

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 MEETING OF THE BOARD OF EDUCATION - AGENDA

Wednesday, January 22, 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 22, 2003 Motion_____ Second_____ Vote_____	
Approval of Minutes	December 11 and 17, 2002	1

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

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

1.1-C Acceptance of Gifts/ Donations	<u>Staff Recommendation:</u> 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_____	22
1.2-C Proclamation Declaring African American History Month	<u>Staff Recommendation:</u> Approve Proclamation Declaring February 2003 African American History Month Motion_____ Second_____ Vote_____	23

1.3-C High Stakes Test Resolution	<u>Board Member Recommendation:</u> Approve Resolution. Motion_____ Second_____ Vote_____	25
1.4-C Resolution: BUSD School Days of Public Education on Peace and War Against Iraq	<u>Board Member Recommendation:</u> Approve Anti-war/Teach-in Resolution: BUSD School Days of Public Education Peace and the War Against Iraq Motion_____ Second_____ Vote_____	28
 <u>Human Resources</u>		
2.1-C Acceptance of Personnel Report	<u>Staff Recommendation:</u> Accept Personnel Report 03-12 as submitted. Motion_____ Second_____ Vote_____	31
2.2-C District initial Proposal to negotiate with BFT	<u>Staff Recommendation:</u> Approve the request to enter into negotiations with the Berkeley Federation of Teachers Motion_____ Second_____ Vote_____	34
 <u>Educational Services</u>		
3.1-C Overnight Field Trip Request	<u>Staff Recommendation:</u> Approve overnight field trip request Motion_____ Second_____ Vote_____	37
3.2-C Applications to the CDE Arts Work, Visual and Performing Arts Education Grant Program for 2003- 04 for four Program III Implementation Grants	<u>Staff Recommendation:</u> Approve the submission of four Arts Work Program III Implementation grant applications for the 2003-04 Program Year Motion_____ Second_____ Vote_____	38
3.3-C The Consolidated Application for Funding Categorical Aid Programs, Part II	<u>Staff Recommendation:</u> Approve the Consolidated Application for Funding Categorical Aid Programs, Part II Motion_____ Second_____ Vote_____	40

Business and Operations

4.1-C Approval of Contracts/ Purchase Orders for Service and Contracts	<u>Staff Recommendation:</u> Authorize the Associate Superintendent of Business and Operations or Purchasing Agent to execute Purchase Orders Motion_____ Second_____ Vote_____	41
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INFORMATION

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

General Services

1.1-I Preparation for Financial Recovery Plan Submission	<u>Staff Recommendation:</u> Receive for information and discussion.	46
1.2-I Suggestions and Ideas From community, Staff and students	<u>Staff Recommendation:</u> Receive for information and discussion.	53

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 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
MINUTES, REGULAR MEETING
Wednesday, December 11, 2002
District Administrative Offices
Board Meeting Room
2134 Martin Luther King Jr. Way
Berkeley, CA 94704-1180

OFFICIAL BUT UNADOPTED MINUTES
Page 1

CALL TO ORDER

President Shirley Issel called the Regular Board of Education Meeting of December 11, 2002, to order at 5:00 p.m.

BOARD ROLL CALL

MEMBERS PRESENT: Director Terry S. Doran
Director Shirley Issel
Director Joaquin J. Rivera
Director John T. Selawsky
Student Director Andy Turner

Administration Superintendent Michele Lawrence, Secretary

OATH OF OFFICE BY CITY CLERK

Ms. Sara Cox, Deputy City Clerk, City of Berkeley, administered the Oath of Office to:

Re-elected Director Terry S. Doran
Re-elected Director Shirley Issel
Director-Elect Nancy M. Riddle

After Directors Doran, Issel and Riddle took their Oath of Office, they took their seats on the Board.

Prior to Closed Session, as necessary, staff/employee comments are taken per Government Code Section 54957

No one addressed the Board at this time.

*The Student Director does not attend Closed Session

Recess to Closed Session (Government Code Sections 3549.1(d), 54956.9, 54956.9(a) and 54957 and Education Code Section 49819(c))

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

The Board recessed to Closed Session at 5:15 p.m. and reconvened in Public Session at 7:37 p.m.

Report Closed Session Action

Director Issel stated that in Closed Session, the Board discussed the following items:

- c) Collective Bargaining
- f) Liability Claims: Reimbursement of property loss

The Board voted unanimously to settle the liability claim.

BOARD ROLL CALL: Director Terry S. Doran
Director Shirley Issel
Director Nancy Riddle
Director Joaquin J. Rivera
Director John T. Selawsky
Student Director Andy Turner

ANNUAL ORGANIZATIONAL MEETING

Election of Officers:

President

Motion: Directors Issel/Selawsky and approved 4(1)-0-1 on voice vote:

That Vice President Joaquin J. Rivera is President of the Board of Education for 2003.

AYES: Directors Doran, Issel, Riddle, Selawsky, (Student Director Turner)
NOES: None
ABSTAIN: Director Rivera
ABSENT: None

Vice President:

Motion: Directors Doran/Riddle and approved 4(1)-0-1 on voice vote:

That Director John T. Selawsky is Vice President of the Board of Education for 2003.

AYES: Directors Doran, Issel, Riddle, Rivera, (Student Director Turner)
NOES: None
ABSTAIN: Director Selawsky
ABSENT: None

Secretary:

Motion: Directors Rivera/Issel and approved unanimously on voice vote:

That Superintendent Michele Lawrence is Secretary of the Board of Education for 2003.

Approval Agenda

Motion: Directors Selawsky/Doran and approved unanimously on voice vote:

That the December 11, 2002 agenda is approved as amended. The amendment is that item 4.1-A: Review and Approve 2002-2003 First Interim Report, is pulled. That item 2.2-C: Renewal of Workers Compensation Insurance with the State Compensation Insurance Fund is pulled for further clarification. That item 2.1-C is approved as corrected.

Approval of Resolution of Appreciation for Outgoing President Shirley Issel

President Joaquin J. Rivera read the Resolution of Appreciation for Outgoing President Shirley Issel.

Motion: Directors Rivera/Selawsky and approved 4(1)-1-0-0 on voice vote:

AYES: Directors Doran, Riddle, Rivera, Selawsky, (Student Director Turner)
NOES: None
ABSTAIN: Director Issel
ABSENT: None

President Rivera gave Outgoing President Issel a plaque of appreciation for her tenure as the Board President.

Board of Education Representatives to Board Committees for 2003

President Rivera named the following Board of Education representatives to Board Committees for 2003:

BERKELEY UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION REPRESENTATIVES
TO BOARD COMMITTEES FOR 2003

Committees	2002 Representatives	2003 Representatives
Alameda County School	President Issel	Director Riddle
Association of California Urban School Districts	Vice President Rivera	President Rivera Vice President Selawsky
Berkeley Alliance	President Issel Vice President Rivera	President Rivera Vice President Selawsky
Berkeley High Health Center	Director Schultz	Director Riddle
Berkeley Arts in Education	Director Selawsky	Vice President Selawsky
BSEP Planning & Oversight Committee	Director Selawsky and other Board Members attend on a rotating basis	Director Riddle and other Board Members attend on a rotating basis
Board/City 2X2 Committee	President Issel and Vice President Rivera	President Rivera and Vice President Selawsky
Citizens Budget and Finance Committee	Vice President Rivera and Director Doran	Director Doran and Director Riddle
Citizens Construction Program Advisory Committee	Director Doran and Director Selawsky (alternate)	Director Doran and Vice President Selawsky (alternate)
Citywide Youth	Director Schultz and Director Doran	Director Doran and Director Issel
District Advisory Council	Director Doran	Director Doran
District English Learner Advisory Council (ELAC)	Vice President Rivera	President Rivera
Facilities Maintenance & Security Advisory Committee	President Issel	Director Issel and Vice President Selawsky (alternate)
Music Committee	Director Selawsky	Vice President Selawsky
Child Nutrition Advisory	Director Doran	Director Doran

2003 Board of Education Meeting Schedule

Motion: Directors Doran/Selawsky and approved unanimously on voice vote:

That the proposed 2003 Board of Education Meeting Schedule is approved as amended. The amendment is to cancel the August 6, 2003 meeting date. The Schedule of Board of Education Meetings for 2003 is as follows:

January 15, 2003
January 22, 2003
February 5, 2003
February 19, 2003
March 5, 2003
March 19, 2003
April 2, 2003
April 23, 2003
May 7, 2003
May 21, 2002
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

Approval of Minutes

Motion: Directors Selawsky/Doran and approved 4(1)-1 on voice vote:

That the Minutes of November 20, 2002 are approved as written. The November 6, 2002 Minutes are approved as amended. The amendments are as follows:

November 6, 2002:

On page 3 of the minutes, page 5 of the Board packet, under Board Members' Comments, last paragraph. The paragraph now reads as follows:

Director Schultz congratulated Directors Doran and Issel. **He also congratulated Board-Member Elect Nancy Riddle. Director Schultz said he is especially glad that Mrs. Nancy Riddle is replacing him on the Board.** He expressed his pleasure with the passage of Measure K, which increases Board Members' salaries from \$875.00 per month to \$1500 per month.

On page 5 of the minutes and page 7 of the Board packet, item 1.1-C: Resolution in Acknowledgement of César Chávez Day. The following sentence is to be added to the second paragraph. The paragraph now reads:

Vice President Rivera suggested that the Board approve the Resolution but that the Implementation Plan is referred back to staff to allow staff more time to provide input so that they will have ownership of the Plan. **The Implementation Plan was not approved. Staff was asked to re-submit the Plan to the Board in two weeks.**

On page 6 of the minutes, page 8 of the Board packet, under Conference Item 3.1-I: Preliminary Report from the Student Assignment Advisory Committee, second paragraph, second line: "...and **five** members of the Student Assignment Committee..."

Approval of Minutes (continued)

AYES: Directors Doran, Issel, Rivera, Selawsky, (Turner)
NOES: None
ABSTAIN: Director Riddle
ABSENT: None

PUBLIC TESTIMONY

Four speakers addressed the Board.

PRESENTATION

Mr. Mark Coplan, Executive Director, In Dulci Jubilo, presented six Berkeley Unified School District teachers with grants from In Dulci Jubilo. He explained that these teachers represented over a dozen educators/programs receiving grants of up to \$500, for a total of \$10,000. Over 80 grant applications were submitted, and he encouraged the Berkeley community to give generously to IDJ as well as the Berkeley Public Education Foundation, so that no request for classroom support would have to go unfunded.

REPORTS

Union Representatives' Reports

Ms. Anne Graybeal, Berkeley Council of Classified Employees, Local 6192, addressed the Board regarding negotiations.

Board Committee Reports

Ms. Mary Reiter, BSEP Planning and Oversight Committee, read a statement from the Planning and Oversight Committee and Mr. Derick Miller, Co-Chair, Student Assignment Committee, announced that there will be a Board of Education Study Session regarding the District's Student Assignment Plan on December 17, 2002, 7:00p.m., Berkeley Alternative High in the Multi-purpose Room. He inquired about the Small Schools Steering Committee membership and schedule of meetings.

Board Committee Reports (continued)

Mr. Jim Wert, Facilities Maintenance and Security Advisory Committee, gave an update regarding the Committee's work.

Superintendent's Report

Superintendent Lawrence congratulated Directors Doran and Issel on their re-election and Director Riddle on her election to the Board. She announced the appointment of Mr. Mark Coplan as Public Information Officer for the District, effective January 6, 2003. Mrs. Lawrence thanked the Student Assignment Committee members for their successful forum. She congratulated the teachers who received grants from In Dulci Jubilo and expressed appreciation to Mr. Mark Coplan and In Dulci Jubilo for their continued support of our teachers and programs. The Superintendent reported on the CSBA (California School Boards Association) Conference she and some Board members attended. She gave a budget update from Sacramento and reiterated the seriousness of the State's and District's budgets. The Superintendent said the minutes and names of the Small Schools Steering Committee will be made public.

Board Members' Comments

Student Director Turner congratulated Directors Doran and Issel for being re-elected to the Board. He congratulated Director Riddle on her election to the Board and President Rivera and Vice President Selawsky on their election as Board officers.

Vice President Selawsky congratulated President Rivera on his election as Board President for 2003. He thanked the many volunteers who provide service to our students and staff.

President Rivera welcomed Director Riddle to the Board and he said: "I miss Ted."

Board Members' Reports (continued)

Board Members made the following appointments:

- Citizens Budget and Finance Committee

Board Member

Director Terry S. Doran

Director Shirley Issel

Director Nancy Riddle

Appointee

Marissa Sanders

Catherine Varnau

Vicki Davis

- **Citizens Construction Advisory Committee**

Director Terry S. Doran

Director Shirley Issel

Director Nancy Riddle

Carl Bridges, reappointment

Matt Taecker

Bruce Wicinas

- Facilities Maintenance and Security Advisory Committee:

Board Member

Director Terry S. Doran

Appointee

Jim Wertz

- Youth Commission

Board Member

Director Terry S. Doran

Appointee

Daniel Seaman, reappointed

Sean Dugar, Member-at-Large

CONSENT ITEMS

Motion: Directors Selawsky/Riddle and approved unanimously on voice vote:

That the Consent Items are approved, as amended. The amendment is that item 2.2-C is pulled for further clarification.

- 1.1-C: Resolution 02-47: Signatures of Board Members
- 1.2-C: Acceptance of Gifts/Donations
- 1.3-C: Walk to School and Work Resolution
- 1.4-C: Call for Nominations for CSBA Delegate Assembly
- 2.1-C: Acceptance of Personnel Report
- 2.2-C: Renewal of Workers Compensation Insurance with the State Compensation Insurance Fund

Please see below for action on this item

- 3.1-C: Overnight Field Trip Requests
- 4.1-C: Approval of Contracts/Purchase Orders for Service Contracts

2.2-C: Renewal of Workers Compensation Insurance with the State Compensation Insurance Fund

Director Issel noted that this will have a major impact on the District's solvency. She said Workers Compensation has more than doubled with an increased cost of \$1,081,769 to the District's 2003-2004 budget. Director Issel requested that this item be included in the Budget Study Session next week.

Motion: Directors Issel/Selawsky and approved unanimously on voice vote:

Renewal of Workers Compensation Insurance with the State Compensation Insurance Fund.

ACTION ITEMS (continued)

3.1-A: 2002-2003 Single Plan for Student Achievement for Berkeley Alternative High School

Ms. Christine Lim, Associate Superintendent, Educational Services, said with the conversion of Berkeley Alternative High School to a continuation school, the staff at the school needed additional time to complete the plan, which is required for the new funding sources. The Single Plan for Student Achievement for the Berkeley Alternative High School has been reviewed for compliance by the Office of State and Federal Programs and is recommended for approval by the Board of Education.

Motion: Directors Issel/Selawsky and approved unanimously on voice vote:

Approval of the 2002-2003 Single Plan for Student Achievement for Berkeley Alternative High School.

3.2-A: Grades 9-12 English/Language Arts Instructional Materials

Ms. Christine Lim, Associate Superintendent, Educational Services; Mr. Neil Smith, Director, Curriculum, Instruction & Staff Development and Mr. Michael Hassett, Executive Vice principal, Berkeley High School, presented this item. Ms. Lim said regular grades 9-12 instructional materials funds, different from Schiff-Bustamante moneys, were used to purchase most of these books. Copies are needed for replacement and to cover increased enrollment. In order to use the Schiff-Bustamante carry-over funds as well as the newly allocated state textbook funds to purchase these books, the Board is required to adopt the texts.

Director Issel asked how will the textbooks be paid for and what tracking method will be used? How do we have confidence that all 9th graders are getting curriculum? What is the thinking behind all of these choices and how did it come about that we have so many selections? Is there an agreed upon curriculum?

Mr. Michael Hassett, Executive Vice Principal, Berkeley High School, said he compiled this list of books from the books we are currently using.

Superintendent Lawrence requested that Mr. Hassett establish a pivotal list of books, identify a core list and resubmit them to the Board.

ACTION ITEMS (continued)

3.2-A: Grades 9-12 English/Language Arts Instructional Materials (continued)

Vice President Selawsky said there should be a choice of good books for students to read.

Director Doran asked for the total number of books that are reasonable for the 9th grade course. He requested that staff compile the list of books that are used in every English class and that this list be submitted to the Board for approval.

Motion: Directors Selawsky/Doran and approved 4(1)-1-0-0 on voice vote:

Approval of Grades 9-12 English/Language Arts Instructional Materials.

AYES: Directors Doran, Riddle, Rivera, Selawsky, (Student Director Turner)

NOES: Director Issel

ABSTAIN: None

ABSENT: None

4.1-A: Review and Approve 2002-2003 First Interim Report

This item was pulled.

INFORMATION

General Services

1.1-I: Overview of AB 2859, Aroner

Superintendent Lawrence said part of the requirement of the Aroner Bill which was designed to assist Berkeley Unified in the elimination of a financial penalty assessed in the year 2000, the District is obligated, through FCMAT (Fiscal Crisis Management Assistance Team), to do a comprehensive review of five designated areas and to provide an appropriate plan for each of the five areas.

INFORMATION

General Services (continued)

1.1-I: Overview of AB 2859, Aroner (continued)

The five areas are:

- a. Governance/Community Relations
- b. Pupil Achievement
- c. Facilities Management
- d. Personnel Procedures
- e. Financial Management

Once the report has been completed the District will be obligated to designate funds that were previously allocated to pay the penalty toward the implementation of the improvement plans.

Superintendent Lawrence outlined the timelines and procedures for fulfilling the Aroner Bill requirements.

Educational Services

3.1-I: Standardized Testing and Reporting Program (STAR)

Ms. Christine Lim, Associate Superintendent, Educational Services, said the California Legislature has required all public schools to administer the same standardized test since 1997 for grades 2-11. The Stanford Achievement Test, 9th Edition, (SAT-9) is the norm-referenced test that has been used for the past five years. This year the State is requiring schools to use the California Achievement Tests, 6th Edition (CAT/6) as well as the California Standard Tests that have been developed during the past few years. The changes that are resulting from the new testing requirements are as follows:

- a. CAT/6 Survey Test and an increased number of California Standards Tests
- b. New tests in science at fifth grade and in social studies at eighth grade
- c. Increased emphasis on standards in computing API scores

EXTENDED PUBLIC TESTIMONY

No one addressed the Board at this time.

ANNOUNCEMENT

Schedule of December Board of Education Meetings:

December 17, 2002: Board Study Session regarding Student Assignment
7:30 p.m.
Berkeley Alternative High School
(In the Multi-purpose Room)
2701 Martin Luther King Jr. Way
Berkeley, CA 94704

December 18, 2002: Board Study Session regarding the District's Budget
7:00 p.m.
District's Administrative Offices
2134 Martin Luther King Jr. Way
Berkeley, CA 94704-1180

ADJOURNMENT

President Rivera declared the Regular Meeting of December 11, 2002, adjourned at 11:20 p.m.

APPROVED:

ATTEST:

President, Board of Education
Berkeley Unified School District

Secretary, Board of Education
Berkeley Unified School District

qeg

BERKELEY UNIFIED SCHOOL DISTRICT
MINUTES, SPECIAL MEETING
Tuesday, December 17, 2002
Berkeley Alternative High School
Multi-purpose Room
2701 Martin Luther King Jr. Way
Berkeley, CA 94704

OFFICIAL BUT UNADOPTED MINUTES
Page 1

CALL TO ORDER

President Rivera called the Special Board of Education Meeting of December 17, 2002 to order at 7:35 p.m.

BOARD ROLL CALL

MEMBERS PRESENT: President Joaquin J. Rivera
Vice President John T. Selawsky
Director Terry S. Doran
Director Shirley Issel
Director Nancy Riddle
Student Director Andy Turner

Administration Superintendent Michele Lawrence, Secretary

PUBLIC TESTIMONY

Six speakers addressed the Board.

SPECIAL STUDY SESSION/WORKSHOP

Report and Discussion of Work from the Student Assignment Committee

The Board had before it a 28-page document entitled: "Berkeley Unified School District, Student Assignment Advisory Committee Preliminary Report to the Board of Education, December 17, 2002."

Mr. Francisco Martinez, Manager, Admissions and Attendance, and representatives of the Student Assignment Advisory Committee: Ms. Roia Ferrazares and Mr. Derick Miller, Co-Chairpersons, Ms. Noreen Axelson, Mr. Lee Berry, Ms. Julie Guthman, and Mr. Bruce Wicinas, presented this item. Mr. Derick Miller, Co-Chairperson, read the Statement of Beliefs and the Committee Charge. Ms. Julie Guthman, member, gave an overhead presentation and explained some of the maps listed in Appendes A and B of the 28-page document.

Report and Discussion of Work from the Student Assignment Committee (continued)

Ms. Roia Ferrazares, Co-Chair, Student Assignment Committee, explained the Committee's Proposal to Modify the Student Assignment Plan. She cited excerpts of the Plan by saying: "The Committee believes that diversity is a community value. Diversity in education, which could be added by a student assignment plan, may include gender, race, ethnicity, language, family structure and socioeconomic status. This is stated in our statement of beliefs. While race/ethnicity is included in this statement, we did not include it in our proposal given the original charge of the Committee.

The 2000 Census data made it possible for us to develop rich snapshots of the Berkeley population. Using Census data we were able to review maps of many diversity factors. After careful consideration the Committee narrowed a broad list down to four factors including income, parent education, and English-as-a-Second Language.

As the Committee explored the impact of recent legal decisions, we came to believe that a broad definition of diversity would include many characteristics we may never even have considered in previous school assignment plans. Such a definition does not necessarily focus on race or ethnicity as such, nor does it attempt to find some single indicator or collection of characteristics that could be used as a proxy for race. While our understanding of and appreciation for the value of a diverse classroom persists, we need to find new ways of recognizing such learning environments. Even without the impetus of a challenging legal landscape, the committee would advocate a renewed commitment to fully involve all our children in an educational experience that consistently emphasizes equal access to all educational resources.

The committee believes that the single most important factor is to design a plan that yields learning environments that are inclusive. While we have selected several specific factors based on our examination of census and other data, as the assignment plan is monitored in the future, it may be necessary to modify these factors."

Some comments and questions raised by Board Members are as follows:

Director Terry S. Doran:

- How was the decision made to break up into various groups?
- How will the proposed Student Assignment Plan work?

Director Shirley Issel:

- Is there any data regarding parents who received their first, second and third choice?
- Please provide more information regarding BUSD's population who is participating in the free and reduced lunch program. It would be helpful to have a colored map showing this information.
- Currently we adjust capacity to reflect students that enroll in Berkeley schools. "I want our school population to reflect the people who live in Berkeley". What discussions has the Committee had about our schools reflecting the Berkeley community?

Vice President John Selawsky:

- What indicators has the Committee used to address student achievement?
- What are the corresponding data with BUSD's self-reported data and the United States census data?
- How long does the Committee anticipate that the U.S. census data are going to be accurate since the U.S. census data are released every ten years?

President Joaquin Rivera:

- How did the Committee come up with 445 planning areas?
- How will this proposed plan be explained to parents?
- What is the difference between socioeconomic and the free and reduced lunch program?

Student Director Turner

- What is the difference between free and reduced, income, socioeconomic and heads of households?
- How do out-of-District students fit into this model?

Closing comments by Board Members (continued)

Director Nancy Riddle

- Please provide the information regarding the planning areas.
- If the legal situation was not before us and we wanted to use race and socioeconomic, could we?

Some closing comments by Board Members included the following:

Director Terry Doran:

- Regarding the Statement of Belief—In the third paragraph, keep the first sentence and delete the second sentence.
- The proposed plan is extremely complex.
- The proposed plan uses U.S. census data and that data is sometimes unreliable.
- “I believe our existing plan is worth attempting to defend.”
- Any plan we develop needs to include race as one of the factors.
- The Committee’s charge was for the Committee to present two student assignment plans to the Board for review.
- Regarding staff diversity, how can we accomplish this with existing staff and how do we retain existing staff?
- In the report, the term “equity” is used. Does this mean diversity? What about the equitable distribution of resources? These issues need to be addressed.
- More information is needed from the Committee regarding the statement of the District having unequal elementary schools.

Director Riddle:

- At this time, Director Riddle read a statement regarding the issue of separate but equal.
- She said there needs to be more discussion regarding equity in our schools.

Director Issel:

- Any new student assignment plan needs to maximize student achievement.
- We need a plan that maximizes choice and makes sense educationally
- Free and reduced lunch data should be used as a capacity factor
- Set capacity of free and reduced lunch as a goal

Report and Discussion of Work from the Student Assignment Committee (continued)

Vice President Selawsky

- U.S. Census data becomes available every ten years. How would the plan be modified between census data?

Student Director Turner

- How will the proposed Student Assignment Plan affect Berkeley High School and small schools?
- We should do everything we can to ensure diversity in our schools.

President Rivera

- "I am not ready to drop race at this time." Race should be one of the factors of the new plan.
- Any plan that suggests neighborhood schools will never get a vote from me.
- The plan defines diversity in a very narrow way.
- There has not been proof that our current student assignment plan is illegal. We need to do a lot more research and have more dialogue and explore, in depth, all of our options before we make a decision.

Superintendent Lawrence recapped additional comments made by Board Members as follows:

- Staff and the Student Assignment Committee to develop a list of decisions/recommendations and submit them to the Board.
- We need more data on the free and reduced lunch program.
- What impact will the proposed plan have on out-of-District students?
- What is the relationship of the proposed plan to potential zone changes?
- How would the modified Student Assignment Plan work based on current and projected enrollment?
- Suggest that we bring in a panel of legal experts in mid or early January to have a discussion regarding the District's current Student Assignment Plan and the proposed Student Assignment Plan.

EXTENDED PUBLIC TESTIMONY

Five speakers addressed the Board

ANNOUNCEMENT

Schedule of December Board of Education Meetings:

December 17, 2002: Board Study Session regarding Student Assignment

December 18, 2002: Board Study Session regarding the District's Budget

Recess to Closed Session (Government code Sections 3549.1(d), 54956.9(a) and 54957) and Education Code Section 49818(c)

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

There was no Closed Session at this meeting.

ADJOURNMENT

President Rivera declared the Special Meeting of December 17, 2002, adjourned at 11:20 p.m.

APPROVED:

ATTEST:

President, Board of Education
Berkeley Unified School District

Secretary, Board of Education
Berkeley Unified School District

qeg

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Queen Graham, Executive Assistant
DATE: January 22, 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. CRAGMONT PTA: A donation of \$14,000 to Cragmont School
2. TARGET: A donation of \$186.91 to John Muir School

POLICY

Board Policy DFK/KHE

FISCAL IMPACT

None

STAFF RECOMMENDATION

Accept the donations/gifts to the District.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Queen Graham, Executive Assistant
DATE: January 22, 2003
SUBJECT: Proclamation Declaring February 2003 as African American History Month

BACKGROUND INFORMATION

The Berkeley Unified School District has a tradition of commemorating African American History Month.

African Americans have a rich history of outstanding accomplishments in every field of human endeavor, from literature and art to science, industry, education, diplomacy, athletics, jurisprudence, and even polar exploration. It is important that our students learn of the people and events that enrich African Americans' history.

FISCAL IMPACT

None

STAFF RECOMMENDATION

Approve the Proclamation Declaring February 2003 as African American History Month.

**BERKELEY UNIFIED SCHOOL DISTRICT PROCLAMATION DECLARING
FEBRUARY 2003 AS AFRICAN AMERICAN HISTORY MONTH**

WHEREAS, Americans of African descent helped develop our nation in countless ways, those recognized, unrecognized, and unrecorded; and

WHEREAS, African American history reflects a determined spirit of perseverance and cultural pride in its struggle to share equally in the opportunities of a nation founded upon the principles of freedom and liberty for all people; and

WHEREAS, the history and contributions of African American citizens have been consistently overlooked and undervalued in the curriculum of public education institutions; and

WHEREAS in 1808 the United States Congress passed a law that prohibited United States involvement in the slave trade; in 1868 the 14th Amendment made African Americans citizens of the United States; in 1870 the 15th Amendment gave African American men the right to vote; in 1870 Joseph Hayne Rainey was the first African American elected to the United States Congress; in 1936 track-and-field athlete, Jesse Owens, was the first person in history to win four gold medals at a single Olympics; in 1941 the War Department formed the Tuskegee Airmen, the first African American unit of combat pilots; in 1950 Diplomat Ralph Bunche was the first African American to win the Nobel Peace Prize; in 1954 the Supreme Court declared that segregation in public schools is unconstitutional; in 1964 President Johnson signed the Civil Rights Act, prohibiting racial discrimination in employment, voting and the use of public facilities; in 1968 Shirley Chisholm was the first African American woman elected to the United States Congress; in 1999 all 50 states legally recognized the Martin Luther King, Jr. Holiday for the first time (Berkeley Unified School District was one of the first school districts to recognize this holiday); and

WHEREAS, the Berkeley Unified School District is the first school district to establish and maintain an African American Studies Department and in 1968 it was the first school district to voluntarily integrate its schools; and

WHEREAS, it is important that the history curriculum in our schools, at every grade level, reflect the experiences of men and women of different racial, religious and ethnic groups so that each student has an opportunity to understand the common humanity underlying all groups; develop pride in his or her own identify and heritage of others.

THEREFORE, BE IT RESOLVED, that the Berkeley Unified School District Board of Education and Superintendent of Schools support this Proclamation and encourage the staff of the District to engage in instructional activities to recognize the countless contributions that African Americans have made in helping our nation achieve greatness.

PASSED AND ADOPTED this 22nd day of January 2003.

Joaquin J. Rivera, President, Board of Education

Michele Lawrence, Superintendent

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Board of Directors
FROM: John T. Selawsky, Vice President, Board of Education
DATE: January 22, 2003
SUBJECT: High-Stakes Test Resolution

BACKGROUND INFORMATION

In response to community concerns about high-stakes testing and the high school exit examination, I believe it is important for the Board and the District to formalize its own alternative assessments and multiple measures of student learning. We have at least one elementary school, which may be sanctioned in some way based on standardized test scores. Many critics of standardized tests claim they are culturally biased as well as given disproportionate emphasis and importance over real, everyday instruction in our schools.

It is my hope that the District can come to a consensus over actual and significant alternative measures of our students learning, and that consensus might lead to strategies regarding the state and federal mandated battery of standardized tests. If nothing else we will have more and I believe more detailed data to compare our schools and the effectiveness of instruction models.

FISCAL IMPACT

None

BOARD MEMBER RECOMMENDATION

Approve the High-Stakes Test Resolution.

BERKELEY UNIFIED SCHOOL DISTRICT

HIGH-STAKES TEST RESOLUTION

WHEREAS, the reliance on high-stakes tests such as the STAR (Standardized Testing and Reporting) tests and the High School Exit Examination (HSEE) as primary measures of school and student performance unfairly penalizes students who have not been provided with the academic tools to perform to their highest potential on these tests; and

WHEREAS, high-stakes tests such as the STAR tests and the HSEE discriminate against populations of students based on language proficiency and cultural acclimation because the test is only given in English; and

WHEREAS, resources provided by the state's intervention programs for "low performing" schools are grossly inadequate to compensate and remediate for long-term state underfunding and highly unequal opportunities to learn; and

WHEREAS, high-stakes tests such as the STAR tests and the HSEE promote a narrowing of the curriculum and a "teaching to the test" emphasis in all schools, replacing teacher quality and creativity with a standardized, deterministic model of teaching and instruction, and also determine how much money schools and scholarship candidates get through the Academic Performance Index (API) based solely on STAR test results, and whether students will graduate from high school through one exam, the HSEE; and

WHEREAS, desperately needed education funding and instructional time are diverted to administer tests; and

WHEREAS, in 2000-2001 HSEE testing, African American and Latino students were failed at twice the rate of their white counterparts, and low income students at twice the rate of middle income students (Applied Research Center, Oakland), and **THE WEALTHIEST 10% OF SCHOOLS IN CALIFORNIA HAVE RECEIVED MORE API AWARDS THAN SCHOOLS IN OTHER INCOME BRACKETS** (California Budget Project, Sacramento); and

WHEREAS, the Citizen's Commission on Civil Rights cites California for numerous violations of Federal Law for failing to help disadvantaged students because it depends on inadequate, narrow, multiple-choice tests such as the STAR tests and the HSEE as the center of its accountability system and does not use "multiple measures" of assessment to monitor student progress and performance (see Citizen's Commission on Civil Rights report); and

WHEREAS, a growing and largely incontrovertible body of research evidence demonstrates that high-stakes tests across the nation are inadequate measures of academic achievement and achieving real accountability; and

WHEREAS, educational partnerships locally and nationally have developed alternative, potentially more equitable and academically constructive tools to measure student learning, achievement, and performance.

THEREFORE, BE IT RESOLVED, that the Berkeley Board of Education authorize the Berkeley Unified School District to conduct a study of alternative assessments that the District could use to the benefit of its students and schools as a real tool for measuring academic achievement and for providing real accountability for equal educational outcomes for all students; and

FURTHER, BE IT RESOLVED, that following adoption of this resolution, the Superintendent of BUSD will submit the names of proposed members of the Task Force within 45 days, submit an interim report after four months to the Board of Education at a public meeting, and submit a final report on any findings, including policy implications and recommendations, to the full Board of Education within seven months.

PASSED AND ADOPTED this 22nd day of January 2003.

Joaquin J. Rivera
President, Board of Education

Michele Lawrence
Secretary, Board of Education

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Board of Directors
FROM: John T. Selawsky, Vice President, Board of Education
Terry S. Doran, Director, Board of Education
DATE: January 22, 2003
SUBJECT: Resolution: BUSD School Days of Public Education on Peace and the War Against Iraq

BACKGROUND INFORMATION

It is the belief of the Berkeley Board of Education that this community values peaceful resolutions to disputes, both domestic and international. Reflecting this community's values, we reaffirm the belief that patience, diplomacy, and negotiation are a more ethical and ultimately more effective deterrent to conflict, disagreement, and war. It is the Berkeley Board of Education's belief in representing the values and commitments of the residents of Berkeley that a pre-emptive, unprovoked military strike against any sovereign state is contrary to both international law and two hundred years of U.S. policy and precedent. As such, the Berkeley Board of Education, in collaboration with the Berkeley Federation of Teachers, wishes to draw attention to and provide a forum for discussion, information, and awareness of the historical, cultural, and societal causes of the threatened military action against the sovereign state of Iraq, and the various reasons for this conflict, as well as the possible results of military action for both the United States and Iraq, and the impacts on stability in the Middle East, the world, and the United States.

FISCAL IMPACT

None

BOARD MEMBERS' RECOMMENDATION

Approve Resolution: BUSD School Days of Public Education on Peace and the War Against Iraq.

BERKELEY UNIFIED SCHOOL DISTRICT

RESOLUTION: BUSD SCHOOL DAYS OF PUBLIC EDUCATION ON PEACE AND THE WAR AGAINST IRAQ

WHEREAS, the Reverend Martin Luther King, Jr. said: “If we assume that life is worth living and that man has a right to survive, then we must find an alternative to war, and I am a clergyman as well as a civil rights leader and the moral roots of our war policy are not unimportant to me. I do not believe our nation can be a moral leader of justice, equality, and democracy if it is trapped in the role of a self-appointed world policeman, and there comes a time when one must take the position that is neither safe...nor popular, but he must do it because conscience tells him it is right. I believe today that there is a need for all people of goodwill to come together with a massive act of conscience and say in the words of the old Negro spiritual, We Ain’t Going to Study War No More;” and

WHEREAS, President George W. Bush and the U.S. government are preparing to initiate a war against the people of Iraq; and

WHEREAS, an attack on Iraq by the U.S. military would have devastating consequences, including horrendous loss of life and injury by noncombatant women and children in Iraq as well as American and Iraq military personnel; significant harm to the U.S. economy; catastrophic environmental and material devastation to Iraq; the threat of increased warfare in the Middle East and other parts of the world; the erosion of the international coalition to fight against terrorism and for global justice; and the isolation and ostracism of the U.S. in the world community; and

WHEREAS, it is essential that the people and students of Berkeley be well-informed of the root causes of war and the consequences of military action by their government; and

WHEREAS, despite a BUSD policy barring U.S. military recruiters from our schools, students are now vulnerable to the U.S. military’s \$2.4 billion (FY 2002) recruiting efforts and the military’s new “open door” access to student names, addresses and telephone listings based on changes in the 2002 **No Child Left Behind Act**; and

WHEREAS, in the biggest demonstrations since the Viet Nam War, on October 26th, hundreds of thousands of people throughout the U.S. marched and rallied together to call for an end to the President’s plans to wage war against Iraq; and

WHEREAS, hundreds of thousands more will commemorate Martin Luther King, Jr.'s legacy with massive rallies on January 18, 2003, in San Francisco and other cities around the U.S. to call for an end to President Bush's war drive and the growth in military spending while funding for our schools and social services are gutted.

THEREFORE, BE IT RESOLVED, that BUSD work with the Berkeley Federation of Teachers' subcommittee on peace to develop a list of available sources and lessons that are appropriate for the classroom in order to have a special program on February 5 and 6, 2003, regarding Peace, and the War on Iraq.

BE IT FURTHER RESOLVED, that District staff may invite parents and other members of the public to participate in the educational programs; and

BE IT FURTHER RESOLVED, that no student, teacher or staff person who objects to participation in such educational programs shall be required to do so.

BE IT FURTHER RESOLVED, that the BUSD reaffirm its policy in accordance with the "opt out" clause of Section 9528 of the **No Child Left Behind Act**, that parents and students be notified of their rights to request that the individual student's name, address and telephone listing not be released without prior written parental consent and that the District comply with each parental request for non-release of student information, and that this information be provided in Spanish as well as English, and that a second letter go out to parents and guardians as well as a letter directly to the students themselves (who under the **Act** have the right to "opt out" also).

PASSED AND ADOPTED this 22nd day of January 2003

Joaquin J. Rivera
President, Board of Education

TO: Michele Lawrence Superintendent
 FROM: David A. Gomez, Ph.D.
 Associate Superintendent Human Resources
 DATE: January 22, 2003
 SUBJECT: ACCEPTANCE OF PERSONNEL REPORT 03-12

Following is Personnel Report 03-12, which reports details of personnel assignments employment and terminations.

CERTIFICATED EMPLOYEES						
NAME	POSITION	LOCATION	BUDGET	FTE & SALARY	FROM	TO
<u>RETIREMENT</u>						
Carole Chin	Teacher	Le Conte		1.00 FTE	6/13/02	
Percy Crawford	Teacher	Berkeley High		1.00 FTE	12/31/02	
Greba Jackson	Teacher	Berkeley High		1.00 FTE	1/30/03	
Marilyn Littles	Teacher	Le Conte		1.00 FTE	6/20/03	
Margaret Rowland	Teacher	Berkeley High		1.00 FTE	7/01/03	
<u>RESIGNATION</u>						
Guillermo Barcnas	Counselor	Berkeley High		1.00 FTE	1/21/03	
Joan Mikkelsen	Teacher	Berkeley High		1.00 FTE	1/27/03	
Lorissa Wong	Counselor	Berkeley High		1.00 FTE	1/03/03	
<u>MATERNITY LEAVE OF ABSENCE WITH PAY</u>						
Jeannie Wang	Teacher	Emerson		1.00 FTE	1/21/03	5/15/03
<u>EXTENDED SICK LEAVE OF ABSENCE WITH PAY</u>						
Nancy Elnor	Teacher	Longfellow		1.00 FTE	1/29/03	6/13/03
<u>TEMPORARY TEACHER</u>						
Sonia Gill	Teacher	King	General Fund	.40 FTE VII-12	1/22/03	6/13/03

CLASSIFIED EMPLOYEES

NAME	POSITION	LOCATION	BUDGET	CLASS RANGE STEP	FTE & SALARY	FROM	TO
<u>PROBATIONARY</u>							
Alonzo Anthony	General Maintenance	Maintenance Dept.	BB Measure	40/2	1.0 FTE \$16.77/hr	12/02/02	6/02/03
Byron Ashbury	Custodian I	Longfellow	Site Fund	32/1	.50 FTE \$13.10/hr	12/09/02	6/09/03
Anthony Brown	Custodian I	Berkeley High	BB Measure	32/1	.50 FTE \$13.10/hr	12/01/02	6/01/03
<u>PROVISIONAL</u>							
Amanda Freeman	Program Coordinator (EDP)	Willard	Site Fund	52/1	1.0 FTE \$21.48/hr	12/02/02	3/02/03
Leticia Gutierrez	Instructional Assistant Special Ed.	Thousand Oaks	Special Ed.	31/1	.80 FTE \$12.77/hr	10/21/02	1/21/03
Sarah Hamilton	Program Coordinator	Curriculum & Instruction	General Fund	52/1	.50 FTE \$21.48/hr	12/02/02	3/02/03
Joseph Hammond	Electrician	Maintenance Dept.	BB Measure	50/1	1.0 FTE \$20.45/hr	12/02/02	2/28/03
Abdul Mixon	General Maintenance	Maintenance Dept.	BB Measure	40/1	1.0 FTE \$15.96/hr	1/06/03	4/06/03
<u>TEMPORARY/HOURLY</u>							
Semajh Bilaal	Instructional Technician	King (Extended Day Program)	Site Fund	34/1	Not to exceed 15 hrs/wk \$13.76/hr	1/06/03	6/13/03
Neil Cohn	Instructional Specialist	Longfellow (Extended Day Program)	Site Fund	51/1	Not to exceed 6 hrs/wk \$20.96/hr	11/04/02	6/12/03
Michael Danker	Tutor Specialty	Independent Study	BSEP	31/1	Not to exceed 10 hrs/wk \$12.77/hr	1/06/03	6/13/03

NAME	POSITION	LOCATION	BUDGET	CLASS RANGE STEP	FTE & SALARY	FROM	TO
Jeffie Cooksey	Instructional Specialist	Hopkins and Franklin	Site Fund	51/1	Not to exceed 11 hrs/month \$20.96/hr	11/15/02	6/01/03
Porchid Hadden	Food Service Assistant	Various Site	Site Fund	26/1	Not to exceed 20 hrs/wk \$11.29/hr	12/02/02	6/13/03
Aminah Ilyas	Clerical Specialist	Transportation	Site Fund	42/1	1.0 FTE \$16.77/hr	12/02/02	2/28/02
Devin Nelson	Student Worker	Berkeley High Community Theater	Site Fund	N/A	Not to exceed \$3,000 \$6.75/hr	9/01/02	6/30/02
Audrey Smith	Student Worker	Independent Study	BSEP	N/A	Not to exceed 10 hrs/wk \$6.75	9/01/02	6/13/03
Lorena Soto	Tutor Specialty	Independent Study	BSEP	N/A	Not to exceed 10 hrs/wk \$12.77/hr	11/15/02	6/13/03

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

Alonzo Anthony	General Maintenance	Maintenance Dept.	BB Measure	40/2	5% differential (1.0 FTE + \$.84)	12/02/02	6/02/03
Byron Ashbury	Custodian I (p.m. shift)	Longfellow	Site Fund	32/1	5% differential (1.0 FTE + \$.65)	12/09/02	6/09/03
Leticia Gutierrez	Instructional Assistant Special Ed.	Thousand Oaks	Special Ed.	31/1	5% differential (.80 FTE + \$.64)	10/21/02	1/21/03
Joseph Hammond	Electrician	Maintenance Dept.	BB Measure	50/1	5% differential (1.0 FTE + \$1.02)	12/02/02	2/28/03

BERKELEY UNIFIED SCHOOL DISTRICT

DISTRICT INITIAL PROPOSAL FOR BERKELEY FEDERATION OF TEACHERS

The Berkeley Unified School District ("District") makes the following proposal for negotiations with the Berkeley Federation of Teachers. The District reserves the right to modify the following during the course of negotiations.

The District proposes to modify the collective bargaining agreement. The new agreement should be achieved consistent with the following District interests:

1. To provide a premier education for all Berkeley Unified School District students.
2. To establish and maintain a positive bargaining relationship with BFT.
3. To maintain a positive relationship with employees.
4. To maintain the integrity of the educational mission, goals, and priorities of the District.
5. To employ and retain the most qualified individuals available.
6. To improve its fiscal integrity and maintain a balanced budget in all district programs.
7. To bargain non-cost items first due to the District's current financial situation.
8. To provide reasonable level of financial support for health benefits for the employees.
9. To establish and maintain work hours and class sizes that provide for effective educational opportunities for students.
10. To balance program improvements and staff welfare, including wages, hours, and working conditions, as additional funds become available.
11. To provide the best possible working conditions for employees consistent with other District interests.
12. To provide a contract that is clear, easily understood and implemented and helps minimize grievances.

2.2 - C

The District reserves the right to:

1. Modify the above proposals in the course of negotiations.
2. Submit additional proposals.
3. Address other issues after discussion with BFT.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: David A. Gomez, Ph.D.,
Associate Superintendent, Human Resources
DATE: January 22, 2003
SUBJ: District Initial Proposal to Negotiate Contract with BFT

BACKGROUND INFORMATION:

The term of the contractual agreement between the Berkeley Unified School District and the Berkeley Federation of Teachers expires June 30, 2003. Under the present agreement, each party must submit the Initial Proposal to the other party in writing by February 28, 2003. The parties must also agree to start meeting and begin the negotiation process for the subsequent agreement on or before March 15, 2003. The following document outlines the District's Initial Proposal to the Berkeley Federation of Teachers.

POLICY/CODE:

Rodda Act
Government Code 3543.2 and 3547
BUSD and BFT Agreement: July 1, 1999 - June 30, 2003

FISCAL IMPACT:

None

STAFF RECOMMENDATIONS:

Approve the District's Initial Proposal to BFT and direct staff to establish parameters to negotiate with BFT.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Christine Lim, Associate Superintendent, Educational Services
DATE: January 22, 2003
SUBJECT: Overnight Field Trip Request

BACKGROUND INFORMATION:

The following overnight field trip request is being made:

1. Approve participation of 23 fifth graders from Berkeley Arts Magnet, one teacher and 5 other adults on an overnight field trip to Point Bonita May 27-28, 2003. The purpose of the trip is for students to participate in the study of wildlife, flora, fauna in the Marin Headlands led by qualified naturalists. Additionally, students will be studying the Native Americans who lived in the Marin Headlands Golden Gate National Recreation Area. Students will be housed in gender specific dorm rooms. Transportation will be provided by District buses. The \$100.00 cost per student is being funded by class fundraisers. Requested by Lorna Skantze-Neill, Principal, Berkeley Arts Magnet.

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 trip for students consistent with the District Policies and instructional programs.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Christine Lim, Associate Superintendent, Educational Services
DATE: January 22, 2003
SUBJECT: Applications to the CDE Arts Work, Visual and Performing Arts Education Grant Program for 2003-04 for four Program III Implementation Grants

Background

Arts Work grant funds are available through the California Department of Education for districts to implement standards-based, comprehensive and sequential, K-12 instruction arts education programs aligned with state Visual and Performing Arts Content Standards. Recognizing that there are many programmatic ways to implement arts education, the Arts Work program supports districts in creating their own plans and programs and encourages districts to use all community resources available to them. The Arts Work Program III, Arts Education Implementation grant applications for 2003-04, requesting a total \$ 94,000, are:

Category 1. Standards Implementation	(\$22,000)
Introduction to California Visual and Performing Arts Standards	
Category 2. Assessment	(\$25,000)
Student Assessment in the Visual and Performing Arts	
Category 3. Model Arts Program	(\$25,000)
Alameda County Model Arts Program Network	
Category 4. Special Project	(\$22,000)
District Arts Coordinator Leadership Training	

If awarded, these grants will provide a third year of funding for Berkeley to participate in the Model Arts Program (MAP) Network at the state and county level and the fifth year to receive at least one Arts Work grant. The support and guidance provided through the Network has been valuable to the district and these grant proposals are crucial to building a district wide, K-12 arts education program providing instruction in all four arts disciplines - visual arts, music, dance, and drama as we are proposing strategic planning for arts education. The due date for the Arts Work grant applications is January 31, 2003.

Last year Berkeley Unified was one of only two districts in the state to receive all four grants for FY 2002-03. The grants have provided a vehicle for the implementation of a Fully Articulated Arts Program as approved by the Board July

5, 2000 and the VAPA Content Standards adopted March 21, 2001. In FY 2002-03 these grants enable the district to:

- complete its assessment of arts education at all school sites and prepare a Arts Education Report identifying needs with respect to arts education,
- Prepare a visual arts articulated, standards based curriculum for K-5 teachers.
- Develop performance standards for assessment in the arts
- Provide professional development to teachers and artists collaborating on curriculum.
- Participate in the state and county Model Arts Program Network and in the state's arts assessment network.

For FY 2003-04 the district will:

- Conduct strategic planning for continued implementation of a fully articulated K-12 arts education program over the next 3-5 years, which will include developing funding strategies. Following a strategic planning process, the Visual and Performing Arts Coordinator will present the board with a documented strategic plan for approval.
- Provide professional development for all 6th grade social studies/language arts teachers on developing curriculum and teaching 6th grade arts integrated social studies/language arts curriculum. Teacher leaders will develop a curriculum (10 lesson plans) for distribution and use.
- Develop performance standards for assessment in the arts .
- Participate in the state and county Model Arts Program Network and in the state's arts assessment network.

Combined, the four Arts Work grants would fund 28,500 (0.33 FTE) of the Visual and Performing Arts Coordinator salary (including benefits). The Visual and Performing Arts Coordinator would manage all four grants. Indirect costs at 6.24% are \$ 5,520.

Planning for the grants has been led by the Visual and Performing Arts Coordinator with guidance from Neil Smith, the Director of Curriculum, Instruction and Staff Development, the Berkeley Arts in Education Steering Committee, and financial support for grant writing from the Berkeley Public Education Foundation.

POLICY/CODE

Ed Code 35161

FISCAL IMPACT

Restricted income of \$94,000

STAFF RECOMMENDATIONS

Approve the submission of four Arts Work Program III Implementation grant applications for the 20003-04 Program Year.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Christine Lim, Associate Superintendent, Educational Services
DATE: January 22, 2003
SUBJECT: Applications to the CDE Arts Work, Visual and Performing Arts Education Grant Program for 2003-04 for four Program III Implementation Grants

Background

Arts Work grant funds are available through the California Department of Education for districts to implement standards-based, comprehensive and sequential, K-12 instruction arts education programs aligned with state Visual and Performing Arts Content Standards. Recognizing that there are many programmatic ways to implement arts education, the Arts Work program supports districts in creating their own plans and programs and encourages districts to use all community resources available to them. The Arts Work Program III, Arts Education Implementation grant applications for 2003-04, requesting a total \$ 94,000, are:

Category 1. Standards Implementation	(\$22,000)
Introduction to California Visual and Performing Arts Standards	
Category 2. Assessment	(\$25,000)
Student Assessment in the Visual and Performing Arts	
Category 3. Model Arts Program	(\$25,000)
Alameda County Model Arts Program Network	
Category 4. Special Project	(\$22,000)
District Arts Coordinator Leadership Training	

If awarded, these grants will provide a third year of funding for Berkeley to participate in the Model Arts Program (MAP) Network at the state and county level and the fifth year to receive at least one Arts Work grant. The support and guidance provided through the Network has been valuable to the district and these grant proposals are crucial to building a district wide, K-12 arts education program providing instruction in all four arts disciplines - visual arts, music, dance, and drama as we are proposing strategic planning for arts education. The due date for the Arts Work grant applications is January 31, 2003.

Last year Berkeley Unified was one of only two districts in the state to receive all four grants for FY 2002-03. The grants have provided a vehicle for the implementation of a Fully Articulated Arts Program as approved by the Board July

5, 2000 and the VAPA Content Standards adopted March 21, 2001. In FY 2002-03 these grants enable the district to:

- complete its assessment of arts education at all school sites and prepare a Arts Education Report identifying needs with respect to arts education,
- Prepare a visual arts articulated, standards based curriculum for K-5 teachers.
- Develop performance standards for assessment in the arts
- Provide professional development to teachers and artists collaborating on curriculum.
- Participate in the state and county Model Arts Program Network and in the state's arts assessment network.

For FY 2003-04 the district will:

- Conduct strategic planning for continued implementation of a fully articulated K-12 arts education program over the next 3-5 years, which will include developing funding strategies. Following a strategic planning process, the Visual and Performing Arts Coordinator will present the board with a documented strategic plan for approval.
- Provide professional development for all 6th grade social studies/language arts teachers on developing curriculum and teaching 6th grade arts integrated social studies/language arts curriculum. Teacher leaders will develop a curriculum (10 lesson plans) for distribution and use.
- Develop performance standards for assessment in the arts .
- Participate in the state and county Model Arts Program Network and in the state's arts assessment network.

Combined, the four Arts Work grants would fund 28,500 (0.33 FTE) of the Visual and Performing Arts Coordinator salary (including benefits). The Visual and Performing Arts Coordinator would manage all four grants. Indirect costs at 6.24% are \$ 5,520.

Planning for the grants has been led by the Visual and Performing Arts Coordinator with guidance from Neil Smith, the Director of Curriculum, Instruction and Staff Development, the Berkeley Arts in Education Steering Committee, and financial support for grant writing from the Berkeley Public Education Foundation.

POLICY/CODE

Ed Code 35161

FISCAL IMPACT

Restricted income of \$94,000

STAFF RECOMMENDATIONS

Approve the submission of four Arts Work Program III Implementation grant applications for the 20003-04 Program Year.

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Michele Lawrence, Superintendent
FROM: Jerry J. Kurr
Associate Superintendent of Business and Operations
DATE: January 22, 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. Jordan Environmental to provide asbestos and mold remediation cleanup as required for 2002-03 FY. The cost will not exceed \$14,000. To be paid from Measure BB Budget. Requested by Rhonda Bacot.
2. R.H. Tinney Inc. to replace compressor in computer room cooling system. The cost will not exceed \$726. To be paid from Measure BB Budget. Requested by Rhonda Bacot.
3. RGA Environmental to provide environmental testing services as required for the 2002/2003 FY. The cost will not exceed \$7,000. To be paid from Measure BB Budget. Requested by Rhonda Bacot.
4. Epax System Inc., to cut and patch metal handrail as needed for Compactor installation, cleanup, disconnect, remove 20 yard compactor, on site storage, deliver, installation and training at Berkeley High School. The cost will not exceed \$1,580.50. To be paid from Measure BB Budget. Requested by Rhonda Bacot.
5. Semans Communications to repair telephones lines at Administration Annex Building, trenching, conduit installation, and feeder cable termination (50-pr OSP and 6-strand fiber optic cable). This repair is necessary because telephone cable between Administration Building and Annex has been damaged resulting in loss of dial tone at the Annex Building. The cost will not exceed \$10,721.39. To be paid from Measure BB Budget. Requested by Rhonda Bacot.

6. Ratification of contract to State of California Department of General Services to provide administrative hearing services for teacher lay-off for the 2001/2002 school year. The cost will not exceed \$6,435. To be paid from General Fund Human Resources Budget. Requested by David Gomez.
7. Ratification of contract to Community Alliance for Learning to provide Writer's Room (writing coaching) Pilot Project. Funding to cover set-up, training, and coordination of the Writers Room Project in one or two eighth grade classes on a pilot basis for the school year 2002/2003 at Willard Middle School. The cost will not exceed \$2,500. To be paid from BSEP (\$1,500) and State & Federal Gate Budget (\$1,000). Requested by Michelle Patterson.
8. Ratification of contract to Community Alliance for Learning to provide Writer's Room service, 9th Grade Writing Coaching and Literacy Curriculum. Funding covers .5 FTE Teacher Coordinator, .25 FTE On-site Coordinator, recruiting and training of volunteer coaches, and teacher training, development of Writer's Room portfolios for each class at Berkeley High School. The cost will not exceed \$43,596. To be paid from BSEP Budget. Requested by Mary Ann Valles.
9. Ratification of contract to Community Alliance for Learning to provide Writer's Room (writing coaching) Pilot Project. Funding to cover set-up, training, and coordination of the Writers Room Project in three eighth grade classes on a pilot basis for the school year 2002-2003 at Longfellow Middle School. The cost will not exceed \$3,700. To be paid from BSEP Budget. Requested by Rebecca Cheung.
10. Ratification of contract to Community Alliance for Learning to provide Writer's Room service, 8th Grade Writing Coach. Funding to cover one on-site coaching session on writing assignments for students in all 8th grade classes twice a month for the school year 2002/2003 under the Writers' Room Project at King Middle School. The cost will not exceed \$6,300. To be paid from BSEP Budget. Requested by Kit Pappenheimer.
11. Increase in contract to Barbara J. Blackburn to provide independent consultant services to process/reconcile/revise school finance and budget analyze data and recommend changes in District Office functions, at a rate of \$400 per day plus hotel, mileage and parking for the period December 2002. Board approval in the amount of \$7,000 on December 11, 2002. The additional

amount increases the cost by \$3,600 for a total amount of \$10,600. To be paid from General Fund Accounting Budget. Requested by Song Chin-Bendib.

12. Reimbursement to consultant Lisa Billings 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 Suzanne McCulloch.
13. Younger-Wunar to provide material and labor to re-route and repair/replace irrigation system at Longfellow Middle School. The cost will not exceed \$2,600. To be paid from Measure AA Budget. Requested by Lew Jones.
14. Bay Cities Pyrotectors Inc. to provide fire sprinkler systems test services at various sites for 2002/2003 FY. The cost will not exceed \$10,000. To be paid from Measure BB Budget. Requested by Rhonda Bacot.
15. Dryco Construction, Inc. to provide construction services as needed for asphalt repairs and maintenance for the 2002/2003 FY. The cost will not exceed \$12,000. To be paid from Measure BB Budget. Requested by Rhonda Bacot.
16. California Department of Education, Accounting of Education to be refunded for the 2001/2002 FY, State National Board for Professional Teaching Standards due to teachers dropping out of National Board Certification. The cost will not exceed \$1,000. To be paid from General Fund Human Resources Budget. Requested by David Gomez.
17. The Berkeley Chess School to provide chess instruction for the after school program at Thousand Oaks School. The cost will not exceed \$1,100. To be paid from After School Learning Program. Requested by Jesse Ramos.
18. Julia Morgan Center to provide arts and literacy education for 5 after school classes for one hour per week and training for three staff members in conjunction with Magnet Program at Thousand Oaks School. The cost will not exceed \$1,400. To be paid from After School Learning Program. Requested by Jesse Ramos.
19. California State University Foundation, Inc. to provide Professional Development Series (workshops) for the period February through May 2003. The cost will not exceed \$6,500. To be paid from Arts Work Grant. Requested by Suzanne McCulloch.

20. California State University Foundation, Inc. to provide Performing Arts Assessment Seminars for teachers. The cost will not exceed \$2,000. To be paid from Arts Work Grant. Requested by Suzanne McCulloch.
21. California State University Foundation, Inc. to Facilitate Review of Arts Curriculum and Arts Assessment for teachers. The cost will not exceed \$3,300. To be paid from Arts Work Grant. Requested by Suzanne McCulloch.
22. Center for Art in Translation to provide a “Poetry Inside Out” student writing workshop in TWI classes 2nd – 5th grade with emphasis on Spanish/English translation; Anthology of student poetry to be provided at a rate \$60 per hour for the period October 15, 2002 through June 15, 2003 at Cragmont School. The cost will not exceed \$3,000. To be paid from FLIP Grant. Requested by Jason Lustig.
23. Advance Recruitment Solution to provide professional services for advertising maintenance positions, maintenance engineer and painter for the 2002/2003 FY. The cost will not exceed \$1,350. To be paid from Measure BB Budget. Requested by Rhonda Bacot.
24. CMS Viron Energy Services to retrofit lighting at Berkeley High School “C” Building of areas inaccessible and not included in original retrofit project. The cost will not exceed \$6,366. To be paid from Measure BB Budget. Requested by Rhonda Bacot.
25. RGA Environmental to take air samples and perform lab testing for mold at Emerson School, room 6 and provide sampling report. The cost will not exceed \$2,378. To be paid from Measure BB Budget. Requested by Rhonda Bacot.
26. East Bay Municipal Utility District to furnish and install fire service connection to required Department State Architect Fire Sprinkler System on the Jefferson Modernization Project. The cost will not exceed \$11,190. To be paid from Measure AA Budget. Requested by Lew Jones.

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: Board of Education
FROM: Michele Lawrence, Superintendent
DATE: January 22, 2003
SUBJECT: Suggestions And Ideas From Community, Staff and Students

BACKGROUND

The superintendent and staff conducted several input sessions soliciting suggestions from employees, students and community members. Additional suggestions have come through the mail and via technology. There was no attempt to eliminate those suggestions that may violate negotiated contracts or the education code. Even though some suggestions may not be viable, they could have generated other ideas that could be employed. There were also suggestions that may not result in identifiable dollar savings; however, they could result in improved efficiency.

SUGGESTIONS AND IDEAS FROM THE COMMUNITY AND STAFF FOR BUDGET REDUCTION:

- Investigate the idea of leasing technology (computers) which may be less expensive than employing zone technicians to maintain.
- Do not buy new literacy / language arts books, the current edition is sufficient.
- Consider purchasing used textbooks instead of new books. Seek a waiver to sell or trade in old books if education code prohibits such.
- Repair and rebind damaged books instead of buying new books.
- Be vigilant in pursuing the cost of lost or stolen books from students and parents.
- Reading Recovery and class size reduction should be spared.
- Investigate cost of electronic heaters being used; fix existing heat.
- Examine vendor contracts for lower rates for example, Office Depot, Nextel, Home Depot. Prohibit individual schools from buying rather buy in bulk.
- Establish a central warehouse to stock bulk; there is lots of waste in school cupboards.
- Create a comprehensive inventory of computers, furniture and equipment. When schools close, furniture gets lost, tossed or not reused. Create inventory on computer so a staff member can select of the inventory list (cyber warehouse).
- Charge for busing, home to school, field trips, and athletic events.
- Eliminate busing. Return to neighborhood schools.
- Extend transportation walking distances.
- Custodial services are poor; only pay for what we get.

- Create a Student Community Service Program that requires students to clean, fix and maintain their own school (BHS and middle school); children could work in food services, textbook rooms, libraries, offices, etc.
- Music teachers request not cuts since they were cut last year.
- Music program would be less expensive if we require choral music instead of instrumental in upper grades (4-5).
- Music program in upper grades should be cut.
- A better system for purchasing and tracking orders, deliver, cost savings. Too much seems to be missing and there are very long delays in delivery.
- Maintain small schools at all costs.
- Textbooks purchased in August arrived this month (January); ordering and receiving supplies needs dramatic improvement.
- Consultant contracts need to be tied to outcome, product and performance.
- Administrative and teach staffing at alternative education is too rich, too high.
- Expand continuation high school to get a higher ADA rate. Phase-out alternative high school become continuation high school.
- Reduce substitute costs by grouping students into one place and providing them a volunteer speaker, a film, or performance.
- Form school site safety teams who are responsible to learn the various systems, i.e., heating, bells, security, etc.
- Request parents pay for the loss of ADA when they keep children out of school for family trips and doctor's appointments.
- Establish independent study programs for students who are absent a week or two weeks so ADA is not loss.
- Reading Recovery is a wonderful intervention that should not be cut.
- Reading Recovery is too expensive. There are other reading intervention programs that are as effective and less costly.
- There are too many inappropriate special education placements. Some students should not be in public schools. It is too costly to support them.
- Personnel hiring and recruiting practices should be improved, good people are turned away and an expensive consultant is hired in their place.
- Develop "hard to fill" personnel list and distribute throughout the District.
- Use work students as tutors instead of instructional aid and teacher stipends - This is less expensive.
- Maximize parent involvement to assist in classrooms. Study schools that have high parent participation rates and do the same in other schools.
- Give capable administrators more time in summer to develop implementation plans for new programs instead of waiting until school starts and staff is already committed to other things.
- Survey school sites; get feedback of what is working well and duplicate.
- Reduce Associate Superintendents and replace with Directors
- Eliminate all managers hired last year.
- Personnel office is over staffed - move those people to the business department.

- Do an analysis of job responsibility to determine where employee can best be used.
- Special education timesheets at high school needs clerical support.
- Claims for personal items loss in BHS fire have not been reimbursed.
- Secretaries at schools can, with a clerical assistant at each school, enroll and balance enrollment (diversity). Close the placement office and use money to offset costs to employee more site level staff.
- Textbooks should be good for 10 years, stop changing books or reading programs.
- Be critical of new programs, new technology, equipment, etc., which goes out of fashion (trendy) and wasted.
- Use staff knowledge by tapping our own personnel for expertise instead of consultants.
- Eliminate administrative perks.
- Sell property.
- Use schools for “flea market”, rent weekend space on an ongoing basis
- Start “BINGO” in schools to raise money.
- Use schools for parking for major events. Give half the money to schools and half to the District.
- Rent tennis court for parking.
- Rent out schools for concerts and events (up the ante on leases).
- Do not send out forms to print in bulk, they change too frequently. Print smaller amounts in-house and only as needed; standardize all forms to reduce each school’s printing costs.
- Eliminate inter-district transfers if they cost more than they bring in.
- Require a minimum enrollment for BHS classes or combine classes to reach a right class size.
- Lease of facilities to community should not be too high to keep groups out but should also break even.
- Find a way to document what teachers spend in their classrooms so they can claim reimbursement on their taxes.
- Hold programs accountable for performance.
- Eliminate extra graduation ceremonies at BHS unless they are privately funded.
- Small schools should be a district priority. Smaller schools promote community building more easily, particularly important for some of our troubled, alienated children. They also make public schools and attractive alternative to potential families who consider private schools.
- Number one priorities are small class size and small schools. These are the keys to academic performance and teacher retention.
- Hire more teachers of color; teachers should be more responsive; develop student friendly curriculum and current attendance will improve money which generates money
- Better teacher training for BHS teachers
- Reduce BHS administration
- Security is not helpful / Less security on a secure campus

- Improve evaluation systems so ineffective employees can be terminated
- Increase revenue other than ADA
- Investigate other revenue sources and tax levels
- Regulate heaters; heat runs on break with on one there
- Shift money from construction, do not build large structures – give students books and materials
- Charge students/parents with inter-district permits for other expenses covered by BSEP, etc.
- Investigate savings from fewer inter-district kids at BHS (since high schools are more expensive)
- Sell unnecessary books
- Increase rate for lost books
- Cut athletic funding – get other funding for outside activities (i.e., transportation). Any outside trips for any groups should have to raise their own funds.
- Allow more student fundraising
- Encourage retirement of veteran teachers; get newer more up-to-date staff.
- Include healthy items in vending machines; keep money on campus
- School Store – get funds to teach kids how to operate the school store to generate profits
- Do not limit the number of food sales you can have on campus but allow clubs to share revenue with the District
- Community Theatre – increase student production and charge for events
- Invite outside vendors who pay money to the District to feed students
- Allow sports for 9th graders instead of P.E.
- Encourage students to go to class by instituting praise and incentives
- Keep students involved in the budget issue through more information
- Write legislators to eliminate CAHSEE
- Improve communication – for example, advertise performances to get more revenue, read the bulletin over the intercom so students are involved and motivated to come to school
- Science Lab not separated from class
- Evaluate teachers; institute a student evaluation system, hold teachers accountable for poor performance; too many bad teachers
- Do not cut the athletic program it keeps kids in school
- Make sure Small Schools do not add costs
- Close campus to under classmen, have them eat at BHS, provide good food and they will buy and raise revenue

FISCAL IMPACT

None

STAFF RECOMMENDATIONS

Receive for information and discussion

BERKELEY UNIFIED SCHOOL DISTRICT

TO: Board of Education
FROM: Michele Lawrence, Superintendent
DATE: January 22, 2003
SUBJECT: Preparation for Financial Recovery Plan Submission

BACKGROUND

In preparation for the submission of a financial recovery plan required by the Alameda County Office of Education, an analysis of our revenues and expenditures has been a focal point for staff. It must be recognized that the efforts to reduce our deficit and develop a balanced budget cannot be resolved in a single year, nor can the long-term financial health of the organization be accomplished without significant overhaul of systems and the reorganization of service delivery models and administrative structures. Efforts to accomplish these goals began at last year's budget cycle. Our classified and administrative staff to accomplish worthwhile changes has done a significant amount of behind the scene work. Some of the most important are:

- The conversion of data systems
- The implementation of State Account Code requirements
- Conducted staff training for improved efficiency
- The establishment of certificated & classified Position Control
- The verification of employee seniority lists
- The development of a scatter gram of salary costs for certificated personnel
- The reduction of un-funded insurance liabilities
- The up-to-date payment of vendors
- The upgrade of the infrastructure for technology including firewall protections
- The reduction of utilities costs through the filing of an e-rate application
- The ongoing systems improvement of Business and Human Resources for payroll, hiring, benefits and accounting.

Additionally, last year a reorganization of the District Office Administration was implemented to shift resources into areas that would not only enhance financial revenues but also improve efficiency for the better delivery of programs. Despite these improvements, our expenditures exceed our revenues, and now with the significant downturn of the State economy, our deficit has increased.

In June 30, 2002 we closed our books with a 4 million dollar positive balance, which included the required 3% reserve. However, the 2002-03 budget is in excess of revenue by 5.7 million. This was primarily due to expenditures in the previous year not addressed by the use of one-time money; contractual obligations for salary increases of three-year contracts; increase in health/welfare benefits of approximately 21%; increase in workers' compensation premiums; obligation of liability insurance pay down required by the County; reduction in revenues because of decline in enrollment, reductions in the State income sources, and lowering of interest income.

The net result of the positive fund balance and increased costs resulted in a 4.6 million dollar deficit (including required reserves) for the current year. The current year's deficit added to increased projected costs for September will result in a projected 9 million dollar target for budget reductions in the coming year.

However, with the uncertainty in Sacramento on the specific ways the reductions will be legislated, we now believe that it is likely that our revenue limit will be impacted by approximately 1 million dollars. The grants and categorical programs will receive about an 11% reduction. Consequently, the deficit could exceed 11 million dollars and certainly impact many of our programs. The next few weeks will be critical as we attend to the political outcomes from Sacramento.

To begin the second year cycle for reducing our expenditures, the Superintendent immediately initiated measures for cost savings in all funds, and notified employees and community of those actions. In the last two months it has been very unfortunate that a few employees have received reductions in hours or have been notified of midyear lay-offs. This may need to continue on a limited basis in order to lessen the compounding offset of the deficit.

At the February 5th Board of Education meeting, staff will present formal recommendations for the second year of the Recovery Plan. These recommendations will identify specific reductions and revenue enhancements. In as much as these recommendations come primarily from general fund. The following list of expenditures can be considered by the Board as potential sources for budget reductions. However, the list is not complete and as ideas are generated further analysis is being completed. Costs indicated below are General Fund unrestricted except where noted and salary costs include both statutory and medical benefits.

- Legal Expenses \$370,000 (excluding special education)
- Food Services \$2,444,820 Total Expenditures; contribution from General Fund Unrestricted \$350,000 plus 1% of revenue limit (\$435,000) annual transfer.
- Transportation \$2,340,443; \$1,366,679 from General Fund Unrestricted:
 - Out of zone \$ 42,000
 - Athletic \$ 60,000
 - Facility Rental \$451,800
- Grants \$27,472,087 Restricted, including \$7,608,035 contribution for Special Education and 1,366,67 for Transportation. Specific other grants can be identified in the J200 document.
- Special Ed Certificated and Classified staff and from General Fund Unrestricted Non-public School Placements \$13,239,649 total budget, including \$7,608,035
- Custodial Services \$3,508,627 personnel and supplies
- Supplies - Textbooks and Instructional Supplies:
 - \$362,556 (Per enrollment: \$24 K-5; \$33.60 6-8; \$52 High School – from General Fund Unrestricted
 - \$366,525 (estimated) Restricted State Instructional Materials
 - \$217,200 (estimated) Restricted Library grants
 - \$594,543 carryover Restricted State Instructional materials
- Utilities \$2,461,583
- Safety Officers \$808,859
- Overtime \$252,233 (classified only)
- Substitutes
 - Classified \$461,190 actuals to date
 - Certificated \$442,918 actuals to date
- Consultants Total district-wide services \$2,707,115 This includes all services such as auditors, QSS,

FCMAT, special professionals, printing, etc.
This has not been broken out at this time
by specific type.

- Central Office positions including Superintendent and Associates:
 - Certificated \$896,939
 - Classified \$2,639,942
- Independent Study \$746,373 (cost of program)
- Library Services \$564,261
- Early Reading Intervention
(Reading Recovery) \$845,365
- Adult School Administration \$317,315
- High School Administration:
 - Executive Vice Principals \$412,584
 - Deans \$187,575
- Middle School Administration:
Vice Principals \$660,751
- Increase class size by 1
student in grades 4-12 \$1,323,180
- High School Counselors \$549,563
- Music Program \$614,544
- Vera Casey Program \$325,397

There are other expenditures which are closely tied to program delivery and have budget implications. However these must be taken to the negotiation table and cannot be reduced without union agreement through collective bargaining. Some of the larger expenditures include:

- Three Staff Development Days
which exceed the reimbursement
from the State \$141,781
- Preparation / Release Time for
Teachers in grades 1-5 \$1,036,618

- Special Education Caseloads
Below State requirement \$206,982
- Medical Benefits (increase in
current year 21%) \$4,813,900
- Medical Benefits for Retirees
until age 65/67 \$2,200,000 annual payment

As the Board gives consideration for the reductions in the second year of the recovery cycle it will be important to keep in mind the previous reductions to ensure the balancing of resources and the efficient deployment of personnel. The following list is an indication of both reductions and restructuring. Some departments and schools increased staff while others decreased. But personnel reductions were made across all divisions. The goal was to keep reductions away from the academic program whenever possible.

FIRST YEAR FINANCIAL RECOVERY PLAN PERSONNEL REDUCTIONS

Central Office Reductions

Certificated

- 1.0 FTE Program Manager, Curriculum and Assessment
- 1.0 FTE Teacher on Special Assignment, Assessment
- 1.0 FTE Program Supervisor, Magnet
- 1.0 FTE Director, Special Education
- 1.0 FTE Program Supervisor, Special Education
- 1.0 FTE Program Supervisor, BTSA

Classified

- 1.0 FTE Data Processing Manager
- 1.0 FTE Controller
- 1.0 FTE Theater Property Management Manager
- 1.0 FTE Alcohol Drug Abuse Manager
- 1.0 FTE Supervisor Transportation Operations
- 3.0 FTE Clerical Specialist
- 2.0 FTE Budget Analyst
- 1.0 FTE Secretary
- 1.0 FTE Administrative Secretary W/O Shorthand
- 1.0 FTE Program Assistant (TLTC)
- .6 FTE Instructional Technician (TLTC)
- 1.0 FTE Program Coordinator (TLTC)
- 3.8 FTE Student Records Clerks
- 3.0 FTE Account Clerk

- .73 FTE Program Assistant
- 1.0 FTE Delivery Driver
- .5 FTE Personnel Assistant
- .53 FTE Franklin Library Media Technician
- 1.0 FTE Executive Secretary
- .40 FTE Franklin Instructional Assistant
- 1.0 FTE Accounting Technician
- 1.0 FTE Programmer Analyst
- .75 FTE Custodian I, Franklin

Berkeley High School Reductions

Classified

- 1.0 FTE Manager, Security
- School Secretary III—12 months
- High School Records Coordinator—12 months
- Student Records Clerk—12 months
- Registrar—12 months
- Program Coordinator—10 months
- Student Body Account Technician—12 months reduced to 10 months

Certificated

- 5.0 FTE Department Chairs, BHS

Other Reductions

- .60 FTE Librarian @ middle schools
- 1.0 FTE Clerical III
- 1.0 FTE School Psychologist
- 2.0 FTE English Language Development Teachers (Newcomer Program)
- 3.4 FTE Longfellow: Reduction from 7 to 6 period/day
- 3.5 FTE 6 period day @ BHS
- 1.0 FTE Safety Officer
- 1.0 FTE Elementary Principal
- 1.0 FTE Department Chair, Independent Study

The statutory timelines for employee notification remain in place. Thus, the requirement to notify all certificated employees of potential lay-off must be given by March 15, and the notification for classified employees may not be less than 30-days.

While legislature debate the issues in Sacramento and the Board considers suggestions and studies the financial data, there is no question that our own District's deficit, coupled with the State's will adversely affect employees and programs. However, it is hopeful that our unions, administration, students and community will join together and work collaboratively for the benefit of the entire organization. The next few months will require an extreme amount of

patience, sensitivity and courage. The manner in which we treat one another and how we come together to solve our budget crisis will be the determining factor for our success as a Unified School District.

FISCAL IMPACT

None

STAFF RECOMMENDATIONS

Receive for information and discussion