

**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**

REGULAR MEETING OF THE BOARD OF EDUCATION - AGENDA

Wednesday, February 19, 2003

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

Administration Superintendent Michele Lawrence, Secretary

Prior to Closed Session (Government Code Sections 3540.1(d), 54956.(a) and 54957) ar
Code Section 48918(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
 - 1) Non-Reelection of thirteen teachers
- e) Public Employment Appointment
- f) Liability Claims
- g) Property Acquisition

*The Student Director does not attend Closed Session.

Report Closed
Session Action

Motion_____ Second_____ Vote_____

Approve Agenda

Approve the Regular Meeting Agenda of
February 19, 2003

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.

COMMITTEE REPORT

Recommendations of the BSEP Planning & Oversight Committee for the Expenditure of the BSEP Class Size Reduction Fund in FY 2004

REPORTS

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

CONSENT ITEMS

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

General Services

1.1-C
Acceptance of Gifts
Donations

Staff Recommendation:
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

1

Motion_____ Second_____ Vote_____

1.2-C 2003 CSBA Delegate Assembly Election Ballot	<u>Board Member Recommendation:</u> Vote for four candidates for the 2003 Delegate Assembly for Subregion 7-B. Motion_____ Second_____ Vote_____	2
1.3-C Resolution on Testing	<u>Board Member Recommendation:</u> Approve the Testing Resolution Motion_____ Second_____ Vote_____	1
<u>Human Resources</u>		
2.1-C Acceptance of Personnel Report	<u>Staff Recommendation:</u> Accept Personnel Report 03-14 as submitted. Motion_____ Second_____ Vote_____	1
2.2-C Acknowledgement of Appointment of Commissioner Shirley Van Bourg to Personnel Commission Vacancy	<u>Staff Recommendation:</u> Acknowledge the Classified Union's appointment of Shirley Van Bourg to the Personnel Commission effective March 1, 2003 Motion_____ Second_____ Vote_____	1
2.3-C District Initial Proposal To negotiate with Union Of Berkeley Administrators	<u>Staff Recommendation:</u> Approve the District's Initial Proposal to UBA (Union of Berkeley Administrators) and District staff to establish parameters to negotiate with UBA Motion_____ Second_____ Vote_____	1
2.4-C Liability Claims Submitted to the Berkeley Unified School District	<u>Staff Recommendation:</u> Deny all claims presented. Motion_____ Second_____ Vote_____	2

Educational Services

- 3.1-C Staff Recommendation: 2
Overnight Field Trip Approve overnight field trip requests in
Accordance with Board Policies and
Procedures
Motion_____ Second_____ Vote_____
- 3.2-C Staff Recommendation: 2
Resolution 02-55: Adopt Resolution 02-55 authorizing the
Authorizing the Berkeley Adult School Principal to sign
Berkeley Adult School Principal to sign and and execute agreements related to the
execute agreements Berkeley Adult School Workability II
related to the Berkeley Program
Adult School Work-
ability II Program
Motion_____ Second_____ Vote_____

Business and Operations

- 4.1-C Staff Recommendation: 2
Approval of Contracts/ Authorize the Associate Superintendent of Business
Purchase Orders for and Operations or Purchasing Agent to execute
Service and Contracts Purchase Orders
Motion_____ Second_____ Vote_____
- 4.2-C Staff Recommendation: 3
Approve payroll payments made in January 2003 Approve payroll payments made in January 2003
Motion_____ Second_____ Vote_____
- 4.3-C Staff Recommendation: 3
Resolution 02-56: Approve Resolution 02-56: Authorization to
Repair of leak damage advertise for bids for the repair of leak damage
At Rosa Parks School at Rosa Parks School
Motion_____ Second_____ Vote_____
- 4.4-C Staff Recommendation: 3
Resolution 02-57: Authorization to advertise for bids for the
Removal of portable at removal of portable at Jefferson School
Jefferson School
Motion_____ Second_____ Vote_____

ACTION ITEMS

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

Business and Operations

4.1-A Resolution 02-59: Financial Recovery Plan	<u>Staff Recommendation:</u> Approve Resolution 02-59 to enact and implement Financial Recovery Plan	4
4.2-A Increase breakfast and Lunch meal prices	<u>Staff Recommendation:</u> Increase breakfast and lunch meal prices by \$.50 starting March 1, 2003 Motion_____ Second_____ Vote_____	7
4.3-A Reinstate reduced meal Charges	<u>Staff Recommendation:</u> Reinstate the reduced meal charges \$.30 for breakfast and \$.40 for lunch Starting March 1, 2003 Motion_____ Second_____ Vote_____	7

CONFERENCE

These items are submitted for advance planning and to assist the Board in establishing future agenda items. The Board may, however, take action on the following:

General Services

1.1-CF First Reading: Revisions of the Board Policies On Board Advisory Committees	<u>Board Member Recommendation:</u> Accept, for First Reading, the following Board Policies: * 9130: Board Advisory Committees Policy * Citizens Construction Advisory Committee (CCAC) Policy * 3510.3: Facilities Maintenance & Security Advisory Committee (MAC) Policy	7
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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:

- 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 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 a school or from the Superintendent's Office.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Queen Graham, Executive Assistant
DATE: February 12, 2003
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. Ms. Phila Rogers: A donation of 33 copies the book, California Tales, on tape.
2. Media All Stars, Inc.: A donation of \$468.74 to the Berkeley High School Athletic Program.

POLICY

Board Policy DFK/KHE

FISCAL IMPACT

None

STAFF RECOMMENADTION

Accept the donations/gifts to the District.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Board of Directors
FROM: Joaquin J. Rivera, President
Board of Education
DATE: February 19, 2003
SUBJECT: 2003 CSBA Delegate Assembly Election

BACKGROUND INFORMATION

CSBA's Delegate Assembly is a vital link in the organization's governance structure. The Delegate Assembly sets the general policy direction for the association. Working with local districts, county offices, the Board of Directors and Executive Committee, Delegates ensure that the association reflects the interests of school districts and county offices of education throughout the State.

The Delegate Assembly is made up of approximately 270 Delegates who are elected by local board members in 21 geographic regions throughout the State. Delegates serve two-year terms. They usually meet twice a year to conduct business, and may also meet with the other Delegates and the Director within their region.

Boards of Education may vote for up to the number of vacancies in the region or subregion. Regardless of the number of vacancies, each board may cast no more than one vote for any one candidate. The ballot also contains a provision for write-in candidates.

FISCAL IMPACT

None

BOARD MEMBER RECOMMENDATION

That the BUSD Board of Education vote for Gwen Estes, Nina Moore and Linda Perry for the 2003 Delegate Assembly for Subregion 7-B.

BERKELEY UNIFIED SCHOOL DISTRICT

RESOLUTION ON TESTING

WHEREAS, accurate evaluations of students' actual performance and knowledge provide critical information about program effectiveness and student achievement; and

WHEREAS, student academic growth should be measured over time by assessing students on a regular basis with multiple measures; and

WHEREAS, assessment instruments must be aligned with adopted standards and reported in a timely manner in order to evaluate and improve the curriculum and teaching process; and

WHEREAS, assessment instruments must be age-appropriate and also appropriate for the culturally, ethnically and linguistically diverse population of California and should take into account the many different ways in which students learn; and

WHEREAS, the high-stakes nature of several tests imposed by the State such as the STAR (Standardized Testing and Reporting) tests and the High School Exit Exam (HSEE) is troublesome as a single measure is used to determine how much money schools and scholarship candidates get, and whether students will graduate from high school; and

WHEREAS, high-stakes tests such as the STAR test and the HSEE discriminate against limited English proficient students because the tests are only given in English; and

WHEREAS, resources provided by the state's intervention programs for "low performing" schools are grossly inadequate to compensate and remediate for long term state underfunding and highly unequal opportunities to learn; and

WHEREAS, desperately needed education funding and instructional time are diverted to administer the many tests school districts are required to give; and

WHEREAS, in 2000-2001 African-American and Latino students failed the HSEE at twice the rate of their white counterparts, and low-income students failed at twice the rate of middle-income students (Applied Research Center, Oakland), and the wealthiest 10% of schools in California have received more API awards than schools in other income brackets (California Budget Project, Sacramento); and

WHEREAS, the Citizen's Commission on Civil Rights cites California for numerous violations of Federal Law for failing to help disadvantaged students because it depends on inadequate, narrow, multiple-choice tests such as the STAR tests and the HSEE as the center of its accountability system and does not use "multiple measures" of assessment to monitor student progress and performance (see Citizen's Commission on Civil Rights report); and

WHEREAS, a growing body of research (see "The Impact of High-Stakes Tests on Student Academic Performance" and "An Analysis of Some Unintended Consequences of High-Stakes Testing") suggests that the impact high-stakes tests have on academic achievement is, at best, ambiguous as results from across the nation show that:

- a. there is no evidence of improved achievement on the ACT, SAT, AP and NAEP tests after implementation of high-stakes testing programs
- b. high-stakes tests may increase dropout rates and lower graduation rates, and
- c. high-stakes tests may lead to a reduction in the offerings in art, music, science, social studies and physical education because these subjects are less often tested.

THEREFORE, BE IT RESOLVED, that the Berkeley Unified School District Board of Education supports the use of multiple measures to evaluate student performance; and

BE IT FURTHER RESOLVED that the Berkeley Unified School develop staff development training for our teachers on how to use assessment instruments, INCLUDING THE RESULTS OF STANDARDIZED TESTS, to evaluate and improve the curriculum and guide the teaching process; and

BE IT FURTHER RESOLVED that the Berkeley Unified School District Board of Education requests Assemblywoman Loni Hancock, State Senator Don Perata, U.S. Senators Diane Feinstein and Barbara Boxer, and Congresswoman Barbara Lee to introduce legislation to study the success and adequacy of the current accountability systems, based primarily on high-stakes tests, the State and Federal governments are imposing on local school districts. This study should include, but not be limited to, the following:

- a. whether high-stakes tests are adequate measures of academic achievement
- b. whether the current battery of mandated high-stakes tests are appropriate for the culturally, ethnically and linguistically diverse population of California
- c. whether high-stakes tests are achieving real accountability
- d. developing alternative, potentially more equitable and academically constructive tools to measure student learning, achievement, and performance and that could provide real accountability for equal educational outcomes for all students
- e. consolidation of standardized tests, especially at the high-school level, to reduce the number of non-instructional "test days" without undermining accountability
- f. negative impacts the current system may be having on any sub-group of students
- g. adequacy of funding for intervention programs to help low performing schools and students.

PASSED AND ADOPTED this 19th day of February 2003.

Joaquín J. Rivera
President, Board of Education

Michele Lawrence
Superintendent

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Board of Directors
FROM: Joaquin J. Rivera, President and
John T. Selawsky, Vice President
DATE: February 19, 2003
SUBJECT: Resolution on Testing

BACKGROUND INFORMATION

At the January 22, 2003 Board Meeting, two Resolutions on Testing were presented for Board consideration. The Board tabled both resolutions and asked that they be blended into one. The attached resolution accomplishes that request.

FISCAL IMPACT

None

BOARD MEMBERS RECOMMENDATION

Approve the Testing Resolution.

TO: Michele Lawrence Superintendent
 FROM: David A. Gomez, Ph.D.
 Associate Superintendent Human Resources
 DATE: February 19, 2003
 SUBJECT: ACCEPTANCE OF PERSONNEL REPORT 03-14

Following is Personnel Report 03-14, which reports details of personnel assignments, employment and terminations.

CERTIFICATED EMPLOYEES						
NAME	POSITION	LOCATION	BUDGET	FTE & SALARY	FROM	TO
<u>RETIREMENT</u>						
Vera Bomse	RSP	Special Ed.			6/13/03	
Stephen Brand	Teacher	Berkeley High			6/30/03	
Carole Chin	Teacher	Le Conte			6/13/03	
Pauline Delgado	RSP	Special Ed.			6/13/03	
James Harris	Teacher	Jefferson			6/13/03	
Marilyn J. Littles	Program Coordinator	Arts magnet			6/20/03	
John McKeown	Counselor	Adult School			6/13/03	
Linda Mengel	Teacher	Jefferson			6/13/03	
Mary Ellis-Raguth	Teacher	Malcolm X			6/13/03	
Jessie Shohara	Teacher	Malcolm X			6/13/03	
Robert Traum	Teacher	Berkeley High			6/14/03	
Prindle Vaux	Teacher	Rosa Parks			6/14/03	
<u>RESIGNATION</u>						
Susan Pence	Special Ed.	Special Ed.	General Fund		6/13/03	
<u>LEAVE OF ABSENCE WITHOUT PAY</u>						
Larry Stefl	Teacher	Berkeley Alternative High	General Fund	0.20 FTE	1/28/03	6/13/03
<u>MATERNITY LEAVE OF ABSENCE WITH PAY</u>						
Alison Suett-Nakasako	Teacher	King	General Fund	0.80 FTE	2/05/03	6/13/03
<u>MATERNITY LEAVE OF ABSENCE WITHOUT PAY</u>						
Genevieve Leslie	Teacher	King	General Fund		1/16/03	6/13/03

NAME	POSITION	LOCATION	BUDGET	FTE & SALARY	FROM	TO
<u>APPOINTMENT, TEMPORARY ADMINISTRATOR</u>						
Margaret Kidd	Program Manager	Special Ed.	General Fund	Not to exceed \$625.00 day	10/01/02	6/30/03
<u>PROBATIONARY TEACHER</u>						
Susan Katz	Teacher	Cragmont	General Fund	1.00 FTE VII-09	8/26/02	6/30/03
<u>TEMPORARY TEACHER</u>						
Tiffany Jackson	Teacher	Longfellow	General Fund	0.60 FTE I-50	2/04/03	6/13/03
Brenda Joynson	Psychologist	Special Ed.	General Fund	1.00 FTE VII-12	2/03/03	6/13/03
Sumer Withers	Teacher	Washington	Site Fund	0.40 FTE II-01	2/05/03	6/13/03

CLASSIFIED EMPLOYEES

NAME	POSITION	LOCATION	BUDGET	CLASS RANGE STEP	FTE & SALARY	FROM	TO
<u>RESIGNATION</u>							
Adam Marsh	Instructional Technician	Cragmont	Site Fund	34/1	.53 FTE \$13.76 hr	1/15/03	
Paul Yip	Maintenance Engineer	Maintenance Operation	BB Measure	54/3	1.00 FTE \$24.94 hr	2/07/03	
<u>PERMANENT (TRANSFER)</u>							
Edith Brozowsky	Instructional Assistant Special Ed.	Berkeley High	Special Ed.	31/3	.80 FTE \$14.12 hr	8/28/02	6/13/03
Lolita Coleman	Clerical Specialist	Human Resources	General Fund	42/5	1.0 FTE \$20.45 hr	2/05/03	
<u>PROBATIONARY</u>							
Siu Lau	Accountant	State and Federal	General Fund	47/1	1.0 FTE \$18.97 hr	12/13/03	6/13/03
Hedy Lim	Instructional Assistant (Special Ed.)	Berkeley High	Special Ed.	31/1	.80 FTE \$12.77 hr	12/01/03	6/01/03
<u>PROVISIONAL</u>							
Robert Valentine	Administrative Coordinator (Confidential)	Human Resources	General Fund	52/1	1.0 FTE \$21.76 hr	2/05/03	5/05/03
<u>TEMPORARY/HOURLY</u>							
Mariko Baumgardner	Tutor	Emerson	Site Fund	N/A	Not to exceed 4 hrs/wk \$11.45 hr	2/04/03	6/30/03
DeAndre Carlisle	Student Worker Workability	Berkeley High	Special Ed.	N/A	Not to exceed 20 hrs/wk \$6.75 hr	1/01/03	6/30/03
Iyanna Clardy	Student Worker	Berkeley High	Site Fund	N/A	Not to exceed 20 hrs/wk \$6.75 hr	1/06/03	6/30/03
Alejandra Dubcovsky	Tutor	Emerson After School	Site Fund	N/A	Not to exceed 2 hrs/wk \$11.45 hr	2/10/03	6/13/03
Iris Ezeb	Noon Director	Cragmont	Site Fund	N/A	Not to exceed 7.5 hrs/wk \$11.45 hr	1/30/03	6/13/03

NAME	POSITION	LOCATION	BUDGET	CLASS RANGE STEP	FTE & SALARY	FROM	TO
Ligaya Gritz	School Service Assistant	John Muir	Site Fund	31/1	Not to exceed 2 hrs/day \$12.77 hr	1/13/03	6/13/03
Athena Gonzalez	Instructional Assistant	Vera Casey	Site Fund	29/1	Not to exceed 12 hrs/wk \$12.17 hr	10/10/02	6/13/03
Rajan Gosain	Tutor Specialty	Berkeley High	Site Fund	31/1	Not to exceed 20 hrs/wk \$12.77 hr	10/10/02	6/30/03
Michelle Lee	Noon Director	Arts Magnet	Site Fund	N/A	Not to exceed 5 hrs/wk \$11.45 hr	1/21/03	6/30/03
Luanne Rogers	Accounting Technician	Special Ed.	Special Ed.	43/5	Not to exceed 35 hrs/wk \$20.96 hr	12/02/02	6/13/03
Fatima Shah	Tutor	Malcolm X	Site Fund	N/A	Not to exceed 10 hrs/wk \$11.45 hr	10/25/02	6/14/03
Phil Wiegand	Instructional Assistant	Emerson	Site Fund	29/1	Not to exceed 7.5 hrs/wk \$12.17 hr	2/18/03	5/29/03
<u>WORKING EVENING SHIFT, OUT OF CLASS, ATTENDANT DUTIES OR AS CONFIDENTIAL OR MANAGEMENT EMPLOYEE</u>							
Edith Brozowsky	Instructional Assistant Special Ed.	Berkeley High	Special Ed.	31/3	10% differential (.80 FTE + \$1.41)	8/28/02	6/13/03
Robert Valentine	Administrative Coordinator	Human Resources	General Fund	52/1	5% differential (1.0 FTE + \$1.09)	2/05/03	5/05/03
Hedy Lim	Instructional Assistant Special Ed.	Berkeley High	Special Ed.	31/1	5% differential (.80 FTE + \$.64)	12/01/03	6/01/03

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BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: David A. Gomez, Ph.D., Associate Superintendent,
Human Resources
DATE: February 19, 2003
SUBJECT: Acknowledgement of Appointment of Commissioner Shirley Van
Bourg to Personnel Commission Vacancy

BACKGROUND INFORMATION:

There are three seats on the Personnel Commission. Currently, one seat is filled by Chairperson Carolyn Weinberger. Ms. Weinberger's term runs from December 2001 through December 2004. The second seat is a vacant position that runs from December 2000 to December 2003. The third seat held by George Johnson ran from December 1, 1999 through December 1, 2002. That term has expired and a term from December 1, 2002 to December 1, 2005 has begun.

In April 2002, the Classified Union held an election giving the Union the authority to choose a Personnel Commissioner when a seat on the Commission became vacant. As noted above, George Johnson's term on the Commission expired on December 1, 2002. He is still sitting due to a provision that permits an automatic extension into the newly established term for 90 days through February 28, 2003. The Classified Unions have jointly put forward the name of Shirley Van Bourg to fill the December 1, 2002 term that Mr. Johnson remains in. Ms. Van Bourg meets the criteria of the Education Code to serve as a Commissioner. The term Ms. Van Bourg will occupy runs from December 1, 2002 for three years to December 1, 2005.

Once Ms. Van Bourg takes her position, she and Carolyn Weinberger, the Chairperson will have the authority to choose a Commissioner to fill the final seat that has been vacant since December 2000. Staff plans to submit the name of George Johnson to fill that seat at the next Merit Commission meeting to be held on March 3, 2003.

POLICY/CODE:

Education Code Sections 45244 and 45245.

FISCAL IMPACT:

There is no financial impact relating to this action.

STAFF RECOMMENDATIONS:

Acknowledge the Classified Union's appointment of Shirley Van Bourg to the Personnel Commission effective March 1, 2003. Support Staff's submission of George Johnson's name to the Commission for appointment to the December 2000 Personnel Commission vacancy.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: David Gomez, Ph.D., Associate Superintendent, Human Resources
DATE: February 19, 2003
SUBJECT: Liability claims submitted to Berkeley Unified School District

BACKGROUND INFORMATION:

The following claims for damages to person or property have been filed against Berkeley Unified School District:

1. Claim filed by a parent for payment of medical expenses incurred her child allegedly broke his arm while playing behind a bungalow at Arts Magnet.
2. Claim filed by a teacher for materials she purchased to allegedly replace District equipment that was broken.
3. Claim filed by a parent for reimbursement of the cost of a scooter that was allegedly confiscated by a School Safety Officer but never returned.
4. Claim filed by a employee for reimbursement of a broken vehicle window and items allegedly stolen.
5. Claim filed by a teacher for personal items that were allegedly stolen from her classroom.
6. Claim filed by a citizen for reimbursement of medical cost that that r was allegedly withheld and for alleged non-payment of earned wages.

POLICY/CODE:

Government Code Section 910

FISCAL IMPACT:

None

STAFF RECOMMENDATION:

Deny all claims presented.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Christine Lim, Associate Superintendent, Educational Services
DATE: February 19, 2003
SUBJECT: Overnight Field Trip Requests

BACKGROUND INFORMATION:

The following overnight field trip requests are being made:

1. Approve participation of 43 fifth graders from John Muir School, three teachers and two other adults on an overnight field trip to Sempervirens Outdoor School in Big Basin State Park, May 27 - 30, 2003. The purpose of the trip is for students to participate studying the environment and the school wide life skills program. Students will be housed in gender specific cabins. Transportation will be provided by District buses. The \$200.00 cost per student is being funded by the PTA and parent donations. No student will be denied access based on the ability to pay. Requested by Nancy D. Waters, Principal, John Muir.
2. Approve participation of approximately 35 Advance Placement Government students and two teachers to participate in the Close Up Program, a seven day trip to Washington D.C. on March 2-8 2002. The purpose of this trip is to allow students to study the U.S. Supreme Court, Congress and visit several national monuments. Upon arrival students are supervised and guided through Washington by both Berkeley High teachers and Close Up staff. Students will be housed at a local hotel with gender specific room assignments (males and females will be housed on separate floors with 24 hour supervision on each floor) and all meals will be provided. Students will fly to Washington via United Airlines. The \$ 1,400.00 per student cost is being funded through fundraisers and student contributions. The substitute costs will be covered through a donation from the Berkeley High School Development Group. Requested by Michael Hassett, Executive Vice Principal

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 trips for students consistent with the District Policies and instructional programs.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Chris Lim, Associate Superintendent, Educational Services
DATE: February 19, 2003
SUBJECT: Resolution Number 02-55 - Authorizing the Berkeley Adult School Principal to Sign and Execute Agreements Related to the Berkeley Adult School Workability II Program

BACKGROUND INFORMATION

The attached resolution number 02-55 - authorizes the Berkeley Adult School Principal to sign and execute agreements related to the Adult School Workability II Program, a requirement of the State Department of Vocational Rehabilitation. This resolution will enable the Adult School to continue the Workability II Program that provides programs to assist individuals with disabilities to transition into unsubsidized employment. This program is totally self-sustaining and has no impact or encroachment on the Adult School Fund.

POLICY/CODE

FISCAL IMPACT

None.

STAFF RECOMMENDATION

Adopt resolution number 02-55 authorizing the Berkeley Adult School Principal to sign and Execute agreements related to the Berkeley Adult School Workability II Program.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Jerry J. Kurr
Associate Superintendent of Business and Operations
DATE: February 19, 2003
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. Production Logic to provide rental of sound equipment and operator for Berkeley High School graduation on June 13, 2003. The cost will not exceed \$2,100. To be paid from General Fund Budget. Requested by Gabriel Mc Curtis.
2. City of Berkeley Police Department to provide police services for Berkeley High School graduation on June 13, 2003. The cost will not exceed \$4,500. To be paid from the General Fund Budget. Requested by Gabriel Mc Curtis.
3. University of California to provide UC Police services for Berkeley High School graduation on June 13, 2003 at the UC Greek Theatre. The cost will not exceed \$4,500. To be paid from General Fund Budget. Requested by Gabriel Mc Curtis.
4. University of California Regents Office of the Chancellor to provide services as need for the Berkeley High School graduation on June 13, 2003 at the UC Greek Theatre. The cost will not exceed \$6,200. To be paid from the General Fund Budget. Requested Gabriel Mc Curtis.
5. Jostens to provide supplies such as diploma inserts, covers, and miscellaneous materials as needed for the Berkeley High School graduation on June 13, 2003. The cost will not exceed \$3,000. To be paid from the General Fund Budget. Requested by Gabriel Mc Curtis.

6. Increase of contract for Jocelyn Mitchelmore to provide consultant services for project "G.L.A.D." Additional two days of Theory Brain Research and Strategies Workshop on March 24-25, 2003 at Longfellow School. Board approval in the amount of \$19,480 on November 20, 2002. The additional time required increased the cost by \$2,067.20 for a total amount of \$21,547.20. To be paid from Title I Basic Budget. Requested by Carla Basom.
7. Increase of contract for Kellie Richardson to provide consultant services for project "G.L.A.D." Additional two days of Theory Brain Research and Strategies Workshop on March 24-25, 2003 at Longfellow School. Board approval in the amount of \$19,814.08 on November 20, 2002. The additional time required increased the cost by \$2,214.08 for a total amount of \$22,028.16. To be paid from Title I Basic Budget. Requested by Carla Basom.
8. Stringer Business, Oakland to provide Maintenance Contract No. 14629 on the Risograph Copier located at Emerson School. The cost will not exceed \$122.48. To be paid from General Fund API Awards Budget. Requested by Susan Hodge.
9. Kinko's to provide copy services as needed for the 2002/2003 school year for Berkeley High School ELL Department. The cost will not exceed \$500. To be paid from Title III ELL Budget. Requested by Gabriel Mc Curtis.
10. Copy World to provide copy services as need for the 2002/2003 school year for Rosa Parks School. The cost will not exceed \$400. To be paid from Title VII Budget. Requested by Shirley Herrera.
11. Copy World to provide color copy services as needed for the 2002/2003 school year for Thousand Oaks School. The cost will not exceed \$500. To be paid from Magnet Budget. Requested by Jesse Ramos.
12. Ratification of contract to The Omaz Pi Puppet Theater Consulting Services/Professional Prevention Performance to provide prevention puppet shows at Malcolm X, Oxford, Thousand Oaks and Jefferson Schools. The cost will not exceed \$1,000. To be paid from Tobacco Prevention Budget. Requested by Gabriel Mc Curtis.
13. Ratification of contract to RGA Environmental, Inc. to provide labor and materials to conduct asbestos survey including monitoring asbestos abatement work and final report for demolition plan for Jefferson School. The cost will not exceed \$1,924. To be paid from the Measure AA Budget. Requested by Lew Jones.

14. Department of State Architect to provide services for access compliance review of Campus Green Project at Berkeley High School. The cost will not exceed \$1,000. To be paid from Measure AA Budget. Requested by Lew Jones.
15. Department of State Architect or provide services for structural review of Campus Green Project at Berkeley High School. The cost will not exceed \$1,000. To be paid from Measure AA Budget. Requested by Lew Jones.
16. R.H. Tinney to perform repairs to punmatic control HVAC systems at Martin Luther King Middle School Media Building. The cost will not exceed \$4,492. To be paid from Measure BB Budget. Requested by Rhonda Bacot.
17. State Roofing to provide service inspection at Berkeley High School. The cost will not exceed \$225. To be paid from Measure BB Budget. Requested by Rhonda Bacot.
18. Ratification of contract with QSS to provide services of conversion of 1099 data by moving data into the add data file in the QSS 1099 vendor file. The cost will not exceed \$1200. To be paid from General Fund QSS Conversion Budget. Requested by Jerry Kurr.
19. Ratification of contract with QSS to provide miscellaneous project services for the period February 1, 2003 through June 30, 2003. The cost will not exceed \$2000. To be paid from General Fund QSS Conversion Budget. Requested by Song Chin-Bendib.
20. Increase of contract to David Berg to provide consulting services in mathematics. Services may include math in-services classes, in class demonstrations, coaching, and modeling; follow-up discussions with staff and curriculum services. Board approval in the amount of \$3,600 on February 5, 2003. The additional time required increased the cost by \$2,400 for a total amount of \$6,000. To be paid from Title I Basic Grant Budget. Requested by Cheryl Chin.
22. Increase in contract to Michael Remler for final settlement agreement for special education student for the period July 1, 2002 through June 30, 2003. The additional amount will increase the cost by \$8,000 for a total amount of \$44,000. To be paid from

General Fund Special Education Budget. Requested by Ken Jacopetti.

23. Increase in contract to United Cerebral Palsy to provide Individualized Educational Program required services to five students at various rates for the 2002/2003 school year. Board approval in the amount of \$70,104 on August 7, 2002. The additional amount will increase the cost by \$61,001 for at total amount of \$131,205. To be paid from General Fund Special Education Budget. Requested by Ken Jacopetti.
24. Ratification of contract to Judith Coleman to provide independent consultation to process and/or reconcile 2002-2003 budget which includes position control at a rate of \$55/hour plus mileage and parking for the period January 1, 2003 through March 31, 2003. Board approval in the amount of \$13,250 on December 11, 2002. The additional amount will increase the cost by \$4,600 for a total amount of \$17,850. To be paid from General Fund Accounting Budget. Requested by Song Chin-Bendib.
25. Ratification of contract to Caryl M. Callsen to provide independent consultation service to provide reconciliation QSS position control at a rate of \$55/hour plus mileage, hotel and parking for the period January 1, 2003 through March 15, 2003. Board approval in the amount of \$8,250 on November 20, 2002. The additional amount will increase the cost by \$20,630 for a total amount of \$28,880. To be paid from General Fund Accounting Budget. Requested by Song Chin-Bendib.

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
District Payroll -- Accounting Department
BUSD PAYROLL ISSUES FOR JANUARY 2003

<u>COMPUTER GENERATED</u>	<u>AMOUNT</u>
GENERAL FUND	\$ 7,384,860.58
MEASURE BB FUND	\$ 146,151.57
ADULT FUND	\$ 335,113.57
CAFETERIA FUND	\$ 87,122.82
CHILD DEVELOPMENT FUND	\$ 393,548.78
MEASURE A +AA (BOND FUND)	\$ 11,846.70
SCHOOL ENRICHMENT FUNDS - (SITE ENRICHMENT & EDU. MAT'L)	\$ 195,851.77
 TOTAL DISTRICT PAYROLL	 <u>\$ 8,554,495.79</u>

Approved by :

RESOLUTION NO. 02-56

**AUTHORIZATION to ADVERTISE FOR BIDS for REPAIR of LEAK
DAMAGE at ROSA PARK SCHOOL**

WHEREAS, in the judgment of the Board of Education of the Berkeley Unified School District of Alameda County, it is necessary to secure all labor, materials, equipment, mechanical workmanship, transportation and services required for furnishing and installation of **REPAIR of LEAK DAMAGE at ROSA PARK SCHOOL**, all in accordance with the plans and specifications for the same, Prepared by Berkeley Unified School District, Facilities Planning Office, Berkeley, California, which are on file in the office of said Board and which said plans and specifications are hereby approved and adopted;

NOW, THEREFORE, BE IT RESOLVED that the general prevailing rates of wages as Heretofore ascertained and determined by the Director of the State Department of Industrial Relations in accordance with Labor Code Section 1770 and by said Board shall be the general prevailing rates of per diem wages for each craft or type of worker or mechanic needed to execute this contract; and

BE IT FURTHER RESOLVED, that the Secretary of the Board be and he is hereby authorized to advertise for proposal for the completion of said work in accordance with law by publishing the same in newspapers of general circulation published and circulated in said district; and

BE IT FURTHER RESOLVED that the Notice to Contractor shall be in form as follows:

Resolution No.02-56

continue

NOTICE TO CONTRACTORS

NOTICE IS HEREBY GIVEN, that the Board of Education of the Berkeley Unified School of Alameda County hereby calls for sealed proposals to be delivered to the Purchasing Agent of said Board at the Purchasing Office of said Board 1720 Oregon Street, Berkeley, California until **3:00 PM APRIL 8, 2003** at which time and place said bids will be opened for the furnishing of all labor, materials, equipment, mechanical workmanship, transportation and services to be used and employed in the installation of **Repair of Leak Damage at Rosa Park School, located at 920 Allston Way, Berkeley California**, for the Board of Education of the Berkeley Unified School District of Alameda County.

These bids shall be presented in accordance with plans and specifications for said work prepared by Berkeley Unified School District, Facilities Planning Office, 1720 Oregon Street, Berkeley, California 94703, which are on file at the said office of said Board located at above-mentioned address.

Bids must be made on bid forms obtained at the said office of the Purchasing Agent, 1720 Oregon Street, and must be signed by the bidder.

The contractor and all subcontractors under him/her must pay all labors, workers and mechanics on said work, or any part thereof, not less than the general prevailing rate of pr diem wages and not less than the general prevailing rate of per diem wages for legal holiday and overtime work for work of a similar character in locality in which the work is performed, to wit; said school district, which per diem wages shall not be less than the stipulated rates contained in a schedule thereof which has been ascertained and determined by the Director of the State Department of Industrial Relations in accordance with Labor Code Section 1770 and by said Board and which is now on file in the office of said Board and by reference incorporated and specified herein and made a part hereof, copies of which are available at said office of said Board, to any interested party upon requested.

Any contractor and his subcontractors shall be bound by said wage scale and shall agree to pay all wages in accordance with said wage schedule.

There will be no fax bids.

**Resolution No. 02-56
continue**

Mandatory Job Walk to be held on March 19, 2002 at 9:00 am to meet at the School Office.

The Board reserves the right to reject any and all bids, or any or all items or alternates or proportions of such bids.

First Issue: March 12, 2003
Second Issue: March 16, 2003

Purchase Order No. 310740 – Send Invoice to Purchasing Department,
1720 Oregon Street, Berkeley, California 94703

PASSED AND ADOPTED by the Board of Education of the Berkeley Unified School District this 19th day of February, 2003 by the following called vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Michele Lawrence, Superintendent
Secretary of the Board of Education
Of the City of Berkeley and of
Berkeley Unified School District of
Alameda County, State of California

RESOLUTION NO. 02-57

**AUTHORIZATION to ADVERTISE FOR BIDS for REMOVAL of
PORTABLE at JEFFERSON SCHOOL**

WHEREAS, in the judgment of the Board of Education of the Berkeley Unified School District of Alameda County, it is necessary to secure all labor, materials, equipment, mechanical workmanship, transportation and services required for furnishing and installation of **REMOVAL of PORTABLE at JEFFERSON SCHOOL**, all in accordance with the plans and specifications for the same, Prepared by Berkeley Unified School District, Facilities Planning Office, Berkeley, California, which are on file in the office of said Board and which said plans and specifications are hereby approved and adopted;

NOW, THEREFORE, BE IT RESOLVED that the general prevailing rates of wages as Heretofore ascertained and determined by the Director of the State Department of Industrial Relations in accordance with Labor Code Section 1770 and by said Board shall be the general prevailing rates of per diem wages for each craft or type of worker or mechanic needed to execute this contract; and

BE IT FURTHER RESOLVED, that the Secretary of the Board be and he is hereby authorized to advertise for proposal for the completion of said work in accordance with law by publishing the same in newspapers of general circulation published and circulated in said district; and

BE IT FURTHER RESOLVED, that the Notice to Contractor shall be in form as follows:

**Resolution No.02-57
continue**

NOTICE TO CONTRACTORS

NOTICE IS HEREBY GIVEN, that the Board of Education of the Berkeley Unified School of Alameda County hereby calls for sealed proposals to be delivered to the Purchasing Agent of said Board at the Purchasing Office of said Board 1720 Oregon Street, Berkeley, California until **3:00 PM March 19, 2003** at which time and place said bids will be opened for the furnishing of all labor, materials, equipment, mechanical workmanship, transportation and services to be used and employed in the installation of **Removal of Portable at Jefferson School , located at 1400 Ada Street, Berkeley, California**, for the Board of Education of the Berkeley Unified School District of Alameda County.

These bids shall be presented in accordance with plans and specifications for said work prepared by Berkeley Unified School District, Facilities Planning Office, 1720 Oregon Street, Berkeley, California 94703, which are on file at the said office of said Board located at above-mentioned address.

Bids must be made on bid forms obtained at the said office of the Purchasing Agent, 1720 Oregon Street, and must be signed by the bidder.

The contractor and all subcontractors under him/her must pay all labors, workers and mechanics on said work, or any part thereof, not less than the general prevailing rate of pr diem wages and not less than the general prevailing rate of per diem wages for legal holiday and overtime work for work of a similar character in locality in which the work is performed, to wit; said school district, which per diem wages shall not be less than the stipulated rates contained in a schedule thereof which has been ascertained and determined by the Director of the State Department of Industrial Relations in accordance with Labor Code Section 1770 and by said Board and which is now on file in the office of said Board and by reference incorporated and specified herein and made a part hereof, copies of which are available at said office of said Board, to any interested party upon requested.

Any contractor and his subcontractors shall be bound by said wage scale and shall agree to pay all wages in accordance with said wage schedule.

There will be no fax bids.

**Resolution No. 02-57
continue**

**Mandatory Job Walk to be held on March 18, 2003 at 9:00 am to
meet at School Playground.**

The Board reserves the right to reject any and all bids, or any or all items or alternates or proportions of such bids.

First Issue: February 23, 2003
Second Issue: March 2, 2003

Purchase Order No. 310740 – Send Invoice to Purchasing Department,
1720 Oregon Street, Berkeley, California 94703

PASSED AND ADOPTED by the Board of Education of the Berkeley Unified School District this 19th day of February, 2003 by the following called vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Michele Lawrence, Superintendent
Secretary of the Board of Education
Of the City of Berkeley and of
Berkeley Unified School District of
Alameda County, State of California

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Lew Jones, Director of Facilities
DATE: February 19, 2003
SUBJECT: Approval to Advertise for the Removal of Two Portables at Jefferson School

BACKGROUND INFORMATION

A year ago we ceased using two portables at the Jefferson School. These portables have not yet been removed. Advertising for the removal of these portables will allow us to begin the disconnecting of the portables and possible partial demolition prior to the summer. The Jefferson School has been working on a landscape plan under the leadership of MIG, Inc. That plan will come to a Board Meeting in March for consideration. Beginning the advertisement and the removal process of these two portables in the spring will give us the maximum opportunity to accomplish landscape improvements during the summer.

POLICY/CODE

California Public Contract Code 20110- 20118.

FISCAL IMPACT

The project is funded through the Bond. The landscape improvements will be funded through BSEP Level 7 program.

STAFF RECOMMENDATION

Approve the advertisement to solicit bids for this project.

**BERKELEY UNIFIED
SCHOOL DISTRICT
FINANCIAL RECOVERY PLAN**

February 19, 2003

RECOVERY PLAN COMPONENTS

The document attached is the best work to-date given the unknown factors from the governor's budget. It is also limited by the staff's time and personnel resources to examine every program budget, and limited by the collaboration with all stakeholders to discuss effects and implementation strategies.

PLAN ASSUMPTIONS:

The cost savings identified in this document are based on the following assumptions:

- That the average total compensation (medical & statutory benefits) for classroom teachers is estimated to be, in FY 2003-2004, \$74,245.
- Classified personnel total compensation (medical & statutory benefits) is calculated at the approximate actual cost of the identified position.
- Estimated savings have been rounded to the nearest hundred.

MID-YEAR REDUCTIONS, FY 2003

CENTRAL OFFICE SERVICES

In January of this year the Superintendent initiated a freeze in hiring, overtime, conference/travel and a review of purchase orders in an effort to reduce present year costs. Those savings to date have not yet been calculated in each object code account but the reductions in spending should be reflected in the Third Interim Report. There are additional personnel recommendations, which follow that, can be implemented beginning March 15th, realizing savings in current year. It is important to note that any on-going expense reduced in current year avoids the compounding effect on next year's budget. Although the goal is to immediately reduce this compounding effect of costs, many personnel cuts, which could be made in current year adversely affect schools and programs and thus, were delayed until next year. The recommendations for mid-year cuts, while devastating to the employees involved, can be done without huge inconvenience to the operations of our schools.

5.0 FTE	Custodians	\$	47,900
1.0 FTE	Custodial Supervisor		15,500
1.0 FTE	Administrative Assistant (Curriculum)		8,600
1.0 FTE	SASI Coordinator		18,000
1.0 FTE	Manager, School Linked Programs		15,000
1.0 FTE	Facilities Use Specialist		16,000
1.0 FTE	Personnel Specialist		14,600
	Personnel corrections in benefits		100,000
	Retiree benefits charged to all Funds (4.053%)		375,000
	Security on BB/Other		33,000
	Technology Equipment (cost transfer)		150,000
	Workers Compensation		400,000
	Overtime		40,000
	District Office Food		<u>8,000</u>
	TOTAL	\$	1,241,600

COST REDUCTIONS AND REVENUE ENHANCEMENTS, FY 2003-2004

CENTRAL OFFICE SERVICES

An increase of responsibilities for District Administration and a reorganization of duties and tasks among classified staff can potentially increase efficiency and generate savings. However, this will require some additional training, which needs to be budgeted, and an investment of time to learn new responsibilities. Certificated or management reductions are identified, but some classified positions are still being considered

.50 FTE	Health Educator	\$ 45,000
1.0 FTE	Program Supervisor, Health Services	113,000
1.0 FTE	Manager School Links Programs (General Fund portion)	30,000
1.0 FTE	Manager Special Education	115,000
1.0 FTE	SASI Coordinator	74,900
1.0 FTE	Personnel Specialist	69,600
1.0 FTE	Administrative Assistant	45,700
	Cancel agreement with District Lobbyist	20,000
	Reduce selective dues and professional subscriptions	15,000
	Reduce food costs for meetings	15,000
	Cancel New Teacher Orientation or fund from different source	<u>2,400</u>

Manager Special Education

This position has been difficult to fill and has remained vacant since July 2002. Currently the Director of Pupil Support Services, with some time provided by a Special Education Consultant, has worked with a fairly new team of three program supervisors to provide oversight and direction to the department. The District proposes to continue this model for the department next year.

SASI Coordinator

Currently the SASI Coordinator provides software support to school sites and District office staff. With this reduction, the Admissions and Attendance Manager will coordinate all future training of key school and District personnel and provide ongoing student database support. This will also eliminate the dependency on one position to operate SASI by sharing the knowledge across the District.

Manager School Links

This position was only partially funded by General Fund dollars. The employee in this position resigned in December of 2002, and through attrition the duties have been reassigned to other department and District staff. It is proposed not to refill the position.

Program Supervisor, Health Services

In an effort to reduce cost we recommend the elimination of a high-level management position. We will continue the process of reorganization that involves the Student Services Office and the Student Assignment Office, developing a systemic process to support sites in maintaining immunization records and create an accountability process.

Due to individual and specialized needs of students requiring health care protocols for special education and #504 students, the model of service delivery would be utilizing outside resources to establish standardized health protocols and documented into a District procedural manual.

Various health screenings and the dissemination of health information will be disseminated through the Student Services Office and the Student Assignment Office. We will continue to develop a network of health support services based upon cost-effective utilization of city and county resources.

Health Educator

The funding from the City of Berkeley has not materialized to support the Health Educator position at Berkeley High School. This may be related to billing between the two agencies. However, until those funds materialize, the General Fund cannot sustain the costs.

CUSTODIAL PERSONNEL

The General Fund includes 54.93 FTE custodians and one Custodial Supervisor. The proposal is to eliminate a total of five Custodians I positions and the custodian supervisor. During the summer, a differential will need to be provided for custodians to take on the extra duty of providing crew leadership and coordination during breaks.

Projected savings are as follows:

5.0	FTE Custodian I	\$ 200,000
1.0	FTE Custodial Supervisor	86,000

Savings: \$ 286,000

The affected school sites will have reduced custodial services. Some shifts will require negotiation of work hours for some remaining custodial positions. The Custodial Supervisor has helped the District to train and assist custodians. The Director of Maintenance and Operations will assume this responsibility.

OVERTIME

Continued savings to be realized by monitoring and limit the use of overtime in General Fund accounts and providing a monthly report of expenditures to ensure savings.

Savings: \$ 40,000

WORK YEAR CALENDAR FOR CERTAIN CLASSIFIED POSITIONS

The Union Contract currently in place for classified staff states that Instructional Assistants and Home School Liaisons must have one paid workday prior to the start of the first day of school. This year and in prior years, these classifications started two days prior to the first day of school. In the fiscal year 2003-2004, the District will follow the contract language. These employees will begin work one day prior to the start of the first day of school.

Savings: \$ 15,000

PROGRAM REDUCTIONS

CLASS SIZE RATIOS:

Elementary

In order to maintain the 20:1 class size levels in K-3, and the funding source from the State of California, various scenarios have been examined that could effectively leverage BSEP funds, save General Fund dollars and still maintain reasonable student-teacher ratios. Staff is recommending the adoption of scenario EK3 which provides a lower ratio in grade 4 and 5 and approximately 7 FTE for enhancement classes at the secondary level.

Recommended: Scenario EK3

Savings: \$2,900,000

Secondary:

The staff recommends the elimination of the ninth grade class size reduction program because of the large General Fund contribution but supports modifications in the master schedule which will give the priority of resources in staffing to keep ninth grade English below 25:1.

Savings: \$ 253,000

READING RECOVERY

The personnel cost for Reading Recovery Intervention is \$845,365. Currently \$238,100 is from general fund. It is proposed to shift the entire amount to categorical sources. However, reductions at the State or Federal level are likely to lessen the flexibility of these restricted dollars. Programmatically, this means that schools sites have fewer dollars, and thus the emphasis for remediation will be directed to literacy as a priority reducing the attention to other areas currently funded by categorical dollars such as in math or staff development.

Savings: \$ 238,100

MUSIC PROGRAM

After a re-examination of the Music Program recommendation and further discussion with principals, the following proposal is a unanimous recommendation from District staff and site principals. The three components discussed were curriculum, delivery, and the structure of the program. Curriculum and delivery will be part of staff development and training. The recommended structure is as follows:

Third Grade: A music teacher will continue to meet once a week, during the release period, with each third grade class in the district. The curriculum will be music fundamentals based on the VAPA Content Standards and Orff/Kodaly methodology (listening, singing, creating music).

Fourth Grade: Each class will have two release periods a week of music. The standards based curriculum (creating, analyzing, identifying and applying musical skills) will focus on developing music vocabulary and proficiency as a foundation for life-long learning, music appreciation and participation. Students will study rhythm, melody, and improvisation through listening, singing and playing pitched percussion instruments and recorders and continue with the Orff/Kodaly methodology.

Fifth Grade: In 2003-04, students will be divided between band, orchestra and Orff/Kodaly. Beginning band students will be able to choose from four instruments (trumpet, trombone, flute and clarinet). Orff/Kodaly students will build on the fourth grade experience with continued work on rhythm, melody harmony and vocal music. Orchestra students will choose between violin, cello or viola. Music education at this level will be standards based and continue to emphasize music appreciation and skill building.

Total 4th and 5th grades = **4.32 FTE**

Middle School: Middle School bands and orchestras will meet for rehearsal twice a week with the other three days of the week devoted to at home practice and sectionals. This proposal requires **.48 FTE** for all three schools.

Total **4-8** grades for Music: **4.80 FTE**

Since this program delivery model matches a music teacher with a classroom teacher, the class sizes are maintained at the same level. Due to a drop in enrollment, the new program model can be funded through BSEP and thus, the 3.32 FTE currently provided from the general fund music program will be eliminated.

Savings: \$246,400

LIBRARY SERVICES

Our instructional leadership team believes that school libraries are fundamental to student achievement, development of literacy, equity, and access. The recommendation presented for cost savings in our school library program would maintain valuable library services but, in the case of the Middle and High school, recommends that the funding source be changed. In the case of the Elementary Schools, it was proposed that the model for delivery of library services be modified.

Middle Schools: Library services at the middle schools are currently provided by an additional allocation of certificated staff over the basic staffing allocation for classes. What is being proposed is the elimination of this additional allocation and the direction to the Middle Schools to designate an appropriate part of their

classroom staffing allocation to provide library services. Based on this year's staffing for library services, that would mean 1.0 FTE at King; .8 FTE at Willard, and .6 FTE at Longfellow. The impact may be slightly higher class sizes at the Middle Schools.

Savings: \$189,200

High School (Library Media Teacher): It is recommended that some or all of the BHS librarian FTE be taken from the BHS classroom staffing model. This practice has been in effect since the 1993 school year until this year when the position was added back at 1.0 FTE as an additional line item in the budget. The impact may be slightly higher class sizes at the high school.

High School (Library Media Technician): This position is also an additional allocation. It is recommended that this position be eliminated.

Savings (at 1.0): \$133,900

Elementary Schools: It was recommended that the delivery model for library services in the elementary schools be modified by assigning release time teachers to teach appropriate classes in the library. This portion of the recommendation is temporarily being withdrawn until there has been opportunity for further discussion with the Principals about the most effective delivery model as well as further exploration of alternate funding sources. A recommendation will be brought forward in the next few weeks. It should be noted that it is still the goal to realize savings of \$292,600 in this area.

MIDDLE SCHOOLS

With all three middle schools having fairly new principals, it is vital to the school community that there is stability in the administrative structure. Further, the need for supervision and evaluation of certificated and classified staff, supervision of classroom instruction, student supervision and discipline as required by education code (i.e., suspensions, expulsions, alternative placements, etc.) student study team and Individualized Education Plan participation requirements, and budget administration must be fulfilled by a certificated administrator. Given these needs, only the following budget reductions can be recommended:

- | | |
|---|--------------------|
| 1) .33 FTE School Safety Officer at Willard | \$14,350.00 |
| 2) .5 FTE Clerk III at each middle school
totaling a 1.5 FTE reduction | <u>\$72,400.00</u> |

Savings: \$ 86,750.00

BERKELEY HIGH SCHOOL

BHS Administration

The continuity and consistency at Berkeley High School is imperative to avoid another year of significant disruption and administrative turnover. The existing administrative staffing structure was intended to be temporary until a permanent principal could be hired. The recruitment for a permanent principal is underway and, if successful, the plan was to reduce 1.0 FTE in the assistant principal allocation. However, this would require a significant redistribution of duties among the remaining assistant principals along with the orientation of staff and students to a new principal. To avoid this circumstance, it is proposed that the current allocation remain the same, that the existing co-principals and three executive vice principals all be reduced to the vice principal level (salary savings of \$76,100). However, the addition of a single principal position would increase the cost to \$70,190. Future administrative reductions will be obtained through attrition.

Ninth Grade Class Size Reduction

The funds from the State for implementation of 9th grade class size reduction have not kept pace with the cost of living and salary increases. Consequently, to maintain class size ratio of 20:1 in IES and English is now costing the General Fund an encroachment of \$253,000. The State has provided little or no flexibility in the use of these dollars to increase sizes by one or two. So options to receive funds and increase class size slightly to minimize encroachment is not an option.

Savings: \$ 253,000

Athletics

Time has not permitted the complete analysis of costs related to funding the rich and robust program we offer our students. Further, much of the program is supported through booster groups or revenues from athletic events. A future detailed audit will be necessary to determine overtime expenses for custodial, maintenance, and security that are presently being absorbed by the General Fund. However, the following are easily quantifiable expenses to the General Fund and are recommended for reduction.

Transportation	\$ 60,000
Athletic Director	90,000
Athletic Stipends	<u>105,000</u>
	\$ 255,000

It is proposed that the General Fund contribution be reduced by 50%. Three periods of the Athletic Directors time would come from the school's staffing allocation and 50% from General Fund as an administrative allocation. Transportation would be reduced by \$30,000, requiring more restrictive choices

for travel and tournaments, and \$52,000 would be allocated to the site for stipends. The school and Athletic Department would determine which sports and level of teams would be offered. Parents have been supportive of the idea of contributions through fees or fund raising but until these monies can be received, cuts must be recommended.

Savings: \$ 127,500

Counselors

Guidance services are an integral part of a comprehensive high school program. Consequently, the elimination of counselors at the secondary level would severely limit resources to students. However, a more definitive service model and tightening of counselor duties and responsibilities could allow reductions in this area while still maintaining an adequate level of service. It is therefore proposed to increase the secondary counseling ratio from its current level of approximately 350:1 to 450:1. This means the reduction of 2.5 FTE from the current allocation of 8.5 FTE.

Two and a half counselors would be reduced at Berkeley High School but the Counseling Center would be supported by the addition of a classified program assistant position. The Berkeley Alternative High School counselor position would be reduced from 1.0 FTE to .5 FTE. Currently there are two vacant positions as a result of mid-year resignations. Thus, only a .5 FTE reduction would affect a permanent employee, who then may need to be transferred.

Savings: \$ 188,600

FINANCIAL MODIFICATIONS AND BUDGETING PRACTICES

CASH MANAGEMENT

Symptomatic of organizations that experience continuing deficit spending is dwindling cash availability. An entity that continues to spend more than it receives depletes its cash resources. This is the circumstance for Berkeley Unified. For California School Districts, the major cash "in-flow" is from State "Revenue Limit" funds and local property taxes. The major cash "out-flow" is payroll. The Berkeley Unified School District has a larger proportion of revenues coming from property taxes than a majority of the school districts in the State. This is in part because of the parcel taxes coming from Measures BB and BSEP. State Revenue Limit funds are distributed to school districts on a somewhat monthly basis throughout the year. Property taxes are received from the citizens in December and April and then distributed to districts soon after that. Payrolls for most districts start in July and increase significantly in September when teachers return to the school. As a result, low cash periods occur in November, December, March and April, because property taxes have not been received. Of importance, the District started this fiscal year with cash resources of \$12,753,400 and is projecting to end with \$6,330,700.

Low cash periods can be managed through cash-flow analysis and utilizing alternative cash resources. School districts in California have traditionally managed low or negative cash periods through short term financing (issuing Tax Revenue Anticipation Notes, which are known as TRANS) or borrowing from other funds within the District. TRANS have been the alternative of choice in the past for BUSD and most school districts throughout the State. This is because of the advantage of the spread between interest cost and interest earnings on the available dollars borrowed. In the past, this spread has covered the cost of borrowing and also has increased interest income to the District. However, interest rates are currently so low that the spread no longer covers the cost of issuing debt. Furthermore, the current Negative Certification on the District's financial condition will increase the District's cost for short-term financings. Thus, the use of TRANS at this time may not be the best means to get temporary cash.

This fiscal year, 2002-03, the District managed the low cash period in December through Board-approved borrowing of available cash in the Bond Fund. The California Education Code allows a district to temporarily borrow from other funds within the district for a period of 120 days. In February or March staff will request the Board to reauthorize the same borrowing to cover the low period in March. There is no negative impact on the Bond Fund or Capital Projects Fund because (1) there are sufficient funds from the General Obligation (GO) Bond Notes (\$25,000,000) that were sold in November and (2) the interest on any funds borrowed by the District's General Fund is credited back to the Bond Fund.

The cash flow for the 2003-04 fiscal year is anticipated to be much lower and begins earlier than in previous years. However, as a way to manage this shortage we can look to the general obligation bonds issued for our capital building projects. The Capital Projects plan, which the Board approved, includes issuing General Obligation Bonds in October to pay off the \$25,000,000 GO Bond Notes and issuing an additional \$25,000,000 in Bonds to continue the modernization projects. It is recommended, as a least expensive alternative to acquire cash, that the District move the issuance schedule for the GO Bond forward to August or September. This will provide sufficient cash resources to cover General Fund low cash periods in the 2003-04 fiscal year and early 2004-05.

The continued monitoring and management of cash is important as the need for cash will fluctuate depending on how quickly the district can stop deficit spending. As the economy changes, other alternatives for cash management may present different options. A formal recommendation for managing cash will be presented in March.

DIRECT AND INDIRECT SUPPORT COSTS

It is highly recommended that the Board develop a consistent policy of charging to all restricted and unrestricted funds consistent rates for direct and indirect costs. Over the years the definitions of what is chargeable by State Accounting Requirements has not been consistently applied, and some funds or grants have even been exempted. The development of a consistent policy for these charges was also a recommendation last year by the Planning and Oversight Committee. Consequently, it is recommended that the following guidelines be adopted and charged to all funds permitted by law:

Direct Costs: These are costs clearly identifiable by program service and relate to the delivery of the instructional program, i.e., principals, school secretaries, personnel in pupil support services, teacher salaries, textbooks, bus drivers, duplicating costs by program users.

Direct Support: These costs are a result of services or products accumulated in various designated support service programs and distributed to user programs such as, instructional administration, pupil services, and school administration. These accumulated costs are totaled and will be divided by teacher FTE to determine rate of charge back. This rate will, of course, vary by the number of teachers employed.

Indirect Support: Costs associated in this category are those remaining that cannot be easily identifiable by program user, or direct instructional support. As an example, the processing of paychecks, accounting services, data processing, purchasing, risk management, safety, utilities, etc. The indirect rate varies each year depending on inflation, enrollment, and employee work force.

Program administrators and the Fiscal Services have agreed on the definitions outlined, and support the legal charge backs when applicable. The Board's concurrence to implement a consistent policy will certainly benefit the General Fund but it may cause significant budget modifications to restricted programs. We anticipate increased savings but presently this will need to be a part of next year's budget development in the spring and estimated savings are unknown at this time.

Savings: To Be Determined

RETIREE HEALTH BENEFITS

The District has provided a benefit to its retired employees if they meet certain criteria. The retirement benefit has been carried as a cost to the General Fund, even though all employees from all funding sources are eligible for this benefit and may elect to receive it. The practical way to assign costs to other Funds for this expense is to express it as a benefit and distribute it to each Fund. Costs would be distributed on a per/dollar of salary rate based upon actual costs for each fiscal year. A similar method similar to that used to allocate Worker Compensation, STRS or PERS would be used.

The current budgeted cost in the General Fund is \$2,207,000 annually. Establishing a rate based on permanent employees for the current year is estimated to be 4.053%. The actual cost for the benefit may adjust up or down depending on final cost for all employee benefits and final salary costs based on the number of employees. However, the 4.053% should be used for budgeting purposes for all funds in the current year.

Some funds may not be able to fully fund this cost in the current year. It is recommended that if the General Fund subsidizes the cost in fiscal year 2003, that the Funds be required to pay back this subsidy as soon as possible, with a goal of paying it back by the end of fiscal year 2004. Consequently, the proposal is to charge back in the current year and every year hereafter.

Savings: \$ 750,000

WORKERS COMPENSATION

Included in the First Interim Multi-year Projections from FCMAT was an increase for Workers Compensation premiums of \$1,000,000 in the 2002-03 fiscal year and carried forward to the 2003-04 fiscal year. Because of limited time in making changes to the projections FCMAT applied this cost to the General Fund Unrestricted portion of the districts budget. In actual practice this additional premium increase is being applied by a rate to all salaries throughout the District. This adjustment when applied will relieve the General Fund Unrestricted by \$400,000 each fiscal.

Savings: \$400,000

SECURITY

The General Fund has funded the expense for providing fire alarm monitoring, elevator emergency phone services and security alarm monitoring for all our sites. The yearly cost for these services is approximately \$73,000. Of this expense, \$33,000 can be eliminated or absorbed by other funds.

The District is charged based on the number of alarm systems installed and the number of zones within an alarm system at a site. As a result of reducing the number of zones in the District, there is an estimated savings to the General Fund of \$5,000.

The cost for alarm service at the Maintenance Department can be charged directly to Measure BB, the cost for monitoring alarms at Food Service can be charged directly to Food Service, and the cost to monitor alarms at the Adult School can be charged to the Adult Fund. The total of these saving to General Fund is approximately \$5,000.

Alarm monitoring protects both the building and the contents. If the buildings did not have an alarm system, we would experience increased vandalism costs. The convenience of multiple zones at a site is primarily to protect the contents. The expense of building vandalism at our sites is in Measure BB. The cost to mitigate the building vandalism should be able to be charged to Measure BB. The cost to monitor content within buildings would remain with the General Fund. This generates a savings of approximately \$14,500.

Savings: \$:

ADDITIONAL ANALYSIS & LONG TERM HEALTH

FOOD SERVICES

The Nutrition Services operations are currently projected to end the year with a positive fund balance without support from the General Fund. After investigation, it has been concluded that an investment in the amount of \$700,000 (recovered in the 2002 fiscal year) in the State's pooled Local Agency Investment Fund which was thought to have been from the District's Tax Revenue Anticipation proceeds, was determined to actually have been invested on behalf of Nutrition Services. That amount, now properly booked to the Nutrition Services Department, along with what was projected as an ending balance of \$156,669, will cover the contribution from the General Fund of \$350,000. Also covered is \$435,000 of General Fund Revenue limit property taxes, plus the estimated \$50,000 increase in benefit expenses for Retiree Health coverage mentioned elsewhere in this document. Without further changes, this would result in the Nutrition Services Department projected to end this year with a positive balance of \$21,669.

Additionally, the following actions are proposed for the current year. It is recommended that the Food Policy of not charging, "Reduced free breakfast/lunch participants" be suspended for the current and subsequent year, to be effective March 1, 2002. The Mobile Food Kitchen will be put into operation at the High School. Also recommended is an action to increase meal pricing for breakfast and lunch by \$.50 starting March 1, 2002 and to reduce various budgeted expenses in an estimated amount of \$30,500. It is also, recommended that the contract meals costs for Early Childhood Education be increased to an amount that will recover the actual cost of the meals provided. This is a cost for Early Childhood Education that is reimbursable from the State. These revenue increases or cost savings are itemized below.

Charges for Reduced Meals	\$ 9,200
Increased Prices \$.50	24,600
Mobile Kitchen Net Income	6,000
Decrease Expenses	30,500
Contract Child Care	56,300
Total Positive Impact	\$126,600

Continuing into the 2003-04 fiscal year the level of meal charges, the Mobile Food Unit, and the contract meal prices for Child Care will have a full year positive budget impact over what was projected. Additionally we are projecting that the average daily participation per site for breakfast will increase by 90 per site. We also estimate that other contract meals will increase by \$10,000. These items are detailed below.

Charges for Reduced Meals	\$ 24,982
Increased Meals Cost \$.50	67,114
Mobile Food Unit	30,000
Increased Participation	30,000
Contract Meal Increase	10,325
Child Care Contract Meals	221,995
Total Positive Impact	\$ 384,416

Further analysis and planning will have to take place before the Nutrition Services Operation is self-supporting. The above recommendations significantly improve the outlook for the Nutrition Services Operations however, the impact of returning the General Fund revenue limit property taxes (\$435,000 approximately) to the General Fund will mean that further reductions or increases in revenues will have to take place. It is possible that all of the changes cannot take place within the following 17 months; therefore a contribution from the General Fund will have to be made in the 2003-04 fiscal year until the program is self-sustaining.

PROPERTY RENTALS

It is advantageous for the citizens of our community to use school district property to provide support and enjoyment to our students and citizens. However, when activities provided by these groups and organizations require financial support from the school system, then the K-12 instructional program is compromised.

The discovery that our rental agreements and leases are far below market value now requires further study and modification. The rate set by the Board policy in the early 1990's established a direct rate for classroom charge for 4 hours use at \$20.00 and the cost now is almost \$300. Consequently, there is a significant difference between cost and revenue.

We are not yet prepared to recommend new rates. But we believe that when new rates are recommended, that it may substantially reduce the number of rentals. If the number is reduced, and the volume of paperwork and processing is reduced we can absorb the property management function into the Plant Operations Department. This will permit the District to eliminate a property management position. The savings to the General Fund is \$62,900 in the personnel costs of the offices. We have not had the opportunity to develop future procedures in this area but will return with a recommendation for modification and a proposal for new rates.

Savings: \$62,900

TECHNOLOGY IMPROVEMENTS

One-time expenses in FY 2003 to upgrade the District's technology network (firewall, fiber optic installation and new servers) which includes the Web pages, bemail and school site networks of \$150,000 will be distributed to all programs through application of the indirect cost rate.

Restructuring of the several branches of the Technology Department (administrative, instructional, school site) needs to occur and may result in an additional savings of \$100,000 in operational costs.

Savings: \$130,000

OUT OF ZONE TRANSPORTATION

Berkeley Unified transports approximately 300 children out of their school zone. Some of these students are being transported due to previous commitments, including language programs and the closure of the Franklin site. The cost to provide this out-of-zone bus service is \$42,000. We believe that this service should be dropped from the budget. The affected families will need to be notified so they can make alternate arrangements to go to those schools or can transfer to another Berkeley school within their zone

Savings: \$ 42,000

CHILD DEVELOPMENT PROGRAM

After careful analysis of the various programs under the Child Development Fund, it now appears that budget modifications and adjustments will be immediately necessary to prevent this entire restricted fund from encroaching into the General Fund. However, within this restricted account, the Franklin Parent Nursery component has exceeded the budget in current year and will encroach by more than \$30,000 next year. Personnel and facility costs are higher in the Franklin Parent Nursery Program than the other program under the Child Development Fund; unfortunately the State-funding model is such that increased enrollment will still not contribute to a balanced budget. Program adjustments are being studied and possibly personnel transfers or the use of fewer classrooms will be necessary to maintain the program. Until those adjustments can be realized it will be necessary to notify staff of the potential closure of this program.

Budget Modification to avoid encroachment: \$30,000

VERA CASEY CENTER

The program funding from the State has not been maintained at the same rate of inflation of personnel and services costs. Over the past three years there has been a steady encroachment into the Child Development Fund to sustain this program. Currently the encroachment is in excess of \$100,000. The ROP portion of the program that is located at the high school is also not meeting its costs and we have been notified that those program funds are also in jeopardy. There are

approximately 12 to 19 students who participate in the program, and six of those bring their infants for childcare. The bulk of the program's infants are from the parents of our community or surrounding cities. These parents pay a childcare fee, which also does not cover costs. The elimination of the program would require our six students to seek childcare in another program, and the communities' parents to find another service. The remaining students would choose another elective class rather than the ROP Nursery School. However, all pregnant minors can continue to receive prenatal care through the school's health center. Exploration is underway to transfer the program services to Headstart, the Alameda County Office of Education or our City's YMCA. Budget development and cost analysis will continue over the next few weeks, but in as much as the number of participating Berkeley students is so small and the encroachment, even with the retirement of a more experienced employee, continue to impact the other child care program budgets, it is recommended that the program be closed at the end of June, if savings cannot be found.

Budget Modification to avoid encroachment: \$ 30,000

INDEPENDENT STUDY

A preliminary analysis of this program indicates that there is an encroachment into the general fund. However, some of the costs may be related to unclaimed ADA that could improve the fund balance if the State allows the correction. This work is currently being investigated. Additionally, Independent Study is designed to be staffed by hourly teachers, but there are two full-time salaried teachers on staff. The lack of space at Berkeley Alternative High School is another issue that limits enrollment, and thus revenue. It is important that the IS staff meet with the Director of Curriculum and Instruction to examine the program services and make modifications if we are to sustain this program over time. Until that occurs, it is necessary to give notice to the credential teacher who is released .6 FTE to coordinate this program in order to meet the March 15 requirement and reduce the current encroachment.

Budget Modification to avoid encroachment: \$30,000

ADULT EDUCATION

The Adult School Fund has balanced its current year budget by using last year's carry-over, thus preventing any encroachment into the General Fund. However, now with the potential ADA reduction from the State, the anticipated charge back of retiree benefits, a recalculation of indirect costs and the potential retention of lottery funds, the Adult Education Program will severely encroach into the General Fund next fiscal year. The following reductions are recommended:

Only one of the two teachers proposed to be reduced at the Adult School holds the appropriate credential to be transferred into the K-12 program. In the case of eliminating a counselor, the scheduling of students could be accomplished by hourly teachers. If additional counseling services were needed for high school

students attending the Adult School, the District could use up to 0.5 FTE counseling service from current high school staffing.

Reduce 1.0 FTE Teacher	\$ 60,000
Transfer 1.0 FTE Teacher to K-12 Program; replace with hourly	50,000
Reduce Safety Officer .53 FTE (mid-year)	25,000
Eliminate Counselor/replace w/hourly Support	70,000

Budget Modification to avoid encroachment: \$ 205,000

AFTERSCHOOL PROGRAM

Currently the Afterschool Program, funded from the State's Afterschool and Safe Learning Program grant (ASLP), is funded based on an ADA reimbursement of \$5.00 a day. The program requires that a minimum of 100 students at each site participate in the program five days a week until 6:00 p.m. regardless of the dismissal time. While it may appear that the program is operating within its budget, there are indirect costs and direct support services that make it extremely difficult to justify continuing the program in a time of financial crisis. The reduction of custodial services at sites, the increase of energy and other utility costs, and the necessity for administrative coverage to ensure student safety makes this program extremely taxing on the organization

It is recognized that our children and community need after school services. Consequently, in the next few months this program will be studied further to access what modifications are required. However, any certificated employee connected with the program will be notified of potential lay-off to the March 15 legal requirement.

Savings: To Be Determined

TRANSPORTATION AND COMMUNITY THEATRE

Both these two areas at the time of printing were too complex to provide a recommendation to meet the February 5th Board meeting agenda. Further discussion will be necessary before a recommendation can be made which may reduce costs or generate revenue.

PROPOSED REDUCTION SUMMARY

	2002-2003	2003-2004
PROGRAM REDUCTIONS		
11.5 Reading Recovery teachers	\$	\$ 238,100
5.07 FTE Elementary Library Media	Delayed	<292,600>
2.4 FTE Middle School Librarians		189,200
1.0 FTE High School Librarian .80 FTE Media Technician		133,900
Music Program		246,400
BERKELEY HIGH SCHOOL		
BHS & BAHS Counselors		188,600
9th grade CSR Reduction		253,000
Athletics Program by half		127,500
MIDDLE SCHOOLS		
.33 FTE School Safety Officer		14,300
1.5 FTE Clerk III Positions		72,400
CENTRAL OFFICE SUPPORT		
5.0 FTE Custodians	47,900	200,000
1.0 FTE Custodial Supervisor	15,500	86,000
1.0 Program Supervisor, Health Services		113,000
1.0 FTE Administrative Assistants	8,600	45,700
1.0 FTE Personnel Specialist	14,600	69,600
1.0 FTE SASI Coordinator	18,000	74,900
1.0 FTE Manager, School Linked Programs	15,000	30,000
1.0 FTE Teacher on Special Assignment: Independent Study		30,000
1.0 FTE Special Education Manager		115,000

Out of Zone Transportation		42,000
Select membership dues and subscriptions		15,000
District Office Food	8,000	15,000
District Lobbyist, Consultant Contract		20,000
New Teacher Orientation		2,400
One day Savings for classified work year		15,000
Overtime	40,000	40,000
FINANCIAL AND ACCOUNTING		
Personnel Corrections in Benefits (Retirees)	100,000	200,000
Retiree Benefits charged to all funds (4.053%)	375,000	753,000
1.0 FTE Facility Use Specialist	16,000	62,900
Security alarms to BB/Other	33,000	33,000
Technology Department Improvements	150,000	100,000
.50 FTE Computer Technician		30,000
Estimated K-3 CSR (may vary per Board Direction) RECOMMENDED: Scenario EK3		2,900,000
Workers' Compensation	400,000	400,000
TOTAL	\$ 1,241,600	\$ 6,828,900
PROGRAM COST AVOIDANCE		
Closure of Franklin Parent Nursery		62,000
Closure of Vera Casey		100,000
Adult Education personnel reductions		231,000
Nutrition Services (Eliminate General Fund Contribution)		785,000
.5 Health Educator @ BHS (not fully funded by grant)		45,000
TOTAL		\$ 1,223,000

It is a requirement to demonstrate to the County Office of Education that the Board identify potential areas for reduction in order to give assurances that we can maintain solvency in future years. However, time to develop additional recommendations requires meeting with our unions, staff and community. Thus, more specific details regarding positions, programs and implementation strategies cannot be presented at this time. But, if revenues and savings cannot be developed the following reductions may be necessary to balance our budget.

	2004-2005
Eliminate Transportation	\$ 965,000
Close two elementary schools	\$ 750,000
Eliminate Athletics	\$ 150,000
Freeze medical benefits at current level	\$1,800,000
Increase class size by 3	\$1,500,000
Reduce classified and management personnel by 15%	\$2,000,000
Eliminate secondary security officers	\$ 800,000
TOTAL	\$7,965,000

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Karen Candito, Director of Nutrition Services
DATE: February 19, 2003
SUBJECT: Increase Breakfast and Lunch Meal Prices

BACKGROUND INFORMATION

Nutrition Services is a self-supporting department. The State and Federal reimbursement received is based on meals served. It is a primary source of revenue. This past year the increase for meal reimbursement rose only .023%.

Between 2001/2002 and 2002/2003 employee health insurance costs alone increased by 21%. The most current cost of living increase toward salaries was 3%. In January of this year, district workers compensation benefits increased by .5%. The average annual increase in food and supply costs is 2.5%. Other costs, like gas/delivery truck maintenance, equipment replacement, etc. also increase each year. Annual inflation far surpasses the annual increases for meal reimbursement.

It becomes increasing difficult to make up for these costs, which have compounded over the past years and have contributed to the drain of the Nutrition Service reserve. BUSD has a declining enrollment and even though our lunch participation has increased by 352 meals per day this year, the volume is not as high as it needs to be in order to absorb the costs. The improvements made to the health and quality of the meals and the ongoing work to that end will certainly continue to increase our participation. However, small schools do not traditionally lend themselves to the high volume needed to be profitable.

During the current budget crisis, the situation has become more extreme. The increase in benefit expenses for retiree health coverage in the amount of \$50,000 and the proposed loss of the revenue limit source in the amount of \$435,000 has added to our financial ill health.

POLICY/CODE

FISCAL IMPACT

Increase in revenue of \$24,648 for 2002/2003 and \$67,114 for 2003/2004

STAFF RECOMMENDATION

Increase breakfast and lunch meal prices by \$.50 starting March 1, 2003

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Karen Candito, Director of Nutrition Services
DATE: February 19, 2003
SUBJECT: Reinstate Reduced Meal Charges

BACKGROUND INFORMATION

Students who qualify for reduced meals are charged \$.30 for breakfast and \$.40 for lunch. Currently BUSD students are not charged for reduced meals.

This practice was adopted through the BUSD food policy. Although this is a worthwhile idea, funding beyond our current budget would be need to be generated in order to make this practice affordable. In past years, the lack of appropriate funding has contributed to the drain of the Nutrition Service reserve.

When funding becomes available, this practice can be re-adopted.

POLICY/CODE

FISCAL IMPACT

Increase in revenue of \$8,090 for 2002/2003 and \$21,853 for 2003/2004

STAFF RECOMMENDATION

Reinstate the reduced meal charges starting March 1, 2003

TO: Board of Education and Superintendent
FROM: Shirley Issel, Director
DATE: February 19, 2003
SUBJECT: Revisions to Board Policy including:

- Board Advisory Committees Policy 9130
- Citizens Construction Advisory Committee (CCAC) Policy
- Facilities Maintenance & Security Advisory Committee (MAC) Policy 3510.3

BACKGROUND

The Board has agreed to revise its policies on Advisory Committees. Three policies are being presented to the Board for consideration and first reading. As part of the Board's commitment to updating its Policy Manual, the policies covering all other Board Advisory Committees will be brought forward for consideration at future meetings. These include Board Committees on music, food, arts in education, and budget.

Policy on Board Advisory Committees: 9130

There are two documents related to Board policy 9130. The first is the proposed revised policy. The second is a copy of the existing policy on Board Advisory Committees last revised July 7, 1999. Policy 9130 should be viewed as a master policy or guide for the establishment and operations of all Board Advisory committees.

Two types of Board Committees are delineated in revised Policy 9130. One type is referred to as an "Oversight Committee" and the other is referred to as a "Task Force." The most significant changes proposed in this policy are in the area of composition and criteria for membership in the "Oversight Committees." Additionally, included in the policy in the section entitled "Committee Guidelines" a set of basic by-laws for committee operations is provided.

Citizens Construction Program Advisory Committee (CCAC).

There are two documents pertinent to the CCAC included here. The first, dated February 19, 2003 includes the proposed revisions to the Board Policy on Oversight Committees under consideration tonight. The second, dated Jan 25, 1994 is existing policy. The proposed modifications to this "Oversight Committee" were made to bring it into alignment with the proposed revisions to Board Policy 9130.

Policy on Facilities Maintenance and Security Advisory Committee (MAC) (3510.3)

There are two pertinent documents included here. The first, dated February 19, 2003 includes the proposed revisions we are considering tonight. The second, dated Jan 17, 2001 is existing policy. The proposed modifications to this "Oversight Committee" were made to bring it into alignment with the proposed revisions to Board Policy 9130.

RECOMMENDATION: Accept for discussion and first reading.

PROPOSED POLICY REVISION

BERKELEY UNIFIED SCHOOL DISTRICT

February 19, 2003

9130 Board Committees

9130.1 Advisory Committees

A. Intent

The Board may create Advisory Committees for special purposes. It is the intent of the Board to encourage the participation and involvement of citizens, particularly parents, in public education in Berkeley. Membership on Board Advisory Committees is an important means of insuring such participation.

B. Limitation of Advisory Committees

The Board possesses certain legal powers and prerogatives, which cannot be delegated or surrendered to others. Recommendations of an advisory committee are not, therefore, binding on the Board and must be submitted to the Board for consideration and action. Unless otherwise called for by statute, or acted upon by the Board, a Board Advisory Committee shall be dissolved upon completion of its assignment, or it may be dissolved by a vote of the Board at any time. The Board shall insure that Committees act in accordance with applicable Board policies and local/state/federal laws.

9130.2 **Citizen Oversight Committees.**

A. Intent.

The Board has Committees created by or associated with local legislation authorizing collection of taxes for special purposes. Such Committees shall be defined as Citizen Oversight Committees. These The Board has Committees created by or associated with the local include (but may not be limited to):

- BSEP Planning and Oversight Committee (BSEP P&O)
- Maintenance Advisory Committee (MAC)
- Citizen's Construction Advisory Committee (CCAC)
- Other Committees as may be specified by local, State or Federal code applicable to school districts.

B. Charge.

Citizen's Oversight Committees are charged with monitoring the expenditure of the tax monies and ensuring compliance with the terms of the local legislation governing those tax revenues. As part of its charge, the Board shall provide the committees with a timeline for the completion of their charge and designate when and how reports are to be made.

PROPOSED POLICY REVISION

C. Composition and Qualifications.

Except where otherwise specified by statute (e.g., BSEP Planning & Oversight Committee) the Board shall determine the composition and the qualifications of membership. Membership in Oversight Committees shall be limited to citizens who are not employed of the District. In appointing citizens to Committees charged with oversight of tax revenues, the Board shall take special care to insure that members are free of any conflict of interest position.

D. Term of appointment. The Board shall appoint members annually. Members' terms expire December 1st each year unless otherwise provided for by the Board. Committee members may be re-appointed to more than one term. Any Committee member who misses three meetings during the year without a valid excuse may be replaced by the appointing individual or group.

D. Members.

The Board and/or the Superintendent shall appoint community members except where otherwise specified in applicable legislation. Each Board Member, including the Student Director, and the Superintendent shall have at least one appointed representative. When the number of members to be appointed by the Board is greater than the number of Board Members, each Board member shall appoint one member; remaining appointments shall be approved by a vote of the Board as a whole. The Board may, at its discretion, appoint one or two Board Members as Liaison to the Committee. No Board Member may be a voting member to any such committee. The votes of students appointed to committees shall be counted, with the exception of the votes of those students appointed to committees established by the California Education Code.

9130.3 **Board Task Forces**

A. Intent.

The Board may create, from time to time, a Task Force to address issues of current concern to the Board. The charge of such a Task Force shall be to assist the Board in the development of policy recommendations for Board consideration. Composition of a Board Task Force may vary in accordance with the purpose and charge of the Task Force. The Board shall provide the committees with a timeline for the completion of their charge and designate when and how reports are to be made. Such a Task Force shall be dissolved upon completion of its assignment, or it may be dissolved by a vote of the Board at any time.

PROPOSED POLICY REVISION

Composition and Qualifications.

The Board shall determine the composition and the qualifications of membership. The Board shall take care to ensure that members are free of any conflict of interest position and that citizen members outnumber staff.

B. Term of appointment.

The Board shall appoint or reappoint members annually. Members' terms expire December 1st each year unless otherwise provided for by the Board. Committee members may be re-appointed to more than one term. Any Committee member who misses three meetings during the year without a valid excuse may be replaced by the appointing individual or group.

D. Members.

The Board and/or the Superintendent shall appoint community members. Each Board Member, including the Student Director, and the Superintendent shall have at least one appointed representative. Community members shall outnumber staff members in all Task Forces. When the number of members to be appointed by the Board is greater than the number of Board Members, each Board member shall appoint one member; remaining appointments shall be approved by a vote of the Board as a whole. Employees of the district shall be appointed by their exclusive bargaining unit. Membership is limited to staff who are current active employees of the district. The Board may, at its discretion, appoint one or two Board Members as Liaison to the Committee. No Board Member may be a voting member to any such committee. The votes of students appointed to committees shall be counted, with the exception of the votes of those students appointed to committees established by the California Education Code.

9130.4 **Administrative Responsibilities**

To provide support to its advisory committees in the completion of its charge, the Board shall delegate to the Superintendent (or his/her designee), the following responsibilities:

1. Publicize the creation of the committee and conduct outreach to recruit a group of diverse candidates for membership.
2. Designate an appropriate staff person to support the work of the committee.
3. Provide training and orientation to committees shortly following their initial organizational meeting.
4. Provide copies to each member of the committee's charge, roster, Board guidelines, materials pertinent to the Committee/Task Force's charge and, where appropriate, "conflict of interest" declaration forms.

PROPOSED POLICY REVISION

5. Provide assistance to the committee to produce required reports and records.
6. Provide assurance to the Board that committees are acting in accordance with applicable Board policies and local/state/federal laws.

9130.5 Committee Guidelines

The provisions of the Ralph M. Brown Act (section 54950 of the Government Code) shall apply to any committee created by formal action of The Board. Committees shall follow the Brown Act except no closed sessions will be held and no discussion of items appropriate for closed session (such as collective bargaining, personnel matters and so forth) shall be permitted. Committees shall not adopt their own rules or by-laws except as authorized by the Board. Committees will observe the following guidelines:

1. Meeting notice, time and place. Advisory Committee meetings shall be in a public place, open to the public, and noticed at least 72 hours in advance (preferably longer). The day and time of meetings shall be agreed upon among the Committee members. All meetings are open to the public as provided by the Brown Act and shall be held at times of reasonable public access.
2. Record keeping. The Committee shall establish a calendar and perform the standard record-keeping functions of such committees, including: having written agendas, recording attendance and minutes of each meeting, recording votes, and disseminating these documents to committee members and the Board.
3. Appointment of Chair. Unless otherwise acted upon by the Board, the Committee shall designate a permanent chairperson. The chairperson shall be an appointed member of the Committee, a Berkeley resident and non-employee of the District.
4. Conduct of meetings. Committees will follow standard meeting procedures (Robert's Rules of Order) with meetings conducted in an open, civil manner.
5. Quorum. Quorum shall consist of no fewer than "one half plus one" of the total number of Representatives.
6. Communication with Board. The Committee shall make timely, written, progress reports to the Board pertinent to its charge. Should a Committee wish to address the Board, the Committee should request a place on the Board agenda.
7. Committee Activities. Any public activities to be sponsored by a committee must receive approval by the Board before they can be publicized as a Board-sponsored event.

CURRENT POLICY

BERKELEY UNIFIED SCHOOL DISTRICT

Office of the Superintendent

May 5, 1999

May 19, 1999

July 7, 1999

9130 Board Committees

9130.1 Advisory Committees

A. Intent

The Board may create Advisory Committees for special purposes. It is the intent of the Board to encourage the participation and involvement of citizens, particularly parents, in public education in Berkeley.

B. Limitation of Advisory Committees

The Board possesses certain legal powers and prerogatives, which cannot be delegated or surrendered to others. Recommendations of an advisory committee are not, therefore, binding on the Board and must be submitted to the Board for consideration and action. An Advisory Committee shall be dissolved upon completion of its assignment, or it may be dissolved by a vote of the Board at any time.

C. Board Guidelines The Board shall:

1. Define in writing the charge to the committee.
2. Use appropriate procedures to publicize the creation of the committee and to solicit interested candidates for membership. Citizen members of the committee shall outnumber staff members.
3. Determine the number of persons to serve, the composition of memberships (ratio of citizens, staff, students) and the length of time of their terms. All committees are to be as representative of the diversity of our community as practicable.
4. Select committee members as follows:
 - a. The Board, the Superintendent, or other appropriate parties shall appoint Berkeley citizens or parents of BUSD. When the number of members to be appointed by the Board is a different number than the number of Board Members, the appointees shall be approved by the whole Board.
 - b. The Superintendent shall appoint by the corresponding union or in the case of non-represented staff teachers or other staff members.
 - c. The student director or other appropriate parties shall appoint students.
5. Designate when and how reports are to be made.
6. Respond to recommendations or advisory committees by scheduling Board discussion within three weeks of the receipt of the final report.
7. Arrange for a liaison from the Board when appropriate.

8. Approve any committee activities before they can be publicized as Board-sponsored events.
 9. Appoint members annually. Members' terms expire on December 1st each year. Terms for members appointed after June 1st shall expire on December 1st of the following calendar year.
 10. Insure that committees act in accordance with applicable Board policies and local/state/federal laws. Committees shall follow the Brown Act except no closed sessions will be held and no discussion of items appropriate for closed session permitted.
- D. Administration Guidelines. The Administration shall:
1. Provide a staff member as liaison when appropriate.
 2. Provide copies of the committee's charge, roster, these guidelines, and supportive materials to each member.
 3. Provide analyses of budgetary implications of any recommendations by the committee to the extent possible.
- E. Committee Guidelines . The committee shall:
1. Unless otherwise acted upon by the Board, designate a permanent chairperson and secretary. The chairperson shall be a Berkeley resident and non-employee of the District unless otherwise specified by the Board.
 2. Keep minutes of each meeting. (All meetings are open to the public as provided by the Brown Act and shall be held at times of reasonable public access.)
 3. Establish a quorum.
 4. Make timely, written progress reports to the Board.
 5. Make timely, final recommendations pertinent to the charge.
 6. Be dissolved upon submission of its final report unless the Board determines otherwise.

9130.2 Prohibition of Membership

In order to broaden community participation in Board-appointed Committees, no Board Member shall be appointed to any such committee. This policy is not meant to prevent any Field Representative from serving on any Site Committee selected by parents.

9130.3 Students Voting Status

The votes of students appointed to committees shall be counted, with the exception of the votes of those students appointed to committees established by the California Education Code.

Legal Reference:

Education Code Sections 52012, 52021

California Administrative Code, Title 5, Sections 3932, 4020, 4402

Federal Register, 1/ 19/81

9130(1-5)

Adopted: 11/05/80

Revised: 05/05/99, 05/19/99 and 07/07/99

EXISTING POLICY

BERKELEY UNIFIED SCHOOL DISTRICT
Office of the Superintendent
January 25, 1994

CHARGE TO CITIZENS CONSTRUCTION PROGRAM ADVISORY COMMITTEE AND APPOINTMENT OF MEMBERS

1. Membership:

One member appointed by each board member (including one non-voting appointment by the student board member), one appointment from each union, and one appointment by the Superintendent (nine voting members; one non-voting member.) A Board of Education Director, the Superintendent and central administrators will be ex-officio non-voting members of the committee and provide necessary information and support.

2. Criteria for Membership:

Appointments will be made after consultation with the Superintendent and will be made to achieve a balanced, diverse committee with representation in at least the following areas:

- a. Construction experience or knowledge--familiarity with costs of construction and standard trade practices in public construction projects.
- b. Project management--knowledge of or experience with complex projects.
- c. BUSD facilities needs and planning efforts to date.
- d. Budgetary knowledge--familiarity with standard accounting practices; knowledge of bond funding desirable.
- e. Familiarity with the Berkeley school community; representation with component school groups (teachers, principals, classified staff, taxpayers, parents and ethnic and racial groups.)

Citizens interested in committee membership will be encouraged to submit a letter of application to the Superintendent which addresses at least the above points.

EXISTING POLICY

3. Term of appointment:

Attendance: Committee members are appointed annually; their terms of appointment expire on December 1st of each year. Committee members may be re-appointed to more than one term. Any Committee member who misses three meetings during the year without a valid excuse may be replaced by the appointing individual or group.

4. Charge to the Committee:

The purpose of the Citizen's Construction Program Advisory Committee is to assist the Superintendent and the School Board in monitoring the progress of construction projects and the expenditure of construction funds and other matters referred by the Board of Education. The committee will:

- a) Review construction plans, projected and actual expenditures and fund acquisitions on an annual basis and produce a public report containing the results of such review on or before November 30th of each year.
- b) Review construction program plans and expenditures and report to the Superintendent on a quarterly basis whether construction expenditures are consistent with the annual plan and whether projects are proceeding as planned.
- c) Review any major change in anticipated costs or nature of projects previously reviewed by the committee and approved by the Board. (Example: substitution of state-funded, fast track projects.)
- d) Meet monthly during the school year, and during the summer as needed, to review ongoing projects.
- e) Advise the Superintendent and the School Board of any concerns with regard to its expenditures or progress of Measure A fund projects; meet at least annually with the School Board to present its annual report.

5. Cost of Committee Operations:

Reasonable costs for committee operation will be charged to the construction program, if such expenditures are allowable charges against the funding source.

JMcL:q
01/25/95

PROPOSED POLICY REVISION

BERKELEY UNIFIED SCHOOL DISTRICT

February 19, 2003

3510.3 FACILITIES MAINTENANCE AND SECURITY ADVISORY COMMITTEE The Board shall form the Berkeley Schools Facilities Maintenance and Security Advisory Committee (the "Committee") as authorized by the *Berkeley Schools Facilities Safety and Maintenance Act of 2000* (the "Measure"). The Committee shall provide enhanced accountability to the community by ensuring that the monies are spent in accordance with the Measure.

The Facilities Maintenance and Security Advisory Committee shall be answerable to and make recommendations directly to the School Board.

CHARGE OF THE COMMITTEE:

In order to review the District's administration of and compliance with the terms of this Measure, the Committee shall provide input into the long term Strategic Plan for the maintenance and security of the District's facilities and the Annual Plan for expenditures on maintenance and safety:

- a) Strategic Plan: The Committee shall provide input into a long term, equitable and systematic, multi-year strategic plan (the "Strategic Plan") for maintenance to be developed by District staff, for Board approval. The Strategic Plan shall be consistent with the intent of the Measure and will be reviewed annually.

- b) Annual Plan: The Committee shall provide input into an expenditure plan (the "Annual Plan") to be developed annually by the District staff recommending specific expenditures of the tax proceeds for maintenance and safety that are consistent with the intent of the Measure. The assumptions associated with the recommended expenditures shall be included in the Annual Plan. The Committee shall develop processes to insure that the particular needs of each site are understood and considered in the development of the Annual Plan. The Plan shall be presented for Board action each year in conjunction with the District's annual budget adoption process. To facilitate public discussion, a draft Annual Plan shall be distributed to the Facilities Maintenance and Security Advisory Committee and made available for public review at least two weeks prior to Board action. The plan will include measurable goals and objectives.

- c) Annual Report: A progress report shall be developed by District staff and presented to the Board in the fall of each year in conjunction with the Board's annual Audit Report. The Annual Report shall measure and report on the Maintenance Department's achievement of its goals and objectives. A copy of the Annual Report

and the Independent Auditor's report shall be made available to the Advisory Committee and for public review no less than two weeks prior to Board Action.

PROPOSED POLICY REVISION

February 19, 2003

COMPOSITION OF THE COMMITTEE:

The Facilities Maintenance and Security Advisory Committee comprised of 11 official, voting members, to be selected as follows:

- a) Seven Board appointed community representatives who are not employees of the District.
- b) Two community representatives appointed by the Superintendent.
- c) Two members of BSEP P&O appointed by the BSEP Planning & Oversight Committee.

CRITERIA FOR MEMBERSHIP:

- Facilities safety and maintenance experience or knowledge--familiarity with standard practices in construction and maintenance of public facilities.
- Budgetary knowledge--familiarity with standard accounting practices;
- Administrative experience--familiarity with effective management and administrative practices.
- Familiarity with the Berkeley school community and the interests of component school groups.
- Familiarity with BUSD maintenance needs and planning efforts to date.
- Because this Committee has oversight responsibilities, potential conflicts of interest must be considered when making appointments. For this reason, employees of BUSD are not eligible for Committee membership.

COMMITTEE GUIDELINES

- a) The provisions of the Ralph M. Brown Act (section 549050 of the Government Code) shall apply to this Committee.
- b) The Committee should follow the guidelines set forth in the School Board's policy on Citizen Oversight Committees (Policy # 9130).

EXISTING POLICY

BERKELEY UNIFIED SCHOOL DISTRICT

Office of the Superintendent

January 17, 2001

3510.3 Facilities Maintenance and Security Advisory Committee

The Board shall form the Berkeley Schools Facilities Maintenance and Security Advisory Committee as authorized by the Berkeley Schools Facilities Safety and Maintenance Act of 2000. The Committee shall provide enhanced accountability to the community by ensuring that the monies are spent in accordance with the Measure.

The Facilities Maintenance and Security Advisory Committee shall be answerable to and make recommendations directly to the School Board.

The Charge of the Committee:

In order to review the District's administration of and compliance with the terms of this Measure the Committee shall provide input into the development of a long term Strategic Plan for the maintenance and security of the District's Facilities and an Annual Plan regarding total BUSD expenditures on maintenance and safety and specific expenditures of the tax proceeds from this Measure:

1. A long term, equitable and systematic, multi-year strategic plan (the "Strategic Plan") for maintenance shall be developed by District staff, for Board approval, with input from the Facilities Maintenance and Security Advisory Committee. Such plan will address such areas as corrective, routine, and capital maintenance (including deferred maintenance as defined by the State) of the District's buildings, equipment infrastructure and grounds, as well as overall facility security improvements. The plan will include protocols and review and evaluation of priorities. The plan will be consistent with the intent of this Measure. The plan will be updated annually.
2. An expenditure plan (the "Annual Plan") shall be developed annually by the District staff with input from the Facilities Maintenance and Security Advisory Committee. The Annual Plan will recommend total BUSD expenditures on maintenance and safety and specific expenditures of the tax proceeds that are consistent with the intent of the Measure. The assumptions associated with the recommended expenditures shall be included in the Annual Plan. The Plan shall be presented for Board action each year in conjunction with the District's annual budget adoption process. To facilitate public discussion, a draft Annual Plan shall be distributed to the Facilities Maintenance and Security Advisory Committee and

made available for public review at least two weeks prior to Board action.

EXISTING POLICY

- 3 The oversight committee shall develop processes to insure that the particular needs of each site are understood and considered in the development of the Annual Plan.
4. No matters that are the subject of collective bargaining, such as reclassification, length of work day/year, salary increases, etc., shall be part of the deliberations of this committee.

DISTRICT RESPONSIBILITIES

The District shall make available to the Facilities Maintenance and Security Advisory Committee and the public, updated budget and financial expenditure reports of the restricted account of this special tax in conjunction with the regular interim budget reporting required by the State. These reports shall be organized to display clearly how the expenditures relate to the Annual Plan approved by the Board.

INDEPENDENT AUDIT:

Each year, an independent auditor retained by the School District shall review District records to determine that funds generated by this Measure have been expended in compliance with the Annual Plan and that other conditions of this Measure have been satisfied. The financial and audit reports shall be promptly distributed to the Facilities Maintenance and Security Advisory Committee. Said audit shall be conducted in accordance with generally accepted accounting principles, the Standard and Procedures for Audits of California K- 12 Local Educational Agencies and this Measure. The auditor shall transmit a “finding of Violation” to the District if:

- Funds raised by this Measure have been spent for purposes other than those specified in the Measure.
- Other conditions of this Measure have not been satisfied.

PUBLIC INPUT AND NOTICING (BROWN ACT)

Members of the public may comment on the plans, reports and conditions of the Measure during the public comment period of any Facilities Maintenance and Security Advisory Committee meeting and any Board Meeting. It is intended that this Committee be open to participation of other interested District administrators, personnel, and community members, and that the District will make efforts to inform the public of

meeting times and places of Committee meetings. The Committee will follow Brown Act rules.

QUALIFICATIONS AND COMPOSITION OF THE COMMITTEE:

The Facilities Maintenance and Security Advisory Committee comprised of 19 official, voting members, to be selected as follows:

EXISTING POLICY

- Six-Board appointed community representatives;
- Two non-staff members of BSEP P&O appointed by the BSEP P&O Committee
- Two community representatives appointed by the Superintendent;
- The Director of Maintenance, Grounds and Custodial Services;
- The Berkeley High School administrator in charge of facilities;
- Three current classified employees (at least one trades person from the Maintenance Department and one custodian) appointed by Local One;
- Three current classroom teachers, representing elementary, middle and high school, to be appointed by BFT (Berkeley Federation of Teachers)
- One principal appointed by UBA (Union of Berkeley Administrators)
- The School Board may appoint one or two of its members as Board liaison(s) to the Committee if they so desire.

Members of the Citizens Construction Advisory Committee should be included on the Committee, if possible.

All appointed community representatives should be individuals knowledgeable about Berkeley public school maintenance and security issues.

Citizen members shall outnumber staff.

The Chair of the Committee (chosen by majority vote of the Committee) shall be a citizen of Berkeley, not employed by the Berkeley Unified School District;

The Chief Financial Officer (CFO) shall be the staff liaison to this Committee.

The term of appointed Committee members shall be one year.

Recommendations from the Committee shall be made to the School Board prior to March 1st of each year.

PROPOSED POLICY REVISION

BERKELEY UNIFIED SCHOOL DISTRICT

February 19, 2003

[Policy _____] CITIZENS CONSTRUCTION ADVISORY COMMITTEE

The Board shall form a Citizens Construction Advisory Committee (the "Committee") in order to provide enhanced accountability to the community by ensuring that monies are spent in accordance with the Berkeley Schools Bond Measure of 2000. The Committee shall be answerable to and make recommendations directly to the School Board.

CHARGE OF THE COMMITTEE:

The purpose of the Citizen's Construction Advisory Committee is to assist the School Board in monitoring the progress of construction projects and the expenditure of construction funds. The committee will:

- a) Review construction program plans and expenditures to ascertain whether construction expenditures are consistent with the annual plan and whether projects are proceeding as planned and report to the Board on a quarterly basis.
- b) Review any major change in anticipated costs or nature of projects previously reviewed by the committee and approved by the Board. (Example: substitution of state-funded, fast track projects.)
- c) Advise the School Board of any concerns with regard to its expenditures or progress of Measure AA fund projects.
- d) Present a report to the Board for its review in the fall of each year in conjunction with the Board's annual auditing process. The report shall include, but not be limited to, a review of construction plans as well as projected and actual expenditures and fund acquisitions.

COMPOSITION OF THE COMMITTEE:

- a) Nine Board appointed community representatives who are not employees of the District as specified in Policy 9130.
- b) Two community representatives appointed by the Superintendent.

CRITERIA FOR MEMBERSHIP:

Appointments will be made to achieve a balanced, diverse committee with representation in at least the following areas:

- Construction experience or knowledge--familiarity with costs of construction and standard trade practices in public construction projects.

- Project management--knowledge of or experience with complex projects.
- BUSD facilities needs and planning efforts to date.

PROPOSED POLICY REVISION

- Budgetary knowledge--familiarity with standard accounting practices; knowledge of bond funding desirable.
- Familiarity with the Berkeley school community and the interests of representative school groups.
- Maintenance and safety knowledge--familiarity with standard practices in the maintenance and safety of facilities.

COMMITTEE GUIDELINES

- a) The provisions of the Ralph M. Brown Act (section 54950 of the Government Code) shall apply to this Committee
- b) The Committee should follow the guidelines set forth in the School Board's policy on Citizen Oversight Committees (Policy # 9130)