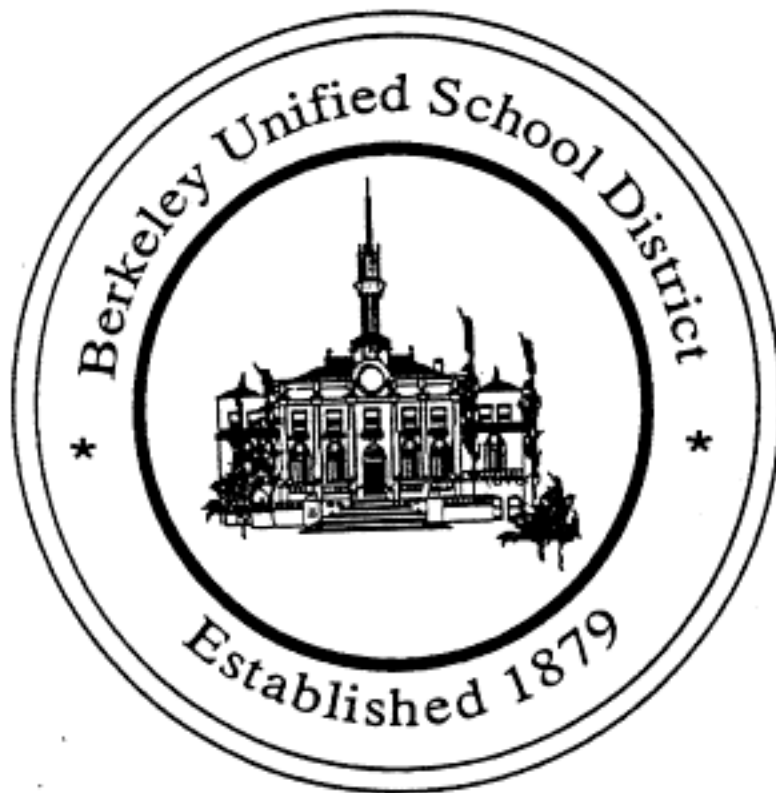


**Berkeley Unified School District
Office of the Superintendent**



Board of Education Meeting

October 1, 2003

BERKELEY UNIFIED SCHOOL DISTRICT

Office of the Superintendent

2134 Martin Luther King Jr. Way

Berkeley, CA 94704-1180

Phone: (510) 644-8764 Fax: (510) 540-5358

REGULAR MEETING OF THE BOARD OF EDUCATION - AGENDA

Wednesday, October 1, 2003

Call to Order The Presiding Officer will call the Meeting to Order at **4:00 p.m.**
The Board will recess to Closed Session at **4:00 p.m.** and
reconvene in Public Session at 7:30 p.m.

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

Administration Superintendent Michele Lawrence, Secretary

Prior to Closed Session, as necessary, staff/employee comments are taken per
Government Code Section 54957

Recess to Closed Session (Government Code Sections 3549.1(d), 54956.9(a) and
54957) and Education Code Section 49818(c)—Board Conference Room

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

*The Student Director does not attend Closed Session.

Report Closed
Session Action Motion_____ Second_____ Vote_____

Approve Agenda Approve the Regular Meeting Agenda of October 1, 2003
Motion_____ Second_____ Vote_____

Approve Minutes May 21, 2003

Page
1

PUBLIC TESTIMONY

Persons wishing to address the Board should fill out a card located on the table by the door and submit the completed card to the Board Recorder. Speakers will be selected by lottery. The Public Testimony is limited to 30 minutes—3 minutes per speaker. Speakers with the same concerns are encouraged to select a spokesperson to address the Board.

REPORTS

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

CONSENT ITEMS

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

General Services

1.1-C Staff Recommendation: 11
Acceptance of Gifts/
Donations Accept the gifts/donations to the District
or facilities from individuals and/or
companies
Motion_____ Second_____ Vote_____

1.2-C Board Member Recommendation: 12
Walk-to-School
Day Resolution Approve resolution.
Motion_____ Second_____ Vote_____

<u>Human Resources</u>		Page
2.1-C Acceptance of Personnel Report	<u>Staff Recommendation:</u> Accept Personnel Report 03-27 as submitted. Motion_____ Second_____ Vote_____	14
 <u>Educational Services</u>		
3.1-C Overnight Field Trip Requests	<u>Staff Recommendation:</u> Approve the overnight field trips for students consistent with District Policies and Instructional programs Motion_____ Second_____ Vote_____	19
3.2-C Out-of-State Travel Request-- American Association of School Librarians/ ALA Annual Conference	<u>Staff Recommendation:</u> Approve the out-of-state travel request for Library Media Teacher conference attendance. Motion_____ Second_____ Vote_____	20
3.3-C Memorandum of Understanding with Newark Unified School District, Lead Agency for the East Bay Beginning Teacher Support and Assessment (BTSA) Consortium	<u>Staff Recommendation:</u> Approve the Memorandum of Understanding with Newark Unified School District. Motion_____ Second_____ Vote_____	21
3.4-C New Non-public School Placement for a Special Education Student	<u>Staff Recommendation:</u> Approve the new non-public school placement. Motion_____ Second_____ Vote_____	31

<u>Business and Operations</u>		Page
4.1-C Approval of Contracts/ Purchase Orders for Services and Contracts	<u>Staff Recommendation:</u> Authorize the Deputy Superintendent and Purchasing Agent to execute Purchase Orders Motion_____ Second_____ Vote_____	32
4.2-C Approve Listing of Warrants issued in August 2003	<u>Staff Recommendation:</u> Approve the monthly bill warrant list issued in August 2003	36
4.3-C Approval of the Maintenance and Grounds Depart- ment Goals and the Measure BB Expenditure Plan for Fiscal Year 2004	<u>Staff Recommendation:</u> Approve the Maintenance and Grounds Department Measure BB Annual Plan Fiscal Fiscal Year 2004 Motion_____ Second_____ Vote_____	39
4.4-C Resolution 03-14: GANN Limit Appropriation Computation	<u>Staff Recommendation:</u> Approve Resolution 03-14: Resolution for a State Institutional Initiative that was enacted in the early 1980's. It allows budget appropriations within the requirements of that law. The amendments to that Initiative allows for the compliance with the GANN Initiative to transfer from the local level to the State Motion_____ Second_____ Vote_____	51

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:

1.1-CF Board Subcommittee Report on FCMAT (Fiscal Crisis Management Assistance Team) Review	<u>Board Recommendation:</u> Receive for information.	60
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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:

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: October 1, 2003
SUBJECT: Acceptance 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. Michele Mayo: \$100 worth of school supplies to Martin Luther King Jr. Middle School
2. Elizabeth Waldron: A \$50 donation to the Early Childhood Education Program
3. Nari Rhee: A gift of a guitar valued at \$200 to the District's Visual & Performing Arts Department

POLICY

Board Policy DFK/KHE

FISCAL IMPACT

None

STAFF RECOMMENDATION

Accept the donations/gifts to the District.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Board of Directors
FROM: John Selawsky, Vice President
DATE: October 1, 2003
SUBJECT: Resolution in Support of Walk-to-School and Work Day, October 15, 2003 and designating each subsequent first Wednesday of the month as Walk-to-School and Work Day

BACKGROUND INFORMATION

Beginning in school year 2001-2002, Berkeley Unified School District participated in an international event, Walk-to-School Day. Parents and students walked and rode bikes together, often in caravans, to several school sites on a designated Wednesday of the school year. The initial event was expanded to later include similar efforts on the first Wednesday of each month during the school year (school schedule permitting), as well as incorporating City and UC Berkeley efforts on the same days.

The value of the event and efforts to encourage walking, bike riding, car-pooling, and use of mass transit are self-evident, but worth mentioning again: reduction in congestion, traffic, noise, and pollution around our school sites, important life-long habits of walking and bike riding for regular exercise and cardiovascular health, and parent, student, and school staff awareness of safe walking and bike riding zones and areas to and from and around school sites. Several of our school sites are situated on narrow, crowded residential streets, and reducing car traffic is a particular safety and quality-of-life benefit for all schools.

POLICY/CODE

None

FINANCIAL IMPACT

None

BOARD MEMBER RECOMMENDATION

Approve resolution.

BERKELEY UNIFIED SCHOOL DISTRICT

RESOLUTION IN SUPPORT OF WALK-TO-SCHOOL AND WORK DAY, OCTOBER 15, 2003 AND DESIGNATING EACH SUBSEQUENT FIRST WEDNESDAY OF THE MONTH AS WALK-TO-SCHOOL AND WORK DAY

WHEREAS, a designated day in October 2003 is Walk-to-School and Work Day, an international event that serves to remind and educate families, parents, teachers, staff, and children that walking and biking to school can and should be safe, healthy, and beneficial to both personal health and the safety and health of neighborhoods and communities;

WHEREAS, the last two years the Berkeley Board of Education endorsed and supported Berkeley Unified's Walk-to-School Days, events in which hundreds of parents, teachers, and children participated, and in which local elected officials also participated; and

WHEREAS, this October 15 we encourage school principals, site PTA's, site committees, parents, teachers, and staff to participate and plan for the annual Berkeley Walk-to-School and Work Day, now including City of Berkeley employee participation, utilizing this day to inform our community and our children of the benefits of walking and bicycling to and from school, reducing automobile traffic, lessening pollution, congestion, and noise, and creating a further appreciation of our neighborhoods and communities, and helping to establish safer pedestrian and bicycle routes to and from each school site.

THEREFORE, BE IT RESOLVED, that the Berkeley Board of Education declares October 15, 2003 and the first Wednesday of each subsequent month of this school year as Walk-to-School and Work Day in the Berkeley Unified School District.

PASSED AND ADOPTED this 1st day of October 2003.

Joaquin J. Rivera, President
Board of Education

Michele Lawrence
Superintendent

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Neil Smith, Director of Curriculum & Instruction
DATE: October 1, 2003
SUBJECT: Overnight Field Trip Request / Berkeley Arts Magnet
Marin Headlands, October 23-24, 2003

BACKGROUND INFORMATION:

The following overnight field trip request is being made:

Approve participation of sixty-four (64) fourth grade students, two (2) teachers, and twelve (12) other adults from Berkeley Arts Magnet Elementary School on a two-day, one-night retreat to the Marin Headlands. The trip is scheduled for 10/23 through 10/24/03. The purpose of the trip is to provide students with an opportunity to learn about local Native Americans and participate in activities related to environmental science. Students will sleep in gender specific cabins on the grounds. District buses will provide transportation. Fundraising efforts will provide funding of the \$75.00 cost per student. No student will be denied access based on ability to pay. Requested by Lorna Skantze-Neill, Principal of Berkeley Arts Magnet.

POLICY/CODE:

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

FISCAL IMPACT:

As indicated above.

STAFF RECOMMENDATION:

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

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Neil Smith, Director, Curriculum & Instruction
DATE: October 1, 2003
SUBJECT: Out-of-State Travel Request
American Association of School Librarians/ALA Annual
Conference - Kansas City, Missouri, October 22-26, 2003

BACKGROUND INFORMATION:

This national conference provides professional development for school library media teachers, offering participants an opportunity to network with national leaders in the field and learn best practices from around the country. Workshops are designed to help professional school librarians learn more about implementing AASL Information Literacy standards, collaborating with teachers, raising literacy levels of students, and other library-related programs.

Berkeley High School Librarian Ellie Goldstein-Ericksen received a competitive grant of \$500 to cover part of the conference cost, one of only two grants awarded in California. Ms. Goldstein-Ericksen has agreed to pay all expenses, including registration fees, airfare and hotel accommodations (10/22-10/25), and meals. The Berkeley High School Development Group will forward payment to the district for the cost of a substitute librarian for the three days she will be absent from school.

POLICY/CODE

None

FISCAL IMPACT:

None

STAFF RECOMMENDATION:

Approve out-of-state travel request for Library Media Teacher conference attendance

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Neil Smith, Director, Curriculum & Instruction
DATE: October 1, 2003
SUBJECT: Memorandum of Understanding with Newark Unified School District, Lead Agency for the East Bay BTSA Consortium

BACKGROUND INFORMATION:

This fall Berkeley Unified School District is joining five local districts in the East Bay Beginning Teacher Support and Assessment Induction Consortium, which is sponsored by the Newark Unified School District. Last year, new State requirements for teacher certification were adopted by the California Commission on Teacher Credentialing and the California Department of Education. Teachers who earn preliminary credentials through institutions of higher education must now complete an approved induction program in order to meet the requirements of a Professional Clear Credential. Since there will be fewer than twenty BUSD teachers who qualify for BTSA this year, the school district is joining the consortium in order to provide the required training and support for new teachers in a manner that is fiscally responsible.

The Memorandum of Understanding and detailed information about the East Bay BTSA Induction Consortium is attached.

POLICY/CODE

SB 2042
Ed Code 44279.1

FISCAL IMPACT:

BUSD has received \$3,431 for each new teacher who participates in BTSA. The State will now give this amount to Newark Unified, as the Lead Agency, and Newark will allocate \$1,525 of this to B.U.S.D. The consortium will use the remaining funds (\$1,906) to provide teacher training and meet other legal requirements.

STAFF RECOMMENDATION:

Approve the Method of Understanding with Newark Unified School District.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Ken Jacopetti, Director, Special Education
DATE: October 1, 2003
SUBJECT: New Non-public School Placement for a Special Education Student

BACKGROUND INFORMATION

Below is a new non-public school placement contract for a Special Education student. A brief description of the rationale for the placement is included.

Non-Public School Placement at Children's Learning Center:

The student was placed in the Children's Learning Center as per the decision of the IEP Committee. Parents were educating the student at home, with BUSD Special Education providing home/hospital instruction five hours per week, and social skills group therapy one hour per week at Berkeley High School. The student was moved to a less restrictive environment (non-public school placement) from home placement, which supports the LRE (Least Restrictive Environment), and Child Find Federal Special Education Legislation.

Duration: September 3, 2003-June 30, 2004
Daily Rate: \$189.00 x 189 days = \$28,161.00
TOTAL: \$28,161.00

POLICY/CODE

Board Policy DJB
Education Code Sections 56365(a); 56361(e) and 56366

FISCAL IMPACT

\$28,161.00 in expenses to the General Fund.

STAFF RECOMEMNDATION

Approve the non-public school placement for this student.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Eric D. Smith
Deputy Superintendent of Business and Operations (CBO)
DATE: October 1, 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. Sports 4 Kids to provide one site coordinator at Washington School Monday-Thursday, 9:30am -5pm for the 03/04 SY. The cost will not exceed \$20,000. To be paid from BSEP Budget. Requested by Rita Kimball.
2. Julia Morgan Center of the Arts to provide art and literacy classes and performance with three groups in afterschool program. Additionally offers one week of training for all staff in connection with Magnet program for the 03/04 SY. The cost will not exceed \$2,500. To be paid from Thousand Oaks EDP Budget. Requested by Jesse Ramos.
3. Berkeley Chess School to provide two chess classes per week for the after school program for the 03/04. The cost will not exceed \$4,000. To be paid from Thousand Oaks EDP Budget. Requested by Jesse Ramos.
4. Kinko's to provide printing services for Parent information and teacher information for 03/04 curriculum standards, principal handbooks, etc. The cost will not exceed \$5,000. To be paid from Educational Services Budget. Requested by Neil Smith.
5. Page Point to provide Webmaster services for the period July 1, 2003 through June 30, 2004, @ \$60/hour for development work and @\$30/page for page postings. The cost will not exceed \$6,000. To be paid from BSEP Budget. Requested by Monica Thyberg.

6. Casey Printing to provide printing and distribution of Fall, Spring and Summer Brochures. The cost will not exceed \$19,000. To be paid from Adult Fund Budget. Requested by Margaret Kirkpatrick.
7. Increase in contract to Ford Graphics to provide reproduction services for the bidding of Franklin School. Board approval in the amount of \$5,000 on August 20, 2003. The additional work required will increase this cost by \$5,000 for a total amount of \$10,000. To be paid from Measure AA Budget. Requested by Lew Jones.
8. Baker Vilar Architects to provide consulting services for preparation of Architectural/Engineering services for the MLK Middle School temporary kitchen to be placed in the portable west of Grant Street entry. The cost will not exceed \$25,000. To be paid from Measure AA Budget. Requested by Lew Jones.
9. Performance Fact, Inc. to assist in development of strategic plan for the Berkeley Alternative High School, preparation of school improvement plan, FY 03/04 and to assist principal and leadership team in monitoring the plan. The cost will not exceed \$6,000. To be paid from State & Federal Programs Title I Budget. Requested by Carla Basom.
10. Clean Source to provide vacuum cleaner repair services as needed for the 03/04 FY. The cost will not exceed \$1,000. To be paid from General Fund Custodial Budget. Requested by Rhonda Bacot.
11. California State Consortium for Adult Education Services to provide services at a rate of \$1/ADA for annual directory of Adult School, programs and personnel, the California Adult Education Insider newsletter, online adult education services, public relations and marketing aids and adult toll-free hotline services for the 03/04 SY. The cost will not exceed \$1432. To be paid from Adult School Budget. Requested by Margaret Kirkpatrick.
12. East Bay California Arts Project to facilitate review of arts curriculum. The cost will not \$1,700. To be paid from VAPA Artwork Budget. Requested by Suzanne McCulloch.
13. Ratification of contract to Mr. B's Steam Cleaning Away to provide steam cleaning services at specified sites as directed by the Maintenance Department. The cost to be paid is \$10,150. To be paid from General Fund Custodial Budget. Requested by Rhonda Bacot.

14. Gordon's Office Equipment to provide repair services for desktop Xerox copier, XD130DF. The cost will not exceed \$250. To be paid from General Fund Student Services Budget. Requested by Gerald Herrick.
15. Ratification of contract to ANG Newspaper to provide advertising services of Issue G O Bonds. The cost to be paid is \$181.40. To be paid from Measure AA Budget. Requested by Lew Jones.
16. University of California Workstudy to provide work study tutors to operate after school homework centers/MEXA programming/ and to provide in class tutoring at a rate of \$12.77 per hour, UCB assumes 55% of labor costs. The cost will not exceed \$6,000. To be paid from Willard Middle School ELL Budget. Requested by Michele Patterson.
17. Atkinson, Andelson, Loya, Rudd & Romo to provide anticipated legal services for the 03/04 FY. The cost will not exceed \$275,000. To be paid from General Fund Budget. Requested by Eric D. Smith.
18. David Berg to provide consulting services in mathematics, services may include math in-service classes, in-class coaching, modeling, and follow-up discussion with staff and curriculum services for the period October 1, 2003 through June 30, 2004. The cost will not exceed \$10,000. To be paid from Arts Magnet CELL/Making Math Real Budget. Requested by Lorna Skantze-Neill.
19. Thomas Bye to provide assistance and evaluate Title VII (Title III) 2-way Immersion Grant at Rosa Parks and Longfellow Schools. This include but not limited to collect and review documentation related to the project and prepare final evaluation report for the project for the period October 1, 2003 through September 30, 2004. The cost will not exceed \$7,500. To be paid from State & Federal Programs Bilingual School Budget. Requested by Carla Basom.
20. Thomas Bye to provide an external evaluation of the 4th year of Title VII Systemwide Grant. This includes technical assistance to project staff, prepare performance report and biennial evaluation report for the period October 1, 2003 through September 30, 2004. The cost will not exceed \$15,000. To be paid from State & Federal Programs Systemwide Improvement Budget. Requested by Carla Basom.

21. Copy World to provide copy and printing services for the 03/04 FY. The cost will not exceed \$500. To be paid from Rosa Parks Comprehensive School Grant. Requested by Shirley Herrera.

FISCAL IMPACT

As indicated

POLICY/CODE

Public Contract Code: 20111

Board Policy: DJED

STAFF RECOMMENDATION

Approve the contracts with Consultants or Independent Contractors as submitted.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Song Chin-Bendib
Director of Fiscal Services
DATE: October 1, 2003
SUBJECT: Approve Listing of Warrants issued in August 2003

BACKGROUND INFORMATION

Each month the District writes many checks to vendors for services provided and goods received. The checks are written on both the general fund and restricted funds. The attached represents a summary of warrants for the month of August 2003.

POLICY/CODE

Educational Code Section 41010 ET seq.

FISCAL IMPACT

None

STAFF RECOMMENDATION

Approve the monthly bill warrant list for August 2003.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Eric D. Smith,
Deputy Superintendent of Business and Operations (CBO)
DATE: October 1, 2003
SUBJECT: Approval of the Maintenance and Grounds Department
Goals and the Measure BB Expenditure Plan for Fiscal Year
2004

BACKGROUND INFORMATION

The Board approved a strategic plan for the facilities division on Oct. 17, 2001. The Board then approved a specific Plan for the division and for expenditures of Measure BB for an eighteen-month period at the Board meeting on January 9, 2002.

Measure BB requires that “an expenditure plan (the “Annual Plan”) shall be developed annually by District staff with input from the Facilities Maintenance and Security Advisory Committee.” Measure BB also requires that “..the recommended Annual Plan shall be distributed to the Facilities Maintenance and Security Advisory Committee and made available for public review two weeks prior to Board action.”

The Maintenance Committee discussed the goals for the Maintenance and Grounds Department at several meetings. The Plan also references the Fiscal Crisis and Management Assistance Team (FCMAT) recommendations for the Department. Many of the goals in the Measure BB Annual Plan of 2004 provide a means for the District to show measurable improvement in specific areas of the Maintenance and Grounds Department. The goals also indicate the related Facilities Management Professional Standard (FMPS) identified in the FCMAT report.

The attached Plan was distributed to the Committee and made public on Sept. 17, 2003 (two weeks prior to the recommended action). The Plan includes the department goals and proposed expenditures for the year 2004. The expenditure plan is similar to last year, but there is a different approach to overhead/indirect cost.

POLICY/CODE

The Berkeley Schools Facilities Safety and Maintenance Act 2000.
Fiscal Crisis Management Advisory Team (FCMAT), standard management professional procedures.

FISCAL IMPACT

The proposed expenditure contained in the attached Plan is \$4,770,000 of Measure BB Funds.

STAFF RECOMMENDATION

Approve the Maintenance and Grounds Department Measure BB Annual Plan Fiscal Year 2004.

**Berkeley Unified School
District
Maintenance and Grounds
Department
Measure BB Annual Plan
Fiscal Year 2004**

Submitted by
Rhonda Bacot, Director of Maintenance,
and
Lew Jones Director of Facilities

The Berkeley Schools Facilities Safety and Maintenance Act of 2000 (Measure BB) states its purpose: "The revenues raised by this special tax shall be used exclusively to provide school safety and essential maintenance of the District's buildings and grounds, thereby protecting the health, safety and security of children and staff and creating an environment that supports student and staff success".

To plan for this safety and essential maintenance, Measure BB requires an expenditure plan to be developed annually by District staff with input from the Facilities Maintenance and Security Advisory Committee. The following Measure BB Maintenance and Grounds Department Annual Plan is a cumulative product of discussions in Advisory Committee meetings and from District Staff recommendations.

On October 17, 2001, the Board of Education for the Berkeley Unified School District approved a strategic plan for the facilities division. There are adjustments made to recognize our recent experience and other District-wide changes.

In July 2003 the Fiscal Crisis and Management Advisory Team (FCMAT) published the Berkeley Unified School District Assessment and Improvement Plan. The report provided data to the district to assist in facilitating the necessary capacity in the district to promote student learning. Many of the goals in the 2004 Measure BB Annual Plan address the FCMAT report and provide a conduit for the district to show measurable improvement. The goals will indicate the Facilities Management Professional Standard (FMPS) as identified in the report.

BUSD has 26 sites on over 100 acres of land. Of those 26 sites, 16 are K-12 schools. The District also has a very large dedicated adult school. The schools were constructed throughout the last century. The majority were constructed in the 1950s, but have been upgraded since that time. Four schools were constructed over the past ten years under the current building program. The District has a significant amount of built area for its population.

The District focussed on repairing documented safety concerns and improving the curb appeal of our buildings over the first two years of the program. The playground safety issues were completed by the end of March and the other safety matters are in the process of being completed. The next year will see the Department focus on measurable goals and make minor adjustments in staffing levels. It will also put the District in a place where vehicle replacement can become a routine matter rather than a dire necessity.

GOALS FOR THE NEXT YEAR

This section focuses on goals for the maintenance and grounds department. It will only include goals specifically funded by and supportive of Measure BB. Work such as replacing broken drinking fountains, repairs to HVAC systems, repainting, resealing asphalt, or repairing damaged irrigation are funded by Measure BB.

Communication. Communication is key to an optimal performance of maintenance work and to an understanding of where improvements need to be made. In order to assess how maintenance work is viewed at schools and to further determine where maintenance is needed, it is proposed that a performance and needs survey take place at all school sites. The goals in this area are to:

- Develop a survey with the guidance of district staff. The Committee will help develop the survey in the fall, with a survey date in early winter. The report can be used to develop maintenance plans. (FMPS 2.17, 8.6, 9.11, 10.1, 11.4)
- Develop a system that reports the schedule of work orders. The system will provide scheduled information updates. (FMPS 2.17, 8.12, 11.3)

Maintenance. Effective maintenance is the core mission of Measure BB. One key goal this year is to migrate from a system where we receive notice of safety problems from a third party (fire marshal, Cal-OSHA, City Toxics, etc.) to a system which does its own safety audits. Training is required to heighten the level of awareness of safety at facilities and to support safety programs such as the Cal-OSHA-required Injury Illness and Prevention Program (IIPP) and Risk Management programs. Performing safety audits can alert the District to chronic problems and can help define long term maintenance or capital projects. The goals in this area are to:

- Develop plans for emergency utility shut-off locations and maintain them centrally and at each school site. (FMPS 1.23, 1.25, 1.26)
- Develop and document clear procedures for the work order system. Staff training on the work order system shall happen annually. (FMPS 3.6, 8.12, 11.3, 11.4)
- Develop time limits for responses to the Fire Marshal. Records of repairs and responses shall be maintained. Site administrators will be included in all follow-up information and correspondence. (FMPS 3.6, 8.9, 8.12, 11.3, 11.4)
- Implement a system for site safety inspections and facility evaluations. (FMPS 1.22, 8.6)
- Conduct regular training for staff as required, to meet regulatory mandates and assure safe work practices. Training will include disaster preparedness. (FMPS 1.1, 1.4, 1.11, 1.12, 1.15, 1.21, 1.22, 1.24, 1.25, 1.26, 1.27)
- Re-create an inventory stores system to maintain frequently used parts and materials. Records of materials used for replacements and repairs by site will be developed and maintained. (FMPS 8.5, 8.8)

Grounds. The grounds area is ready to begin to expand its mission from maintaining our sites to looking at possible site improvements. The goals in this area are to:

- Develop improvement plans for each site by assessing current conditions and outlining site beautification projects that can be prioritized and implemented over time. (FMPS 1.14, 9.1)
- Assess the current equipment and staffing needs of the department. (FMPS 8.8)
- Cross-train staff on power hand tools, mowing equipment and sprinkler repair.
- Standardize irrigation equipment when feasible, utilizing vandal-proof irrigation equipment whenever possible.
- Review current Board Policy regarding Integrated Pest Management and develop a standard that supports the guidelines of AB 2600, Healthy Schools Act 2000.

Reporting:

- Continue the bimonthly maintenance updates. Include an update on the goals listed in this report.
- Provide financial updates quarterly.
- Develop a project management process for maintenance and grounds work that communicates department schedules of planned and completed work projects. (FMPS 2.17, 3.6, 4.3, 8.9, 8.12)

FUNDING FOR THE NEXT YEAR

This portion of the document will focus on the expenditure plan for the Measure BB funds. The proposed plan for utilizing Measure BB funding was developed from the recommendations made in previous committee work, the May 1996 Standard Level of Service report prepared by the Director of Maintenance and the Director of Facilities, information provided by other maintenance professionals and input from staff. It has been revised based on the experience we have gained in the past 18 months.

Projected costs for each element of the plan are included. These are projected costs based on anticipated implementation timelines. The changes recommended in this plan are not dramatic, but do require the support of other District departments, independent contractors and vendors. It is probable that timelines will shift, resulting in budget revisions. For instance, if hiring of employees in a certain classification proves more difficult than expected, or if the Personnel Office or Commission schedules do not coordinate as planned, the budget may be revised to recognize the impacts of these changes. The implementation plan and the budget will be closely monitored to ensure that revisions are made and reported to the Board and the Committee on a timely basis. Since proceeds from the Measure BB tax may only be used for maintenance, any unused funds

from previous fiscal years will carry forward to be used for future maintenance needs.

BUSD Maintenance Department Staffing Model

As noted in previous Maintenance Committee reports and the Standard Level of Service report, the Maintenance Department has historically been understaffed. The current actual staffing level includes approximately 33 full time equivalents (FTEs). The Department added a significant number of people in the past year, but we did not complete all the hiring proposed in the last year's plan. This plan increases the actual number of people by two and makes other adjustments in assignment. Outstanding issues identified by the Maintenance Department were also taken into consideration in developing a working design which fulfill the department's mission. A brief description of the job duties for each position is provided, however, a full description of the classification, duties and job requirements is in the Personnel Office. Two of the recommended positions may be new classifications.

Management (other than clerical)

Director of Maintenance: This position is responsible for all District maintenance functions, including budget control, employee reward and discipline, and overall district maintenance improvement. The Director of Maintenance reports to the Deputy Superintendent of Business and Operations (CBO). This position is budgeted 95% to Measure BB and 5% to the General Fund. *This is an existing position.*

Day Team Supervisor: This position is responsible for providing supervision to assigned staff and is responsible for coordinating, evaluating and scheduling work which occurs during the day shift. In addition, this individual may oversee small maintenance contracts as the need arises. In the absence of the Director of Maintenance, this position may oversee the Maintenance Department. This position is budgeted 100% to Measure BB. *This is an existing position.*

Night Team Supervisor: This position is responsible for providing supervision to assigned staff and is responsible for coordinating, evaluating and scheduling work which occurs during the evening shift. This individual will coordinate the work with the school sites to ensure that there are no conflicts. This position is budgeted 100% to Measure BB. *This is an existing position.*

Landscape Supervisor: This position is responsible for providing supervision to

assigned staff and is responsible for coordinating, evaluating and scheduling work to maintain our grounds. The individual will need to coordinate clean-up days at our sites and may be assigned the responsibility to implement a few maintenance contracts, such as tree trimming. This position is budgeted 100% to Measure BB. *This is an existing position.*

Trades/Maintenance Staff:

Trades Lead Persons: The lead positions help coordinate the actual work and assist in a leadership role. The model has three people in a lead capacity. Each crew will have one leadperson. There is one lead assigned to the day (emergency) shift, one assigned to the evening (schedule) shift and one assigned to Berkeley High School. The leadperson is responsible for the crew in the event that the supervisor is absent. *These are existing positions.*

Security Engineer: This position is responsible for maintaining the District's locks and assisting in maintaining our other security systems. The duties include developing a spectrum of security options to include low security locks, site master locks, grand master locks, locks off our standard system, card or numeric reader locks, various security alarm systems and camera systems. This employee reports to the Emergency Team Supervisor (day shift). *This is an existing position.*

Trades Positions and Maintenance Engineers: The proposed model has 13 FTEs responsible for providing the vast majority of the skilled maintenance work required by the District. The District created the maintenance engineer classification last year. The maintenance engineer job requires specialized knowledge in two of the five identified trade groups (HVAC, plumbing, electrical, carpentry and painting/glazing). It also requires minimal skills in all areas. We also have four single trade individuals who chose not to take the tests for maintenance engineer. They have retained their rights to single trade classification. However, the District plans over time to eliminate single trade classifications where feasible. We have 6 positions on the day shift and 5 positions on the evening shift assigned to the maintenance yard. There are also 2 FTEs assigned day and evening to the High School in the existing model. We plan no major shifts, although we are evaluating the idea of rotating people from the high school to the maintenance yard. *These are existing positions. However, under this plan there are currently two vacancies.*

Maintenance Technicians: The current model has a large gap between the General Maintenance and trades positions. This plan recognizes this problem and proposes a new job classification which helps to bridge this gap. This new position has been presented to, and approved by, the Merit Commission.

The position could perform semi-skilled maintenance work, such as changing ballasts and filters, and other types of maintenance. It could also assist the trades as does the General Maintenance position. Our goal would be to have three FTE's

in this classification. *This is a new position.*

General Maintenance Workers: The current model includes 4 FTEs to perform general maintenance tasks that do not require an advanced level of technical skill. These tasks include moving, disposal of unwanted furniture, repairs to lunchroom furniture, minor repairs to classroom furniture and assistance in grounds work, e.g. playground equipment repair. The individuals may be assigned to assist the Maintenance Engineers. The new plan includes one general maintenance position, probably in the day shift. This plan relies upon incumbents successfully testing into the new Maintenance Technician classification. *Currently, the District has 3 FTEs with 1 existing vacancy.*

Lead Grounds Gardener: Consistent with the trade groups, the proposed model includes 1 FTE responsible for leading the crew as needed. The leadperson will be responsible for the crew in the event that the supervisor is absent. *This is an existing position.*

Irrigation Technician: The proposed model includes 1 FTE responsible for performing irrigation system repairs and installations. Task will include such work as setting and repairing irrigation timing controls, replacing broken and vandalized sprinkler heads and lines, and maintaining green fields by monitoring for proper watering. It will also include working with parent and community volunteers helping to design new landscape installations that include irrigation. The District needs to have these services performed. The Business Division is currently studying whether a unique classification is required to fulfill these needs or if the responsibilities can be accommodated under the existing grounds classifications. If a unique classification is required a job description will be presented to the Merit Commission for consideration.

Grounds Workers: The proposed model includes 6 FTEs responsible for weed abatement and general cleaning of playgrounds and grounds areas. These employees report to the Landscape Supervisor. 1 FTE position will have assignment at BHS. We also plan to hire temporary staff during the summer to assist with site clean-ups. We can utilize permanent 10 month employees. *All FTE's are existing positions.*

Office Staff

Administrative Coordinators/Construction Contract Coordinator: The proposed model maintains the 3 FTEs responsible for ensuring that the TMA (The Maintenance Authority) work order system, the Energy Management Systems (EMS) and other administrative systems are operational and current, the phones are answered, reports are generated, records are maintained, and minutes are taken at meetings.

Individuals may have a greater portion of their responsibilities in one of the areas listed above, but all would be assigned to perform all listed duties as needed. These positions will be budgeted 90% to Measure BB and 10% to the General Fund. The budget model was based upon our experience in the past year. *These are existing positions.*

The projected cost of staffing, including benefits, for FY 2004 is \$2,800,000. This cost includes substitute (\$60,000) and overtime (\$50,000) costs.

Maintenance Supplies

Supplies and hand tools will be purchased to support required repairs and maintenance work. A store system for maintaining a reasonable inventory of parts and supplies will be instituted to expedite repairs and other maintenance work. The stores inventory will be monitored and appropriate levels maintained by the clerical support staff.

The projected cost of supplies for FY 2004 is \$550,000.

Contracted Services

On an ongoing basis, the Maintenance Department will contract out services that are specialized or beyond the scope of the maintenance staff. Because of the need to address curb appeal quickly, services may also include in-house and contracted project management services. Such services may include:

- Life/Safety Systems testing and maintenance (alarms, sprinklers, etc.);
- Hazardous Materials abatement, disposal and testing;
- Elevator inspection, maintenance and repair;
- HVAC automation systems maintenance;
- Fence repair and replacement;
- Tree removal;
- Asphalt repair;
- Roof repair;
- Replacement of shades and blinds;
- Emergency plumbing;
- Painting projects to large for in-house staff to manage; and

- Contracting design professional services as needed.

The projected cost of Contracted Services for FY 2004 is \$825,000.

Vehicle and Equipment Purchase/Maintenance

Over the next year, the Maintenance Department will replace and expand its inventory of vehicles and equipment. The existing fleet of vans and trucks still includes a few old vehicles which need to be replaced. As additional trades positions are filled, more vehicles will be needed. Similarly, some equipment and tools are outdated and inadequate. They must be replaced and augmented to allow staff to operate at optimum capacity.

During FY 2004, the Maintenance Department will work with the Transportation Manager and the Purchasing Agent to purchase an additional four vehicles that are more energy efficient, utilize cleaner fuels and are reasonably priced, utilizing grant funding wherever possible. Significant outlay has occurred in this area in the past two years. After Fiscal Year 2004, we think we can reduce the budget in this area.

In order to ensure that the full life expectancy of vehicles and equipment is realized, they must have regular service and maintenance. The estimated annual cost of that maintenance is included in this budget item.

The projected cost of Vehicle/Equipment Purchase for FY 2004 is \$225,000.

Indirect Support Rate

Indirect costs are those which are difficult to tag to a specific program. They include business, personnel, payroll, insurance, and other incidental costs of doing business. In the first two years of Measure BB, the approach was to charge such items directly to the department budget. That is why certain expenses, such as accounting costs to advertise for maintenance positions were charged directly to the program. It is the BUSD administrative position that this approach is inefficient and is not consistent with the District's goal to charge indirect costs to all restricted programs and funds.

The indirect rate being charged to all restricted programs approved by the California Department of Education (CDE) for FY 2004 is 9.29%. This rate is charged to funds based on expenditures in that fund.

The projected cost of the Indirect Support is \$370,000.

OVERALL TOTALS

Projected Funding for Maintenance for FY 2004:	\$3,900,000.
Projected Interest From BB for FY 2004:	\$ 40,000.
Projected Expenditure By Maintenance for FY 2004:	\$4,770,000.
Anticipated carryover from FY 2003 to FY 2004:	\$1,303,212.
Decrease in Fund Balance From FY 2003 to FY 2004:	\$ (825,000).
Anticipated carryover from FY 2004 to FY 2005:	\$ 473,212.

The 3% Reserve for Economic Uncertainties is approximately \$145,000.

Other Support for Maintenance

The following information is included to provide a more complete picture of the resources that support the District's maintenance programs.

Bond and Deferred Maintenance: The District's large bond assists in replacing old systems. The District also participates in the State Deferred Maintenance Program. Through this program, the State provides matching funds to support the District's efforts. State funding is matched with general obligation bond proceeds from Measures A (1992) and AA (2000). The projects funded from this program are currently included in the Facilities Program. The enhanced expenditures over the past eleven years have decreased the length of time required to maintain old systems.

BSEP: A request to fund specific projects has been approved by the BSEP Planning and Oversight Committee (P & O) and the Board. The projected cost of these projects is \$725,000. The approved item includes money to repair asphalt at four sites and funds to improve playgrounds at two sites. There are still some carryover funds which will provide some equipment and training for the Maintenance Department.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Eric D. Smith,
Deputy Superintendent of Business and Operations (CBO)
DATE: October 1, 2003
SUBJECT: Gann Limit - Resolution No. 03-14

BACKGROUND INFORMATION

Education Code Sections 1629 and 14132 specify that by September 30, county office and district governing boards shall adopt a resolution identifying their estimated appropriations limits for the current year and their actual appropriations limit for the preceding year. The California Department of Education has extended the deadline due to delayed submission of forms and instructions. The documentation supporting the adopted resolution shall be made available to the public.

The Gann Limit Calculation for FY 2002-03 and 2003-04 does not have any effect on the funding of the District.

The attached Resolution and Calculations will be submitted to the County Office of Education for transmittal to the California Department of Education.

POLICY/CODE

Education Code Sections 1629 and 14132
Government code Section 7906(f).

FISCAL IMPACT

None

STAFF RECOMMENDATION

Board Approval

B E R K E L E Y U N I F I E D S C H O O L D I S T R I C T

RESOLUTION NO. 03-14

RESOLUTION FOR ADOPTING THE "GANN" LIMIT

(Normal, no increase to Limit pursuant to G.C. 7902.1 [nothing on line K {COE LINE P}])

WHEREAS, in November of 1979, the California electorate did adopt Proposition 4, commonly called the Gann Amendment, which added Article XIII-B to the California Constitution; and,

WHEREAS, the provisions of that Article establish maximum appropriation limitations, commonly called "Gann Limits," for public agencies, including school districts; and,

WHEREAS, the District must establish a revised Gann limit for the 2002-03 fiscal year and a projected Gann Limit for the 2003-04 fiscal year in accordance with the provisions of Article XIII-B and applicable statutory law;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Berkeley Unified School District does provide public notice that the attached calculations and documentation of the Gann limits for the 2002-02 and 2003-03 fiscal years are made in accord with applicable constitutional and statutory law;

AND BE IT FURTHER RESOLVED THAT THIS Board does hereby declare that the appropriations in the Budget for the 2002-03 and 2003-04 fiscal years do not exceed the limitations imposed by Proposition 4;

AND BE IT FURTHER RESOLVED that the Superintendent provide copies of this resolution along with the appropriate attachments to interested citizens of the District.

PASSED AND ADOPTED by the Board of Education of the Berkeley Unified School District this 1st day of October, 2003.

AYES:

NOES:

ABSENT:

ABSTAIN:

Michele Lawrence,
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: Board of Directors
FROM: Michele Lawrence, Superintendent
DATE: October 1, 2003
SUBJECT: Boardmember Subcommittee Report on FCMAT (Fiscal Crisis & Management Assistance Team) Review

BACKGROUND INFORMATION

Directors Shirley Issel and John Selawsky have been assigned by President Joaquin Rivera as a subcommittee to review the recommendations presented by FCMAT which relate to areas specifically directed to the Board.

Tonight, the subcommittee would like to present a progress report to the Board and entertain additional discussion related to sections of the FCMAT Study.

POLICY/CODE

FCMAT Standards

FISCAL IMPACT

None

STAFF MEMBER RECOMMENDTION

Open discussion on FCMAT report.

