

**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**

BOARD OF EDUCATION – MEETING AGENDA*
Wednesday, February 3, 2010

Call to Order The Presiding Officer will call the Meeting to Order at **5:30 p.m.**, recess to Closed Session. Conduct interviews for appointments to the Youth Commission at **7:00 p.m.**, and convene in public Session by **7:30 p.m.**

Roll Call

Members Present:

Karen Hemphill, President
Beatriz Leyva-Cutler, Vice President
Nancy Riddle, Director
John T. Selawsky Director/Clerk
Shirley Issel, Director
Valeria Gonzalez ** - Student Director

Administration:

Superintendent William Huyett, Secretary
Javetta Cleveland, Deputy Superintendent
Neil Smith, Assistant Superintendent of Educational Services
Lisa van Thillo, Assistant Superintendent of Human Resources

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/Anticipated
- b) Consideration of Student Expulsions
 - 0910-17-011699
 - 0910-19-020795
- c) Collective Bargaining
- d) Public Employee Discipline/Dismissal /Release/Evaluation
Classified Evaluation
- e) Public Employment /Appointment
- f) Liability Claims
 - Claim No. 08-67679LL
- g) Property Acquisition & Disposal
- h) Superintendent's Evaluation

* 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

REGULAR MEETING AGENDA

CALL TO ORDER

Report Closed Session actions

Approve Regular Meeting Agenda of February 3, 2010

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
Board Members' Reports
Superintendent's Report

APPROVE CONSENT CALENDAR

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.

Human Resources

2.1-C Staff Recommendation: **7**
Approval of Personnel Report Approve Personnel Report No. 10-03

Business Services

4.1-C Staff Recommendation: **11**
Approval of Contracts and Purchase Orders Approve contracts and purchase orders

4.2-C Staff Recommendation: **12**
Acceptance of Gifts and Donations Accept the donations and gifts to the District and request staff to extend letter of appreciation

4.3-C Approval of Master Contract for Non Public School Placement of Student for School Year 2009-2010	<u>Staff Recommendation:</u> Approve and authorize the placement of student in Mingus Mountain Academy for the Special Education Department for 2009- 2010 School Year	13
4.4-C Approval of Parent Reimbursements	<u>Staff Recommendation:</u> Approve parent reimbursements that resulted from negotiated settlements	43
4.5-C Approval of Increase to Current Contract with Anova, Inc.	<u>Staff Recommendation:</u> Approve increase to master agreement with Anova, Inc. for 2009-2010 school year	44
4.6-C Approval of Contract with I Can Too Learning Center, a Non Public Agency	<u>Staff Recommendation:</u> Approve contract with I Can Too Learning Center for school year 2009-10, a non public agency	45
4.7-C Approval of Budget Development Calendar for 2010-2011	<u>Staff Recommendation:</u> Approve Budget Development Calendar for FY 2010-2011	75

ACTION ITEM

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

General Services

1.1-A Approval of Resolution No. 10-21 in Support of California Democracy Act	<u>Staff Recommendation:</u> Approve Resolution No. 10-21 in support of California Democracy Act	78
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INFORMATION ITEMS

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

Human Resources

2.1-I Local 21, IFPTE Reopen of Two Articles in Current Contract	<u>Staff Recommendation:</u> Accept for information joint proposal of BUSD and Local 21 to “Sunshine” re-openers of two articles in current contract	80
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Educational Services

3.1-I Data Analysis for K-8 School Sites	<u>Staff Recommendation:</u> Accept Data Analysis report for K-8 school sites for information (separate cover)	85
8:15 pm 3.2-I Berkeley High School Action Plan for Re-Design in 2010-11	<u>Staff Recommendation:</u> Receive Berkeley High School 2010-11 Action Plan for Re-Design as information (staff report)	86
3.3-I REALM Charter School Proposals	<u>Staff Recommendation:</u> Receive for information from Petitioners to withdraw Charter School Proposals	99

EXTENDED PUBLIC TESTIMONY

ADJOURNMENT

UPCOMING BOARD MEETINGS

February 24 March 10 March 24 April 14 April 28 May 12 May 26 June 9	June 23 June 30 –tentative August 18 September 15 September 22 October 13 October 27 November 10 December 8
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**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**) and give it to the Board Secretary. 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. Increase the academic achievement of all students through effective instruction and a challenging and engaging curriculum**
- 2. Implement interventions that address barriers to student learning in order to meet the needs of the whole child**
- 3. Establish and maintain the culture and governance necessary to support an environment conducive to learning**

BERKELEY UNIFIED SCHOOL DISTRICT

TO: William Huyett, Superintendent
FROM: Lisa van Thillo, Assistant Superintendent, Human Resources
DATE: February 3, 2010
SUBJECT: APPROVAL OF HUMAN RESOURCES REPORT 10-03
 Following is Human Resources Report 10-03 which reports details of personnel assignments, employment, and terminations.

CLASSIFIED EMPLOYEES

NAME	POSITION	LOCATION	BUDGET	CLASS RANGE STEP	FTE & SALARY	FROM	TO
<u>MEDICAL LEAVE OF ABSENCE (FMLA)</u>							
Antionette Cooks	Program Assistant	Berkeley High	General Fund	50/1	1.0 FTE \$27.61 hr	1/26/10	2/8/10
<u>EXTENDED SICK LEAVE WITH 50% PAY (FMLA)</u>							
Antionette Cooks	Program Assistant	Berkeley High	General Fund	50/1	1.0 FTE \$27.61 hr	2/9/10	3/12/10
Linh Ling	Food Service Assistant	Berkeley High	Child Nutrition	26/5	.73 FTE \$15.06 hr	1/26/10	2/15/10
<u>PATERNITY LEAVE WITH 50% PAY</u>							
Rafael Adames	Instructional Tech.	Adult School	Adult Education	34/5	.50 FTE \$18.57 hr	1/11/10	4/27/10
<u>PERMANENT</u>							
Michelle Payton	Clerical Assistant III	Adult School	Adult Education	36/4	.50 FTE \$18.57 hr	1/11/10	
Janice Johnson	Instructional Assistant (ECE)	King CDC	Child Care	29/5	+.07 FTE \$16.40 hr	10/19/10	
<u>PROBATIONARY</u>							
Yvette Whiten	Instructional Tech.	Longfellow	LRN SAFE	34/3	.03 FTE \$16.82 hr	1/4/10	6/18/10
<u>AVAILABLE SUBSTITUTES</u>							
Danielle Adams	Instructional Tech.	All District	General Fund	34/1	NTE 7.5 hrs/day \$15.24 hr	1/13/10	6/18/10
Jose Blanco	Custodian I	All District	General Fund	32/1	NTE 7.5 hrs/day \$14.34 hr	12/2/09	6/18/10
LaShante Evans	Clerical Specialist	All District	General Fund	42/1	NTE 7. hrs/day \$18.57 hr	1/12/10	6/18/10
Maria Flores	Instructional Tech.	All District	General Fund	34/1	NTE 7.5 hrs/day \$15.24 hr	1/7/10	6/18/10

CLASSIFIED EMPLOYEES

NAME	POSITION	LOCATION	BUDGET	CLASS RANGE STEP	FTE & SALARY	FROM	TO
Homer Martin	Instructional Tech.	All District	General Fund	34/1	NTE 7.5 hrs/day \$15.24 hr	12/14/09	6/18/10
Homer Martin	Custodian I	All District	General Fund	32/1	NTE 7.5 hrs/day \$14.34 hr	12/2/09	6/18/10
Salvador Perez	Instructional Tech.	All District	General Fund	34/1	NTE 7.5 hrs/day \$15.24 hr	1/19/10	6/18/10
Thomas Quezada	School Safety Officer	All District	General Fund	44/1	NTE 7.5 hrs/day \$19.27 hr	1/13/10	6/18/10
<u>TEMPORARY/HOURLY/LIMITED TERM</u>							
Samantha Alarie-Leca	Instructional Tech. (Cooking)	CNN	Calif. Nut. Network	34/1	105 total hrs \$15.24 hr	1/12/10	6/18/10
Elizabeth Beard	Instructional Specialist (Garden)	Washington	After School	51/1	5 hrs/wk \$26.93 hr	9/1/09	6/18/10
Robert Borton	Tutor	Longfellow	Eng. Lang.	N/A	6 hrs/wk \$12.54 hr	1/4/10	6/18/10
Michael Bradley	Noon Director	Jefferson	General Fund	N/A	10 hrs/wk \$12.54 hr	1/7/10	6/18/10
Michael Bradley	Tutor	Jefferson	ARRA Title I	N/A	10 hrs/wk \$12.54 hr	1/7/10	6/18/10
Jamie Brown	Instructional Tech. (Cooking)	CNN	Calif. Nut. Network	34/1	85 total hrs \$15.24 hr	1/12/10	6/18/10
Emmanuel Fuzee	Student Worker	Berkeley High	Workability I	N/A	12 hrs/wk \$8.00 hr	12/1/09	5/31/10
Humphrey Garrett	Intramural Director	Berkeley High	General Fund	N/A	10 hrs/wk \$12.54 hr	9/1/09	6/18/10
Gene Harper	Student Worker	Berkeley High	Workability I	N/A	12 hrs/wk \$8.00 hr	12/1/09	6/18/10
Davana Jackson-Robertson	Student Worker	Berkeley High	Workability I	N/A	10 hrs/wk \$8.00 hr	1/4/10	5/31/10
Kelly Jenkins	Tutor	Jefferson	BSEP	N/A	1.5 hrs/wk \$12.54 hr	1/15/10	6/1/10
Anton Muhammed	Instructional Specialist (Dance)	Cragmont	BSEP	51/1	126 total hrs \$23.22 hr	1/11/10	6/18/10

CLASSIFIED EMPLOYEES

NAME	POSITION	LOCATION	BUDGET	CLASS RANGE STEP	FTE & SALARY	FROM	TO
Tahir Mujahid	Student Worker (Workability)	Berkeley High	Workability I	N/A	10 hrs/wk \$8.00 hr	1/4/10	5/31/10
Priscilla Munoz	Clerical Assistant	Admissions Office	General Fund	30/1	50 total hrs \$13.80 hr	1/25/10	2/5/10
Irina Prussin	Student Worker (Workability)	Berkeley High	Workability I	N/A	10 hrs/wk \$8.00 hr	11/1/09	5/31/10
Eric Rydman	Tutor	Rosa Parks	BSEP	N/A	10 hrs/wk \$12.54 hr	1/4/10	6/18/10
Curtis Sandeford	Intramural Director	Berkeley High	General Fund	N/A	10 hrs/wk \$12.54 hr	9/1/09	6/18/10
Elliott Spillard	Student Worker	Cragmont	After School	N/A	10 hrs/wk \$8.00 hr	12/1/09	6/18/10
Vincent Trahan	Intramural Director	Berkeley High	General Fund	N/A	10 hrs/wk \$12.54 hr	9/1/09	6/18/10
Belinda Williams	Noon Director	Washington	General Fund	N/A	10 hrs/wk \$12.54 hr	1/4/10	6/18/10
Stuart Williams	Student Worker (Workability)	Berkeley High	Workability I	N/A	10 hrs/wk \$8.00 hr	12/1/09	5/31/10
David White, Jr	Intramural Director	Berkeley High	General Fund	N/A	10 hrs/wk \$12.54 hr	9/1/09	6/18/10
David White, Sr.	Intramural Director	Berkeley High	General Fund	N/A	10 hrs/wk \$12.54 hr	9/1/09	6/18/10
Angie Won	Tutor	Rosa Parks	BSEP	N/A	10 hrs/wk \$12.54 hr	1/4/10	6/18/10
<u>STIPENDS</u>							
Eric Ballon	Coach (Soccer)	Longfellow	BSEP	N/A	\$600.00	10/1/09	12/18/10
Charles Blackwell	Coach (8 th Grade Boys Basketball)	Longfellow	BSEP	N/A	\$600.00	12/1/09	2/26/10
Stanley Caldwell	60% Coach (Boys Basketball)	Berkeley High	General Fund	N/A	\$1421.40	11/09/09	3/15/10
Anthony Coffey	Coach (7 th Grade Girls Basketball)	Longfellow	BSEP	N/A	\$600.00	11/1/09	1/29/10

CLASSIFIED EMPLOYEES

NAME	POSITION	LOCATION	BUDGET	CLASS RANGE STEP	FTE & SALARY	FROM	TO
Roberto Espinoza	60% Coach (Boys Soccer)	Berkeley High	General Fund	N/A	\$941.40	11/9/09	3/15/10
Craig Jackson	Coach (8 th Grade Boys Basketball)	Willard	BSEP	N/A	\$600.00	1/11/10	6/18/10
Franchesca Johnson	Coach (6 th Grade Girls Basketball)	Longfellow	BSEP	N/A	\$600.00	11/1/09	1/29/10
Wallace Johnson	Coach (8 th Grade Boys Basketball)	Longfellow	BSEP	N/A	\$600.00	12/1/09	2/26/10
John Leaks, Jr.	Coach (8 th Grade Boys Basketball)	King	After School	N/A	\$600.00	12/16/09	3/11/10
Booker Martin, III	Coach (8 th Grade Girls Basketball)	Longfellow	BSEP	N/A	\$600.00	11/1/09	1/29/10
Medi Shafic	Coach (Soccer)	Longfellow	BSEP	N/A	\$600.00	10/1/09	12/29/09
Jose Urista	Assistant Coach (Wrestling)	Berkeley High	General Fund	N/A	\$1660.80	11/8/09	3/15/10
Lindsay Walter	Coach (Soccer)	King	21 st Century	N/A	\$600.00	11/10/09	1/4/10

BERKELEY UNIFIED SCHOOL DISTRICT

TO: William Huyett, Superintendent
FROM: Javetta Cleveland, Deputy Superintendent
DATE: February 3, 2010
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. Expenditures are within budget.

- 1 ENGEO, Inc. to provide geotechnical testing and observation services for the West Campus Education Center Project. The cost will not exceed \$39,000. To be paid from the Bond Fund.
Requested by Lew Jones.

- 2 Upfront Programs to provide substance abuse prevention program and counseling services for B-Tech students from November 1, 2009 to June 30, 2010. The cost will not exceed \$25,000. To be paid from BSEP Fund 4, Title I and Homeless Program Grant.
Requested by Victor Diaz.

POLICY/CODE

Public Contract Code: 20111
Board Policy 3310

STAFF RECOMMENDATION

Approve the contracts with Consultants or Independent Contractors as submitted.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: William Huyett, Superintendent
FROM: Javetta Cleveland, Deputy Superintendent
DATE: February 3, 2010
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 suited by the Board.

The following donations have been presented to the District:

1. Salud B. Lang donated \$75 through the Wells Fargo Community Support Campaign to be utilized as needed to the Berkeley Unified General Fund.
2. Lifetouch National School Studios donated \$703.49 to Cragmont Elementary School; \$617.63 to Rosa Parks School; \$455.14 to Washington School to be utilized as needed and \$614.96 to Thousand Oaks School to be used for the Go Green Program.
3. The Wells Fargo Foundation donated \$1,000 to the Principal Discretionary Fund for counseling services at Berkeley Arts Magnet Elementary School and \$1,000 to the Site Discretionary Fund at Cragmont School.
4. M. L. King Jr. Middle School PTA donated \$7,967.85 to purchase 15 Epson Powerlite 57 Projectors for Martin Luther King Jr. Middle School.
5. Lushland, Inc. donated \$500 for the Dual Immersion Program at Cragmont Elementary School.
6. Emerson PTA donated \$458 to pay for the service contract for the Risograph machine at Emerson Elementary School.
7. Alan D. Ross donated \$500 to the Principal Discretionary Fund to be utilized as needed at Cragmont Elementary School.

BOARD POLICY

BP 3290

FISCAL IMPACT

The District received a total of \$ 13,892.07 in donations.

STAFF RECOMMENDATION

Accept the donations/gifts to the District and request staff to extend letter of appreciation.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: William Huyett, Superintendent
FROM: A. Kay Altizer, Executive Director of Special Education
DATE: February 3, 2010
SUBJECT: Approval of Master Agreement for Mingus Academy, a Non-public School

BACKGROUND INFORMATION

The District contracts with non-public schools for placement of special education students. The decision to enroll the student in a non-public program is based on the IEP team determination that the student's needs for academic success cannot be met by district programs. The District requests approval from the Board to enter into a Master Agreement with Mingus Academy, a non-public school.

This student was previously enrolled in Seneca but the placement was changed to a residential treatment facility (Mingus Academy). This decision was based on incidents at Seneca prior to November 2009 that posed a danger to others and to the student.

The cost of the educational program from November 11, 2009 through June 30, 2010 is \$23,750. The rate negotiated was based on SELPA or CDE approved rates for Fiscal Year 2009-2010.

POLICY/CODE

Education Code 39800

FISCAL IMPACT

\$23,750, funded by the Special Education Budget.

STAFF RECOMMENDATION

Approve Master Agreement for Mingus Academy for 2009-2010 School Year.