half the trainer's salary is paid by the district (approximately \$8000), and the other half is paid by gate receipts generated from football and basketball games.

**FISCAL IMPACT**

Total cost \$8000 for 06-07 and \$16000 for 07-08 but no increased costs to the general fund or the school.

**STAFF RECOMMENDATION**

Approve a one and a half year contract between Oakland Children's Hospital and Berkeley High Athletics to begin January 15, 2008 and end June 15, 2009

# **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** Michele Lawrence, Superintendent  
**FROM:** Neil Smith, Assistant Superintendent, Educational Services  
**DATE:** January 23, 2008  
**SUBJECT:** Overnight Field Trip Requests

## **BACKGROUND INFORMATION**

The following overnight field trip requests are being made:

Marin Headlands, February 14-15, 2008

Approve participation of sixty (60) AHA 11<sup>TH</sup> grade students, six (6) teachers, and additional staff at night from Berkeley High School on a two-day, one-night retreat to the Marin Headlands. The group is scheduled to depart at 10:00 a.m. on Thursday, February 14, and will return at 2:15 p.m. on Friday, February 15, 2008. The purpose of the trip is to provide students with an opportunity to build community, plan service projects, set academic goals and participate in equity education activities. Students will sleep in gender specific rooms at a youth hostel on the grounds. District buses will provide transportation. Parents/students will provide funding for \$50.00 per student cost. No student will be denied access based on ability to pay. Requested by Pasquale Scuderi, Assistant Principal, Berkeley High School.

Marin Headlands, March 13-14, 2008

Approve participation of fifty (50) AHA seniors, six (6) teachers and additional staff at night from Berkeley High School on a two-day, one-night retreat to the Marin Headlands. The group is scheduled to depart at 10:00 a.m. on Thursday, March 13, and will return at 2:15 p.m. on Friday, March 14, 2008. The purpose of the trip is to provide students with an opportunity to build community, plan service projects, set academic goals and participate in equity education activities. Students will sleep in gender specific rooms at a youth hostel on the grounds. District buses will provide transportation. Parents/students will provide funding for \$50.00 per student cost. No student will be denied access based on ability to pay. Requested by Pasquale Scuderi, Assistant Principal, Berkeley High School.

## **POLICY/CODE**

Education Code 35330  
Board Policy 6153

## **FISCAL IMPACT**

As indicated above.

## **STAFF RECOMMENDATION**

Approve the overnight field trips requests consistent with the District policies and instructional programs

# **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** Michele Lawrence, Superintendent  
**FROM:** Javetta Robinson Deputy Superintendent (CBO)  
**DATE:** January 23, 2008  
**SUBJECT:** Approval of Contracts/Purchase Orders for Services  
Contracts

## **BACKGROUND INFORMATION**

The District contracts with consultants or independent contractors who can provide valuable and necessary specialized services not normally required on a continuing basis.

The following contract services are requested. Expenditures are within budget.

- 1 Luk and Associates to survey, locate the culvert and all underground utilities at the West Campus site. The cost will not exceed \$45,000. The cost is contained in the West Campus Project Budget. To be paid from the Bond Fund. Requested by Lew Jones.
- 2 Joe Renda, DSA Inspector to perform in plant inspection of the portables for King CDC and Franklin PN. The cost will not exceed \$27,000. The cost is contained in the project budgets. To be paid from the Bond Fund. Requested by Lew Jones.
- 3 RGA and Associates to update the AHERA (asbestos) survey required by Federal law to be updated every three years. The cost will not exceed \$27,000. The cost is contained in the Hazardous Material Budget of the General Fund. Requested by Lew Jones.
- 4 Increase in contract, PO 80451, to Tina Brier to provide consulting support for Human Resources. The Board approved \$14,675 on September 19, 2007. The additional amount requested is \$5,000 for a total amount of \$19,675. To be paid from General Fund Budget. Requested by Lisa Udell.
5. Berkeley Alliance to continue the agreement between the City of Berkeley, University of California at Berkeley and Berkeley Unified School District to pay for BUSD's contribution to support the Alliance staff and the joint initiatives being implemented in mental health and integrated services. The cost is not to exceed \$35,000. To be paid from General Fund Budget. Requested by Michele Lawrence.

**POLICY/CODE**

Public Contract Code: 20111

Board Policy 3310

**STAFF RECOMMENDATION**

Approve the contracts with Consultants or Independent Contractors as submitted.

## **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** Michele Lawrence, Superintendent  
**FROM:** Pauline Follansbee, Director of Fiscal Services  
**DATE:** January 23, 2008  
**SUBJECT:** Approve Listing of Warrants issued in December, 2007

### **BACKGROUND INFORMATION**

Each month the District writes several checks to vendors for services provided and goods received. The checks are written against both the Restricted and Unrestricted General Fund. The summaries of warrants for the month of December 2007 are attached for the Board's review.

### **POLICY/CODE**

Educational Code Section 41010 ET seq.

### **FISCAL IMPACT**

\$5,324,417.18 for the month of December 2007 from various funds.

### **STAFF RECOMMENDATION**

Approve the monthly bill warrant lists for the month December 2007.



# **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** Michele Lawrence, Superintendent  
**FROM:** Javetta Robinson, Deputy Superintendent  
**DATE:** January 23, 2008  
**SUBJECT:** Receive and Approve Information on the Issuance of Payroll Warrants for Employee Services for December 2007.

## **BACKGROUND INFORMATION**

On a regular basis the Board receives information on the total amount paid employees during a month. The attached represents a summary of pay warrants from various funds for the month of December 2007.

## **POLICY/CODE**

Educational Code 41010 ET Seq.

## **FISCAL IMPACT**

\$6,882,651.65 from various funds.

## **STAFF RECOMMENDATION**

Approve payroll payments made in December 2007.

**BERKELEY UNIFIED SCHOOL DISTRICT**  
**DISTRICT PAYROLL – ACCOUNTING DEPARTMENT**  
**December 2007**

<u><b>COMPUTER GENERATED</b></u>	<u><b>AMOUNTS</b></u>
GENERAL FUND	5,512,879.53
MEASURE BB FUND	156,046.01
BSEP SITE ENRICHMENT	26,727.44
BSEP Measure A	300,833.41
BSEP Fund 16	
MEASURE B FUND	30,385.41
ADULT FUND	422,187.68
CHILD DEVELOPMENT	175,719.39
CAFETERIA FUND	240,854.77
Measure A+AA (Bond Fund)	7,759.16
SELF INS. FUND	9,258.85
<b>TOTALS</b>	<b>6,882,651.65</b>

APPROVED BY: \_\_\_\_\_  
Javetta Robinson, Deputy Superintendent

DATE: