

**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, October 30, 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 7:30 p.m.

Roll Call            President Shirley Issel                                 Director Ted Schultz  
                          Vice President Joaquin J. Rivera                 Director John T. Selawsky  
                          Director Terry S. Doran                               Student Director Andy Turner

Administration     Superintendent Michele Lawrence, Secretary

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

Report Closed  
Session Action

Motion\_\_\_\_\_ Second\_\_\_\_\_ Vote\_\_\_\_\_

Approve Agenda

Approve the Special Meeting Agenda of October 30, 2002  
Motion\_\_\_\_\_ Second\_\_\_\_\_ Vote\_\_\_\_\_

**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.

**REPORTS**

Union Representatives' Reports  
Advisory Councils' Reports  
Superintendent's Report  
Board Members' Reports

**CONSENT ITEMS**

These items are considered routine and may be enacted by a single motion. Any Items needing discussion may be moved to the appropriate section of the agenda Upon the requests of any Member of the Board.

General Services

Page

1.1-C  
Posthumous  
Recognition  
Resolution  
for Bishop Roy C.  
Nichols

Staff Recommendation:  
Approve Resolution  
Motion\_\_\_\_\_ Second\_\_\_\_\_ Vote\_\_\_\_\_

1

<u>Human Resources</u>		Page
2.1-C Acceptance of Personnel Report	<u>Staff Recommendation:</u> Accept Personnel Report 03-07 as submitted. The report includes details, assignments, terminations, and employment of personnel. Motion_____ Second_____ Vote_____	4
2.2-C IFPTE Local #21 Request to Negotiate Contract	<u>Staff Recommendation:</u> Approve the request to negotiate and direct staff to establish parameters to negotiate with IFPTE (International Federation of Professional and Technical Engineers) Local #21 Motion_____ Second_____ Vote_____	8
 <u>Educational Services</u>		
3.1-C Accountant Position in the Office of State and Federal Programs	<u>Staff Recommendation:</u> Approve the position of Accountant in the Office of State and Federal Programs to replace one Program Coordinator effective November 1, 2002 Motion_____ Second_____ Vote_____	11
3.2-C Recommendation to Eliminate Special Education, Department Chair; and upgrade to Special Education Program Supervisor	<u>Staff Recommendation:</u> Approve to upgrade Department Chair, Special Education, position to Program Supervisor Motion_____ Second_____ Vote_____	12
3.3-C New Non-public School Placements for five special education students	<u>Staff Recommendation:</u> Approve the non-public agency contracts for the above five special education students Motion_____ Second_____ Vote_____	13

Business and Operations

Page

4.1-C                      Staff Recommendation:  
Approval of Contracts/      Authorize the Associate Superintendent Business  
Purchase Orders for      and Operations or Purchasing Agent to execute  
Service Contracts      Purchase Orders  
   Motion\_\_\_\_\_ Second\_\_\_\_\_ Vote\_\_\_\_\_

15

**ACTION ITEMS**

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

4.1-A                      Staff Recommendation:  
2001-02 Unaudited      Approve 2001-2002 Unaudited Actuals  
Actuals                      Motion\_\_\_\_\_ Second\_\_\_\_\_ Vote\_\_\_\_\_

19

**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 2002:

October 30, 2002  
November 6, 2002  
November 20, 2002  
December 11, 2002

**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 may be discussed at Board of Education Meetings **except matters pertaining to individual employees of the Berkeley Unified School District.** There is an established procedure for making such complaints. You may obtain information about this procedure from your school or from the Superintendent's Office.

qeg



**BERKELEY UNIFIED SCHOOL DISTRICT  
POSTHUMOUS RECOGNITION RESOLUTION FOR  
BISHOP ROY C. NICHOLS  
March 19, 1918-October 9, 2002**

**October 30, 2002**

**WHEREAS**, Bishop Roy C. Nichols was born in Hurlock, Maryland, March 19, 1918.

**WHEREAS**, Bishop Roy C. Nichols was President of the Berkeley Board of Education four years before the District became the first in the nation to voluntarily integrate its schools; and

**WHEREAS**, Bishop Roy C. Nichols was a champion of justice for more than 50 years; and

**WHEREAS**, in 1968, he became the first African American elected Bishop in the United Methodist Church. During the 40's Bishop Nichols organized and co-pastored the South Berkeley Community Church—the first intentionally interracial church in the area. He helped evoke change in equality and justice in the Christian community through work in his own denomination. He was a member of the Executive & Central committees of the World Council of Churches of Geneva, Switzerland; President of Christian Associates in Western Pennsylvania; President of the Council of Bishops for the United Methodist Church; President of the New York City Council of Church Executives and Host for CBS's "Protestant Hour." He was also President of the Africa University's Development Committee; and

**WHEREAS**, in the 50's and 60's, he joined with national leaders to advocate for civic, economic, educational and social justice in the Bay Area. His efforts led to changes in the human conditions for minorities. He was chair of Berkeley's NAACP Education Committee; and

**WHEREAS**, Bishop Nichols' public service included numerous civil right causes, such as Chairman of Oakland's Human Relations Commission and President of Sequoyah Heights Board of Directors; and

**WHEREAS**, Bishop Roy C. Nichols, a "drum-major" for social, economic and educational justice, once stated, "education is critical in achieving national goals. Most people forget that the United States' Constitution was written as a mission statement to establish justice...and public schools must foster a sense of justice under which people of diverse economic, social and racial backgrounds can become great;" and

**WHEREAS**, Bishop Nichols' and his wife, Dr. Ruth Nichols, were married for 58 years and raised three successful children.

**THEREFORE, BE IT RESOLVED**, that the Berkeley Unified School Board of Education, do hereby acknowledge and commemorate the life and contributions of Bishop Roy C. Nichols, who was a soldier for education, justice and equality and even though we mourn his death, his legacy will live on among us.

**PASSED AND AOPTED** this 30<sup>th</sup> day of October 2002.

---

Shirley Issel, President  
Board of Education





## **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** Board of Directors  
**FROM:** Shirley Issel, President  
Board of Education  
**DATE:** October 30, 2002  
**SUBJECT:** Posthumous Recognition Resolution for  
Bishop Roy C. Nichols

### **BACKGROUND INFORMATION:**

I had the privilege of meeting Bishop Roy C. Nichols during my first election campaign, in 1998, when I attended services at the Church By the Side of The Road. Bishop Nichols was Interim Pastor there at the time. After services I spoke briefly with Bishop Nichols and his wife, Ruth. They related to me some of Berkeley's history and told me about his four years on the Berkeley Board of Education in the early 60's, before the District began integration. Both Bishop Nichols and his wife offered me encouragement and advice. We agreed to continue the conversation after the election, but when I called, the Bishop told me that he had moved to San Jose and could not meet due to health problems. I was very disappointed because I felt he held clarity of vision about our schools that was well grounded in both accomplishment and experience. Since then, I have often recalled the conversation and the words of advice that were given that morning. He told me that he feared Berkeley had lost sight of the original purpose behind the integration of our schools. "What was that purpose," I asked? "Academic excellence," he replied, "the purpose was to get our kids a better education." Now that I have learned more about his life, I understand why these words have stayed with me and guided me over the past years. His life was a blessing to our community and his presence will be greatly missed. With this resolution,

the Board of Education wish to acknowledge his importance to our community as well as convey our condolences upon his passing.

Thank you, Bishop Roy C. Nichols, and may you rest in peace.

### **FISCAL IMPACT:**

None

### **BOARD MEMBER RECOMMENDATION:**

Approve Posthumous Recognition Resolution for Bishop Roy C. Nichols.



TO: Michele Lawrence  
 FROM: David A. Gomez, Ph.D.  
 Associate Superintendent, Human Resources  
 DATE: October 30, 2002  
 SUBJECT: ACCEPTANCE OF PERSONNEL REPORT 03-07

Following is Personnel Report 03-07 which reports details of personnel assignments, employment and terminations.

**CERTIFICATED EMPLOYEES**

NAME	POSTION	LOCATION	BUDGET	FTE & SALARY	FROM	TO
<b>LEAVE OF ABSENCE WITHOUT PAY</b>						
Donna Suzuki	Teacher	John Muir	General Fund	.20 FTE	11/2/02	6/13/03
<b>TEMPORARY TEACHER APPOINTMENT</b>						
Kim Burke-Guisti	Temporary Teacher	John Muir	General Fund	.20 FTE II-01	11/1/02	6/13/03

**CLASSIFIED EMPLOYEES  
10/30/02**

<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>							
Adelia Butler	Instructional Assistant	John Muir				10/10/02	
Michele A. Farria	Instructional Assistant (Special Education)	Hopkins Street (ECE)				10/31/02	
<b><u>PERMANENT</u></b>							
Lori Adams	Snack Bar Operator	Longfellow	Cafeteria Fund	34/5	.80 FTE \$16.77/hr	8/26/02	6/13/03
Renona Alexis	Food Service Satellite Operator	Arts Magnet	Cafeteria Fund	31/5	.47 FTE \$15.56/hr	8/26/02	6/13/03
Mary Carter	Snack Bar Operator	Berkeley High	Cafeteria Fund	40/5	.87 FTE \$19.44/hr	8/26/02	6/13/03
Lucy Castro	Food Service Satellite Specialist	Child Care/Adult School	Cafeteria Fund	33/1	.87 FTE \$13.42/hr	8/26/02	6/13/03
Courtney Dilworth	Delivery Driver	Nutrition Services Warehouse	Cafeteria Fund	40/2	.87 FTE \$16.77/hr	8/26/02	6/13/03
Bobbie Dunston	Food Service Satellite Operator	Rosa Parks	Cafeteria Fund	31/5	.73 FTE \$15.56/hr	8/26/02	6/13/03
William Harris	Senior Food Service Assistant	Longfellow	Cafeteria Fund	35/5	.13 FTE \$17.18/hr	10/1/02	6/13/03
William Harris	Senior Food Service Assistant	Jefferson	Cafeteria Fund	35/5	.67 FTE \$17.18/hr	8/26/02	6/13/03
Carolyn Henderson	Snack Bar Operator	King	Cafeteria Fund	34/5	.80 FTE \$16.77/hr	8/26/02	6/13/03
Felicia Hopkins	Food Service Assistant	Jefferson	Cafeteria Fund	26/1	.33 FTE \$11.29/hr	8/26/02	6/13/03
Felicia Hopkins	Food Service Assistant	King	Cafeteria Fund	26/1	.47 FTE \$11.29/hr	8/26/02	6/13/03
Susanne Jensen	Instructional Specialist (Garden)	Willard	Categorical	51/2	.43 FTE \$22.02/hr	10/1/02	6/13/03
Diana Kearns	Food Service Assistant	Berkeley High	Cafeteria Fund	26/5	.43 FTE \$13.42/hr	8/26/02	6/13/03
Diana Kearns	Food Service Assistant	Jefferson	Cafeteria Fund	26/5	.43 FTE \$13.42/hr	8/26/02	6/13/03

				<b>STEP</b>	<b>SALARY</b>		
Raymond Kearns	Delivery Driver	Nutrition Services Warehouse	Cafeteria Fund	40/5	.87 FTE \$19.44/hr	8/26/02	6/13/03
Rogena MacKenal	Food Service Assistant	Malcolm X	Cafeteria Fund	26/1	.40 FTE \$13.76/hr	8/26/02	6/13/03
Rivka Mason	Instructional Specialist	Malcolm X (CA Nutrition Network)	Categorical	51/2	.76 FTE \$22.02/hr	10/1/02	6/13/03
Clay Olitt	Instructional Specialist	Malcolm X (CA Nutrition Network)	Categorical	51/2	.90 FTE \$22.02/hr	10/1/02	6/13/03
Erica Peng	Supervisor, Nutrition Network	District – Annex	Categorical	69/2	.80 FTE \$34.34/hr	10/1/02	6/13/03
Tasha Prysi	Instructional Specialist	Rosa Parks (CA Nutrition Network)	Categorical	51/2	.43 FTE \$22.02/hr	10/1/02	6/13/03
Shirley Robinson	Food Service Assistant	King	Cafeteria Fund	26/5	.53 FTE \$13.76/hr	8/26/02	6/13/03
Vivian Robinson	Food Service Satellite Operator	Malcolm X	Cafeteria Fund	31/5	.73 FTE \$15.56/hr	8/26/02	6/13/03
Kathleen Russell	Instructional Specialist	Washington (CA Nutrition Network)	Categorical	51/2	.80 FTE \$22.02/hr	10/1/02	6/13/03
Dennis Seals	Food Service Satellite Operator	Oxford	Cafeteria Fund	31/3	.73 FTE \$14.12/hr	8/26/02	6/13/03
Mary Ann Simmons	Instructional Technician	Thousand Oaks	Site Fund	34/1	.50 FTE \$13.76/hr	10/1/02	6/13/03
Elizabeth St. Mary	Food Service Assistant	Willard	Cafeteria Fund	26/5	.40 FTE \$13.76/hr	8/26/02	6/13/03
Elizabeth St. Mary	Food Service Assistant	Child Care/Adult School	Cafeteria Fund	26/5	.40 FTE \$13.76/hr	8/26/02	6/13/03
Matt Tsang	Instructional Specialist (Garden)	Willard	Categorical	51/2	1.0 FTE \$22.02/hr	10/1/02	6/13/03
LaRue Weston	Food Service Assistant	Willard	Cafeteria Fund	26/5	.47 FTE \$13.76/hr	8/26/02	6/13/03
Lodee Williams	Food Service Assistant	Washington	Cafeteria Fund	31/5	.80 FTE \$15.56/hr	8/26/02	6/13/03

<b>NAME</b>	<b>POSITION</b>	<b>LOCATION</b>	<b>BUDGET</b>	<b>RANGE STEP</b>	<b>FTE'S SALARY</b>	<b>FROM</b>	<b>TO</b>
Carlton Young	Delivery Driver	Nutrition Services Warehouse	Cafeteria Fund	38/1	.97 FTE \$15.18/hr	8/26/02	6/13/03
Ahlam Younis	Food Service Satellite	LeConte	Cafeteria Fund	31/1	.73 FTE \$12.77/hr	8/26/02	6/13/03
<b><u>TEMPORARY/HOURLY</u></b>							
Carlos Bustamante	Tutor Specialty	Berkeley High	BSEP	31/1	10hrs/wk. \$12.77/hr	9/03/02	6/13/03
Vanessa Callaghan	Instructional Assistant (ECE)	Vera Casey Center	Categorical	29/1	6hrs/day \$12.17/hr	10/7/02	12/20/02
Karen Flowers	Instructional Assistant (Kindergarten)	John Muir	BSEP	29/1	10hrs/wk. \$12.17/hr	8/28/02	6/13/03
Maria Gonzalez	Instructional Assistant (CBET)	Rosa Parks	Categorical	29/3	1.5hrs/day \$13.42/hr	9/23/02	6/13/03
Celia Guzman	Instructional Assistant (CBET)	Rosa Parks	Categorical	29/1	1.5hrs/day \$12.17/hr	9/23/02	6/13/03
Guang Wei	Student Tutor (Math)	Berkeley High	BSEP	N/A	10hrs/wk. \$11.45/hr	9/11/02	6/13/03
<b><u>PROBATIONARY</u></b>							
Marguerite Ostro	Instructional Technician (After School)	Emerson	Categorical	34/1	.53 FTE \$13.76/hr	10/2/02	4/2/03
<b><u>PROVISIONAL</u></b>							
Ruth Davis-Kay	Instructional Technician (After School)	Washington	Categorical	34/2	.73 FTE \$14.45/hr	10/1/02	1/1/03
Steven Harris	Instructional Technician (After School)	Cragmont	Categorical	34/2	.53 FTE \$14.45/hr	8/28/02	11/28/02
Rogério Teber	Instructional Specialist (Art)	Berkeley High	BSEP	58/1	.27 FTE \$24.94/hr	9/9/02	10/31/02

## **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** Michele Lawrence, Superintendent  
**FROM:** David A. Gomez, Ph.D., Associate Superintendent, Human Resources  
**DATE:** October 30, 2002  
**SUBJ:** IFPTE Local #21 Request to Negotiate Contract

### **BACKGROUND INFORMATION:**

Local #21 recently became the union representing the classified supervisors and managers. Currently, there are 16 classified members in the supervisory unit. On October 10, 2002, Local #21 requested to negotiate with the District regarding terms and conditions of employment. The following document outlines the articles requested to be negotiated. The District proposal is being prepared.

### **POLICY CODE:**

Government Code 3543.2 and 3547

### **FISCAL IMPACT:**

None

### **STAFF RECOMMENDATIONS:**

Approve the request to negotiate and direct staff to establish parameters to negotiate with IFPTE Local #21.



# **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** Michele Lawrence, Superintendent  
**FROM:** Chris Lim, Associate Superintendent, Educational Services  
**DATE:** October 30, 2002  
**SUBJECT:** Accountant Position in the Office of State and Federal Programs

## **BACKGROUND INFORMATION:**

The Office of State and Federal Programs manages fourteen programs that bring more than \$3.4 million dollars in funding to the District. The retirement of one Program Coordinator at the end of October provides an opportunity for the Office of State and Federal Programs to restructure services. Thus, the Office of State and Federal Programs would like to replace one of the Program Coordinators with an accountant who would be responsible for the department's budgets. The accountant will take on all of the budget related duties such as maintaining accounting records for funding sources, setting up budgets, monitoring budgets and their revisions, preparing financial reports and applications to be submitted to the state, providing accounting and budget information to the State and Federal Program Manager. The remaining Program Coordinator will, under the supervision of the Program Manager, assist in the oversight of programs, plan District meetings, analyze program data, serve as an informational resource for State and Federal Programs, ensure compliance with state and federal regulations, work with school sites and site councils for program implementation and assist the manager in the fulfillment of programs and their objectives.

## **POLICY/CODE:**

Education Code 45109

## **FISCAL IMPACT:**

Savings of approximately \$4,000.00 in restricted funds.

## **STAFF RECOMMENDATION:**

Approve the position of Accountant in the Office of State and Federal Programs to replace one Program Coordinator effective November 1, 2002.

## **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** Michele Lawrence, Superintendent  
**FROM:** Chris Lim, Associate Superintendent, Educational Services  
**DATE:** October 30, 2002  
**SUBJ:** Recommendation to Eliminate Special Education, Department Chair;  
and upgrade to Special Education Program Supervisor

### **BACKGROUND INFORMATION:**

There has been a significant effort to recruit for the vacant position of Department Chair, Special Education, at Berkeley High School. Very few candidates applied for the position and those that were ultimately offered the position declined to accept. Several candidates took positions offering a higher salary in other districts.

In view of the experiences addressed above, and the demands of Special Education, the Educational Services Division recommends this position be upgraded from Department Chair to Program Supervisor. This will eliminate the Department Chair position and upgrade it with the Program Supervisor position. The difference in salary is approximately \$9,800.00 annually. The upgrade will assist in recruiting and retaining more qualified candidates and assists the Special Education Department with district wide administrative tasks and leadership beyond the Department Chair level.

### **POLICY CODE:**

Board Policy 4112

### **FISCAL IMPACT:**

\$9,784.00 annual from the general fund

### **STAFF RECOMMENDATIONS:**

Approve to upgrade Department Chair, Special Education, position to Program Supervisor, Special Education.

## **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** Michele Lawrence, Superintendent  
**FROM:** David Gomez, Ph.D., Associate Superintendent, Human Resources  
**DATE:** September 11, 2002  
**SUBJ:** Teaching agreement between Chapman University and Berkeley Unified School District

### **BACKGROUND INFORMATION:**

Teaching agreement between Chapman University and Berkeley Unified School District for the period July 1, 2002 through June 30, 2003. Chapman University desires to place Chapman University's students enrolled in teacher training curricula and/or Chapman University's students enrolled in teacher training curricula (collectively, "Students"), in appropriate locations whereby Students may gain practical teaching experience as an important element of Student's education and training by Chapman University's School of Education.

Chapman University is accredited by the California Commission on Teacher Credentialing ("CCTC") as a teacher education institution that enrolls Students in a teacher training education curriculum. Berkeley Unified School District benefits from the services and assistance of students in Berkeley Unified School District's teaching.

### **POLICY/CODE:**

California State Code of Education Article I Section 10000.

### **FISCAL IMPACT:**

None

**STAFF RECOMMENDATIONS:**

Approve teaching agreement between Chapman University and Berkeley Unified School District.

## BERKELEY UNIFIED SCHOOL DISTRICT

**TO:** Michele Lawrence, Superintendent  
**FROM:** Christine Lim, Associate Superintendent, Educational Services  
**DATE:** October 30, 2002  
**SUBJECT:** New Non-public School Placements for Five Special Education Students

### BACKGROUND INFORMATION

Below are five new non-public school placement contracts for Special Education Students. Brief descriptions of the rationale for the placement are included. Those with the Licensed Children's Institution (**LCI**) next to them are entirely reimbursed by the State.

#### A. Non-Public School Placement at Sunny Hills

**Student #1 DOB 5/16/89**

Student #1 has an AB3632 referral to Alameda County Behavioral Services for extreme violent behavior and thus, requires residential placement and therapeutic services provided by the County. The District will be responsible for only educational costs listed below.

Duration: 08/28/02 – 6/30/03  
Daily rate: \$159.00 x194 days  
Total \$30,846.00

#### B. Non-Public School Placement at La Cheim

**Student #2 DOB 8/19/87 LCI**

Student #2 was placed in a Berkeley licensed foster family from Santa Rosa and continues to be eligible for services as emotionally disturbed, in a day treatment setting.

Duration: 10/2/02 – 6/30/03  
Daily rate: \$153 x176 days = \$26,928.00  
Related services: \$31.43 x 176 days = \$5,532.00  
Total \$32,460.00

#### C. Non-Public School Placement at Seneca

**Student #3 DOB 3/23/86**

Student #3 is eligible for special education services as severely emotionally disturbed. The therapeutic setting needed cannot be provided at Berkeley High School, or at any other public school site.

Duration 9/3/02 – 6/30/03  
Daily rate: \$150.00 x190 days  
Total \$28,500.00

#### D. Non-Public School Placement at Seneca

**Student #4 DOB 9/19/89**

Student #4 is eligible for special education services as severely emotionally

disturbed and has qualified for AB3632 services as well. The therapeutic setting for this students behavioral and emotional needs cannot be met at a middle school site on a public school campus.

Duration 9/25/02 – 6/30/03  
Daily rate: \$150.00 x180 days  
Total \$27,000.00

**Student #5 DOB 7/20/92**

Student #5 has severe learning and communication disabilities which require placement in a non-public school setting

Duration 9/6/02 – 6/30/03  
Daily rate: \$116.00 x200 days  
Total \$23,200.00

TOTAL NON-PUBLIC SCHOOL \$109,546.00

TOTAL NON-PUBLIC LICENSED CHILDREN INSTITUTION (LCI)  
\$32,460.00

**POLICY/CODE**

Board Policy: DJB  
Education Code: 56365 (a)  
Education Code: 56361 (e)  
Education Code: 56366

**FISCAL IMPACT**

\$109,546.00 in expenses to the General Fund

**STAFF RECOMMENDATION**

Approve the non-public agency contracts for the five special education students.

## **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** Michele Lawrence, Superintendent  
**FROM:** Jerry J. Kurr  
Associate Superintendent of Business and Operations  
**DATE:** October 30, 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. Tamara Muhler to provide Individualized Educational Program speech therapy services as need for the period July 18, 2002 through June 30, 2003 at a rate of \$90/hour. The cost will not exceed \$5,850. To be paid from General Fund Special Education Budget. Requested by Ken Jacopetti.
2. Waste Management of Ajax Portable Services to provide Port O Lit Deluxe with water to be used by the Transportation Department Bus Drivers for the period July 1, 2002 through June 30, 2003. The cost will not exceed \$2,500. To be paid from the General Fund Transportation Budget. Requested by Jerry Kurr.
3. Ratification of contract for Morris E. Davis, Esquire to provide professional services in Preparation of Interim Opinion and Award on behalf of Berkeley Unified School District and Berkeley Federation of Teachers, Local 1078 on August 28, 2002. The cost will not exceed \$1,485.75. To be paid from General Fund Human Resource Budget. Requested by David Gomez.
4. Charlotte Knox Education to provide professional staff development services for Reading/Literacy Teacher Leaders for the 2002/2003 school year. Twelve days at a rate of \$1,500 per day. The cost will not exceed \$21,000. To be paid from General Fund Budget supported by donations to the Literacy Plan. Requested by Chris Lim.
5. Recordings for the Blind to provide recording services for the visually impaired for the period July 1, 2002 through June 30, 2003. The cost will not exceed \$1000. To be paid from General Fund Special Education Budget. Requested by Ken Jacopetti.

6. Brinks to provide pick up services weekly on Fridays at a rate of \$33/trip for period July 1, 2002 through June 30, 2003. The cost will not exceed \$1,500. To be paid from General Fund Berkeley High School Budget. Requested by Gabriel McCurtis.
7. Roto Rooter to provide plumbing services for the October 1, 2002 through June 30, 2003. The cost will not exceed \$4,000. To be paid from Measure BB Budget. Requested by Rhonda Bacot.
8. Double Day Movers to provide moving services for the period October 1, 2002 through September 3, 2003. The cost will not exceed \$5,000. To be paid from General Fund Budget. Requested by Rhonda Bacot.
9. Berkeley Vacuum Center to repair vacuum cleaners as needed for the period October 1, 2002 through June 30, 2003. The cost will not exceed \$2,000. To be paid from General Fund Budget. Requested by Rhonda Bacot.
10. Julia Morgan Center for Arts to provide staff development training in the Arts to teachers at Thousand Oaks School. This training is for approximately six teachers during the 2002/2003 school year. The cost will not exceed \$3,000. To be paid from Thousand Oaks Site Budget. Requested by Jesse Ramos
11. Arthur J. Gallagher & Company to be paid for Gallagher Bassett Adjusting and Audit services for the period July 1, 2002 through June 30, 2003. The cost will not exceed \$2000. To be paid from Self Insurance Budget. Requested by David Gomez.
12. George Hills Co. Inc., to provide professional liability and vehicle adjusting services for the period July 1, 2002 through June 30, 2003. The cost will not exceed \$20,000. To be paid from Self Insurance Budget. Requested by David Gomez.
13. Ratification of contract for Steinke Beyer Engineering and Scientific Services to provide professional engineering services to assist in the Valentin vs. Berkeley Unified School District. The cost will not exceed \$784.60. To be paid from General Fund Human Resources Budget. Requested by David Gomez.



14. Hanna, Brophy, Mac Lean, McAleer & Jensen, LLP to provide professional legal services for the 1329 WCAB claim, Jackson vs. Berkeley Unified School District. The cost will not exceed \$ 2,500. To be paid from General Fund Human Resources Budget. Requested by David Gomez.
15. Wight & Wight to prepare the 2002 AVMSM grant renewal application packet to the Governor's Office/Office of the Secretary for Education for Emerson School. The cost will not exceed \$3,000. To be paid from Healthy Start Mentoring Program Budget. Requested by Susan Hodge.
16. U C Berkeley Workstudy program to provide one Spanish Bilingual tutor at King Middle School for the 2002/2003 school year. The cost will not exceed \$1,027. To be paid from EIA-ELL Budget. Requested by Kit Pappenheimer.
17. Centrinity to provide customer support and maintenance for the First Class B-Mail system, for the period October 2002 through October 2003. The cost will not exceed \$4,954. To be paid from General Fund Technology Budget. Requested by Jerry Kurr.
18. NCS Pearson to repair Scanner Model 50 located at the Berkeley High School. The cost will not exceed \$700. To be paid from General Fund Berkeley High School Budget. Requested by Gabriel McCurtis.
19. Ratification of contract to Office of Public School Construction for rental payment for three portables at Arts Magnet School for the 2002/03 school year, buildings 31084, 31085 and 31086. The cost will not exceed \$12,000. To be paid from General Fund Facilities Budget. Requested by Lew Jones.
20. Anderson Carpet & Linoleum Sales to provide and install new vinyl flooring in bathroom at the Berkeley Adult School. The cost will not exceed \$540. To be paid from Measure BB Budget. Requested by Rhonda Bacot.
21. Automatic Response Systems to remove boxes of documents to be shredded from various District locations. The cost will not exceed \$7,255.85. To be paid from General Fund Maintenance Budget. Requested by Rhonda Bacot.

22. Anderson Carpet to furnish labor and material to install and repair and replace floor tile in three areas, 1<sup>st</sup> floor women's restroom, principal's office, business dept room 308 at Berkeley Adult School. The cost will not exceed \$1,510. Requested by Rhonda Bacot.
23. Increase of contract for Craig Pratt & Associates, Inc., for professional investigation services. Board approval in the amount of \$10,000 on October 9, 2002. However the investigation exceeded the original authorization because of the sensitive nature of the issues. The additional time required increased the costs by \$7,197.50 for a total amount of \$18,197.50. To be paid from General Fund Human Resources Budget. Requested by David Gomez.
24. CMS Viron Energy Services furnish and install 25 L.E.D. exit signs of less than 6 watts (green/red) at Berkeley High School. The cost will not exceed \$4,803. To be paid from Measure BB. Requested by Rhonda Bacot.

**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:** Jerry J. Kurr, Associate Superintendent of Business  
**DATE:** October 30, 2002  
**SUBJECT:** 2001-2002 “Un-Audited Actuals”

### **BACKGROUND INFORMATION**

The 2001-2002 Un-Audited Actuals is a term that refers to the “closed” financial books of the District prior to the independent audit of the financial records. Closing the books means that all known expenditures and revenues including accruals along with fund balances for the fiscal year 2001-2002 have been posted to the financial ledgers of the District. Accruals are the liabilities and receivables that apply to 2001-2002 fiscal year. This report should provide the District with the most accurate to date financial information on fund balances and spending in relation to revenues for the 2001-2002 fiscal year.

The books were closed using the District’s old legacy financial system. The financial management staff responsible for closing the books were not involved in development of the 2001-2002 Budget nor were they responsible for all of the financial operations of the District during that year. The staff’s confidence that they have found all obligations relating to the 2001-2002 fiscal year is not 100%.

The Un-Audited Actuals for 2001-2002 fiscal year are presented using the old J-200 format in the following documents. The most significant results of the 2001-2002 Un-Audited Actuals is that the General Fund Balance for Unrestricted improved by \$2,770,605 (this is designated for BB and BSEP uses) from what was in the Board Adopted Budget as revised on August 7, 2002. In addition, revenues exceeded spending in the 2001-2002 fiscal year by \$2,490,995.

In closing the books, we have discovered that there is an “out of balance” condition between the General Ledgers of the District and the Subsidiary Ledgers for certain funds. Following the 2001-2002 Un-Audited Actuals is Attachment-1 which displays the amounts in the General Ledgers that do not balance with the Subsidiary Ledgers. It is anticipated that the District’s independent auditors may identify adjustments to the General Ledgers during the audit process. The staff are using, the more conservative, financial information from the Subsidiary Ledgers to record carry-overs and beginning fund balances in the 2002-2003 fiscal year.

Staff will present to the Board under separate cover a document, which summarizes the changes from the Revised Budget Estimated Actuals 2001-2002 fiscal year Adopted by the Board on August 7, 2002 to the Un-Audited Actuals 2001-2002 fiscal year.

**POLICY/CODE**

California Education Code Sections 42122-42129

**STAFF RECOMMENDATION**

Approve the filing of the 2001-2002 Un-Audited Actuals.