

**Berkeley Unified School District
Office of the Superintendent
2134 Martin Luther King Jr. Way
Berkeley, CA 94704-1180
Phone: (510) 644-6206 Fax: (510) 540-5358**

REGULAR MEETING OF THE BOARD OF EDUCATION – AGENDA*

Wednesday, September 14, 2005

Call to Order The Presiding Officer will call the Meeting to Order at **7:00 p.m.**, recess to Closed Session at **7:05 p.m.** and reconvene in Public Session by **7:30 p.m.**

Roll Call President Nancy Riddle
 Vice President Terry Doran
 Director John Selawsky
 Director Shirley Issel
 Director Joaquin J. Rivera
 Student Director Teal Miller **

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 49819(c)

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

* Board agenda posted on District website: www.berkeley.k12.ca.us

** The Student Director does not attend Closed Session

The Berkeley Unified School District intends to provide reasonable accommodations in accordance with the Americans with Disabilities Act of 1990. If a special accommodation is desired, please call the Superintendent's Office 48 hours prior to the meeting at 510-644-6206

Approve Agenda

Approve the Regular Meeting Agenda of
September 14, 2005
Motion _____ Second _____ Vote _____

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.

Union Representatives’ Reports
Superintendent’s Report
Board Members’ Reports
Committee 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.

ACTION ITEMS:

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

Business Services

4.1-A
2004-05 Unaudited Actuals

Staff Recommendation:
Approve the filing of the 2004-05 Un Audited Actuals which provides the most accurate to date financial information on revenues, spending and fund balances for the 2004-05 Fiscal Year

5+ Under separate cover

4.2-A
Resolution No. 05-08
Gann Limit

Staff Recommendation:
Approve GANN Limit Resolution 05-08 which identifies BUSD’s estimated appropriations limits for the current year and their actual appropriations limits for the preceding year

6

Conference Items:

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:

Information Items:

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

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).

ANNOUNCEMENTS

Schedule of Board of Education Meetings for 2005:

- September 21
- September 29
- October 5
- October 19
- November 2
- November 16
- December 7- **organizational meeting**
- December 14 - **tentative**

ADJOURNMENT

**Board of Education Meetings are broadcast live on KPFB/FM 89.3
Berkeley Government Access Channel 33**

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 **PUBLIC TESTIMONY.**

You will be called to speak by the Presiding Officer.

A Speaker has three minutes in which to make his/her remarks.

Any subject related to the District or its educational programs is welcome at the Board of Education Meetings. **However, we respectfully ask that matters pertaining to individual employees of the Berkeley Unified School District be discussed in private. There is an established procedure for making such complaints.** You may obtain information about this procedure from a school or from the Superintendent’s Office.

MISSION AND GOALS OF THE BERKELEY UNIFIED SCHOOL DISTRICT

MISSION STATEMENT

The mission of the Berkeley Unified School District, a diverse community deeply committed to public education, is to ensure that all students discover and develop their special talents, achieve their educational and career goals, become life long learners, and succeed in a rapidly changing society by:

- empowering students, parents and staff,
- providing a strong standards based curriculum, and
- offering alternative learning experiences in a racially integrated, multilingual environment.

VISION

Berkeley Unified School District creates a system that enables every student, including those with diverse needs, to meet or exceed rigorous standards for academic performance. All students will develop the attitudes, skills and habits of mind needed to succeed in and beyond the classroom. The members of this school community share a vision of educational excellence, an appreciation for the partnerships with local government agencies, community based organizations, businesses, institutions of higher education and will work collaboratively to realize this vision.

PERFORMANCE GOALS

- 1. All students will reach high standards, attaining proficiency or better in reading/language arts and mathematics.**
- 2. All limited-English-proficient students will become proficient in English and reach high academic standards, attaining proficiency or better in reading/language arts and mathematics.**
- 3. All students will be taught by highly qualified teachers.**
- 4. All students will be educated in learning environments that are safe, drug-free, and conducive to learning.**

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Eric D. Smith, Deputy Superintendent (CBO)
Song Chin-Bendib, Director of Fiscal Services
DATE: September 14, 2005
SUBJECT: 2004-2005 “Un-Audited Actuals”

BACKGROUND INFORMATION

The 2004-2005 Un-Audited Actuals is a term that refers to the “closed” financial books of the District prior to the independent audit of the financial records. Closing the books means that all known expenditures and revenues including accruals along with fund balances for the Fiscal Year 2004-2005 have been posted to the financial ledgers of the District. Accruals are the liabilities and receivables that apply to 2004-2005 Fiscal Year. This report should provide the District with the most accurate to date financial information on revenues, spending and fund balances for the 2004-2005 fiscal year.

Staff will present information on the closing of the books and the Fiscal Year 2004-05 Un-audited Actuals.

POLICY/CODE

California Education Code Sections 42122-42129
FCMAT Financial Management Standards 2.2, 7.1 & 7.4

STAFF RECOMMENDATION

Approve the filing of the 2004-2005 Un-Audited Actuals.

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. 05-08

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 2004-05 Fiscal Year and a projected Gann Limit for the 2005-06 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 2004-05 and 2005-06 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 2004-05 and 2005-06 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 14th day of September 2005.

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: Michele Lawrence, Superintendent
FROM: Eric D. Smith , Deputy Superintendent (CBO)
DATE: September 14, 2005
SUBJECT: Gann Limit - Resolution No. 05-08

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 documentation supporting the adopted resolution shall be made available to the public.

The Gann Limit Calculation for FY 2004-05 and 2005-06 does not have any effect on the funding of the District.

The attached Resolution and Calculations will be submitted to the Alameda 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