BERKELEY PUBLIC SCHOOLS  
Meeting Location: 1231 Addison Street, Berkeley CA 94702  
Phone: (510) 644-8764

BOARD OF EDUCATION – MEETING AGENDA  
Wednesday, November 5, 2014

_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._

El Distrito Escolar Unificado de Berkeley tiene la intención de proporcionar adaptaciones especiales en conformidad con el _Americans with Disabilities Act of 1990_ (Ley de Americanos con Discapacidades de 1990). Si usted desea una adaptación especial, por favor comuníquese con el personal de la Oficina del Superintendente 48 horas antes de la reunión al 510-644-6206.

**BOARD OF EDUCATION**  
Josh Daniels, President  
Judy Appel, Vice President  
Karen Hemphill, Director  
Beatriz Leyva-Cutler, Director /Clerk  
Julie Sinai, Director  
Jesse Barber, Student Director, BHS  
Carlos Ku-Ceja, Student Director, B Tech

**STAFF**  
Donald E. Evans, Ed.D., Superintendent/Secretary  
Javetta Cleveland, Deputy Superintendent  
Pasquale Scuder, Asst. Supt., Educational Services  
Delia Ruiz, Asst. Supt., Human Resources  
Liz O’Connell Gates, Interim Recorder

**BOARD OF EDUCATION MEETING AGENDA**

The Presiding Officer will call the meeting to order at 6:00 p.m. and begin Open Session at 7:30 p.m.

**Closed Session**

The Board may recess into Closed Session before or after the public meeting under the authority of the Brown Act (including but not limited to Government Code section 54954.5, 54956.8, 54956.9, 54957, 54957.6, as well as Education Code section 35146). Under Government Code section 54954.3, members of the public may address the board on an item on the Closed Session agenda, before Closed Session.

**CLOSED SESSION PUBLIC TESTIMONY**

Persons wishing to address the Board should fill out a green speaker card. **Cards turned in by 6:00 p.m. will be given priority.** Speakers will be randomly selected based on topic and position, with BUSD students generally given priority. Public Testimony is limited to **15 minutes with a 3-minute limit per speaker per topic** although the time allotted per speaker may be reduced to 2 minutes at the discretion of the President.

1. Public Employee Discipline/Dismissal/Release/Evaluation  
   a. Separation Agreement – Classified Employee  
2. Public Employment  
   a. Superintendent’s 2014-15 Evaluation  
   b. BHS Principal  
3. Conference with Legal Counsel - Anticipated Litigation
OPEN SESSION

Roll Call

Approve Agenda of November 5, 2014

Read Mission and Meeting Overview

Closed Session Report

OPEN SESSION PUBLIC TESTIMONY (1st opportunity)
Persons wishing to address the Board should fill out a green speaker card. **Cards turned in by 7:15 p.m. will be given priority.**

Speakers will be randomly selected based on topic and position, with BUSD students generally given priority. Public Testimony is limited to **30 minutes with a 3-minute limit per speaker per topic** although the time allotted per speaker may be reduced to 2 minutes at the discretion of the President.

Union Comments: Representatives from each union are given the opportunity to address the Board on any issue, 5 minutes per union. (Order rotates).

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Committee Comments: Representatives from District committees that include members of the public are given the opportunity to address the Board on any issue. 5 minutes per committee.

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<td>BSEP Program &amp; Oversight Committee</td>
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<td>Measure I Construction Bond Oversight Committee</td>
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<td>Measure H Oversight Committee</td>
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<td>Parent Advisory Committee</td>
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<td>District EL Advisory Committee</td>
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<td>PTA Council</td>
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<td>Audit Committee</td>
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Board Member and Superintendent Comments: Board members and the Superintendent are given the opportunity to address any issue.

<table>
<thead>
<tr>
<th>CONSENT CALENDAR – approval requested</th>
<th>PAGE</th>
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<tbody>
<tr>
<td>1 Approval to Advertise the Longfellow Cafeteria Project</td>
<td>9</td>
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<tr>
<td>2 Approval of an Increase in Contract with Dannis Woliver Kelley</td>
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<td>3 Approval/ratification of Out of State Travel and Overnight Field Trips</td>
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<td>4 Approval to Declare and Dispose of Surplus Instructional Materials</td>
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<tr>
<td>5 Approval of Master Contracts for Nonpublic School Services and Nonpublic Agency Services for the 2014-15 School Year</td>
<td>15</td>
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<td>6 Acceptance of Gifts/Donations</td>
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<td>7 Approval to Apply for Funding under the National Clean Diesel Rebate</td>
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Program 2014 School Bus Replacement Funding Opportunity

8 Approval of Human Resources Report 18
9 Approval of Board of Education Minutes: October 20, 2014 22
10 Approval of Surveillance Policy 27
11 Approval of Contracts and Purchase Orders 31

INFORMATION ITEMS

1 Facilities Plan Update 32
2 Williams Quarterly Report 45

DISCUSSION ITEMS

1 Enrollment and Capacity (20 min. pres., 40 min. disc.) 46
2 Recess and Restriction Policy (First Reading) (5 min. pres., 15 min. disc.) 74
3 Emergency Preparedness (15 min. pres., 15 min. disc.) 77
4 BSEP Measure Planning Update (15 min. pres., 15 min. disc.) 81

OPEN SESSION Public Testimony (2nd opportunity). Persons wishing to address the Board should fill out a green speaker card. Cards turned in for the earlier open session public testimony will be given priority. Speakers will be randomly selected based on topic and position, with BUSD students generally given priority. Public Testimony is limited to 15 minutes with a 3-minute limit per speaker per topic although the time allotted per speaker may be reduced to 2 minutes at the discretion of the President.

Extended Board Member and Superintendent Comments. Board members and the Superintendent are given the opportunity to address any issue.

Adjournment
**Berkeley Unified School District Mission:**
The Mission of the Berkeley Unified School District is to enable and inspire our diverse student body to achieve academic excellence and make positive contributions to our world.

**Berkeley Unified School District Vision:**
Our Students are curious and creative learners who succeed through personal initiative and sustained effort to reach high academic goals. They are critical thinkers who seek knowledge and possess technological competence and collaborative skills. Our students embrace diversity, act responsibly, and contribute to our community.

Our Educators believe that all students can meet or exceed rigorous academic standards. Teachers, staff, and administrators together form a rich professional learning community where all are supported to hone our professional craft and improve our effectiveness. Through the examination of our instructional practices and data, we adjust our teaching and operational systems in order to continuously improve. We are responsible in the stewardship of our fiscal resources and fair and equitable in their distribution.

Our Families and Community are integral to the success of our students and schools. Families are active, engaged partners in their child’s education who give valued input and participate in making important decisions about our academic and enrichment programs. Our diverse community is passionate about equitable educational outcomes for all students. Our civic and community organizations partner with us to promote family engagement and the well-being and success of our students.

Our Schools are vital centers of community life enriched by the diversity of our city and welcoming to all families. Each classroom offers engaging and culturally relevant curriculum that builds on students’ interests and abilities. Student needs, as identified by regular assessment, inform our teaching and guide appropriate and effective intervention services. We offer an enriched learning environment and a comprehensive system of supports to address the needs of the whole child.

**Values and Beliefs of Berkeley Unified School District:**
- Students are our priority.
- We take pride in our diversity.
- We hold high expectations for ourselves and our students.
- We treat each other with respect and act with integrity.
# BOARD MEMBER INFORMATION

<table>
<thead>
<tr>
<th>Name</th>
<th>Office Hours Dates &amp; Times</th>
<th>Office Hours Location</th>
<th>Priority (Primary)</th>
<th>Priority (Secondary)</th>
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<tr>
<td>Beatriz Leyva-Cutler (BL)</td>
<td>2nd Thursday 4:00-6:00</td>
<td>Casa Latina (1801 San Pablo Ave.)</td>
<td>Family Engagement</td>
<td>Common Core State Standards</td>
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<tr>
<td><a href="mailto:joshdaniels@berkeley.net">joshdaniels@berkeley.net</a></td>
<td>2nd Saturday – 1:00</td>
<td>Take 5 (3130 Sacramento St.)</td>
<td>Planning for Next BSEP Measure</td>
<td>Local Control &amp; Accountability Plan</td>
</tr>
<tr>
<td>Judy Appel (JA)</td>
<td>4th Saturday 1:00</td>
<td>Café Leila (1724 San Pablo Ave.)</td>
<td>Common Core State Standards</td>
<td>Family Engagement</td>
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<tr>
<td><a href="mailto:juliesinai@berkeley.net">juliesinai@berkeley.net</a></td>
<td>Monthly (see website for details)</td>
<td>Monthly (see website for details)</td>
<td>2020 Vision</td>
<td>Planning for Next BSEP Measure</td>
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<tr>
<td>Karen Hemphill (KH)</td>
<td>2nd Saturday 10:00-11:30</td>
<td>Café Leila (1724 San Pablo Ave.)</td>
<td>Local Control &amp; Accountability Plan</td>
<td>2020 Vision</td>
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<tr>
<td><a href="mailto:jessebarber@students.berkeley.net">jessebarber@students.berkeley.net</a></td>
<td>N/A</td>
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<tr>
<td>Carlos Ku-Ceja (CKC)</td>
<td>NA</td>
<td>N/A</td>
<td>Student Engagement</td>
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We, the members of the Berkeley School Board, encourage members of the public to contact us and share your ideas, thoughts, and concerns regarding our schools. You can contact us individuals via email or phone as detailed above and/or you can attend any of the office hours detailed above. You can also email the entire School Board directly at BoardofEd@berkeley.net.

Nosotros, los miembros de la Mesa Directiva de Berkeley, animamos a los miembros del público a comunicarse con nosotros y compartir sus ideas, pensamientos y preocupaciones con respecto a nuestras escuelas. Puede comunicarse con nosotros individuos vía correo electrónico o teléfono, indicados más arriba, y / o puede asistir a cualquiera de las horas de oficina detalladas arriba. También puede enviar un correo electrónico directamente a toda la Mesa Directiva a BoardofEd@berkeley.net.
# BOARD MEMBER COMMITTEE ASSIGNMENTS

To identify school board members by their initials, please see the "Board Member Information" page.

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<th>Committee</th>
<th>#</th>
<th>BL</th>
<th>JD</th>
<th>JA</th>
<th>JS</th>
<th>KH</th>
<th>LM</th>
<th>SW</th>
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</thead>
<tbody>
<tr>
<td>2x2 (<a href="mailto:deborahturner@berkeley.net">deborahturner@berkeley.net</a>)</td>
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<td>Audit (<a href="mailto:geraldinemorgan@berkeley.net">geraldinemorgan@berkeley.net</a>)</td>
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<tr>
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<tr>
<td>Construction Bond Oversight Committee (<a href="mailto:chantastevenson@berkeley.net">chantastevenson@berkeley.net</a>)</td>
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## BOARD MEMBER SCHOOL SITE LIAISON ASSIGNMENTS

To identify school board members by their initials, please see the "Board Member Information" page.

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**TOTALS**

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## 2014 BUSD School Board Calendar

### Regular Meeting Dates & Anticipated Topics

<table>
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<tr>
<th>Month</th>
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<td>Student Outcomes</td>
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<td><strong>February</strong></td>
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<td>Student &amp; Family Engagement</td>
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<td>Curriculum &amp; Course Access</td>
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BERKELEY UNIFIED SCHOOL DISTRICT

TO: Donald Evans, Ed.D., Superintendent
FROM: Lew Jones, Director of Facilities
DATE: November 5, 2014
SUBJECT: Approval to Advertise to Build a Café at Longfellow Middle School

BACKGROUND INFORMATION
On January 9, 2013, the Board approved a project to build a café at Longfellow Middle School. DSA has approved the project. The project is under the Project Labor Agreement (PLA) and will include an updated pre-qualification.

POLICY/CODE

FISCAL IMPACT
Cost to be paid from Measure I Funds.

STAFF RECOMMENDATION
Approve the advertisement to solicit bids for this project.
BERKELEY UNIFIED SCHOOL DISTRICT
RESOLUTION No. 15-018

Authorization to Advertise For Bids
127.1301 – Longfellow Café

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, engineering, materials, equipment and services required for Longfellow Café Project#127.1301 all in accordance with the plans and specifications prepared by and on file in the Berkeley Unified School District Facilities Planning Office; plans and specifications are hereby approved and adopted.

NOW, THEREFORE, BE IT RESOLVED and determined by the governing board of the District as follows:

a) The general prevailing rates of wages determined by the Director of the California Department of Industrial Relations, in accordance with Labor Code Section 1770, shall be the general prevailing rates of per diem wages for each craft or type of worker or mechanic needed to execute this contract;

b) This project will require contractor pre-qualification and pursuant to Public Contract Code Section 20111.5, only prequalified bidders will be eligible to submit a bid for this project;

c) This project will utilize a Project Labor Agreement;

BE IT FURTHER RESOLVED, that the Board authorizes and the Deputy Superintendent and/or Purchasing Agent are hereby authorized to advertise for proposals for the completion of this work in accordance with the law by publishing the Notice to Contractors in a newspaper of general circulation in the District.

PASSED AND ADOPTED by the Board of Education of the Berkeley Unified School District this 5th day of November, 2014 by the following called vote:

AYES: 
NOES: 
ABSENT: 
ABSTAIN:

________________________________________
Beatriz Leyva-Cutler
Clerk, Board of Education
Berkeley Unified School District

Public Contract Code: 20111
Board Policy: 3310
BERKELEY UNIFIED SCHOOL DISTRICT

TO: Donald Evans, Ed.D, Superintendent
FROM: Lew Jones, Director of Facilities
DATE: November 5, 2014
SUBJECT: Approve an Increased Contract with Dannis Woliver Kelley to Provide Legal Services for the Construction Program

BACKGROUND INFORMATION
The law firm of Dannis Woliver Kelley (DWK) was approved to provide legal services for the construction program on June 11, 2014. In the approval, staff requested authority of $170,000 based on recent history and stated that the amount should be sufficient provided there were no major lawsuits. The District had one major lawsuit which has now been settled. The cost to fight this lawsuit was only partially covered in the initial Board approval. Staff is requesting additional authority to continue to utilize the services of this firm to assist in construction matters.

POLICY/CODE
Board Policy 3310

FISCAL IMPACT
Cost to be paid from the Bond Funds. Costs will be in Measures AA and I.

STAFF RECOMMENDATION
Approve Dannis Woliver Kelly for an increase of $100,000.
BERKELEY UNIFIED SCHOOL DISTRICT

TO: Donald Evans, Ed.D., Superintendent
FROM: Pasquale Scuderi, Asst. Superintendent, Educational Services
DATE: November 5, 2014
SUBJECT: Out of State and Overnight Field Trips

BACKGROUND INFORMATION
The following out of state travel is being presented for ratification

2014 Courageous Leadership Summit October 25-29, 2014
Approval for Maggie Riddle, Director K-8 Schools, to travel to New Orleans, LA. For the five-day, four-night conference. The Summit for Courageous Conversation brings together dedicated leaders for racial equity from across the nation to engage in a deepened conversation about systemic racism and its impact on opportunity and achievement for all students. The Summit provides a unique space for collaborative exploration of the knowledge and skills needed to eliminate racial educational disparities. Registration, transportation, lodging and meals for this training were paid BSEP Funds. Requested by: Pasquale Scuderi

The following travel request is being requested

2014 NTSA Conference December 3-6, 2014
Approval for Achim Dangerfield, Chemistry Teacher, and Roger Smith-Truss, Science Teacher at B-Tech, to travel to Long Beach, CA for the four-day, three-night conference to join two longtime science education experts—Cynthia Passmore, associate professor at UC Davis and Kathy DiRanna, director of the K-12 Alliance at WestED—for a multifaceted and rich learning experience around NGSS and CCSS that the California Science Teachers Association (CSTA) and the National Science Teachers Association (NSTA) have developed for teachers this year. Registration, transportation, lodging and meals for this training were paid through the general Fund. Requested by: Sheila Quintana, Principal BTA

The following overnight field trips are being requested

Approve participation of twenty-five fifth grade students, two teachers, and four other adults from Malcolm X Elementary School on a three-day, two-night field trip to the Pigeon Point Lighthouse. The group will depart Malcolm X Elementary at 8:30 a.m. on Wednesday, February 18, and return at 2:20 p.m. on Friday, February 20, 2015. This field trip incorporates hands-on standards-based science and field work, including team and community building. Students will sleep in gender specific, hostel style cabins on the grounds. BUSD buses will provide transportation. The cost of $250 per student will be paid by parent and

C-3
PTA donations. No student will be denied access based on inability to pay. Requested by: Alex Hunt, Malcolm X Principal.

Approve participation of twenty-five fifth grade students, two teachers, and four other adults from Malcolm X Elementary School on a three-day, two-night field trip to the Pigeon Point Lighthouse. The group will depart Malcolm X Elementary at 8:30 a.m. on Wednesday, February 25, and return at 2:20 p.m. on Friday, February 27, 2015. This field trip incorporates hands-on standards-based science and field work, including team and community building. Students will sleep in gender specific, hostel style cabins on the grounds. BUSD buses will provide transportation. The cost of $250 per student will be paid by parent and PTA donations. No student will be denied access based on inability to pay. Requested by: Alex Hunt, Malcolm X Principal.

Approve participation of twenty-five fifth grade students, two teachers, and four other adults from Malcolm X Elementary School on a three-day, two-night field trip to the Pigeon Point Lighthouse. The group will depart Malcolm X Elementary at 8:30 a.m. on Wednesday, March 11, and return at 2:20 p.m. on Friday, March 13, 2015. This field trip incorporates hands-on standards-based science and field work, including team and community building. Students will sleep in gender specific, hostel style cabins on the grounds. BUSD buses will provide transportation. The cost of $250 per student will be paid by parent and PTA donations. No student will be denied access based on inability to pay. Requested by: Alex Hunt, Malcolm X Principal.

**POLICY/CODE**
Education Code 35330
Board Policy 6153

**FISCAL IMPACT**
As indicated above.

**STAFF RECOMMENDATION**
Ratify and approve the out of state travel and overnight field trips consistent with the District Policies and instructional programs.
BERKELEY UNIFIED SCHOOL DISTRICT

TO: Donald Evans, Ed. D., Superintendent
FROM: Javetta Cleveland, Deputy Superintendent
DATE: November 5, 2014
SUBJECT: Authorization to Declare and Dispose of Surplus Instructional Materials

BACKGROUND INFORMATION
The Curriculum and Instruction Department identifies obsolete textbooks and instructional materials that are of no foreseeable value to the District. These obsolete materials need to be declared surplus and disposed.

California Education Code and BUSD Policy provide that surplus instructional materials may be sold, donated to a charitable organization that agrees to use the materials for educational purposes. If no useful purpose can be found, the materials must be mutilated or destroyed.

With Board approval, staff will publish a Notice of Intention to Dispose of Surplus Instructional Materials and arrange disposal as required through the 2014 Calendar year.

POLICY/CODE
Ed Code 60510-60511
Board Policy 3270

FISCAL IMPACT
There is no cost to the District beyond the resources utilized to collect the materials, coordinate and document disposal.

STAFF RECOMMENDATION
Authorize the Deputy Superintendent to declare surplus and to dispose of unusable instructional materials in accordance with California Education Code.
BERKELEY UNIFIED SCHOOL DISTRICT

To: Donald Evans, Ed.D., Superintendent
From: A. Kay Altizer, Executive Director, Special Education
Date: November 5, 2014
Subject: Approval of Master Contracts for Nonpublic School Services and Nonpublic Agency Services for the 2014-15 School Year

BACKGROUND INFORMATION
The District contracts with nonpublic schools, when necessary to provide an appropriate placement, special education and/or related services if no appropriate public education program is available. For students requiring nonpublic school day programs, the cost is for tuition for the educational program and services. An individual service agreement (ISA) is developed for each student to whom the service provider is to provide special education or related services.

Transportation costs are included in the special education transportation budget. All nonpublic schools must be approved by the California Department of Education. Services are provided pursuant to Ed. Code Section 56034 and 56366. Students enrolled in nonpublic schools are deemed enrolled in public schools.

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<td>Children’s Learning Center-The Phillips Academy</td>
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<td>Anova-Center for Education</td>
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<td>$197,400.00</td>
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<table>
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<tr>
<th>Non Public Agency</th>
<th># of Students</th>
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<tbody>
<tr>
<td>Anova-Education and Behavior Consultation</td>
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<td></td>
<td>16</td>
<td>$695,645.50</td>
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</table>

POLICY/CODE
Education Code 39800
Board Policy 3310

FISCAL IMPACT
The fiscal impact of these services is estimated not to exceed $695,645.50 funded from the Special Education Budget.

STAFF RECOMMENDATION
Approve the Master Contracts for the Nonpublic Schools and Nonpublic Agency listed above.
BERKELEY UNIFIED SCHOOL DISTRICT

TO: Donald Evans, Ed.D., Superintendent
FROM: Javetta Cleveland, Deputy Superintendent
DATE: November 5, 2014
SUBJECT: Acceptance of Gifts/Donations

BACKGROUND INFORMATION
The Board may accept and utilize on behalf of the District 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. Walt Disney Company Foundation donated $2,000 to be utilized as needed for Washington School.

2. Elizabeth Anne Gazzano donated $3,500 to be utilized as needed for Washington School.

3. Freecause Inc. donated $12.50 for materials and supplies for Washington School.

4. Target donated $228.54 to be utilized as needed for Washington School.

5. Strawberry Creek Meeting of the Religious Society of Friends donated $1,500 for materials and supplies for Berkeley Technology Academy.

6. Whole Foods Market donated $7,777 for extra teacher collaboration time outside of their normal workday for the BUSD Gardening and Cooking Program.

7. MLK PTA donated $165.22 to reimburse BUSD for teachers’ supplies for King Middle School.

8. Philanthropic Ventures Foundation donated $1,000 to purchase materials for Malcolm X School.


BOARD POLICY
BP 3290

FISCAL IMPACT
The District received a total $17,653.26 in donations.

STAFF RECOMMENDATION
Accept the donations to the District and request staff to extend letters of appreciation.
BERKELEY UNIFIED SCHOOL DISTRICT

TO: Donald Evans, Ed.D., Superintendent
FROM: Javetta Cleveland, Deputy Superintendent
       Bernadette Cormier, Transportation Manager
DATE: November 5, 2014
SUBJECT: Approval to Apply for School Bus Replacement Rebate Funding under the U.S. EPA National Clean Diesel Rebate Program for 2014

BACKGROUND INFORMATION
The U.S. Environmental Protection Agency (EPA) Transportation and Climate Division in the Office of Transportation and Air Quality has announced its National Clean Diesel Rebate Program 2014 School Bus Replacement Funding Opportunity.

This program “will provide rebate incentives to selected eligible applicants to replace school buses powered by model year 2006 or older engines with new buses powered by a certified 2014 or newer model year engine, or operated solely on electricity. Eligible replacement school buses may operate on conventional diesel (ULSD), battery or hybrid drive trains, or alternative fuels.”

The Berkeley Unified School District continues to pursue funds that assist in maintaining a clean fuel fleet that complies with all current emissions standards. Our fleet includes buses that met the eligibility criteria under this funding program. Under this EPA Rebate Program, funds will be awarded in an amount of up to $25,000 each for a maximum of 5 eligible buses. The amount is determined by the Gross Vehicle Weight Rating (GVWR) of the vehicle.

In the coming months we will present to the Board an amended School Bus Replacement Plan and timeline. This presentation will clarify the school bus fleet status and needs going forward.

FISCAL IMPACT
Purchase new clean fuel buses to replace busses that need to be replace. Any awarded rebates will be applied following the completion of those purchases.

EDUCATIONAL IMPACT
Enhance student health and safety

STAFF RECOMMENDATION
Approve the application for School Bus Replacement Funding from the EPA to continue to fund cleaner fuel technologies through school bus replacement.
TO: Donald Evans, Ed.D., Superintendent
FROM: Delia Ruiz, Assistant Superintendent, Human Resources
DATE: November 5, 2014
SUBJECT: APPROVAL OF HUMAN RESOURCES REPORT
The following is submitted for approval.

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<th>Name</th>
<th>Classification (Temporary, Probationary or Permanent)</th>
<th>Position</th>
<th>FTE</th>
<th>Location</th>
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<tr>
<td>Landis, Thomas</td>
<td>Permanent</td>
<td>Microcomputer Technician</td>
<td>1.00</td>
<td>Technology</td>
<td>09/08/14</td>
<td>11/07/14</td>
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<td>Miconovich, Mario</td>
<td>Permanent</td>
<td>Accountant</td>
<td>1.00</td>
<td>Business Services</td>
<td>10/10/14</td>
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<td>Mitchell, Ariana</td>
<td>Permanent</td>
<td>Instructional Assistant, Special Ed., Attendant</td>
<td>0.73</td>
<td>King Middle</td>
<td>10/02/14</td>
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<td>Mitchell, Lasha</td>
<td>Permanent</td>
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<td>0.37</td>
<td>LEARNS at</td>
<td>09/22/14</td>
<td>10/17/14</td>
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<td>Staples, Jonathan</td>
<td>Permanent</td>
<td>Maintenance Supervisor</td>
<td>0.20</td>
<td>Maintenance</td>
<td>09/16/14</td>
<td>09/16/15</td>
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<td>Tobias, Minnie</td>
<td>Permanent</td>
<td>Instructional Assistant, Special Ed., Specialized Health Care</td>
<td>0.80</td>
<td>Berkeley High</td>
<td>10/06/14</td>
<td>06/30/15</td>
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<tr>
<td>Vernae, Sharon</td>
<td>Permanent</td>
<td>Sr. Personnel Assistant</td>
<td>1.00</td>
<td>Human Resources</td>
<td>06/16/14</td>
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<td>White, Craig</td>
<td>Permanent</td>
<td>School Safety Officer</td>
<td>1.00</td>
<td>Berkeley High</td>
<td>08/26/14</td>
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<tr>
<td>Barrios, Rosalina</td>
<td>Probationary</td>
<td>Senior Records Clerk</td>
<td>1.00</td>
<td>Willard Middle</td>
<td>10/01/14</td>
<td>*</td>
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<tr>
<td>Peranda, Cuauhtemoc</td>
<td>Probationary</td>
<td>Instrucional Specialist,</td>
<td>0.24</td>
<td>Cragmont</td>
<td>10/09/14</td>
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<tr>
<td>Jensen, Susanne</td>
<td>Permanent</td>
<td>Instructional Specialist, Cooking</td>
<td>0.73</td>
<td>Willard Middle</td>
<td>10/01/14</td>
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# CLASSIFIED EMPLOYEES

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<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>FTE</th>
<th>Location</th>
<th>Date (From)</th>
<th>Date (To)</th>
<th>Notes</th>
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<tr>
<td>De La Torre, Rafael</td>
<td>Probationary Custodian II</td>
<td>1.00</td>
<td>Emerson</td>
<td>10/08/14</td>
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<tr>
<td>Kirwin, David</td>
<td>Probationary Plant Operations Manager</td>
<td>1.00</td>
<td>Berkeley High</td>
<td>10/01/14</td>
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<tr>
<td>Walker, Eric</td>
<td>Probationary Instructional Assistant, Special Ed. Attendant</td>
<td>0.80</td>
<td>Jefferson</td>
<td>10/13/14</td>
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<tr>
<td>Yoc-Cojon, Marcos</td>
<td>Probationary Lead Tradesworker</td>
<td>1.00</td>
<td>Maintenance</td>
<td>10/20/14</td>
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## LIMITED TERM/PROVISIONAL

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<tr>
<th>Name</th>
<th>Position</th>
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<th>Date (From)</th>
<th>Date (To)</th>
<th>Notes</th>
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<tr>
<td>Foster, Kathyrina</td>
<td>Provisional Instructional Technician</td>
<td>0.53</td>
<td>LEARNS a: Washington</td>
<td>10/06/14</td>
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<tr>
<td>Glover, David</td>
<td>Provisional Instructional Assistant, ECE</td>
<td>0.40</td>
<td>BEARS at John Muir</td>
<td>10/01/14</td>
<td>TBD</td>
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<td>Jasso, Reyna</td>
<td>Provisional Instructional Technician</td>
<td>0.47</td>
<td>LEARNS at LeConte</td>
<td>10/11/14</td>
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<td>Kelly, Wanda</td>
<td>Provisional Clerical Assistant II</td>
<td>1.00</td>
<td>B-Tech</td>
<td>10/06/14</td>
<td>NTE 90 days</td>
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<tr>
<td>Leja, Irene</td>
<td>Provisional Instructional Technician</td>
<td>0.53</td>
<td>LEARNS at LeConte</td>
<td>09/24/14</td>
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<tr>
<td>Moscoso, Yesi</td>
<td>Provisional Instructional Assistant, Special Ed. Attendant</td>
<td>0.60</td>
<td>LeConte</td>
<td>10/14/14</td>
<td>TBD</td>
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<tr>
<td>Reid, Anne</td>
<td>Limited Term School Services Assistant</td>
<td>0.40</td>
<td>Thousand Oaks</td>
<td>10/07/14</td>
<td>TBD</td>
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<tr>
<td>Tong, Paul</td>
<td>Provisional Instructional Technician</td>
<td>0.43</td>
<td>LEARNS at LeConte</td>
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<td>Zemach, Amielle</td>
<td>Provisional Instructional Technician</td>
<td>0.10</td>
<td>LEARNS at King Middle</td>
<td>09/17/14</td>
<td>TBD</td>
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*Upon completion of six work months
**Upon completion of one work year
BERKELEY UNIFIED SCHOOL DISTRICT

Minutes, Regular Meeting
Wednesday, October 8, 2014
Berkeley Unified School District
2020 Bonar Street
Berkeley CA  94702

Roll Call
Josh Daniels, President, Yes
Judy Appel, Vice President, Yes
Karen Hemphill, Director, Excused Absence
Beatriz Leyva-Cutler, Director /Clerk, Yes
Julie Sinai, Director, Yes
Jesse Barber, Student Director, BHS, Yes
Carlos Ku-Ceja, Student Director, B Tech, Yes

President Josh Daniels called the meeting to order at 7:35. He said the earlier, closed session began at 6:02 p.m.

Report from Closed Session
President Josh Daniels reported on the following four items:
1. Collective Bargaining
   Board members discussed negotiations between BCCE and BUSD.
   This item was pulled from the closed-session agenda.
3. Parent Complaint against District Employees (Gov. Code 54957) (b)
   After some discussion, Board Members authorized President Daniels to respond.
4. Superintendent’s Evaluation 2014
   This was discussed.

Roll Call
President Daniels:  Yes
Vice-President Appel: Yes
Director Hemphill: Yes
Director Leyva-Cutler: Yes
Director Sinai: Yes
Student Director Jesse Barber: Yes
Student Director Carlos Ku-Ceja: Yes

Approve Agenda of October 8, 2014
President Daniels requested that the order of discussion items 1 and 2 be reversed.

Motion to Approve the Amended Agenda of October 8, 2014
Barber/Sinai and approved unanimously 7-0
President Daniels: Yes
Berkley City College’s 40th Anniversary Celebration - Friday, October 17th, 4-6 p.m.  
*Berkley City College President Deborah Budd*

Superintendent Evans introduced President Deborah Budd and invited her to address the Board. President Budd said BCC was celebrating its 40th year. Budd noted that among California’s one-hundred-and-twelve community colleges, BCC was number one in student transfer acceptance rates to UC Berkeley and number two in student transfer rates to Northern California UCs. President Budd stressed that BCC was not only a great option for college students’ first two years of study, but it was also a learning community where high school students could concurrently enroll in college level classes. She invited all to a celebratory event of food, art, and music at BCC, on Friday, October 17th, 4:30 p.m.-7:30 p.m.

Open Session Public Testimony (1st Opportunity)

Enrollment and Capacity at BUSD

*Twenty* people addressed the School Board.

Parents and community members representing Cragmont, Longfellow, Malcolm X, Oxford, and Washington voiced concerns about the accuracy of BUSD’s demographic data; the District’s staffing formula, equity in resource allocation, growing class size, loss of enrichment spaces, fraudulent enrollment, bubble classes, and the need for more special-education staff and literacy coaches.

Parent Claims Brown Act Violation

A Berkeley High School (BHS) parent said he attended a September 2014 meeting at BHS with other parents, teachers, students, and administrators. He said during the meeting a vote took place to allocate monies for advanced classes. The speaker complained that he neither saw the item voted on written on an agenda, nor did he see a meeting agenda publically posted seventy-two hours prior to the meeting as is required by the Brown Act. The speaker said it was his understanding that only the School Board had authority to allocate public funds, and therefore he wanted the allocated money returned and the issue brought before the Board.

Petition for the Board to Support a Youth Wellness Program for High School Students

*Executive Director Hope McDonnell, United for Health*

The Executive Director said BUSD and B Tech students, principals, teachers, and staff had asked her to address the Board in hopes of garnering support for the establishment of a wellness program focusing on students who are coping with issues related to trauma, violence, mental health, and chemical dependency. She said United for Health had served Berkeley for over twenty years with its acupuncture and wellness services and could counsel eighty students, five-days-a-week, for the school year. The Director concluded her remarks by saying the treatments provided quick results and were affordable.
Union Comments
*Cathy Campbell, President, Berkeley Federation of Teachers*
BFT President Campbell made three points:

1. No matter what timeline the Board chose to elucidate and resolve Enrollment and Capacity challenges, teachers and parents wanted all options kept open for school year 2016/17. Campbell said the Board needed to make decisions about medium and long-range solutions by March 2015.
2. Given the high level of interest in this topic, this item should be placed earlier in the agenda in future Board Meetings so more teachers could attend.
3. BUSD needed to address the issue of proportional resources for schools. Campbell said that with the passage of Proposition 30, there was growing base revenue and now was the time to look at all eleven sites and to create a staffing formula that gave people predictability, created transparency, and allowed the Board and staff to be proactive rather than reactive.

PTA Council
*Amy Pulich, PTA Council, Vice President of Legislative and District Advocacy*
Pulich, a former Washington parent, said she had joined the PTA and had undertaken a data study that examined over-enrollment and overcrowding because she was interested in educational equity. She asked the Board for its support in getting district-wide data from PTA presidents and principals, as she had had difficulty getting it in the past.

Board Member Administrative/Operational Items:

**President Josh Daniels**  
Office Hours: 1:00 p.m., Saturday, October 18th, Take 5 Café, 3130 Sacramento Street.

**Vice President Judy Appel**  
Office Hours: 1 p.m. on 4th Saturdays, Café Leila, 1724 San Pablo Ave.

**Director Karen Hemphill**  
Office hours: 10 a.m., Saturday, October 11, at Café Leila, 1724 San Pablo Ave.

**Director Beatriz Leyva-Cutler**  
Office hours: 4 p.m. – 6:00 p.m., Thursday, October 9, at Casa Latina, 1801 San Pablo.

**Director Julie Sinai**  
Office hours: 4:30 – 6:30, Thursday, October 16, at Roma Espresso located at Hopkins and Monterey.

**Enrollment and Capacity – Discussion Item Number 2**  
*Assistant Superintendent Pasquale Scuderi and Facilities Director Lew Jones*
Superintendent Evans introduced the speakers and set the stage for their presentation by explaining that an influx of young families in the South and Central zones had resulted in robust and unexpected growth in school populations. Doctor Evans said during tonight’s presentation, staff would lay out BUSD’s elementary school enrollment and capacity challenges. The Superintendent said the evening’s discussion would focus solely on issues
and challenges whereas a November 5th meeting would highlight preliminary ideas for options and remedies.

Assistant Superintendent Scuderì began the presentation by saying he and Director Lew Jones agreed that educational programming needs would drive the demand for facilities. He said there would be no compromises or short cuts when it came to delivering BUSD’s educational program to students.

A detailed presentation, discussion, and questions followed. The Board directed staff to provide answers to the questions, if able, and provide them to the public at an upcoming board meeting.

**Update on English Learner (EL) Master Plan**

Debbi D’Angelo, Director of Evaluation and Assessment, Maggie Riddle, Director of Schools, Pat Saddler, Director of Special Projects and Programs, Veronica Valerio, Principal, Le Conte, and Diederich Bonemeyer, EL Teacher on Special Assignment

Director Beatriz Leyva-Cutler introduced the evening’s speakers. Then Pat Saddler began the presentation by saying that the guiding principle behind the EL master plan was BUSD’s mission of ensuring that all students received an education that promoted academic success and inspired students to be contributing citizens as they grew up, matured, and entered the work force.

**Saddler explained that the EL plan had five key goals:**

1. Identification and initial assessment of all non-English speaking students.
2. EL programs available at all grades.
3. Staffing for services.
4. Professional Development for staff.
5. Opportunities for parent involvement.

The presentation continued and was followed by discussion and questions.

**Motion to Extend the Meeting**

Vice President Judy Appel moved to extend the meeting to 11:20 p.m.

**Appel/Daniels** and approved unanimously 7-0

President Daniels: Yes
Vice-President Appel: Yes
Director Hemphill: Yes
Director Leyva-Cutler: Yes
Director Sinai: Yes
Student Director Jesse Barber: Yes
Student Director Carlos Ku-Ceja: Yes
Motion to Approve the Consent Calendar

Appel/Hemphill Approved unanimously 7-0

President Daniels: Yes
Vice-President Appel: Yes
Director Hemphill: Yes
Director Leyva-Cutler: Yes
Director Sinai: Yes
Student Director Jesse Barber: Yes
Student Director Carlos Ku-Ceja: Yes

Meeting adjourned at 11:19 p.m.

______________________________
Beatriz Leyva-Cutler, Clerk
Board of Education
BERKELEY UNIFIED SCHOOL DISTRICT

TO: Dr. Donald Evans, Superintendent
FROM: Susan Craig, Director, Student Services
DATE: November 5, 2014
SUBJECT: Proposed Policy on the Use of Surveillance Cameras

BACKGROUND INFORMATION
On January 15, 2014, the Board received the reports and recommendations from the District’s Safety Audit. One of the recommendations considered was to install surveillance camera systems at all BUSD schools (BUSD currently has surveillance cameras at all middle schools, high schools, the adult school, and at a few elementary schools) which could be used for live review in the event that an immediate and significant safety threat occurs at a school.

The proposed policy has been reviewed by District staff and high school leadership students for input regarding privacy concerns related to the use of surveillance video.

Attached is the proposed Board policy (3515) for the use of surveillance cameras for the Board’s consideration.

POLICY/CODE
Education Code 3515

FISCAL IMPACT
None

STAFF RECOMMENDATION
Approve the proposed policy.
Berkeley Unified School District
BP 3515

Use of Surveillance Cameras
The Governing Board is committed to providing a school environment that promotes the safety of students, employees, and visitors to school grounds. The Board also recognizes the importance of protecting District property, facilities, and equipment from vandalism and theft.

Accordingly, the Superintendent or designee shall develop campus security procedures which are consistent with the goals and objectives of the District’s comprehensive safety plan and site-level safety plans. Such procedures shall be regularly reviewed to reflect changed circumstances and to assess their effectiveness in achieving safe school objectives.

The Board believes that reasonable use of surveillance cameras will help the District achieve its goals for campus security. In consultation with industry experts, staff, and relevant public agencies, the Superintendent or designee shall identify appropriate locations for the placement of surveillance cameras. Cameras shall not be placed in areas where students, staff, or community members have a reasonable expectation of privacy. Cameras may be used to monitor buildings, exterior campus areas, including but not limited to; parking lots, perimeters, walkways, entrance and exit doors, interior hallways, large open interior spaces, picnic areas, foyers, lobbies, gymnasiums, school buses, athletic fields, stadiums, and other areas the Superintendent deems appropriate. The Superintendent shall notify the board if he/she designates locations for cameras in areas deemed appropriate other than those specifically identified in this paragraph.

Video Surveillance in work or office spaces shall be limited only to locations the Superintendent deems necessary for the safety and security of the District. The Superintendent shall notify the Board if a camera is installed in a work or office space.

Any audio capability on the District’s surveillance equipment shall be disabled so that sounds are not recorded.

Prior to the operation of the surveillance system, the Superintendent or designee shall ensure that signs are posted at one entry per building at affected school buildings grounds, or other appropriate locations. These signs shall inform students, staff, and visitors that surveillance may occur. The Superintendent or designee shall also provide prior written notice to students and parents/guardians about the District’s surveillance system, including the sites where surveillance may occur, explaining that the recordings may be used in disciplinary proceedings, and that matters captured by the camera may be referred to local law enforcement, as appropriate under Board policy or law.

Students and staff shall not tamper or interfere with video camera equipment.
Video images obtained by the District shall be viewed by the Superintendent or
designee as necessary. The District may rely on the images obtained by the video
surveillance cameras in connection with the enforcement of Board policy,
administrative regulations, building rules and other applicable law including but not
limited to student and staff disciplinary proceedings and matters referred to local law
enforcement agencies in accordance with Board policy and applicable law. Video
images may become part of a student’s educational record.

A video image of an identifiable pupil that is being maintained by the District is
considered a pupil record for the specific student for whom it is being maintained. The
video image may be shown to the following entities without prior parental consent,
subpoena, or court order under the following conditions:

1. The image has been viewed by the Superintendent, or designee, at the request of a
school principal or District administrator.

2. A judge, probation officer, or district attorney who is participating in or conducting
a truancy mediation program, or is participating in the presentation of evidence in a
truancy petition.

3. The district attorney’s office for consideration against a parent or guardian for
failure to comply with the Compulsory Education Law.

4. A probation officer, district attorney, or counsel of record for a minor for purposes of
conducting a criminal investigation or an investigation in regards to declaring a person
a ward of the court or involving a violation of a condition of probation.

5. Appropriate persons in connection with an emergency if the knowledge of the
information is necessary to protect the health or safety of a pupil or other person.

6. A video image depicting an identifiable pupil, after determination by the
Superintendent, or designee as appropriate for disclosure, may be also shown to a
peace officer identified to the District by the officer’s agency in writing in connection
with an active investigation because of probable cause the pupil has been kidnapped
and that his or her abductor may have enrolled the pupil in a school or if there is
reason to believe that there is an emergency in which providing the information to a
peace officer is necessary to protect the health or safety of the pupil or other
individuals.

7. School Resource Officers assigned to a particular school or district, may view video
images when there is a reasonable suspicion that the image depicts an event or action
related to a crime or violation of school rules, or the image depicts a situation
constituting a health or safety emergency requiring immediate action to protect the
pupil or other individuals.

Video images of an identifiable pupil, that are not maintained by the district, are not
considered student records and may be released to law enforcement for any reason. To
the extent that any images from the District’s surveillance system create a student or
personnel record, the Superintendent or designee shall ensure that the images are
accessed, retained, and disclosed in accordance with law, Board policy, administrative regulation, and any applicable collective bargaining agreements.

Video recordings and images of students captured on security video recording devices that are maintained by Berkeley Unified School District are considered pupil records under the Education Code and education records under FERPA. Accordingly, these video images may be shared with parents or students whose images are on the video and with outside law enforcement authorities, as required by law and deemed appropriate by the Superintendent or designee. Video recordings not saved for student or personnel records, or for law enforcement proceedings, will be destroyed after there has been an opportunity to review the recordings, but in no instance will this time exceed ninety (90) days.

Images captured by District video surveillance equipment may be used in personnel disciplinary proceedings or cases of suspected criminal activity by an employee.

The Superintendent, or designee, may authorize monitoring of live video feeds from District surveillance cameras after determining all of the following:

1. A dire emergency is present which is defined as a violent attack, crippling natural or human made disaster, mass destruction, terrorist activity, or threatened terrorist act that poses immediate and significant peril.

2. The incident creates a clear and present danger of psychological harm or injury to students, staff, or visitors present.

3. The incident or threat is continuing.

4. The nature of the incident is of such magnitude that an immediate call for law enforcement or other public safety personnel presence is warranted.

Such monitoring of live video shall be only in the presence of the Superintendent, or designee(s), and public safety personnel.

This Policy does not apply to surveillance cameras placed by any law enforcement agency including the district attorney, the sheriff’s office, the highway patrol, the city police, or any state or federal law enforcement agency. These agencies are governed by laws and regulations pertaining to the activities of the agency.

Adopted: November 5, 2014
BERKELEY UNIFIED SCHOOL DISTRICT

TO:                     Donald Evans, Ed. D., Superintendent
FROM:                   Javetta Cleveland, Deputy Superintendent
DATE:                   November 5, 2014
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. The Mosaic Project to provide food, lodging and curriculum
   for 54 students while on a field trip to the Mosaic. The cost
   will not exceed $13,220. To be paid from Restricted
   Donations. Requested by Hazelle Fortich.

2. Graphic Business Forms to provide Emergency Standard
   Operating Procedures Booklet for the district. The cost will
   not exceed $13,732. To be paid from the General Fund.
   Requested by Bernadette Cormier.

3. Pro Safe to provide layout map for the Emergency Operations
   Center in the Board Room building. Pro Safe will also draw,
   frame and attach building evacuation drawings for BUSD
   school sites. The cost will not exceed $49,300. To be paid
   from the General Fund. Requested by Bernadette Cormier.

POLICY/CODE
Public Contract Code: 20111
Board Policy 3310

FISCAL IMPACT
None

STAFF RECOMMENDATION
Approve the contracts with Consultants or Independent Contractors
as submitted.
BERKELEY UNIFIED SCHOOL DISTRICT

TO: Donald Evans, Ed.D., Superintendent
FROM: Lew Jones, Director of Facilities
DATE: November 5, 2014
SUBJECT: Facilities Plan Update

BACKGROUND INFORMATION
This report is an update of the Facilities Construction Plan approved by the Board on March 12, 2014. Data in this report are current as of October 27, 2014. This report includes updates of all active construction projects. Maintenance projects are detailed in the Maintenance Quarterly Reports.

ELEMENTARY SCHOOLS

Emerson
Project Type: Grounds Improvement
Date Approved by Board: March 13, 2013
Funding Source: Measure AA
Public Process: Two Community meetings and three Site Committee Meetings were held. The site was involved in architect selection.
Schematic Approval Date: January 15, 2014
Design Team: Miller Company
Project Manager: Turner
General Contractor: Redwood Engineering
Current Project Budget: $253,000
Adjustment to Budget: $0. There was a $6,000 inflation adjustment on January 15, 2014, a $21,000 increase on April 23, 2014, a $9,000 decrease on September 10, 2014 and a $18,000 decrease on October 22, 2014.
Schedule: Fall 2013 Approve project manager and designer Winter 2013/14 Design finalize Spring 2014 Bid and award Summer 2014 Construction
Status: Punch List
Issues: None
Completion Date: October 2014
Changes since last report: The fiberglass backboard was installed. The final punch list back-check is scheduled for October 28th.
Lessons learned: In the future, the District may want to carve out
some of the allocation to cover needed exterior infrastructure improvements.

LeConte
Project Type: Modernization
Date Approved by Board: January 15, 2014
Funding Source: Measure I
Public Process: Three Site Committee Meetings are planned. The site was involved in architect selection.
Schematic Approval Date: June 2014
Design Team: WLC Architects
Project Manager: Van Pelt
General Contractor: To Be Determined
Current Project Budget: $1,611,000
Adjustment to Budget: None.
Schedule: Spring 2014 Approve project manager and designer
Fall 2014 Design finalized
Spring 2015 Bid and award
Summer 2015 Construction
Status: Permit
Issues: None
Completion Date: October 2015
Changes since last report: Construction Documents are 100% complete and have been submitted to DSA.
Lessons learned: None.

John Muir
Project Type: Grounds Improvement
Date Approved by Board: March 13, 2013
Funding Source: Measure AA
Public Process: Two Community meetings and three Site Committee Meetings were held. The site was involved in architect selection.
Schematic Approval Date: January 15, 2014
Design Team: Carducci
Project Manager: Turner
General Contractor: Redwood Engineering
Current Project Budget: $465,000
Adjustment to Budget: $40,000. There was a $6,000 inflation adjustment on January 15, 2014, a $65,000 increase on April 23, 2014, a $16,000 decrease on September 10, 2014 and a $15,000 decrease
on October 22, 2014.

Schedule: Fall 2013 Approve project manager and designer
Winter 2013/14 Design finalize
Spring 2014 Bid and award
Summer 2014 Construction

Status: Punch List

Issues: None

Completion Date: November 2014

Changes since last report: The striping was completed. A final back-check of the punch list is being scheduled.

Lessons learned: In the future, the District may want to carve out some of the allocation to cover needed exterior infrastructure improvements.

Project Type: Modernization

Date Approved by Board: January 15, 2014

Funding Source: Measure I

Public Process: Three Site Committee Meetings were held. The site was involved in architect selection.

Schematic Approval Date: June 11, 2014

Design Team: Baker Vilar Architects

Project Manager: Van Pelt

General Contractor: To Be Determined

Current Project Budget: $2,061,000

Adjustment to Budget: None

Schedule: Spring 2014 Approve project manager and designer
Fall 2014 Design finalize
Spring 2015 Bid and award
Summer 2015 Construction

Status: Permit

Issues: None

Completion Date: October 2015

Changes since last report: Construction Documents are 100% complete and have been submitted to DSA. The meeting with maintenance was held.

Lessons learned: None

Malcolm X and Longfellow

Project Type: Painting, Flooring, and Stucco Replacement

Date Approved by Board: March 12, 2014

Funding Source: Measure I
Public Process: None Planned
Schematic Approval Date: None Planned
Design Team: WLC Architects
Project Manager: Van Pelt
General Contractor: To Be Determined
Current Project Budget: $1,925,000
Adjustment to Budget: None
Schedule: Spring 2014 Approve project manager and architect
Fall 2014 Finalize design
Spring 2015 Bid and award
Summer 2015 Construction

Status: Permit
Issues: None
Completion Date: October 2015
Changes since last report: Construction Documents are 100% complete and have been submitted to DSA.

Lessons learned: None

Cragmont
Project Type: Roof and Solar
Date Approved by Board: March 12, 2014
Funding Source: Measure I
Public Process: None Planned
Schematic Approval Date: None Planned
Design Team: HY Architects
Project Manager: Van Pelt
General Contractor: To Be Determined
Current Project Budget: $1,521,000
Adjustment to Budget: None
Schedule: Spring 2014 Approve project manager and architect
Fall 2014 Finalize design
Spring 2015 Bid and award
Summer 2015 Construction

Status: Permit
Issues: None
Completion Date: October 2015
Changes since last report: The meeting with maintenance was held. We expect comments from DSA in November.

Lessons learned: None
Washington and BAM

Project Type: Portable Replacement
Date Approved by Board: January 9, 2013
Funding Source: Measure AA
Public Process: Five Site Committee meetings at Washington and four at BAM. Two Community Meetings at Washington and one at BAM. In addition, there were several informational meetings at Washington.

Schematic Approval Date: September 11, 2013
Design Team: HKIT Architects
Project Manager: Van Pelt
General Contractor: Bay Construction
Current Project Budget: $2,495,000
Adjustment to Budget: $(50,000). There was an increase of $145,000 to add sinks on September 11, 2013, a decrease of $70,000 because the King project was removed from the plan (and that money was reserved for the planned demolition), an increase of $38,000 on April 23, 2014 and a decrease of $166,000 on September 10, 2014.

Schedule:
Winter 2012/13 Approve project manager and architect
Fall 2013 Complete Schematic design
Winter 2013/2014 Finalize design
Spring 2014 Bid and award
Summer 2014 Construction

Status:
Punch List

Issues:
Reconfiguration of portables, particularly at Washington and an interest in a more permanent solution to the street closure at Washington. The Board decided to consider the matter in September rather than June, which made the schedule very tight.

Completion Date:
November 2014

Changes since last report:
The punch list is approximately 95% complete.

Lessons learned:
Better outreach efforts may have minimized concerns.

BAM (Whittier)

Project Type: Grounds Improvement
Date Approved by Board: March 12, 2014
Funding Source: Measure AA
Public Process: Two Community meetings and three Site Committee Meetings will be held. The site was involved in architect selection.

Schematic Approval Date: January 15, 2014
Design Team: Carducci Associates
Project Manager: Van Pelt
General Contractor: TBD
Current Project Budget: $431,000
Adjustment to Budget: None.
Schedule: Summer 2014 Approve project manager; Fall 2014 approve designer; Winter 2014/15 Design finalize; Spring 2015 Bid and award; Summer 2015 Construction

Status: Design
Issues: None
Completion Date: October 2015
Changes since last report: The architect was approved by the Board. Two Site Committee Meetings were held. The second set of postcards was mailed.

Lessons learned: None.

Jefferson
Project Type: Expand Classes/Modernize.
Date Approved by Board: April 27, 2011
Funding Source: Measure I
Public Process: Seven Site Committee meetings and four Community Meetings were held. The site was involved in architect selection.

Schematic Approval Date: March 7, 2012
Design Team: WLC Architects
Project Manager: Turner
General Contractor: BHM
Current Project Budget: $9,783,000
Adjustment to Budget: $2,547,000. Increased allocation and inflation adjustment on January 11, 2012 ($472,000), approval for structural review ($80,000) on September 12, 2012, approval of structural upgrade on October 24, 2012 ($1,400,000), inflation adjustment on January 9, 2013 ($184,000), increase when the bids was awarded on May 8, 2013 ($611,000), release of some
contingencies on September 10, 2014 ($100,000), and release of additional
ccontingencies on October 22, 2014 ($100,000).

Schedule:
- Summer 2011 Architect Hired
- Winter 2011/12 Board approval of schematic design
- Fall 2012 Project submitted to DSA
- Winter 2012/13 DSA approval, project bid
- Late Spring 2013 Construction begins

Status:
- Punch List

Issues:
- Project started slowly due to competing pressures at the school.
- The track is done. All the planting has been installed. The punch list is 95% complete.
- There has been some concern about outreach efforts. Regular updates may help alleviate this concern.

Lessons Learned:
- Grounds Improvement

Project Type: Grounds Improvement
Date Approved by Board: March 12, 2014
Funding Source: Measure AA
Public Process: Two Community meetings and three Site Committee Meetings will be held. The site was involved in architect selection.

Schematic Approval Date: January 15, 2014
Design Team: Carducci Associates
Project Manager: Van Pelt
General Contractor: TBD
Current Project Budget: $431,000
Adjustment to Budget: None.
Schedule:
- Summer 2014 Approve project manager; Fall 2014 approve designer
- Winter 2014/15 Design finalize
- Spring 2015 Bid and award
- Summer 2015 Construction

Status:
- Design

Issues:
- None

Completion Date:
- October 2015

Changes since last report:
- The architect was approved by the Board. Two Site Committee Meetings were held. The second set of postcards was mailed.

Lessons learned:
- None.
# MIDDLE SCHOOLS

**King**

<table>
<thead>
<tr>
<th><strong>Project Type:</strong></th>
<th>Modernization of the Gymnasium</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Date Approved by Board:</strong></td>
<td>January 15, 2014</td>
</tr>
<tr>
<td><strong>Funding Source:</strong></td>
<td>Measure I</td>
</tr>
<tr>
<td><strong>Public Process:</strong></td>
<td>Three Site Committee Meetings were held.</td>
</tr>
<tr>
<td><strong>Schematic Approval Date:</strong></td>
<td>June 11, 2014</td>
</tr>
<tr>
<td><strong>Design Team:</strong></td>
<td>Baker Vilar Architects</td>
</tr>
<tr>
<td><strong>Project Manager:</strong></td>
<td>Van Pelt</td>
</tr>
<tr>
<td><strong>General Contractor:</strong></td>
<td>To Be Determined</td>
</tr>
<tr>
<td><strong>Current Project Budget:</strong></td>
<td>$1,654,000</td>
</tr>
<tr>
<td><strong>Adjustment to Budget:</strong></td>
<td>None.</td>
</tr>
</tbody>
</table>
| **Schedule:** | Spring 2014 Approve project manager and designer  
Fall 2014 Design finalize  
Spring 2015 Bid and award  
Summer 2015 Construction |
| **Status:** | Permit |
| **Issues:** | None |
| **Completion Date:** | October 2015 |
| **Changes since last report:** | Construction Documents are 100% complete and have been submitted to DSA. The meeting with maintenance was held. |

**Lessons learned:** None.

**Longfellow**

<table>
<thead>
<tr>
<th><strong>Project Type:</strong></th>
<th>New Cafeteria</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Date Approved by Board:</strong></td>
<td>January 9, 2013</td>
</tr>
<tr>
<td><strong>Funding Source:</strong></td>
<td>Measure I</td>
</tr>
<tr>
<td><strong>Public Process:</strong></td>
<td>There have been seven Site Committee meetings and two Community meetings.</td>
</tr>
<tr>
<td><strong>Schematic Approval Date:</strong></td>
<td>June 26, 2013</td>
</tr>
<tr>
<td><strong>Design Team:</strong></td>
<td>HKIT</td>
</tr>
<tr>
<td><strong>Project Manager:</strong></td>
<td>Van Pelt</td>
</tr>
<tr>
<td><strong>General Contractor:</strong></td>
<td>To Be Determined</td>
</tr>
<tr>
<td><strong>Current Project Budget:</strong></td>
<td>$5,376,000</td>
</tr>
<tr>
<td><strong>Adjustment to Budget:</strong></td>
<td>$174,000. Inflation adjustment of $74,000 on January 15, 2014 and adjustment to add walk-in refrigerator on October 22, 2014 ($100,000).</td>
</tr>
</tbody>
</table>
| **Schedule:** | Spring 2013 Architect and project manager hired  
Summer 2013 schematic design |
Spring 2014 Project submitted to DSA  
Fall 2014 DSA approval, project bid  
Winter 2014/2015 Construction to begin

Status: Bid  
Issues: Making the street crossing safer could be an issue. Coordination with the garden program is an issue.

Completion Date: January 2016  
Changes since last report: DSA approved the project. The addition of a walk-in refrigerator delayed bidding by one Board Meeting. The Board is being asked to approve bidding at this Board Meeting.

Lessons Learned: To Be Determined

**Willard**

**Project Type:** Grounds Improvement

**Date Approved by Board:** March 13, 2013

**Funding Source:** Measure I

**Public Process:** Two Community meetings and three Site Committee Meetings were held. The site was involved in architect selection.

**Schematic Approval Date:** January 15, 2014

**Design Team:** Carducci

**Project Manager:** Turner

**General Contractor:** Redwood Engineering

**Current Project Budget:** $285,000

**Adjustment to Budget:** ($140,000). $6,000 inflation adjustment on January 15, 2014, a $161,000 decrease on April 23, 2014, a $14,000 increase on September 10, 2014, and a $1,000 increase on October 22, 2014.

**Schedule:** Fall 2013 Approve project manager and designer  
Winter 2013/14 Design finalize  
Spring 2014 Bid and award  
Summer 2014 Construction

**Status:** Punch List  
**Issues:** None

**Completion Date:** November 2014

**Changes since last report:** The planting is complete. The punch list is 70% complete.

**Lessons learned:** None
Project Type: Modernization
Date Approved by Board: January 15, 2014
Funding Source: Measure I
Public Process: Three Site Committee Meetings and one Community Meeting were held. The site was involved in architect selection.

Schematic Approval Date: June 2014
Design Team: Baker Vilar
Project Manager: Van Pelt
General Contractor: To Be Determined
Current Project Budget: $4,131,000
Adjustment to Budget: None
Schedule: Spring 2014 Approve project manager and designer
          Fall 2014 Design finalize
          Spring 2015 Bid and award
          Summer 2015 Construction

Status: Permit
Issues: None
Completion Date: October 2015
Changes since last report: Construction Documents are 100% complete and have been submitted to DSA. The meeting with maintenance was held.

Lessons learned: None

HIGH SCHOOLS

BERKELEY HIGH
Project Type: Solar and Modernization of Donahue Gym
Date Approved by Board: January 15, 2014
Funding Source: Measure I
Public Process: Three Site Committee Meetings are planned. The site was involved in architect selection.

Schematic Approval Date: June 2014
Design Team: WLC Architects
Project Manager: Van Pelt
General Contractor: To Be Determined
Current Project Budget: $2,364,000
Adjustment to Budget: $300,000. Increase on September 10, 2014 to add exterior improvements.
Schedule: Spring 2014 Approve project manager and designer
          Fall 2014 Design finalize
Spring 2015 Bid and award  
Summer 2015 Construction

<table>
<thead>
<tr>
<th>Status:</th>
<th>Permits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Issues:</td>
<td>None</td>
</tr>
<tr>
<td>Completion Date:</td>
<td>October 2015</td>
</tr>
<tr>
<td>Changes since last report:</td>
<td>Construction Documents are 100% complete and have been submitted to DSA.</td>
</tr>
<tr>
<td>Lessons learned:</td>
<td>None</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Project Type:</th>
<th>Grounds Improvement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date Approved by Board:</td>
<td>March 12, 2014</td>
</tr>
<tr>
<td>Funding Source:</td>
<td>Measure AA</td>
</tr>
<tr>
<td>Public Process:</td>
<td>Two Community meetings and three Site Committee Meetings will be held. The site was involved in architect selection.</td>
</tr>
<tr>
<td>Schematic Approval Date:</td>
<td>January 15, 2014</td>
</tr>
<tr>
<td>Design Team:</td>
<td>Verde</td>
</tr>
<tr>
<td>Project Manager:</td>
<td>Van Pelt</td>
</tr>
<tr>
<td>General Contractor:</td>
<td>TBD</td>
</tr>
<tr>
<td>Current Project Budget:</td>
<td>$581,000</td>
</tr>
<tr>
<td>Adjustment to Budget:</td>
<td>None.</td>
</tr>
<tr>
<td>Schedule:</td>
<td>Summer 2014 Approve project manager; Fall 2014 approve designer Winter 2014/15 Design finalize Spring 2015 Bid and award Summer 2015 Construction</td>
</tr>
<tr>
<td>Status:</td>
<td>Design</td>
</tr>
<tr>
<td>Issues:</td>
<td>None</td>
</tr>
<tr>
<td>Completion Date:</td>
<td>October 2015</td>
</tr>
<tr>
<td>Changes since last report:</td>
<td>The architect was approved. The first Site Committee Meeting was held.</td>
</tr>
<tr>
<td>Lessons learned:</td>
<td>None</td>
</tr>
</tbody>
</table>
OTHER SITES

King and Franklin Pre-School

Project Type: Addition
Date Approved by Board: January 9, 2013
Funding Source: Measure I
Public Process: There were three Site Committee meetings and two Community meetings.
Schematic Approval Date: June 26, 2013
Design Team: WLC Architects
Project Manager: Turner
General Contractor: To Be Determined
Current Project Budget: $2,774,000
Adjustment to Budget: ($327,000). Inflation adjustment on January 15, 2014 ($43,000), decrease after the bid award on April 23, 2014 ($175,000) and release of most contingencies on September 10, 2014 ($195,000).
Schedule: Spring 2013 Architect and project manager hired
Summer 2013 schematic design
Late Fall 2013 Project submitted to DSA
Spring 2014 DSA approval, project bid
Summer 2014 Construction to begin
Status: Punch List
Issues: No decision has been made of which spaces will be used for transitional kindergarten and which will be used for pre-school.
Completion Date: November 2014
Changes since last report: The punch list is 99% complete. We anticipate asking the Board for acceptance on November 19th.
Lessons Learned: None

Multiple Sites

Project Type: Public Address and Camera Project
Date Approved by Board: March 12, 2014
Funding Source: Measure AA
Public Process: None Planned
Schematic Approval Date: None Planned
Design Team: WLC Architects
Project Manager: Van Pelt
General Contractor: To Be Determined
Current Project Budget: $826,000 + $537,000 = $1,361,000
Adjustment to Budget: $50,000. The Board approved an increase on October 22nd to conform with the latest estimate.
Schedule:
   Spring 2014 Approve project manager and architect
   Fall 2014 Finalize design
   Spring 2015 Bid and award
   Summer 2015 Construction
Status: Design
Issues: None
Completion Date: October 2015
Changes since last report: Construction Documents are approximately 50% complete.
Lessons learned: None

Two more projects will be added on the next update.
BERKELEY UNIFIED SCHOOL DISTRICT

TO: Donald Evans, Ed.D., Superintendent
FROM: Pasquale Scuderi, Asst. Superintendent, Educational Services
DATE: November 5, 2014
SUBJECT: Williams Case Settlement Quarterly Report

BACKGROUND INFORMATION
As a result of the Williams Case Settlement, every district in California is publicly accountable to ensure that the following conditions are met.

1) There should be sufficient textbooks and instructional materials for all students, including English learners.
2) School facilities should be clean, safe and maintained in good repair.
3) All classes should be taught by properly credentialed teachers.

Information about the standards is posted in every classroom along with the complaint procedure to follow if there is a concern that any one of them is not being met. The number of Williams complaints received between July 1 and September 30, 2014 is zero.

POLICY/CODE
Ed Code 35186
Board Policy 1312

FISCAL IMPACT
None

STAFF RECOMMENDATION
Receive Williams Case Settlement Quarterly Report for information.
BERKELEY UNIFIED SCHOOL DISTRICT

TO: Donald Evans, Ed.D, Superintendent
FROM: Pasquale Scuderi, Asst. Superintendent, Educational Services
Lew Jones, Director of Facilities
DATE: November 5, 2014
SUBJECT: Presentation of Options for Capacity Issues at Elementary Schools

BACKGROUND INFORMATION
On October 8, 2014, the Board received a report from staff concerning school capacity and demographics.

The Board indicated that they wanted additional information and a presentation of options on November 5th. The Board then intends to reduce the options down to two options on December 10th and to make short term decisions for the fall at a Board Meeting in January.

This document includes the presentation of options as Attachment A. Attachment B updates the enrollment projections from the 2014 study by Davis Demographics and Planning. Attachment C provides responses to specific information requests during and following the last Board meeting, while Attachment D is an updated facilities information chart originally presented on October 22, 2014.

POLICY/CODE
None

FISCAL IMPACT
None

STAFF RECOMMENDATION
Receive this report. Provide feedback as appropriate. Staff will also make a recommendation at a January Meeting concerning the frequency of preparing a demographic report and the initiation of hiring a consultant to help the District prepare educational specifications.
Enrollment and Capacity

Challenges Described on October 8

• 252 additional students between now and 17-18 school year
• 4-6 additional classrooms for SY 15-16
• 3-4 additional classrooms for SY 16-17
• 1-2 additional classrooms for SY 17-18

Timeline

October 8: Problem Defined
Tonight: Introduce both short term and long-term options, ideas, and alternatives
December: Board narrows options to 2 or 3
December-January: Discussion and Decision

Structure of Tonight's Presentation

• Ideas presented from short term to long term
• Costs and impact are very preliminary
• First look at ideas; subsequent analysis should be deeper and focus on a narrowed pool of options
Utilize an Increased Number of Flex Rooms or Enrichment Spaces

Uses classrooms currently being used for other services and programs to accommodate additional classes.

<table>
<thead>
<tr>
<th>+</th>
<th>(-)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Immediate implementation</td>
<td>Will impact availability of space for enrichment activities</td>
</tr>
<tr>
<td>No added administrative staffing costs</td>
<td>Contributes to perceptions of overcrowded schools</td>
</tr>
<tr>
<td>New classes will be at familiar sites</td>
<td>Greater challenges as you get to smaller number of district-wide flex</td>
</tr>
<tr>
<td>Keeps TK on elementary campus</td>
<td>Variances in condition and size of existing flex spaces</td>
</tr>
<tr>
<td>Will not impact preschools</td>
<td></td>
</tr>
</tbody>
</table>

Option #1
Timeline: August of 2015
Facilities Costs: Minor Costs
Increase Class Size to 24:1 K through 3

All Kindergarten sections year 1
K-1 Year 2
K-2 Year 3
K-3 Year 4

+ Can be implemented in fall 2015

Increases capacity as enrollment increases

Maintains flex spaces

Maintains existing schools

Recent research suggests pay off from class-size reduction is greater for low-income and minority children

Most current review of research asserts that class size is in fact a determinant of student outcomes

Concerns that it could negatively impact renewal of BSEP

Option #2
Timeline: August 2015
Facilities Costs: None
**Consolidation of Transitional Kindergarten Programs**

*Place all or majority of transitional kindergarten (TK) classrooms at a dedicated site.*

*Hopkins - up to 6 classrooms*

*Franklin and King - up to 8 classrooms*

<table>
<thead>
<tr>
<th>+</th>
<th>(-)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Can be implemented in the fall of 2015</td>
<td>May not be ideal programmatic option, but an LEA has flexibility to meet student needs with alternatives</td>
</tr>
</tbody>
</table>

*Hopkins frees up 5-6 classrooms for 15-16 (not complete consolidation)*

*King or Franklin could free up 7-8 classrooms*

*Facilities developmentally appropriate*

*Would free up sufficient spaces*

| May reduce preschool program by 1 class |
| May require additional transportation routes |
| May require additional bus/staffing |
| Requires adding an administrator |

**Option #3**

**Timeline:** Fall 2015

**Facilities Costs:** Small (unless portables added)

**16-17 ALTERNATIVE: Portable/Modular TK facility at LeConte**
Use Portable or Modular Classrooms to Expand Capacity at Multiple School Sites

6 Portables at NW Corner of LeConte
2-5 on Muir blacktop
2-5 to Thousand Oaks near park
1 at Hopkins (TK Only)

Modular classrooms can match or exceed permanent classroom suitability for learning environments

Does not require additional administrator

Could increase capacity of some smaller schools and add some school size equity across BUSD

Option #4
Timeline: August of 2016
Facilities Costs: 3.7-8 Million

Option is for 16-17; not an option for next year

Significant cost

Play space may be encroached on

Logistical considerations

Community perceptions/connotations of portable classrooms

Must factor in bubble dilemmas and K-5 capacity
LeConte Expansion/TK Consolidation Alternatives

6 portable or modular classrooms at NW corner of school site could either...

Expand LeConte's general education TWI program/capacity

OR

Create a dedicated TK site housed on the LeConte property
Adult School, Alternative School (BTA/BTECH), and Independent Study Share Current Adult School Campus

Current Alternative School Site is Developed as a Preschool through Grade 5 Elementary Site

Multi-Phased Project that Results in an Additional Elementary Campus

Fall of 2015:
3 preschool classrooms move from King CDC to available slots at either Hopkins or Franklin CDC
3 preschool classrooms remain at King CDC (current total is 6)
4-5 Transitional Kindergarten classes are assigned to King CDC
*King CDC site functions as a preschool/TK site for the year*

Fall of 2016:
Berkeley Technology Academy (BTA) moves to Adult School Campus
Current BTA site then adds Kindergarten sections to preschool and TK classes

Fall of 2017:
Add first grade and continue to develop site as a preschool through grade 5 site
Could expand TK usage there as grade levels are filling in subsequent years.

Option #5
Timeline: Begins Fall 2015
Facilities Costs: Preliminarily Less than 1 Million
ed, etc.

For high school programs (phys.
May require facilities modifications

alia's size of setting for BTA
Distances BTA students from BHS

Facilities modification costs over
likely reduction in adult ed
Impact on adult school

(-)

Elementary sites
Term flexibility to put TK back to
consolidation of TK programs - long
Alleviates for an interim/temporary

Can begin implementation fall of
and certification programs)
Adult Ed and Alternative Ed (CTE
Education Program nexus between
Program to some
Preschool through 5 is an attractive
No flex room loss
Adult School and an Elementary School Share Current Adult School Campus

Presumption is that the elementary would use the east wing of the school site

+ Keeps flex spaces in tact
No impact on preschool
Keeps transitional kinder at school sites

(-)
Challenging - from facilities standpoint- to create separation of two distinct programs
Costs associated with creating libraries and multi-purpose spaces
Transportation considerations
Unusual combination of student groups on one facility
Potentially not functional/operational until 17-18 school year
Significant reductions in adult ed program

Option #6
Timeline: Fall of 2017
Facilities Costs: State Costs/Repurposing approximately $2 Million
Open Elementary School and Eliminate Dedicated Adult Ed Site

Repurpose the current Adult School site for a new dedicated elementary school site

+ Provides significant growth/capacity for elementary schools

Avoids/eliminates conflicts with programs sharing sites

Adds a 4th school in the north zone

(-) Radically changes the adult education program

Cannot happen immediately

Option #7
Timeline: TBD
Facilities Costs: Not Yet Calculated
(Approximately $1 Million)
Permanent Additions to Existing Sites

*Permanent Additions to LeConte, John Muir, Thousand Oaks, Berkeley Arts Magnet (BAM), and Washington could be considered*

+ Serves students in permanent structures
+ Improves school size equity across BUSD

(-) Projects would probably take four years
   Probable disruptions to school program during construction
   Historical issues may exist at Muir and BAM

Option #8
Timeline: 4 Years
Facilities Costs: Not yet calculated; potentially 5-9 Million Per Site
New School at Oregon Street Facility

Build a new elementary school on the site of current maintenance facility; former site of Edison Junior High

- No home for maintenance

Option #9
Timeline: 5 Years
Facilities Costs: Elementary Only $20 Million
Relocate REALM Charter School, BTA, and Adult School Open Elementary School at Franklin (Current Adult School Site)

REALM, BTA, and BAS housed in some combination of West Campus and BTA

(+)

- frees up space for new elementary school

BTA/Adult School educational nexus

(-)

- have to provide an additional space
- 80 ADA - charter gets reasonable accommodations
- current agreement runs through 15-16 school year
Build a New Elementary School Site in BUSD

(+)
Long term investment permanently increases capacity

(-)
Requires extensive planning and approval process
Requires land purchase and real estate issues
Significant Cost and 6-year timeline

Option # 11
Timeline: 6 Years
Facilities Costs: $30 Million Dollars
Not currently under consideration...

Year-Round, Multi-Track Programs:

Leasing existing private or out of district school facilities for an additional elementary site

Additional work and analysis:

Staff will make a recommendation in January concerning the frequency of demographic studies and reports

Preliminary plans for the development of education specifications being considered
What are Education Specifications?

serve as the link between the educational program and the school facilities

translate the physical requirements of the educational program into words

enable architects, the public, and other interested parties to visualize the education activity

ensures that the architectural and building concepts and solutions support the stated educational program
Enrollment and Capacity

Timeline

October 8: Problem Defined
Tonight: Introduce both short term and long-term options, ideas, and alternatives
December: Board narrows options to 2 or 3
December-January: Discussion and Decision
ATTACHMENT B

Verified projections from the 2014 Demographic Study

<table>
<thead>
<tr>
<th></th>
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<td>TK</td>
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<td>TOTALS</td>
<td>4,435</td>
<td>4,543</td>
<td>4,642</td>
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Adjustments for out of district enrollment 2014:

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<th>GRADES</th>
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<td>K</td>
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<tr>
<td>TOTAL</td>
<td>243</td>
</tr>
<tr>
<td>Permit</td>
<td>234</td>
</tr>
<tr>
<td>SDC</td>
<td>9</td>
</tr>
</tbody>
</table>
ATTACHMENT C

INFORMATIONAL REQUESTS

This section includes information requests by the Board. These are not presented in any particular order. We note that we have corrected the enrollment data and projections based on our CBEDS (October 2014) numbers and the 2013/14 demographic report. A few other items were sent to the Board in Friday notes.

1. Board sub-committee meeting dates. In the Spring, the Board approved creating a Board Sub-Committee to further review the demographic study. That Committee has met three times and is scheduled to meet on November 12th and December 17th.

2. Current address verification process:
   Enrollment Checklist is filled out.
   *Caregiver Affidavits (Approx 200 per year) are filled out by those families where student lives with a caregiver.
   *Same Address Affidavits (150 per year) are filled out by families without sufficient proof of Berkeley residence who are living with another family member or friend.
   *Caregiver affidavits and same address affidavits are flagged for address verification and residence check.

Roughly 80% of residence verifications are approved 20% not approved.

3. Enrollment in middle, High Schools, and B-Tech:
   As of 10/28/14
   • Longfellow-510
   • MLK-955
   • Willard-562
   • BHS-3192
   • BTA-96
   • ISP-113

4. Zone growth predicted in 2008/09 compared to the actual growth and the projected zone growth from the 2013/14 study. Staff has reviewed the past data from the demographer and the current projected data from the demographer. The past study accurately predicted the growth in the south and central zone. The past study under-predicted the growth in the north zone. The current study predicts a 6.5% growth in both the south and north zones and a 9.6% growth in the central zone in the first five years of the study.

D-1
5. Historical information on schools. We provide an abbreviated history of all schools used as elementary schools in the past forty years. We do not include the schools used exclusively as K-1 schools (Tilden, Franklin primary, Grizzly Peak). The student numbers below are enrollment not capacity.

a. Emerson. Emerson has added two classrooms in this period. It has been primarily a K-3 and a K-5. The school housed up to 349 students when it had two fewer classrooms.

b. John Muir. John Muir lost six portables and added two classrooms in this period. It has been primarily a K-3 and a K-5. The school housed up to 479 students with four more classrooms.

c. LeConte. LeConte has lost two portables in this period. It has been primarily a K-3 and a K-5. The school housed up to 417 students when it had two more classrooms.

d. Malcolm X (formally Lincoln). Malcolm X has lost four or five classrooms in this period. It has been primarily a 4-6 and a K-5. The school housed up to 836 students when it had four more classrooms.

e. Cragmont. Cragmont is a difficult comparison as the entire building has changed. The current school has four fewer classrooms than the old school. It has been primarily a K-3 and a K-5. The school housed up to 538 students when it had four more classrooms.

f. Oxford. Oxford has added two classrooms in this period. It has been primarily a K-3 and a K-5. The school housed up to 299 students when it had two fewer classrooms.

g. Washington. Washington has added one portable in this period. It has been primarily a K-3 and a K-5. The school housed up to 532 students when it had one fewer classroom.

h. Whittier. Whittier (BAM) has one fewer classroom in this period. It has been primarily a K-3 and a K-5. The school housed up to 504 students when it had one fewer classroom.

i. Jefferson. Jefferson is a difficult comparison. In total Jefferson has nine fewer classrooms in this period. It has been primarily a K-3 and a K-5. The school housed up to 660 students when it had nine fewer classrooms.

j. Rosa Parks (formally Columbus). Rosa Parks is a difficult comparison. Rosa Parks has lost eight or nine classrooms in this period. It has been primarily a 4-6 and a K-5. The school housed up to 659 students when it had eight more classrooms.

k. Thousand Oaks. Thousand Oaks is a difficult comparison. Thousand Oaks has lost four classrooms in this period. It has been primarily a K-3 and a K-5. The school housed up to 629 students when it had four more classrooms.

l. Hillside. Hillside was closed in 1983 and was sold in 2012.
secondary trace of the Hayward Fault goes under a portion of the school. By law, BUSD cannot house K-12 students in the buildings. Private schools are not subject to this law.

m. Franklin. Franklin has ten fewer portables and one fewer classroom. It has been primarily a 4-6, a K-5 and an Adult School. The school housed up to 1,003 elementary students when it had eleven more classrooms.

n. Charter School (Realm). The Charter School has seventeen classrooms. The site has been used for a 9th grade, an Adult School and a Charter School in this period.

6. Flexibility of bond funds and available funds. The citizens passed Measure I in 2010. The vision defining planned expenditures are contained in the “blue book”. The Board can expend funds on any of the identified sites in the bond language, which includes all of the sites we own. The Board may wish to be cautious about changing priorities as that can cause community criticism. Changed priorities were the biggest criticism of the use of past bonds. The available balance of Measure I is $7.7 million. The available balance of Measure AA is $1.8 million. Measure I funds are not available until the last bonds are issued (2020).

7. The Charter High School (Realm) numbers and numbers of Berkeley residents enrolled in the program: Spring 2014 Enrollment was 287 with approximately 80% being non-residents and 20% being Berkeley residents.
<table>
<thead>
<tr>
<th>School</th>
<th>Enrollment</th>
<th>Total Rooms (Includes portables)</th>
<th>Classrooms</th>
<th>Additional Rooms</th>
<th>Use of Additional Rooms</th>
<th>TK Classes</th>
<th>Portables</th>
<th>Space for Site RTI Coordinator</th>
<th>Exterior Square Footage</th>
<th>Cafeteria Square Footage</th>
<th>Auditorium Square Footage</th>
<th>Total Cert. Staff</th>
<th>Total Certified FTE</th>
<th>Total Classified Staff</th>
<th>Total Classified FTE</th>
<th>Total Administrators</th>
</tr>
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<tbody>
<tr>
<td>Emerson</td>
<td>295</td>
<td>15</td>
<td>14</td>
<td>1</td>
<td>Art</td>
<td>Yes</td>
<td></td>
<td>Yes shared</td>
<td>38,182</td>
<td>2,567</td>
<td>0</td>
<td>22</td>
<td>19.08</td>
<td>17</td>
<td>10.35</td>
<td>1</td>
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<tr>
<td>John Muir</td>
<td>286</td>
<td>15</td>
<td>14</td>
<td>1</td>
<td>cooking</td>
<td>Yes</td>
<td></td>
<td>Yes</td>
<td>123,748</td>
<td>1,749</td>
<td>3,528</td>
<td>27</td>
<td>22.88</td>
<td>17</td>
<td>11.52</td>
<td>1</td>
</tr>
<tr>
<td>Malcolm X</td>
<td>557</td>
<td>30</td>
<td>28</td>
<td>2</td>
<td>Art, dance</td>
<td>Yes</td>
<td></td>
<td>Yes shared with ELD Coach</td>
<td>110,189</td>
<td>2,767</td>
<td>2,595</td>
<td>41</td>
<td>34.17</td>
<td>26</td>
<td>18.52</td>
<td>2</td>
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<tr>
<td>LeConte</td>
<td>353</td>
<td>17</td>
<td>16</td>
<td>1</td>
<td>Basement/arts</td>
<td>Yes shared</td>
<td></td>
<td>101,931</td>
<td>2,432</td>
<td>4,118</td>
<td>23</td>
<td>21.88</td>
<td>18</td>
<td>12.66</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Cragmont</td>
<td>448</td>
<td>22</td>
<td>22</td>
<td>0</td>
<td>—</td>
<td>Yes shared</td>
<td></td>
<td>121,535</td>
<td>3,485</td>
<td>0</td>
<td>33</td>
<td>27.14</td>
<td>25</td>
<td>15.82</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Oxford</td>
<td>297</td>
<td>15</td>
<td>14</td>
<td>1</td>
<td>medically fragile student services</td>
<td>No</td>
<td></td>
<td>39,082</td>
<td>2,209</td>
<td>0</td>
<td>19</td>
<td>17.60</td>
<td>23</td>
<td>13.82</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Washington</td>
<td>467</td>
<td>24</td>
<td>22</td>
<td>2</td>
<td>Special Ed and RTI</td>
<td>Yes shared</td>
<td></td>
<td>84,656</td>
<td>4,019</td>
<td>0</td>
<td>33</td>
<td>29.65</td>
<td>27</td>
<td>18.15</td>
<td>1</td>
<td></td>
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<tr>
<td>Whittier (BAM)</td>
<td>446</td>
<td>20</td>
<td>20</td>
<td>0</td>
<td>—</td>
<td>Yes shared</td>
<td></td>
<td>96,089</td>
<td>2,028</td>
<td>2,190</td>
<td>29</td>
<td>23.90</td>
<td>18</td>
<td>12.39</td>
<td>1</td>
<td></td>
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<tr>
<td>Thousand Oaks</td>
<td>450</td>
<td>21</td>
<td>21</td>
<td>0</td>
<td>—</td>
<td>In Nurses Room</td>
<td></td>
<td>144,940</td>
<td>3,690</td>
<td>0</td>
<td>37</td>
<td>26.88</td>
<td>23</td>
<td>15.09</td>
<td>1</td>
<td></td>
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<tr>
<td>Jefferson</td>
<td>388</td>
<td>21</td>
<td>19</td>
<td>2</td>
<td>After School Program, Learning center</td>
<td>Yes shared</td>
<td></td>
<td>102,270</td>
<td>4,488</td>
<td>0</td>
<td>28</td>
<td>24.70</td>
<td>10</td>
<td>7.96</td>
<td>1</td>
<td></td>
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<tr>
<td>Rosa Parks</td>
<td>453</td>
<td>23</td>
<td>21</td>
<td>2</td>
<td>Science and Language Lab</td>
<td>Family Resource Center</td>
<td></td>
<td>103,723</td>
<td>6,214</td>
<td>0</td>
<td>32</td>
<td>28.08</td>
<td>17</td>
<td>11.80</td>
<td>1</td>
<td></td>
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<tr>
<td><strong>TOTALS</strong></td>
<td><strong>4,440</strong></td>
<td><strong>223</strong></td>
<td><strong>209</strong></td>
<td><strong>12</strong></td>
<td></td>
<td><strong>7</strong></td>
<td></td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>
Data Related to Enrollment and Capacity Discussions

The data below is provided in response to a variety of questions that were asked regarding facilities and school sites in the context of recent discussion of classroom space.

1. Preschool Enrollment

*IMPORTANT NOTE: We provided charts on preschool enrollment in last week’s Friday notes, but there is one significant correction. While the totals for enrollment at each individual preschool site were correct, the district-wide total is actually **390 students** enrolled in preschool between all three sites rather than the 306 that was reported in last Friday’s data.

**Information on Preschool Site Enrollment, Rooms, and Maximum Occupancy**

<table>
<thead>
<tr>
<th>Site</th>
<th>Total Rooms</th>
<th>Rooms Assigned to Classes</th>
<th>Rooms for Other Uses</th>
<th>Current Enrollment</th>
<th>Licensed Enrollment Max</th>
</tr>
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<tbody>
<tr>
<td>Hopkins</td>
<td>6</td>
<td>5</td>
<td>1</td>
<td>93</td>
<td>106</td>
</tr>
<tr>
<td>Franklin</td>
<td>8</td>
<td>6</td>
<td>3</td>
<td>168</td>
<td>190</td>
</tr>
<tr>
<td>King</td>
<td>8</td>
<td>6</td>
<td>2</td>
<td>129</td>
<td>190</td>
</tr>
<tr>
<td></td>
<td>22</td>
<td>17</td>
<td>6</td>
<td>390</td>
<td>486</td>
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</table>

**BTECH/BTA Enrollment and Attendance**

<table>
<thead>
<tr>
<th></th>
<th>2011-12 Enroll</th>
<th>ADA</th>
<th>%</th>
<th>2012-13 Enroll</th>
<th>ADA</th>
<th>%</th>
<th>2013-14 Enroll</th>
<th>ADA</th>
<th>%</th>
<th>2014-15 Enroll</th>
<th>ADA</th>
<th>%</th>
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</thead>
<tbody>
<tr>
<td>M1</td>
<td>133</td>
<td>62.90</td>
<td>47.3%</td>
<td>111</td>
<td>131.07</td>
<td>118.1%</td>
<td>97</td>
<td>77.57</td>
<td>80.0%</td>
<td>89</td>
<td>74.58</td>
<td>83.8%</td>
</tr>
<tr>
<td>M2</td>
<td>137</td>
<td>60.80</td>
<td>44.4%</td>
<td>116</td>
<td>97.82</td>
<td>84.3%</td>
<td>110</td>
<td>94.60</td>
<td>86.0%</td>
<td>96</td>
<td>69.46</td>
<td>72.4%</td>
</tr>
<tr>
<td>M3</td>
<td>136</td>
<td>73.67</td>
<td>54.2%</td>
<td>119</td>
<td>107.67</td>
<td>90.5%</td>
<td>113</td>
<td>100.64</td>
<td>89.1%</td>
<td>89</td>
<td>74.83</td>
<td>83.8%</td>
</tr>
<tr>
<td>M4</td>
<td>135</td>
<td>86.05</td>
<td>63.7%</td>
<td>122</td>
<td>103.43</td>
<td>84.8%</td>
<td>119</td>
<td>96.58</td>
<td>81.2%</td>
<td>96</td>
<td>69.46</td>
<td>72.4%</td>
</tr>
<tr>
<td>M5</td>
<td>131</td>
<td>95.44</td>
<td>72.9%</td>
<td>125</td>
<td>112.81</td>
<td>90.2%</td>
<td>121</td>
<td>89.29</td>
<td>73.8%</td>
<td>96</td>
<td>69.46</td>
<td>72.4%</td>
</tr>
<tr>
<td>M6</td>
<td>142</td>
<td>86.77</td>
<td>61.1%</td>
<td>139</td>
<td>101.27</td>
<td>72.9%</td>
<td>138</td>
<td>78.00</td>
<td>56.5%</td>
<td>89</td>
<td>69.46</td>
<td>72.4%</td>
</tr>
<tr>
<td>M7</td>
<td>126</td>
<td>92.86</td>
<td>73.7%</td>
<td>142</td>
<td>117.05</td>
<td>82.4%</td>
<td>116</td>
<td>81.07</td>
<td>69.9%</td>
<td>89</td>
<td>69.46</td>
<td>72.4%</td>
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<td>131</td>
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<td>75.8%</td>
<td>151</td>
<td>120.48</td>
<td>79.8%</td>
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<td>82.93</td>
<td>71.5%</td>
<td>96</td>
<td>69.46</td>
<td>72.4%</td>
</tr>
<tr>
<td>M9</td>
<td>127</td>
<td>97.60</td>
<td>76.9%</td>
<td>146</td>
<td>104.22</td>
<td>71.4%</td>
<td>114</td>
<td>79.35</td>
<td>69.6%</td>
<td>96</td>
<td>69.46</td>
<td>72.4%</td>
</tr>
<tr>
<td>M10</td>
<td>126</td>
<td>74.46</td>
<td>59.1%</td>
<td>143</td>
<td>82.89</td>
<td>58.0%</td>
<td>113</td>
<td>66.59</td>
<td>58.9%</td>
<td>89</td>
<td>69.46</td>
<td>72.4%</td>
</tr>
</tbody>
</table>
BERKELEY UNIFIED SCHOOL DISTRICT

TO: Donald Evans, Superintendent
FROM: Pasquale Scuderi, Asst. Superintendent, Educational Services
DATE: November 5, 2014
SUBJECT: Policy on Recess Restriction (First Reading)

BACKGROUND INFORMATION
The governing board of a school district may adopt reasonable rules and regulations to authorize a teacher to restrict for corrective purposes the time a pupil under his or her supervision is allowed for recess. A clear and adopted board policy is what is required for teachers to be able to use recess restriction in limited and appropriate situations.

In recent months, the absence of an actual clear and adopted board policy has required the district to give directives to site principals and teachers to refrain from using any form of recess restriction as a corrective behavior. It is worthwhile to note that the discussion and prohibition of recess restriction was not provoked by data indicating that this practice was in any way being abused within BUSD, but rather as a matter of policy and legality.

The resulting outcome has been school site staff receiving a clear direction to cease using recess restriction as a consequence, and that directive has not been accompanied with alternative suggestions or remedies.

With input from principals, behavior specialists, and teachers, staff has crafted a comparatively specific and protective policy that allows teachers, in consultation with their principals, to continue to use the restriction of recess in a judicious and reasonable.

The policy staff is proposing is considerably more specific than the standard template most districts use with regard to recess restriction with regard to the application and limits of the consequence.

The proposed policy ensures among other things, that no student will ever be prohibited for more than 10 minutes of any activity in a single day. Elsewhere the policy ensures that other means of correction are used prior to restricting the student’s recess for any period of time, that recess restriction is reported to the site administrator so that they can track and collect data on the frequency of its use. If recess is restricted a total of three times in any month, or twice in any week, parents will be notified and the site’s RTI team will convene to review information and seek an alternative response to the behavior in question.
Should the district at any point seek to further prohibit or expand the use of recess restriction as a consequence, staff recommends this be done collaboratively with site administrators, teachers, and parent groups to make certain that alternatives and options are recommended and that the resources to make those alternatives effective are in place.

Staff is not putting forth a policy to encourage the use of recess restriction as a corrective action; however, a clear and thoughtful policy being put in place will allow teachers and administrators some discretion to apply the consequence in a limited way where it is reasonable and appropriate to do so.

**POLICY/CODE**
Ed Code Section 44807.5

**STAFF RECOMMENDATION**
Adopt the proposed Policy.
Berkeley Unified School District
BP –

Recess Restriction

Certificated staff may restrict a student’s recess time under the following conditions when he/she believes that this action is the most effective way to bring about improved behavior:

1. Staff should seek alternatives to recess restriction and employ social emotional learning options in a manner consistent with our positive behavioral support goals, and ensure that the expected behaviors are clarified for students before and after the recess restriction consequence is issued. Recess restriction shall be employed only after a student receives a fair and clear verbal warning from the teacher or principal. Recess restriction shall not be used as a consequence for incomplete homework.

2. Every school that has a recess restriction must have clear policies and guidelines within their school-wide PBS plan. These guidelines should include when and how the administrator will convene a team to create a positive recess behavior plan which analyzes behavioral function, additional environmental supports needed and/or alternative consequences.

3. The student shall remain under appropriate employee supervision during the period of detention.

4. The student shall be given adequate time to use the restroom and get a drink or eat lunch, as appropriate.

5. Teachers shall inform the principal in writing of any student who has their recess restricted. When a student has their recess restricted either two times per week or three times a month, parents will be notified and the site RTI team or the administrator will review that information and seek alternative means to address the needs of the student.

6. A student will not be restricted for more than half of any given recess period wherein the consequence is assigned, and a maximum of 10 minutes of restriction per day should be adhered to in all uses.

7. Data will be reviewed annually following the passage of the policy.

November 5, 2014
BERKELEY UNIFIED SCHOOL DISTRICT

TO: Donald Evans, Ed.D., Superintendent
FROM: Javetta Cleveland, Deputy Superintendent
DATE: November 5, 2014
SUBJECT: Report on Emergency Preparedness

BACKGROUND INFORMATION
We last submitted a comprehensive report on emergency preparedness to the Board in June 2012. At that time, we summarized activity undertaken during the Readiness and Emergency Management for Schools (REMS) grant period as the work was in completion status. The Board has considered other emergency planning issues since that time. Due to the recent regional experience of the NAPA earthquake and its ongoing aftermath, it is timely to summarize our past and recent activities and to look forward to the next steps necessary to maintain our preparedness and response capabilities in the event of a major earthquake disaster.

Since October 2009, the Berkeley Unified School District has engaged in focused efforts to implement and maintain disaster preparedness at our schools and sites. This report summarizes emergency planning initiatives and accomplishments from October 2009 through the present and future planning efforts including next steps.

During the period of October 2009 through June 2012, the District utilized $250,000 of REMS grant funding to support a broad and systemic approach to planning, training and implementation. The measurements and targets under the REMS grant included the development of both district-wide and school site Emergency Operations Plans (EOP) that are National Incident Management System (NIMS) compliant and included a multi-hazard approach. The District Management Team was targeted to provide an intensive study of the NIMS as it relates to school districts. A high percentage of the District’s leadership completed the assigned coursework for school emergency managers including IS 100, 200, 700 and 800.

The District also met the standards and expectations of the U.S. Department of Education under the grant by remaining engaged in a collaborative planning process with our public agency partners, especially the City of Berkeley and County of Alameda, and other partners as well. Staff engaged parent communities and private partners in planning and informational meetings and shared resources and materials with community groups and private schools. In maintaining these efforts, staff participated with others in improving the preparedness of our community and the region.
During this period of time, the existing disaster response plans at all of our schools were integrated into the updated NIMS compliant templates. After this phase was completed and the school site response teams were assigned, staff was convened and team members worked through table top exercises conducted by the emergency planning consultants. These trainings were designed to familiarize all school site staff with the functions of the team positions and to provide practice for different scenarios they might face.

The most important event undertaken during this period of time was a full-scale disaster response exercise in November 2011. In our power point presentation this evening the Board will see video from this six-hour exercise. This was a comprehensive exercise, based on a regional earthquake scenario that included a full-scale activation of the district Emergency Operations Center (currently located at the Transportation Facility) and also response to a concurrent scenario of events at Cragmont Elementary School. The Emergency Operations Center (EOC) management team responded to impacts, outcomes and situations, in real time across all our schools. This exercise was conducted by our emergency response planning professionals and was observed, monitored and analyzed by local surrounding agencies and private vendors. In both the after event debrief and also the After Action Report the EOC was congratulated on its effective response, the quality of the periodic briefings during the events, and the professional preparation leading to this event.

An important intended outcome of the grant planning and implementation process is to sustain our planning and collaborative efforts on an ongoing basis by maintaining our compliance with the NIMS structure. This effort must be maintained while remaining flexible and adaptable as training and exercises shape our experience and as local and federal agencies issue guidelines based on analyses of incidents and events that are occurring locally, in our state and in our nation.

**CURRENT AND RECENT EFFORTS**

An example of our adaptability and flexibility include the District actions recently taken in response to the State and National focus to understand and learn from the tragedy of several school shootings. In 2013, the U.S. Department of Education, in conjunction with: U.S. Department of Health and Human Services; U.S. Department of Homeland Security; U.S. Department of Justice; FBI and FEMA issued the _Guide for Developing High Quality School Emergency Operations Plans_. As a result of this effort, came the focus in California on safety audits for all public schools. In school year 2013-2014, the Berkeley Unified School District completed a safety audit of all of our campuses and the Board adopted recommendations from the outside school security experts who conducted the audit. Concurrent with the safety audit, a risk analysis was undertaken at all school sites to inform and update the existing district and site plans.
In response to the recommendations from the safety audit, staff are currently undertaking the following actions: upgrading and installing public address systems in the schools to enhance emergency communications; adding and upgrading camera systems at schools to provide enhanced monitoring and security; and finally, providing training to administrative staff in the A.L.I.C.E. protocols for active shooter response. Key administrative staff will attend an intensive training on these protocols this month and will become certified trainers for the district.

In September 2014, the Superintendent placed emergency preparedness at the forefront of the leadership’s cabinet agenda for the purpose of sustaining and improving the District’s emergency preparedness including moving forward with the relocation of the Emergency Operations Center (EOC) to the new Board Room, updating the Emergency Operations Team position assignments and call lists and developing next steps for district planning efforts.

We continue our important collaboration with the City of Berkeley in efforts to enhance our community-wide preparedness and response capabilities. These areas of collaboration include: working together with Berkeley Police and Berkeley Fire to update and refine evacuation plans at the high school; provide a district presence and utilize district personnel and resources at City sponsored disaster preparedness events; meet with City and UC partners to identify Care and Shelter capabilities and logistics throughout the city; provide access to the City and American Red Cross (ARC) to update the inspections of our primary shelters located at our schools; participate in EOC exercises and scenarios to enhance our readiness and response.

**NEXT STEPS**
This year, we will relocate the EOC from our Transportation facility to the new boardroom. As part of the relocation, we will order new maps of the room to guide our set-up and activation of the EOC. Staff will locate the activation and operational supplies in identified areas of the new building. The District will continue the practice of drills at schools and sites and complete annual update of safety and disaster plans.

We will engage school emergency planning experts in the task of providing training exercises including tabletop exercises for the Incident Command Team at Berkeley High School, tabletop and functional exercise training for the expanded Cabinet and the full EOC Management Team.

Looking forward to spring or next fall, we will again engage in a full-scale exercise and EOC activation to inform and enhance our planning and response efforts and to collaborate with our partners in identifying future planning and resource needs. It is our goal to continue to work with industry experts to develop a multi-year approach to plan improvements, trainings and exercises.
THE ROLE OF THE SCHOOL BOARD
The integrated elements of school emergency planning require support from the Board throughout the mitigate, prepare, respond and recover processes. Our ability to sustain our efforts and remain flexible in our planning, training and response is dependent on the role of the board.

The Board exercises its role most effectively by setting direction; establishing effective organizational structures; providing support for implementation; holding systems accountable and engaging in community leadership and advocacy.

POLICY/CODE
BP 3516

STAFF RECOMMENDATION
Review and receive report on status of past and current emergency planning initiatives and next steps.
BERKELEY UNIFIED SCHOOL DISTRICT

TO: Board of Education
FROM: Donald Evans, Ed.D., Superintendent and
       Natasha Beery, Director of BSEP and Community Relations
DATE: November 5, 2014
SUBJECT: BSEP Measure Planning Update

BACKGROUND INFORMATION
As a community response to school funding shortages in the wake of
Proposition 13, the local tax known as the Berkeley Schools Excellence
Program (BSEP) has made a significant difference in the quality of our schools
and the fiscal stability of our district since 1986. BSEP funding has provided
lower class sizes, enrichment programs, and more, thanks to a series of special
tax measures, each with voter support well over the two-thirds vote necessary
to pass a tax measure, in 1986 (77.9%), 1994 (85.5%), 2004 (72.4%), and 2006
(79.7%).

Current BSEP funding is provided through the Berkeley Public Schools
Educational Excellence Act of 2006 (Measure A), expiring at the end of FY
2016-17. This report provides preliminary parameters for planning the next
ballot measure, which goes before the voters in November 2016.

Structure and Oversight of the Current BSEP Measure
BSEP Measure A allocates net revenue in specified percentages and purposes:

- 66% is allocated to reduced class sizes by paying for over 30% of TK-12
teaching staff, expanded course offerings and program support; and
middle school counseling;

- 14.75% provides for the entire school library program, the grades 4-8
music, visual and performing arts programs, and a family outreach and
engagement program;

- 10.25% provides schools with discretionary funds to be allocated in
keeping with a school site plan developed by each School Governance
Council;

- 9% supports professional development, educational program evaluation,
and technology for schools;

- Public information, translation services, and support of the BSEP
Planning and Oversight Committee is funded by 2% of netrevenues
before allocation to the resources listed above.

A district-wide BSEP Planning and Oversight (P&O) Committee was established
by the measure, and is composed of elected representatives from each school site. The P&O Committee reviews plans and reports from program managers and district staff in order to ensure compliance with the terms of the current Measure. In this 8th year of the 10-year measure, the committee and program managers are focused on ensuring that program plans and expenditures are sustainable through the remainder of the Measure, which expires after 2016-17.

Planning for a New BSEP Measure
Alongside the ongoing stewardship of the current 2006 Measure, planning must stay on track for the next BSEP Measure, which will go before the voters in November 2016. Planning for the next measure requires examining the educational needs in the District, determining costs, clarifying community support for the proposed elements and structure of the measure, and determining a tax rate that will be supported by the voters.

Tax Rate
The current measure involves the use of a “split roll parcel tax,” with residential and commercial properties taxed at different rates. The current tax rates are $0.2816 cents per square foot for residential buildings, $0.4245 cents per square foot for commercial, industrial, and institutional buildings, and $61.78 for unimproved parcels. This “split roll” approach has been called into question since a 2012 ruling against the Alameda Unified School District, which had a similar split roll tax. In Borikas v. Alameda Unified School District, the First District Court of Appeal ruled that when school districts levy qualified special taxes, such taxes should “apply uniformly to all taxpayers or all real property within the school district.” Recent attempts in the legislature to change these parameters have been unsuccessful.

If the next BSEP measure were to be structured such that commercial properties are taxed at the lower residential rate, the loss to revenues would be substantial - at current rates, a loss of over 10% of BSEP revenues, or nearly $2.6 million. This calls into question not only whether new purposes could be added to the measure, but whether current allocations might need to be reduced, unless rates are raised.

Planning Process
Prior to the elections of 1986, 1994, 2004 and 2006, there were significant planning processes where, in different forums, staff and community members deliberated about the value of various educational programs in promoting and supporting the development and achievement of all the District’s students.

In the years since the last BSEP Measure was authorized, the District has engaged in a number of planning initiatives, such as the 2020 Vision, and the community-wide planning process for State funding under the new Local
Control Funding Formula. These discussions have surfaced additional ideas for strengthening the educational programs at our schools, as well as questions as to how various resources should be used for specific purposes or populations of students.

The Superintendent and BSEP Director have formed an initial Measure Planning Workgroup to create a calendar and basic framework for the planning process. The Workgroup is not currently discussing components of the next BSEP measure, as that will be the focus of the 2015-16 planning processes. A timeline and process outline has been discussed with the Superintendent’s Cabinet, and has also been brought to the BSEP P&O Committee.

It is the recommendation of the Superintendent and Cabinet that the planning process for the next Measure begin by reviewing the programs, budget allocations and structure of the current Measure, rather than beginning with a blank slate. In a recent discussion, P&O Committee members largely concurred with this approach, stating that there is a long history of voter support for the major elements of the measure. Each Measure has evolved through a process of re-examining district needs in light of the preceding measure - adapting, adding, subtracting or adjusting components to fit current needs in light of district funding options and educational priorities. Currently, with additional State funding coming in through the Local Control Funding Formula, the P&O and the PAC have both expressed a wish to clarify the best use of BSEP and LCAP funds among the broader purposes of the district’s major educational initiatives.

Beginning in January of 2015, the Superintendent’s Measure Planning Workgroup can put together BSEP Measure workgroups to examine each of the purposes of the current Measure, in order to develop an initial list of issues for further discussion. The Measure Planning Workgroup can also provide framing questions for each of the workgroups, such as how either a reduction or increase in funding would affect the programs, what the goals (and metrics, if any) of the programs are, and what issues have arisen for resource management under the current Measure framework. The Measure Planning Workgroup can also identify major district initiatives and/or site-funded programs that have surfaced in recent years as possible candidates for additional funding so that District staff can provide basic cost estimates.

This preliminary analysis is necessary to provide the data and background to inform later community forums, charrettes, and focus groups. It is similar to the background work currently being done to clarify a range of options to address the enrollment and school capacity issues now facing the district.

By January 2015 it may be necessary to add some hourly or part-time staffing to support these processes. By January 2016 a polling firm should be engaged
to assist with community and district budget workshops and a public opinion survey. The overall planning process will require intensive attention from the BSEP Office, the P&O, District staff, Board, and community members, in order to bring a final version of the Measure for a Board vote in June 2016 and to the Berkeley city ballot of November 2016.

POLICY/CODE
Berkeley Public Schools Educational Excellence Act of 2006 (Measure A of 2006)

FISCAL IMPACT
The Berkeley Public Schools Educational Excellence Act of 2006 (BSEP) currently provides approximately 20% of the District’s combined General Revenue, and funds one-third of the District’s classroom teachers. BSEP revenues projected for FY 2014-15 are $24,326,200.

RECOMMENDATION
Receive the BSEP Measure Planning Update.

BSEP Measure Planning Timeline
Rev 10-28-14

April 2013 -December 2014
Superintendent’s BSEP Measure Planning Process Workgroup
- Review planning issues and develop measure planning timeline
- Updates to Board: April 10, 2013; March 12, 2014; November 5, 2014

January-June 2015
BSEP Measure Components Working Groups
- Working groups review components of current Measure and key district initiatives
- Review BSEP Measure Planning with P&O Committee; form P&O subcommittees
- Convene P&O, PAC, DELAC, EAC working group on District budget and plans
- Recap to Board in May; Discussion with P&O at final meeting on June 2
- Additional staffing needed for working group meetings and for synthesizing input (1/15-1/16)

Summer 2015:
- Summary of Working Group Findings
- Staff provides cost estimates for budget workshops

October 2015:
Community Forum (Charrette) on BUSD Vision, Priorities, and Budget
- Build on working group studies & budget information
- Board update and planning for 2016 process

November 2015 – January 2016:
School Board Discussion and Decisions
- Tax Rate options
- Topics and options for public budget workshops and polls
- Staff provides cost estimates and measure allocation structure for various options
- Review other tax measures considered by City of Berkeley
- *Polling firm engaged for budget workshops and public opinion surveys (1/16-3/16)*

**February – March 2016:**

**Budget Workshops and Public Opinion Survey**
- Community Budget Workshops
- Survey on tax rate and educational purposes

**April 2016:**

**Board - Public Hearing on Parcel Tax Renewal**

**May 2016:**

**Superintendent’s Recommendation on Parcel Tax Measure Components to Board**

**June 2016:**

**Board Resolution Approving Final Version of Measure**

**November 2016:**

**Measure on November 8 Election Ballot; Takes Effect in 2017-18**

**BSEP Measure History**

**1986: Measure H**

Berkeley Public Schools Educational Enrichment Act of 1986

- lower class sizes
- supplementary educational materials
- enrichment funding given to each school on a per pupil basis
- facilities and grounds improvements

**1994: Measure B**

Berkeley Schools Excellence Project of 1994: Measure B

- lower class sizes
- supplementary educational materials, books, technology
- enrichment funding given to each school on a per pupil basis
- elementary instrumental music
- school maintenance and security
- public information and BSEP administration

**2004: Measure B**

Protecting Quality Education in Berkeley's Public Schools Act of 2004

- lower class sizes, expanded course offerings in MS and HS
- additional teachers for 4th-8th music program
- school library staff
- program evaluation and teacher training
- parent outreach and translation, BSEP administration

**77.9% voter approval**

12 years

**85.5% voter approval**

10 years

**72.4% voter approval**

2 years
2006: Measure A
Berkeley Public Schools Educational Excellence Act of 2006

- lower class sizes, expanded course offerings in MS and HS
- middle school counseling, program support
- site discretionary funding given to each school on a per pupil basis
- school library staff and materials
- music, visual and performing arts 4th-8th
- program evaluation, professional development, technology
- parent outreach
- public information and translation; BSEP administration, P&O support

Notes:
1994: The elementary instrumental music program, a victim of budget cuts, was added. To make the addition of music possible, the percentage dedicated to facilities was reduced and its focus changed to maintenance and security. Additional support for the school buildings was later provided by another special tax, Measure BB of 2000, and later Measure H of 2010 for maintenance of school district buildings, as well as landscaping and grounds work.

2004: As the dot-com boom went bust, funding for California school districts suffered. BUSD was forced to use the “fiscal crisis” clause of BSEP, which allowed higher levels of class sizes. Berkeley parents and community members responded to the crisis by working with the district to put Measure B on the ballot.