

ALBANY UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION

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The mission of Albany Unified School District is to provide excellent public education that empowers all to achieve their fullest potential as productive citizens. AUSD is committed to creating comprehensive learning opportunities in a safe, supportive, and collaborative environment, addressing the individual needs of each student.

REGULAR MEETING

ALBANY CITY HALL

1000 San Pablo
Albany, CA 94706

TUESDAY

March 6, 2012

A G E N D A

<u>Meeting Norms</u>	
<ol style="list-style-type: none">1. Maintain a focus on what is best for our students.2. Show respect (never dismiss/devalue others).3. Be willing to compromise.4. Disagree (if necessary) agreeably.5. Make a commitment to effective deliberation, each one listening with an open mind while others are allowed to express their points of view.6. Participate by building on the thoughts of a fellow Board member.7. Make a commitment to open communication and honesty; no surprises.8. Commit the time necessary to govern effectively.9. Be collaborative.10. Maintain confidentiality (which leads to the building of trust).11. Look upon history as lessons learned; focus on the present and the future.	<div data-bbox="594 772 1528 919">I. <u>OPENING BUSINESS</u> <u>6:30 p.m.</u> A) Call to Order B) Roll Call C) Identify Closed Session Pursuant to Agenda Section III Below</div> <div data-bbox="594 993 1549 1119">II. <u>PUBLIC COMMENT PERIOD FOR CLOSED SESSION ITEMS</u> <i>General public comment on any Closed Session item will be heard. The Board may limit comments to no more than three (3) minutes.</i></div> <div data-bbox="594 1192 1528 1940">III. <u>CLOSED SESSION</u> <u>6:35 p.m.</u> A) With respect to every item of business to be discussed in Closed Session pursuant to Government Code Section 54957:<ul style="list-style-type: none">• Pending Litigation: Keenan File No. 461370• Employee No. 2011-12-501• Employee No. 2011-12-502 B) With respect to every item of business to be discussed in Closed Session pursuant to Education Code Section 35146: <i>Students</i> C) With respect to every item of business to be discussed in Closed Session pursuant to Government Code Section 54957.6: <i>Conference with Labor Negotiator</i> (Superintendent Marla Stephenson, District Representative), Regarding Negotiations as pertains to:<ul style="list-style-type: none">• California School Employees Association (CSEA)• Albany Teachers Association (ATA)• SEIU Local 1021</div>

IV. OPEN SESSION**7:00 p.m.***(10 mins.)**Depending upon completion of Closed Session items, the Board of Education intends to convene to Open Session at 7:00 p.m. to conduct the remainder of its meeting, reserving the right to return to Closed Session at any time.*

- A) Reconvene to Open Session
- B) Roll Call
- C) Pledge of Allegiance
- D) Report of Action Taken in Closed Session
- E) Approval of Agenda
- F) Approval of Consent Calendar

*(The Consent Calendar includes routine items that may be handled with one action. Board Members may request any item be removed from the Consent Calendar without formal action.)***1. Board of Education Minutes**

- a) *Approve Minutes of the February 7, 2012 Regular Meeting-----*(pg. 6)

2. Personnel

- a) *Certificated Personnel Assignment Order-----*(pg. 17)

- 1. Separation of Service
 - a. Teacher, Substitute
- 2. Extra Assignment
 - a. Coach, Softball, JV, Head
- 3. New Hire
 - a. Teacher, Aft Sch Inter
 - b. Teacher, Substitute
 - c. Teacher, Substitute LT

b) Classified Personnel Assignment Order

- 1. Amendment
 - a. Para-Educator
 - b. Para-Educator, Specialist
- 2. New Hire
 - a. Clerical, Substitute
 - b. Coach, Baseball, JV
 - c. Coach, Basketball, 7th, Girls
 - d. Coach, Swim, Assist.
 - e. Lifeguard
 - f. Mental Health Intern
 - g. Para-Educator
 - h. Para-Educator, Math
 - i. Para-Educator, Spec Ed II
 - j. Para-Educator, Substitute
 - k. Swim Instructor
 - l. Transportation Driver
 - m. Teacher, Aft Sch Inter
 - n. Yard Aide

2. Separation of Service

- a. Café Asst. I
- b. Lifeguard, Swim Instructor

- c. Para-Educator
- d. Para-Educator, Spec Ed
- e. Transpiration Driver
- f. Water Fitness Instructor
- g. Yard Aide

c) Student Worker

d) Uncompensated Services

- a. Student Teacher
- b. Volunteer

e) Job Description – Human Resources Technician----- (pg. 26)

f) Job Description – Database Coordinator----- (pg. 29)

3. Business and Operations

a) Ratify Agreement - Golden State Labor Compliance, LLC----- (pg. 32)

4. Student Services

a) Ratify Independent Contractor Agreement – Christie Reider----- (pg. 43)

5. Special Education

a) Approve Increase to Purchase Order P12-00758-
Bayhill High School ----- (pg. 44)

V. STUDENT MEMBER REPORT

7:10 p.m.

(5 mins.)

VI. STAFF REPORTS

7:15 p.m.

A) Charter Review Committee – Election Method Review Update----- (pg. 45)
(20 mins.)

**VII. PERSONS TO ADDRESS THE BOARD
ON MATTERS NOT ON THE AGENDA**

7:35 p.m.

(10 mins.)

Board practice limits each speaker to no more than three (3) minutes. The Brown Act limits Board ability to discuss or act on items which are not on the agenda; therefore, such items may be referred to staff for comment or for consideration on a future agenda.

VIII. REVIEW AND ACTION ITEMS

7:45 p.m.

(Members of the public will have the opportunity to speak on all issues.)

A) Accept 2nd Interim Financial Report----- (pg. 48)
(under separate cover)
(20 mins.)

B) Approve SARCs ----- (pg. 49)
(under separate cover)
(10 mins.)

C) Approve AUSD's Superintendent's Evaluation Template & 2011-2012 Goals-- (pg. 51)

(10 mins.)

- D) *Review Albany Unified School District Board of Education-----*(pg. 57)
Governance Calendars – 2011-12 & 2012 – 13
 (5 mins.)
- E) *Approve Appointments – Albany Unified School District Equity Task Force --*(pg. 62)
 (5 mins.)
- F) *Appoint Marla Stephenson Albany Unified School District's Superintendent*
to serve on the Redevelopment "Successor Agency" Oversight Committee. ---(pg. 64)
 (5 mins.)
- G) *Approve Resolution 2011-12-11 – Release of Temporary*
Certificated Employees-----(pg. 66)
 (5 mins.)
- H) *Approve Resolution 2011-12-12- Release & Reassign Certificated-----*(pg. 69)
Administrators
 (5 mins.)
- I) *Conduct 2nd Reading; Adopt: Board Policy 5126 –*
Awards for Achievement-----(pg. 73)
 (5 mins.)
- J) *Approve Disposal of Obsolete Albany High School Wet Lab*
Photography Darkroom Equipment-----(pg. 76)
 (5 mins.)
- K) *Approve Change Order 4 - Albany Aquatic Center – -----*(pg. 77)
 (10 mins.)

IX. REVIEW AND DISCUSSION ITEM**9:10 p.m.**

- A) *Review Administrative Regulation- 5126 – Awards for Achievement-----*(pg. 79)
 (10 mins.)

X. BOARD AND SUPERINTENDENT COMMENTS**9:20 p.m.**

(10 mins.)

XI. FUTURE AGENDA ITEMS

- Board of Education Meeting Calendar 2012-2013 March
- AUSD School Calendar 2013-2014 March
- AUSD Board of Education Governance Calendar March
- Adult School Update March
- Consolidated App March
- Seismic Study of AUSD Schools & Facilities March
- Redevelopment Agency Oversight Committee Recommendation March
- CSBA Updates April
- City of Albany Sustainability Committee – Annual Report April

- Progress Report on Strategic Plan April
- Technology Plan Update April
- Facilities Update April
- Classified Notices April
- City of Albany Parks & Recreation Bi-Annual Report April

XII. FUTURE BOARD MEETINGS

1. Tuesday, March 20, 2012, 7:00 p.m., Regular Meeting
Albany City Hall, 1000 San Pablo Avenue, Albany
2. Tuesday, April 3, 2012, 7:00 p.m., Regular Meeting
Albany City Hall, 1000 San Pablo Avenue, Albany
3. Tuesday, April 17, 2012, 7:00 p.m., Regular Meeting
Albany City Hall, 1000 San Pablo Avenue, Albany
4. Tuesday, May 1, 2012, 7:00 p.m., Regular Meeting
Albany City Hall, 1000 San Pablo Avenue, Albany
5. Tuesday, May 15, 2012, 7:00 p.m., Regular Meeting
Albany City Hall, 1000 San Pablo Avenue, Albany
6. Tuesday, June 5, 2012, 7:00 p.m., Regular Meeting
Albany City Hall, 1000 San Pablo Avenue, Albany
7. Tuesday, June 19, , 2012, 7:00 p.m., Regular Meeting
Albany City Hall, 1000 San Pablo Avenue, Albany

XIII. ADJOURNMENT

The Board believes that late night meetings deter public participation, can affect the Board's decision-making ability, and can be a burden to staff. Regular Board Meetings shall be adjourned at 9:30 p.m. unless extended to a specific time determined by a majority of the Board.

The Board of Education meeting packet is available for public inspection at: 1) Albany City Hall, 1000 San Pablo Avenue; 2) Albany Public Library, 1247 Marin Avenue; 3) Albany Unified School District, 1051 Monroe Street; and is available on the Albany Unified School District web site: www.ausdk12.org.

If you provide your name and/or address when speaking before the Board of Education, it may become a part of the official public record and the official minutes will be published on the Internet.

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact the Superintendent's Office at 510-558-3766. Notification must be given forty-eight (48) hours prior to the meeting to make reasonable arrangements for accessibility (28 CFR 35.102.104 ADA Title II).



Albany Unified School District

ALBANY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

1051 Monroe Street
Albany, CA 94706

MINUTES FOR REGULAR MEETING

February 7, 2012

*Albany City Hall
1000 San Pablo Avenue
Albany, CA 94706*

I. OPENING BUSINESS 6:30 p.m.

A) Call to Order

President Black called the meeting to order at 6:35 p.m.

B) Roll Call

PRESENT: President Black, Vice President Knight, Member Low, Member Rosenbaum, and Member Maris.

STAFF: Superintendent Stephenson; Associate Superintendent Harden; and Marsha Brown, Director III Student Services.

C) Identify Closed Session Pursuant to Section III Below

II. PUBLIC COMMENT PERIOD FOR CLOSED SESSION ITEMS

There being no business under this item, the Board moved to the next item on the agenda.

III. CLOSED SESSION

A) With respect to every item of business to be discussed in Closed Session pursuant to Government Code Section 54957:

B) With respect to every item of business to be discussed in Closed Session pursuant to Education Code Section 35146: *Students*

C) With respect to every item of business to be discussed in Closed Session Pursuant to Government Code Section 54957.6: Conference with Labor Negotiator (Superintendent Marla Stephenson, District Representative), Regarding Negotiations as pertains to:

1. California School Employees Association (CSEA)
2. Albany Teachers Association (ATA)
3. SEIU Local 1021

IV. OPEN SESSION

A) Reconvene to Open Session

B) Roll Call

PRESENT: President Black, Vice President Knight, Member Low, Member Rosenbaum, Member Maris, and Student Board Member Kim.

STAFF: Superintendent Stephenson; Associate Superintendent Harden; and Marsha Brown, Director III Student Services.

EXCUSED: Student Board Member Yoon.

There being no further business under this item, the Board moved to the next item on the agenda.

C) Pledge of Allegiance

The Board and members of the public recited the Pledge of Allegiance.

There being no further business under this item, the Board moved to the next item on the agenda.

D) Report of Action Taken in Closed Session

President Black reported that no action was taken in Closed Session.

There being no further business under this item, the Board moved to the next item on the agenda.

E) Approval of Albany Unified School District Board of Education Agenda for the February 7, 2012 Meeting

Superintendent Stephenson suggested the following revision to the agenda; move item: VIII., A) Approve Resolution No. 2011-12-08 –Recognition Upon Retirement – Tom Daily to IV., F).

President Black requested a motion to Revise & Approve: E) Albany Unified School District Board of Education Agenda for the February 7, 2012 meeting.

Motion by Member Rosenbaum, seconded by Member Maris to Revise & Approve: E) Albany Unified School District Board of Education Agenda for the February 7, 2012 meeting.

The Board was polled and passed unanimously. Members: President Black, Vice President Knight, Member Maris, Member Low and Member Rosenbaum voting AYE.

There being no further business under this item, the Board moved to the next item on the agenda.

F) Approve Resolution No. 2011-12-08 –Recognition Upon Retirement – Tom Daily

President Black read the Resolution and Superintendent Stephenson presented Tom Daily with Resolution No. 2011-12-08 - Recognition Upon Retirement. The Board thanked Mr. Daily and expressed gratitude and admiration for his 40 years of service to Albany Unified School District.

President Black requested a motion to: Approve Resolution No. 2011-12-08 –Recognition Upon Retirement – Tom Daily.

Motion by Vice President Knight, seconded by Member Low to: Approve Resolution No. 2011-12-08 – Recognition Upon Retirement – Tom Daily.

The Board was polled and passed unanimously. Members: President Black, Vice President Knight, Member Maris, Member Low and Member Rosenbaum voting AYE.

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G) *Approval of Consent Calendar*

1. *Board of Education Minutes*

- a) Minutes of the January 12, 2012 Special Meeting.
- b) Minutes of the January 17, 2012 Regular Meeting with a revision.

2. *Personnel*

a) *Certificated Personnel Assignment Order*

- 1. Amendment
 - a. Mental Health
- 2. Extra Assignment
 - a. Noontime Activities
- 3. Leave
 - a. Teacher
- 4. New Hire
 - a. Teacher, Aft Sch Inter
 - b. Teacher, Home/Health
 - c. Teacher, Substitute
 - d. Vice Principal

b) *Classified Personnel Assignment Order*

- 1. New Hire
 - a. Athletic Clerk
 - b. Cafe Assist. I
 - c. Career Coordinator
 - d. Coach, Baseball, Head Var
 - e. Coach, Golf, Men
 - f. Coach, Head Men's Soccer
 - g. Coach, Softball, Head Var
 - h. Coach, Swim, Head
 - i. Coach, Tennis, Men
 - j. Coach, Track Assist
 - k. Coach, Track Head
 - l. Custodian Lead
 - m. Instructor, Swim
 - n. Instructor, Water Fitness
 - o. Lifeguard
 - p. Lifeguard, Head
 - q. Para-Educator, Sp Ed, Substitute
 - r. Teacher, Aft Sch Inter
 - s. Yard Aide

2. Separation of Service

- a. Budget Analyst
- b. Coach, Basketball, 7th
- c. Coach, Head Men's Soccer
- d. Custodian
- e. District Database Coordinator
- f. Para-Educator, Wrld Lang
- g. Yard Aide

c) *Student Worker*

d) Uncompensated Service Assignment Order

1. Intern
2. Volunteer(s)

3. Business and Operations

- a) *Approve Final Audit Contract*
- b) *Approve Warrant List – January 2012*

4. Student Services

- a) *Approve Independent Contractor Agreement–
Sylvan Learning Center*
- b) *Approve Contract– School Innovations & Advocacy, Inc.*

President Black requested a motion to Approve: (F) Consent Calendar.

Motion by Member Rosenbaum, seconded by Member Low to Approve: (F) Consent Calendar.

The Board was polled and passed unanimously. Members: Vice President Knight, Member Maris, Member Low and Member Rosenbaum voting AYE with President Black abstaining from checks 50080925 and 50081554.

There being no further business under this item, the Board moved to the next item on the agenda.

V. STUDENT MEMBER REPORT

Student Board Member Kim presented an electronically submitted Student Member Report to the Board that consisted of the following:

Student Board Report:

BuildOn: trying to raise \$30,000 to build a school in Nepal → participation from the Albany community is needed

Theatre Ensemble:

- *The Drowsy Chaperone* 2012 musical
- Prepared since October
- Performances → February 10th and 11th at 8:00pm, February 12th at 1:00pm
- Tickets → available at the door and online at <http://www.brownpapertickets.com/event/222464> (students \$8, adults \$15)
- Location → Albany High School Little Theatre

Albany High School Musicians: playing at Yoshi's Oakland, on Monday, February 13

- Jazz Lab, Jazz Band, Rhythm Bound
- One show will begin at 8:00pm
- Tickets → contact any student in any of these bands, or go here:
<http://www.yoshis.com/oakland/jazzclub/artist/show/2450>

Debate Club → Stanford Debate Tournament this weekend (2/11-2/12)

There being no further business under this item, the Board moved to the next item on the agenda.

P10 VI. STAFF REPORTS

A) Special Education

Diane Marie, Director of Educational Services provided the Board with a presentation regarding the Albany Unified School District Special Education Department (Age Birth to 22 Years Old). It was noted that the Albany Unified School District is part of the North Region SELPA (Special Education Local Plan Area) with the following other Districts; 1) Alameda; 2) Berkeley 3) Emeryville; and 4) Piedmont.

It was also noted that the Albany Unified School District Special Education Department provides special education services to 365 students ages Birth to 22 years old, and is comprised of the following personnel:

- Director of Special Education
- Program Specialists
- Secretary
- Special Day Class Teachers
- Resource Specialist Teachers
- School Psychologists
- School Psychologist/Mental Health Therapist
- Speech and Language Specialists
- Occupational Therapists
- Adapted Physical Education Specialist
- Teacher of the Visually Impaired, hourly
- Sign Language Interpreters
- Assistive Technology Specialist
- Workability Coordinator
- Behavior Specialist
- Behavioral Para educators
- Para educators
- Transportation Clerk/Coordinator
- Transportation Drivers

It also was noted that the Albany Unified School District Special Education Department contracts with individuals to provide the following services: 1) Assistive Technology; 2) Audiology; 3) Augmentative Communication and Technology; 4) Intensive Behavior Support; 5) Orientation and Mobility; 6) Physical Therapy; 7) Teacher of the Deaf; 8) Teacher of the Orthopedically Impaired; and 9) Transcriptionist.

The Board engaged in a discussion, requested and received clarification (to view the presentation and discussion visit www.ausdk12.org).

The Board and Superintendent expressed sincere gratitude and thanked Director Marie for her great service to the district.

There being no further business under this item, the Board moved to the next item on the agenda.

VII. PERSONS TO ADDRESS THE BOARD ON MATTERS NOT ON THE AGENDA

Board practice limits each speaker to no more than three (3) minutes. The Brown Act limits Board ability to discuss or act on items which are not on the agenda; therefore, such items may be referred to staff for comment or for consideration on a future agenda.

President Black explained that the Brown Act limits the Board's ability to discuss or act on items which are not on the agenda.

Dave DeHart, President of ATA, addressed the Board regarding the previous request to provide a fee waiver for AUSD teachers to use the Albany Aquatic Center.

There being no further business under this item, the Board moved to the next item on the agenda.

VIII. REVIEW AND ACTION ITEMS

A) Approve Resolution No. 2011-12-09 – Certificated Assignment – Outside Credential Authorization

The Board engaged in a discussion, requested and received clarification. Superintendent Stephenson provided a brief review of AUSDK's Regional Occupational Program, participation in the Tri-Valley ROP program, and funding of the program (to view the discussion visit www.ausdk12.org).

President Black requested a motion to: Approve Resolution No. 2011-12-09 – Certificated Assignment – Outside Credential Authorization.

Motion by Member Rosenbaum, seconded by Member Maris to: Approve Resolution No. 2011-12-09 – Certificated Assignment – Outside Credential Authorization.

The Board was polled and passed unanimously. Members: President Black, Vice President Knight, Member Maris, Member Low and Member Rosenbaum voting AYE.

There being no further business under this item, the Board moved to the next item on the agenda.

B) Approve Resolution No. 2011-12-10 – Tie Breaking Criteria for Certificated Employees

Superintendent Stephenson noted that the district does not anticipate the need to layoff certificated personnel for the 2012-13 school year. Dave DeHart, President of ATA, addressed the Board and requested clarification regarding the language in the resolution. It was noted that the current language in the ATA contract is not appropriate for this resolution.

The Board engaged in a discussion, requested and received clarification (to view the discussion visit www.ausdk12.org).

President Black requested a motion to: Approve Resolution No. 2011-12-10 – Tie Breaking Criteria for Certificated Employees.

Motion by Member Low, seconded by Member Rosenbaum to: Approve Resolution No. 2011-12-10 – Tie Breaking Criteria for Certificated Employees.

The Board was polled and passed unanimously. Members: President Black, Vice President Knight, Member Maris, Member Low and Member Rosenbaum voting AYE.

There being no further business under this item, the Board moved to the next item on the agenda.

C) Adopt Proposed New Books – Albany High School English Courses

President Black requested a motion to: Adopt Proposed New Books – Albany High School English Courses.

Motion by Vice President Knight, seconded by Member Low to: Adopt Proposed New Books – Albany High School English Courses.

The Board was polled and passed unanimously. Members: President Black, Vice President Knight, Member Maris, Member Low and Member Rosenbaum voting AYE.

There being no further business under this item, the Board moved to the next item on the agenda.

D) Adopt Proposed New Textbook –Albany High School Integrated Mathematics I

The Board engaged in a discussion, requested and received clarification. It was noted that President Black recalled approving this course when he was on the IIC with Member Rosenbaum and requested a report on the success of the course in regards to in achieving its stated goals.

Director Brown stated that she would collect data and bring it forward to the Board in the Fall.

The Board engaged in a discussion, requested and received clarification (to view the discussion visit www.ausdk12.org).

President Black requested a motion to: Adopt Proposed New Textbook –Albany High School Integrated Mathematics I.

Motion by Member Rosenbaum, seconded by Vice President Knight to: Adopt Proposed New Textbook –Albany High School Integrated Mathematics I.

The Board was polled and passed unanimously. Members: President Black, Vice President Knight, Member Maris, Member Low and Member Rosenbaum voting AYE.

There being no further business under this item, the Board moved to the next item on the agenda.

E) Adopt Proposed New Books – Albany High School Environmental Design, Sciences, Engineering & Technology (EDSET) Program

Director Brown noted that AHS students are required to complete four years of English. This year, a semester English elective is being offered to EDSET students: Introduction to Non-Fiction.

The Board engaged in a discussion, requested and received clarification (to view the discussion visit www.ausdk12.org).

President Black requested a motion to: Adopt Proposed New Books – Albany High School Environmental Design, Sciences, Engineering & Technology (EDSET) Program.

Motion by Member Maris, seconded by Rosenbaum to: Adopt Proposed New Books – Albany High School Environmental Design, Sciences, Engineering & Technology (EDSET) Program.

The Board was polled and passed unanimously. Members: President Black, Vice President Knight, Member Maris, Member Low and Member Rosenbaum voting AYE.

There being no further business under this item, the Board moved to the next item on the agenda.

F) Conduct 2nd Reading; Adopt: Board Policy 6158 – Independent Study

The Board engaged in a discussion, requested and received clarification (to view the discussion visit www.ausdk12.org). It was noted that a report will be provided to the Board annually. It was also noted that the item will be placed on the Governance Calendar.

Director Brown noted that both short term and long term programs are covered by the policy and provided brief definitions. Dave DeHart addressed the Board and requested clarification on program oversight. It was noted that Alexia Ritchie currently oversees the program P13

President Black requested a motion to: Adopt: Board Policy 6158 – Independent Study.

Motion by, Vice President Knight seconded by Member Low to: Adopt: Board Policy 6158 – Independent Study.

The Board was polled and passed unanimously. Members: President Black, Vice President Knight, Member Maris, Member Low and Member Rosenbaum voting AYE.

There being no further business under this item, the Board moved to the next item on the agenda.

G) Approve Memorandum of Understanding - Alameda County Health Care Services Agency, Behavioral Health Care

President Black requested a motion to: Approve Memorandum of Understanding - Alameda County Health Care Services Agency, Behavioral Health Care.

Motion by Member Rosenbaum, seconded by Vice President Knight to: Approve Memorandum of Understanding - Alameda County Health Care Services Agency, Behavioral Health Care.

The Board was polled and passed unanimously. Members: President Black, Vice President Knight, Member Maris, Member Low and Member Rosenbaum voting AYE.

There being no further business under this item, the Board moved to the next item on the agenda.

H) Approve Job Description – Para-Educator, Math, Elementary

President Black requested a motion to: Approve Job Description – Para-Educator, Math, Elementary.

Motion by Member Rosenbaum, seconded by Member Low to: Approve Job Description – Para-Educator, Math, Elementary.

The Board was polled and passed unanimously. Members: President Black, Vice President Knight, Member Maris, Member Low and Member Rosenbaum voting AYE.

There being no further business under this item, the Board moved to the next item on the agenda.

I) Approve Job Description – Para-Educator, Math, Secondary

President Black requested a motion to: Approve Job Description – Para-Educator, Math, Secondary.

Motion by Member Rosenbaum, seconded by Vice President Knight to: Approve Job Description – Para-Educator, Math, Secondary.

The Board was polled and passed unanimously. Members: President Black, Vice President Knight, Member Maris, Member Low and Member Rosenbaum voting AYE.

There being no further business under this item, the Board moved to the next item on the agenda.

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J) Approve Job Description – Budget Technician

The Board requested the history of the Director of Fiscal, and Budget Tech II positions. It was noted that with the recent resignation of the district's Budget Analyst, the position has been closely examined to ensure that the job description and duties are still relevant to the ever changing business office functions. Several of the duties have been reassigned to other, more appropriate, personnel/departments and the remaining responsibilities warrant a new job description and title. The new description is more closely aligned with the actual duties and responsibilities of the position. Additionally, the position is placed on a different salary range that will result in savings for the district. Placement will be on the Confidential Salary Schedule, Range 10.

President Black requested a motion to: Approve Job Description – Budget Technician.

Motion by Member Rosenbaum, seconded by Vice President Knight to: Approve Job Description – Budget Technician.

The Board was polled and passed unanimously. Members: President Black, Vice President Knight, Member Maris, Member Low and Member Rosenbaum voting AYE.

There being no further business under this item, the Board moved to the next item on the agenda.

K) Approve Job Description – Mental Health Intern

President Black requested a motion to: Approve Job Description – Mental Health Intern.

Motion by Member Rosenbaum, seconded by Member Maris to: Approve Job Description – Mental Health Intern.

The Board was polled and passed unanimously. Members: President Black, Vice President Knight, Member Maris, Member Low and Member Rosenbaum voting AYE.

There being no further business under this item, the Board moved to the next item on the agenda.

IX. REVIEW AND DISCUSSION

A) Review Quarterly Field Trip Report

Director Brown addressed the Board regarding the Quarterly Field Trip Report. The Board requested and received clarification, engaged in a discussion, and thanked Director Brown (to view the discussion visit www.ausdk12.org).

The Board inquired if the volunteer policy had an effect on number of field trips. It was noted that, based on the data so far, it has not. The Board also inquired about equity issues in regards to funding of field trips. It was noted that an Equity Task Force nomination approval will be placed on the March 6, 2012 agenda, and the EFT will address all issues of equity including funding of field trips.

There being no further business under this item, the Board moved to the next item on the agenda.

B) Review Albany Unified School District Board of Education Governance Handbook

The Board reviewed the Albany Unified School District Board of Education Governance Handbook affirmed on January 31, 2011 and amended on August 2, 2011.

The Board requested and received clarification, engaged in a discussion, proposed revisions, and requested that the item be placed on a regularly scheduled Board meeting on March 20, 2012 for approval. P15

There being no further business under this item, the Board moved to the next item on the agenda.

B) Conduct 1st Reading; Board Policy 5126 – Awards for Achievement

The Board requested and received clarification, engaged in a discussion and requested the item be placed on next regularly scheduled meeting on March 6, 2012 for approval (to view the discussion visit).

The Board requested and received clarification on the Administrative Regulation and requested to view the document at the next regularly scheduled meeting on March 6, 2012.

There being no further business under this item, the Board moved to the next item on the agenda.

X. BOARD AND SUPERINTENDENT COMMENTS

Superintendent Stephenson

Superintendent Stephenson addressed the Board regarding the subject of equity in regards to PTA donations. It was noted that there is a current request to make a \$50,000 purchase of technological equipment. It was also noted that past policy required donations to be ratified by the Board. Superintendent Stephenson asked for guidance on future policy.

The Board requested that the Equity Task Force make recommendations for donations, other than enrichment programs, within the school day (i.e., student programs outside the school day, capital equipment and facilities improvement etc.), review Board Policy, and bring recommendations back to the Board.

It was noted that an Equity Task Force nomination approval will be placed on the March 6, 2012 agenda.

There being no further business under this item, the Board moved to the next item on the agenda.

XI. EXTEND TIME OF BOARD MEETING TO 9:35 PM.

President Black noted that a vote is needed to extend the meeting time past 9:30 p.m.

President Black requested a motion to Approve: X: Extend Time of Board Meeting to 9:35 p.m.

Motion by Member Rosenbaum, seconded by Member Low to Approve: X: Extend Time of Board Meeting to 9:35 p.m.

The Board was polled and passed. Members: President Black, Vice President Knight, Member Low, Member Maris, and Member Rosenbaum voting AYE.

There being no further business under this item, the Board moved to the next item on the agenda.

XII. FUTURE AGENDA ITEMS

- | | |
|---|----------|
| • Superintendent Evaluation Process | February |
| • AUSD School Calendar 2013-2014 | March |
| • Board of Education Meeting Calendar 2012-2013 | March |
| • AUSD Board of Education Governance Calendar | March |

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- | | |
|---|-------|
| • Redevelopment Agency Oversight Committee Recommendation | March |
| • Adult School Update | March |
| • Consolidated App | March |
| • Seismic Study of AUSD Schools & Facilities | March |

There being no further business under this item, the Board moved to the next item on the agenda.

XIII. FUTURE BOARD MEETINGS

1. *Thursday, February 16, 2012, 6:00 p.m. – 8:00 p.m., Special Meeting*
Albany Unified School District, 1000 San Pablo Avenue, Albany
2. Tuesday, March 6, 2012, 7:00 p.m., Regular Meeting
Albany City Hall, 1000 San Pablo Avenue, Albany
3. Tuesday, March 20, 2012, 7:00 p.m., Regular Meeting
Albany City Hall, 1000 San Pablo Avenue, Albany
4. Tuesday, April 3, 2012, 7:00 p.m., Regular Meeting
Albany City Hall, 1000 San Pablo Avenue, Albany
5. Tuesday, April 17, 2012, 7:00 p.m., Regular Meeting
Albany City Hall, 1000 San Pablo Avenue, Albany
6. Tuesday, May 1, 2012, 7:00 p.m., Regular Meeting
Albany City Hall, 1000 San Pablo Avenue, Albany
7. Tuesday, May 15, 2012, 7:00 p.m., Regular Meeting
Albany City Hall, 1000 San Pablo Avenue, Albany
8. Tuesday, June 5, 2012, 7:00 p.m., Regular Meeting
Albany City Hall, 1000 San Pablo Avenue, Albany
9. Tuesday, June 19, , 2012, 7:00 p.m., Regular Meeting
Albany City Hall, 1000 San Pablo Avenue, Albany

There being no further business, the Board adjourned at 9:35 p.m.

XIV. ADJOURNMENT

The Board believes that late night meetings deter public participation, can affect the Board's decision-making ability, and can be a burden to staff. Regular Board Meetings shall be adjourned at 9:30 p.m. unless extended to a specific time determined by a majority of the Board.

Personnel Assignment Order: Pending approval, non-confidential

BOE Meeting 3/6/2012

Class Certificated

Category: Extra Assignment

Position	Name	Reason	Site	FTE/Amt	Effec Date	End Date	Action	Funding
Coach, Softball, JV, Head	Gann, Jack		AHS		11/12 Season		Approve	GF

Category: New Hire

Position	Name	Reason	Site	FTE/Amt	Effec Date	End Date	Action	Funding
Teacher, Aft Sch Inter	Banales, Bridgette		OV		3/7/12		Approve	Site
Teacher, Aft Sch Inter	Cebulski, Caddy		OV		2/13/12		Approve	SC
Teacher, Substitute	Wiley, Jacque		DW		2/22/12		Approve	GF
Teacher, Substitute, LT	Scott, Janice		AHS		2/27/12		Approve	GF

Category: Separation of Service

Position	Name	Reason	Site	FTE/Amt	Effec Date	End Date	Action	Funding
Teacher, Substitute	Battas, Lisa		DW		2/22/12		Approve	
Teacher, Substitute	Hawkins, Emily		DW		2/22/12		Approve	

BOE Meeting 3/6/2012

Class Classified*Category: Amendment*

<i>Position</i>	<i>Name</i>	<i>Reason</i>	<i>Site</i>	<i>FTE/Amt</i>	<i>Effec Date</i>	<i>End Date</i>	<i>Action</i>	<i>Funding</i>
Para-educator	Pacheco, Raymond		ACC		1/30/12		Approve	ACC
Para-educator	Sanchez, Priscilla		ACC		1/20/12		Approve	ACC
Para-educator, Specialist	Gleason, Lisa		DW		2/1/12		Approve	Sp Ed

Category: New Hire

<i>Position</i>	<i>Name</i>	<i>Reason</i>	<i>Site</i>	<i>FTE/Amt</i>	<i>Effec Date</i>	<i>End Date</i>	<i>Action</i>	<i>Funding</i>
Clerical, Substitute	Williams, Bess		DW		2/7/12		Approve	GF
Clerical, Substitute	Kauker, Teresa		MAC		2/7/12		Approve	GF/AAS
Coach, Baseball, JV	James, Jami		AHS		11/12 Season		Approve	GF
Coach, Basketball, 7th, Girls	Yamamoto, Michi		AMS		11/12 Season		Approve	GF
Coach, Swim, Asst.	Pock, Keri		AHS		11/12 Season		Approve	GF
Lifeguard	Belman, Katherine		Pool		2/9/12		Approve	Pool
Lifeguard	Cushing, Alexander		Pool		2/9/12		Approve	Pool

Monday, February 27, 2012

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BOE Meeting**3/6/2012**

Lifeguard	Hawkins, Emily	Pool	2/9/12	Approve	Pool
Mental Health Intern	Baez, Ixayanne	DW	2/1/12	Approve	Grant
Mental Health Intern	Ferdows, Lorena	DW	2/1/12	Approve	Grant
Mental Health Intern	Gemes, Sara	DW	2/1/12	Approve	Grant
Mental Health Intern	Weisman, Pella	DW	2/1/12	Approve	Grant
Para-Educator	Renteria, Anna	ACC	2/15/12	Approve	ACC
Para-educator	Salman, Hala	ACC	1/31/12	Approve	ACC
Para-educator, Math	Javier, Lara	MA	2/8/12	Approve	SC
Para-educator, Math	Lira, Deborah	OV	2/8/12	Approve	SC
Para-educator, Math	Miyashiro, Holly	MA	2/13/12	Approve	SC
Para-educator, Math	Ornick, Sarah	OV	2/1/12	Approve	SC
Para-educator, Math	Soufiani, Masumeh	OV	2/8/12	Approve	SC
Para-Educator, Spec Ed II	Marthinsen, Sam	DW	2/1/12	Approve	Sp Ed
Para-Educator, Spec Ed II	Marthinsen, Sam	DW	8/24/11	Approve	Sp Ed

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BOE Meeting**3/6/2012**

Para-educator, Spec Ed II	Sempere, Susan	DW	8/23/12	Approve	Sp Ed
Para-educator, Substitute	Garcia, Rosio	ACC	3/7/12	Approve	ACC
Para-educator, Substitute	Madrid, Carmen	ACC	3/7/12	Approve	ACC
Swim Instructor	Belman, Katherine	Pool	2/9/12	Approve	Pool
Swim Instructor	Cushing, Alexander	Pool	2/9/12	Approve	Pool
Swim Instructor	Hawkins, Emily	Pool	2/9/12	Approve	Pool
Teacher, Aft Sch Inter	Soufiani, Masumeh	OV	02/08/12	Approve	SC
Transportation Driver	Marthinsen, Sam	DW	2/1/12	Approve	Sp Ed
Yard Aide	Lira, Debra	OV	2/1/12	Approve	Sp Ed

Category: Separation of Service

Position	Name	Reason	Site	FTE/Amt	Effec Date	End Date	Action	Funding
Café Asst. I	Bolden, Kevin		CK		2/1/12		Approve	
Lifeguard, Swim Instructor	Guardalabene, Nicolo		Pool		2/11/12		Approve	
Para-educator	Pacheco, Raymond		ACC		1/30/12		Approve	ACC
Para-Educator, Spec Ed	Marthinsen, Sam		DW		1/31/12		Approve	Sp ed

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BOE Meeting 3/6/2012

Para-educator, Spec ed	Sempere, Susan	DW	1/31/12	Approve
Transportation Driver	Marthinsen, Sam	DW	1/31/12	Approve
Water Fitness Instructor	Sellers, Debra	Pool	2/12/12	Approve
Yard Aide	Mitchell, Danielle	OV	2/7/12	Approve

Class Student Workers**Category:**

<i>Position</i>	<i>Name</i>	<i>Reason</i>	<i>Site</i>	<i>FTE/Amt</i>	<i>Effec Date</i>	<i>End Date</i>	<i>Action</i>	<i>Funding</i>
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See Attached

Class Uncompensated Service**Category: Student Teacher**

<i>Position</i>	<i>Name</i>	<i>Reason</i>	<i>Site</i>	<i>FTE/Amt</i>	<i>Effec Date</i>	<i>End Date</i>	<i>Action</i>	<i>Funding</i>
	Barnett, Danielle		AMS		11/12 SY		Approve	

Category: Volunteer

<i>Position</i>	<i>Name</i>	<i>Reason</i>	<i>Site</i>	<i>FTE/Amt</i>	<i>Effec Date</i>	<i>End Date</i>	<i>Action</i>	<i>Funding</i>
	Anderson, Kelly				3/7/12		Approve	
	Azevedo, Robert				3/7/12		Approve	

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BOE Meeting

3/6/2012

Beck, Andrea	3/7/12	Approve
Berg, Amy	3/7/12	Approve
Butkus, Barbara	3/7/12	Approve
Chiang, Ken	3/7/12	Approve
Conners, Jay	3/7/12	Approve
Delany, Diane	3/7/12	Approve
Fox, Sharman	3/7/12	Approve
Fresquez, Christine	3/7/12	Approve
Friedman, Tamara	3/7/12	Approve
Gill, David	3/7/12	Approve
Hopwood, John	3/7/12	Approve
Kleven, Paul	3/7/12	Approve
Krause, Karyn	3/7/12	Approve
Lawrence, Deena	3/7/12	Approve

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BOE Meeting**3/6/2012**

Liang, Jennifer	3/7/12	Approve
McKnight, Ulan	3/7/12	Approve
McWhorter, Ryan	3/7/12	Approve
Meyers, Jonathan	3/7/12	Approve
Murray, Katie	3/7/12	Approve
Panian, Leo	3/7/12	Approve
Robbeloth, Greg	3/7/12	Approve
Roberto, Sondra	3/7/12	Approve
Roberts, Sally	3/7/12	Approve
Sala, Stephanie	3/7/12	Approve
Simon, Arthur	3/7/12	Approve
Sintchak, Richard	3/7/12	Approve
Sirjani, Roshanak	3/7/12	Approve
Thach, Luc	3/7/12	Approve

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BOE Meeting 3/6/2012

Yoon, Annie

3/7/12

Approve

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**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP**

Regular Meeting of March 6, 2012

ITEM: **APPROVE HUMAN RESOURCES TECHNICIAN JOB
DESCRIPTION**

PREPARED BY: Cynthia Attiyeh, Human Resources Administrator

TYPE OF ITEM: **CONSENT**

BACKGROUND INFORMATION:

As District needs change, job descriptions must be updated. The Human Resources Technician job description accurately reflects the current configuration in the District Office.

FINANCIAL INFORMATION:

Funding Source: General Fund

RECOMMENDATION: Approve the Human Resources Technician job description

ALBANY UNIFIED SCHOOL DISTRICT

Human Resources Technician

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POSITION DESCRIPTION: Under the direction of Human Resources Administrator, assist in the planning, coordinating, and managing of a comprehensive human resources program for employees. This position performs a wide variety of highly responsible, confidential, and complex administrative and clerical work in support of the Human Resources Office, including recruitment, selection, employment, benefits (for all staff) and workers compensation benefits and other activities and operations of the office. This position participates in the effective establishment and maintenance of a variety of human resources records and reports requiring independent judgment in the application of established human resources policies and procedures, including legal statutes, administrative regulations, and bargaining unit agreement. This job requires considerable discretion, initiative, accuracy, attention to detail, organizational skills, and the ability to multitask within strict timelines.

REPRESENTATIVE DUTIES: E = Essential Duties The duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

1. Communicate employee benefit programs to new, active, terminated and retired employees E
2. Accurately process and maintain employee benefit records E
3. Communicate and coordinate open enrollment activities E
4. Record, maintain and evaluate employee Leave Transactions E
5. Reconcile monthly insurance billing E
6. Report reconciled billing to business officer monthly E
7. Bill new retirees and employees on leave for benefit coverage E
8. Process and maintain District Worker's Compensation program, forms and claims E
9. Assist employees by providing information related to benefit concerns and questions
10. Act as liaison with insurance carriers to resolve problems E
11. Operate, enter, maintain and retrieve employee data using a variety of standard and proprietary computer applications E
12. Inform employees of COBRA eligibility and retirees of retirement coverage E
13. Ensure all recruitment and hiring activities comply with EEOC E
14. Make decisions on routine administrative human resources issues; make recommendations on non-routine, highly complex, or controversial issues E
15. Coordinate and participate in recruitment functions and activities, including advertising, posting job announcements, exams, testing, and screening activities; develop interview questions and screening tools for exams E
16. Act as information resource to internal and external customers regarding District rules, collective bargaining agreements, codes, practices, policies, health and welfare, worker's compensation and procedures E
17. Maintain Human Resource Information System records and compiles reports from database as needed E
18. Assist in the development of manuals, handbooks, correspondence, and calendars E
19. Perform related duties and responsibilities as required E
20. Help monitor the Professional Growth Program for employees; determine credit for classes taken and initiate pay raise for employees upon completion of courses for each step E

ALBANY UNIFIED SCHOOL DISTRICT
Human Resources Technician

KNOWLEDGE OF: Methods and techniques of data collection, analysis, and report preparation; basic mathematical principles; intermediate level MS Office Suite or equivalent; standard English usage, spelling, vocabulary, grammar, and punctuation.

ABILITY TO: Accurately keyboard at a minimum keyboarding typing speed of 50 net words per minute; create documents, databases, spreadsheets, and reports using MS Office Suite; enter data and create reports using human resource information system; conduct and interpret research on human resource topics; learn, interpret, and apply pertinent codes, rules and regulations, including District policies and procedures pertaining to assigned functions; perform responsible and difficult human resources work involving the use of independent judgment and personal initiative; demonstrate exceptional customer service and respond to requests and inquiries for information regarding District and human resources laws, rules, regulations, Education Code, policies and procedures; assess competing factors in problem-solving issues; compose, compile, and tabulate data and information to prepare summaries and reports; work independently in the absence of supervision; multitask in a timeline-driven environment; maintain confidentiality of employee information; exercise sound judgment, flexibility, creativity, and sensitivity in response to changing situations and needs; communicate clearly and concisely, both orally and in writing.

TOOLS AND EQUIPMENT USED: Standard office equipment and software

PHYSICAL DEMANDS: While performing the duties of this job, the employee is frequently required to walk, sit and talk or hear; use hands to finger, handle, feel or operate objects, tools, or controls and reach with hands and arms; occasionally required to climb or balance, stoop, kneel, crouch, or crawl; must occasionally lift and/or move up to 15 pounds; specific vision abilities required by this job include close vision, color vision, and the ability to adjust focus.

WORK ENVIRONMENT: The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

QUALIFICATIONS/REQUIREMENTS:

Three years of responsible administrative and clerical experience, preferably in a human resources office.

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP**

Regular Meeting of March 6, 2012

ITEM: **APPROVE DISTRICT DATABASE COORDINATOR I JOB DESCRIPTION**

PREPARED BY: Cynthia Attiyeh, Human Resources Administrator

TYPE OF ITEM: **CONSENT**

BACKGROUND INFORMATION:

With the recent resignation of the District Database Coordinator, the position has been closely examined to assure the job description and duties are still relevant. Some of the duties have been reassigned to other departments, while others have been modified to more of a support position, which warrants a new job description and title.

The position is placed on a different salary range that will result in savings for the district.

Placement will be on the Confidential Salary Schedule, Range 7

FINANCIAL INFORMATION:

Funding Source: General Fund

RECOMMENDATION: Approve the District Database Coordinator I job description

ALBANY UNIFIED SCHOOL DISTRICT
District Database Coordinator I

POSITION DESCRIPTION: Under the general supervision of the IT Department, perform technical attendance activities providing accurate accounting of student enrollment and attendance records in accordance with provisions of the California Education Code and perform a variety of duties related to the management of student data including but not limited to: supporting the district's Student Information System (AERIES) and assisting with reporting to a variety of outside agencies.

REPRESENTATIVE DUTIES: E = Essential Duties The duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

1. Coordinate with district staff to ensure all student information data requests are disseminated accurately E
2. Coordinate with principals, guidance counselors and site secretaries to ensure that all data entry is completed accurately and in a timely fashion E
3. Assist with and/or correct data entry as necessary and where appropriate E
4. Master necessary activities related to data extraction and reporting for district, state and federal accountability and funding requirements, including but not limited to data entry, review, verification and extraction of student attendance records E
5. Provide data extracts for district instructional software, testing, and grant development E
6. Master transmission of all data reports to the CDE E
7. Serve as one of the data contact persons for state agencies dealing with the District E
8. Update the student information system program to maintain the latest versions of all modules/components and CDE changes E
9. Assist in creating training materials and participate in district-wide meetings, training activities and the distribution of appropriate information E
10. Meet with district personnel on a regular basis to discuss and assist in resolving various data management issues E
11. Support and troubleshoot all aspects of the student information system with assistance from management and various vendors E
12. Responsible for nightly updates of the student information system E
13. Operate general office equipment such as a computer, printer, copier, calculator, facsimile machine, telephone system, etc. E
14. Perform other related duties as required E
15. Write SQL statements to accurately extract information from the student information system E
16. Gain knowledge and skills to manage all district databases E

KNOWLEDGE OF:

1. Advanced knowledge of Business English, spelling, punctuation, mathematical computation and possession of an excellent vocabulary
2. Working knowledge of departmental policies, procedures, and operations
3. Knowledge of the principles of office management and of modern office procedures, systems and equipment
4. Working knowledge of spreadsheet analysis, knowledge of the records and reports which must be prepared and maintained
5. Maintaining confidentiality of information of a sensitive and confidential nature
6. Principles, methods, and procedures used in planning, coordinating, and standardizing reporting

ALBANY UNIFIED SCHOOL DISTRICT
District Database Coordinator I

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systems

7. Principles and practices of data collection and report preparation
8. Common database, spreadsheet, word processing and student information system programs
9. AERIES data system
10. Structured Query Language (SQL), SQL Management Studio desired

ABILITY TO:

1. Analyze most functions, processes and tasks for the preparation of varied and complex records and reports
2. Multi-task and work independently with little supervision
3. Communicate effectively both orally and in written format
4. Possesses technical aptitude necessary to learn current and future student management applications and the integration of such software with common office applications, such as Microsoft Office
5. Successfully complete district, state and other training courses relevant to the completion of job assignments
6. Maintain high standards of accuracy in exercising duties
7. Anticipate work to be completed and initiate proper and acceptable direction for completion of work with little supervision and instruction
8. Work independently on confidential assignments and clerical tasks
9. Type clear copy
10. Use general office equipment such as calculators, computers, web based knowledge, etc.
11. Make arithmetical computation and tabulations with accuracy
12. Organize, time manage and communicate effectively on the telephone

EDUCATION AND EXPERIENCE:

1. Completion of high school or equivalent, or any combination of education, experience, or training that meets or exceeds the qualifications.
2. Knowledge of student information systems required, AERIES preferred
3. Experience with database programs and SQL
4. Microsoft Office applications including Word, Excel and Access
5. Oral and written interactions with a culturally diverse community

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP**

Regular Meeting of March 6, 2012

**ITEM: RATIFY MASTER CONTRACT BETWEEN ALBANY UNIFIED
SCHOOL DISTRICT AND R.P. GALLAGHER ASSOCIATES**

PREPARED BY: Don Albright, Facilities Supervisor, Maintenance, Operations and Facilities

TYPE OF ITEM: Consent

BACKGROUND INFORMATION:

AB300 legislation was passed in 1999 that required the Division of State Architect (DSA) to perform a state-wide vulnerability inventory of California public schools that were built before July 1, 1978. Buildings with wood frame construction were excluded because of their generally good seismic performance. The results of this report were published by DSA to the legislature in 2002. Individual buildings were classified according to their seismic force-resisting system. There are 24 building classifications used and buildings are placed in one of these categories. The classifications were then grouped into two broad categories: Category 1 and Category 2. Category 1 buildings are expected to perform reasonably well in an earthquake. Category 2 buildings require further evaluation.

As a result of the AB300 survey, the DSA notified Albany USD that several of its buildings were on the AB 300 list and needed further study for possible seismic safety concerns. The purpose of R.P. Gallagher's work was to review and verify the DSA classification for each Albany USD buildings on the AB 300 list and to examine all District buildings to determine if there were any other buildings that would be considered Category 2 buildings.

Dates of Service:

October 13, 2011 – June 30, 2012

Rate:

\$27,000.00

☐ **Standard Contract**

☒ **Contract deviates from Standard Contract.**

FINANCIAL INFORMATION:

Funding Source: Building Fund

RECOMMENDATION:

Ratify the Master Contract between Albany Unified School District and Gallagher Associates

**THIRD PARTY LABOR COMPLIANCE AGREEMENT
BETWEEN THE ALBANY UNIFIED SCHOOL DISTRICT
AND
GOLDEN STATE LABOR COMPLIANCE, LLC
FOR
DESIGNATED STATE FUNDED EDUCATIONAL FACILITY PROJECTS**

This Third Party Labor Compliance Agreement ("Agreement") is made and effective as of this 8TH day of Feb., 2012, by and between **Golden State Labor Compliance, LLC (GSLC)**, a California limited liability company ("GSLC") and the **Albany Unified School District ("District")**, with reference to the following facts:

A. Assembly Bill 1506, enacted in the 2002 Legislative Session, was approved by the Governor of the State of California on September 25, 2002, and codified California Labor Code Section 1771.7, which require school and community college Districts and Districts of Education that use funds from the Kindergarten-University Public Education Facilities Bond Act of 2002 or 2004 ("State Funding"), to initiate and enforce, or contract with a Third Party Contract Administrator ("TPCA") to initiate and enforce, a Labor Compliance Program ("LCP") for educational facility projects that receive State Funding that will commence on or after April 1, 2003 ("State Funded Projects").

B. The District is authorized by Section 53060 of the California Government Code to contract with and employ any persons for the furnishing of special services and advice in financial, economic, accounting, engineering, legal or administrative matters on a negotiated basis, if such persons are specially trained and experienced and competent to perform the special services required.

C. Execution of this Agreement and its approval by the Board shall constitute the District's written memorialization of its retention of GLSC as its Third Party Labor Compliance Representative (TPLCR) and the District's adoption of and commitment to operate under GSLC's approved Third Party Labor Compliance Program. Upon receipt of an original copy of the Agreement, GSLC will effect notification of the Department of Industrial Relations, as required by law.

D. GSLC represents that it possesses the necessary personnel, professional qualifications, expertise and financial capability to provide the herein described Third Party Labor Compliance Services.

E. The District desires to engage GSLC to assist it in implementing and enforcing an approved Labor Compliance Program in connection with its State Funded Projects as designated by the District from time to time and GSLC desires to perform such services, upon the terms and conditions set forth below. The District reserves the right to use other sources of such services for these purposes on other State Funded Projects.

NOW, THEREFORE, in consideration of the foregoing recitals, which recitals are incorporated herein by this reference, and the provisions hereinafter stated, District and GSLC agree as follows:

1. Third Party Labor Compliance Services ("TPLCS"). GSLC shall perform the TPLCS described in Exhibit A, attached hereto and incorporated herein by reference. GSLC shall furnish and pay for all labor, materials, supplies, supervision, equipment and other facilities of every kind and nature necessary for the timely and efficient performance of such services. GSLC agrees that the services shall at all times conform to the requirements of all governmental agencies having jurisdiction over any State Funded Project designated by the District.

2. Compensation. District shall pay GSLC for TPLCS rendered as follows:

2.1 District shall pay GSLC Stipulated Lump Sum Fees for the Program and for each Project on which the LCP is enforced as provided for within Exhibit "B".

2.2 Reimbursable Expenses. Unless specifically provided for in Exhibit "A", Consultant acknowledges that its compensation shall be determined in accordance with Section 2.1 of this Agreement and Consultant shall not be reimbursed for expenses incurred.

2.3 Total Construction Costs. "Total Construction Costs" means any and all costs incurred by the District with respect to the construction, as the case may be, of the Project, whether paid or incurred prior to

or after the date hereof, including, without limitation, costs for site preparation, the removal or demolition of existing structures, the construction of the Project and related facilities and improvements, and all other work in connection therewith. The term Total Construction Costs includes inspection, testing and trade permit costs. The term "Total Construction Costs" excludes fees incurred and paid by the District for TPLCS, for architectural, design and professional services, CM services, DSA Project Inspector fees and any costs of site acquisition.

The "Total Construction Costs" value, at the outset of any project, shall be established as that amount allocated and approved, by the Board, to pay for such costs. In the event that actual Total Construction Costs, as evidenced by accepted bid(s) for the work and/or actual amounts paid for the work, vary more than 10% from the value initially established based on estimated and approved costs, the basis of calculation of GSLC's compensation under Exhibit "B" shall be adjusted to reflect actual Total Construction Costs and GSLC's compensation shall be adjusted accordingly.

3. Application for Payments.

3.1 Progress Payments. GSLC shall submit to District not more frequently than monthly, an Application for Payment in the form of "C", attached hereto and incorporated herein by reference ("Application for Payment"). The Schedule of Progress Payments shall be as provided for within Exhibit B. Provided an Application for Payment with proper support documentation is received prior to the 10th day of a month and if in District's opinion, the services described in the Application for Payment have been properly performed, District shall pay the amount no later than the 10th day of the calendar month following the calendar month in which the Application for Payment was received. Notwithstanding anything to the contrary set forth in this Agreement or in any Application for Payment, in no event shall District be required to make any payment for any service which exceeds the percentage of which such service has been completed.

4. Not Used

5. Not Used.

6. Duties and Obligations of District. GSLC, pursuant to its approved LCP, has a duty to the Director of the Department of Industrial Relations to enforce the Labor Code public works requirements (Chapter 1 of part 7 of Division 2 and Division 3 of the Labor Code) and the procedural regulations of the Department of Industrial Relations in a manner consistent with the practices of Title 8, California Code Regulations, Section 16000, et seq. In performance of its TPLCS, GSLC will make written recommendations to the District regarding (i) contractor or subcontractor failure to employ registered apprentices, (ii) withholding of contractor payments when payroll records are delinquent or inadequate, (iii) withholding of contractor payments for contractor failure to pay per diem prevailing wages, (iv) forfeiture of contractor payments, and (v) notification to contractor sureties regarding (i-iv) herein. District hereby agrees to indemnify, defend and hold GSLC harmless from District's failure to comply with its duties and obligations described herein and its failure to comply with GSLC written recommendations in connection therewith, unless said recommendations are contrary to law.

7. Indemnity. GSLC agrees to indemnify, hold harmless and defend the District, its officers, and employees from any and all claims, demands, costs or liability arising from or connected with the TPLCS provided hereunder, due to negligent acts, errors or omissions or willful misconduct of GSLC in connection with the enforcement or failure to enforce the LCP or the labor laws of the State of California. Notwithstanding the foregoing, GSLC shall not be responsible to the District nor shall GSLC reimburse the District for delay claims by contractors or subcontractors arising out of GSLC's and the District's proper enforcement of labor law requirements.

8. Insurance. GSLC shall obtain, and shall require its sub-consultants to obtain, insurance of the types and in the amounts described below which shall be satisfactory to the District, including naming the District as an additional insured.

8.1 Commercial General Liability Insurance. GSLC shall maintain occurrence version commercial general liability insurance, or an equivalent form, with a combined single limit of not less than \$1,000,000.00 per occurrence, and a general aggregate limit of \$2,000,000.00. Such insurance shall:

8.1.1 Include the District, its officials, officers and employees as additional insured with respect to performance of TPLCS and shall contain no special limitations on the scope of coverage or the protection afforded to these additional insured;

8.1.2 Be primary with respect to any insurance or self-insurance programs covering the District, its officials, officers, employees, agents, and consultants; and

8.1.3 Contain standard separation of insured provisions.

8.2 Professional Liability Insurance. GSLC shall maintain Professional Liability (Errors and Omissions) insurance or equivalent form with a combined single limit of not less than \$1,000,000.00 per occurrence, and \$2,000,000.00 general aggregate limit.

8.3 Business Automobile Liability Insurance. GSLC shall maintain business automobile liability insurance or equivalent form with a combined single limit of not less than \$1,000,000.00 per occurrence, and \$2,000,000.00 general aggregate limit. Such insurance shall include coverage for owned, hired and non-owned automobiles.

8.4 Workers' Compensation Insurance. GSLC shall maintain workers' compensation insurance with statutory limits and employers' liability insurance with limits of not less than \$1,000,000.00 each accident.

8.5 Certificates of Insurance/Endorsements. GSLC shall, prior to commencement of TPLCS, furnish the District with properly executed certificates of insurance and endorsements which clearly evidence all insurance required under this Agreement and provide that such insurance shall not be canceled, allowed to expire or be materially reduced in coverage, except on thirty (30) days prior written notice to the District. In addition, GSLC shall allow the District to view, at any reasonable time upon three (3) business day's notice, full copies of any policy required hereunder. GSLC shall make such policies available at the offices of the District. The District shall have the sole discretion to determine whether the certificates and endorsements presented comply with the provisions of this Agreement.

8.6 Coverage Maintenance. GSLC shall replace certificates, policies and endorsements for any insurance expiring prior to completion of TPLCS under this Agreement. Further, GSLC shall maintain such insurance from the time TPLCS commence until TPLCS are completed, except as otherwise provided by this Agreement.

8.7 Licensed Insurer. GSLC shall place all such insurance requirements contained herein with insurers having A.M. Best Company ratings of no less than A, and licensed to do business in California, unless otherwise approved, in writing, by the District's Representative.

9. Status of GSLC. GSLC is an independent contractor and not an employee, agent or representative of the District. Personnel performing the TPLCS under this Agreement on behalf of GSLC shall at all times be under GSLC's exclusive direction and control. GSLC shall pay all wages, salaries and other amounts due such personnel in connection with their performance of TPLCS and as required by law. GSLC shall be responsible for all reports and obligations respecting such personnel, including but not limited to, social security taxes, income tax withholdings, unemployment insurance, and workers' compensation insurance.

10. Prevailing Wages. GSLC is advised of the requirements of California Labor Code Sections 1770, *et seq.*, which would require the payment of prevailing wages, if the TPLCS or any portion thereof are determined to be a public work, as defined, by California Labor Code Section 1720, *et seq.* GSLC shall defend, indemnify, and hold harmless the District, its officers, employees, consultants, and agents from any claim or liability, including without limitation attorneys' fees, arising from any failure or alleged failure of GSLC to comply with California Labor Code Sections 1770, *et seq.*

11. Assignment or Transfer. All Services to be furnished under this Agreement shall be deemed professional services. As such, GSLC shall have neither the right nor the power to assign, sublet, transfer or otherwise substitute its interest in or obligations under this Agreement without the prior written consent of the District.

12. Subcontracting. GSLC shall perform the work contemplated with resources available within its own organization and no portion of the work pertinent to this Agreement shall be subcontracted without written authorization by the District.

13. Copies of Materials. The District shall have the right to obtain for its records copies of all materials which may be prepared by GSLC under this Agreement, at District expense, and District shall pay to GSLC the reasonable copying costs. The District shall not be limited in any way in their use of such materials at any time, provided that any such use not within the purposes intended by this Agreement shall be at the District's sole risk and provided that GSLC shall be indemnified by the District against any damages resulting from or arising out of such use, including the release of such material to third parties for any use not intended by this Agreement.

14. Governing Law. This Agreement shall be governed by and construed with the laws of the State of California.

15. Attorneys' Fees. If either party commences an action against the other party arising out of or in connection with this Agreement, the prevailing party in such litigation shall be entitled to have and recover reasonable attorneys' fees and costs of suit from the losing party.

16. Mediation. All claims, disputes and other matters in question between the Parties to this Agreement, arising out of or relating to this Agreement or the breach thereof, shall be referred to mediation according to the rules of the American Arbitration Association. Notice of request for mediation shall be filed in writing with the other party to this Agreement. The request shall be made within a reasonable time after the claim, dispute or other matter in question has arisen. In no event shall the request for mediation be made after the date when institution of legal or equitable proceeding based on such claim, dispute or other matter in question would be barred by the applicable statute of limitations.

17. Headings. Section headings, paragraph captions or marginal headings contained in this Agreement are for convenience only and shall have no effect in the construction or interpretation of any provision herein.

18. Notification. All notices hereunder and communications regarding interpretation of the terms of the Agreement or changes thereto shall be provided by the mailing thereof by registered or certified mail, return receipt requested, postage prepaid and addressed as follows:

District: Albany Unified School District
1051 Monroe Street
Albany, CA 94706
Attn: Don Albright, Facilities Supervisor

GSLC: Golden State Labor Compliance, LLC
38733 9th Street East, Suite W
Palmdale, CA 93550
Attn: Victor Conklin

Any notice so given shall be considered served on the other party three (3) days after deposit in the U.S. mail, first class postage prepaid, return receipt requested, and addressed to the party at its applicable address. Actual notice shall be deemed adequate notice on the date actual notice occurred, regardless of the method of service.

19. Conflicting Provisions. In the event that provisions of any attached exhibits conflict in any way with the provisions set forth in this Agreement, the language, terms and conditions contained in this Agreement shall control the actions and obligations of the Parties and the interpretation of the Parties' understanding concerning the performance of the TPLCS.

20. Contract Amendment. In the event that the parties determine that the TPLCS or other provisions of this Agreement must be altered, the Parties may execute a contract amendment to delete or add TPLCS or to amend any other provision of this Agreement. All such contract amendments must be in the form of a written instrument signed by the original signatories to this Agreement, or their successors or designees.

21. Entire Agreement. This Agreement, and counterparts, as provided for hereinafter, constitutes the entire agreement between the Parties relating to the subject matter hereof and supersedes any previous agreements or understandings.

22. Validity of Agreement. The invalidity in whole or in part of any provision of this Agreement shall not void or affect the validity of any other provision of this Agreement.

23. Execution in Counterparts. This Agreement may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

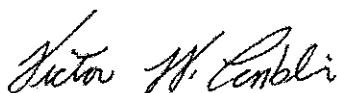
24. Incorporation of Recitals and Exhibits. All recitals set forth hereinabove and exhibits attached hereto are hereby incorporated into and made a part of this Agreement.

25. Termination. Either Party may terminate this Agreement with thirty (30) days prior written notice. In such event, GSLC shall be compensated for all TPLCS rendered through the effective date of such termination as provided for in this Agreement.

The Parties, through their authorized representatives, have executed this Agreement on the date first set forth above.

GSLC:

Golden State
Labor Compliance, LLC



By: Victor W. Conklin
Its: Vice President

38733 9th Street East, Suite W
Palmdale, CA 93550

DISTRICT:

Albany Unified School District

By: Ms. Marla Stephenson
Its: Superintendent

1051 Monroe Street
Albany, CA 94706

EXHIBIT A**BASIC AND ADDITIONAL SERVICES****I. BASIC SERVICES****A. Program Certification Services**

Golden State Labor Compliance, LLC (GSLC) will register each client District with the California Department of Industrial Relations as having adopted GSLC's approved Labor Compliance Program (LCP) and having retained GSLC for its administration. Upon receipt, by DIR, of that registration, the client District will be compliant with Assembly Bill (AB) 1506, Chapter 868, Statutes of 2002 for the purpose of obtaining fund release pursuant to any State bond program requiring a labor compliance program under that statute.

B. LCP Start-up Services (Occurs once, at the initiation of services to each District)

GSLC shall:

1. Conduct an initial briefing and workshop for and with District personnel, architects and any Program/Project/Construction Managers then employed by the District who are or may be regularly engaged, on behalf of the District, in the control, administration or management of new construction or modernization activities that are subject to potential funding under the State School Facilities Program. Presentation and discussion will include, but is not necessarily limited to:
 - (a) Public works subject to Prevailing Wage Laws.
 - (b) Types of contracts to which Prevailing Wage Requirements apply.
 - (c) Limited exemptions from requirement to pay Prevailing Wage.
 - (d) Applicable dates for enforcement of LCP requirements.
 - (e) Overview of the Labor Compliance Program and its requirements.
 - (f) Duties and responsibilities of the District, the LCP, Program/Project/Construction Managers, general contractors, prime trade contractors and subcontractors.
 - (g) Enforcement, withholding and forfeiture. Rights and procedures.
 - (h) Investigative rights and responsibilities.
 - (i) Forms and procedures specific to the LCP.
2. Provide, to all parties attending the briefing/workshop identified in Item B.1, above, a permanent reference package covering all subjects discussed at the briefing/workshop and a complete copy of the LCP Manual.
3. Conduct one briefing/conference (same day as District personnel briefing) with District Administrators and Counsel to discuss legal and policy issues specific to implementing the LCP.
4. Review the District's proposed bid and contract documents for proper, statutorily and regulatorily required labor compliance provisions and provide recommended language for the use of the District for:
 - (a) Advertisements for Bid
 - (b) Bid Instructions
 - (c) General and Special Conditions of the Contract

C. Project Specific Services

For the purposes of this Proposal, "Project" is defined as being any body of construction services intended to be advertised, bid, awarded and constructed pursuant to a single bid process. In the case of Multiple-Prime project delivery, this means a single advertised set of bids or, in the case of a split bid process, not more than two sets of bids for the same project.

For each Project undertaken by the District that is subject to the Labor Compliance Program, GSLC shall:

D. Pre-Bid Activities

1. Provide three (3) copies (1 for the District; 1 for the Program/Project/Construction Manager; 1 for jobsite posting) of the Prevailing Wage Determinations applicable to the specific Project, based on the date of first advertising for bids.
2. Receive from the District, record and retain a copy of the first advertisement for bids for the Project.
3. Investigate and record the District's progress payment procedures as identified within the Construction Documents, for the purpose of adjusting Certified Payroll Report (CPR) procedures to the requirements of the specific project.
4. Provide the District (or its authorized representative) with all forms required for bid and post-bid document collection from the bidders.
5. In the event that the District conducts a Pre-bid Conference for the Project, provide one (1), 30-minute segment, as part of that conference, familiarizing prospective bidders with the LCP, its requirements and the duties and responsibilities of all bidders with respect to the LCP.
6. Review the District's Project Manual, prior to bid, for proper inclusion of LCP requirements and documentation. (Project Manual to be sent, postage pre-paid, to GSLC's headquarters offices.

E. Post-Bid / Pre-Notice To Proceed (NTP) Activities

1. Provide the General Contractor or District's Program/Project/Construction Manager with appropriate jobsite posting materials, as required by the LCP, pursuant to law.
2. Conduct, as part of a mandatory Pre-Construction Conference with the prime contractor(s) and listed subcontractors having been awarded contracts, a one (1) hour briefing with questions and answers, covering all required aspects of the LCP.
3. Receive and record required company data on all prime contractor(s) and listed subcontractors having been awarded contracts.
4. Receive and record "Fringe Benefits Statements" from all prime contractor(s) and listed subcontractors having been awarded contracts.
5. Provide Form DAS 140, "Public Works Contract Award Information", to all prime contractor(s) and listed subcontractors having been awarded contracts, to facilitate the proper filing of such forms with the appropriate Apprenticeship Committees.
6. Distribute Pre-Construction Checklist of Labor Law Requirements to all prime contractor(s) and listed subcontractors having been awarded contracts, requiring that each sign and submit the checklist, acknowledging receipt and understanding of materials describing LCP requirements and their obligations under Labor Law. Collect and secure, within the permanent Project files, all signed checklists.

F. Post-NTP Services

1. Receive and record LCP Weekly Superintendent's Reports (GS Form 21).
2. Receive, from the District or its Program/Project/Construction Manager, on a monthly basis, Certified Payroll Reports (CPRs) for all contractors or subcontractors of every tier who are required to submit such reports. Verify receipt of all required CPRs and report clearance for progress payment to all contractors or subcontractors who's CPRs comply with basic submittal requirements.
3. Issue and track "Requests for Certified Payroll Records" (GS Form 06) for any contractors or subcontractors for which complete CPRs were required but have not been received or have been found to be incomplete.
4. Notify the District and its Program/Project/Construction Manager (if any), and the General Contractor if the deficiency involves a subcontractor, any contractor or subcontractor who fails to properly render or correct any missing or incomplete CPRs following a request by the LCP. Such failure is grounds for withholding contract payments until resolution of the deficiency is achieved.
5. Review all CPRs submitted for payment of the proper prevailing per-diem wage rate for the listed classification, to include payment of the proper prevailing per-diem wage rate for overtime and/or holidays.
6. Conduct regular, random audits of Certified Payroll Reports for proper worker classification as well s proper classification and use of registered apprentices.
7. Conduct regular, random field inspections (not less than one per month), at the jobsite, for the purpose of:
 - (a) Confirming proper jobsite postings as required by the LCP.
 - (b) Conducting random interviews of workers on the jobsite to confirm Labor Law compliance and worker awareness of their rights under such law.
 - (c) Consulting with the jobsite Superintendent regarding any questions, issues or concerns within the scope of the LCP.

G. On an As-Needed Basis:

1. GSLC will take cognizance of any apparent violation of Labor Law that is within the purview of the Labor Compliance Program and will fully investigate and seek resolution of any apparent violations through administrative procedures. Any reported violation or substantive complaint received will always be treated as a potential violation.
2. Upon taking cognizance of an apparent violation, GSLC, to the degree necessary to resolve the issue, will:
 - a. Assign a case number and a qualified investigator to investigate the circumstances, extent and apparent cause of any apparent violation.
 - b. Request additional Payroll Records, as required, to establish the circumstances, extent and apparent cause of any apparent violation.
 - c. Audit all Payroll Records pertinent to the case to establish the facts pertaining to an apparent violation.
 - d. Request, from the District, various State agencies and other interested parties, copies of all records that would be required to file a case with the Labor Commissioner.

- e. Notify the contractor or subcontractor who may have committed a violation of the LCP's initial findings, offering the opportunity to explain any apparent discrepancies and to provide additional records in support of its position.
- f. Notice and conduct an informal interview with the contractor or subcontractor who may have committed a violation for the purpose of reviewing evidence and allowing the contractor or subcontractor the opportunity to prove that a violation has not taken place or was inadvertent.
- g. Provide notice to the District, the General Contractor and the Program/Project/Construction Manager (as appropriate) of all investigations initiated and all informal conferences scheduled to be conducted.
- h. In the event that the investigation and informal conference procedures fail to resolve an apparent violation, prepare, for submission, an appropriate case file and application for DIR review. Preparation of the case file will include calculation of the apparent amount of underpayment and penalty applicable to the violation.
- i. Provide notice, to the District, the apparent violating contractor and, if applicable, the general contractor, of the LCP's intent to submit a case to the Labor Commissioner for adjudication and potential forfeiture. The notice will include the total calculated amount of underpayment plus penalty, which amount may be withheld by any higher tier contractor and by the District, pending a finding by the Labor Commissioner.
- j. In the event that an offending contractor requests Department of Industrial Relations review of any finding of the Labor Commissioner, GSLC shall prepare for, administer and appear on behalf of the District at any pre-hearing procedures, settlement meetings or administrative DIR hearings. Upon conclusion and findings in such hearings, GSLC shall provide all final notices and legal processes to fully implement the findings of the Department of Industrial Relations, as required by law and regulation.

H. Other Basic Services

GSLC will:

1. Provide general administration and management of the Labor Compliance Program
2. Provide unlimited phone consultation or, if scheduled to be on-site for other purposes, in-person consultation with the District on any matters pertaining to the LCP.
3. Receive and process full and timely response to any and all lawful records requests received by any party related to any project under GSLC administration.
4. Provide secure storage of all received payroll records for a Project throughout the course of that Project and for three calendar years from completion of the Project.
5. Produce and file with the Department of Industrial Relations (DIR), once a year, within sixty (60) days after the close of GSLC's reporting period or at such time as otherwise required by DIR, an Annual Report on the operation of GSLC's Labor Compliance Program in full compliance with the requirements of California Code of Regulations Section 16431. This report shall include any data specific to any projects administered during the reporting period on behalf of the District. A copy of GSLC's report, to include the data specific to the District's projects, shall be provided to the District.

II. ADDITIONAL SERVICES

The following additional services will be provided only upon written authorization of the District. Compensation for Additional Services shall be at the hourly rates identified in Attachment B.

- A. Any services or costs not reasonably related to the implementation and enforcement of labor compliance requirements under State Law.
- B. Any services in connection with any civil litigation that does not rise solely from GSLC's or the District's actions in implementing and enforcing the Labor Compliance Program.

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP**

Regular Meeting of March 6, 2012

**ITEM: RATIFY INDEPENDENT CONTRACTOR AGREEMENT
BETWEEN ALBANY UNIFIED SCHOOL DISTRICT AND
CHRISTIE REIDER FOR MASTER SCHEDULE REVIEWS,
RECOMMENDATIONS AND TRAINING**

PREPARED BY: MARSHA A. BROWN, DIRECTOR III – STUDENT SERVICES

TYPE OF ITEM: REVIEW AND ACTION

BACKGROUND INFORMATION:

Dates of Service:

February 10 through June 30, 2012

Description of Services:

Provide review of and recommendations for master schedules of Albany Middle School and Albany High School, as well as training on the use of Aeries for the development of master schedules.

Number of Students: N/A

Cost not to exceed: \$1,000

☒ **Standard Contract**

☐ Contract deviates from Standard Contract. Description below.

FINANCIAL INFORMATION:

Funding Source: general funds

RECOMMENDATION:

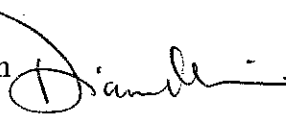
Ratify the Independent Contractor Agreement between Albany Unified School District and Christie Reider for master schedule reviews, recommendations and training.

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP**

Regular Meeting of March 6, 2012

ITEM: APPROVE AN INCREASE TO PURCHASE ORDER #P12-00758
BETWEEN ALBANY UNIFIED SCHOOL DISTRICT AND
BAYHILL HIGH SCHOOL

PREPARED BY: Diane Marie, Director of Special Education



TYPE OF ITEM: CONSENT – STUDENT SERVICES

BACKGROUND INFORMATION:

Dates of Service:

January 27, 2012 – June 30, 2012

Description of Services:

Basic education for one additional student.

Number of Students:

1

Rate:

\$141.70/day

Cost not to exceed:

\$13,036.40

X Standard Contract

 Contract deviates from Standard Contract. Description below.

FINANCIAL INFORMATION:

Funding Source: Special Education

RECOMMENDATION:

Approve an increase to Purchase Order #P12-00758 between Albany Unified School District and Bayhill High School.

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP**

Regular Meeting of March 6, 2012

**ITEM: CITY OF ALBANY CHARTER REVIEW COMMITTEE
ELECTION METHOD REVIEW UPDATE**

PREPARED BY: Preston Jordan, City of Albany Charter Review Committee Chair

TYPE OF ITEM: STAFF REPORT

BACKGROUND INFORMATION

At its meeting on 19 September 2012, the Albany Unified School District Board of Education received a presentation from the Chair of the Albany Charter Review Committee, Preston Jordan, concerning the CRC's plan to review the method by which Board and City Council members are elected.

Chair Jordan described that the process would proceed in three steps: 1) Establish criteria for judging potential methods, 2) Select methods for consideration, and 3) Judge those methods against the criteria.

Chair Jordan asked for the Board's feedback on three topics: 1) Criteria the Board would like the CRC to consider, 2) How often the Board would like to receive updates on the process, and 3) Organizations the Board might suggest for outreach concerning the process.

The Board provided the following input as understood by the CRC:

- 1) Regarding criteria, Board members mentioned simplicity, majority rule, diversity of representation and inducing more candidates to run for office.
- 2) Regarding the frequency of update, the Board requested such after each of the three steps in the process. The Board suggested outreach to the parent teacher association (PTA) at each school.

The attached report provides a brief update on the election method review process for the Board's consideration.

**CITY OF ALBANY CHARTER REVIEW COMMITTEE
ELECTION METHOD REVIEW UPDATE**

Prepared By: Preston Jordan, City of Albany Charter Review Committee Chair

This report provides a brief update on the election method review process for the Board's consideration.

The CRC has largely proceeded through steps 1 and 2 of the election method review process. An update was not provided after step 1 as requested by the Board because consideration of this step turned out to be lengthier than step 2 such that work on both steps reached a similar level of maturity at the same time.

The CRC first assembled a list of tens of possible criteria for judging election methods. The list was assembled from published sources as well as input from the Board and the City Council. Members discussed the meaning of each criterion to assure consistency of understanding, and subsequently rated the importance of each criterion relative to Albany.

Based on the results and subsequent discussion, the CRC chose the following criteria:

- Low Cost
- High Voter Turnout
- Diversity of Representation
- Competitive Elections
- Simplicity of Use
- Stable Government

This list includes three of the four criteria suggested by the Board with the understanding that one of the implications of competitive elections is more candidates seeking office. The Board's suggested majority rule criterion is not included.

For the second step in the process, the CRC considered a list of tens of possible election methods. As this was too many methods to feasibly judge according to the criteria, it was winnowed as described below.

The list of methods to be judged against the criteria is:

- Plurality at Large (Albany's Current Election Method)
- Cumulative Voting at Large
- Limited Voting at Large
- Ranked Choice Voting at Large

Of the initial list, methods based on political parties were eliminated because municipal elections in Albany are nonpartisan, as they are throughout all California cities to the CRC's knowledge. Methods based on districts were screened out as inappropriate due to Albany's small size.

Three additional methods were eliminated from full consideration with respect to the criteria. An at large method for election by a majority was not included because it requires runoff elections, which would be quite costly. A method in which a number of candidates from pre-arranged lists are elected in proportion to the votes received but that list was eliminated because of its complexity, both for voters and potential candidates. While a nonpartisan list system is theoretically possible, in practice it is a system used in partisan elections as political parties are the natural entities forming the candidate lists placed on the ballot.

The final method eliminated is referred to as "designated seats." It provides for filling each seat via a separate^{P47} race on the ballot. This method does not obviously violate one of the selected criteria as did the two mentioned above. Rather the CRC decided to eliminate it for a variety of other reasons. For instance, because candidates run for a specific seat, it is easier for them to run against a specific individual, rather than more affirmatively for specific positions or approaches they espouse.

On the topic of outreach, the CRC appreciates the Board's suggestion to contact the PTAs. The CRC has decided to perform outreach once the process is more substantially completed. This will provide the public with information that is more likely to elicit feedback as compared to a request earlier in the process when that information is more unstructured.

Finally, in terms of process, the CRC has realized the language of the Charter appears to allow the Council the option of changing its method of election by ordinance. This means a vote of the electorate is not required. In contrast, it does not appear to provide this option for changing the method for electing the Board. Rather changing that method appears to require an amendment to the Charter, which requires approval by the electorate.

Representatives of the CRC look forward to discussing the election review process with the Board and receiving its feedback and further input at the upcoming meeting.

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP**

Regular Meeting of March 6, 2012

ITEM: 2011-12 2nd Interim Financial Report
(under separate cover)

PREPARED BY: Laurie Harden, Assistant Superintendent, Business Services

TYPE OF ITEM: Review & Action

BACKGROUND INFORMATION

The 2nd Interim Financial Report is the second of two interim budget reports required by AB 1200, which was passed into law in 1991, and became effective on January 1, 1992. AB 1200 was enacted to establish a process of fiscal monitoring to ensure fiscal solvency for school districts and county offices. Districts are required by Education Code 42130 to submit a report of their financial status as of October 31 and January 31. The purpose of the report is to determine an appropriate certification to the State of California regarding the District's ability to meet its financial obligations for the current and two subsequent fiscal years. The Alameda County Office of Education is responsible for reviewing the report and the District's certification (positive, qualified or negative).

FINANCIAL INFORMATION

As of the 2nd Interim Financial Report, the Albany Unified School District will be able to meet its financial obligations for the current and two subsequent years and is submitting a positive certification.

The 2nd Interim Financial Report is separately bound and accompanies the Board agenda. Additional copies are available at the District Office.

RECOMMENDATION: It is recommended that the Board approve a positive certification for the 2011-12 2nd Interim Report and related budget revisions.

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP**

P49

Regular Meeting of March 6, 2012

ITEM: **APPROVE 2011-12 SCHOOL ACCOUNTABILITY REPORT CARDS (SARCs) FOR ALBANY HIGH, ALBANY MIDDLE, CORNELL ELEMENTARY, MACGREGOR HIGH, MARIN ELEMENTARY, AND CORNELL ELEMENTARY SCHOOLS**

PREPARED BY: **Marsha A. Brown, Director III – Student Services**

TYPE OF ITEM: **REVIEW & ACTION**

IMPORTANT NOTICE –IMPORTANT NOTICE- IMPORTANT NOTICE

THE SARC DOCUMENTS ARE UNDER SEPARATE COVER.

BACKGROUND INFORMATION:

Since November 1988, state law has required all public schools receiving state funding to prepare and distribute a School Accountability Report Card (SARC). A similar requirement is also contained in the federal No Child Left Behind Act (NCLB). The purpose of the report card is to provide parents and the community with important information about each public school.

State law requires that the SARC contain all of the following:

- Demographic data
- School safety and climate for learning information
- Academic data
- School completion rates
- Class sizes
- Teacher and staff information
- Curriculum and instruction descriptions
- Postsecondary preparation information
- Fiscal and expenditure data

In addition, NCLB requires that SARCs contain reports concerning the "adequate yearly progress" of students in achieving state academic achievement standards; Title 1 Program Improvement; graduation rates at the secondary level; and the extent to which "highly qualified" teachers are teaching core academic subjects.

FINANCIAL INFORMATION:

No financial implications

RECOMMENDATION:

**APPROVE 2011-12 SCHOOL ACCOUNTABILITY REPORT CARDS (SARCs)
FOR ALBANY HIGH, ALBANY MIDDLE, CORNELL ELEMENTARY,
MACGREGOR HIGH, MARIN ELEMENTARY, AND CORNELL
ELEMENTARY SCHOOLS**

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP****Regular Meeting of March 6, 2012**

**ITEM: APPROVE AUSD'S SUPERINTENDENT'S EVALUATION TEMPLATE
AND 2011-2012 GOALS**

PREPARED BY: Marla Stephenson, Superintendent

TYPE OF ITEM: REVIEW AND ACTION

BACKGROUND INFORMATION

Effective governance is a cornerstone of a high performing school district. The Board strives to demonstrate continuous improvement in this area. One of the elements of effective governance is the ability to set direction for the District. In 2008, the Board of Education directed the Superintendent to facilitate the creation of a strategic plan. The plan was created in 2009 and is in its 2nd year of implementation.

The Board of Education remains committed to its role of strategic planning and creating District policy. It remains committed to the concept that the Superintendent, under the direction of the Board, creates and executes a plan to achieve the Board's vision of public education in Albany.

The Superintendent is evaluated on the annual goals that are mutually agreed upon by the Board and the Superintendent with a format that has been agreed upon by the Board and Superintendent. The results of the evaluation are delivered the Superintendent in closed session and by law cannot be shared with the public.

FINANCIAL INFORMATION

There is no financial impact.

RECOMMENDATION: Approve AUSD's Superintendent's Evaluation Template and 2011-2012 Goals

Albany Unified School District

Superintendent Evaluation 2011-13

Score	Definition
4	An area of particular strength. Accomplishments are extraordinary and are sustained over the entire review period: Performance is consistently above the performance standards required for a superintendent.
3	Consistently meets the performance standards required for a superintendent. The established goal was achieved.
2	Partially meets the performance goals, but missed some targets or was occasionally below required standards.
1	Deficient in meeting performance goals. Immediate corrective action is required to improve performance.

Goal: Improve Communication Protocols

Quarterly newsletters from Superintendent to community. Newsletters translated into Spanish, Korean and Mandarin. Hard copy newsletters made available at UC Village, site offices, City library. Special efforts to be made to get as many families signed up for Aeries Parent Portal as possible so as to obtain more accurate information about who does not have access to the internet.

The community should be kept informed of important AUSD initiatives, student progress and activities. The District needs accurate information on the digital divide. Second language parents need to feel included in District activities through intentional outreach efforts.

Aligns with Strategy 3, Goal 3 of Strategic Plan.

Success Indicators

- Community survey administered in May with baseline data of percent responding to the survey posted on a data dashboard.

Average Rank:

Scores:

Board Comments:

Goal: Improve Student Safety

Conduct seismic review of all sites. Present findings to BOE Develop remediation/correction plan if indicated. Develop financing plan if indicated.

Two AUSD schools are on the AB 300 list –Category 2. The District will conduct a survey of all sites to determine their viability to withstand a major earthquake.

Aligns with Strategy 2, Goal 4 of Strategic Plan.

Success Indicators

Complete seismic report by March 2012	Remediation plan and financing in place as necessary
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Average Rank:

Scores:					
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Board Comments:

Goal: Increase Student Achievement

Deepen and refine essential standards in Language Arts and Math K-5. Fully develop essential standards in all content areas 6-8. Continue assessment development 9-12.

Essential standards establish instructional priorities. They are taught to mastery, not “covered”. They are the focus for constant assessment of student progress.

Aligns with Strategy 1, Goal 1 of Strategic Plan.

Success Indicators

Publish essential standards for 9-12.	Create K-8 essential standards binder.
---------------------------------------	--

Average Rank:

Scores:					
---------	--	--	--	--	--

Board Comments:

Goal: Establish Professional Learning Communities as the Primary Means of Improving Instructional Practice.

Systemically infuse professional learning communities at each site and in district office. Use one model of PLC to develop common language and understanding. Create a schedule of PLC meetings. Monitor and assess. Focus PLC work on student learning.

Staff needs time to reflect on their practice and student learning. Professional learning Communities create an environment and structure to provide all staff the same opportunities learn and grow.

Aligns with Strategy 3, Goal 1 of Strategic Plan.

Success Indicators

- | | |
|--|------------------------|
| • Staff survey indicates satisfactory results. | • PLC logs and minutes |
|--|------------------------|

Average Rank:

Scores:					
---------	--	--	--	--	--

Board Comments:

Goal: Improve Opportunities For Increasing Student Well-Being

Vertically integrate positive climate measures into AUSD schools Continue implementation of the "Best" Program into grades K-8. Introduce BEST curriculum into the preschool. Develop a cohort of staff at AHS and MacGregor to be trained in BEST for future implementation at the high schools.

Best is a positive behavior program that provides intervention techniques based on research in school discipline. The program addresses school wide, common areas, classroom, and individual student intervention.

Aligns with Strategy 2, Goal 4 of Strategic Plan.

Success Indicators

Implement annual survey to measure school safety and student resiliency	Vertical integration of BEST k-12 Committee formed to discuss appropriate program for positive climate at AHS and MacGregor.
---	---

Average Rank:

Scores:					
---------	--	--	--	--	--

Board Comments:

Goal: Improve Opportunities for Increasing Achievement AUSD budget to maintain adequate reserves to weather the slow economic recovery. Minimize deficit spending. Analyze three year budget forecast to determine whether the emergency parcel tax should be renewed through a ballot measure.	
A key element in achieving sustained improvement in student outcomes is a balanced budget that maintains adequate reserves for economic uncertainties Aligns with Strategy 1, 2 and 3 of Strategic Plan.	
Success Indicators	
Maintain reserves of 10% or more 2011-12	Two year plan for reduction of deficit spending

Average Rank:					
Scores:					

Board Comments:

Governance Standard: Superintendent works closely with the Board as a six-member governance team, helping the Board define and refine policies, helping develop a common vision, and creating a positive organizational culture.	
Success Indicators	
Policies have been reviewed and refined with help from the Superintendent. Strategic Plan is the focus point of the District	Governance team is working efficiently as indicated by productive Board meetings and good student outcomes.

Average Rank:					
Scores:					

Board Comments:

Governance Standard: Superintendent recognizes and respects the diversity of perspective and style on the Board and among staff, students, parents, and the community, and ensures that the entire range of views is presented to the Board.

Success Indicators

All Board members feel that their views have been fairly considered.

Feedback to the Board by interest groups in community have not expressed complaints of discrimination with regard to the Superintendent.

Average Rank:

Scores:

Board Comments:

Governance Standard: Communicates openly with trust and integrity with the Board, staff, parents, and the community, providing all members of the Board with equal access to the information needed to make policy decisions.

Success Indicators

Superintendent weekly communications have been timely and substantive.

Superintendent community meetings and communications have been candid and sufficient in quantity and quality.

Average Rank:

Scores:

Board Comment:

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP**

Regular Meeting of March 6, 2012

ITEM: **APPROVE AUDS'S BOARD OF EDUCATION GOVERNANCE CALENDARS
2011-12 & 2012 – 13**

PREPARED BY: **Marla Stephenson, Superintendent**

TYPE OF ITEM: **REVIEW AND ACTION**

BACKGROUND INFORMATION

Per the Board of Education's protocols in support of effective governance, the Superintendent proposes the following governance calendars to be adopted for 2011-12 & 2012-13.

FINANCIAL INFORMATION

There is no financial impact.

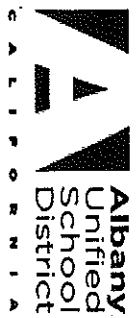
RECOMMENDATION: *Approve Albany Unified School District Board of Education
Governance Calendars – 2011-12 & 2012 – 13*



Albany Unified School District Board Governance Calendar 2011 - 12

Page 1 of 2

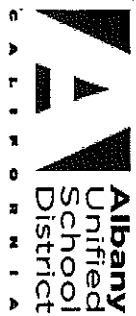
Job Area	July	August	September	October	November	December
Effective Governance		Board Committee Updates	Board Self Evaluation Special Study Session	Superintendent Evaluation for 2010-11		CSBA Conference Board Reorganization
Setting Direction/Strategic Plan		Administrator Retreat			Spotlight Community Media Access Committee Report	Confirm Mission and Beliefs
Student Learning & Achievement		Summer School Update	Superintendent/Board Site Visit		ELL Update Site Visit	Superintendent/Board Site Visit
Fiscal Stewardship			Adopt Unaudited Actuals Report from Tax Assessor	Annual Accounting of Developer Fees		1 st Interim report
Facilities					Facilities Fee Update/review	
Policy & Compliance		CSBA Updates	SELPA Local Plan	Williams Quarterly Textbook Sufficiency		
Advocacy						
Human Resources		Employee Recognition - Maintenance & Facilities	BTSA Annual Update	Tenure - Prob I & II Decisions		
Community Relations Development of Key messages			Recognition AMF and SchoolCare	Spotlight City Parks and Rec Bi-annual Report		Spotlight Recognition AEF Livermore Berkeley National Laboratory Committee Report
P58						



Albany Unified School District Board Governance Calendar 2011 - 12

Page 2 of 2

Job Area	January	February	March	April	May	June
Effective Governance	Board Handbook Updates	Prioritize 2011-12 Sup. Goals	Board Meeting Calendar Approval	Governance Calendar Approval	Superintendent 2012-2013 Goals and Eval. Instrument	
Setting Direction/Strategic Plan	Board Goals	Board Goals	Strategic Planning Annual Meeting	Strategic Planning Annual Update Progress Report on Strategic Plan	Strategic Plan update and goal setting for 2012-13 Superintendent 2012-13 Goals	
Student Learning & Achievement	Wellness Report	Site Plan Update School Accountability Report Cards Special Education Report Quarterly Field Trip Report	School Calendar 2013-14 Adult School Update	Technology Plan Update	Superintendent/Board Site Visit Single School Plans	Quarterly Field Trip Report
Fiscal Stewardship	Accept Audit Report Consolidated App II	Approve Updated Developer Fee Study	2nd Interim	Budget Planning 12-13		Adopt Budget Consolidated App I
Facilities				Facilities Update		
Policy & Compliance	Williams Quarterly Form 700s CSBA Updates		Review Inter-district Transfers	CSBA Updates		Williams Quarterly
Advocacy						
Human Resources			Certificated Notices	Classified Notices	Employee Recognition	Declaration of Need Employee Recognition - Employee of the Year
Community Relations		Spotlight Pool Grand Opening	City Sustainability Committee Annual Report	Spotlight City Parks & Rec Bi-Annual Report	Spotlight Recognition Volunteers Recognition Staff Retirements/Years of Service	



Albany Unified School District Board Governance Calendar 2012 - 13 — Page 1 of 2

Job Area	July	August	September	October	November	December
Effective Governance		Board Committee Updates Superintendent Self-Eval. (2011-2012 goals)	Board Self Evaluation Special Study Session Draft Sup. Evaluation (2011-2012 goals)	Finalize Sup. Evaluation (2011-2012 goals)	Spotlight Community Media Access Committee Report	CSBA Conference Board Reorganization
Setting Direction/Strategic Plan		Administrator Retreat				Confirm Mission and Beliefs
Student Learning & Achievement		Summer School Update	Superintendent/ Board Site Visit STAR Test Results		ELL Update Site Visit	Superintendent/ Board Site Visit
Fiscal Stewardship			Adopt Unaudited Actuals Report from Tax Assessor	Annual Accounting of Developer Fees		1 st Interim report
Facilities					Facilities Fee Update/review	
Policy & Compliance		CSBA Updates	SELPA Local Plan	Williams Quarterly Textbook Sufficiency		
Advocacy						
Human Resources		Employee Recognition - Maintenance & Facilities	BTSA Annual Update	Tenure - Prob I & II Decisions		
Community Relations Development of Key messages			Recognition AMF and Schoolcare	Spotlight City Parks and Rec Bi- annual Report		Spotlight Recognition AEF Livermore Berkeley National Laboratory Committee Report



Albany Unified School District Board Governance Calendar

2012 - 13

Page 2 of 2

Job Area	January	February	March	April	May	June
Effective Governance	Board Handbook Updates		Board Meeting Calendar Approval	Governance Calendar Approval	Superintendent 2013-2014 Goals and Eval. Instrument	
Setting Direction/Strategic Plan	Board Goals	Board Goals	Strategic Planning Annual Meeting	Strategic Planning Annual Update Progress Report on Strategic Plan		
Student Learning & Achievement	Wellness Report	Site Plan Update School Accountability Report Cards Special Education Report Quarterly Field Trip Report	School Calendar 2014-15 Adult School Update	Technology Plan Update	Superintendent/Board Site Visit Single School Plans	Quarterly Field Trip Report
Fiscal Stewardship	Accept Audit Report Consolidated App II		2 nd Interim Approve Updated Developer Fee Study	Budget Planning 13-14		Adopt Budget Consolidated App I
Facilities				Facilities Update		
Policy & Compliance	Williams Quarterly Form 700s CSBA Updates		Review Inter-district Transfers	CSBA Updates		Williams Quarterly
Advocacy			Certificated Notices	Classified Notices	Employee Recognition	
Human Resources						Declaration of Need Employee Recognition - Employee of the Year
Community Relations		Spotlight Pool Grand Opening	City Sustainability Committee Annual Report	Spotlight City Parks & Rec Bi-Annual Report	Spotlight Recognition Volunteers Recognition Staff Retirements/Years of Service	

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP**

Regular Meeting of March 6, 2012

**ITEM: APPROVE APPOINTMENTS
ALBANY UNIFIED SCHOOL DISTRICT EQUITY TASK FORCE**

PREPARED BY: Marla Stephenson, Superintendent

TYPE OF ITEM: REVIEW AND ACTION

BACKGROUND INFORMATION

On November 16, 2010, the Board of Education convened an Equity Task Force. The purpose of the Task Force was to advise the Board of Education on the creation of policy, protocols and procedures to provide equity of supplementary funded instructional programs within the school day for kindergarten through grade 5. The Task Force operated under Brown Act regulations and provided recommendations to the Board of Education.

The Board has requested that a District Equity Task Force be re-established to make recommendations for parent funded donations other than the enrichment programs address during the 2010-11 school year, and implemented in 2011-12.

The composition will consist of the following: principals, two teachers and two parents from each of the three elementary schools; principal, one teacher and one parent from AMS as voting members with the Director III, Student Services and the Superintendent serving as non-voting members.

In addition to making recommendations regarding parent funded donation other than the enrichment programs, the Task Force has determined that its scope will include an analysis of the current demographics (student and staff) of each elementary site. The Task Force will examine current policies and programs and how they impact site demographics. The Task Force will advise the Board on possible resolutions to any areas of inequity uncovered in its analysis.

It is requested that the Board of Education approve the appointment of the following members:

NAME	SCHOOL	POSITION
Michelle Sinclair	OV	Teacher Rep
Loree Bruckmann-Harmon	OV	Teacher Rep
Edie Johnson	CO	Teacher Rep
Robin Blum	MA	Teacher Rep
Christiane Engemann	MA	Teacher Rep
Linda Perez	AMS	Teacher Rep
Kris Veldheer	OV	Parent Rep
Nancy Consentino	OV	Alternate Parent Rep
Liz Eshleman	OV	Parent Rep
Steve Martin	CO	Parent Rep
Louise Berhau	CO	Parent Rep
Holly White	MA	Parent Rep

Fady Zawde	MA	Parent Rep
Kendra Knowles	AMS	Parent Rep
Kathy Evans	CO	Teacher Rep
Terry Georgeson	OV	Principal
Wendy Holmes	CO	Principal
Peter Parenti	AMS	Principal
David Kumamoto	MA	Principal
Marla Stephenson	DO	Superintendent
Marsha Brown	DO	Director III, Student Services

FINANCIAL INFORMATION

There is no financial impact.

RECOMMENDATION: Approve Appointments – Albany Unified School District Equity Task Force
--

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP****Regular Meeting of March 6, 2012**

ITEM: **APPOINT MARLA STEPHENSON, ALBANY UNIFIED SCHOOL DISTRICT'S SUPERINTENDENT TO SERVE ON THE REDEVELOPMENT "SUCCESSOR AGENCY" OVERSIGHT COMMITTEE**

PREPARED BY: Marla Stephenson, Superintendent

TYPE OF ITEM: **REVIEW & ACTION**

BACKGROUND INFORMATION:

Last year, Governor Brown proposed to eliminate redevelopment agencies (RDAs) and use the local tax revenues dedicated to RDAs to help solve the State Budget shortfall. The Legislature reached a compromise to have a statute eliminating RDAs but allowing them to continue to exist if RDAs agreed to make payments to county treasurers to be transferred to schools. RDAs challenged both pieces of legislation in court. The Court upheld the power of the legislature to eliminate RDAs and invalidated the ability of the Legislature to require RDAs to make such payments. Thus, Redevelopment Agencies (RDA) have been dissolved effective February 1, 2012 and assigned to a "Successor Agency" with an Oversight Board to supervise the RDA closure process. Superintendent of the Alameda County Office of Education, Sheila Jordan, has the responsibility of appointing one member to each of the twelve Successor Agency Oversight Boards in Alameda County.

Because the Albany Unified School District currently receives RDA funds, the District is entitled to have one representative serve on the Oversight Board. The District has established a process for nomination and selection to identify no more than two candidates to submit to Superintendent Jordan for consideration. The AUSD Board of Education has the option of only submitting the name of one candidate. Candidate name(s) must be submitted by the District to Superintendent Jordan no later than March 7, 2012. The representative appointed to serve on the Oversight Committee will oversee the process of redevelopment agency closures.

This will include:

- Ensuring that payment schedules for financial obligations are set and met
- Ensuring that a plan is in place for distribution of the agency's assets. The work of dissolving the large, complex RDA programs will require collaboration. Experience working with Redevelopment Agencies or Redevelopment Agency Projects is desired, but not required. Oversight Board Members will not receive compensation for this service.

Once the Oversight Board has been established, it will determine its meeting schedule. Redevelopment Agencies have been an engine for many city and county projects to support and improve the quality of life in our communities, impacting students and families that we serve. As major land use holders, in charge of education and pathways to college and work, the district has an important role to play in this process.

Following the Maddy Act, the Board of Education invited interested persons to submit a completed application to the District Office no later than February 21 at 3:00 p.m. and be available for a possible interview. Applicants were required to either reside in the City of Albany and/or be employed by the Albany Unified School District.

No applicants applied. Therefore, it is recommended that the Board appoint Marla Stephenson Albany Unified School District's Superintendent to serve on the Redevelopment "Successor Agency" Oversight Committee.

FINANCIAL INFORMATION:

NONE.

<p>RECOMMENDATION: Appoint Marla Stephenson Albany Unified School District's Superintendent to serve on the Redevelopment "Successor Agency" Oversight Committee.</p>
--

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP****Regular Meeting of March 6, 2012****ITEM: APPROVE THE RELEASE OF TEMPORARY CERTIFICATED
EMPLOYEES****PREPARED BY:** Cynthia Attiyeh, Human Resources Administrator**TYPE OF ITEM: REVIEW AND ACTION**

Education Code 44954 requires that temporary certificated employees be noticed if their services may not be required the following school year. Temporary certificated employees are replacing teachers who are on leave of absence or are funded with soft, categorical monies. This annual notification must be completed by March 15th.

FINANCIAL INFORMATION:

N/A

RECOMMENDATION: Approve the Board Resolution 2011-2012-11, Release of Temporary
Certificated Employees

Albany Unified School District Board of Education

Resolution 2011-2012-11 Release of Temporary Certificated Employees

Whereas, Education Code Section 44954 Authorizes Governing Boards of school districts to give notice to temporary certificated employees of the governing board's decision to release an employee for the next succeeding school year to such a position at any time, including before March 15th and

Whereas, the following persons are temporary certificated employees:

Last Name	First Name	FTE	Site
Avery	Leone	0.6	AHS
Avicolti	Jason	0.6	MAC
Banales	Bridgette	1.0	OV
Berg	Amy	1.0	CO
Bodine	Tobias	1.0	CO, MA
Busby	Ashley	1.0	CO
Chang	Betty	0.2	AMS
Chuang	Hui Hua	0.8	AHS
Coriell	Jennifer	1.0	AMS
DeLaurentis	Danielle	1.0	AHS
Donovan	Rochelle	1.0	MA
Foreman	Ted	1.0	AMS
Gripman	Jennifer	0.4	CO
Hubbard	Rachel	0.8	AHS
Hughes Collins	Susan	1.0	CO
Hwang	Kim	1.0	OV
Kim	Eunice	1.0	OV
Kraemer	Armin	1.0	AHS
Leslie	Sarah	1.0	AMS
Link	Hannah	1.0	OV
Magid	Jane	0.4	OV,MA,CO
Mason	Vanessa	1.0	AHS
Matlon	Jason	1.0	AMS
Morris	Jennifer	0.4	CO
Murray	Katie	1.0	CO
Nemoyten	Mark	0.3	OV,MA,CO
Orrick	Sarah	0.2	OV
Park	Jessica	1.0	AHS
Peairs	Tanicia	1.0	AMS
Rayyan	Hasan	0.2	AHS
Risk	Valerie	1.0	AHS

Strawbridge	Andrew	1.0	AMS
Tremblay	Virginia	0.8	AHS
Urmson	Ashlee	1.0	OV
Vacca	Maria	.6	CO
Vasarhely	Stephanie	0.2	AHS
Viernes	Ryan	1.0	AHS
Vogt	Jeff	1.0	OV
Walden	Miriam	1.0	AHS
Westerman-Capet	Evelyne	1.0	AHS
Westwood	Corby	0.2	OV

Whereas, the Board of Education has received a recommendation from the Superintendent or other appropriate District administrators to release the above temporary certificated employees; and

Whereas, the Board of Education concurs in said recommendation,

NOW, THEREFORE, BE IT RESOLVED that the Board of Education of the Albany Unified School District does hereby authorize the Superintendent or the Superintendent's designee to notify the temporary certificated employees listed above of the Board's decision to release them for the 2011-2012 school year in accordance with Education code Section 44954. The Superintendent or the superintendent's designee is further authorized to take any other actions necessary consummate the intent of this Resolution.

PASSED AND ADOPTED the 6th day of March 2012 by the Board of Education of the Albany Unified School District.

I certify that the foregoing Resolution was duly introduced, passed, and adopted as stated above.

AYES:

NOES:

ABSENT:

ABSTAIN:

Marla Stephenson, Superintendent

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP**

Regular Meeting of March 6, 2012

ITEM: **APPROVE THE RELEASE AND REASSIGNMENT OF
CERTIFICATED ADMINISTRATORS**

PREPARED BY: Cynthia Attiyeh, Human Resources Administrator

TYPE OF ITEM: **REVIEW AND ACTION**

Education Code 44951 requires that certificated administrators are noticed of possible reassignment prior to March 15th.

FINANCIAL INFORMATION:

N/A

RECOMMENDATION: Approve the Board Resolution 2011-2012-12, Release and Reassignment of Certificated Administrators

BEFORE THE GOVERNING BOARD OF THE
ALBANY UNIFIED SCHOOL DISTRICT
ALAMEDA COUNTY, CALIFORNIA

RESOLUTION NO. 2011-2012-12

In the Matter of the Decision)
To Release and Reassign
Certificated Administrator(s)

RESOLUTION OF RELEASE AND
REASSIGNMENT
OF CERTIFICATED ADMINISTRATOR(S)
(Education code section 44951)

WHEREAS, Education code section 44951 authorizes the Governing Board to release and reassign administrators provided that notice of possible reassignment is provided to the administrator prior to March 15th and notice of the administrator's actual reassignment is issued by June 30th;

WHEREAS, the employees whose names are listed in Attachment A attached hereto are certificated administrators who have been employed in the District during the 2011-2012 school year; and

WHEREAS, pursuant to Education Code section 44951, the Governing Board has received a recommendation from the Superintendent or designee that notices of reassignment be given to the certificated administrator(s) listed in Exhibit A that the administrator(s) may be reassigned from their current position/positions to another position.

NOW, THEREFORE, BE IT RESOLVED, that the Governing board of the Albany Unified School District hereby authorizes the District Superintendent or the Superintendent's designee to notify the administrator(s) whose names(s) are listed on Attachment A attached hereto of the Governing board decision that they may be released from their present assignment(s) and reassigned to another position(s) for the 2012-2013 school year in accordance with Education code section 44951. The District Superintendent or the superintendent's designee

if further authorized to take any further actions necessary to carry out the intent of this Resolution.

The foregoing Resolution was adopted at a meeting of the governing board of the Albany Unified School District held on the 6th day of March, 2012, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Dated: March 6, 2012

CERTIFIED AS A TRUE AND CORRECT
COPY

Paul Black
President, Governing Board

Clerk of the Board
Marla Stephenson

ATTACHMENT A TO RESOLUTION
OF RELEASE AND REASSIGNMENT OF CERTIFICATED
ADMINISTRATORS

Certificated Administrators

Deborah Place	.5 FTE
Alexia Ritchie	1.0 FTE

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP**

Regular Meeting of March 6, 2012

**ITEM: PROPOSED REVISED BOARD POLICY 5126 – AWARDS
FOR ACHIEVEMENT**

PREPARED BY: Marsha A. Brown, Director III – Student Services

TYPE OF ITEM: REVIEW & ACTION

BACKGROUND INFORMATION:

The Seal of Biliteracy is a program established by the State legislature (AB 815). It honors students who have gained proficiency in at least two languages (including English) by the time they graduate from high school.

Board Policy 5126 – Awards for Achievement was adopted on October 6, 2009. Since that time, staff at both Albany High School and the District have researched, reviewed and recommend adding an award recognizing students who have achieved biliteracy: linguistic proficiency and cultural literacy in one or more languages in addition to English.

The proposed revisions to the current Board Policy 5126 reflect the addition of a Biliteracy Award. Specific criteria for earning this award will be addressed in a revised Administrative Regulation, should the Board approve the addition of a Seal of Biliteracy.

FINANCIAL INFORMATION:

None

RECOMMENDATION:

**Conduct a second reading of and adopt proposed revised Board Policy 5126
– Awards for Achievement**

Albany USD

Board Policy

Awards For Achievement

BP 5126

Students

The Board of Education encourages excellence as a goal for all students and wishes to publicly recognize students for unique or exemplary achievements in academic, extracurricular or community service activities. The purpose of such awards shall be consistent with school goals.

(cf. 5121 - Grades/Evaluation of Student Achievement)

(cf. 5127 - Graduation Ceremonies and Activities)

Student awards may include verbal recognition, a letter, a certificate, a Board resolution, public ceremony, trophy, gift, or plaque.

The Superintendent or designee shall develop procedures for the appropriate selection of student award recipients.

Merit Diplomas

At a high school awards ceremony, special recognition shall be awarded to those students whose academic achievements have been outstanding.

The Superintendent or designee shall identify high school students who have demonstrated mastery of the high school curriculum qualifying them for the Golden State Seal Merit Diploma. (Education Code 51454)

Biliteracy Award

In order to recognize and encourage linguistic proficiency and cultural literacy, the District shall present a biliteracy award to each graduating high school student who demonstrates proficiency in speaking, reading, and writing in one or more languages in addition to English. The Superintendent or designee shall approve applications for the award based on a review of student qualifications in accordance with District-established criteria.

Legal Reference:
EDUCATION CODE

35160 Authority of governing boards
35310-35319 Scholarship and loan funds
44015 Awards to employees and students
51450-51455 Golden State Seal Merit Diploma
CODE OF REGULATIONS, TITLE 5
876 Golden State Seal Merit Diploma

Management Resources:

WEB SITES

California Department of Education, Golden State Seal Merit Diploma:

<http://www.cde.ca.gov/ta/tg/sr/meritdiploma.asp>

CSBA: <http://www.csba.org>

Policy ALBANY UNIFIED SCHOOL DISTRICT

adopted: October 6, 2009____Albany, California

revised:

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP****Regular Meeting of March 6, 2012**

ITEM: **APPROVE DISPOSAL OF OBSOLETE
ALBANY HIGH SCHOOL WET LAB
PHOTOGRAPHY DARKROOM EQUIPMENT**

PREPARED BY: **Ted Baron, Albany High School Principal**

TYPE OF ITEM: **REVIEW AND ACTION**

BACKGROUND INFORMATION

Albany High School conducted a Photography course in wet lab techniques for many years that used wet darkroom equipment to develop film. The darkroom equipment used in the Photography course has become old and obsolete, in large measure due to the fact that all Photography courses are now digitally oriented and use computers and relevant software in photo processing.

Albany High no longer offers a Photography course in wet lab techniques nor is there any plan to do so in the future. Even if there were such plans, the equipment listed below would not serve the purposes of a fast-paced, sophisticated curriculum.

It is recommended that the Board approve the appropriate disposal of the following:

- Film Rollers for Packing (3 Small Boxes, approximately 100-200)
 - 8 Enlargers with Mounting Boards (unassembled)
 - 4 Timers
 - 12 Rusted Developing/Cropping Frames
-

FINANCIAL INFORMATION

There is no financial impact.

RECOMMENDATION: Approve disposal of Albany High School obsolete wet lab photography darkroom equipment.

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP**

Regular Meeting of March 7, 2012

ITEM: Change Order #4 - \$96,489
Albany Aquatic Center

PREPARED BY: Tom Murphy, AUSD, Albany Aquatic Center
Construction Manager

TYPE OF ITEM: REVIEW & ACTION

BACKGROUND INFORMATION:

At the September 7, 2010 Board meeting, the Board approved a contract with McCrary Construction for the construction of the Albany High School Aquatic Center in the amount of \$6,179,000. At the February 1, 2011 Board meeting, the Board approved Change Order #1 in the amount of \$21,224. At the August 2, 2011 Board Meeting, the Board approved Change Order #2 in the amount of \$140,712. At the November 15, 2011 Board Meeting, the Board approved Change Order #3 in the amount of \$84,147.

During the course of construction to date, items have arisen related to changes in project scope and design detail coordination. These issues have been extensively discussed and negotiated among the construction project team of McCrary Construction, LPA Architects, Bollo Construction Management, and the District.

Based on the recommendation of the Construction Project Team it is recommended that McCrary Construction's contract amount be increased by \$96,489 to \$6,524,572. Funding for this increase will be provided by exercising the balance of the Unforeseen Conditions contingency remaining in the McCrary contract, \$10,714, and \$85,775 from the construction contingency.

Detail regarding the individual change items is attached. The Construction Project Manager will be at the March 7, 2012 meeting to address questions from the Board.

FINANCIAL INFORMATION:

Funding Source: Albany High School Aquatic Center Project Budget.

RECOMMENDATION:

Approve the attached Change Order 4 for the Albany High School Aquatic Center in the amount of \$96,489.

Albany High School Aquatic Center

McCrary Construction Change Order No. 4 Detail

Change Order Request No.	Description:	Added Contract Cost:	Added Contract Time:	Type:	Cost Funded By:
19RR	Modifications to door/gate hardware	\$ 7,043.00		Coordination	CO # 4
30R	Provide electrical circuit to two indoor pool covers	\$ 3,991.00		Coordination	CO # 4
49.1	Modify bolt patterns at pool canopy.	\$ 612.00		Coordination	CO # 4
52RR	Microturbine panel board / route conduit	\$ 11,794.00		Added Scope	CO # 4
57	Credit for manual deployment of indoor pool cover	\$ (5,776.00)		Deleted Scope	CO # 4
61.1	Hand dig around existing conduit at Gen 7 classrooms.	\$ 2,104.00		Added Scope	CO # 4
63	Install structural support for electrical panel on roof.	\$ 4,535.00		Coordination	CO # 4
67.1	Move Fire Alarm Panel from portable to pool electrical room	\$ 4,505.00		Gen 7 Work	CO # 4
	Increase thickness and height of epoxy cove base required by Health Dept	\$ 2,335.00		Added Scope	CO # 4
73	required by Health Dept	\$ 2,335.00		Added Scope	CO # 4
78R	New parapet wall at Gridline 2 & 3	\$ 3,032.00		Added Scope	CO # 4
83A	Relocate bent plate at entry	\$ 985.00		Coordination	CO # 4
84R	Remove duct stands and replace with pipe stands	\$ 1,728.00		Coordination	CO # 4
	Install metal galvanized sheet metal strips to meet Manufacturer's specification/warranty	\$ 1,894.00		Coordination	CO # 4
88	Graphics at entry - laminated graphics	\$ 10,378.00		NIC - by AUSD	CO # 4
89	Extend canopy at entry	\$ 434.00		Coordination	CO # 4
					UC allow \$10,714
	Additional work locating sewer due to insufficient information	\$ 9,281.00		Unforseen Conditions	CO #4 \$9,281
92	information	\$ 9,281.00		Conditions	CO #4 \$9,281
93	Install backing for the aluminum stucco reveals	\$ 1,468.00		Coordination	CO # 4
96	Cut metal decking and install closure strip inside entry	\$ 2,299.00		Coordination	CO # 4
97	Added two p-traps to existing sewer line	\$ 12,227.00		Coordination	CO # 4
99	Add handrails to both pools	\$ 763.00		Added Scope	CO # 4
102	Install 'L' metal and plaster control joint at Gridline 3	\$ 1,880.00		Coordination	CO # 4
104	Delete two alkalinity control systems	\$ (1,347.00)		Deleted Scope	CO # 4
				Unforseen	
106	Additional excavation due to buried debris	\$ 2,779.00		Conditions	CO # 4
107	Add epoxy coating to casework toe-kicks	\$ 536.00		Coordination	CO # 4
108	Remove, reverse and reinstall gates 1 & 2	\$ 2,665.00		Coordination	CO # 4
	Revise edge of drywall in corridor 107 & reception room 109	\$ 937.00		Coordination	CO # 4
112	room 109	\$ 937.00		Coordination	CO # 4
113	Add hinged panels at gateway head section	\$ 946.00		Coordination	CO # 4
114	Weld bolts to steel beams to attach lights	\$ 1,843.00		Coordination	CO # 4
117	Install metal astragals on gates 3 & 4	\$ 2,020.00		Coordination	CO # 4
119	Upgrade equipment on pool water heating system	\$ 2,028.00		Coordination	CO # 4
120	Modify stucco on East wall to allow cap removal	\$ 361.00		Coordination	CO # 4
121	Finish and install brake metal at 3 locations	\$ 4,751.00		Coordination	CO # 4
123	Replace lock cylinders on gates 1, 2, 3 & 4	\$ 1,458.00		Coordination	CO # 4
Total Change Order 4 Amount :		\$ 96,489.00		\$21,224	CO #1
Total Percentage of Base Contract: (\$6,179,000)		1.56%		\$140,712	CO #2
				\$87,147	CO #3
Total Change Order Amounts To Date:		\$ 345,572.00		\$249,083	
Total Percentage of Base Contract To Date:		5.59%			
Total Cost of Change Orders Excluding Gen7 Work		\$ 148,960.00			
Percentage of Original Contract Excluding Gen7 Work		2.41%			

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP**

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Regular Meeting of March 6, 2012

**ITEM: REVISED ADMINISTRATIVE REGULATION 5126 –
AWARDS FOR ACHIEVEMENT**

PREPARED BY: Marsha A. Brown, Director III – Student Services

TYPE OF ITEM: REVIEW & DISCUSSION

BACKGROUND INFORMATION:

The Board may adopt revised Board Policy 5126 – Awards for Achievement on March 6, 2012.

This revised Administrative Regulation is being brought forward for consideration and discussion.

FINANCIAL INFORMATION:

None

RECOMMENDATION:

Review revised Administrative Regulation 5126 – Awards for Achievement

Albany USD

Administrative Regulation

Awards For Achievement

AR 5126

Students

Merit Diplomas

To be eligible to receive the Golden State Seal Merit Diploma upon graduation, students shall complete all requirements for a high school diploma and shall demonstrate a mastery of at least six subject areas, four of which shall be mathematics, English language arts, science and United States history, with the remaining two subject areas selected by the student. (Education Code 51451)

(cf. 6143 - Courses of Study)
 (cf. 6146.1 - High School Graduation Requirements)
 (cf. 6162.52 - High School Exit Examination)

To demonstrate mastery of these subject areas, students shall achieve the standards or achievement levels established by the State Board of Education. (Education Code 51452; 5 CCR 876)

(cf. 6162.51 - Standardized Testing and Reporting Program)

The Superintendent or designee shall affix an insignia to the diploma and transcript of each student awarded the merit diploma. (Education Code 51454)

(cf. 5125 - Student Records)

Biliteracy Award

To be eligible to receive the District's biliteracy award upon graduation, a student shall:

1. Complete all English language arts requirements, with an grade point average (GPA) of 2.0 or above in those classes
2. Pass the California Standards Test (CST) in English/Language Arts at the proficient or above level
3. Demonstrate proficiency in one or more languages other than English, by fulfilling at least one of the following requirements:

a. Receive a passing score of 3 or higher on the Advanced Placement exam for foreign language

(cf. 6141.5 - Advanced Placement)

b. Successfully complete a four-year course of study in the same foreign language, attaining an overall GPA of 3.0 or above in those courses

If the primary language of a pupil in any of grades 9 to 12, inclusive, is other than English, he or she shall do both of the following in order to qualify for the State Seal of Biliteracy:

1. Attain the early advanced proficiency level on the California English Language Development Test (CELDT)
2. Meet the requirements of items one (1) through three (3) above

(cf. 6142.2 World/Foreign Language Instruction)

The Superintendent or designee shall annually distribute information about the eligibility requirements for the award and the application process to students in grade 12.

The Superintendent or designee shall affix an insignia to the diploma of each student awarded the biliteracy award.

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Regulation ALBANY UNIFIED SCHOOL DISTRICT
 approved/reviewed: October 6, 2009 Albany, California
 revised:

