

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

**SPECIAL MEETING OF THE BOARD OF EDUCATION**  
**AGENDA**

**Wednesday, December 18, 2002**

Call to Order        The Presiding Officer will Call the Meeting to Order at 6:00 p.m. The Board will recess to Closed Session at 6:00 p.m. and reconvene in Public Session at 7:00 p.m.

Roll Call            President Joaquin J. Rivera  
                         Vice President John T. Selawsky  
                         Director Terry S. Doran  
                         Director Shirley Issel  
                         Director Nancy Riddle  
                         Student Director Andy Turner\*

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
- g) Property Acquisition

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\*The Student Director does not attend Closed Session.

**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.

**ACTION ITEMS:**

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

Business and Operations

4.1-A Approve 2002-2003 First Interim Report	<u>Staff Recommendation:</u> Discussion and information on general budget and Approval of the 2002-2003 First Interim Report certifying that the District will be unable to meet their financial obligations for the current and two subsequent years without significant expenditure reductions and revenue enhancements Motion_____ Second_____ Vote_____	1
4.2-A District wide Facilities Study	<u>Staff Recommendation:</u> Accept Facilities Study and approve listed actions necessary to develop a Facilities Plan Motion_____ Second_____ Vote_____	45+Separate document delivered 11/22/02

**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 Board of Education Meetings for 2003:

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 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

**ADJOURNMENT**

Time\_\_\_\_\_

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

You are invited to participate in the 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 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.



## BERKELEY UNIFIED SCHOOL DISTRICT

**TO:** Michele Lawrence, Superintendent  
**FROM:** Jerry J Kurr, Associate Superintendent of Business and Operations  
**DATE:** December 18, 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. FCMAT prepared the Multi-Year projections with the assistance of staff, utilizing the School Services of California, Inc. Dartboard, which provides school districts critical economic indicators for budget projections. Multi-Year projections along with other analytical reports 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 staff:

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 First Interim Report, certifying that the District will be unable to meet their financial obligations for the subsequent year without significant expenditure reductions and revenue enhancements.