

**ALBANY UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION**

*The mission of Albany Unified School District is to provide excellence in public education that empowers all to achieve their fullest potential as productive citizens. Albany Unified School District 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 Avenue  
Albany, CA 94706

**TUESDAY**

October 5, 2010

**A G E N D A**

**I. OPENING BUSINESS**

**6:30 p.m.**

- A) Call to Order
- B) Roll Call
- D) Identify Closed Session Pursuant to Agenda Section III Below

**II. PUBLIC COMMENT PERIOD FOR CLOSED SESSION ITEMS**

*General public comment on any Closed Session item will be heard. The Board may limit comments to no more than three (3) minutes.*

**III. CLOSED SESSION**

**6:35 p.m.**

- A) With respect to every item of business to be discussed in Closed Session pursuant to Government Code Section 54957: Superintendent's Evaluation
- B) With respect to every item of business to be discussed in Closed Session pursuant to Education Code Section 35146: Student Personnel Matters
- C) With respect to every item of business to be discussed in Closed Session pursuant to Education Code Section 48900: Student Discipline, Student ID# 12961
- D) With respect to every item of business to be discussed in Closed Session pursuant to Government Code Section 54954.4: Litigation – John Doe vs. Albany Unified School District
- E) With respect to every item of business to be discussed in Closed Session pursuant to Government Code Section 54854.4: Litigation – Employee ID #5238

F) With respect to every item of business to be discussed in Closed Session pursuant to: Government Code Section 54957: Public Employee Appointment

**Certificated**

1. Amendment
  - a. Teacher
2. Extra Assignment
  - a. Chair, Counseling
  - b. Coach, Cross Country, 6<sup>th</sup>/7<sup>th</sup>
  - c. Coach, Cross Country 8<sup>th</sup>
  - d. Coach, VB, Girls 8<sup>th</sup>
  - e. Coach, Volleyball, 6<sup>th</sup>/7<sup>th</sup>, Girls
  - f. Noontime Activities Director
3. Leave
  - a. Teacher
4. New Hire
  - a. Home/Hospital Teacher
  - b. Substitute Teacher
  - c. Teacher
5. Separation of Service
  - a. Substitute Teacher
  - b. Teacher Librarian
6. Status Change – none

**Classified**

1. Amendment
  - a. Yard Aide
2. Extra Assignment
  - b. Yearbook
3. Leave
  - a. Café Assistant
4. New Hire
  - a. Attendance Clerk
  - b. Network Tech II
  - c. Substitute Custodian
  - d. Substitute Clerical
  - e. Sup Art & Music Program Instructor
  - f. Teacher
  - g. Yard Aide
5. Separation of Service
  - a. Network Tech
  - b. Yard Aid
6. Status Change – none

**Uncompensated Service**

1. Student Teacher
2. Volunteer

**Student Workers****1. Workability**

- G) 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:
- a. California School Employees Association (CSEA)
  - b. Albany Teachers Association (ATA)
  - c. SEIU Local 1021

**IV. OPEN SESSION****7:30 p.m.**

*Depending upon completion of Closed Session items, the Board of Education intends to convene to Open Session at 7:30 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. Approval of Minutes**

- a) September 21, 2010

**2. Personnel Assignment Order**

**a) Certificated Personnel – Public Employee Assignment, Employment, Appointment, Evaluation, Leave Requests:**

- 1. Amendment
  - a. Teacher
- 2. Extra Assignment
  - a. Chair, Counseling
  - b. Coach, Cross Country, 6<sup>th</sup>/7<sup>th</sup>
  - c. Coach, Cross Country 8<sup>th</sup>
  - d. Coach, VB, Girls 8<sup>th</sup>
  - e. Coach, Volleyball, 6<sup>th</sup>/7<sup>th</sup>, Girls
  - f. Noontime Activities Director
- 3. Leave
  - a. Teacher
- 4. New Hire
  - a. Home/Hospital Teacher
  - b. Substitute Teacher
  - c. Teacher
- 5. Separation of Service
  - a. Substitute Teacher
  - b. Teacher Librarian

6. Status Change – none

b) **Classified Personnel – Public Employee Assignment, Appointment  
Employment, Leave Requests:**

1. Amendment
  - a. Yard Aide
2. Extra Assignment
  - b. Yearbook
3. Leave
  - a. Café Assistant
4. New Hire
  - a. Attendance Clerk
  - b. Network Tech II
  - c. Substitute Custodian
  - d. Substitute Clerical
  - e. Sup Art & Music Program Instructor
  - f. Teacher
  - g. Yard Aide
5. Separation of Service
  - a. Network Tech
  - b. Yard Aid
6. Status Change – none

c) **Uncompensated Service**

1. Student Teacher
2. Volunteer

d) **Student Workers**

1. Workability

3. **Personnel**

- a) Approve the Director of Maintenance and Operations Job Description

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4. **Curriculum and Instruction**

- a) Approve the Quarterly Report on Williams Uniform Complaints for October 2010
- b) Approve the Extended Overnight Field Trip Request for Albany Middle School 6<sup>th</sup> grade to attend Camp Arroyo Outdoor Education Program
- c) Approve the Extended Overnight Field Trip Request for Albany High School to attend the Stanford Model United Nations Conference

Pg 10

Pg 11

Pg 12

5. **Business and Operations**

- a) Approve the Inspector of Record services for the Albany High School Aquatic Center Pg 13
- b) Approve the allocation/2<sup>nd</sup> distribution of donations from SchoolCARE Pg 14

6. **Student Services**

V. **STUDENT BOARD MEMBERS**

- A) Student Board Member Report

VI. **STAFF REPORTS**

- A) Albany Unified School District Honoring of SchoolCARE and Albany Music Fund for Support at Albany Schools (Oral Report)
- B) Park and Recreation Report (Oral Report)
- C) Elementary Enrichment Report (Oral Report)

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.*

VIII. **REVIEW AND ACTION ITEMS**

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

- A) Open Public Hearing on the Sufficiency of Instructional Materials
- B) Close Public Hearing on the Sufficiency of Instructional Materials
- C) Approve Sufficiency of Instruction Materials Resolution 2010-11-05 Pg 16
- D) Conduct 2<sup>nd</sup> reading and approve BP 3312 - Professional Services Pg 17  
Contracts

IX. **REVIEW AND DISCUSSION ITEMS**

- A) Education Jobs Funds Pg 21
- B) 2010-2011 Enrollment Pg 23
- C) Elementary Student Educational Equity Pg 29

X. **BOARD AND SUPERINTENDENT COMMENTS**

XI. **FUTURE AGENDA ITEMS**

- A) Single School Plans October/November
- B) Measure E Final Report October
- C) Special Education Report October
- D) Food Services Report October
- E) Enrichment Report October
- F) Strategic Planning Update November
- G) Wellness Committee Report November
- H) Facilities Update November

**XII. FUTURE BOARD MEETINGS**

- A) Tuesday, October 19, 2010, 7:30 p.m., Regular Meeting  
Albany City Hall, 1000 San Pablo Avenue, Albany
- B) WEDNESDAY, November 3, 2010, 7:30 p.m., Regular Meeting  
Albany City Hall, 1000 San Pablo Avenue, Albany
- C) Tuesday, November 16, 2010, 7:30 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 10:00 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 the Albany Public Library, 1247 Marin Avenue, all school sites, and the lobby of the Albany Unified School District office, 1051 Monroe Street, Albany. The agenda is available on the Albany Unified School District web site: [www.ausdk12.org](http://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 Disability 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 give 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  
BOARD AGENDA BACKUP**

**Regular Meeting of October 5, 2010**

**ITEM: APPROVE THE DIRECTOR OF MAINTENANCE AND  
OPERATIONS JOB DESCRIPTION**

**PREPARED BY:** Laurie Harden, Assistant Superintendent – Business Services

**TYPE OF ITEM: CONSENT**

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**BACKGROUND INFORMATION:**

In an effort to become more efficient, staff has been reviewing and analyzing the district maintenance and operations department, primarily management and supervisory positions and how to improve our overall services. During the past year, the district has employed a half-time Supervisor of Facilities and an hourly Custodial Supervisor. Both positions are critical to the department, but lack the continuity of a single position.

In anticipation of implementing a single position, the district has developed a Director of Maintenance and Operations job description. In past years the district had a job description and position for a Director of Facilities, but this did not incorporate the full scope of the maintenance and operations department.

The salary schedule for this position would be the same as the previous position and placed on the Classified Management schedule. The overall cost, depending on placement, would be a minimal increase compared to the cost of our current management/supervisory positions. Additionally, the new job description includes required experience that could potentially reduce the cost of some of our contracted services.

The overall goal is to provide departmental continuity with minimal fiscal impact.

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**RECOMMENDATION:** Approve the Director of Maintenance and Operations Job Description

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**ALBANY UNIFIED SCHOOL DISTRICT**  
**Director of Maintenance & Operations**

**SUMMARY / NATURE AND SCOPE**

Under general direction, plans, directs, manages and oversees the activities and operations of the Maintenance, Operations, and Facilities department including routine on-going facilities and ground maintenance and repair, deferred maintenance program, facilities and grounds improvements, modernization and new construction, custodial services, and grounds upkeep. Coordinates assigned activities with other departments, exhibiting a high degree of competency in the areas of human relations and technical expertise in order to successfully manage a broad scope of activities in these program areas. Provides effective direction, supervision and evaluation of maintenance, custodial, facilities and grounds staff.

**ESSENTIAL TYPES OF DUTIES (Duties may include but are not limited to the following):**

- Manages the development and implementation of the department's goals, objectives, policies, and priorities for each assigned service area. Establishes within District policy, appropriate service and staffing levels. Allocates resources accordingly.
- Directs, integrates, and coordinates the care of District facilities and grounds to ensure clean, aesthetic, functional and safe conditions.
- Develops, implements, and manages the construction programs and associated contracts for school facilities.
- In cooperation with the Assistant Superintendent, Business, develop and monitor project budgets, assist with the development of funding applications, including working with State officials and other support service providers to establish eligibility for state funding.
- Ensure that all project costs are accounted for accurately by funding source in order to provide necessary documentation for state funding and reporting requirements and bond oversight review.
- Manage construction projects to ensure plans are properly implemented, remain on schedule and within budget, and manage all requests for information, change orders and pay requests.
- Councils/provides direction to principals on the operation and maintenance of school sites.
- Manages the coordination and scheduling of public use of school facilities, including the charging of the appropriate use of facilities fees as applicable.
- Continuously monitors and evaluates the efficiency and effectiveness of service delivery methods and procedures. Assesses and monitors work load, administrative and support systems, and internal reporting relationships. Identifies opportunities for improvement. Directs the implementation of changes.
- Plan, organize, and coordinate District activities and projects related to custodial and grounds maintenance, including floors, restrooms, classrooms, offices, play areas, fields, and other landscaped and improved areas; assure proper staffing coverage is available for daily cleaning and special assignments.
- Confer with District and school site staff regarding school site and office maintenance needs; investigate complaints and problems; set priorities and schedule the completion of work requests with specific custodial and grounds maintenance personnel.
- Conduct continual on-site inspections of custodial and maintenance functions at different sites and facilities; enforce District work productivity, quality, and attendance standards and health and safety requirements; follow-up with staff regarding work progress and results.
- Selects, trains, motivates and evaluates maintenance, grounds, custodial, and facilities personnel. Following the District's established procedures, provides effective evaluation of subordinate staff, including support in areas identified as needing improvement, which may include discipline and termination procedures.
- Manages and participates in the development and administration of the various department budgets, including preparation of budgetary adjustments as necessary. Directs the forecast of additional funds needed for staffing, equipment, materials, and supplies.
- Meets, reviews, and approves public and volunteer projects related to grounds and building improvements.
- Responds to and resolves difficult and sensitive maintenance inquiries and complaints, including compliance with the Williams Act.
- Monitors compliance with appropriate laws, codes, and regulations (including but not limited to hazardous materials, integrated pest management, storm water management, and energy management programs).
- Develops and enforces applicable Board Policies and Administrative Regulations in areas of responsibility.
- Effectively communicates and maintains cooperative relationships with those contacted in the course of work.
- Performs other duties as required to accomplish the objectives of the position.



QUALIFICATIONS:

Knowledge and Skills:

Knowledge of operational characteristics of facilities, grounds, and custodial services and activities of a comprehensive plant operations program.

Knowledge of the Uniform Building Code Title 24, including public school building regulations for the handicapped, and other related state and federal laws and codes related to school facilities construction.

Skill in organization and management practices as applied to the analysis and evaluation of programs, policies and operational needs.

Knowledge of modern and efficient custodial and grounds maintenance practices, methods, and techniques; work scheduling practices; supervisory, training, and inspection techniques; performance evaluation methods; proper procedures for the storage, mixing, application, and disposal of chemical solutions; proper use of maintenance tools and equipment.

Knowledge of the principles and practices of installation, operation, maintenance, and repair of heating, air conditioning, electrical, plumbing, carpentry, masonry, painting, and locksmithing, welding, refrigeration, and other mechanical systems.

District maintenance policies, work rules, and health and safety requirements; purchasing rules and requirements; budgeting procedures.

Skill in organizing work and building an effective team to respond to a high volume of service requests.

Abilities:

Ability to plan, organize, direct and coordinate the work of supervisory, professional, and trades personnel;

Ability to delegate authority and responsibility;

Ability to allocate limited resources in a cost-effective manner; and the ability to sequence and execute a high volume of work projects.

Ability to sequence and integrate multiple projects and programs among and between school site and district personnel, outside contractors, consultants and other associated professionals.

Ability to confer with administrators, faculty, parent groups, vendors, and other parties to coordinate custodial and grounds maintenance projects.

Ability to prepare clear and concise reports using correct grammar, syntax, punctuation and spelling.

Ability to read, understand, and interpret plans, blueprints, and specifications for building and grounds projects as well as the ability to prepare cost estimates, write construction or equipment specifications, and prepare bids.

Ability to evaluate the daily cleaning of District facilities, grounds upkeep, and maintenance and repair needs and develop policies and procedures to maintain established standards.

Physical Abilities:

Sufficient ambulatory ability to inspect premises, including some ability to bend, stoop, and walk in confined areas; minimal exposure to safety or health hazards, with periodic work outside with exposure to inclement weather.

Sufficient visual acuity to read detailed drawings, recognizing words and numbers.

Sufficient auditory ability to carry on conversations in person and over the phone.

Minimum Qualifications: (Education and/or Experience):

Bachelors degree from an accredited college or university with major course work in engineering, architecture, industrial technology, or a related field and minimum of five years of increasingly responsible experience in the maintenance and construction of buildings, grounds and facilities preferably in a school district including two years of supervisory responsibility.

OR

Master-level experience in a skilled construction trade and a minimum of ten years of experience, with three of them in a supervisory capacity, preferably in a school district setting.

Licenses or Certificates:

Valid California Driver's License

**Valenzuela/CAHSEE Lawsuit Settlement**  
**Quarterly Report on Williams Uniform Complaints**  
 [Education Code § 35186(d)]

District: Albany Unified School District

Person completing this form: Lynda Hornada

Title: Director of Curriculum and Instruction

Quarterly Report Submission Date:  
 (check one)

- ☐ April 2010  
☐ July 2010  
☒ October 2010  
☐ January 2011

Date for information to be reported publicly at governing board meeting: October 5, 2010

Please check the box that applies:

- ☒ No complaints were filed with any school in the district during the quarter indicated above.
- ☐ Complaints were filed with schools in the district during the quarter indicated above. The following chart summarizes the nature and resolution of these complaints.

General Subject Area	Total # of Complaints	# Resolved	# Unresolved
Textbooks and Instructional Materials	0		
Teacher Vacancy or Misassignment	0		
Facilities Conditions	0		
CAHSEE Intensive Instruction and Services	0		
TOTALS	0		

Marla Stephenson  
 Superintendent

\_\_\_\_\_  
 Signature of District Superintendent

October 5, 2010  
 Date

**ALBANY UNIFIED SCHOOL DISTRICT  
BOARD AGENDA BACKUP**

**Regular Meeting of October 5, 2010**

**ITEM:** **APPROVE THE EXTENDED OVERNIGHT FIELDTRIP  
REQUEST FOR ALBANY MIDDLE SCHOOL 6<sup>TH</sup> GRADE TO  
ATTEND THE CAMP ARROYO OUTDOOR EDUCATION  
PROGRAM**

**PREPARED BY:** Lynda Hornada, Director of Curriculum and Instruction

**TYPE OF ITEM:** **CONSENT**

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**BACKGROUND INFORMATION:**

Dates of Trip:

April 4-6, 2011 Group 1

April 6-8, 2011 Group 2

April 18-20, 2011 Group 3

All Groups will depart AMS at 10:30 AM and return at 3:00 PM.

Description of Trip:

In the Camp Arroyo program, students will interact with the natural environment to learn basic principals of ecology and natural resources. Experienced professional Camp Arroyo faculty will lead small group instruction designed to broaden the students' awareness of the natural world.

Rate: No Cost to the District

Cost not to exceed: N/A

**X Standard Field Trip Request**

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**FINANCIAL INFORMATION:**

Funding Source: Donations

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**RECOMMENDATION:** Approve the Extended Overnight Fieldtrip Request for Albany Middle School 6th grade to attend the Camp Arroyo Outdoor Education Program

**ALBANY UNIFIED SCHOOL DISTRICT  
BOARD AGENDA BACKUP**

**Regular Meeting of October 5, 2010**

**ITEM:**                    **APPROVE THE EXTENDED OVERNIGHT FIELDTRIP  
REQUEST FOR ALBANY HIGH SCHOOL TO ATTEND THE  
STANFORD MODEL UNITED NATIONS CONFERENCE**

**PREPARED BY:**        Lynda Hornada, Director of Curriculum and Instruction

**TYPE OF ITEM:**        **CONSENT**

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**BACKGROUND INFORMATION:**

Dates of Trip:

November 12 – 14, 2010

Students will depart AHS at 2:30 PM on November 12 and return at 5:00 PM on November 14.

Description of Trip:

Approximately 43 students in grades 9-12 will attend the annual Model UN Conference at Stanford University.

Rate: No Cost to the District

Cost not to exceed: N/A

**X Standard Field Trip Request**

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**FINANCIAL INFORMATION:**

Funding Source: Donations

**RECOMMENDATION:**

Approve the Extended Overnight Fieldtrip Request for Albany High School to attend the Stanford Model United Nations Conference

**ALBANY UNIFIED SCHOOL DISTRICT  
BOARD AGENDA BACKUP**

**Regular Meeting of October 5, 2010**

**ITEM:**                    **APPROVE AWARD OF INSPECTOR OF RECORD  
SERVICES FOR THE ALBANY HIGH SCHOOL  
AQUATIC CENTER**

**PREPARED BY:**        Marla Stephenson, Superintendent

**TYPE OF ITEM:**        **CONSENT**

**BACKGROUND INFORMATION:**

The Division of the State Architect (DSA) requires that a DSA certified Inspector of Record (IOR) be contracted by the District to perform field inspection to ensure the construction of the Albany High School Aquatic Center is consistent with the DSA approved project plans. The IOR will also coordinate the services of the Geotechnical and Special Testing and Inspection consultant.

Three qualified and reputable independent IOR's were asked to provide hourly rates. Generally, IOR services are based on an hourly rate as opposed to a lump sum due the variability of the project demands. The following are the responses to the proposal request:

Firm	Cost
Neil Broadhead	\$75 per hour
Matt Fabian	\$75 per hour
Randy Green	\$85 per hour

Although Neil Broadhead and Matt Fabian's hourly fee are the same, Mr. Broadhead has worked with the District before as the IOR for the Cougar Field Project. He proved to be an effective IOR.

**FINANCIAL INFORMATION:**

\$75.00 per hour with cost not to exceed a total of \$70,000.00

**RECOMMENDATION:**

Approve award of Inspector of Record Services for the Albany High School Aquatic Center

**ALBANY UNIFIED SCHOOL DISTRICT  
BOARD AGENDA BACKUP**

**Regular Meeting of October 5, 2010**

**ITEM:** **APPROVE THE ALLOCATION/2<sup>nd</sup> DISTRIBUTION OF  
DONATIONS FROM SCHOOLCARE**

**PREPARED BY:** Laurie Harden, Assistant Superintendent – Business Services

**TYPE OF ITEM:** **CONSENT**

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**BACKGROUND INFORMATION:**

SchoolCARE has generously funded a second allocation for the 2010-11 year. Per the attachment, the additional allocation is \$37,900, bringing the total allocation for the 2010-11 year to \$245,433.

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**RECOMMENDATION:**

Approve the allocation/2<sup>nd</sup> round distribution of donations from SchoolCARE

# 10-11 allocation (1st DRAFT)

9/27/2010

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	Desired 2010-11		1st Round offer 0-11			2nd Round offer 0-11		
SITE/PROGRAM	Est. FTE	Estimated cost	Est. FTE	Estimated cost		Est. FTE	Estimated cost	
<b>ELEMENTARY</b>								
Intervention/Reading Specialist	1.8	120,821	1.2	82,964	r1			
Math Specialists								
Library &/or Classroom aides	1.2	35,456	0.0	0				
Art enrichment							15,500	r2
<b>Site Total</b>		<b>\$156,277</b>		<b>\$82,964</b>			<b>\$15,500</b>	
<b>AMS</b>								
Counselor	0.4	17,558	0.4	24,000	r1			
Electives	4	60,327	2	30,163	r1			
6th Grade Enrichment		5,000						
Technology support								
Library &/or Classroom aides		5,000						
Noontime Activity Support		5,000					9,200	r2
<b>Site Total</b>		<b>\$92,884</b>		<b>\$54,163</b>			<b>\$9,200</b>	
<b>MacGregor</b>								
Counselor	0.1	2,000	0.1	2,000	r1			
Computer Science								
Enrichment		1,000		500	r1			
<b>Site Total</b>		<b>\$3,000</b>		<b>\$2,500</b>			<b>\$0</b>	
<b>AHS</b>								
Technology SchoolLink (~25+ teachers @ \$1,500)								
SchoolLink Software and Licensing (incl. above)								
Electives	5	73,070	4	58,456	r1			
Career tutor/coordinator	0.6	22,500	0.3	9,450	r1	0.3	13,200	r2
Library Aide								
Literacy & math spec.								
Mental health counseling support								
Future leaders Institute (FLI)		2,500						
Teacher training, 9th grade renewal								
College/Career Replacement (6 weeks)								
<b>Site Total</b>		<b>\$98,070</b>		<b>\$67,906</b>			<b>\$13,200</b>	
<b>GRAND TOTAL</b>		<b>\$350,231</b>		<b>\$207,533</b>			<b>\$37,900</b>	
<b>Available funds for 10-11</b>								
In hand 8/30/10								
Pledges @ \$3,000 per month sept through april								
contingency								(for additional current year expenses)
Total Available for allocation				<b>\$246,000</b>				
Proposed allocation				<b>\$207,533</b>				
Surplus/(gap)		<b>Avail for R.2</b>		<b>\$38,467</b>				

**ALBANY UNIFIED SCHOOL DISTRICT****Board of Education  
RESOLUTION 2010-10-05  
Sufficiency or Insufficiency of  
Instructional Materials**

WHEREAS, the Governing Board of the Albany Unified School District, in order to comply with the requirements of Education Code Section 60119 held a public hearing on October 5, 2010 at 8:00 p.m. and which did not take place during or immediately following school hours, and:

WHEREAS, the governing board provided notice of the public hearing posted in at least three public places within the district that stated the time, place, and purpose of the hearing, and;

WHEREAS, the governing board encouraged participation by parents, teachers, members of the community, and bargaining units leaders in public hearing, and;

**For a Finding of Sufficient Instructional Materials:**

WHEREAS, information provided at the public hearing and the governing board at the public meeting detailed the extent to which textbooks and instructional materials were provided to all students, including English learners, in the district, and;

WHEREAS, the definition of "sufficient textbooks or instructional materials" means that each pupil has a textbook or instructional material, or both, to use in class and to take home to complete required homework assignments, and;

WHEREAS, sufficient textbooks and instructional materials were provided to each student, including English learners, in mathematics, science, history-social science, and English/language arts, including the English language development component of an adopted program, consistent with the cycles and content of the curriculum frameworks, and;

WHEREAS, sufficient textbooks or instructional materials were provided to each pupil enrolled in foreign language or health classes, and;

WHEREAS, sufficient laboratory science equipment was provided for science laboratory classes offered in grades 9-12, inclusive;

THEREFORE, it is resolved that for the 2010-11 school year, the Albany Unified School District has provided each pupil with sufficient textbooks and instructional materials consistent with the cycles and content of the curriculum frameworks.

AYES:

NAYES:

ABSTAIN:

ABSENT:

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Ron Rosenbaum, President

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Dated



**ALBANY UNIFIED SCHOOL DISTRICT  
BOARD AGENDA BACKUP**

**Regular Meeting of October 5, 2010**

**ITEM:** **CONDUCT 2<sup>ND</sup> READING AND APPROVE BOARD  
POLICY 3312 – CONTRACTS (BUSINESS AND  
OPERATIONS)**

**PREPARED BY:** Marla Stephenson, Superintendent

**TYPE OF ITEM:** **ACTION**

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**BACKGROUND INFORMATION:**

Pursuant to Governing Board Bylaws, staff members shall regularly review Governing Board policies, administrative regulations, and exhibits to compare them against the latest sample materials from California School Boards Association (CSBA). After comparison, appropriate updates and revisions are presented for Governing Board consideration for appropriate action as recommended by staff.

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**FINANCIAL INFORMATION:**

No fiscal impact

**RECOMMENDATION:** Conduct 2<sup>nd</sup> reading and approve Board Policy 3312 – Contracts (Business and Operations)

**Business and Noninstructional Operations**

BP 3312(a)

**CONTRACTS**

Whenever state law invests the Board of Education with the power to enter into contracts on behalf of the district, the Board may, by a majority vote, delegate this power to the Superintendent or designee. To be valid or to constitute an enforceable obligation against the district, all contracts must be approved and/or ratified by the Board. (Education Code 17604)

*(cf. 3300 - Expenditures and Purchases)*

*(cf. 3314 - Payment for Goods and Services)*

*(cf. 3400 - Management of District Assets/Accounts)*

All contracts between the district and outside agencies shall conform to standards required by law and shall be prepared under the direction of the Superintendent or designee.

*(cf. 2121- Superintendent's Contract)*

*(cf. 4312.1 - Contracts)*

*(cf. 9124 - Attorney)*

When required by law, contracts and subcontracts made by the district for public works or for goods or services shall contain a nondiscrimination clause prohibiting discrimination by contractors or subcontractors. The nondiscrimination clause shall contain a provision requiring contractors and subcontractors to give written notice of their obligations to labor organizations with which they have a collective bargaining or other agreement. (Government Code 12990)

**The Superintendent or designee may enter into contracts on behalf of the district for amounts up to the limits prescribed in Public Contract Code, up to \$15,000, without prior approval from the Board. Contracts will be submitted to the Board for ratification within 60 days. (Education Code 17605)**

**The Superintendent or designee shall be authorized to approve contracts for professional services, which are exempt from formal bidding, up to an amount not to exceed \$25,000 without prior approval from the Board. (Education Code 17605)**

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

The district shall not enter into a contract that prohibits a school employee from disparaging the goods or services of the contracting party. (Education Code 35182.5)

**Contracts for Electronic Products or Services**

The Board shall not enter into a contract for electronic products or services that requires the dissemination of advertising to students, unless the Board: (Education Code 35182.5)

1. Enters into the contract at a noticed, public hearing of the Board.

*(cf. 9320 - Meetings and Notices)*

BP 3312(b)

**CONTRACTS (continued)**

2. Makes a finding that the electronic product or service is or would be an integral component of the education of students.

*(cf. 0440 - District Technology Plan)*

3. Makes a finding that the district cannot afford to provide the electronic product or service unless it contracts to permit dissemination of advertising to students.

*(cf. 1325 - Advertising and Promotion)*

4. As part of the district's normal, ongoing communication to parents/guardians, provides written notice that the advertising will be used in the classroom or other learning center.
5. Offers parents/guardians the opportunity to request in writing that their child not be exposed to the program that contains the advertising. Any request shall be honored for the school year in which it is submitted, or longer if specified, but may be withdrawn by the parents/guardians at any time.

*Legal Reference:*EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

14505 Provisions required in contracts for audits

17595-17606 Contracts

35182.5 Contract prohibitions

45103.5 Contracts for management consulting service related to food service

49431-49431.5 Nutritional standards

CODE OF CIVIL PROCEDURE

685.010 Rate of interest

GOVERNMENT CODE

12990 Nondiscrimination and compliance employment programs

53260 Contract provision re maximum cash settlement

53262 Ratification of contracts with administrative officers

LABOR CODE

1775 Penalties for violations

1810-1813 Working hours

PUBLIC CONTRACT CODE

4100-4114 Subletting and subcontracting fair practices

7104 Contracts for excavations; discovery of hazardous waste

7106 Noncollusion affidavit

20111 Contracts over \$50,000; contracts for construction; award to lowest responsible bidder

20104.50 Construction Progress Payments

22300 Performance retentions

UNITED STATES CODE, TITLE 20

1681-1688 Title IX, discrimination

*Management Resources:*

CSBA PUBLICATIONS

*Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide*, rev. 2005

WEB SITES

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

California Association of School Business Officials: <http://www.casbo.org>

**ALBANY UNIFIED SCHOOL DISTRICT  
BOARD AGENDA BACKUP**

**Regular Meeting of October 5, 2010**

**ITEM: EDUCATION JOBS FUNDS**

**PREPARED BY:** Laurie Harden, Assistant Superintendent – Business Services

**TYPE OF ITEM: REVIEW AND DISCUSSION**

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**BACKGROUND INFORMATION:**

The Education Jobs and Medicaid Assistance Act of 2010 (PL111-226) is federal legislation that provides one-time funding to school districts nationwide to retain, restore, add or otherwise compensate school personnel

From the California Department of Education's website:

**Use of Funds**

LEAs may use Ed Jobs funds to compensate employees for any period after August 10, 2010, the date of enactment of the Act. Funds must be expended by September 2012.

LEAs must use the funds at the school site level for compensation and benefits and other expenses, such as support services, necessary to retain existing employees; to recall or rehire former employees; and, to hire new employees in order to provide early childhood, elementary, or secondary educational and related services. This includes salaries, performance bonuses, health insurance, retirement benefits, incentive for early retirement, pension fund contributions, tuition reimbursement, student loan repayment assistance, transportation subsidies, and reimbursement for child care expenses. Funds may be used to restore reductions in salaries and benefits or to implement increases. They also may be used to eliminate furlough days.

In addition to teachers, employees supported with Ed Jobs funds may include, among others, principals, assistant principals, academic coaches, in-service teacher trainers, classroom aides, counselors, librarians, secretaries, social workers, psychologists, interpreters, physical therapists, speech therapists, occupational therapists, information technology personnel, nurses, athletic coaches, security officers, custodians, maintenance workers, bus drivers, and cafeteria workers.

Funds may not be used for: (1) administrative expenditures related to the operation of the superintendent's office or the LEA's board of education, including the salaries and benefits of LEA-level administrative employees; and (2) expenditures for fiscal services, LEA program planners and researchers, and human resource services.

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**FINANCIAL INFORMATION:**

Each school district's portion of the \$1.2 billion total will be based on their proportionate share of the total state revenue limit funding. The California Department of Education released preliminary allocations based on 2009-10 revenue limits. The final allocation will be made based on the 2010-11 revenue limit information, to be certified in June 2011.

Albany Unified School District's allocation is estimated to be **\$713,323**. The district should receive a preliminary allocation equal to 90 percent, **\$641,991**, within the next few months.

Until a State budget is adopted, it is unknown how these funds will impact overall revenue and whether State revenue will be reduced accordingly.

**RECOMMENDATION:**

Review and discuss Education Jobs Funds

**ALBANY UNIFIED SCHOOL DISTRICT  
BOARD AGENDA BACKUP****Regular Meeting of October 5, 2010****ITEM: 2010-11 DISTRICT ENROLLMENT****PREPARED BY:** Marla Stephenson, Superintendent**TYPE OF ITEM: REVIEW AND DISCUSSION**

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**BACKGROUND INFORMATION:**

2010-11 Albany Unified School District enrollment as of September 30, 2010 is 3855. This is an increase of twelve students over the projection of 3843 calculated in the 2010-11 budget.

(CALPADS) California Longitudinal Pupil Achievement Data System has replaced the California Basic Educational Data System (CBEDS) as the annual data collection administered on October 6, 2010. The purpose of CALPADS is to collect individual-level data including student demographics, course data, discipline, assessments, staff assignments, and other data for state and federal reporting.

There may be some minor changes to the enrollment numbers reported to the State due to non-public school placements and any new enrollments and drops.

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**RECOMMENDATION:**

Discuss 2010-11 District Enrollment

# **Cornell Elementary**

Total

	Female	Male	Active	Classes	# of Teachers	Average Class Size
Grade K	54	47	101	100	4	25.25
Grade 1	53	51	104	100	4	26
Grade 2	43	55	98	100	4	24.5
Grade 3	48	49	97	100	4	24.25
Grade 4	44	48	92	93	3	30.6
Grade 5	48	41	89	93	3	29.6
Total:	290	291	581			

# **Marin Elementary**

Total

	Female	Male	Active	Classes	# of Teachers	Average Class Size
Grade K	39	36	75	75	3	25
Grade 1	58	45	103	100	4	25.75
Grade 2	41	55	96	100	4	24
Grade 3	36	40	76	75	3	25.3
Grade 4	44	47	91	93	3	30.3
Grade 5	52	41	93	93	3	31
Total:	270	264	534			



## Ocean View Elementary

Total

	Female	Male	Active	Classes	# of Teachers	Average Class Size
Grade K	44	56	100	100	4	24.75
Grade 1	50	54	104	100	4	26
Grade 2	47	49	96	100	4	24.25
Grade 3	36	39	75	75	3	24.6
Grade 4	41	52	93	93	3	31.3
Grade 5	50	54	104	93	3	26
Total:	268	304	572			

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### Albany Middle School

	Total			
	Female	Male	Active	
Grade 6	138	158	296	
Grade 7	144	149	293	
Grade 8	135	171	306	
Total:	417	478	895	

### Albany High School

	Total			
	Female	Male	Active	
Grade 9	151	147	298	
Grade 10	173	161	334	
Grade 11	151	157	308	
Grade 12	141	128	269	
Total:	616	593	1209	

### MacGregor High School

	Total			
	Female	Male	Active	
Grade 9	0	0	0	
Grade 10	2	2	4	
Grade 11	3	14	17	
Grade 12	17	15	32	
Total:	22	31	53	

**Special Education School**

	Total			
	Female	Male	Active	
Grade 13	4	6	10	
Grade 14	1	0	1	
Total:	5	6	11	

# Overall Enrollment

	Cornell	Marin	O.View	AMS	AHS	MAC	SPEC	Total Active	Waitlist
Grade K	101	75	100					276	17
Grade 1	104	103	104					311	6
Grade 2	98	96	96					290	0
Grade 3	97	76	75					248	13
Grade 4	92	91	93					276	6
Grade 5	89	93	104					286	0
	581	534	572					1687	
Grade 6				296				296	18
Grade 7				293				293	15
Grade 8				306				306	7
				895				895	
Grade 9					298	0		298	11
Grade 10					334	4		338	8
Grade 11					308	17		325	10
Grade 12					269	32		301	3
					1209	53		1262	
Grade 13							10	10	
Grade 14							1	1	
							11	11	
All Grades:								3855	114

9/29/10

**ALBANY UNIFIED SCHOOL DISTRICT  
BOARD AGENDA BACKUP**

**Regular Meeting of October 5, 2010**

**ITEM:** ELEMENTARY STUDENT EDUCATIONAL EQUITY

**PREPARED BY:** Marla Stephenson, Superintendent

**TYPE OF ITEM:** REVIEW AND DISCUSSION

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**BACKGROUND INFORMATION:**

In 2009-10 the Board of Education adopted new Board Policies. During the process Board Members addressed the issues of educational equity at Marin, Cornell and Ocean View Elementary Schools.

The Board of Education asked staff to review field trips, supplementary programs, materials, and activities funded by donations to insure educational equity. The following two Board policies clearly outline the Board of Education's commitment to provide all students with equal educational opportunities.

Below is Board Policy 3290 which outlines Gifts, Grants and Bequests; and Board Policy 5000 regarding Concepts and Roles:

*BP 3290 Business and Noninstructional Operations*

***Gifts, Grants And Bequests***

**The Board of Education may accept any bequest or gift of money or property on behalf of the district. While greatly appreciating suitable donations, the Board discourages any gifts which may directly or indirectly impair its commitment to providing equal educational opportunities for all district students.**

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

*Before accepting a gift, the Board shall consider whether the gift:*

- 1. Has a purpose consistent with the district's vision and philosophy*
- 2. Begins a program which the Board would be unable to continue when the donated funds are exhausted*
- 3. Entails undesirable or excessive costs*

#### *4. Implies endorsement of any business or product*

*(cf. 1325 - Advertising and Promotion)*

*The Board shall carefully evaluate any conditions or restrictions imposed by the donor in light of district philosophy and operations. If the Board feels the district will be unable to fully satisfy the donor's conditions, the gift shall not be accepted.*

*Gift books and instructional materials shall be accepted only if they meet regular district criteria.*

*(cf. 6161.1 - Selection and Evaluation of Instructional Materials)*

*All gifts, grants and bequests shall become district property. Donors are encouraged to donate all gifts to the district rather than to a particular school. At the Superintendent or designee's discretion, a gift may be used at a particular school.*

#### *BP 5000 Students*

##### ***Concepts and Roles***

*The Board of Education shall make every effort to maintain a safe, positive school environment and student services that promote student welfare and academic achievement. The Board expects students to make good use of learning opportunities by demonstrating regular attendance, appropriate conduct and respect for others.*

*(cf. 5113 - Absences and Excuses)*

*(cf. 5131 - Conduct)*

*(cf. 5137 - Positive School Climate)*

***The Board is fully committed to providing equal educational opportunities and keeping the schools free from discriminatory practices. The Board shall not tolerate the intimidation or harassment of any student for any reason.***

Field Trips: Attached please find the 2009-10 field trips taken by the three sites. The total trips taken are within 25% of the high of 51 trips and the low of 38 trips. There is a larger variance between grade levels.

Supplementary Programs: Supplemental enrichment classes have been available to our elementary students during the school day through generous parent donations and/or PTA

support. The supplemental instructors bring a certain level of expertise into the classroom that enhances the learning experience for the students. The Board inquired about why the majority of supplemental programs occurred at two sites while the third site did not have the same enrichment opportunities. As a result, in 2009, staff developed job descriptions and a process for the supplemental program. The process that each candidate needs to follow is listed below:

1. Develop a comprehensive proposal for a short-term supplemental core curriculum enrichment program that includes engaging lessons and activities for K-5 grade students.
2. Proposal must include a calculation of instructional minutes as well connection to state curriculum standards.
3. Organize class systems and procedures to manage student behavior to ensure all students are fully engaged and learning.
4. Work in conjunction with the classroom teacher to support/enrich curriculum.

The candidate submits the application, a program proposal, and cost breakdown for time and materials to the Principal. The principal reviews it and decides whether or not to move forward in the process of implementing it during the school day. The Director of Curriculum and Instruction reviews the proposal to insure equity among the three schools.

As we move into the 2010-11 school year, the supplemental enrichment programs are the center of the site and district discussions as to which programs will occur within the instructional day and which programs will be held outside of the instructional day and determine how they can be funded and made available at all 3 schools.

Donations: Attached please find the 2009-10 donations made by the PTA at each elementary school site. The SchoolCARE, Albany Music Fund donate funds to the District and direct those funds equitably to each site after consulting with the three elementary principals.

Albany Music Fund provides .133 FTE music instructor at each site and a musical theater instructor for grades 4 and 5 at each site.

SchoolCARE provides .40 FTE Intervention teacher at each site and equal funding for a standards based arts program at each site.

Staff recommends that the Board of Education hold a Study Session on November 3, 2010 with site and district staff, parents and community members to discuss way to insure educational equity for all elementary students.

<p><b>RECOMMENDATION:</b></p>
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<p>Discuss Elementary Student Educational Equity</p>
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Albany Unified School District  
2009-10 Field Trips by Elementary Site

School: Cornell	# of Trips		School: Marin	# of Trips		School: OV	# of Trips
Grade			Grade			Grade	
K	0		K	6		K	9
1	4		1	10		1	7
2	11		2	12		2	2
3	8		3	7		3	8
4	8		4	7		4	10
5	7		5	9		5	12
Total	38*		Total	51*		Total	48*

\*Totals from number of approved Field trip requests from 2009-2010



Albany Unified School District  
**2009-10 Donations by Site**

	Donations			
	Cornell	Marin	OV	Total
<b>2009/10 Beginning Balance</b>	\$ 58,828.00	\$ 20,392.00	\$ 7,864.00	\$ 87,084.00
<b>Revenues</b>	\$ 72,789.18	\$ 53,808.58	\$ 28,501.32	\$ 155,099.08
<b>Expenditures</b>	\$ 91,590.75	\$ 57,151.21	\$ 34,087.20	\$ 182,829.16
<b>2009/10 Ending Balance</b>	\$ 40,026.43	\$ 17,049.37	\$ 2,278.12	\$ 59,353.92
<b>2010/11 Beginning Balance</b>	\$ 40,026.00	\$ 17,049.00	\$ 2,278.00	\$ 59,354.00

Balance Percent of Total                      67%                      29%                      4%

