

BERKELEY UNIFIED SCHOOL DISTRICT
2134 Martin Luther King Jr. Way
Berkeley, CA 94704-1180
Phone: (510) 644-6147 Fax: (510) 540-5358

REGULAR MEETING OF THE BOARD OF EDUCATION
AGENDA
December 11, 2002

- Call to Order The Presiding Officer will Call the Meeting to Order at 5:00 p.m. The Board will recess to Closed Session at 5:00 p.m. and reconvene in Public Session at 7:30 p.m.
- Roll Call Director Terry S. Doran
 Director Shirley Issel
 Director Joaquin J. Rivera
 Director John T. Selawsky
- Administration Superintendent Michele Lawrence, Secretary

OATH OF OFFICE BY CITY CLERK

Re-elected Director Terry S. Doran
Re-elected Director Shirley Issel
Director-Elect Nancy M. Riddle

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 49818(c)—Board Conference Room

- a) Conference with Legal Counsel—Existing Litigation
- b) Consideration of Student Expulsion
- c) Collective Bargaining
- d) Public Employee Discipline/Dismissal/Release
- e) Public Employment Appointments
- f) Liability Claims: Reimbursement of property loss
- g) Property Acquisition

*The Student Director does not attend Closed Session.

Report Closed
Session Action

Motion_____ Second_____ Vote_____

ANNUAL ORGANIZATIONAL MEETING

Election of Officers

President_____

Motion_____ Second_____ Vote_____

Vice President_____

Motion_____ Second_____ Vote_____

Secretary_____

Motion_____ Second_____ Vote_____

Approve Agenda

Approve the Regular Meeting Agenda of
December 11, 2002

Motion_____ Second_____ Vote_____

Approval of Resolution
of Appreciation for
Outgoing President
Shirley Issel

Board Member Recommendation:

Approve the Resolution of Appreciation
for Outgoing Board of Education

President Shirley Issel

Motion_____ Second_____ Vote_____

Separate
document

Board of Education
Representatives to
Board Committees
for 2003

Staff Recommendation:

Approve the representation of individual
Board members on District and Community
Committees

Motion_____ Second_____ Vote_____

1

2003 Board of
Education Meeting
Schedule

Staff Recommendation:

Approve the proposed 2003 Board of Education
Meeting Schedule

Motion_____ Second_____ Vote_____

2

Approval of Minutes

Staff Recommendation:

Approve the Minutes of November 6, and
20, 2002

Motion_____ Second_____ Vote_____

3

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.

PRESENTATION In Dulci Jubilo

REPORTS Union Representatives’ Reports
Board Committee Reports
Board Members’ Reports
Superintendent’s Report

CONSENT ITEMS

These items are considered routine and may be enacted by a single motion. Any items needing discussion may be removed to the appropriate section of the agenda upon the request of any Member of the Board.

General Services

1.1-C Resolution 02-47: Signatures of Board Members	<u>Staff Recommendation:</u> Approve Resolution 02-47: Signatures of Board Members Motion_____ Second_____ Vote_____	21
1.2-C Acceptance of Gifts/ Donations	<u>Staff Recommendation:</u> Accept the gifts/donations to the District or facilities from individuals and/or companies, as submitted and direct staff to send a letter of appreciation. Motion_____ Second_____ Vote_____	23
1.3-C Walk to School and Work Resolution	<u>Board Members’ Recommendation:</u> Approve Walk to School and Work Resolution Motion_____ Second_____ Vote_____	24
1.4-C Call for nominations for CSBA Delegate Assembly	<u>Staff Recommendation:</u> None. Motion_____ Second_____ Vote_____	26

Human Resources

2.1-C Staff Recommendation: 30
Acceptance of Personnel Report
Accept Personnel Report 03-10 as submitted
The report includes details, assignments,
Terminations, and employment of personnel
Motion_____ Second_____ Vote_____

2.2-C Staff Recommendation: 34
Renewal of Workers
Compensation Insurance with the
State Compensation Insurance Fund
Approve renewal of coverage with State
Compensation Insurance Fund.
Motion_____ Second_____ Vote_____

Educational Services

3.1-C Staff Recommendation: 36
Overnight Field Trip
Requests
Approve the overnight field trips.
Motion_____ Second_____ Vote_____

Business Services

4.1-C Staff Recommendation: 37
Approval of Contracts/
Purchase Orders for
Service Contracts
Authorize the Associate Superintendent of
Business and Operations or Purchasing
Agent to execute contracts and purchase
Orders
Motion_____ Second_____ Vote_____

Educational Services

3.1-I
Standardized Testing
And Reporting Program
(STAR)

110

EXTENDED PUBLIC TESTIMONY

Persons wishing to address the Board at this time should fill out a card located on the table by the door and submit the completed card to the Board Recorder. (Public Testimony is limited to a maximum of 30 minutes—3 minutes per speaker).

ANNOUNCEMENT

Schedule of December Board of Education Meetings

- December 11, 2002: Annual Organization Meeting
- December 17, 2002: Board Study Session regarding Student Assignment
7:30 p.m.
Berkeley Alternative High School
(in the Multi-purpose Room)
2701 Martin Luther King Jr. Way
Berkeley, CA 94704
- December 18, 2002: Board Study Session regarding the District's Budget
District's Administrative Offices
Council Chambers
2134 Martin Luther King Jr. Way
Berkeley, CA 94704-1180

ADJOURNMENT

Time _____

**Board of Education Meetings are broadcasted live on KPFB/FM 89.3
Cable Television Channels 25 and Berkeley's Government Access Channel 78**

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** (located on the side of the Speaker's Stand) and give it to the Board Recorder. Speakers will be selected by lottery. Your card must be submitted before the Presiding Officer calls for the item—**PUBLIC TESTIMONY**

You will be called on to speak by the Presiding Officer.

A speaker has three minutes in which to make his/her remarks. (The Presiding Officer will extend the time allocation for those with special speech needs.)

Any subject related to the District or its educational programs is welcome at Board of Education Meetings. **However, we 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.

qeg

CALL TO ORDER

President Shirley Issel called the Regular Board of Education Meeting of November 6, 2002, to order at 6:00 p.m.

BOARD ROLL CALL

MEMBERS PRESENT: President Shirley Issel
 Vice President Joaquin J. Rivera
 Director Terry S. Doran
 Director Ted Schultz
 Director John T. Selawsky
 Student Director Andy Turner*

Administration Superintendent Michele Lawrence, Secretary

Prior to Closed Session, as necessary, staff/employee comments are taken per Government Code Section 549567

No one addressed the Board at this time.

Recess to Closed Session (Government Code Sections 3549.1(d), 54956.9, 54956.9(a) and 54957 and Education Code Section 49819(c)

- a) Conference with Legal Counsel—Existing Litigation
- b) Consideration of Student Expulsion
- c) Collective Bargaining
 - (1) Ratification of Sixth-period Day
- d) Public Employee Discipline/Dismissal/Release
- e) Public Employment and Appointments
- f) Liability Claims
- g) Property Acquisition

*The Student Director does not attend Closed Session.

The Board recessed to Closed Session at 6:00 p.m. and reconvened in Public Session at 7:44 p.m.

BOARD ROLL CALL: President Shirley Issel
Vice President Joaquin J. Rivera
Director Terry S. Doran
Director Ted Schultz
Director John T. Selawsky
Student Director Andy Turner

Report Closed Session Action

President Issel stated that in Closed Session, the Board discussed the following items:

- c) Collective Bargaining
(1) Ratification of Sixth-period Day

The Board unanimously ratified the Sixth-period Day Agreement with the Berkeley Federation of Teachers.

- d) Public Employee Discipline/Dismissal/Release
e) Liability Claims

Approve Agenda

Motion: Directors Rivera/Selawsky and approved unanimously on voice:

That items 1.1-C and 1.2-C are pulled and included as action items.

Approval of Minutes

Motion: Directors Selawsky/Rivera and approved unanimously on voice vote:

That the October 9, 16 and 30, Minutes are approved.

PUBLIC TESTIMONY

Ms. Nancy Riddle, Board Member-Elect, thanked the voters of Berkeley for electing her to serve on the Board of Education. Ten other speakers addressed the Board regarding changes at Berkeley High School, the Student Assignment Committee, Nutrition Services, the Cèsar Chávez resolution and implementation plan, and water leaks at Willard Middle School.

REPORTS

Union Representatives' Report

Ms. Stephanie Allan, Business Representative, Local 39 and Mr. Mark Coplan, In Dulci Jubilo, addressed the Board.

Superintendent's Report

Superintendent Lawrence congratulated Nancy Riddle, Board Member-Elect, on her election to the Board. She congratulated Directors Doran and Issel on their re-election to the Board. Superintendent Lawrence gave an update regarding small schools. She said she will be setting up a Small Schools Steering Committee and developing a meeting schedule for this committee the end of November or early December.

Board Members' Comments

Student Director Turner congratulated Directors Doran and Issel on their re-election to the Board and Director-Elect Nancy Riddle on her election to the Board. He reported that he and other Berkeley High School students are concerned because there is no more recycling at Berkeley High School.

Director Doran congratulated Director Issel and Director-Elect Riddle on their election victory. He responded to issues raised during Public Testimony regarding student assignment. Director Doran said the Student Assignment Committee members can only offer advice. It is up to the Board to make the final decision on how to proceed.

Director Schultz congratulated Directors Doran and Issel and expressed his pleasure with the passage of Measure K, which increases Board Members salaries from \$875.00 per month to \$1500 per month.

Board Members' Comments (continued)

Vice President Rivera congratulated Directors Doran and Issel and Director-Elect Riddle on their successful election.

President Issel thanked the Berkeley community for re-electing her to the Board of Education. She said she feels that by returning both she and Director Doran to the Board, it is a vote of confidence in their accomplishments while serving on the Board.

CONSENT ITEMS

Motion: Directors Selawsky/Doran and approved unanimously on voice vote:

That the Consent Items are approved, as amended. The amendments are that item 1.1-C, and 1.2-C are moved to Action items. Item 4.2-C is pulled for further clarification.

1.1-C: Resolution in Acknowledgement of César Chávez Day

This item was moved to Action Items.

1.2-C: Resolution prohibiting the irradiated food products in the District's Food Services

This item was moved to Action Items.

2.1-C: Acceptance of Personnel Report

2.2-C: STRS Exemptions

2.3-C: Liability Claims submitted to the District

4.1-C: Approval of Contracts/Purchase Orders

4.2-C: Authorization to Advertise for bids for Grounds Maintenance at Longfellow, Malcolm X and Cragmont schools

This item was pulled for further clarification.

1.1-C: Resolution in Acknowledgement of César Chávez Day

Director Doran explained his rationale for recommending that the Board approve the Resolution making March 31st César Chávez Day in the Berkeley Unified School District. He urged the District to support a school-based recognition, on March 31st, of the life and legacy of César E. Chávez as well as explore the feasibility of developing a service-learning program in our schools by applying for State grants available in the name of César Chávez for service learning and volunteerism.

Vice President Rivera suggested that the Board approve the Resolution but that the Implementation Plan is referred back to staff to allow staff more time to provide input so that they will have ownership for the Plan.

Director Selawsky offered an amendment to the Resolution.

Motion: Directors Doran/Selawsky and approved unanimously on voice vote:

That the Resolution Making March 31st César Chávez Day in the Berkeley Unified School Day is approved as amended. The amendment is in the last paragraph on page 22 of the Board packet. The paragraph now reads:

FURTHER, BE IT RESOLVED, that the District will support a school-based recognition, on March 31st or the school day nearest to March 31st, of the life and legacy of César E. Chávez, rather than a school holiday which will include, but not be limited to:..."

CONFERENCE

3.1-I Preliminary Report from the Student Assignment Advisory Committee

The Board had before it a six-page report: "Student Assignment Advisory Committee Preliminary Report to the Board of Education, November 6, 2002."

Mr. Francisco Martinez, Manager, Attendance and Admissions; Ms. Bernadette Cormier, Manager, Transportation and three members of the Student Assignment Committee: Mr. Derick Miller and Ms. Roia Serrazares, Co-Chairs; Mr. Lee Berry and Ms. Nancy Riddle, highlighted the Student Assignment Advisory Committee Preliminary Report. Mr. Martinez gave the history of the Committee and then deferred to Ms. Nancy Riddle who reviewed the Committee's Statement of Beliefs.

Mr. Derick Miller, Co-Chair, read the summary of the Student Assignment Advisory Committee Preliminary Report as follows: "The Student Assignment Advisory Committee strongly reiterates its commitment to diversity in all of its forms as a core community value. Berkeley is a pioneer in incorporating racial diversity as a component of a quality public education. However, in the current legal climate this long-standing community value is difficult to maintain and perpetuate. The Committee is working to develop a plan that excludes the use of race but will continue to enhance and maintain the benefits of diverse schools using a broad definition of diversity. The Committee is working to modify the current controlled-choice student assignment plan and is a few weeks away from presenting it to the Board in greater detail. With the 2000 US Census data now available, a set of diversity indicators such as household income, parent education level, English as a second language and single parent households can be utilized to ensure all students equal access to rich and inclusive learning environment."

Some feedback from Board Members included the following:

Vice President Rivera said he values diversity but he would like for staff to provide more information about the legal ramifications if race is used to assign students.

Director Schultz said he is concerned that we might be moving backwards to having segregated schools.

CONFERENCE (continued)

3.1-I Preliminary Report from the Student Assignment Advisory Committee
(continued)

Director Doran expressed his concerns about this issue and said he will be seeking additional advice before he makes his recommendation regarding the criteria for making student assignments.

Director Selawsky said he is concerned that we are basing our policy on Proposition 209.

President Issel said she would like to see our schools as a whole reflect our community as a whole. That we should look at student assignment in terms of maximizing student achievement.

Student Director Turner said he values diversity over all else. Diversity reflects our community.

4.1-I Nutrition Services Work Plan for 2002-2003

Ms. Karen Candito, Director, Nutrition Services, said the Nutrition Services Department has established a work plan based on goals and objectives for the 2002-2003 school year. The work plan is designed to continue the process of building a strong foundation on which to build future stability and success. The plan addresses core issues in the Nutrition Services Office and at all grade levels. Ms. Candito elaborated on the following three goals:

Goal #1: Shift from food-based menu planning to nutrient standard menu planning.

Goal #2: Implement LEAF "Linking Education Activities & Food" Grant

Goal #3: Open Berkeley High School Mobile Food Unit

Ms. Jeanette James, Field Operations Supervisor, Nutrition Services; Mr. Eric Weaver, Chair, Child Nutrition Advisory Committee and Ms. Yolanda Huang made comments regarding this item.

4.1-I Nutrition Services Work Plan for 2002-2003 (continued)

Director Schultz said he would like for staff to prepare a timeline or plan and submit it to the Board explaining how the Child Nutrition Department will be financed.

Director Selawsky inquired about the Food Court at Berkeley High School. He asked staff to give the Board their goal for the number of students to be served in the immediate future and over the next couple of years.

Student Director Turner asked staff to also include in their plan an explanation as to how the food cart at Berkeley High School will be used.

Vice President Rivera asked staff to provide a list of challenges they anticipate and how the department will handle the challenges in the Child Nutrition area.

1.2-C Resolution prohibiting the irradiated food products in the District's Food Services

Motion: Directors Selawsky/Doran and approved and approved 3-0-2(1)-0 on voice vote:

Approval of the Resolution prohibiting the irradiated food products in the District's Food Services, as amended.

The amendment is in the last paragraph, on page 28 of the Board packet. The paragraph now reads as follows:

THEREFORE, the Berkeley Board of Education resolves this 6th day of November, 2002, to affirm Berkeley's values and commitments to nutritious, safe food for our children in our public schools by prohibiting the use of any **known irradiated food** products in any of our Food Services lunch, breakfast, or snack programs at any of our school sites **until viable evidence exists to the Board.**

AYES: Directors Doran, Schultz, Selawsky

NOES: None

ABSTAIN: Directors Issel, Rivera, (Student Director Turner)

ABSENT: None

4.2-C: Authorization to Advertise for bids for Grounds Maintenance at Longfellow, Malcolm X and Cragmont schools

Director Doran wanted to know the length of time for the contract. He said we should take care of our District needs with District employees.

Mr. Jerry Kurr, Associate Superintendent, Business & Operations, responded that the contract is for the fiscal year. He explained the advertising and hiring process.

President Issel said the Board did not receive a copy of the job specifications or scope of work for this project. She said there is no indication as to who is going to supervise this project.

Motion: Directors Doran/Selawsky and approved 5-0-(1)-0 on voice vote:

Authorization to Advertise for bids for Grounds Maintenance at Longfellow, Malcolm X and Cragmont schools.

AYES: Directors Doran, Issel, Rivera, Schultz, Selawsky

NOES: None

ABSTAIN: (Student Director Turner)

ABSENT: None

CONFERENCE

1.1-CF First Reading of REVISED Board Policies CEB and ABB: Role of the Superintendent and Role of the Board of Education

The Board accepted, at First Reading, REVISED Board Policies CEB and ABB: Role of the Superintendent and Role of the Board of Education. This item will be brought back for a Second Reading at the next Board Meeting.

ADJOURNMENT

President Issel declared the Regular Meeting of November 6, 2002, adjourned at 12:28 a.m.

APPROVED:

ATTEST:

President, Board of Education
Berkeley Unified School District

Secretary, Board of Education
Berkeley Unified School District

BERKELEY UNIFIED SCHOOL DISTRICT
MINUTES, REGULAR MEETING
Wednesday, November 20, 2002
District Administrative Offices
Board Meeting Room
2134 Martin Luther King Jr. Way
Berkeley, CA 94704-1180

OFFICIAL BUT UNADOPTED MINUTES

Page 1

CALL TO ORDER

Vice President Rivera called the Regular Board of Education Meeting of November 20, 2002, to order at 6:00 p.m.

BOARD ROLL CALL

MEMBERS PRESENT: Vice President Joaquin J. Rivera
Director Terry S. Doran
Director Ted Schultz
Director John T. Selawsky

MEMBERS EXCUSED: President Shirley Issel
Student Director Andy Turner

Administration Superintendent Michele Lawrence, Secretary

Prior to Closed Session, as necessary, staff/employee comments are taken per Government Code Section 459567

No one addressed the Board at this time.

Recess to Closed Session (Government Code Sections 3549.1(d), 54956.9, 54956.9(a) and 54957 and Education Code Section 49819(c)

- a) Conference with Legal Counsel—Existing Litigation
- b) Consideration of Student Expulsion
- c) Collective Bargaining
- d) Public Employee Discipline/Dismissal/Release
- e) Public Employment and Appointments
- f) Liability Claims
- g) Property Acquisition

The Board recessed to Closed Session at 6:00 p.m. and reconvened in Public Session at 7:48 p.m.

BOARD ROLL CALL: Vice President Joaquin J. Rivera
Director Terry S. Doran
Director Ted Schultz
Director John T. Selawsky

MEMBERS EXCUSED: President Shirley Issel
Student Director Andy Turner

Report Closed Session Action

Vice President Rivera stated in Closed Session, the Board discussed the following items:

- a) Conference with Legal Counsel—Existing Litigation
- c) Collective Bargaining
- d) Public Employee Discipline/Dismissal/Release
- e) Public Employment Appointments

Approve Agenda

Motion: Directors Selawsky/Schultz and approved 4-0-0-1(1)-0 on voice vote:

Approval of the Regular Meeting Agenda of November 20, 2002, as amended. The amendment is that items 1.1-C, 1.2-C, and 4.4-C are pulled for further clarification. Items 3.1-A and 4.1-A are moved to Consent and voted on as Consent Items.

AYES: Directors Doran, Rivera, Schultz, Selawsky

NOES: None

ABSTAIN: None

EXCUSED: Director Issel, (Student Director Turner)

ABSENT: None

AGENDA REORDER

CONSENT ITEMS

1.1-C: Resolution of Appreciation for Outgoing Board Member Ted Schultz

Vice President Rivera read the Resolution of Appreciation for Outgoing Board Member Ted Schultz and presented the Resolution to him.

Motion: Directors Doran/Selawsky and approved 3-0-1-1(1)-0 on voice vote:

Approval of the Resolution of Appreciation for Outgoing Board Member Ted Schultz.

AYES: Directors Doran, Rivera, Selawsky

NOES: None

ABSTAIN: Director Schultz

EXCUSED: Director Issel, (Student Director Turner)

ABSENT: None

Director Doran gave Director Schultz a plaque for his service on the Board from 1994 to 2002. Director Selawsky gave Director Schultz a plaque in appreciation for helping to repair and rebuild our schools. Mrs. Queen Graham, Executive Assistant, gave Director Schultz a Berkeley Unified School District Lifetime Activity pass.

AGENDA REORDER

PUBLIC TESTIMONY

Six speakers addressed the Board.

REPORTS

Union Representatives' Reports

Mr. Barry Fike, President, Berkeley Federation of Teachers, introduced a member of the BFT Executive Board. Mr. Fike addressed the Board regarding the BFT grievance process.

Advisory Councils' Report

Ms. Mary Reiter, Maintenance Advisory Committee, requested that staff provide quarterly updates to the Maintenance Advisory Committee regarding Measure BB funds. She announced that there will be a joint meeting between BSEP (Berkeley Schools Excellence Project) and the Maintenance Advisory Committee, on December 12, 2002, 7:30 p.m.-9:00 p.m., in the Oregon Street Conference Room.

Superintendent's Report

Superintendent Lawrence thanked Outgoing Director Ted Schultz for his service on the Board. She announced the following events:

1. December 11, 2002 Regular Board Meeting
The First Interim Report will be submitted to the Board.
2. December 17, 2002 Board Study Session regarding Student Assignment
3. December 18, 2002 Board Study Session regarding the District's budget

Superintendent Lawrence gave an update regarding Assembly Bill 2859 (Aroner: Finance). She said she will present more information about this Bill at the December 11, 2002 Board of Education Meeting. Superintendent Lawrence reported that she is in the process of establishing a Small Schools Steering Committee.

Board Members' Comments

Director Doran thanked Outgoing Board Member Ted Schultz for his service to the District. Director Doran reassured the public that no recommendation has come before the Board regarding Student Assignment.

Director Selawsky acknowledged and thanked Director Schultz for serving on the Board. He announced that he will be holding another community forum on December 3, 2002, 7:00 p.m.-8:30 p.m., in the Downtown Berkeley Public Library on the third floor. Everyone is invited. Director Selawsky announced that there will be a Student Assignment Forum on Wednesday, December 4, 2002, in the Malcolm X Auditorium. He invited everyone to attend.

Vice President Rivera said: "We are going to miss you, Ted. We wish you well." He requested that staff distribute information about the Student Assignment Forum.

CONSENT ITEMS

Motion: Directors Schultz/Selawsky and approved 4-0-0-1(1)-0 on voice vote:

That the Consent Items are approved, as amended. The amendments are that items 1.1-C, 1.2-C and 4.4-C are pulled for further clarification.

AYES: Directors Doran, Rivera, Schultz, Selawsky
NOES: None
EXCUSED: President Issel, (Student Director Turner)
ABSENT: None

1.1-C: Resolution of Appreciation for Outgoing Board Member Ted Schultz
Please see page 3 of these minutes for action on this item.

1.2-C: Contracting with a Community relations consulting team

Director Selawsky explained that these are one-time carryover BSEP funds and are allocated specifically for public information.

Motion: Directors Selawsky/Doran and approved 4-0-1(1)-0 on voice vote:

Approval for contracting services with the team of Caleb Dardick and Amy Resner to provide community relations support to the District.

AYES: Directors Doran, Rivera, Schultz, Selawsky
NOES: None
ABSTAIN: None
EXCUSED: Director Issel, (Student Director Turner)

CONSENT ITEMS (continued)

4.4-C: Resolution 02-41: Authorized Signatures

Motion: Directors Doran/Selawsky and approved
4-0-1(1)-0-0 on voice vote:

Approve Resolution to add District authorized signers of checks issued from General Fund, Adult Fund, Cafeteria Funds, Child Development Fund, and Revolving Cash Fund, as corrected.

AYES: Directors Doran, Rivera, Schultz,
Sewalsky

NOES: None

ABSTAIN: None

EXCUSED: Director Issel, (Student Director
Turner)

ABSENT: None

CONFERENCE

1.1-CF Second Reading of REVISED Board Policies CEB and ABB: Role of the Superintendent and Role of the Board of Education

Director Doran suggested that he and the Superintendent review the policies and resubmit the proposed policies at the December 11, 2002 Board Meeting.

INFORMATION

1.1-I: Additional Analysis of BUSD Spring 2002 STAR Testing Results

Mr. Peter Bloomsburgh, Director, Research & Evaluation, gave an overview of the STAR testing results. He said every spring for the past five years; students in second through eleventh grades have taken the Standardized Testing and Reporting (STAR) tests mandated statewide by the State of California. This past spring, students were given the Stanford Achievement Test Series, Ninth Edition (SAT9) and the California Standards Test (CST). The SAT9 compares our students' performance with students from across the country. The CST measure performance on test questions that reflect California's standards of what a student should know and be able to do at each grade level. Mr. Bloomsburgh reported that the results of the statewide STAR testing showed that Berkeley students scored above average in almost every grade level and subject, with few exceptions.

3.1-I: Report on the Implementation of Cesar Chavez Resolution

Ms. Christine Lim, Associate Superintendent, Educational Services, reported that the site principals and educational services staff have discussed and made modifications to the implementation plan which was presented to the Board on November 6, 2002.

3.2-I: Average Daily Attendance Summary and Monthly School Enrollment Project

Ms. Christine Lim, Associate Superintendent, Educational Services, explained the average daily attendance summary and monthly school enrollment report. She said since 1997 school districts can no longer claim excused absences for apportionment attendance.

Superintendent Lawrence said that staff will submit this information to the Board once a month.

Director Schultz requested that staff provide an attendance report for October and November 2002.

Director Selawsky requested that attendance taking and reporting be consistent throughout the District.

ADJOURNMENT

Vice President Rivera declared the Regular Meeting of November 20, 2002, adjourned at 10:07 p.m.

APPROVED:

ATTEST:

President, Board of Education
Berkeley Unified School District

Secretary, Board of Education
Berkeley Unified School District

qeg

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Queen Graham, Executive Assistant
DATE: December 11, 2002
SUBJECT: Acceptance of Gifts/Donations

BACKGROUND INFORMATION

The Board may accept and utilize on behalf of the District any bequests or gifts of money or property for a purpose deemed to be suitable by the Board.

The following donations have been presented to the District:

1. The District received an ergonomics computer monitor stand with an estimated value of \$200, from Marilyn Kaplan, LAW OFFICE OF MARILYN KAPLAN
2. The District received six violin bows and one cello bow from Ann Jefferson, IFSHIN VIOLINS.
3. The District received 20 cases of copy paper, 237 colored markers and 237 glue sticks, from Sean Marx, GIVE SOMETHING BACK, to be used in the classrooms at Oxford School
4. The District received some office supplies from Carlos Blanco, BARCLAYS GLOBAL INVESTORS.
5. The District received 400 ballet tickets to the Nutcracker, from the Berkeley Ballet.

POLICY

Board Policy DFK/KHE

FISCAL IMPACT

None

STAFF RECOMMENDATION

Accept the donations/gifts to the District.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Board of Directors
FROM: Terry S. Doran, Director, Board of Education and
John T. Selawsky, Director, Board of Education
DATE: December 11, 2002
SUBJECT: Walk to School Day and Work Resolution

BACKGROUND INFORMATION

The District has supported an annual Walk To School Day the past two years. Due to the success of this annual event, as well as the City wanting to encourage more walking and bicycling to work, the City and District are attempting to initiate a monthly Walk To School and Work Day on the first Wednesday of each month (except January 2003, the second Wednesday).

This activity encourages life-long healthy habits of walking and bicycling, and further encourages and supports groups of students walking with responsible adults along prescribed routes to their respective schools. Groups of students and adults walking together are safer than individuals. Additional benefits include reducing the number of cars on City streets during early commute hours, as well as a reduction in traffic congestion around our school sites.

FISCAL IMPACT

None

BOARD MEMBER RECOMMENDATION

Approve the Resolution Walk To School and Work Resolution.

TO: Michele Lawrence Superintendent
 FROM: David A. Gomez, Ph.D.
 Associate Superintendent Human Resources
 DATE: November 20, 2002
 SUBJECT: ACCEPTANCE OF PERSONNEL REPORT 03-09

Following is Personnel Report 03-09, which reports details of personnel assignments employment and terminations.

CERTIFICATED EMPLOYEES						
NAME	POSITION	LOCATION	BUDGET	FTE & SALARY	FROM	TO
<u>RESIGNATION</u>						
Tracy Gable	Teacher	Berkeley High			10/25/02	
<u>RESCISSION OF LEAVE OF ABSENCE</u>						
Roseann Santz Cruz	Teacher	Thousand Oaks	N/A	.50 FTE	8/26/02	6/13/03
<u>LEAVE OF ABSENCE WITHOUT PAY</u>						
Michael Abadi	Teacher	Special Education	N/A	1.00 FTE	12/9/02	6/13/03
Donna Suzuki	Teacher	John Muir	N/A	.20 FTE	10/9/02	6/13/03
<u>MATERNITY LEAVE:</u>						
Elizabeth Kim	Teacher	King	General Fund	.80 FTE	11/28/02	4/30/03
Bhipinder Virk	Teacher	Willard	General Fund	1.0 FTE	1/20/03	5/9/03
<u>EXTRA DUTY</u>						
Kate Aughenbaugh	Teacher (After School Tutorials)	King	BFT	\$25.00/hr (Not to exceed 8 hrs)	8/2/02	6/13/03
Julie Bowers	Lunch Duty	King	BSEP	\$26.71/hr (Not to exceed \$1,980)	8/28/02	6/13/03
Lara Brimhall	Teacher (After School Tutorials)	King	Site Fund	\$26.71/hr/ 3hrs/wk (Not to exceed \$2,403.90)	9/2/02	6/13/03
Lara Brimhall	Lunch Duty	King	BSEP	\$26.71/hr (Not to exceed \$1,980)	8/28/02	6/13/03
Kristin Collins	Lunch Duty	King	BSEP	\$26.71/hr (Not to exceed \$1,980)	8/28/02	6/13/03
Mark Delepine	Lunch Duty	King	BSEP	\$26.71/hr (Not to exceed \$1,980)	8/28/02	6/13/03
Victoria Edwards	Lunch Duty	King	BSEP	\$26.71/hr (Not to exceed \$1,980)	8/28/02	6/13/03
Akemi Hamai	Lunch Duty	King	BSEP	\$26.71/hr (Not to exceed \$1,980)	8/28/02	6/13/03

NAME	POSITION	LOCATION	BUDGET	FTE & SALARY	FROM	TO
Martha Hoppe	Lunch Duty	King	BSEP	\$26.71/hr (Not to exceed \$1,980)	8/28/02	6/13/03
Geeta Makhija	Lunch Duty	King	BSEP	\$26.71/hr (Not to exceed \$1,980)	8/28/02	6/13/03
Frank Martin	Lunch Duty	King	BSEP	\$26.71/hr (Not to exceed \$1,980)	8/28/02	6/13/03
Anthony Mason	Lunch Duty	King	BSEP	\$26.71/hr (Not to exceed \$1,980)	8/28/02	6/13/03
Betty Merritt	Lunch Duty	King	BSEP	\$26.71/hr (Not to exceed \$1,980)	8/28/02	6/13/03
Amy Masuda	Lunch Duty	King	BSEP	\$26.71/hr (Not to exceed \$1,980)	8/28/02	6/13/03
Alison Suett-Nakasako	Lunch Duty	King	BSEP	\$26.71/hr (Not to exceed \$1,980)	8/28/02	6/13/03
Josh Rosen	Lunch Duty	King	BSEP	\$26.71/hr (Not to exceed \$1,980)	8/28/02	6/13/03
Mary Sonnenberg	Lunch Duty	King	BSEP	\$26.71/hr (Not to exceed \$1,980)	8/28/02	6/13/03
Leslis Stenger	Lunch Duty	King	BSEP	\$26.71/hr (Not to exceed \$1,980)	8/28/02	6/13/03
Ada Wada	Lunch Duty	King	BSEP	\$26.71/hr (Not to exceed \$1,980)	8/28/02	6/13/03
Elizabeth Wihr	Lunch Duty	King	BSEP	\$26.71/hr (Not to exceed \$1,980)	8/28/02	6/13/03
<u>STIPEND</u>						
James Vana	Teacher	Willard	Site Fund	\$1500 for SST Chair	9/1/01	6/14/02

CLASSIFIED EMPLOYEES

NAME	POSITION	LOCATION	BUDGET	CLASS RANGE STEP	FTE & SALARY	FROM	TO
<u>RETIREMENT</u>							
Luanne Mary Rogers	Accounting Technician	Special Education				11/30/02	
<u>PERMANENT EMPLOYEES</u>							
Chris Nakao	Instructional Specialist (Nutrition Network)	Oxford	Categorical	51/2	.40 FTE \$22.02/hr	8/30/02	6/15/03
Morris Norrise	School Service Assistant	Jefferson	Site Fund	31/1	.67 FTE \$12.77/hr	10/6/02	6/13/03
<u>PROBATIONARY</u>							
Rasheedah S. Mwongozi	Instructional Specialist (Extended Day Program)	Longfellow	Categorical	34/1	.40 FTE \$13.76/hr	10/22/02	4/22/02
Dylan Retzinger	Instructional Technician (After School)	John Muir	Categorical	34/1	.53 FTE \$13.76/hr	9/1/02	3/1/03
<u>TEMPORARY/HOURLY</u>							
Charles Clear	Student Worker	Berkeley Community Theater	Site Fund	N/A	Not to exceed \$3,000 \$6.75/hr	9/1/02	6/13/03
Jonah H. Cohn	Student Worker	Berkeley Community Theater	Site Fund	N/A	Not to exceed \$3,000 \$6.75/hr	9/1/02	6/13/03
Maggie Fielden	Student Worker	Berkeley Community Theater	Site Fund	N/A	Not to exceed \$3,000 \$6.75/hr	9/1/02	6/13/03
Plinio Hernandez	Specialty Tutor (ELL)	Berkeley High	Categorical	31/1	Not to exceed \$3,000 \$12.77/hr	10/1/02	6/13/03
Tracy Law	Specialty Tutor (ELL)	Berkeley High	Categorical	31/1	Not to exceed \$3,000 \$12.77/hr	10/1/02	6/13/03
Ethel Wiley	Instructional Assistant (Literacy Prog.)	Hopkins Preschool	BSEP	31/1	1.5 hrs/day \$12.77/hr	9/20/02	6/13/03

NAME	POSITION	LOCATION	BUDGET	CLASS RANGE STEP	FTE & SALARY	FROM	TO
Gloria Woodson	Noon Supervisor	King	Site Fund	N/A	7.5hrs/wk \$11.45/hr	8/28/02	6/13/03
<u>TRANFER</u>							
Kathryn Dejean	Instructional Technician (After School)	John Muir	Categorical	34/1	.53 FTE \$13.76/hr	10/21/02	6/13/03
<u>STIPEND</u>							
Douglas Sanders	Coach (Football)	Martin Luther King	BSEP	N/A	\$600 for season	9/9/02	10/10/03

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence
FROM: David Gomez, Ph.D., Associate Superintendent, Human Resources
DATE: December 11, 2003
SUBJECT: Renewal of Workers Compensation Insurance with the State Compensation Insurance Fund

BACKGROUND INFORMATION

The District's Workers Compensation Insurance coverage is on a calendar premium basis. The District has been covered for worker injury liability through the State Compensation Insurance Fund for the last two years. The premiums are based on a three year loss experience. Although last year our losses appear to be on the decline the fourth year back was a significant low loss period. During the two years between those the District had experienced extremely high losses. Because of this our premium for this next calendar year 2003 is more than doubling. The costs with the State Compensation Insurance Fund are:

Annual Premium:	\$3,950,676
Calif. Ins. Guarantee Association (Required) 2%	79,014
Workers' Comp. Admin. Surcharge (.001389)	5,487
Fraud Surcharge:	<u>9,087</u>
Total	\$4,044,264

The staff and the District's broker have explored alternative coverage with at least ten different carriers including Joint Powers Agencies. Most agencies denied the opportunity to bid. Others offered deductible programs that would put the District at risk. The coverage with the State Compensation Insurance Fund does cover 100% of the District's risk.

POLICY/CODE

Public Contract Code: 20111
Board Policy: DJED

FISCAL IMPACT

Increase for Fiscal Year 2002-2003 of \$1,081,769 applied across all District Funds that have salary accounts.

Six Month Cost Jan-June	\$2,022,134
Current Budget Jan-June	<u>-940,365</u>
Increased Cost	\$1,081,769

STAFF RECOMMENDATION

Approve renewal of coverage with State Compensation Insurance Fund.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Christine Lim, Associate Superintendent, Educational Services
DATE: December 11, 2002
SUBJECT: Overnight Field Trip Requests

BACKGROUND INFORMATION

The following overnight field trip requests are being made:

Approve participation of 40 Berkeley High School Communication Arts and Science Seniors, three (3) teachers and three (3) other adults on a retreat at the Point Reyes Youth Hostel December 12-13, 2002. The purpose of the trip is to provide students with time to plan their community service projects for the year as well as participate in environmental education activities. Students will be housed in gender specific rooms at the Point Reyes Youth Hostel. Transportation will be provided by a District approved provider. The cost of \$20 per student will be paid by donations from students. Substitute costs are being covered by a BSEP grant. No student will be denied access based on ability to pay. Requested by Michael Hassett, Vice-principal, Berkeley High School.

POLICY/CODE

Education Code, Section 35330 - Excursions and Field Trips
Board policy 6153 – School Sponsored Trips

FISCAL IMPACT

As indicated above.

STAFF RECOMMENDATION

Approve the overnight field trip for students consistent with the District Policies and instructional programs.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Jerry J. Kurr
Associate Superintendent of Business and Operations
DATE: December 11, 2002
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.

1. Neopost Leasing to provide a Mailpower Postage Meter Machine for Business Services Department for the period December 1, 2002 through June 30, 2003 at a rate of \$686.06 per month. The cost will not exceed \$4,445.16. To be paid from General Fund Business Services Budget. Requested by Doris Davis.
2. Neopost Leasing to provide a IJ65 Postage Meter Machine for King Middle School for the period November 8, 2002 through June 30, 2003 at a rate of \$169.34 per month. The cost will not exceed \$1,354.72. To be paid from King Middle School P.T.A. Budget. Requested by Doris Davis.
3. Ratification of contract to Marcus A. Foster, Educational Institute for 1 assembly and 10 classroom workshops presented by the Prescott Clown Troupe at Emerson School on June 4th and 24th, 2002. The cost will not exceed \$600.00. To be paid from Emerson School SIP Budget. Requested by Susan Hodge.
4. Anderson Carpet and Linoleum Sales to provide flooring services as required by the Maintenance Department for the 2002/2003 FY. The cost will not exceed \$7,000. To be paid from Measure BB Budget. Requested by Rhonda Bacot.
5. Allied Construction Services to provide emergency roof repairs as required by the Maintenance Department for the 2002/2003 FY. The cost will not exceed \$6,000. To be paid from Measure BB Budget. Requested by Rhonda Bacot.

6. UC Berkeley Work Study to provide tutors as needed for the 2002/2003 school year. The cost will not exceed \$5,000. To be paid from Berkeley High School Title III Budget. Requested by Carla Basom.
7. Jonathan Block to provide Art classes after school 2 hrs per week at a rate of \$37.50/hour for the period October 1, 2002 through December 20, 2002. The cost will not exceed \$900. To be paid from After School Learning Program Budget. Requested by Jesse Ramos.
8. Carmen Costello to provide Art classes after school 2 hrs per week at a rate of \$37.50/hour for the period October 1, 2002 through December 20, 2002. The cost will not exceed \$900. To be paid from After School Learning Program. Requested by Jesse Ramos.
9. David Maier to provide 10 art classes after school at a rate of \$50 per class for the period October 1, 2002 through December 20, 2002. The cost will not exceed \$500. To be paid from After School Learning Program. Requested by Jesse Ramos.
10. Coit Services, Inc., to provide professional cleaning services to sites as need for the 2002/2003 FY. The cost will not exceed \$2000. To be paid from General Fund Maintenance Budget. Requested by Rhonda Bacot.
11. East Bay Performing Arts to provide music/choral instruction at Thousand Oaks School for the period November 1, 2002 through June 30, 2003. The cost will not exceed \$8,302. To be paid from Thousand Oaks School Magnet Budget. Request by Jesse Ramos.
12. James Newton to contract to conduct 3 dance/movement classes per week for 20 weeks serving 3 kindergarten classes at a rate of \$22.50 per hour, each class will be 1 hour for the period January 1, 2003 through June 30, 2003. The cost will not exceed \$1,350. To be paid from Washington School Magnet Budget. Requested by Rita Kimball.
13. Ruth Bossieux to contract to conduct three dance/movement classes per week for 20 weeks serving 3 kindergarten classes at a rate of \$22.50 per hour, each class will be 1 hour for the period January 1, 2003 through May 30, 2003. The cost will not exceed \$1,350. To be paid from Washington School Magnet Budget. Requested by Rita Kimball.

14. Tyson Foods Inc., to provide commodity food processing for the 2002/2003 school year. The cost will not exceed \$5,000. To be paid from Nutrition Services Budget. Requested by Karen Candito.
15. Marysville Joint USD to provide commodity processing services. The cost will not exceed \$556.40. To be paid from Nutrition Services Budget. Requested by Karen Candito.
16. Carlin Manufacturing to provide modification to Berkeley High School Mobile Unit window. The cost will not exceed \$2,100. To be paid from Nutrition Services Budget. Requested by Karen Candito.
17. Massone Mechanical to provide repair services for freezer units located in the Nutrition Services Warehouse. The cost will not exceed \$124.50. To be paid from Nutrition Services Budget. Requested by Karen Candito.
18. Kinko's to provide copy services for the 2002/2003 school year. The cost will not exceed \$3,150. To be paid from Nutrition Services Budget. Requested by Karen Candito.
19. Steiner Printing to print lunch tickets for the 2002/2003 school year. The cost will not exceed \$600. To be paid from Nutrition Services Budget. Requested by Karen Candito.
20. Increase of contract for Judith A. Coleman to provide consultant services for processing and reconcile 2002/2003 budget which includes position control at a rate of \$55 per hour plus mileage and parking for the period November, 2002 through December 31, 2002. Board approval in the amount of \$8,250 on November 6, 2002. The additional time required increased the cost by \$5,000 for a total amount of \$13,250. To be paid from the General Fund Accounting Budget. Requested by Song Chin-Bendib.
21. Barbara J. Blackburn to provide consultant services to process, reconciliation, revise budget, analyze data and recommend changes in District Office functions. Services to be provided at a rate of \$400 per day plus hotel, mileage and parking from November 2002 to December 31, 2002. The cost will not exceed \$7,000. To be paid from the General Fund Accounting Budget. Requested by Song Chin Bendib.
22. Americore to provide two Americore workers at Willard Middle School to work in the garden. The cost will not exceed \$6,000. To be paid from Willard Middle School BSEP Budget. Requested by Monica Thyberg.

23. D&D Security to provide and install security equipment for school library computers, zip drives, and printers during the 2002/03 school year. The cost will not exceed \$4,000. To be paid from BSEP Educational Materials Fund Budget. Requested by Monica Thyberg.
24. Ratification of contract to Telereach for on site service of First Class system migration, consultation, technical assistance and training on November 14-15, 2002 and travel expenses including airfare, ground transportation, hotel and per diem for consultant, Greg Hyra for a total amount of \$3,411.50. To be paid from the System Implementation Budget. Requested by Jerry Kurr.
25. Educational Administrative Services Corporation to provide chief business advisory consulting services for the 2002-2003 fiscal year. Services will be provided at a rate of \$830 per day not to exceed \$92,000. To be paid from General Fund Business Services Budget offset by salary budget for the Chief Business Official. Requested by Michele Lawrence.
26. NCS Pearson to provide SASIxp Software Support from December 1, 2002 to November 30, 2003. Services will be for a total amount of \$20,349.38. To be paid from General Fund Data Processing budget. Requested by Jerry Kurr.

FISCAL IMPACT

As indicated

POLICY/CODE

Public Contract Code: 20111

Board Policy: DJED

STAFF RECOMMENDATION

Approve the contracts with Consultants or Independent Contractors as submitted.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Chris Lim, Associate Superintendent, Educational Services
DATE: December 11, 2002
SUBJECT: 2002/2003 Single Plan for Student Achievement for Berkeley
Alternative High School

BACKGROUND INFORMATION

The California Department of Education requires all schools participating in school-based coordinated categorical programs to have a board approved Single Plan for Student Achievement. The District governing board must review and approve school plans before expenditures can be authorized.

There are basic legal assurances for all of the categorical programs. Compliance with these assurances is required indicating that the school district and the site will comply with all of the requirements for the program funds included in the school plan. The Single Plan for Student Achievement for the Berkeley Alternative High School has been reviewed for compliance by the Office of State and Federal Programs and is recommended for approval by the Board of Education. An executive summary for both sites is included in the board packet.

The Berkeley Alternative High School plan is submitted because this is a new funding source and the staff at the school needed additional time to work on the plan.

POLICY/CODE

Education Code Section 52850 -52863

FISCAL IMPACT

There is no impact on the General Fund.

STAFF RECOMMENDATION

Approve the Single Plan for Student Achievement for Berkeley Alternative High School.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Chris Lim, Associate Superintendent, Educational Services
DATE: December 11, 2002
SUBJECT: 2002/2003 Single Plan for Student Achievement for Berkeley
Alternative High School

BACKGROUND INFORMATION

The California Department of Education requires all schools participating in school-based coordinated categorical programs to have a board approved Single Plan for Student Achievement. The District governing board must review and approve school plans before expenditures can be authorized.

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The Berkeley Alternative High School plan is submitted because this is a new funding source and the staff at the school needed additional time to work on the plan.

POLICY/CODE

Education Code Section 52850 -52863

FISCAL IMPACT

There is no impact on the General Fund.

STAFF RECOMMENDATION

Approve the Single Plan for Student Achievement for Berkeley Alternative High School.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Fiscal Crisis and Management Assistance Team (FCMAT)
DATE: December 11, 2002
SUBJECT: Certification of First Interim Report

INTRODUCTION

Staff has prepared the First Interim report in compliance with Education Code requirements. The First Interim Report covers the reporting period ending October 31, 2002. The report is required to be approved by the governing board no later than 45 days after the close of the reporting period to determine whether or not the district is able to meet its financial obligations. The following certifications may be assigned:

- **Positive:** assigned to any district that based on current projections will meet its financial obligations in the current fiscal year and two subsequent fiscal years.
- **Qualified:** assigned to any district that based on current projections may not be able meet its financial obligations in the current fiscal year and two subsequent fiscal years.
- **Negative:** assigned to any district that based on current projections will not be able to meet its financial obligations for the remainder of the current fiscal year or the subsequent fiscal year.

The County Office of Education is required to report to the State Superintendent of Public Instruction within 75 days after the close of each reporting period the district's certification status. (January 15 for the First Interim.)

Staff prepared the First Interim Report, along with assumptions. The Multi-Year projections were prepared with the assistance of FCMAT utilizing the School Services of California, Inc. Dartboard, which provides school districts critical economic indicators for budget projections. The Multi-Year projections are provided under separate cover. The First Interim Report contains the following documents for review and consideration by the governing board and will be presented by FCMAT:

1. Assumptions
2. District certification of First Interim Report
3. Form 011 – General Fund Summary and Restricted and Unrestricted formats
4. Form 11I-67I for all other district funds
5. Form AI – Average Daily Attendance
6. Form RLI – Revenue Limit Form
7. General fund multi year projection using the MYP software (under separate cover)
8. Criteria and Standards

This Interim Report along with the Multi-year Projections indicates that the District will be able to meet its financial obligations in the 2002-03 Fiscal Year. However, it will not meet all financial obligations in the subsequent year.

POLICY/CODE:

Education Code Section 42100 – 42134 Et esq.

FISCAL IMPACT

Not Applicable

STAFF RECOMMENDATION

That the Board of Trustees accept the Negative Certification of the Second Interim Report, certifying that the District will be unable to meet their financial obligations for the two subsequent years without significant expenditure reductions and revenue enhancements.

**BERKELEY UNIFIED SCHOOL DISTRICT
2002-03 First Interim Assumptions**

ITEMS IN THE BUDGET

1. ENROLLMENT

Since the District is experiencing a declining enrollment, the 2001-02 P-2 was used to project this year's average daily attendance (ADA). A history of the District's ADA is provided. Prior years' enrollment data will be provided by the Second Interim Report.

	<u>ADA</u> <u>2000-01</u>	<u>ADA</u> <u>2001-02</u>	<u>ADA</u> <u>2002-03</u>	<u>Enrollment</u> <u>2002-03</u>	<u>% OF ADA</u> <u>TO</u> <u>ENROLLMENT</u>
First Period (P-1)	9,222.55	8,998.21	8,883.67	9363	94.9%
Second Period (P-2)	9,103.40	8,883.67	8,883.67		
Annual	9,056.32	8,840.81	8,883.67		
Revenue Limit	9,104.63	9,112.11	8,884.01		

2. REVENUE:

A. The Cost of Living Adjustment (COLA) for the various revenue sources are applied as follows:

Revenue Limit	2.00%
Special Education	2.00%
Transportation	1.37%
K-3 CSR	\$906/student
Grade 9 CSR	\$180/student

B. Federal Income – Budgeted appropriate dollars per grant letters and included deferred income from 2001-02.

C. State Income - Budgeted appropriate dollars per grant letters and included deferred income from 2001-02 when applicable.

- i) State Mandated Cost
Budgeted \$492,142, a 5.5% reduction, for 2002-2003 in anticipation that the State Mandated Cost Commission may not be able to fund some of the State mandates. Last fiscal year, Berkeley USD received \$520,554 in mandated income.

- ii) State Lottery
Budgeted \$114.50 per ADA at 11,099 ADA (includes Adult Education) for the Unrestricted General Fund and \$11.50 per ADA at 11,099 for Proposition 20 lottery funds.
- iii) Targeted Instruction Improvement Program (Desegregation)
Budgeted \$4,363,878 which includes a 2% COLA from last fiscal year's dollars.

D. Local Income

- i) Parcel Tax – increased by formula and prior year Revenue Limit COLA

		IN	THOUSANDS		

	<u>2000-01</u>	<u>2001-02</u>	<u>% of Increase</u>	<u>2002-03</u>	<u>% of Increase</u>
Parcel Tax	\$9254	\$9697	4.8%	\$10,174	4.9%

- ii) Leases and Rentals – budgeted \$400,000 for rental income. Last fiscal year, the District received \$346,454. This will be re-evaluated for Second Interim.

3. EXPENDITURES:

- A. We also included carryover of entitlement (Fund Balance)dollars. They are as follows:

<u>Program Number</u>	<u>Description</u>	<u>Carryover/Fund Balance</u>
1840	GATE	\$29,361.59
3014	K-8 Instructional Material	\$241,585.57
3015	9-12 Instructional Material	\$30,635.46
3018	Math Instructional Material	\$322,321.64
3037	School Safety/Violence Prevention	\$168,771.96
3330	10 th Grade Counseling	\$33,611.18
3490	Science & Lab Materials	\$8870.27
3491	Library Materials K-12	\$106,793.00
3491.1	Library Materials K-13	\$66,587.00
3085	Libraries Grades 4-6	\$78,954.02
3491.2	Library Materials K-12	\$201,511.94
3492	Library Materials K- 4	\$44,682.64

Total **\$1,333,686.27**

B) FTEs for fiscal year 2002-03 are as follows, with more review needed and modifications reflected in the Second Interim.

	GENERAL FUND	FOOD SERVICE	ADULT EDUCATION	BOND FUND
Certificated Teachers	553.60		3.93	
Classified Employees	380.08	29.47	17.49	.50
Certificated Management	41.90		3.00	
Classified Management	22.55	3.00		1.25
TOTAL	998.13	32.47	24.42	1.75

C. Certificated Salaries – this is the third and last year of the negotiated salary increase. This year the increase is 4.97%. Budgeted \$1,523,208 for salaries and \$214,315 for salary-driven benefits.

Certificated Management salaries – this is the last year of the negotiated increase. This year the increase is 7.355%. Budgeted \$225,214 for salaries and \$31,690 for salary-driven benefits.

D. Step and Column 1.50% increase from last fiscal year.

E. Classified Employees – No salary increase was budgeted but 1.74% was included for step movement.

F. Salary-driven benefits are as follows:

CERTIFICATED	
STRS	8.25%
MEDICARE	1.45%
SUI	.12%
W/C	4.25%

TOTAL* (for every salary dollar)	14.07%
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CLASSIFIED	
PERS rate	2.894%
PERS R/L Reduction	10.126%
OASDI	6.20%
Medicare	1.45%
SUI	.12%
W/C	4.25%
TOTAL* (for every salary dollar)	25.04%

G. Health and welfare benefits – varies according to the individual but it is about 18% of the salary cost. The cap is \$9,012.72 per full-time employee annually.

H. Books and Supplies — Increase of 2% (COLA) over last fiscal year, 2001-02.

I. Services and Other Operating Expenses Supplies — Increase of 2% (COLA) over last fiscal year, 2001-02.

J. Capital Outlay

The interest from the Bond Fund will be used to pay for furniture and equipment as per the Bond ballot language.

ITEMS NOT INCLUDED OR COMPLETED FOR THE FIRST INTERIM REPORT:

1. Certificated position control FTEs

Position control database to the 2002-03 budget has been completed. Most of the changes in FTEs and funding sources were included in the First Interim. A complete reconciliation will be done by the Second Interim. No significant financial change is expected.

2. Classified position control FTEs

Reconciliation has not been completed from position control database against the budget. Review needs to be done by the Personnel Department and changes will be reflected in the Second Interim.

3. Special Education

Reconciliation has not been done in the 2002-03 budget. The District has never done a reconciliation in this area.

4. Health and Welfare

Reconciliation has not been done in the 2002-03 budget. A spreadsheet of detailed records including employees' names, FTEs, choice of coverage and account codes will need to be completed. The District has never done a reconciliation in this area.

5. Aroner Bill

There is a saving of \$170,000 in penalties over what was budgeted. This saving has not been incorporated in this report but will be in the Second Interim Report.

6. STRS Audit

A one-time cost of penalties was accessed by STRS for failure to meet STRS Compliance review. The total estimated cost is \$85,000 and it has been incorporated onto the First Interim report.

7. Workers Compensation

Because of adverse workers compensation experience two years ago, the District's 2002-03 mid-year (January 1 through June 30, 2003) premium increase will be 1 million dollars more than what was projected in the Budget. This will be reflected in the Second Interim.

8. Legal Services

Legal Services for handling employee matters and collective bargaining contract development is exceeding the budgeted amount. We estimate \$150,000 additional for the rest of the fiscal year. This will be reflected in the Second Interim.

9. State Budget

The fiscal crisis in the State could have significant ramifications. It is estimated between \$240 -- \$320 less per ADA. No adjustments made in the First Interim.

10. Other Funds

The Business Department has completed Cafeteria Fund and a Spread sheet with data from prior years. Information will be presented to the Board at the Budget Workshop (December 18, 2002).

All other funds are presented with some not needing much review from the Business Department because various program managers are monitoring them.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Christine Lim, Associate Superintendent, Educational Services
DATE: December 11, 2002
SUBJECT: Standardized Testing and Reporting Program (STAR)

BACKGROUND INFORMATION

The California legislature has required all public schools to administer the same standardized test since 1997 for grades 2-11. The Stanford Achievement Test, 9th Edition, (SAT-9) is the norm referenced test that has been used for the past five years. This year the state is requiring schools to use the California Achievement Tests, 6th Edition (CAT/6) as well as the California Standards Tests that have been developed during the past few years.

The staff will present to the Board the changes that are resulting from the new testing requirements:

- CAT/6 Survey Test and an increased number of California Standards Tests
- New tests in science at fifth grade and in social studies at eighth grade
- Increased emphasis on standards in computing API scores

BERKELEY UNIFIED SCHOOL DISTRICT
Office of the Superintendent
Proposed Schedule of Board of Education Meetings for 2003
December 11, 2002

January 15, 2003
January 22, 2003

February 5, 2003
February 19, 2003

March 5, 2003
March 19, 2003

April 2, 2003
April 23, 2003

May 7, 2003
May 21, 2003

June 4, 2003
June 18, 2003

July 2, 2003

August 6, 2003
August 20, 2003

September 3, 2003
September 17, 2003

October 1, 2003
October 15, 2003

November 5, 2003
November 19, 2003

December 3, 2003
December 17, 2003

**BERKELEY UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION REPRESENTATIVES
TO BOARD COMMITTEES FOR 2003**

Committees	2002 Representative(s)	2003 Representative(s)
1. Alameda County School Boards Association	President Issel	
2. Association of California Urban School Districts	Vice President Rivera	
3. Berkeley Alliance	President Issel Vice President Rivera	
4. Berkeley Biotechnology Education, Inc.	Vice President Rivera	
5. Berkeley High Health Center	Director Schultz	
6. Berkeley Arts in Education Steering Committee	Director Selawsky	
7. BSEP Planning & Oversight Committee	Director Selawsky and other Board Members attend on rotating basis	
8. Board/City 2X2 Committee	President Issel and Vice President Rivera	
9. Citizens Budget and Finance Committee	Vice President Rivera and Director Doran	
10. Citizens Construction Program Advisory Committee	Director Doran and Director Selawsky	
11. Citywide Youth	Director Schultz and Director Doran	
12. District Advisory Council	Director Doran	
13. District English Learner Advisory Council (ELAC)	Vice President Rivera	
14. District Wide Library	Director Selawsky	
15. Facilities Maintenance & Security Advisory Committee	President Issel	
16. Music Committee	Director Selawsky	
17. Peace & Justice Commission		
18. Youth Commission		

