

**BERKELEY UNIFIED SCHOOL DISTRICT
Office of the Superintendent
2134 Martin Luther King Jr. Way
Berkeley, CA 94704-1180
Phone: (510) 644-6147 Fax (510) 540-5358**

REGULAR MEETNIG OF THE BOARD OF EDUCATION - AGENDA

Wednesday, January 15, 2003

Call to Order The Presiding Officer will Call the Meeting to Order at 6:00 p.m.
The Board will recess to Closed Session at 6:00 p.m. and
reconvene in Public Session at 7:30 p.m.

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

Administration Superintendent Michele Lawrence, Secretary

Prior to Closed Session (Government Code Sections 3540.1(d), 54956.9(a) and 54957)
and Education Code Section 48918(c)—Board Conference Room

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

*The Student Director does not attend Closed Session.

Report Closed
Session Action

Motion_____ Second_____ Vote_____

Approve Agenda

Approve the Regular Meeting Agenda of January 15, 2003
Motion_____ Second_____ Vote_____

PUBLIC TESTIMONY

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

PRESENTATIONS

None

REPORTS

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

CONSENT ITEMS

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

General Services

1.2-C
Acceptance of Gifts/
Donations

Staff Recommendation:
Accept the gifts/donations to the District or facilities from individuals and/or companies, as submitted and direct staff to send a letter of appreciation.
Motion_____ Second_____ Vote_____

1

Human Resources

2.1-C Acceptance of Personnel Report	<u>Staff Recommendation:</u> Accept Personnel Report 03-11 as submitted. Motion_____ Second_____ Vote_____	3
2.2-C Visiting Educator Contract	<u>Staff Recommendation:</u> Approve contract with the California Department of Education for services given by a certificated employee Motion_____ Second_____ Vote_____	8
2.3-C Resolution 02-48: Reduction or Elimination of Specified Classified Positions	<u>Staff Recommendation:</u> Approve Resolution 02-48 for Reduction or Elimination of Specified Classified Positions Motion_____ Second_____ Vote_____	9
2.4-C Liability Claims submitted to the to the District	<u>Staff Recommendation:</u> Deny all claims presented. Motion_____ Second_____ Vote_____	12

Educational Services

3.1-C Out-of-State Travel Requests	<u>Staff Recommendation:</u> Approve out-of-state travel requests. Motion_____ Second_____ Vote_____	13
3.2-C Overnight Field Trip Requests	<u>Staff Recommendation:</u> Approve overnight field trip requests Motion_____ Second_____ Vote_____	14
3.3-C Berkeley Adult School Application for City of Berkeley Community Development Block Grant Funds for the 2003-2004 Program Year	<u>Staff Recommendation:</u> Approve the submission of the Berkeley Adult School Application for City of Berkeley Community Development Block Grant Funds for the 2003-2004 Program Year Motion_____ Second_____ Vote_____	17

<p>3.4-C Berkeley High School Tobacco Prevention Program Tobacco Use Prevention Education Grant Application</p>	<p><u>Staff Recommendation:</u> Approve the submission of the Berkeley High School Tobacco Prevention Program Tobacco Use Prevention Education (TUPE) Grant Application Motion_____ Second_____ Vote_____</p>	<p>18</p>
<p><u>Business and Operations</u></p>		
<p>4.1-C Approval of Contracts/ Purchase Orders for Service and Contracts</p>	<p><u>Staff Recommendation:</u> Authorize the Associate Superintendent of Business and Operations or Purchasing Agent to execute Purchase Orders Motion_____ Second_____ Vote_____</p>	<p>20</p>
<p>4.2-C Approve Listing of Warrants issued in November and December 2002</p>	<p><u>Staff Recommendation:</u> Approve the monthly bill warrant list for November and December 2002 Motion_____ Second_____ Vote_____</p>	<p>29</p>
<p>4.3-C Receive and Approve information on the issuance of payroll warrants for employee services for November and December 2002</p>	<p><u>Staff Recommendation:</u> Approve payroll payments made in November and December 2002 Motion_____ Second_____ Vote_____</p>	<p>34</p>
<p>4.4-C Resolution 02-50: Increase cost for Krama, Inc, to complete the needed Change Orders at Jefferson School</p>	<p><u>Staff Recommendation:</u> Approve Resolution 02-05: Approve changes for additional modernization work at Jefferson School Motion_____ Second_____ Vote_____</p>	<p>39</p>
<p>4.5-C Authorization to Solicit Qualifications for Project Management and Construction Management Services</p>	<p><u>Staff Recommendation:</u> Approve the process for selecting a project/ construction manager to work on behalf of the District Motion_____ Second_____ Vote_____</p>	<p>42</p>

4.6-C Landscape Design And Process for Berkeley High School	<u>Staff Recommendation:</u> Approve the MIG, Inc., as the architect for \$65,00 and approve the process outlined above for the landscape project at Berkeley High School Motion_____ Second_____ Vote_____	44
4.7-C Yearly Facilities Plan Budget Summary	<u>Staff Recommendation:</u> Approve the project budgets and the bond issuance planning assumptions for facilities construction and modernization Motion_____ Second_____ Vote_____	46
4.8-C Resolution 02-49: Authorization to Reject and not Re-advertise for bids for Grounds Maintenance at Longfellow, Malcolm X and Cragmont schools	<u>Staff Recommendation:</u> Approve Resolution 02-49: Rejection of all bids and not to re-advertise for proposals for landscaping maintenance services for Longfellow, Malcolm X and Cragmont schools Motion_____ Second_____ Vote_____	51

ACTION ITEMS

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

Human Resources

2.1-A Approve variable term waiver request	<u>Staff Recommendation:</u> Approve waiver request for High School Counselor Motion_____ Second_____ Vote_____	54
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Educational Services

3.1-A Staff Recommendation: 55
Waiver of Portions of Board Policy 5123: Approve waiver of portions of Board Policy 5123:
Pupil Promotion and Retention for middle and
Pupil Promotion and high school program
Retention Motion_____ Second_____ Vote_____

3.2-A Staff Recommendation: 57
Application for California Approve the BUSD's Library application for
Public School Library California Public School Library Funds for
Funds for FY 2004, FY 2004, including the District's Library
Including the District's Plan for FY 2003-2004
Library Plan for Motion_____ Second_____ Vote_____
FY 2003-2004

CONFERENCE

These items are submitted for advance planning and to assist the Board in establishing future agenda items. The Board may, however, take action on the following:

General Services

1.1-CF Staff Recommendation: 70
Discussion of the Consider and comment on the information
Facilities Study and provided regarding potential use of property
Possible next steps and recommendations from the Facilities
Study

1.2-CF Board Member Recommendation: 74
Board Appointments Review and discuss options for the design and
and Advisory implementation of Board appointments and
Committees Advisory Committees

3.1-CF
Change in BHS
Graduation
Requirements in
Social Studies

Staff Recommendation:
Approve the reduction of the History/Social
Science requirement from 35 to 30 and
increase the general elective requirement by
5 units, maintaining the total requirement
of 220 units
Motion_____ Second_____ Vote_____

EXTENDED PUBLIC TESTIMONY

Persons wishing to address the Board at this time should fill out a card located on the table by the door and submit the completed card to the Board Recorder. (Public Testimony is limited to a maximum of 30 minutes—3 minutes per speaker).

ANNOUNCEMENT

Schedule of Board of Education Meetings for 2003:

January 15, 2003
January 22, 2003
February 5, 2003
**February 12, 2003—Special Meeting:
Board hears public comment on Formal Budget
Recommendations**
February 19, 2003
March 5, 2003
March 19, 2003
April 2, 2003
April 23, 2003
May 7, 2003
May 21, 2003
June 4, 2003
June 18, 2003
July 2, 2003
August 20, 2003
September 3, 2003
September 17, 2003
October 1, 2003
October 15, 2003
November 5, 2003
November 19, 2003
December 3, 2003
December 17, 2003

ADJOURNMENT

Time _____

**Board of Education Meetings are broadcasted live on KPFB/FM 89.3
Cable Television Channels 25 and Berkeley’s Government Access Channel 78**

GUIDELINES FOR SPEAKERS

You are invited to participate in the Meetings of the Board of Education and make your views known at these meetings.

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

Please fill in a **REQUEST TO ADDRESS THE BOARD OF EDUCATION CARD (located on the side of the Speaker’s Stand)** and give it to the Board Recorder. Speakers will be selected by lottery. Your card must be submitted before the Presiding Officer calls for the item—**PUBLIC TESTIMONY**.

You will be called on to speak by the Presiding Officer.

A speaker has three minutes in which to make his/her remarks. (The Presiding Officer will extend the time allocation for those with special speech needs.)

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

Qeg

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Queen Graham, Executive Assistant
DATE: January 15, 2003
SUBJECT: Acceptance of Gifts/Donations

BACKGROUND INFORMATION

The Board may accept and utilize on behalf of the District any bequests or gifts of money or property for a purpose deemed to be suitable by the Board.

The following donations have been presented to the District:

1. BERKELEY ARTS MAGNET PTA: A donation of \$18,000 to Berkeley Arts Magnet School.
2. BERKELEY PUBLIC EDUCATION FOUNDATION: A donation of \$500 to Kris Waters, John Muir Elementary School, Grant #46.
3. BERKELEY PUBLIC EDUCATION FOUNDATION: A donation to Nancy D. Waters, John Muir School, Grant #47.
4. SALLY LAPPEN AND NIK WARREN: A donation of \$449 to John Muir School.
5. EMERSON PTA: A donation to the teachers at Emerson School. Each teacher received a stipend of \$150 to purchase supplies for their students and to be used in their classrooms.
6. CAMILLA GLOVER, LAW OFFICE OF MARILYN KAPLAN: A donation of a computer and office items with an estimated value of \$805.
7. BILL GRAHAM ENTERPRISES, dba: BILL GRAHAM PRESENTS: A donation of \$375 to Berkeley High School..
8. CHEZ PANISSE FOUNDATION: A donation of \$1200 to Washington Elementary School, Program/Curriculum Coordinator
9. FIRST FEDERAL SAVINGS & LOAN ASSOCIATION OF SAN RAFAEL: A donation of \$1500, Berkeley High School Football team.
10. Anne Jefferson, IFSHIN VIOLINS: A donation of musical instruments, with an estimated value of \$140.
11. JEFFERSON PTA: A donation of \$10,000 toward the salary of an employee at Jefferson School.
12. JEFFERSON PTA: A donation of \$12,063 to Jefferson School.
13. NATIONAL STARCH AND CHEMICAL FOUNDATION, INC.: A donation of \$1500 for the Berkeley High School Science Department.
14. GARY OTO AND MARY MOORHEAD: A donation of \$50 to Berkeley High School.
15. OXFORD PTA: A donation of \$5,000 toward the salary of an employee at Oxford School.

16. OXFORD PTA: A donation of \$5,000 toward the salary of an employee at Oxford School.
17. PAUL RICARDI: A donation of Read Naturally, at a total cost of \$1640.80, to be used for the Reading Program at King Middle School.
18. TARGET--TAKE CHARGE OF EDUCATION SCHOOL FUNDRAISING PROGRAM: A donation of \$110.28 for Cragmont School.
19. TARGET—TAKE CHARGE OF EDUCATION SCHOOL FUNDRAISING PROGRAM: A donation of \$562.24, to Berkeley High School.
20. WASHINGTON PTA: A donation of \$5,191 to Washington Elementary School.

POLICY

Board Policy DFK/KHE

FISCAL IMPACT

None

STAFF RECOMMENDATION

Accept the donations/gifts to the District.

TO: Michele Lawrence Superintendent
 FROM: David A. Gomez, Ph.D.
 Associate Superintendent Human Resources
 DATE: January 15, 2003
 SUBJECT: ACCEPTANCE OF PERSONNEL REPORT 03-11

Following is Personnel Report 03-11, which reports details of personnel assignments employment and terminations.

CERTIFICATED EMPLOYEES						
NAME	POSITION	LOCATION	BUDGET	FTE & SALARY	FROM	TO
<u>RETIREMENT</u>						
Alexander Panasenko	Teacher	Berkeley High		1.00 FTE	6/13/03	
Cynthia Weber	Teacher	Berkeley High		0.93 FTE	6/13/03	
<u>PATERNITY LEAVE OF ABSENCE WITH PAY</u>						
Jonathan Mayer	Teacher	Le Conte		1.00 FTE	12/3/02	12/20/02
<u>MATERNITY LEAVE OF ABSENCE WITHOUT PAY</u>						
Alma Biscocho	Teacher	Franklin Pre-School		1.00 FTE	12/4/02	6/30/03
<u>PROBATIONARY TEACHERS</u>						
Linda Carr	Teacher	Berkeley High	General Fund	1.00 FTE V-09	8/26/02	
Tanya Dennis	Teacher	Willard	General Fund	1.00 FTE VII-07	8/26/02	
Jennifer Dieges	Teacher	Berkeley High	General Fund	0.60 FTE VII-01	8/26/02	
Carol Dorf	Teacher	Berkeley High	General Fund	1.00 FTE VII-10	8/24/01	
Cheryl Draper	Teacher	Longfellow	General Fund	1.00 FTE II-07	8/26/02	
Maria Kersey	Teacher	Berkeley High	General Fund	0.80 FTE V-08	8/26/02	
Susanne Kossa-Rienzi	Teacher	King	General Fund	0.80 FTE II-04	8/26/02	
Scott Long	Teacher	Willard	General Fund	1.00 FTE III-02	8/26/02	
Nicole Martinovich	Teacher	Rosa Parks	General Fund	0.50 FTE VII-04	8/26/02	
Sara McMickle	Teacher	Alternative High School	General Fund	1.00 FTE V-07	8/26/02	

NAME	POSITION	LOCATION	BUDGET	FTE & SALARY	FROM	TO
Guadalupe Mora	Teacher	Franklin Pre-School	General Fund	1.00 FTE I-08	8/26/02	
Sarah Morrison	Teacher	Berkeley High	General Fund	0.40 FTE VII-07	8/26/02	
Guadalupe Rivas	Teacher	Berkeley High	General Fund	1.00 FTE I-02	8/26/02	
Elisabeth Sandberg	Teacher	Berkeley High	General Fund	1.00 FTE VII-06	8/21/02	
Frances Stephens	Teacher	King CDC	General Fund	1.00 FTE I-05	8/26/02	
Bhupinder Virk	Teacher	Willard	General Fund	1.00 FTE II-10	8/26/02	
Jean Whittlesey	Teacher	Alternative High School	General Fund	1.00 FTE VII-07	8/26/02	
<u>TEMPORARY TEACHER</u>						
Sean Lenihan	Teacher	Special Ed.	General Fund	1.00 FTE I-01	12/09/02	6/13/03
<u>EXTRA DUTY</u>						
Victoria Edwards	Teacher (After School Tutorials)	King	Site Fund	Max of \$4,000	9/03/02	6/13/03
Akemi Hamai	Teacher (After School Tutorials)	King	Site Fund	Max of \$4,000	9/03/02	6/13/03
Martha Hoppe	Teacher (After school Tutorials)	King	Site Fund	Max of \$4,000	9/03/02	6/13/03
Geeta Makhya	Teacher (After school Tutorials)	King	Site Fund	Max of \$4,000	9/03/02	6/13/03
Patricia Rathwell	Teacher (After school Tutorials)	King	Site Fund	Max of \$4,000	9/03/02	6/13/03

CLASSIFIED EMPLOYEES

NAME	POSITION	LOCATION	BUDGET	CLASS RANGE STEP	FTE & SALARY	FROM	TO
<u>RESIGNATION</u>							
Wilma Adams	Instructional Assistant Special Ed.	Berkeley High				1/06/03	
Michelle L. Dotson	Instructional Assistant Special Ed.	Emerson				1/01/03	
Caila Menefee	Program Assistant	Berkeley High				12/20/02	
Terry Trammell	Administrative Secretary (w/o shorthand)	Education Services				1/03/03	
<u>RETIREMENT</u>							
Mary Carter	Snack Bar Operator	Berkeley High				12/30/02	
Elaine Overstreet	Elementary School Secretary I	Oxford				12/29/02	
<u>PROBATIONARY</u>							
Gloria Dudley	Administrative Secretary (w/o shorthand)	Administration Building	Special Ed.	46/1	1.0 FTE \$18.06/hr	1/02/03	6/30/03
Gene Faurie Jr.	Administrative Assistant	Human Resources	General Fund	50/3	1.0 FTE \$22.59/hr	12/15/02	6/15/03
Loleeta Herradura	Instructional Assistant Special Ed.	Spectrum	Special Ed.	31/1	.80 FTE \$12.77/hr	1/06/03	6/13/03
Heeju Jang	Typewell Interpreter	Berkeley High	General Fund	45/5	.80 FTE \$22.02/hr	12/06/02	6/06/03
Bernard Jeffrey	Maintenance Engineer	Maintenance Dept.	BB Measure	54/3	1.0 FTE \$24.95/hr	1/02/03	7/01/03
Andre Julian	Instructional Assistant Special Ed.	John Muir	Special Ed.	31/3	.80 FTE \$14.12/hr	11/12/02	5/12/03
Anthony Mills	General Maintenance Worker	Maintenance Department	BB Measure	40/1	1.0 FTE \$15.96/hr	11/25/02	5/25/03
Sharon Vernae	Senior Personnel Assistant	Human Resources	General Fund	42/1	1.0 FTE \$16.77/hr	1/13/03	7/13/03
Vivian Wiggins	Secretary to Superintendent	Administration Building	General Fund	52/1	1.0 FTE \$21.48/hr	1/06/03	7/06/03 <i>P. 3 of 5</i>

NAME	POSITION	LOCATION	BUDGET	CLASS RANGE STEP	FTE & SALARY	FROM	TO
<u>PROVISIONAL</u>							
Maribel Coss	Instructional Assistant (Bilingual)	Thousand Oaks	Site Fund	29/1	.40 FTE \$12.17/hr	11/1/02	2/01/03
Sadie Cooper	Instructional Technician	Emerson	Site Fund	34/1	.17 FTE \$13.76/hr	11/18/02	5/18/03
Sharon Vernae	Administrative Assistant	Human Resources	General Fund	50/1	1.0 FTE \$20.45/hr	11/1/02	12/15/02
Rachel Williams	School Secretary I	Oxford	Site Fund	42/1	1.0 FTE \$16.77/hr	1/06/03	5/30/03
Sharon Vernae	Senior Personnel Assistant	Human Resources	General Fund	42/1	2.0 FTE \$16.77/hr	12/16/02	1/10/03
<u>TEMPORARY/HOURLY</u>							
Marcus Boddy	Student Worker Stage Hand	Berkeley High Community Theater	Site Fund	N/A	Not to exceed 20/hrs/wk \$6.75/hr	12/01/02	6/30/03
Marlon Boddy	Student Worker Stage Hand	Berkeley High Community Theater	Site Fund	N/A	Not to exceed 20/hrs/wk \$6.75/hr	12/01/02	6/30/03
Alice Carin	Instructional Assistant Special Ed.	Emerson	Special Ed.	N/A	Not to exceed 35/hrs/wk \$12.77/hr	1/01/03	4/01/03
Chi Ping Chan	Student Worker	Adult School	Site Fund	N/A	Not to exceed 20/hrs/wk \$6.75/hr	10/28/02	6/30/03
Shawn Cotten	Student Worker Stage Hand	Berkeley High Community Theater	Site Fund	N/A	Not to exceed 20/hrs/wk \$6.75/hr	11/01/02	6/30/03
Aaron Hackett	Tutor	Independent Study	BSEP	N/A	Not to exceed 20 hrs/wk \$11.45/hr	11/15/02	6/13/03
Joanie Harrison-Hanasaki	Clerical Assist. II	Business Dept.	General Fund	30/1	2 hrs/wk \$12.47	11/24/02	2/24/03

NAME	POSITION	LOCATION	BUDGET	CLASS RANGE STEP	FTE & SALARY	FROM	TO
Jesse B. McKeithen	Instructional Technician	Emerson	Site Fund	34/1	Not to exceed 3/hrs/wk \$13.76/hr	1/06/03	6/13/03
Socorro Ramirez	Student Worker	Berkeley High (Workability)	Special Ed.	N/A	Not to exceed 20 hrs/wk \$6.75/hr	10/1/02	6/13/03
Herman White	Student Worker	Berkeley High (Workability)	Special Ed.	N/A	Not to exceed 20 hrs/wk \$6.75	10/1/02	6/13/03
Eve Stone	Food Service Assistant	Food Service Dept.	General Fund	26/1	Not to exceed 10hrs/wk \$11.29/hr	12/23/02	6/30/03
<u>STIPEND</u>							
Matthew Renner	Coach (Football)	Willard Junior High	BSEP	N/A	100% Position \$1,000 Winter season	9/01/02	10/31/02
Matthew Renner	Coach (Soccer)	Willard Junior High	BSEP	N/A	100% Position \$1,000 Winter season	11/15/02	12/15/02

WORKING EVENING SHIFT, OUT OF CLASS, OR AS CONFIDENTIAL OR MANAGEMENT EMPLOYEE

Anthony Mills	General Maintenance (p.m. shift)	Maintenance Dept.	BB Measure	40/1	5% differential (1.0 FTE + \$.79)	11/25/02	5/25/03
Gene Faurie Jr.	Administrative Assistant (Confidential)	Human Resources	General Fund	50/3	5% differential (1.0 FTE + \$1.13)	12/15/02	6/15/03
Bernard Jeffrey	Maintenance Engineer (p.m. shift)	Maintenance Dept.	General Fund	54/3	5% differential (1.0 FTE + \$1.25)	1/02/03	6/30/03
Loleeta Herradura	Instructional Assistant Special Ed.	Spectrum	Special Ed.	31/1	10% differential (.80 FTE + \$1.28)	1/06/03	7/06/03
Vivian Wiggins	Secretary to Superintendent (Confidential)	Administration Building	General Fund	52/1	5% differential (1.0 FTE + \$1.07)	1/06/03	7/06/03

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: David A. Gomez, Ph.D.,
Associate Superintendent, Human Resources
DATE: January 15, 2003
SUBJECT: Phoebe Tanner Visiting Educator Contract

BACKGROUND INFORMATION:

For 2002-2003 Berkeley Unified School District entered into an agreement with the California Department of Education Visiting Educator Program of which Phoebe Tanner, teacher, is a participant. Berkeley Unified School District is to be reimbursed for salary, benefits and indirect costs from October 1, 2002 through September 30, 2003. Reimbursement from California Department of Education to Berkeley Unified School District will be \$99,096.50.

POLICY/CODE:

Article I Section 10000 of the California State Education Code.

FISCAL IMPACT:

None

STAFF RECOMMENDATIONS:

Approve Phoebe Tanner contract with CDE.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Board of Education
FROM: Michele Lawrence, Superintendent
DATE: January 15, 2003
SUBJECT: Resolution No. 02-48 for Reduction and Elimination of Specified Classified Positions

BACKGROUND INFORMATION:

After a thorough financial analysis of the Healthy Start Program at Malcolm X School, District staff has concluded that continued operation of this program at the present staffing is not financially viable and would lead to added encroachment into the General Fund. Over the past two year period the encroachment amount on the General Fund for the positions below has been approximately \$ 42,000.

For this reason, staff recommends particular kinds of services related to this program and set forth herein be reduced. The positions affected are the Home School Liaison position, which will be reduced from a 1.0 FTE (7.5 hour) to a .80 FTE (6 hour) position and the Healthy Start Program Coordinator, a 1.0 FTE position, which will be discontinued.

POLICY/CODE:

Education Code Section 45117 states that classified employees may be laid off due to lack of funds or lack of work.

FISCAL IMPACT:

Reduction in the amount of approximately \$ 35,032 in employee costs to alleviate budget deficit.

STAFF RECOMMENDATION:

Approve Resolution No. 02-48 to reduce the hours of the specified classified position because of lack of funds and/or lack of work.

**BEFORE THE GOVERNING BOARD OR THE
BERKELEY UNIFIED SCHOOL DISTRICT
RESOLUTION No. 02-48**

**Elimination and Reduction in Hours of Specified Classified Position for
2002-2003**

WHEREAS, due to lack of funds and/or lack of work, the Board of Education of the Berkeley Unified School District hereby finds it necessary to eliminate or reduce the positions set forth herein below to the following extent:

1.00 FTE Home School Liaison reduced to .80 FTE

1.00 FTE Healthy Start Program Coordinator

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

1. That the classified positions specified herein above be eliminated by layoff pursuant to District rules and regulations and applicable provisions of the California Education Code and the current collective bargaining agreement.
2. That said reduction of FTE of the Home School Liaison position by layoff becomes effective on February 1, 2003. That said reduction and discontinuation of the Healthy Start Program Coordinator position by layoff becomes effective on February 15, 2003.
3. That the Superintendent or designee has directed to give a notice of layoff to the affected classified employee and any employee subject to displacement, if applicable, pursuant to California Education Code Section 45117 and applicable provisions concerning layoff and reemployment in the current collective bargaining agreement.
4. That any affected classified employee laid off pursuant to this resolution shall be eligible for reemployment pursuant to California Education Code Section 45298 and applicable provisions concerning layoff and reemployment in the current collective bargaining agreement, where applicable.

The foregoing Resolution was adopted by the Board of Education of the Berkeley Unified School District on the 15th day of January, 2003 as the same appears of record in my office

AYES:

NOES:

ABSTAIN:

ABSENT:

I, Michele Lawrence, Secretary to the Board of Education of the Berkeley Unified School District, County of Alameda, State of California, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Board of Education of the aforesaid school district as the Board meeting held on the 15th day of January, 2003, as the same appears of record in my office.

Michele Lawrence Secretary to the Board of Education
of the Berkeley Unified School District

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: David Gomez, Ph.D., Associate Superintendent, Human Resources
DATE: January 15, 2003
SUBJECT: Liability claims submitted to Berkeley Unified School District

BACKGROUND INFORMATION:

The following claims for damages to person or property have been filed against Berkeley Unified School District:

1. Claim filed by a parent for emotional distress suffered by her son when she was allegedly assaulted by a District employee.
2. Claim filed by a parent for injuries, medical expenses and lost income caused when a table allegedly fell on her at Emerson School.
3. Claim filed by a parent for payment of medical expenses incurred when daughter allegedly lost consciousness at Berkeley High School.
4. Claim filed by a teacher for personal items that were allegedly stolen from her classroom.
5. Claim filed by a teacher for personal items that were allegedly stolen from her classroom.
6. Claim filed by a former employee for reimbursement of personal property that was allegedly withheld and for alleged non-payment of earned wages.
7. Claim filed by a parent for violation of privacy and civil rights for allegedly withholding services from her minor son.

POLICY/CODE:

Government Code Section 910

FISCAL IMPACT:

None

STAFF RECOMMENDATION:

Deny all claims presented.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Chris Lim, Associate Superintendent, Educational Services
DATE: January 15, 2003
SUBJECT: Out-of-state Travel Requests

BACKGROUND INFORMATION

The following out-of-state travel request is being made:

The College Advisor is requesting to travel to upstate New York March 29, 2003 through April 4, 2003 to attend the CRUSSH (Colgate, Rensselaer, Union, Skidmore, Syracuse, Hamilton) Tour. This tour will enable the College Advisor to visit colleges that Berkeley High School students attend and experience case studies for the admissions/application process. The entire cost of the trip is funded by the colleges as part of their annual CRUSSH tour and there is no financial impact.

POLICY/CODE

Board Policy DJD – Travel Expense Reimbursement Policy

FISCAL IMPACT

None.

STAFF RECOMMENDATION

Approve the out-of-state travel request.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Christine Lim, Associate Superintendent, Educational Services
DATE: January 15, 2003
SUBJECT: Overnight Field Trip Requests

BACKGROUND INFORMATION:

The following overnight field trip requests are being made:

1. Ratify participation of the Berkeley High School Varsity Girls' Basketball team (13 team members, one certificated employee and 14 other adults) in a national basketball tournament in Phoenix, Arizona on December 18-22, 2002. Students flew to Arizona and were housed in gender specific rooms in a local motel. The \$10,000 was funded by The Girls' Basketball Fund, funded by parent boosters. Requested by Thelette Bennett, Executive Vice-Principal, BHS.
2. Ratify participation of the Berkeley High School Varsity Boys' Basketball team (14 team members and 2 certificated employees) in a basketball tournament in Yuba City, California on December 19-21, 2003. Transportation was provided by District buses and students were housed by local host families. The \$1,000.00 cost of the trip was funded by the Associated Student Body Fund. Requested by Thelette Bennett, Executive Vice-Principal, BHS.
3. Ratify participation of the Berkeley High School Varsity Girls' Basketball team (13 team members, 1 certificated employee and 10 other adults) in a holiday tournament in Anaheim, California on December 29-30, 2003. The team was transported via private vehicles in accordance with all District policies. Students were housed in genders specific rooms in a local motel. The \$2,500 cost was funded by The Girls' Basketball Fund, funded by parent boosters. Requested by Thelette Bennett, Executive Vice-Principal, BHS.
4. Approve participation of the Communication Arts and Sciences (CAS) juniors (45 students, 4 students and 4 other adults) in a retreat at the Marin Headlands January 24-25, 2003. The purpose of the trip is to provide students an opportunity for planning their community service projects. Students and teachers will not miss any class time as finals will be completed

prior to their departure on January 24, 2003. Students will be staying in gender specific rooms at the Marin Headlands, Fort Barry Building. Transportation will be provided by District buses. The \$2,700 cost of the trip will be funded by student donations and fundraisers. Requested by Thelette Bennett, Executive Vice-Principal, BHS.

5. Approve participation of the Berkeley High School Frosh, Junior Varsity and Varsity Girls' Basketball teams (36 team members, 2 certificated employees and 20 other adults) in a game against Reno High School in Reno, Nevada January 25-26, 2003. Students will be transported to Reno via private vehicles in accordance with District policy. Students will be housed in a local motel in gender specific rooms. The approximate cost of \$1,500.00 will be funded by The Girls' Basketball Fund, funded by parent boosters. Requested by Thelette Bennett, Executive Vice-Principal, BHS.
6. Approve participation of 24 fourth grade students, one teacher and two other adults from Thousand Oaks School on an overnight trip Yosemite National Park on January 29-31, 2003. Students will study the environmental themes of wilderness, native culture, arts-humanities, geology, California history, plant communities, national park history, and the global environment. Students will be keeping a journal, group problem solving and doing natural history investigations and other related activities. Students will be transported by District buses and be housed in fully furnished deluxe cabins in gender specific rooms. The \$165 per student cost is being funded by student fundraising and a scholarship from the Yosemite Institute Diversity Scholarship Program. Requested by Jesse Ramos, Principal, Thousand Oaks.
7. Approve participation of the Berkeley High School Frosh and Varsity Girls' Basketball teams (26 team members, 1 certificated employee and 10 other adults) in a game against McKinleyville High School in McKinleyville, California on February 14-16, 2003. Students will be transported to McKinleyville via private vehicles in accordance with District policy. The host team's families will house students. The approximate cost of \$250.00 will be funded by The Girls' Basketball Fund, funded by parent boosters. Requested by Thelette Bennett, Executive Vice-Principal, BHS.
8. Approve participation of two Berkeley High School Juniors (participants in the Berkeley High School Academic Volunteer

Mentor Program) and two Berkeley YMCA staff members on a service trip to Mexico February 27- March 1, 2003. The purpose of the trip is for the students to assist in the building of a local library and tutor local elementary school students. This project is in partnership with the Berkeley YMCA and the Rotary Club. Students will fly to Mexico and will be housed in a local home in gender specific rooms. The entire cost of the trip is funded in full by the Berkeley YMCA. The students involved will set up independent study contracts for the five days of school they are missing. Requested by Mary Ann Valles, Co-Principal, BHS.

POLICY/CODE:

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

FISCAL IMPACT:

As indicated above.

STAFF RECOMMENDATION:

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

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Chris Lim, Associate Superintendent, Educational Services
DATE: January 15, 2003
SUBJECT: Berkeley Adult School Application for City of Berkeley
Community Development Block Grant Funds for the 2003-
2004 Program Year

BACKGROUND INFORMATION

The Berkeley Adult School Life Skills Program is applying for \$30,000 in continued funding from the City of Berkeley for the program. The Life Skills Program identifies and serves low income men and women who may be: substance abusers, victims of abuse, homeless and those with limited basic skills. Additionally, the Life Skills Program serves low income Berkeley residents who are recent/first generation immigrants (from more than 50 countries) in the English as a Second Language program. The services that the Life Skills Programs provides are: Counseling, referrals for physical and mental health care, housing and legal assistance. The services provided assist students in making successful progress in their academic and/or vocation programs. Over 500 students will receive referrals to community agencies for services.

POLICY/CODE

Board Policy 6141.1

FISCAL IMPACT

Restricted income of \$30,000

STAFF RECOMMENDATION

Approve the submission of the Berkeley Adult School Application for City of Berkeley Community Development Block Grant Funds for the 2003-2004 Program Year

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Chris Lim, Associate Superintendent, Educational Services
DATE: January 15, 2003
SUBJECT: Berkeley High School Tobacco Prevention Program Tobacco Use Prevention Education (TUPE) Grant Application

BACKGROUND INFORMATION

Tobacco Use Prevention Education (TUPE) Grant funds are available through the California Department of Education. The Berkeley High School Tobacco Prevention Program are requesting to apply for these funds to continue implementation of the Tobacco Prevention Program at the high school.

The 9th through 12th grade Berkeley High Tobacco Free Project will employ a combination of successful tobacco prevention strategies targeting current tobacco users, students most at risk for tobacco use, the general population and parents. The program will be administered on-site at Berkeley High School by the District Tobacco Prevention Coordinator. A tobacco prevention health educator will be responsible for much of the day-to day administration of the program. An evaluator will design the evaluation component and analyze the data. Voluntary health organizations, the City of Berkeley Tobacco Control Program, the University of California Health Services, community members and other groups will collaborate in planning and conducting these activities.

Classroom Tobacco Prevention Education

BHS and BAHS students and UC Berkeley students will be trained to conduct a variety of tobacco prevention presentations to 9-12 grade BHS and BAHS students. During each semester of the grant, peers and older role models will deliver presentations related to various classes using tobacco as the subject matter with a cross-curricular model. In addition, teacher trainings will be conducted in Departmental meetings with tobacco prevention education curricula, activities and other resources and service learning opportunities.

Parent, School and Community Involvement

Working in collaboration with a Parent, School and Community Advisory Committee, the BHS-TPP Program will increase the capacity of tobacco prevention in the school and community. Specific collaborative projects will be developed to plan school and community events that compliment the concepts covered in classrooms.

Tobacco Cessation Interventions

A variety of tobacco cessation interventions will be available for all BHS or BAHS students. Various efforts to promote these services and to strengthen services and policies will be conducted, including quit smoking groups, one-to-one cessation counseling and other interventions for current tobacco users, Cal student outreach - cessation counseling and presentations in On-Campus Suspension, Providing “no-smoking signs” at BHS and BAHS and Promoting local resources for quitting to staff and faculty

The California Healthy Kids Survey and other local surveys will provide data to evaluate intervention effectiveness, tobacco use prevalence and will allow staff to revise and adjust program to increase effectiveness.

POLICY/CODE

Berkeley High School Tobacco Prevention Program Tobacco Use Prevention Grant Application

FISCAL IMPACT

Additional \$114,822 to the District from June 30, 2003 to June 29, 2006 to achieve grant objectives from the CDE. No additional costs to District.

STAFF RECOMMENDATION

Approve the submission of the Berkeley High School Tobacco Prevention Program Tobacco Use Prevention Education (TUPE) Grant Application

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Jerry J. Kurr
Associate Superintendent of Business and Operations
DATE: January 15, 2003
SUBJECT: Approval of Contracts/Purchase Orders for Services
Contracts

BACKGROUND INFORMATION

The District contracts with consultants or independent contractors who can provide valuable and necessary specialized services not normally required on a continuing basis.

The following contract services are requested.

1. Ratification of contract to Kids by the Bay for services provided to John Muir School, School-Wide Creek Education Program. The cost will not exceed \$1,000. To be paid from Ecoliteracy Program Requested by Nancy D. Waters.
2. Young Audiences of The Bay Area to provide an Ensemble: Oakland Ballet on February 12, 2003 at Washington School. The cost will not exceed \$1,110. To be paid from Magnet Budget. Requested by Rita Kimball.
3. Ratification of contract to M.P. Radocy, Inc., for services provided to Human Resources Department for one half share arbitrator's transcript to counsel for BFT and Berkeley Unified School District. The cost will not exceed \$700.50. To be paid from General Fund Human Resource Budget. Requested by David Gomez.
4. Ratification of contract to Bay Area Mailing Services to provide pick-up and bulk postage for Berkeley High School Parent/Student Handbooks. The cost will not to exceed \$1,564.16. Requested by Gerald Herrick.
5. Thomas Bye will perform tasks related to the Evaluation of Title VII Program Development and Implementation Grant awarded to Rosa Parks Elementary School. The cost will not exceed \$7,500. To be paid from Title VII TWI Program. Requested by Shirley Herrera.
6. Increase of contract for Judith A Coleman to provide consultant services for processing and reconcile budget and health and welfare issues at a rate of \$55 per hour plus mileage and parking

- for the period January 1, 2003 through January 31, 2003. Board approval in the amount of \$13,250 on December 11, 2002. The additional time required increased the cost by \$15,000 for a total amount of \$28,250. To be paid from General Fund Accounting Budget. Requested by Song Chin-Bendib.
7. Ratification of contract to Roto-Rooter to provide emergency repair work needed to repair leak in 4" copper main water line at King Middle School. The cost will not exceed \$4,589.90. To be paid from Measure BB Budget. Requested by Rhonda Bacot.
 8. James Savage to provide consultant services for homeless students; case management, build and maintain data base, connect homeless students with appropriate services in the City of Berkeley for the period January 15, 2003 through June 30, 2003. The cost will no exceed \$25,000. To be paid from McKinney Homeless Assistance Act Grant. Requested by Carla Basom.
 9. Simplex-Grinnell to provide service and repair to fire alarm systems through the district for the 2002/2003 school year. The cost will not exceed \$5000. To be paid from Measure BB Budget. Requested by Rhonda Bacot.
 10. Forensic Analytical to provide Indoor Air Quality, training, Investigation and Remediation of Indoor Air Quality, Asbestos awareness training and Asbestos O & M training. The cost will not exceed \$5,700. To be paid from BSEP Budget. Requested by Rhonda Bacot.
 11. Ratification of contract to CAL Berkeley MESA to provide tutors for the UCO/MESA Program for 2001/2002 at Willard Middle School. The cost will not exceed \$3,500. To be paid from Willard Middle School Site Performance Award Budget. Request by Michele Patterson.
 12. Ratification of contract to Word for Word for a performance workshop at Washington School on December 19, 2002. The cost will not exceed \$2,500. To be paid from Washington School Magnet Budget. Requested by Rita Kimball.
 13. Sanjuana Cavanos to provide translation services at Thousand Oaks School for the period August 26, 2002 through June 13, 2003 at a rate of \$50/page. The cost will not exceed \$2,000. To be paid from Thousand Oaks ELAP Budget. Requested by Jesse Ramos.

15. American Civil Contractors to install 300' fence around perimeter and Reseed 24,000 sq. ft. lawn area at Cragmont School. The cost will not exceed \$2,180. To be paid from Measure BB Budget. Requested by Rhonda Bacot.
16. Valley Truck-Tractor to provide maintenance for the John Deere tractor mower located in the Maintenance Department. The cost will not exceed \$500. To be paid from Measure BB Budget. Requested by Rhonda Bacot.
17. Pacific Education Group to provide equity consultant services at Washington School for the 2002/2003 School Year. The cost will not exceed \$7,500. To be paid from Washington School Healthy Start Budget. Requested by Rita Kimball.
18. Tracy Power Equipment to repair power equipment as required by the Maintenance Department for the 2002/2003 FY. The cost will not exceed \$14,000. To be paid from Measure BB Budget. Requested by Rhonda Bacot.
19. Shaeedah Deal to provide dance lesson at Willard Middle School for the period October 4, 2002 through December 2, 2002. The cost will not exceed \$2,100. To be paid from Willard Middle School Afterschool Program. Request by Michele Patterson.
20. Carol Olson to provide scoring of writing test for eight grade level for two days at a rate of \$115.48 per day. The cost will not exceed \$230.96. To be paid from Instructional Services Budget. Requested by Neil Smith.
21. Dr. Kathryn McCarty to provide Individual Educational Program, social skills services as required social skills for student. One hour per week at a rate of \$60/hour for the period July 1, 2002 through June 30, 2003. The cost will not exceed \$2,640. To be paid from the General Fund Special Education Budget. Requested by Ken Jacopetti.
22. Increase in contract to Gold Star Foods to provide food items as needed for the 2002/2003 FY. Board approval in the amount of \$100,000 on June 12, 2002. The additional amount increases the cost by \$105,000 for a total amount of \$205,000 per ACOE Bid Purchasing Program. To be paid from the Nutrition Services Budget. Requested by Karen Candito.
23. Stiles Hall to provide mentoring and tutoring services for 15 students at Cragmont School for the period September 2002

- through May 2003. The cost will not exceed \$4,000. To be paid from Cragmont School Title I Budget. Requested by Jason Lustig.
24. Mildred Howard to provide art modeling session for a total of 60 hours for the period January 6, 2002 to June 30, 2002, at a rate of \$38/hour at Thousand Oaks School. The cost will not exceed \$2,280. To be paid from Thousand Oaks School Magnet. Requested by Jesse Ramos.
 25. Marcive Inc. to provide on- line subscription service to on-line catalog records at King Middle School Library. The cost will not exceed \$700. To be paid from King Middle School BSEP Budget. Requested by Kit Pappenheimer.
 26. Kinko Printing to furnish printing services as need for the period December 2002 through June 30, 2003. The cost will not exceed \$3,000. To be paid from State and Federal Magnet Budget. Requested by Carla Basom.
 27. Lorrie Williams to provide contractual advertising services for the Magnet Program Grant. Magnet Schools are LeConte, Thousand Oaks and Washington for the period November 2002 through June 30, 2003. The cost will not exceed \$7,500. To be paid from State & Federal Magnet Budget. Requested by Carla Basom.
 28. Ratification of contract to James Reed to provide air monitoring services by Certified Asbestos Consultant, Phase Contrast, Microscopy (PCM) clearance at Emerson School. The cost will not exceed \$350. To be paid from Measure BB Budget. Requested by Rhonda Bacot.
 29. Stiles Hall to provide mentoring services for 10 students at Longfellow Middle School for the 2002/2003 SY. The cost will not exceed \$1000. To be paid from the Longfellow Middle School SIP Budget. Requested by Rebecca Cheung.
 30. The Julia Morgan Center to provide participation for Julie Morgan Center Association Institute in affiliation with the Lincoln Center Institute for the 2002/2003 SY. The cost will not exceed \$2,000. To be paid from Longfellow Middle School EIA-SCE Budget. Requested by Rebecca Cheung.
 31. Barbara Selvide to provide Art Modeling for 5 sessions at Thousand Oaks School for a total of 135 hours at a rate of \$38 per hour for the period January 1, 2002 through May 30, 2003. The cost will

- not exceed \$5,130. To be paid from Thousand Oaks School Magnet Budget. Requested by Jesse Ramos.
32. Metzger Enterprises to provide computer support service including upgrades, repairs, etc. as needed for the period September 30, 2002 through June 13, 2003 at a rate of \$35 per hour. The cost will not exceed \$3,000. To be paid from Longfellow School BSEP Budget. Requested by Rebecca Cheung.
 33. Increase of contract to Kinko's to provide printing of assessment materials for 2002/2003 FY. Board approval in the amount of \$5,000 on September 25, 2002. The additional amount required will increase the cost by \$5,000 for a total amount of \$10,000. To be paid from General Fund Instructional Services Budget. Requested by Neil Smith.
 34. Clean Source, Inc. to provide service repairs for District cleaning equipment as need for the 2002/2003 FY. The cost will not exceed \$3,000. To be paid from General Fund Custodial Budget. Requested by Rhonda Bacot.
 35. Siemens Building Technologies, Inc. to provide professional consultant services for Staefa Control System located at Berkeley High School for the period December 1, 2002 through December 1, 2003. The cost will not exceed \$4, 160. To be paid from Measure BB Budget. Requested by Rhonda Bacot.
 36. Anderson Carpet to furnish labor and material to patch vinyl with matching Armstrong Medintech at Malcolm X School. The cost will not exceed \$290. To be paid from Measure BB Budget. Requested by Rhonda Bacot.
 37. R.F. Mac Donald Company to install chemical pot feeder for boilers at District Office Building, Martin Luther King CDC, Rosa Parks, Alterative HS, Adult School, MLK Middle School and Oxford School. The cost will not exceed \$9,468. To be paid from Measure BB Budget. Requested by Rhonda Bacot.
 38. Kinko's to furnish copy service as required for State and Federal Programs for the period December 1, 2002 through June 30, 2003. The cost will not exceed \$5,000. To be paid from SIP Budget. Requested by Carla Basom.
 39. Ratification of contract to John Bennett to provide asbestos testing of roof samples for asbestos at Maintenance Buildings on Oregon

- Street. The cost will not exceed \$320. To be paid from Measure A Budget. Requested by Lew Jones.
40. Dean Peacock to provide services in preparation in developing A Young Men's Group at Berkeley High School on April 11, 14, 2002 at a rate of \$40 per hour. The cost will not exceed \$400. To be paid from Domestic Violence Prevention Budget. Requested by Mary Ann Valles.
 41. Baker/Vilar Architects to continue design services for the Transportation site. Board approval in the amount of \$200,000 on January 1, 2001 was for the first phase of services. That approval was to expend General Fund (planned to be Certificates of Participation) money. This request is to increase that authority by \$250,000 for a total of \$450,000. To be paid from Measure AA Budget. Requested by Lew Jones.
 42. Increase in contract to Jeanmarie Hulaj to provide after school art and literacy classes at a rate of \$37.50 per hour at Thousand Oaks School for the period September 2, 2002 through December 2, 2002. Board approval in the amount of \$5,700 on November 20, 2002. The additional time required increase the cost by \$2,775 for a total amount of \$8,475. To be paid from After School Literacy Program. Requested by Jesse Ramos.
 43. Reimbursement to consultant Jeanmarie Hulaj for attending Julia Morgan Institute, as a representative for the District. The cost will not exceed \$500. To be paid from Arts Work Grant. Requested by Chris Lim.
 44. Hilda Ortiz to provide Spanish language classes 2 times per week for the period October 1, 2002 through December 19, 2002 at a rate of \$40 per hour at Thousand Oaks School. The cost will not exceed \$920. To be paid from Thousand Oaks After School Literacy Program. Requested by Jesse Ramos.
 45. Stiles Hall to provide mentoring and tutoring for the 2002/2003 SY for 20-25 Bi-Cultural and Under-Performing Students. The cost will not exceed \$1000. To be paid from Jefferson School Healthy Start Program Budget. Requested by Betty Delaney.
 46. Federal Express Corp. to furnish mailing services as required by State and Federal Programs for the period November 1, 2002 through June 30, 2003. The cost will not exceed \$500. To be paid from SIP Budget. Requested by Carla Basom.

47. R.H. Tinney to provide services to District boilers as need for the 2002/2003 FY. The cost will not exceed \$10,000. To be paid from Measure BB Budget. Requested by Rhonda Bacot.
48. Younger-Wunar Inc. to repair damaged roof at Malcolm X and replace and repair roof shingles at Rosa Parks Schools. The cost will not exceed \$3,200. To be paid from Measure BB. Requested by Rhonda Bacot.
49. The Post Newspaper Group to provide legal posting and advertising services as needed by the Maintenance Department for the 2002/2003 FY. The cost will not exceed \$2,000. To be paid from Measure BB. Requested by Rhonda Bacot.
50. Increase in contract to Wulsberg Reese & Colvig & Firstman to provide legal services as needed for the 2002/2003 FY. Board approval in the amount of \$250,000 on June 12, 2002. This increase in the amount of \$200,000 is needed to pay for required participation in a trail concerning the Thousand Oaks project, primarily due to a fee dispute with the Architect for a total cost of \$450,000. To be paid from Measure AA Budget. Requested by Lew Jones.
51. URS Corp. to perform project management services for several projects, the Berkeley High School Campus Green, the Transportation Facility, assistance in studying construction costs at Franklin and West Campus, and other projects as needed for the period January 1, 2003 through June 30, 2003. The cost will not exceed \$130,000. The District may elect to terminate these services on the selection of a project management team through the RFQ process. To be paid from Measure AA Budget. Requested by Lew Jones.
52. Increase in contract to Hardison, Komatsu, Ivelich and Tucker (HKIT) to continue design services for the Franklin site to explore and finalize construction documents to submit to the Division of State Architect and perform construction administration services. Board approval in the amount of \$500,000 on January 1, 2001. The additional time required increases the cost by \$80,000 for a total amount of \$580,000. To be paid from Measure AA Budget. Requested by Lew Jones.
53. The Ratcliff Architects to provide design services to design a scope of work to correct leaks at the Rosa Parks School. The cost will not exceed \$5,000. To be paid from the Measure AA Budget. Requested by Lew Jones.

54. The Marshall Associates to design changes in the current equipment set-up at the New Milvia Street Buildings at Berkeley High School to increase the food service capabilities. The cost will not exceed \$8,000. To be paid from Measure AA Budget. Requested by Lew Jones.
55. Increase in contract to Elbasani and Logan (ELS) Architects to perform additional services to revise the communication plans at the Berkeley High School (\$39,500) and to perform design services through November 8, 2003 (\$170,000) and a few other items. Board approval in the amount of \$1,587,839 approved on September 19, 2001. The additional time required increases cost by \$212,161 for a total of \$1,800,000. To be paid from Measure AA Budget. Request by Lew Jones.
56. Increase in contract to John Wong, Inspector of Record to perform additional services for the Berkeley High School project, to extend services through November 8, 2002. Board approval in the amount of \$279,000 on January 17, 2001. The additional time required increases the cost by \$80,000 for a total of \$359,000. To be paid from Measure AA Budget. Requested by Lew Jones.
57. Increase in contract to Signet Testing Labs to perform additional services for the Berkeley High School project, primarily due to modifications in the structural steel for the project. Board approval in the amount of \$256,512 on June 19, 2002. The additional time required increases the cost by \$59,488 for a total of \$316,000. To be paid from Measure AA Budget. Requested by Lew Jones.
58. University of California, Berkeley to provide Teacher Training to the Berkeley Unified School District for the period August 1, 2002 through June 30, 2003 and thereafter shall be automatically extended for a period of one year not to exceed a total of two years, unless terminated by either party upon a minimum 60 day advance written notice to the other. University shall pay the District for performance of the service required under this agreement at the rate of \$5.00 per semester unit of student teaching. Requested by David Gomez
59. Increase in contract to Modular Information Systems to provide Data Processing Maintenance and Operational services to close out Old Business System. Board approval in the amount of \$100,000 on June 26, 2002. The additional time required increases the cost by \$20,000 for a total of \$120,000. To be paid from General Fund Data Processing Budget. Requested by Jerry Kurr.

60. Increase in contract to Seven-Eleven Body Shop for body work, painting, parts and services as needed for the period December 2002 through June 30, 2003. The additional time required increases the cost by \$20,000 for a total of \$20,000. To be paid from General Fund Transportation Budget. Requested by Bernadette Cormier.

61. Melanie Okamoto to provide consultant services to the implementation of the California Nutrition Network Program (CNN) and the Linking Education, Activity and Food (LEAF) Pilot Program. Responsibilities include the preparation of various reports including evaluative, fiscal, and other highly detailed and technical analyses to support the common goals of the CNN and LEAF Programs. The cost for the period January 20, 2003 through June 30, 2003 is \$40.00 per hour and will not exceed \$20,000. To be paid from Nutrition Network and LEAF funds. Requested by Chris Lim.

FISCAL IMPACT

As indicated

POLICY/CODE

Public Contract Code: 20111

Board Policy: DJED

STAFF RECOMMENDATION

Approve the contracts with Consultants or Independent Contractors as submitted.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Jerry J. Kurr
Associate Superintendent of Business and Operations
DATE: January 15, 2003
SUBJECT: Approve Listing of Warrants issued in November and
December 2002

BACKGROUND INFORMATION

Each month the District writes many checks to vendors for services provided and goods received. The checks are written on both the general fund and restricted funds. The attached represents a summary of warrants for the month of November and December 2002.

POLICY/CODE

Educational Code Section 41010 ET seq.

FISCAL IMPACT

None

STAFF RECOMMENDATION

Approve the monthly bill warrant list for November and December 2002.

BERKELEY UNIFIED SCHOOL DISTRICT
District Bill Warrant - - Accounting Department
BUSD BILL WARRANTS FOR DECEMBER 2002

FUNDS	AMOUNT
GENERAL FUND	\$1,679,863.79
MEASURE BB FUND	\$189,000.20
ADULT FUND	\$53,543.13
CAFETERIA FUND	\$91,967.13
CHILD DEVELOPMENT FUND	\$4,821.44
MEASURE A+AA (BOND Fund)	\$139,506.46
SCHOOL ENRICHMENT FUNDS	\$290,320.86
SELF INSURANCE FUND	\$4,811.52
DEFERRED MAINTENANCE FUND	\$180.00
PAYROLL/BENEFITS CLEARING	\$188,373.95
TRANS FUND	
TOTAL DISTRICT BILL WARRANT	<u><u>\$2,642,388.48</u></u>

Approved by: _____

BERKELEY UNIFIED SCHOOL DISTRICT
District Bill Warrant - - Accounting Department
BUSD BILL WARRANTS FOR NOVEMBER 2002

FUNDS	AMOUNT
GENERAL FUND	\$2,706,944.90
MEASURE BB FUND	\$140,682.19
ADULT FUND	\$29,612.64
CAFETERIA FUND	\$62,423.48
CHILD DEVELOPMENT FUND	\$12,135.71
MEASURE A+AA (BOND Fund)	\$5,176,547.29
SCHOOL ENRICHMENT FUNDS	\$201,263.33
SELF INSURANCE FUND	\$107,024.33
DEFERRED MAINTENANCE FUND	\$17,826.30
PAYROLL/BENEFITS CLEARING	\$211,863.04
TRANS FUND	
TOTAL DISTRICT BILL WARRANT	<u><u>\$8,666,323.21</u></u>

Approved by: _____

BERKELEY UNIFIED SCHOOL DISTRICT
District Bill Warrant - - Accounting Department
BUSD BILL WARRANTS FOR DECEMBER 2002

FUNDS	AMOUNT
GENERAL FUND	\$1,679,863.79
MEASURE BB FUND	\$189,000.20
ADULT FUND	\$53,543.13
CAFETERIA FUND	\$91,967.13
CHILD DEVELOPMENT FUND	\$4,821.44
MEASURE A+AA (BOND Fund)	\$139,506.46
SCHOOL ENRICHMENT FUNDS	\$290,320.86
SELF INSURANCE FUND	\$4,811.52
DEFERRED MAINTENANCE FUND	\$180.00
PAYROLL/BENEFITS CLEARING	\$188,373.95
TRANS FUND	
TOTAL DISTRICT BILL WARRANT	<u><u>\$2,642,388.48</u></u>

Approved by: _____

BERKELEY UNIFIED SCHOOL DISTRICT
District Bill Warrant - - Accounting Department
BUSD BILL WARRANTS FOR DECEMBER 2002

FUNDS	AMOUNT
GENERAL FUND	\$1,679,863.79
MEASURE BB FUND	\$189,000.20
ADULT FUND	\$53,543.13
CAFETERIA FUND	\$91,967.13
CHILD DEVELOPMENT FUND	\$4,821.44
MEASURE A+AA (BOND Fund)	\$139,506.46
SCHOOL ENRICHMENT FUNDS	\$290,320.86
SELF INSURANCE FUND	\$4,811.52
DEFERRED MAINTENANCE FUND	\$180.00
PAYROLL/BENEFITS CLEARING	\$188,373.95
TRANS FUND	
TOTAL DISTRICT BILL WARRANT	<u><u>\$2,642,388.48</u></u>

Approved by: _____

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Jerry J. Kurr,
Associate Superintendent for Business and Operations
DATE: January 15, 2003
SUBJECT: Increase for Krama, Inc. to Complete the Needed Change
Orders at Jefferson School

BACKGROUND INFORMATION

In June 2002, the Board awarded a contract to Krama, Inc., to modernize the Jefferson Elementary School. During the course of construction, we uncovered a number of unforeseen conditions, including additional hazardous materials. These unforeseen conditions cost additional sums to correct and also delayed the project. The construction period for this project was very tight. We authorized the contractor to work overtime in order to ensure a smooth opening of the school. We also authorized significant modifications to the phone and data portion of the project on the advice of FCMAT. Finally, we made significant changes to the multi-purpose room, including removal of the plaster ceiling, which had become unsafe, and a variety of changes to the mechanical system.

The project is within the approved budget.

POLICY/CODE

Public Contract Code 20110 – 20118.

FISCAL IMPACT

The additional change order costs will not exceed \$214,485. The project is within the Measure AA Bond Fund, although we hope to get partial reimbursement from the State (OPSC).

STAFF RECOMMENDATION

Approve the change order.

BERKELEY UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 02-50

AUTHORIZATION TO RESOLUTION NO. 02-12

CHANGE ORDER ON JEFFERSON ELEMENTARY MODERNIZATION PROJECT

WHEREAS, this Board has heretofore on April 10, 2002, adopted Resolution No. 02-12 for Jefferson Elementary Modernization Project and

WHEREAS, this Board finds certain changes desirable; and

WHEREAS, said contractor **Krama, Inc.** has proposed and agreed to certain changes to said contract as Change Orders No. 1, 2 and 3 as follows:

ORIGINAL CONTRACT **\$1,732,000**

Add

Change Order No. 1 45,448

Correction of unforeseen issues, additional abatement of contaminated pipe insulation; and structural, electrical, mechanical upgrades including testing, inspection and replacement of the HVAC system in the multipurpose room

Add

Change Order No. 2 84,641

New phone wiring including devices, additional data system upgrades to meet current BUSD standards, flooring and ceiling product upgrades, misc. paint changes, upgrades to infrastructure to meet current code due to unforeseen conditions.

Add

Change Order No. 3 84,396

Additional cabinets in library, misc. structural, electrical and mechanical changes in MP room including replacement of shaft, replacement of existing non conforming plaster ceiling, window replacement, compensation for weekend/night work in summer on classroom building to meet school opening date.

**Resolution No. 02-50
Continue**

Subtotal **214,485**

REVISED CONTRACT **\$1,946,485**

NOW, THEREFORE, BE IT RESOLVED, that this Board consents and agrees to said Change Orders No. 1, 2, and 3

BE IT FURTHER RESOLVED that the Associate Superintendent, Business & Operation and/or Purchasing Agent approve and sign Change Orders No. 1, 2 and 3 on the behalf of the District.

PASSED AND ADOPTED by the Board of Education of the Berkeley Unified School District this 15th day of January 2003.

AYES:

NOES:

ABSENT:

ABSTAIN:

Michele Lawrence, Superintendent
Secretary of the Board of Education
Have the City of Berkley and of Berkeley
Unified School District of Alameda County,
State of California

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Lew Jones, Manager of Facilities
DATE: January 15, 2003
SUBJECT: Authorization to Award Landscape Design and Project Management Services and Approval to Modify Several Board Policies to Complete Landscape for the Berkeley High School Old B building Location by the Opening of School

BACKGROUND INFORMATION

On December 18, 2002, the Board approved the acceleration of landscape work at the old B building location at Berkeley High School as a part of the development of a new Facilities Plan. The goal is to complete the construction work by the opening of school. In order to move this quickly, the Board will need to accept certain project constraints and to waive certain parts of existing Board policies (architect selection, Site Committee Policy and Design review by Board). The project constraints which must be accepted to meet the timelines are:

1. All elements must either not require DSA structural approval or be pre-approved. DSA review times vary. It can take as long as 3-5 months for them to formally approve a project. We cannot afford an extensive review time. In fact, we cannot afford anything but an "over the counter" review. This is only possible if we limit the design choices to those which DSA could approve in this way. Generally, any structure taller than six feet requires DSA structural review. Certain structures are "pre-approved" by DSA. There are a few shade structures which fall into this category. If we decide to put shade structures in this area, they must be pre-approved or we cannot construct them by the opening of school.
2. The design time for this project is very tight. In order to perform the construction we cannot get Board approval of the schematic design prior to initiating the construction document phase.
3. The tight design time requires a shorter and less formal input period from the stakeholders. To achieve the schedule, we can accommodate several (2-4) discussion sessions from interested parties between January 15th and February 7, 2003. No other input sessions can occur, although we can schedule an informational session later in the Spring.
4. The area of work will be bordered by G building, Bancroft, C building and the new construction area. The food service trailer will not be relocated as a part of this project.
5. The construction budget will be set at \$500,000. If necessary, any adjustments to that budget will return to the Board.

District staff appointed a project manager from URS (the consultants who assisted BUSD in its fire recovery effort) to manage this project. We need to retain their services at least through the bid period of this project. The cost for these services is included in another item on the Board agenda.

District staff interviewed four design firms on January 3, 2003. We believe that MIG, Inc. is the most qualified to perform the design.

POLICY/CODE

Various BUSD Board policies. Government Code 4525-4529.5.

FISCAL IMPACT

The expenses will be paid from the Measure AA proceeds.

STAFF RECOMMENDATION

Approve MIG, Inc. as the architect for \$65,000 and approve the process outlined above for the landscape project at Berkeley High School.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Lew Jones, Director of Facilities
DATE: January 15, 2003
SUBJECT: Yearly Facilities Plan Modifications

BACKGROUND INFORMATION

On December 18th, the Board approved parameters for the Facilities Plan. The Board is being asked at this point to make budget modifications so that we can proceed on our projects. We recommended that ten issues be examined. Attached to this cover letter is a spreadsheet. That spreadsheet has three columns of figures: the plan attached to the Board Agenda of December 18, 2002 (Current Plan); the proposed new plan; and the differences between the two allocations. Small changes will not be explained, because they are due to rounding differences. The recommended changes to the Plan are:

1. Cragmont School. An increase of \$19,000 to account for putting wood instead of linoleum in the multi-purpose floor.
2. Oxford School. An increase of \$16,000 to replace several classroom floors in 2004.
3. Berkeley Arts Magnet School/Whittier. An increase of \$300,000 to replace the boiler at this site in the year 2007 after a projection of the life of this unit by the Director of Facilities and the Director of Maintenance. Replacement was not included in the last Plan.
4. Franklin School. An increase of \$300,000 to account for additional architecture, project management and other "soft costs" to explore and design a plan to house the Adult School at this site. This allocation does not mandate any decision by the Board, but does allow staff to proceed with a revision to the design so that it could house this change of use.
5. Jefferson School. A decrease of \$600,000 due to bid savings on the recent modernization.
6. Rosa Parks. An increase of \$50,000 to fix some leaks.
7. Berkeley High School. An increase of \$1 million to account for change orders, including adding a boiler for the Donahue Gymnasium (caused by the B building removal), underground utilities to put in the Food service trailer, changes to elevations on the pool building (where B building was), changes in the C building south entries (where the bridges were) and some funds to account for added costs due to time extensions.
8. Transportation. An increase of \$900,000 to allow the planning process to continue. The total cost of the construction project is still estimated to be another \$5-5.5 million above this allocation.

9. Inflation. The Inflation budget is \$47,000 less due to a number of changes. Included in these changes are, accelerating work at Berkeley High School for landscaping and moving forward more quickly on modernization of C building and the Community Theater (2004), accelerating replacement of walkway roofing at Willard (2003), accelerated grounds improvement at Willard (2004) and minor changes to do some partial floor replacement at Emerson, John Muir and Oxford in 2004.
10. Risk Pool. A decrease of \$795,000 after this category was re-analyzed.
11. Bond Interest Expenditures. An increase of \$1,999,000 to account for FY 2002 expenses, and added expenses of \$985,000 for new building equipment (\$635,000 for BHS, \$200,000 for King, \$150,000 to pay for furniture and equipment in a relocated administration building), \$215,000 for phone replacement and \$500,000 for computers. Some of these allocations were previously approved by the Board, but were not detailed in the Bond Fund.
12. FEMA Funds. An increase of \$263,000 to account for the Federal renovation funds.
13. OPSC Funds. An increase of \$6,376,000 to account for revenues BUSD is likely to receive from the recent State Bond.
14. Bond Interest. A decrease of \$2,632,000 to modify our interest assumptions from 4-5% to 1-2% for future revenues.

We made a number of changes to update the project plans. We pushed most of the future projects out one year, as we have not initiate many new projects in the last year. We considered recommending other changes in allocation, but did not do so. Changes in allocation for Hillside and Plant Operations can be considered after the Board decides its goals for these properties.

Any plan can only resolve so many issues. Some of the outstanding issues which will need clarification in the next year are:

1. The plan for our administration, adult school and other sites which could be asset managed.
2. The number of classrooms needed at Berkeley High School. This will drive project choices for the Old Gym.
3. A better projection of our child development needs and development of an interim housing plan for this program.
4. A decision on whether to remove the annex at Longfellow.
5. The plan for our food service kitchen(s).
6. Defining whether we will keep and retrofit, replace, or dispose of a number of our portables.

BOND ISSUANCE

The Bond Issuance Schedule has been adjusted slightly. Below there is a chart comparing the currently approved (2001) with the new plan. Issuance and project timing are closely linked.

CURRENT PLAN

A	May 2001	\$ 17,274
AA	March 2002	\$ 25,000
AA	March 2003	\$ 25,000
AA	March 2004	\$ 25,000
AA	March 2005	\$ 25,000
AA	March 2007	\$ 16,500

NEW PLAN

AA	May 2001	\$ 17,000
AA	November 2002	\$ 25,000
AA	October 2003	\$ 25,000*
AA	December 2004	\$ 25,000
AA	December 2005	\$ 24,500
A	December 2006	\$ 17,274

* This issuance is linked to the Anticipation Note and was originally scheduled for a spring issuance. The October date is when issuance is needed to keep the Fund in the black. The actual issuance may be governed by the restrictions on the General Obligation Tax Anticipation approved by the Board on September 25, 2002.

Individual issuance will need to be approved by the Board.

POLICY/CODE

Board Facilities Plan approval process consistent with previous years.

FISCAL IMPACT

None.

STAFF RECOMMENDATION

Approve the project budgets and the bond issuance planning assumptions.

BERKELEY UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 02-49

**AUTHORIZATION TO REJECT and NOT RE-ADVERTISE for BIDS for
GROUNDS MAINTENANCE at LONGFELLOW, MALCOLM X and
CRAGMONT SCHOOLS**

WHEREAS, this Board has heretofore on November 6, 2002 adopted Resolution No. 02-40 for **Grounds Maintenance at Longfellow, Malcolm X and Cragmont Schools** as more fully described in the specification of Bid Schedule No. 2277 and

WHEREAS, the Notice to Contractors specified bid opening date December 2, 2002 and

WHEREAS, two bids were received by this Board on December 2, 2002. The price of \$33,610 given by the low bidder, Cagwin & Dorward did not meet the contractual agreement of month-to-month services; this is an annual contract price. The District has no need to enter into an annual contract; therefore it is recommended that the bid of Cagwin & Dorward be rejected.

WHEREAS, this Board desire **not** to have aforementioned work performed and completed

NOW, THEREFORE, BE IT RESOLVED, that the Board authorizes **not to re-advertise** for bids and that the Secretary of this Board be and he/she is hereby authorized **not to re-advertise** for proposals for the completion of said work.

<u>Contractor</u>	<u>Base Bid</u>
Honda Landscape	\$3,300/month
Cagwin & Dorward	\$33,610/ annual

PASSED AND ADOPTED by the Board of Education of the Berkeley Unified School District on this 15th day of January 2003 by the following vote:

Resolution No. 02-49
Continue

AYES:

NOES:

ABSENT:

ABSTAIN:

Michele Lawrence, Superintendent
Secretary of the Board of Education
Of the City of Berkeley and of Berkeley
Unified School District of Alameda
County, State of California

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Jerry J. Kurr, Associate Superintendent of Business and Operations
DATE: January 15, 2003
SUBJECT: Authorization to Reject and Not Re-Advertise for Bids for Grounds Maintenance at Longfellow, Malcolm X and Cragmont Schools

BACKGROUND INFORMATION

On November 6, 2002 the Board of Education approved calling for bids for Grounds Maintenance at various District school sites. On November 22, 2002, a mandatory job walk and pre-bid conference was attended by District staff and interested contractors for providing Grounds Maintenance at Longfellow, Malcolm X and Cragmont Schools.

On December 2, 2002 bids received from contractors were opened and review by the Purchasing Agent and maintenance staff from two responsive contractors. Because of misunderstandings by contractors submitting bids for this project it is recommended that all bids be rejected. District staff will also re-evaluate the contract proposal request. Therefore, it is also recommended **not to re-advertise** for proposals at this time.

POLICY/CODE

California Public Contract Code 20110 - 20118.

FISCAL IMPACT

None

STAFF RECOMMENDATION

Reject all bids and not re-advertise for proposals for landscaping maintenance services for Longfellow, Malcolm X and Cragmont Schools.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Chris Lim, Associate Superintendent, Educational Services
DATE: January 15, 2003
SUBJECT: Waiver of Portions of the High School and Middle School sections Board Policy 5123 Pupil Promotion and Retention

BACKGROUND INFORMATION

The current Board Policy 5123 Pupil Promotion and Retention includes the following language related to grading and credits at the high school:

High School Procedural Guidelines

A. Promotion:

- Grade 9: Based on the current graduation requirements of 220 credits, students must earn fifty-five (55) units for promotion to the tenth grade. Credit is given in English, mathematics, history and science if the student earns a grade of C or better.
- Grade 10-12 Progression: Students must earn fifty-five units each year to be promoted to the next grade and be eligible for graduation. Credit is given in English, mathematics, history and science if the student earns a grade of C or better.

However, at Berkeley High School this has never been implemented. The current practice is to give credit to students who earn a D in English, mathematics, history and science. The District was unable to implement this policy due to the changes in the high school principal, the focus on the successful WASC accreditation last year and the lack of adequate time to work with the affected departments. A waiver of this portion of the policy is being requested. This waiver would allow the current practice of giving students credit for a "D" grade to remain in place until administration and District staff are given more time to adequately analyze the implications of this policy, develop implementation procedures and notify students or until another formal policy is brought forward.

The current Board Policy 5123 Pupil Promotion and Retention includes the following language related to grading and credits at the middle school level:

Middle School:

A sixth, seventh or eighth grade student in a middle school who has earned at least 10 out of 12 or 12 out of 14 credits per year,

met state, district, and teacher's standards, and passed all English and mathematics courses with a C or better shall be promoted.

Because of the new District requirement that all 8th graders take Algebra, it is being requested that students can be given credit for a D grade in Algebra course only. This will allow the students to earn the necessary credits for promotion to the 9th grade while attempting more challenging course work with out the consequence of retention. Students will not be allowed to take the next course in the sequence until a passing grade is earned.

POLICY/CODE

Board Policy 5123 - Pupil Promotion and Retention

FISCAL IMPACT

None.

STAFF RECOMMENDATION

Approve waiver of portions of Board Policy 5123 Pupil Promotion and Retention

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Christine Lim
Associate Superintendent, Instruction
DATE: January 15, 2003
SUBJECT: Approval of the Berkeley Unified School District Library Improvement Plan and application for State Library Funding for FY 2003

BACKGROUND INFORMATION

For the fifth year, the California State Budget dedicates funds, under the *California Public School Library Act of 1998*, to improve school library collections, kindergarten through grade twelve. (The K-4 Classroom Library Materials Act of 1999 has been repealed.) A per pupil allocation of an estimated \$5.33 based on 2001-2002 California Basic Educational Data System (CBEDS) information is (as of this date) expected to be available to districts.

To obtain these Library Act funds, a district must:

1. Update the district library plan including a statement on how the funds will be distributed and a brief report on progress to date.
2. Obtain recertification of the updated plan by the local governing board.
3. Submit the board-approved district Library Improvement Plan to the State Department of Education by Friday, January 17, 2003.
4. Submit an expenditure report to CDE by October 31, 2004.

Library Improvement Plan.

Berkeley Unified School District adopted its first Library Improvement Plan in January 1999, and has reviewed and revised the plan for recertification by the School Board in FY 2000, 2001, and 2002. In each of these four years, the district has received over \$250,000 for library books and materials.

The Berkeley Unified School District Library Improvement Plan for FY 2003 was reviewed and updated this year by Monica Thyberg, BSEP Manager, and Mary Hurlbert, BSEP Administrative Coordinator. Marjorie (Susie) Goodin, Library Services Consultant, and Fannie Smith, retired BUSD administrator currently providing administrative support to the school libraries, and BUSD library staff also had an opportunity to review the updated Library Improvement Plan for FY 2003.

The Library Improvement Plan includes eight components:

- Literacy Development
- Standards and Policy Development
- Access
- Collection Development and Management
- Collaboration
- Professional Development and Leadership
- Learning Environment
- Infrastructure

Action steps to implement each component during the next school year are articulated. A report of progress in each area is attached.

This Library Plan is intended to serve as a guide for staff to focus available resources and in seeking additional resources. Approval of this plan does not obligate the District to accept the funding nor to provide resources from any other funding source.

These K-12 California Public School Library funds will be distributed to each K-12 school library on a per pupil basis to be used for books and materials (none of these funds may be used for personnel). Berkeley Alternative High School will be given an allocation to start up their library if a dedicated space for the library can be identified (this is a requirement of the State).

The ultimate products of a good library program are the **promotion of literacy and the provision of access to vital information**. A public school library can offer this to the broadest range of students and is especially critical for those students who would not otherwise have access to the materials and information tools to support their learning. As common wisdom says: "Libraries will get you through times of no money better than money will get you through times of no libraries."

POLICY/CODE

The *K-12 California Public School Library Act of 1998* (Resource Code 6296).

FISCAL IMPACT

None. Potential receipt of \$50,000 for library book and materials.

STAFF RECOMMENDATION

Approve the Berkeley Unified School District's Library Improvement Plan and application for FY 2003 State Library Funds.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Lew Jones, Director of Facilities
DATE: January 15, 2003
SUBJECT: Discussion of the Facilities Study and possible Next Steps

BACKGROUND INFORMATION

On December 18, 2002, the Board received a Facilities Study prepared by California Financial Services (CFS). This Study included information presented to the Board on September 25, 2002, concerning District capacities and also included information about asset management options. The Meeting of December 18th was primarily focussed on budget presentation and discussion, and there was insufficient time to discuss the implications of the Study or next steps which could be considered. This Board item is presented to allow for additional Board discussion about the Study and to define the next steps.

STUDENT POPULATION (CAPACITY STUDY)

The capacity study focussed on the K-8 and 9-12 student populations. There have been a number of concerns expressed about the depth of the study, particularly the conclusions expressed for Berkeley High School. The intent of the Study was never to determine how Berkeley should load its schools; it was intended to state how many students could be housed at each site prior to any consideration from the Board on what other amenities or dedicated spaces may be needed to maximize student learning. Those factors need to be defined by the administration with discussion and approval by the Board in order to develop the final loading standards we plan for our schools.

The K-5 and 6-8 schools currently open are sufficiently large enough to house our student population. However, the students are not equitably distributed between the schools. In order to develop the K-5 and 6-8 school models, we will need to develop a set of rules, which can be equitably applied. These rules include:

1. Review the impact on individual schools of planning to allow every student to remain in the school in which he/she began;
2. Determine an equitable method to allocate flex rooms;
3. Define what dedicated space, if any, is allocated to afterschool and Extended Day Care (EDC) programs;
4. Define utilization parameters for the classrooms at the middle schools;

5. Determine whether child development (pre-K) will stay at any of our K-5 school sites;
6. Determine what dedicated space will be allocated to Special Education programs.

From applying these “rules” other issues may arise, including student assignment issues, boundary issues, the need to reduce or add space at certain schools, etc. Other factors may need to be added after the analysis is drafted. The creation of a plan, which incorporates, proposed rules will take a few months. We propose that the effort for the K-8 plan be coordinated by the Associate Superintendent of Educational Services and that it be an administrative group (possibly supplemented by outside expertise in population projections) reporting to the Superintendent. A preliminary report should be developed for presentation to the Board by the second Board Meeting of April.

The 9-12 loading standards are a little more complicated to develop. Development of the model begins with the program, and our program at Berkeley High is both large and complex. There is some difficulty fixing the number of classrooms which will be used in the new building, the District’s PE requirements make calculating the number of students assigned to PE somewhat challenging, the type and quantity of electives adds further complication, the number of students planned for the Alternative High are difficult to pin down, and the small school discussion adds another consideration. The number of classrooms to be built in a completed Berkeley High School is the critical next step prior to developing a revised master plan or initiating design efforts, which might affect the number of classrooms.

To establish loading standards, a Superintendent’s advisory committee needs to be established. That Committee needs to include the person responsible for the master schedule at BHS, the Director of Facilities, and the person most knowledgeable about population projections and may be supplemented by others. The Superintendent will provide guidance to the group on the small school direction. A preliminary report should be developed for presentation to the Board by the second Board Meeting of April. After the classroom needs are defined, we will probably recommend the hiring of a firm to provide master planning services to assist the District in decisions about the Old Gym and other needs in the area south of Bancroft Way.

ASSET MANAGEMENT AND OTHER FACILITIES NEEDS

The Facilities Study presented ideas about the facilities needs of the administration and the possibility of asset management of unused sites. The direction of the Study was to minimize use of space by BUSD and to maximize revenue opportunities. It was not intended, nor did it reflect community values or other considerations that any public authority would likely consider before rendering a decision. Those factors need to be defined by the administration with discussion and approval by the Board in order to develop a plan for administrative facilities or any conversion of our current sites.

The Study and the next steps include four primary parts. The first part is where to house the Adult School program. The option presented in the Study suggests that the District administration function and the Adult School can share the same site. Their conclusions were that it is possible, however, staff does not think that the Adult School and administration can fit together if all the functions currently at 1720 Oregon, 1707 Russell and auxiliary space located at the old East Campus are included in administrative needs. A stronger option for the Adult School appears to be the Franklin site. The size of Franklin appears to be adequate to house the Adult School, but more analysis is needed prior to making a decision. The yard will need to be reviewed for adequacy of parking, the possibility of the Adult School being located there needs to be broached with that community, and changes in the current architectural plans will need to be made to accommodate the change in use. On a separate part of the Agenda, we have requested the authority to modify the current architectural plans to see how well the program can fit at Franklin. We hope that the steps needed to explore the Adult School to Franklin option can be accomplished within the next three months for Board consideration.

The second part of the Study explored the location of administrative services (except Transportation). The recommendation on this is linked to the decisions about the Adult School. There is a significant advantage in housing all administrative services in one location. Some of our current inefficiencies may stem from how spread out is our District administrative services. If the administrative services cannot co-locate with the Adult School, the viability of the Adult School move to Franklin must be explored prior to other options. The possibility exists that if the Adult School cannot move to Franklin that the administrative functions could move there.

The third part of the Study considered the transportation development. The Study recommended development of the property based upon projected savings from the projected rental costs. That possibility may be the best option, however, it would continue to tie up General Fund moneys at a time when resources are very tight. While it is unclear whether there are sufficient resources to fund the development from the proceeds deposited in the Bond funds, there appears to be sufficient funds to continue with the planning process through the time when we solicit bids. We are recommending that the plan to develop the transportation site proceed, but that the funds be expended from the Bond funds. Administration will need to make a recommendation to the Board within the next 10 months on whether there is sufficient moneys to fund the construction from the Bond or whether other funding mechanisms are needed. The Board has previously approved the schematic design and we have placed an item on this Agenda to continue the planning process. The Board will be asked to take an action under CEQA in the next few months.

The fourth portion of the Study discusses options that can be explored at our unused sites. Included in this list are the Hillside site, the East Campus site and the Oregon/Russell site. Other sites may be considered as unused in the future (such as the 2031 6th Street site currently occupied by the City). The Board will need to evaluate several factors before any final decision can be made on these sites. It appears that the Hillside site is probably the easiest to discuss, due to its unsuitability for K-12 educational uses. It may make sense to evaluate this site first while other possibilities for the other sites can be explored.

POLICY/CODE

Various

FISCAL IMPACT

None

STAFF RECOMMENDATION

Consider and comment on the information outlined in this memo.

Berkeley Unified School District

TO: Michele Lawrence, Superintendent
FROM: Chris Lim, Associate Superintendent, Educational Services
DATE: January 15, 2003
RE: Change in BHS Graduation Requirements in Social Studies

BACKGROUND INFORMATION:

The current Board Policy 6146.1 High School Graduation Requirements includes 35 units of history, 5 units of Social Living, and 5 units of Ethnic Studies.

The grades in which students are required to take courses in World History, United States History, Economics and Government were changed by Board policy in order to align the social studies courses to the state standards. Berkeley High School began phasing in this change last year, and the process will be completed with the class of 2005 (see chart). At the same time, the two semester-long elective courses, Ethnic Studies and Social Living, were combined into a single Identity Ethnic Studies (IES) course, which is now taught in the 9th grade.

This new configuration, coupled with the additional UC/CSU requirement of one year of visual or performing arts, results in a restrictive course selection process for students that reduces student choice, particularly for college-bound students in the senior year.

In addition, the current BHS history/social studies graduation requirement exceeds both State and UC/CSU admission requirements that includes:

BHS requires a total of 3 1/2 years of history (35 units) and 1 year of IES (10 units) for graduation:

- one year of World History and Cultures (grade 10)
- one year of US History (grade 11)
- one semester of Economics (grade 12)
- one semester of United States Government (grade 12)
- one semester social studies elective (grade 12)
- one year of IES (grade 9) (Note: Prior to 2001, this course was not considered to be in the Social Studies department.)

UC/CSU requires a total of 2 years of History (20 units) for admission:

- one year of World History, Cultures, and Geography
- one year of US History, OR one semester of US History and one semester of American Government (Civics).

Education Code Section 51225.3 requires a total of 3 years of History (30 units) for high school graduation:

- one year of World History, Culture, and Geography
- one year of US History and Geography
- one semester of Economics
- one semester of American Government and civics

By consensus the Berkeley High School Shared Governance Team is recommending that the District reduce the history/social science requirement by five units, from 35 to 30, and shift those units into the general elective category.

IMPACT:

- Beginning with the class of 2005, the current configuration will allow a college-bound 12th grade student no opportunity to pursue an area of interest or make up for any missing requirement. This proposal would allow the student that opportunity.
- This proposal could result in a reduction of Social Studies FTE for the 2003-2004 school year of no more than 2.2 FTE. This reduction would be balanced by an increase of an equal number of FTE in other subject areas.
- This proposal would allow students to complete the new 5 unit elective requirement with one of the history electives now available (Asian American History, Politics and Power, Ecoliteracy, Popular Culture in 20th Century America, Seminar in Women's Studies, Theoretical Psychology, Comparative Religion, African American Drama, African American Economics, African American History, Black Gold, Black Male/Female Relationships, Black Psychology Chicano/Latino History) **or** with any course in any other subject area. Therefore, this proposal could result in an increase in sections of other electives.

The proposed policy change is in **bold** in the attached policy.

FISCAL IMPACT

None

POLICY/CODE

Board Policy 6146.1

California Education Code 51225.3

STAFF RECOMMENDATION

Approve the reduction of the History/Social Science requirement from 35 to 30 and increase the general elective requirement by 5 units, maintaining the total requirement of 220 units.

