

# **BERKELEY UNIFIED SCHOOL DISTRICT**

**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, September 3, 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  
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 459567

Recess to Closed Session (Government Code Sections 3549.1(d), 54956.9, 54956.9(a), 54957 and Education code Section 459567

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

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\*The Student Director does not attend Closed Session.

Report Closed  
Session Action                      Motion\_\_\_\_\_ Second\_\_\_\_\_ Vote\_\_\_\_\_

Approve Agenda                      Approve the Regular Meeting Agenda of  
September 3, 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 per speaker. Speakers with the same concerns are encouraged to select a spokesperson to address the Board.

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

**CONSENT ITEMS**

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

Generals Services

1.1-C                      Staff Recommendation:  
Acceptance of Gifts/  
Donations                      Accept the gift/donation to the District or  
facilities from individuals and/or companies,  
as submitted and direct staff to send a letter  
of appreciation.  
Motion\_\_\_\_\_ Second\_\_\_\_\_ Vote\_\_\_\_\_

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1.2-C                      Board Members' Recommendation:  
Change of Date:  
Petition to Abolish  
the Merit System                      Approve the new election and termination  
schedule for the abolishment of the Merit  
System  
Motion\_\_\_\_\_ Second\_\_\_\_\_ Vote\_\_\_\_\_

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1.3-C Resolution in Support of the Budget Accountability Act	<u>Board Member Recommendation:</u> Approve the Resolution Endorsing the “Budget Accountability Act” for the March 2004 Primary Ballot Motion_____ Second_____ Vote_____	Page 4
1.4-C Resolution in Opposition to Proposition 54: The Classification by Race, Ethnicity, Color, or National Origin, Initiative Constitutional Amendment	<u>Board Member Recommendation:</u> Approve Resolution opposing Proposition 54: The Classification by Race, Ethnicity, Color, or National Origin, Initiative Constitutional Amendment Motion_____ Second_____ Vote_____	7
1.5-C 2003-2004 Designation of California Interscholastic Federation Representatives	<u>Staff Recommendation:</u> Approve 2003-2004 Designation of CIF Representatives to the League for Berkeley High School Athletics Motion_____ Second_____ Vote_____	10
1.6-C Application for Multi-School Teams Status for 2003-2004	<u>Staff Recommendation:</u> Approve the Application for Multi-School Teams Status for 2003-2004 Motion_____ Second_____ Vote_____	12
<u>Human Resources</u>		
2.1-C Acceptance of Personnel	<u>Staff Recommendation:</u> Accept Personnel Report 03-25 as submitted. Motion_____ Second_____ Vote_____	15
<u>Educational Services</u>		
3.1-C Overnight Field Trip Requests	<u>Staff Recommendation:</u> Approve overnight field trip requests. Motion_____ Second_____ Vote_____	20

<u>Business Services</u>		Page
4.1-C Approval of Contract Purchase Orders for Services and Contracts	<u>Staff Recommendation:</u> Authorize the Deputy Superintendent or Purchasing Agent to execute Purchase Orders Motion_____ Second_____ Vote_____	22
4.2-C Second Reading of Board Policy 3320 regarding Claims and Actions against the District	<u>Staff Recommendation:</u> Approval, at Second Reading, Board Policy 3320 regarding Claims and Actions against the District Motion_____ Second_____ Vote_____	26
4.3-C Approve a Change Order for the Project to Improve the Grounds at Jefferson School	<u>Staff Recommendation:</u> Approve the Change Order for the Project to Improve the Grounds at Jefferson School Motion_____ Second_____ Vote_____	35

### **ACTION ITEMS**

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

### Educational Services

#### **8:30 p.m.**

3.1-A Berkeley High School Communication Arts & Sciences (CAS) Small School Proposal	<u>Staff Recommendation:</u> Approval of the Guiding Principles for developing a Request for Authorization (RFA) Application for a Small School at Berkeley High School Motion_____ Second_____ Vote_____	38
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Business and Operations

Page

4-1-A  
Approve Proposal  
and Pricing  
Structure from  
Xerox Corporation  
to lease digital  
copiers and establish  
a Print shop

Staff Recommendation:  
Approve the pricing structure for a comprehensive  
change of District copiers and to authorize the  
Deputy Superintendent to negotiate the final  
terms and conditions of the agreement  
Motion\_\_\_\_\_ Second\_\_\_\_\_ Vote\_\_\_\_\_

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4.2-A  
Accept Actuarial  
Report on Workers'  
Compensation and  
Approve Resolution  
03-12, Certificate of  
Consent to Self  
Insure

Staff Recommendation:  
Accept Actuarial Report on Workers'  
Compensation and Approve Resolution  
03-12, Certificate of Consent to Self-Insure  
Motion\_\_\_\_\_ Second\_\_\_\_\_ Vote\_\_\_\_\_

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**9:00 p.m.**

4.3-A  
Approve Request for  
Short Term Loan  
From the Alameda  
County Board of  
Supervisor's, County  
Auditor and County  
Treasurer's Office

Staff Recommendation:  
Approve Request for Short Term Loan from the  
Alameda County Board of Supervisors, County  
Board of Supervisors, County Auditor and County  
Treasurer's Office  
Motion\_\_\_\_\_ Second\_\_\_\_\_ Vote\_\_\_\_\_

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## 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:

<u>General Services</u>		Page
1.1-CF Board Response to FCMAT (Fiscal Crisis Management Assistance Team)	<u>Board Member Recommendation:</u> Approve a motion for the Board President to appoint a subcommittee of the Board of Education to review the FCMAT Assessment and Improvement Plan of July 2003 and develop a work plan to be brought back to the Board for consideration no later than the October 1, 2003 Board Meeting Motion_____ Second_____ Vote_____	118

## Business and Operations

4.1-CF First Reading: Board Policy 3420, Investment Policy	<u>Staff Recommendation:</u> Accept for First Reading Board Policy 3420: Investment Policy, in accordance with Government Code Section 53646 and FCMAT Financial Management Standard Motion_____ Second_____ Vote_____	119
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## INFORMATION

These items are intended to keep the Board informed on various District business matters, which do not require formal action, by the Board.

## Business and Operations

<b>9:30 p.m.</b> 4.1-I Presentation Regarding progress on the Fiscal Year Audit	<u>Staff Recommendation:</u> Receive information from the District's independent auditors regarding the status of the Fiscal Year Audit	123
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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:**

- September 3, 2003
- September 17, 2003
- October 1, 2003
- October 15, 2003
- November 5, 2003
- November 19, 2003
- December 3, 2003
- December 17, 2003

**ANNOUNCEMENT:**            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 the Meetings of the Board of Education and make your views known at these meetings.

**WHEN YOU WANT TO TALK ABOUT AN AGENDA ITEM OR A NON-AGENDA ITEM:**

Please fill in a **REQUEST TO ADDRESS THE BOARD OF EDUCATION CARD** (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 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.



