

**WEST CONTRA COSTA  
UNIFIED SCHOOL DISTRICT**

**BOARD OF TRUSTEES**



**MISSION STATEMENT**

We provide the highest quality education to enable all students to make positive life choices, strengthen our community, and successfully participate in a diverse and global society.

We provide excellent learning and teaching experiences; safe, student-centered learning environments; and support for all students and employees. We develop and maintain productive community partnerships and individual and collective accountability.

**MEETING OF  
June 13, 2012**

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION  
MEETING AGENDA  
JUNE 13, 2012**

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**BOARD AGENDA PACKETS AND INFORMATION:**

Complete Board meeting packets are available for review at the Administration Building, the District's six high schools, and at public libraries throughout West County.

Complete Board agendas and packets are available online at: [www.wccusd.net](http://www.wccusd.net).

Any writings or documents that are public records and are provided to a majority of the governing board regarding an open session item on this agenda will be made available for public inspection in the District office located at 1108 Bissell Avenue, Richmond, CA 94801 during normal business hours. In addition, such writings and documents may be posted on the District's website as noted above.

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**VIEWING THE BOARD MEETINGS:**

**Television:**

Live television broadcast of regularly scheduled Board meetings is available by the City of Pinole on PCTV Channel 26/28, the City of Richmond KCRT Channel 28 and the City of Hercules Cable Channel 28. Please check the city websites for local listings of broadcast schedules.

You may also find the complete meeting available on a tape-delay basis through the Richmond City Web Page at: <http://www.kcrt.com> within a few days of the recording date.

Audio tapes of Board meetings are kept on file at the Administration Building, 1108 Bissell Avenue, Richmond, CA 94801 (510-231-1101).

The Board of Education would like to acknowledge Comcast, the cities of Pinole and Richmond, and WCCUSD staff for their generosity and efforts in helping to televise WCCUSD Board of Education meetings.

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**ATTENDING BOARD MEETINGS:**

The public is warmly invited to attend and participate in all WCCUSD Board of Education meetings.

**Location:**      **LOVONYA DEJEAN MIDDLE SCHOOL  
3400 MACDONALD AVENUE  
RICHMOND, CA 94805**

**Time:**            The **Board of Education's Open Session meeting will begin at 6:30 PM**. The Board will convene at **5:30 PM** in the Multi-Purpose Room to receive comments from anyone wishing to address the Board regarding closed session items (Exhibit A). The Board will then adjourn to closed session and reconvene in open session to address the regular agenda (Exhibits B-G) at 6:30 PM.

**Order of Business: ORDER OF BUSINESS MAY BE CHANGED WITHOUT NOTICE**

**Special Accommodations:** Upon written request to the District, disability-related modifications or accommodations, including auxiliary aids or services, will be provided. Please contact the Superintendent's Office at 510-231-1101 at least 48 hours in advance of meetings.

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"of children be more careful than anything."  
e.e. cummings

**B. OPENING PROCEDURES**

**B.1 Pledge of Allegiance**

**B.2 Welcome and Meeting Procedures**

**B.3 Roll Call**

**B.4 Report/Ratification of Closed Session**

\* **B.5 Agenda Review and Adoption (Public Comment)**

\* **B.6 Minutes: May 23, 2012**

**C. BUSINESS ITEMS**

**CONSENT ITEMS (Routine Matters)**

Consent Calendar Items designated by “CI” are considered routine and will be enacted, approved and adopted by one motion, unless a request for removal, discussion or explanation is received from any Board member or member of the public in attendance. Items the Board pulls for discussion or explanation will be addressed following Section E.

**\*CI C.1 Acceptance of Donations**

Comment:

The District has received donations as summarized, dated June 13, 2012. The estimated values for any non-cash donations are provided by the donor. Staff recommends acceptance of these donations.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per donations summary

**\*CI C.2 Summary of Payroll and Vendor Warrant Reports**

Comment:

The summaries of Payroll and Vendor Warrants issued during the month of May 2012 are provided.

Total of payroll warrants (May 2012):	\$ 9,690,521
Total of vendor warrants (May 2012):	\$ 30,215,271

Recommendation:

Recommend approval of the payroll and vendor warrant reports

Fiscal Impact:

As noted above

**\*CI C.3 Adoption of Resolution No. 118-1112 Replacement of Outdated Warrants**

Comment:

Government Code Section 298029(c) allows the governing board, by resolution, to order a replacement check be issued for a warrant that is stale dated. This resolution authorizes the issuance of a check to

replace the outdated warrants for Andrew Young. Staff recommends replacement of the stale dated warrants.

Recommendation:

Recommend approval to replace the outdated warrants

Fiscal Impact:

None

**\*CI C.4 Notice of Completions: Bid J068304 Riverside Elementary Restroom Resurfacing Project, Bid J068314 Washington Elementary Restroom Resurfacing Project**

Comment:

Substantial completion notices has been received for: Bid J068304, Bid J068314.

Major construction projects are subject to acceptance by the governing board before a Notice of Completion can be processed, and final payment of the contract made. (BP 7470)

Staff recommends acceptance of the work completed by the following contractor:

Streamline Builders, Bid J068304 Riverside Elementary Restroom Resurfacing Project  
Streamline Builders, Bid J068314 Washington Elementary Restroom Resurfacing Project.

Recommendation:

Recommend approval of these notices of completion

Fiscal Impact:

None

**\*CI C.5 Notification of Claims Rejected**

Comment:

The District has received claims requesting compensation for personal loss. The District's risk management firm has investigated the claims and is requesting the School Board to ratify the authorized claim rejections.

Recommendation:

Ratify the rejection of claims

Fiscal Impact:

None

**\*CI C.6 Approval of Agreement with United Teachers of Richmond (UTR)/ AB1200 Public Disclosure of Collective Bargaining Agreement with UTR**

Comment:

Tentative Agreement has been reached on reopeners with representatives of UTR. UTR has ratified the Agreement. It is now presented to the Board of Education for ratification.



School districts are required to publicly disclose the provisions of collective bargaining agreements before ratification. A summary of the costs associated with the agreement is provided. This summary has also been provided to the County Office of Education in accordance with AB1200.

We want to thank the representatives of both bargaining teams for their time and effort in reaching this accord.

Recommendation:

Recommend that the Board of Education ratify the Tentative Agreement between the West Contra Costa Unified School District and UTR

Fiscal Impact:

One time cost of \$1,088,141 from unrestricted general fund \$754,601; restricted \$321,729; Child Development fund \$11,811

**\*CI C.7 Acceptance of Contracts for Placement of Student Teachers**

Comment:

Teachers in this district provide supervision and evaluation for student teachers seeking credentials to teach in California public school classrooms. These arrangements are made between the institution of higher education and the individual classroom teacher at no cost to the District.

Staff requests approval from the Board of Education to accept Contracts for Placement of Student Teachers as detailed, dated June 13, 2012.

Recommendation:

Recommend Approval

Fiscal Impact:

None

**\*CI C.8 Recommendation for Preliminary Teaching Credential**

Comment:

Pursuant to Education Code 44830.3 (d), District Interns, upon completion of service sufficient to meet program standards and performance assessments, maybe recommended by the governing board, recommend to the Commission on Teacher Credentialing, be credentialed in the manner prescribed by Section 44328 of Ed. Code.

Recommendation:

Recommend Approval

Fiscal Impact:

None

**\*CI C.9 Agreement with California Teachers Association**

Comment:

The California Teachers Association and the West Contra Costa Unified School District enter into this agreement to release a teacher to work with CTA for the 2012-2013 school year.

Recommendation:

Recommend Approval

Fiscal Impact:

None

**\*CI C.10 Community Advisory Committee (CAC) for Special Education**

Comment:

The Community Advisory Committee (CAC) for Special Education is a state mandated parent/community advisory group. The members are composed of special education parents, members of the community, teachers and other staff members who are interested in participating. The CAC advises the special education department and reviews the Special Education Local Plan.

The CAC By-Laws stipulate that “The CAC shall submit names of nominees to the Superintendent for approval. Formal appointment shall be made by the School Board” (CAC By-Laws, November, 2002).

The nominees are to serve as members of the CAC Membership for 2012-14. Also provided are the current members who are serving from 2011-13.

Recommendation:

Recommend Approval

Fiscal Impact:

None

**\*CI C.11 Ratification and Approval of Engineering Services Contracts**

Comment:

Contracts have been initiated by staff using previously qualified consulting, engineering, architectural, or landscape architectural firms to assist in completion of the referenced projects. Many of the firms are already under contract and the staff-initiated work may be an extension of the firm’s existing contract with the District. Public contracting laws have been followed in initially qualifying and selecting these professionals.

Recommendation:

Ratify and approve contracts as noted

Fiscal Impact:

Total for this action: \$987,055.85. Funding sources as noted.

**\*CI C.12 Ratification and Approval of Negotiated Change Orders**

Comment:

Staff is seeking ratification of change orders on the following current District construction projects: Dover Elementary School New School, Ohlone Elementary School New School, Gompers High School Demo and Site Work, Richmond High School ERP Project and Gompers LPS Soil Removal. Change orders are fully executed by the District upon signature by the Superintendent's designee. Board ratification is the final step required under state law in order to complete payment and contract adjustment.

In addition to normal ratification, approval of the noted change order for the Ford Elementary School New School and Gompers LPS Soil Removal projects are required by the Board, with special findings as noted below, because these projects are in excess of the Public Contract Code limit of 10% of the original contract value. In accordance with Public Contract Code 20118.4, the Board, by approving and ratifying these change orders, finds that it would have been futile to publicly bid the work in question because of the tight time frames to complete this work without affecting the operations of the District, and that the public is best served by having this work completed by the contractor on the project.

Recommendation:

Ratify negotiated change orders as noted

Fiscal Impact:

Total ratification and approval by this action: \$226,306.83

**\*CI C.13 Collins Elementary School New Fire Alarm Project Award of Contract**

Comment:

The District has initiated a project to upgrade fire alarm systems at various school sites which require the replacement of existing systems that do not meet current code requirements and lacks a number of essential features. AE3 has prepared plans and specifications for the new fire alarm system at Collins Elementary School. Scope of work includes the installation of a new fire alarm system, including conductors, conduit, audio/visual devices, pull stations and control equipment.

The District conducted a public bid process for the project. Bids were received on June 5, 2012. Four contractors submitted bids. They are as follows: Watson Electric, Inc., \$239,788; Arthulia, Inc., \$263,000; B-Side, Inc., \$285,400; Nema Construction, \$289,000.

Recommendation:

Award contract to lowest responsive, responsible bidder after the expiration of the protest period.

Fiscal Impact:

Funded from the Measure J Bond

**\*CI C.14 Ellerhorst Elementary School, Harding Elementary School, Lincoln Elementary School, and Tara Hills Elementary School Restroom Renovation Project Award of Contract**

Comment:

Several restroom wall finishes installed during Measure M Phase 1A projects have deteriorated since installation. There are cracked surfaces and delaminating epoxy finishes due to improper substrate application and preparation. In addition, many of the restrooms are seriously deteriorated after years of use.

DLM Architects has prepared plans and specifications for the restroom renovations at Ellerhorst Elementary School, Harding Elementary School, Lincoln Elementary School, and Tara Hills Elementary School. Scope of work consist of, but is not limited to, installation of tile finishes; installation of wall finish; refinishing or replacement of epoxy floors; paint throughout; reinstallation or replacement of various bathroom accessories and plumbing fixtures; and electrical work related to replacement of various fans and installation of hand dryers.

The District engaged in a public bid process for the project. Bids were opened on June 6, 2012. Three contractors submitted bids. They are as follows: B-Side, \$885,000; S&H Construction, \$945,000; Vila Construction, \$1,666,144.

Recommendation:

Award contract to the lowest responsive, responsible bidder after the expiration of the protest period.

Fiscal Impact:

Funded from the Measure J Bond

**\*CI C.15 Mira Vista Elementary School Concrete Stoops Project Award of Contract**

Comment:

The District is initiating planned maintenance projects at various school sites. One major area of focus is making schools access compliant. DLM has prepared plans and specifications to make Mira Vista Elementary School's concrete stoops ADA compliant. Scope of work includes selective demolition and construction necessary for the project and consists of replacing exterior concrete landings throughout the campus.

The District conducted a public bid process for the project. Bids were opened on June 13, 2012. \_\_\_\_\_ Contractors submitted bids. They are as follows: \_\_\_\_\_. The lowest responsive, responsible bidder is \_\_\_\_\_.

Recommendation:

Award contract to the lowest responsive, responsible bidder after the expiration of the protest period

Fiscal Impact:

Funded from the Measure D-2010 Bond

**\*CI C.16 Sheldon Elementary School, Murphy Elementary School, and Mira Vista Elementary School Restroom Renovation Project Award of Contract**

Comment:

Several restroom wall finishes installed during Measure M Phase 1A projects have deteriorated since installation. There are cracked surfaces and delaminating epoxy finishes due to improper substrate

application and preparation. In addition, many of the restrooms are seriously deteriorated after years of use.

AE3 Architects has prepared plans and specifications for the restroom renovations at Sheldon Elementary School, Murphy Elementary School, and Mira Vista Elementary School. Scope of work consist of, but is not limited to, installation of tile finishes; installation of wall finish; refinishing or replacement of epoxy floors; paint throughout; reinstallation or replacement of various bathroom accessories and plumbing fixtures; and electrical work related to replacement of various fans and installation of hand dryers.

The District engaged in a public bid process for the project. Bids were opened on June 5, 2012. Five contractors submitted bids. They are as follows: AM Woo Construction, \$477,000; S&H Construction, \$490,000; Hung Construction, \$716,000; DRP Builders, \$990,000; Vila Construction, \$1,079,074.

Recommendation:

Award contract to the lowest responsive, responsible bidder after the expiration of the protest period.

Fiscal Impact:

Funded from the Measure J Bond

**\*CI C.17 RFP #112-03 Vehicle Fleet Management Services**

Comment:

The District has an aging fleet of vehicles that has reached a point of needing the replacement of twenty vehicles that in some cases have already been placed out of service due to safety and or the age of the vehicle. The District solicited an RFP for a vehicle Fleet Management Service Program. This program would include the leasing of vehicles for a sixty month term to include full maintenance and insurance for each vehicle. Four firms were solicited and the District received a response from one vendor. Enterprise Fleet Management responded to the RFP.

Recommendation:

Recommend sixty month lease with Enterprise Fleet Management

Fiscal Impact:

Annually \$78,182.55 RRM, \$18,057.56 MRAD, \$12,876.71 Safety

**\*CI C.18 Citizens' Bond Oversight Committee (CBOC) Appointment: Ivette Ricco recommended by Board Member Medrano**

Comment:

Under the current administrative regulations governing the Citizens' Bond Oversight Committee, there is a CBOC member appointed by each school board member. Committee members are allowed to serve two 2-year terms. As Board member Medrano's appointment is now eligible for renewal, he has forwarded a recommendation to re-appoint Ivette Ricco to the Citizens' Bond Oversight Committee.

Recommendation:

Recommend Approval

Fiscal Impact:

None

**\*CI C.19 Resolution No. 117-1112: Specifications of the Election Order**

Comment:

Resolution No. 117-1112 meets the legal requirements necessary prior to any Board election. The resolution calls for the holding of a Regular Governing Board Member Consolidated Election.

Recommendation:

Recommend Approval of Resolution No. 117-1112

Fiscal Impact:

Benefit to the District

**D. AWARDS, RECOGNITIONS, AND REPORTS**

**\* D.1 In Recognition – Kennedy High School Boys Track Team**

Comment:

At the North Coast Section Meet of Champions on May 26, held at UC Berkeley, the Kennedy High boys track team won the NCS Boys Varsity Division. They made this achievement with no field events and no mid or long distance runners. The KHS young men brought home a very nice and big plaque and banner.

NCS covers the Bay Area and upward to the California/Oregon border. There are over 160 high schools that comprise the NCS.

The KHS participants are:

Kenneth Walker III (Senior)

110 High Hurdles (1st)

300 Hurdles (1st)

\*Kenneth is one of the top hurdlers in the state. He's earned a football scholarship to UCLA.

Takkarist McKinley (Junior)

100 meters (3rd)

200 meters (1st)

\*This is Takkarist's first year running track. His athletic performance has been noticed by a number of colleges and universities.

4x100 Relay Team (1st)

Kenneth Walker III

Takkarist McKinley

Lovell Stewart (Senior)

Tom Jacobs (Senior)

The KHS track coach, and co-Athletic Director, is Carl Sumler. Mr. Sumler is a dedicated and committed coach who's making a difference in the lives and futures of the students he coaches.

Recommendation:

That the Board recognize the accomplishments of these young athletes

Fiscal Impact:

None

\* **D.2 West Contra Costa Unified School District presents: “2011-2012 Employee Retirees”**

Comment:

The West Contra Costa Unified School District honors its 2011-12 Employee Retirees. It is with great honor and gratitude that we present and recognize these individuals.

Our school communities and the District are indeed fortunate to have benefited from their wisdom and accumulated experience which guided and informed our current and future work and that of our students. Their dedication, caring, creativity, ingenuity, and resilience have been an important part of what makes our District special.

Recommendation:

For Recognition

Fiscal Impact:

None

\* **D.3 Richmond Association of School Administrators (RASA) Award Winners**

Comment:

Each year the Richmond Association of School Administrators acknowledges exemplary administrators and participates in the Association of California School Administrator (ACSA) Administrator of the Year awards.

RASA is a chapter of ACSA Region VI. The RASA Board selects candidates based upon nominations by West Contra Costa Unified School District (WCCUSD) administrators and individual accomplishments within the District. The individuals selected from WCCUSD move on to the ACSA Region VI competition.

**Administrator of the Year awards for WCCUSD 2011-12 are:**

Denise Pinney, Principal, Elementary School  
Sylvia Greenwood, Principal, Middle School  
Tracie Manipis, Co-Administrator, Elementary School  
Terri Ishmael, Co-Administrator, Secondary  
Gabriel Chilcott, Co-Administrator, Secondary  
Susan Dunlap, Administrator, Curriculum & Instruction  
Sheri Gamba, Administrator, Business Services  
Barbara Kitagawa, Administrator, Special Education  
Ann Reinhausen, Administrator, Human Resources  
Lori Walker, Confidential

Recommendation:  
For Information Only

Fiscal Impact:  
None

\* **D.4 Multilingual District Advisory Committee Report**

Comment:  
The Multilingual District Advisory Committee (MDAC) is comprised of a representative from each of our school's English Learner Advisory Committees (ELACs). Four meetings are held each year in different locations to facilitate attendance from members of the different school communities. The meetings are conducted on Thursday nights at 6:30 and repeated the following Friday morning as an additional strategy to promote participation. The topics covered include the legally required items, items requested by the parents and current issues impacting our English learner (EL) students.

The MDAC co-chairpersons, Raul Morales, ELAC representative from Richmond High School, and Stephanie Sequeira from Chavez Elementary School, will present the MDAC Report to the Board. The report will include highlights from the 2012 Language Census, an annual report to the California Department of Education that includes data on English learners and fluent-English-proficient students and other related information on our district EL population.

Recommendation:  
For Information Only

Fiscal Impact:  
None

\* **D.5 Preliminary Budget for 2012-2013**

Comment:  
Staff is presenting a report on the general fund portion of the preliminary budget for 2012-13, along with information regarding the Governor's May Revision Proposal for 2012-13. The final 2012-13 budget is scheduled for a public hearing and adoption at the meeting of the Board of Education on June 27, 2012.

Recommendation:  
For Information Only

Fiscal Impact:  
None

\* **D.6 Standing Reports**

Representatives of the following committees and employee unions are invited to provide a brief update to the Board. Representatives from these groups need to sign up to speak prior to the beginning of this item on the agenda by submitting a "Request to Address the Board" form. Five minutes may be allowed for each subcommittee or group listed below:



Academic Subcommittee  
Bayside Parent Teacher Association  
Citizens' Bond Oversight Committee  
Community Budget Advisory Committee  
Facilities Subcommittee  
Ivy League Connection  
Linked Learning – Multiple Pathways

Safety Committee  
Select Committee on High Schools  
Youth Commission  
Public Employees Local 1  
School Supervisors Association  
United Teachers of Richmond

**E. PUBLIC AND COMMITTEE COMMUNICATIONS**  
(Education Code 35145.5; Government Code 54950 et seq.)

\* **E.1 Superintendent's Report**

\* **E.2 Request to Address the Board on Growing West County School Gardens**

Comment:

Ms. Joanna Pace would like to present a brief status report on school gardens in the district.

Recommendation:

For Information Only

Fiscal Impact:

None

\* **E.3 WCCUSD Public Comment**

Members of the public are invited to speak to the Board about any matter that is not otherwise on the agenda and is related to issues affecting public education in the WCCUSD. **Approximately 30 minutes will be allocated for this item.** If there are more requests to speak than can be heard within this time limit, "WCCUSD Public Comment" will continue after Item G. Individuals wishing to speak must submit a "WCCUSD Public Comment" form prior to the beginning of this item on the agenda.

Depending on the number of persons who wish to speak, from one to three minutes will be allocated to each speaker at the discretion of the President of the Board in order to accommodate as many speakers as possible. The Board cannot dialogue on any issues brought before it by the public that have not been previously agendaized, but may refer these to staff for response and/or placement on future agendas.

**F. ACTION ITEMS**

\* **F.1 West County Community High School Charter Renewal Petition Staff Findings and Resolution No. 120-1112**

Comment:

The West Contra Costa Unified School District ("District") received a charter renewal petition ("Renewal Petition") on April 27, 2012, from West County Community High School ("West County" or "Charter School"), a charter high school serving approximately 123 students, requesting that the District's Board of Education renew the West County charter ("Charter") for an additional five-year

term. The West County Charter was first approved by the District's Board of Education in 2007, for a five-year term ending on June 30, 2012.

Pursuant to the Charter Schools Act of 1992 (the "Act"), Education Code section 47600 *et seq.*, the Legislature has charged local school boards with the responsibility for reviewing and acting on initial and renewal charter school petitions.

Submission of a charter renewal petition is governed by the requirements of Education Code section 47605 and 47607. Education Code section 47605(b) requires the Board, within 30 days of receiving a petition, to hold a public hearing to consider the level of support for the petition. The State Board of Education ("SBE") has adopted new regulations, effective November 23, 2011, which add substantial detail to the procedure for renewing charter school petitions. Among other things, the newly-adopted regulations allow for the automatic renewal of a charter school petition if a school district fails to make written factual findings to support a denial within 60 days of the district's receipt of a petition. (Cal. Code Regs., tit. 5, § 11966.4 (c).) Petitioners submitted their Renewal Petition on April 27, 2012. Accordingly, the District's Board of Education must take action regarding the approval or denial of the Renewal Petition on or before June 26, 2012, or the West County Charter will be automatically deemed renewed.

Upon receipt, components of the Renewal Petition were assigned to various District staff members to review and analyze based on individual areas of expertise. Specifically, components of the West County Renewal Petition were assigned as follows: Steve Collins, SELPA Director, Lyn Potter, Educational Director, Sonja Neely-Johnson, Coordinator Educational Services, Susan Dunlap, Coordinator EL Services, Nicole Joyner, Administrator, Linda Jackson, Executive Director Emeritus, Pat Calvert, Director Human Relations, Daniela Parasidis, Accounting Director and Legal/Operational, Ed Sklar and Claudia Weaver, Lozano Smith Attorneys at Law.

Staff and legal counsel have reviewed the Renewal Petition and prepared the "Staff Report and Proposed Findings of Fact Regarding West County Community High School Charter Renewal Petition" ("Staff Report") which is provided.

The Staff Report includes Staff's recommendations to the Board regarding approval or denial of the Renewal Petition and approval or denial of Resolution No. 120-1112.

Recommendation:

Staff makes the following recommendations regarding the West County Renewal Petition:

1. Staff recommends that the Board deny the Renewal Petition based on substantive deficiencies in the Renewal Petition as well as significant concerns with the Charter School's educational, operational, and financial performance. Staff has concluded that such deficiencies and concerns are sufficient to warrant a recommendation to deny the Renewal Petition, pursuant to Education Code sections 47605 and 47607. This recommendation of denial is supported by the California Charter Schools Association ("CCSA"). The CCSA's bases for recommending non-renewal of the West County Charter are set forth in its Academic Accountability Report Card for West County Community High School and supporting documentation, attached to the staff Report as Exhibit A.

2. Staff recommends that after the Board of Education denies the Charter School’s Renewal Petition that the Board adopts the attached Resolution No. 120-1112 and all of the written proposed Findings of Fact, contained within the attached Staff Report, as its own.

Fiscal Impact:

None

\* **F.2 Textbook Adoption for Middle School Algebra I**

Comment:

The WCCUSD Board of Education has undertaken a Middle School Mathematics Initiative (“It All Adds Up!”). As part of this initiative, all middle school math teachers were surveyed. All Algebra I teachers wrote comments asking the district to consider an adoption of a new standards-based textbook this spring. The district proceeded with a pilot and adoption process with involvement of all middle school Algebra I teachers. The 46 criteria used to rate the materials were developed by the California County Superintendents Educational Services Association’s Curriculum and Instruction Steering Committee Mathematics Subcommittee and have been used throughout the state for textbook adoption processes.

These Algebra I instructional materials present the District with the opportunity to have teachers utilize materials that are standards-based, provide a smoother transition to the Common Core State Standards, and enable our teachers to provide high quality mathematics instruction to all students.

McDougal Littell California Mathematics Algebra 1 is the recommendation from central office staff and the middle school Algebra I teachers.

The instructional materials have also been placed on display at the District office for feedback.

Recommendation:

Recommend Approval

Fiscal Impact:

\$120,000

\* **F.3 Special Education Annual Service Plan and Annual Budget Plan**

Comment:

Assembly Bill AB602, Chapter 654, Statutes of 1997 added new requirements to the Special Education Local Plan. AB602 requires SELPAs to submit Annual Budget and Service plans. These plans must be adopted at public hearings. As required in Education Code (EC) Section 56205, these plans must identify expected expenditures and include a description of services and the physical location of these services. The Local Budget and Service Plans must demonstrate that all individuals with exceptional needs have access to services and instruction appropriate to meeting their needs as specified in their IEPs.

**Annual Service Plan:**

The Annual Service Plan must include a complete detailed description of special education services provided by each district and/or SELPA. This description must include:

- A. The nature of the services, including Related Services

- B. The physical location where the services are provided which may include:
1. Alternative Schools
  2. Charter Schools
  3. Opportunity Day Schools operated by school districts
  4. Community Day Schools operated by the County Office of Education regardless of whether the district or County Office of Education participates in the Local Plan.
  5. Nonpublic Schools/agencies

The Service Plan description must demonstrate that all individuals with exceptional needs have access to services and instruction appropriate to meet their needs as specified in their individual education programs.

**Annual Budget Plan:**

The Annual Budget Plan identifies expected expenditures for all items listed below:

- A. Funds received in accordance with Chapter 7.2 (Special Education Funds)
- B. Administrative Costs of the Plan
- C. Special Education Services to pupils with severe disabilities as defined by IDEA 2004 including ‘Low Incidence’ Disabilities (deaf, hard of hearing, blind, visually impaired, and orthopedically handicapped students)
- D. Special Education services to pupils with non-severe disabilities as defined by IDEA 2004.
- E. Supplemental aids and services to meet the individual needs of pupils placed in regular classrooms and environments.
- F. Regionalized operations and services and direct instructional support by Program Specialists
- G. The use of property taxes allocated to special education pursuant to Section 2572.

The Annual Budget Plan may be revised during any fiscal year according to the policymaking process. Accordingly, the West Contra Costa Unified School District SELPA’s Annual Service Plan and Annual Budget Plan have been updated and reviewed, as is required by California Department of Education.

Complete copies of the Local Plan and Budget Plan are available at [www.wccusd.net](http://www.wccusd.net) under the Special Education department website.

Recommendation:

Recommend Approval

Fiscal Impact:

None

**G. DISCUSSION ITEMS**

**\* G.1 Project Status Report – Facilities Planning and Construction**

Comment:

The following are provided for review of Facilities Planning and Construction in the District's Bond Program and for information regarding individual projects:

- Engineering Officer's Report – Verbal Presentation
- Construction Status Reports – Current Construction Projects

Recommendation:

For Information Only

Fiscal Impact:

None

**H. UNFINISHED REQUESTS TO ADDRESS THE BOARD** (continued from Item E)

**I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT**

**J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING**

Lovonya DeJean Middle School – June 27, 2012

**K. ADJOURNMENT**

At 10:00 PM, any items remaining on the agenda that require immediate attention will be moved to this time. All other items will be tabled to another or the following Board meeting in order to make fair and attentive decisions. The meeting will adjourn at 10:30 PM. The meeting may be extended by a majority vote of the Board of Education.

The public may address items which are marked with an asterisk (\*).

**A. CLOSED SESSION**

**A.1 CALL TO ORDER**

**A.2 DISCLOSURE OF ITEMS TO BE DISCUSSED IN CLOSED SESSION**  
(Government Code 54957.7)

**A.3 RECESS TO CLOSED SESSION AS SCHEDULED**

**See Exhibit A**

(Government Code Section 54954.5)

The **Open Session** will resume at the end of the **Closed Session** in the Multi-Purpose Room at approximately **6:30 PM.**

**EXHIBIT A**

(Government Code Section 54954.5)

**CLOSED SESSION AGENDA**

**June 13, 2012**

**1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

**2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION**  
[Government Code Section 54956.9(a)]

- a. WCCUSD v. Orrick
- b. Srago v. WCCUSD

**3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED/POTENTIAL LITIGATION**  
[Government Code Section 54956.9(b)]

Four cases

**4. LIABILITY CLAIMS (Government Code Section 54956.95)**

**5. CONFERENCE WITH LABOR NEGOTIATORS**

- a. Superintendent/Dr. Bruce Harter
- b. Employee Organizations
  - UTR
  - Local One
  - School Supervisors Association
  - WCCAA

- c. Unrepresented Employees
  - Confidential and Management

**6. PUBLIC EMPLOYEE APPOINTMENT**

**7. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)**

**8. STUDENT DISCIPLINE (Education Code Section 35146)**

Expulsions

**9. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/COMPLAINT  
(Government Code Section 54957)**

Certificated / Classified Employee Dismissal

**10. REPORT OF CLOSED SESSION ACTIONS**

**West Contra Costa Unified School District  
Minutes of the Board of Education Meeting  
Lovonya DeJean Middle School  
3400 Macdonald Avenue  
Richmond, CA 94805**

Agenda Item B.6

**May 23, 2012**

**A. CLOSED SESSION**

**B. OPENING PROCEDURES**

President Ramsey called the meeting to order at 5:45 P.M. The Board recessed into Closed Session. President Ramsey called the Public Session to order at 6:30 P.M.

**B.1 Pledge of Allegiance**

President Ramsey led the pledge of allegiance.

**B.2 Welcome and Meeting Procedures**

President Ramsey offered welcome and instructions to the public regarding the meeting.

**B.3 Roll Call**

**Board Members Present:** Madeline Kronenberg, Antonio Medrano, Elaine Merriweather, Charles Ramsey. Tony Thurmond arrived at 6:38 PM.

**Staff Present:** Magdy Abdalla, Director Facilities Construction; Patricia Calvert, Director Human Resources Certificated Personnel; Steve Collins, SELPA Director; Bill Fay, Associate Superintendent Operations; Luis Freese, Executive Director Maintenance and Operations; Sheri Gamba, Associate Superintendent for Business Services; Wendell Greer, Associate Superintendent K-Adult Schools; Bruce Harter, Superintendent; Debbie Haynie, Executive Secretary; Linda Jackson, Executive Director Emeritis; Nicole Joyner, Administrator Grants/Special Projects; Ken McDaniel, Maintenance Supervisor; Emily Millar, Director Employee Relations; Nia Rashidchi, Assistant Superintendent Education Services; Ann Reinlagen, Assistant Superintendent Human Resources; Vince Rhea, Executive Director K-12; Reyna Ortiz de Tourel, Translator; Michael Wasilchin, Director Classified Personnel

**B.4 Presentation of Student Board Representative from DeAnza High School**

Ms. Amanda Calvo provided a report of activities at DeAnza High School.

**B.5 Report/Ratification of Closed Session**

Superintendent Harter asked the Board to ratify the action taken in Closed Session regarding the May 23, 2012 recommendation to approve expulsion cases #001 - #002 and suspend those expulsions for placement within the West Contra Costa Unified School District.

**MOTION: Mr. Medrano moved to ratify the action taken in Closed Session regarding the recommendation of May 23, 2012 for expulsion cases #001 – #002. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, and President Ramsey voted yes, with no abstentions and Mr. Thurmond absent. Motion carried 4-0-0-1.**

Superintendent Harter asked the Board to ratify the action taken in Closed Session regarding the following administrative appointments:

Reappointment of 27 current administrators  
Assistant Superintendent Human Resources, Kenneth Whittemore  
Executive Director K-12, Adam Taylor  
Elementary Principal, Itoco Garcia

**MOTION: Mr. Medrano moved to ratify the action taken in Closed Session regarding administrative appointments. Ms. Merriweather seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, and President Ramsey voted yes, with no abstentions and Mr. Thurmond absent. Motion carried 4-0-0-1.**

**B.6 Agenda Review and Adoption**



**MOTION: Mr. Medrano moved approval of the agenda including moving item F.3 to follow consent items. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Student Representative Amanda Calvo (advisory vote only), and President Ramsey voted yes, with no abstentions and Mr. Thurmond absent. Motion carried 4-0-0-1.**

**B.7 Minutes: May 9, 2012**  
This item was moved to follow item G.1.

**C. BUSINESS ITEMS**

- C.1 Acceptance of Donations**
- C.2 Acceptance of Fund-Raising Activities**
- C.3 Contracted Services**
- C.4 Adoption of Resolution No. 114-1112: Replacement of Outdated Warrant**
- C.5 Routine Personnel Changes - Certificated**
- C.6 Routine Personnel Changes – Classified**
- C.7 Resolution No.105-1112: Credential Assignment Options**
- C.8 Ratification and Approval of Engineering Services Contracts**
- C.9 Approval of Negotiated Change Orders**
- C.10 Hardening Elementary CR Wing Envelope and Foundation Ventilation Repairs Project Award of Contract**  
This item was withdrawn from the agenda by staff.
- C.11 Modification to Board Policies 5131 Conduct and 6163.4 Student Use of Technology**
- C.12 2012-2013 Designation of California Interscholastic Federation (CIF) Representatives to the League**
- C.13 Students from El Cerrito are attending the Heritage Music Festival-May 24-27, 2012**
- C.14 Approval of Board Members Attending Conferences**

**MOTION: Ms. Kronenberg moved approval of Consent Items C.1 – C.9, C.11 - C.14. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Student Representative Amanda Calvo (advisory vote only) and President Ramsey voted yes, with no abstentions and Mr. Thurmond absent. Motion carried 4-0-0-1.**

Mr. Thurmond arrived at the meeting.

- F.3 Resolution No. 113-1112: Tier III Categorical Flexibility – Public Hearing**  
Ms. Gamba presented information about Tier III funding and the 2009 budget act which enacted a series of budget reductions to all school district revenues and opportunity to seek relief by repurposing funds. The application of this has been reflected in Tier III fund sweeps. In 2012 new legislation was enacted requiring that board action be taken separately from the annual budget adoption. Ms. Gamba shared information about budget planning as previously approved by the Board for the 2012-13 school year.

**Public Comment:**

Gayle Louie, Robelia de Leon, Raul Diaz, Maria Aguayo, Elisa Alzaga, Toni Favilia, Jose Terrozes, Kim Huhta, Julio del Rio, Pat Miles, Belinda Sifford, Kristen Pursley, Genesis Torres, Claudia Jimenez, Alverto Vita, Roberto Reyes, Julie Lamoine

**Board Comment:**

Ms. Merriweather asked about the alternative credentialing program. Ms. Gamba responded that the program was formerly funded through grant funding. Ms. Merriweather also asked about the arts and music block grant for restoring some afterschool programs. Ms. Gamba detailed the decisions about identifying alternative funding sources to assist programs that have experienced cuts.

**MOTION: Mr. Medrano moved approval of Resolution No. 113-1112: Tier III Categorical Flexibility. Mr. Thurmond seconded. A roll call vote was taken with Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond, Student Representative Amana Calvo (advisory vote only) and President Ramsey voting yes, with no abstentions and no absences. Motion carried 5-0-0-0.**

A brief recess was taken.

**D. AWARDS, RECOGNITIONS, AND REPORTS**

**D.1 Ivy League Summer Programs: Students from El Cerrito High School, Pinole Valley High School, Hercules High School, De Anza High School, John F. Kennedy High School, Richmond High School and Middle College High School will participate in college readiness programs offered at respective Ivy League Universities**

Mr. Vince Rhea spoke about the opportunity to open new doors for students. This year's chaperones representing the various high school campuses were introduced; Sewellyn Kaplan, John Crosby, Jaclyn Timmes, Katherine Williams, Cheryl Lilhanand, Alfredo Chan-Law, Ian Lawrence, Mike Mannix, and Igor Litvin. Each chaperone introduced the students in their cohort groups.

Yale University sophomore and former Ivy League Connection (ILC) participant Austin Long spoke of the importance of the program and students bettering themselves. Ms. Terilyn Chen, also a former Ivy League Connection participant, and incoming Harvard University freshman, spoke about expecting the unexpected and a sense of learning to deal with the unexpected.

Financial sponsors and the parents of the Ivy League students were also recognized.

**Public Comment:**

None

**Board Comment:**

President Ramsey spoke about the growth of the program and the reciprocal benefit to other students in the District. Ms. Kronenberg recalled the relationship with Dartmouth University as the start of the ILC program. She said she looked forward to the opportunity to visit a number of other schools during the summer.

Mr. Medrano said he was very proud of these students and that he enjoys telling people throughout the state about the ILC.

Mr. Thurmond offered congratulations, saying he is very impressed with the accomplishments. He thanked the sponsors who have made this program possible.

Ms. Merriweather offered congratulations to the students and spoke of the wonderful opportunity and state of the arts program.

President Ramsey reported that this year's group of students represented every District high school.

Brief recess was taken and the meeting reconvened at 8:16 PM

Student Representative Amanda Calvo left for the evening.

President Ramsey asked the Board to move item G.1 up on the agenda.

**MOTION: Mr. Medrano approved moving item G.1 up on the agenda. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond, and President Ramsey voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.**

**G.1 West County Community High Charter Renewal Petition**

Ms. Linda Jackson presented information regarding the West County Community High School renewal petition to establish an additional five years performing as a charter school. Mr. Francis Spruit, President of the charter school and Ms. Nicole Jimenez, Director of Education, presented information about their school and charter renewal petition.

Elaine Guarnieri-Nunn, Managing Director of the California Charter School Association addressed the Board with a recommendation to not renew the petition based on the school's record of academic under performance.

Mr. Thurmond left the meeting for the evening.

**Public Comment:**

Mars Tremor, Will Flamenco, Roslyn Spruit, Galey Flamenco, Cassie Marshall, Morgan Valdivies, Dules Jas, Norma Jolley, Daniel Cifuentes, David Salde, Richard Saechao, Andrew Wolverton, Alejandro Cruz Diaz, Daniel Radhakrisfana, Luzdary Mora-Reyes, Dante Spruit, Gencerdo Alejo, Salvador Godoy, Ricky Edmiston, Adam, Julia Huekstra, Brenda Santos, Sue Britson, Danielle Asher, Tim Banelos, Kathy Casares, Christopher Schuette, Suzanne Camp, Nate Clark, Cheyenne Kreger, Elias Reyes, Brenda Bermudez, Francisco Verduco

**Board Comment:**

President Ramsey thanked speakers and said this item will return to the Board for action following staff's review.

**B.7 Minutes:** May 9, 2012

**MOTION:** Mr. Medrano moved approval of the Minutes of May 9, 2012. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, and President Ramsey voted yes, with no abstentions and Mr. Thurmond absent. Motion carried 4-0-0-1.

Mr. Ramsey corrected a date error in the Ivy League Connection presentation regarding the Brown University Women and Leadership program dates of July 2 through July 20, 2012.

**D.2 Budget Update**

Ms. Gamba provided a presentation regarding the Governor's May Budget Revisions and activity to take place between June 5 and June 15 when a state budget is required by law. She further commented on the potential effects of a failure of the November tax initiative as disastrous for schools. She reported that her main message tonight is that the District is working very hard to solve financial problems and the importance that the community hears and understands the message.

**Public Comment:**

None

**Board Comment:**

None

**D.3 Standing Reports**

**Academic Subcommittee.** Ms. Rashidchi reported on the Academic Town Hall meeting held May 22 with the focus on mathematics. She said the meeting was well attended and that everyone was able to view an important video clip showing students and teachers working with their newly developed skills through the math reform initiative. Feedback from those in attendance was very positive. Ms. Rashidchi said the town hall meetings will continue into the 2012-13 school year. The next committee meeting is scheduled for June 11 at Helms Middle School, 6:30 PM.

**Community Budget Advisory.** Ms. Gamba reported that the next meeting will be held May 31<sup>st</sup> at the Alvarado Adult Education Campus.

**Linked Learning.** Ms. Kronenberg reported on the recent Academy Awards where the high school academies were recognized. Supporters for the academies as well as community partners were also recognized. Mr. Medrano reported that Congressman George Miller attended, as well.

**Safety Committee.** Ms. Merriweather reported on the last meeting where students spoke about high school restroom policies, as well as a report from CHA service providers. She announced the next meeting for June 12, 6:30 PM at Pinole Middle School.

**Select Committee on High Schools.** Mr. Medrano reported on the recent meeting at El Cerrito High. Five students talked about their school with 15-20 parents in attendance. The next meeting will be at Pinole Valley High School. President Ramsey said he was troubled by a lack of African American parent participation and would like outreach to this segment of the population.

**Public Employees Union Local One.** Peter Tiernan acknowledged the District's repayment of state loan. He said the union thinks this occasion deserves great credit. Their members look forward to the loan payoff event with the State Superintendent of Public Instruction.

**E. PUBLIC AND COMMITTEE COMMUNICATIONS**  
(Education Code 35145.5; Government Code 54950 et seq.)

**E.1 Superintendent's Report**

Superintendent Harter provided a report of activities in the District.

**E.2 WCCUSD Public Comment**

Bob Menzimer

**F. ACTION ITEMS**

**F.1 Resolution No. 112-1112: Intention to Levy Assessments for Fiscal Year 2012-13, Preliminarily Approving Engineer's Report and providing for Notice of a Public Hearing**

Superintendent Harter presented information and corrected a typographical error by stating that the correct date for the public hearing will be June 27, 2012. Ms. Gamba asked the Board to approve the resolution.

**Public Comment:**

None

**Board Comment:**

None

**MOTION: Mr. Medrano moved approval of Resolution No. 112-1112: Intention to Levy Assessments for Fiscal Year 2012-13, Preliminarily Approving Engineer's Report and providing for Notice of a Public Hearing. Ms. Kronenberg seconded. A roll call vote was taken with Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, and President Ramsey voting yes, with no abstentions and Mr. Thurmond absent. Motion carried 4-0-0-1.**

**F.2 Leadership Public Schools (LPS) Charter Renewal Petition and Resolution No. 116-1112: Conditionally Approve the Renewal Charter School Petition for Leadership Public High Schools**

Ms. Linda Jackson presented information regarding staff findings and the proposed resolution to conditionally approve the charter school's renewal petition.

LPS Superintendent Louise Waters spoke about contingencies of the renewal. Superintendent Harter responded about access to the school's online resources, procedures for the reclassification of EL students, and a copy of the school's plan for serving high achieving students as all being important to the District. He said the information would be helpful to the District as well. He asserted that the staff recommendation stands.

**Public Comment:**

None

**Board Comment:**

None

**MOTION: Mr. Medrano moved approval of Leadership Public Schools Charter Renewal Petition and Resolution No. 116-1112: Conditionally Approve the Renewal Charter School Petition for Leadership Public High Schools. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, and President Ramsey voted yes, with no abstentions and Mr. Thurmond absent. Motion carried 4-0-0-1.**

**F.3 Resolution No. 113-1112: Tier III Categorical Flexibility – Public Hearing**

This item was moved to follow item consent items.

**F.4 State Loan Payoff – Resolution No. 115-1112**

Superintendent Harter announced a loan payoff ceremony for June 1, 2012 at Ford Elementary School.

Ms. Gamba provided information regarding the audit, underlying paperwork and approval by the State of California. She presented an amended resolution as provided by the Infrastructure Bank with no substantive changes in nature. She reported there were no edits to the prepayment agreement. The schedule of events to follow approval includes documents to be sent to the I Bank and an electronic transfer to take place on May 29 with the State depositing their share of funds as well. An escrow account has been set up because the bonds originally issued in 2005 were issued with a call date of 2015. By depositing funds to an escrow account the loan is considered paid off for the purpose of releasing the State Trustee. In 2015, the bonds will be called and paid in full. The result is the return of full governance to the Board without any oversight from a State Trustee.

**Public Comment:**

None

**Board Comment:**

President Ramsey asked questions about the resolution and payoff documents. Ms. Gamba provided clarified. Ms. Gamba spoke about the amount of principal and interested also owed by the State of California. Mr. Ramsey thanked staff for their hard work. He continued to speak about this being the last Board to deal with this debt. Ms. Kronenberg recalled her own children attending school in the District at the time of the initial loan that has hung over the District all these years. Ms. Merriweather recalled being a parent at Harding Elementary and how other parents felt. She said she was elated with the hard work that has been done to get the District to this point. Mr. Medrano echoed giving credit to the sacrifices made to keep the District afloat. He said it is a good feeling to finally accomplish this landmark event. President Ramsey said this is an exciting time. He thanked all the cities and families who have sacrificed. He gave special mention for the group March for Education that went to Sacramento to seek a lower interest rate in order to save the District millions of dollars.

**MOTION: Mr. Medrano moved approval of State Loan Payoff – Resolution No. 115-1112. Ms. Kronenberg seconded. A roll call vote was taken with Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, and President Ramsey voting yes, with no abstentions and Mr. Thurmond absent. Motion carried 4-0-0-1.**

**F.5 Resolution No. 106-1112: Declaration to Hire 30-Day Substitutes on CBEST Waivers**

Superintendent Harter asked the Board to approve staff's recommendation which is something not used frequently, but necessary to have on file.

**Public Comment:**

None

**Board Comment:**

None

**MOTION: Mr. Medrano moved approval of Resolution No. 106-1112: Declaration to Hire 30-Day Substitutes on CBEST Waivers. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather and President Ramsey voted yes, with no abstentions and Mr. Thurmond absent. Motion carried 4-0-0-1.**

**G. DISCUSSION ITEMS**

**G.1 West County Community High Charter Renewal Petition**

This item was moved to follow item D.1.

**H. UNFINISHED REQUESTS TO ADDRESS THE BOARD (continued from Item E)**

None

**I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT**

Mr. Medrano thanked members from the county who elected him to serve on the California School Boards Association's Delegate Assembly. He spoke about our District's history with the state takeover. He also spoke about the opportunity to translate for Congressman Miller who attended the recent reclassification ceremony.

Ms. Merriweather thanked the parents who attended the recent Academic Town Hall meeting. She concluded by wishing all graduates the best for their future.

Ms. Kronenberg spoke about the voters in Moraga not passing a recent parcel tax measure. She urged voters to approve Measure K on the June ballot to provide funding for District students. She also presented an award from the Contra Costa School Boards Association to Mr. Ramsey for his years of service.

President Ramsey spoke about the upcoming graduation ceremonies. He closed the meeting with comments about local control and encouraging voters to get out and vote. He remarked on the passing of County Supervisor Gayle Uilkema, representative to the area.

**J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING**

Lovonya DeJean Middle School – June 13, 2012

**K. ADJOURNMENT**

President Ramsey adjourned the meeting at 10:37 P.M.

*Motion vote count order: Yes-No-Abstain-Absent*

BH:dh


WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
1108 Bissell Avenue  
Richmond, California 94801-3135  
Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION----BOARD OF EDUCATION**

---

**To:** Board of Education

**Meeting Date:** June 13, 2012

**From:** Sheri Gamba   
Associate Superintendent Business Services

**Agenda Item:** CI C.1

**Subject:** Acceptance of Donations

**Background Information:** The District has received donations as summarized on the attached sheet dated June 13, 2012. The estimated values for any non-cash donations (as indicated by an asterisk) are those provided by the donor. Staff recommends acceptance of these donations.

**Recommendation:** Recommend Approval

**Fiscal Impact:** As noted per donations summary.

<b>DISPOSITION BY BOARD OF EDUCATION</b>		
Motion by: _____	Seconded by: _____	
Approved _____	Not Approved _____	Tabled _____

West Contra Costa Unified School District  
 June 13, 2012 Board Meeting

<u>Donor Name</u>	<u>Description or Purpose</u>	<u>Estimated Value</u>	<u>Receiving School or Department</u>
Recycle America Alliance LLC	Cartridges for Kids	\$7.72	Cameron School
Fairmont PTA	Playworks	\$7,650.00	Fairmont Elementary
Wells Fargo Bank Foundation Education matching Gift Program	Materials and Supplies	\$450.00	Madera Elementary
Alameda Contra Costa Youth Soccer League North	Spring Field Use	\$700.00	Lovonya DeJean Middle
Ms. Melissa McMillon	Photography	\$50.00	Pinole Valley High
Mr. Robert Thompson	Supplies	\$350.00	State Pre-School
Chevron Products Company	13th Annual Reclassification Awards Ceremony	\$1,000.00	Community Engagement Dept.
DeVac of California/Monray	280 Sheets of Laminate	*\$5,000.00	Maintenance & Operations

\*Estimated values for the non-cash donations are provided by the donor  
 Donation Précis 061312



WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
1108 Bissell Avenue  
Richmond, California 94801-3135  
Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION----BOARD OF EDUCATION**

---

**To:** Board of Education

*slg* **Meeting Date:** June 13, 2012

**From:** Sheri Gamba, Assoc. Supt., Business Services      **Agenda Item:** CI C.2

**Subject:** Summary of Payroll and Vendor Warrant Reports

**Background Information:** Attached are the summaries of Payroll and Vendor Warrants issued during the month of May 2012.

Total of payroll warrants (May 2012):      \$ 9,690,521

Total of vendor warrants (May 2012):      \$ 30,215,271

**Recommendation:** Recommend approval of the payroll and vendor warrant reports

**Fiscal Impact:** As noted above

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_      Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_      Not Approved \_\_\_\_\_      Tabled \_\_\_\_\_

# West Contra Costa Unified School District

Month of : May 2012

Payrolls	Warrant From	Numbers To	Total Warrants Current	Total Warrants Previous	Total Warrants To Date
Variable	645307	646437	698,074	6,740,422	7,438,496
Regular	646438	647135	1,592,669	15,221,149	16,813,818
Special				395,361	395,361
<b>Variable EFT</b>					
Variable EFT	341968	343433	818,121	8,050,805	8,868,926
<b>Regular EFT</b>					
Regular EFT	343434	345719	6,571,152	54,647,340	61,218,492
<b>Special EFT</b>					
Special EFT				279,093	279,093
<b>Typed</b>					
Typed	297492	297513	20,370	198,143	218,513
<b>BENEFITS</b>					
BENEFITS				0	0
<b>Cancelled</b>					
Cancelled	Various	Various	(9,865)	(115,083)	(124,948)
<b>Totals</b>					
Totals			9,690,521	78,676,808	87,669,255

Salary detail is available in the Payroll office upon request.



Cheryl Lewis, Payroll Supervisor

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
WEEKLY VENDOR WARRANT REPORT  
2011-2012

PAYMENT

DATE: May 2, 2012

PAGE-1

FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	451023	451342	5,289,344	82,306,386	87,595,730
7706	CAFETERIA	451049	451329	119,393	5,555,274	5,674,667
7707	CHILD DEVELOPMENT	451068	451332	768	154,099	154,867
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY				664,451	664,451
7710	BUILDING	451027	451339	648,039	66,528,037	67,176,076
7711	CAPITAL FACILITIES	451175	451253	10,113	1,516,406	1,526,519
7712	SELF INSURANCE PROPERTY & LIABILITY	451175	451175	560	2,394,304	2,394,864
7713	STATE SCHOOL LEASE/PURCHASE					0
7714	COUNTY SCHOOL FACILITIES					0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY					0
7719	CHARTER SCHOOL					0
7725	MRAD					0
7728	DEBT SERVICE					0
7744	RETIREE BENEFITS	451061	451334	5,805	170,881	176,686
7770	ADULT EDUCATION	451039	451308	3,371	174,058	177,429
7785	DEFERRED MAINTENANCE				0	0
7790	BOND INTEREST & REDEMPTN				2,400	2,400
7701	PAYROLL REVOLVING				45,684,923	45,684,923
	TOTALS			6,077,393	205,151,219	211,228,612

*Christine E. J...*  
Prepared By

*J. Bow*  
Accounting Supervisor

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
WEEKLY VENDOR WARRANT REPORT  
2011-2012

PAYMENT  
DATE: May 9, 2012

PAGE-2

FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	451344	451577	1,113,885	87,595,730	88,709,615
7706	CAFETERIA	451360	451569	261,330	5,674,667	5,935,997
7707	CHILD DEVELOPMENT	451400	451546	1,446	154,867	156,313
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY	451382	451525	21,233	664,451	685,684
7710	BUILDING	451353	451575	1,114,207	67,176,076	68,290,283
7711	CAPITAL FACILITIES				1,526,519	1,526,519
7712	SELF INSURANCE PROPERTY & LIABILITY	451350	451350	9,651	2,394,864	2,404,515
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				0	0
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS				176,686	176,686
7770	ADULT EDUCATION	451403	451568	14,735	177,429	192,164
7785	DEFERRED MAINTENANCE				0	0
7790	BOND INTEREST & REDEMPTN				2,400	2,400
7701	PAYROLL REVOLVING				45,684,923	45,684,923
	TOTALS			2,536,487	211,228,612	213,765,099

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
WEEKLY VENDOR WARRANT REPORT  
2011-2012

PAYMENT

DATE: May 16, 2012

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FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	451600	451921	1,503,591	88,709,615	90,213,206
7706	CAFETERIA	451617	451901	158,639	5,935,997	6,094,636
7707	CHILD DEVELOPMENT	451860	451860	2,379	156,313	158,692
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY				685,684	685,684
7710	BUILDING	451602	451917	1,603,415	68,290,283	69,893,698
7711	CAPITAL FACILITIES	451838	451839	3,350	1,526,519	1,529,869
7712	SELF INSURANCE PROPERTY & LIABILITY	451767	451912	38,298	2,404,515	2,442,813
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				0	0
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS				176,686	176,686
7770	ADULT EDUCATION	451612	451869	12,464	192,164	204,628
7785	DEFERRED MAINTENANCE				0	0
7790	BOND INTEREST & REDEMPTN				2,400	2,400
7701	PAYROLL REVOLVING				45,684,923	45,684,923
	TOTALS			3,322,136	213,765,099	217,087,235

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
WEEKLY VENDOR WARRANT REPORT  
2011-2012

PAYMENT

DATE: May 23, 2012

PAGE-4

FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	451922	452168	1,225,146	90,213,206	91,438,352
7706	CAFETERIA	451962	452154	164,307	6,094,636	6,258,943
7707	CHILD DEVELOPMENT	452040	452123	2,508	158,692	161,200
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY	451961	451997	34,950	685,684	720,634
7710	BUILDING	451947	452164	271,446	69,893,698	70,165,144
7711	CAPITAL FACILITIES				1,529,869	1,529,869
7712	SELF INSURANCE PROPERTY & LIABILITY	451997	451997	10,950	2,442,813	2,453,763
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				0	0
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE	451967	951967	8,130,607	0	8,130,607
7744	RETIREE BENEFITS	451928	452150	3,351	176,686	180,037
7770	ADULT EDUCATION				204,628	204,628
7785	DEFERRED MAINTENANCE				0	0
7790	BOND INTEREST & REDEMPTN				2,400	2,400
7701	PAYROLL REVOLVING				45,684,923	45,684,923
	TOTALS			9,843,265	217,087,235	226,930,500

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
WEEKLY VENDOR WARRANT REPORT  
2011-2012

PAYMENT

DATE: May 29, 2012

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FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	452172	452415	836,073	91,438,352	92,274,425
7706	CAFETERIA	452204	452403	115,409	6,258,943	6,374,352
7707	CHILD DEVELOPMENT	452330	452330	600	161,200	161,800
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY	452223	452352	4,877	720,634	725,511
7710	BUILDING	452171	452417	1,894,920	70,165,144	72,060,064
7711	CAPITAL FACILITIES	452346	452412	10,221	1,529,869	1,540,090
7712	SELF INSURANCE PROPERTY & LIABILITY	452411	452411	25,000	2,453,763	2,478,763
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				0	0
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				8,130,607	8,130,607
7744	RETIREE BENEFITS				180,037	180,037
7770	ADULT EDUCATION	452181	452269	2,441	204,628	207,069
7785	DEFERRED MAINTENANCE				0	0
7790	BOND INTEREST & REDEMPTN				2,400	2,400
7701	PAYROLL REVOLVING				45,684,923	45,684,923
	TOTALS			2,889,541	226,930,500	229,820,041

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
WEEKLY VENDOR WARRANT REPORT  
2011-2012

PAYMENT  
DATE: May 10, 2012

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FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL				92,274,425	92,274,425
7706	CAFETERIA				6,374,352	6,374,352
7707	CHILD DEVELOPMENT				161,800	161,800
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY				725,511	725,511
7710	BUILDING				72,060,064	72,060,064
7711	CAPITAL FACILITIES				1,540,090	1,540,090
7712	SELF INSURANCE PROPERTY & LIABILITY				2,478,763	2,478,763
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				0	0
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				8,130,607	8,130,607
7744	RETIREE BENEFITS				180,037	180,037
7770	ADULT EDUCATION				207,069	207,069
7785	DEFERRED MAINTENANCE				0	0
7790	BOND INTEREST & REDEMPTN				2,400	2,400
7701	PAYROLL REVOLVING	451578	451599	939,961	45,684,923	46,624,884
	TOTALS			939,961	229,820,041	230,760,002



WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
WEEKLY VENDOR WARRANT REPORT  
2011-2012

PAYMENT

DATE: May 31, 2012

PAGE-7

FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL				92,274,425	92,274,425
7706	CAFETERIA				6,374,352	6,374,352
7707	CHILD DEVELOPMENT				161,800	161,800
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY				725,511	725,511
7710	BUILDING				72,060,064	72,060,064
7711	CAPITAL FACILITIES				1,540,090	1,540,090
7712	SELF INSURANCE PROPERTY & LIABILITY				2,478,763	2,478,763
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				0	0
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				8,130,607	8,130,607
7744	RETIREE BENEFITS				180,037	180,037
7770	ADULT EDUCATION				207,069	207,069
7785	DEFERRED MAINTENANCE				0	0
7790	BOND INTEREST & REDEMPTN				2,400	2,400
7701	PAYROLL REVOLVING	452418	452476	4,606,488	46,624,884	51,231,372
	TOTALS			4,606,488	230,760,002	235,366,490

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
1108 Bissell Avenue  
Richmond, California 94801-3135  
Office of the Superintendent

**ITEM REQUIRING ATTENTION----BOARD OF EDUCATION**

---

**To:** Board of Education

**Date:** June 13, 2012

**From:** Sheri Gamba *SG*  
Associate Superintendent Business Services

**Agenda Item:** CI C.3

**Subject:** Adoption of Resolution No.118-1112 Replacement of Outdated Warrants

**Background Information:** Government Code Section 298029(c) allows the governing board, by resolution, to order a replacement check be issued for a warrant that is stale dated. This resolution authorizes the issuance of a check to replace the outdated warrants for Andrew Young. Staff recommend replacement of the stale dated warrants.

**Recommendation:** Recommend approval to replace the outdated warrants

**Fiscal Impact:** None

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

BOARD OF EDUCATION  
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
RESOLUTION NO.118-1112  
REPLACEMENT OF OUTDATED WARRANT  
June 13, 2012

WHEREAS Government Code Section 29802(c) allows the governing board, by resolution, to order that a replacement check be issued for a warrant that is stale dated.

BE IT RESOLVED, by the Board of Education of the West Contra Costa Unified School District, that we issue a check to replace the following stale dated check:

Type: Payroll Check  
Payee: Andrew Young  
Check No.: 585399  
Amount: \$80.00  
Issue Date: November 10, 2009

Type: Payroll Check  
Payee: Andrew Young  
Check No.: 586191  
Amount: \$1,755.14  
Issue Date: November 30, 2009

Type: Payroll Check  
Payee: Andrew Young  
Check No.: 587662  
Amount: \$160.00  
Issue Date: December 10, 2009

PASSED AND ADOPTED on the 13<sup>th</sup> day of June, 2012, at a regular meeting of the Board of Education by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

I hereby certify that the foregoing is a full, true and correct copy of a resolution passed at a meeting of the Board of Education, of the West Contra Costa Unified School District.

---

Bruce Harter  
Secretary, Board of Education

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
1108 Bissell Avenue  
Richmond, California 94801-3135  
Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

---

**To:** Board of Education

**Meeting Date:** June 13, 2012

**From:** Sheri Gamba

**Agenda Item:** CI C.4

Associate Superintendent Business Services

**Subject:** Notice of Completions: Bid J068304 Riverside Elementary Restroom Resurfacing Project, Bid J068314 Washington Elementary Restroom Resurfacing Project.

**Background Information:**

Substantial completion notices has been received for: Bid J068304, Bid J068314.

Major construction projects are subject to acceptance by the governing board before a Notice of Completion can be processed, and final payment of the contract made. (BP 7470)

Staff recommends acceptance of the work completed by the following contractor:

Streamline Builders, Bid J068304 Riverside Elementary Restroom Resurfacing Project  
Streamline Builders, Bid J068314 Washington Elementary Restroom Resurfacing Project

**Recommendation:** Recommend approval of these notices of completion.

**Fiscal Impact:** None.

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO  
NAME WEST CONTRA COSTA  
UNIFIED SCHOOL DISTRICT  
STREET  
ADDRESS 1108 BISSELL AVENUE  
CITY &  
STATE RICHMOND, CALIF 94801

SPACE ABOVE THIS LINE FOR RECORDER'S USE

## NOTICE OF COMPLETION

Notice pursuant to Civil Code Section 3093, must be filed within 10 days after completion. The completion of work is deemed to be the date of such acceptance by the Governing Board of the District (civil code 3086)

Notice is hereby given that:

1. The undersigned is owner of the property hereinafter described:
2. The full name of the owner is: Governing Board, West Contra Costa Unified School District.
3. The full address of the owner is: 1108 Bissell Avenue, Richmond, Calif. 94801.
4. A work of improvement on the property hereinafter described was completed and accepted on 6/13/12.
5. The work done was: Project J068304 Riverside Restroom Resurfacing Project
6. The name and address of the contractor for such work of improvement was Streamline Builders 1700 25<sup>th</sup> Avenue, San Francisco, CA 94122 Date of Contract: 11/16/11
7. The name of the Bonding Company that provided Surety for said contractor relative to work to be performed is: Western Surety Company
8. The property on which said work of improvement was completed is located within the West Contra Costa Unified School District, County of Contra Costa, State of California, and is described and located as follows: Riverside Elementary School 1300 Amador Street San Pablo, CA 94806.

Dated: June 13, 2012

\_\_\_\_\_  
Director, General Services  
West Contra Costa USD

### VERIFICATION

I, the undersigned, say: I am the Director, General Services the declarant of the foregoing notice of completion; I have read said notice of completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 13, 2012, at Richmond, California.

\_\_\_\_\_  
Director, General Services  
West Contra Costa USD

RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO  
NAME WEST CONTRA COSTA  
UNIFIED SCHOOL DISTRICT  
STREET  
ADDRESS 1108 BISSELL AVENUE  
CITY &  
STATE RICHMOND, CALIF 94801

SPACE ABOVE THIS LINE FOR RECORDER'S USE

## NOTICE OF COMPLETION

Notice pursuant to Civil Code Section 3093, must be filed within 10 days after completion. The completion of work is deemed to be the date of such acceptance by the Governing Board of the District (civil code 3086)

Notice is hereby given that:

1. The undersigned is owner of the property hereinafter described:
2. The full name of the owner is: Governing Board, West Contra Costa Unified School District.
3. The full address of the owner is: 1108 Bissell Avenue, Richmond, Calif. 94801.
4. A work of improvement on the property hereinafter described was completed and accepted on 6/13/12.
5. The work done was: Project J068314 Washington Elementary Restroom Resurfacing Project
6. The name and address of the contractor for such work of improvement was Streamline Builders 1700 25<sup>th</sup> Avenue, San Francisco, CA 94122 Date of Contract: 1/04/12
7. The name of the Bonding Company that provided Surety for said contractor relative to work to be performed is: Western Surety Company
8. The property on which said work of improvement was completed is located within the West Contra Costa Unified School District, County of Contra Costa, State of California, and is described and located as follows: Washington Elementary School 565 Wine Street Richmond, CA 94801.

Dated: June 13, 2012

\_\_\_\_\_  
Director, General Services  
West Contra Costa USD

### VERIFICATION

I, the undersigned, say: I am the Director, General Services the declarant of the foregoing notice of completion; I have read said notice of completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 13, 2012, at Richmond, California.

\_\_\_\_\_  
Director, General Services  
West Contra Costa USD

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
1108 Bissell Avenue  
Richmond, California 94801-3135  
Office of the Superintendent

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

---

**To:** Board of Education

**Date:** June 13, 2012

**From:** Sheri Gamba  
Associate Superintendent Business Services

**Agenda Item:** CI C.5

**Subject:** Notification of Claims Rejected

**Background Information:** The District has received claims requesting compensation for personal loss. The District's risk management firm has investigated the claims and is requesting the School Board to ratify the authorized claim rejections.

**Recommendation:** Ratify the rejection of claims

**Fiscal Impact:** None

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

West Contra Costa Unified School District  
June 13, 2012

20011-2012 CLAIMS REJECTED

<u>School or Department</u>	<u>Date of Occurrence</u>	<u>Claimant</u>	<u>Type of Loss</u>	<u>Disposition of Settlement</u>
Ellerhorst Elementary	4/23/12	Dion Clark	Personal Loss	Rejected
De Anza High	3/1/12	Marc Deluca	Personal Loss	Rejected
Nystrom Elementary	9/1/10	Minor Claimant	Personal Loss	Rejected



WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
1108 Bissell Avenue  
Richmond, California 94801-3135  
Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION----BOARD OF EDUCATION**

---

**To:** Board of Education

**Meeting Date:** June 13, 2012

**From:** Sheri Gamba, Associate Superintendent Business Services  
Ann Reinhausen, Assistant Superintendent Human Resources

**Agenda Item:** CI C.6

**Subject:** Approval of Agreement with United Teachers of Richmond (UTR) / AB1200 Public Disclosure of Collective Bargaining Agreement with UTR

**Background Information:** Tentative Agreement has been reached on reopeners with representatives of UTR. UTR has ratified the Agreement. It is now presented to the Board of Education for ratification.

School districts are required to publicly disclose the provisions of collective bargaining agreements before ratification. A summary of the costs associated with the agreement is attached. This summary has also been provided to the County Office of Education in accordance with AB1200.

We want to thank the representatives of both bargaining teams for their time and effort in reaching this accord.

**Recommendation:** Recommend that the Board of Education ratify the Tentative Agreement between the West Contra Costa Unified School District and UTR.

**Fiscal Impact:** One time cost of \$1,088,141 from unrestricted general fund \$754,601; restricted \$321,729; Child Development fund \$11,811.

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

## **SUMMARY OF TENTATIVE AGREEMENT**

**With the United Teachers of Richmond(UTR) Bargaining Unit**

**Of the West Contra Costa Unified School District**

**To be acted upon by the Governing Board at its meeting on June 13, 2012**

### **GENERAL:**

**If this Public Disclosure is not applicable to all of the district's bargaining units, indicate the current status of the other units.**

**Certificated: Settled (contracts expire June 30, 2012 now extended to October 2012)**

**Classified: Settled (current agreement extended to November/December 2012.**

**The proposed agreement covers the following period: extension of successor agreement from June 30, 2012 to October 15, 2012.**

### **COMPENSATION:**

**Proposed percentage increase in proposed agreement: 0**

**Current year total cost increase for: Salaries: 957,039**

**Statutory Benefits: 131,102**

**Health & Welfare: 0**

**Cash in lieu of benefit: 0**

### **OTHER PROVISIONS**

**Other Compensation: (off schedule stipends, bonuses, etc.)**

**Non-Compensation: (Class Size Reduction, Teacher Prep Time, etc.)**

***TOTAL COST OF SETTLEMENT* \$ 1,088,141**

**WAS THIS COST INCLUDED IN THE LATEST PROJECTIONS PROVIDED TO THE COUNTY OFFICE?    Yes \_\_\_ No x**

**SOURCE FUNDING:**

**The following source(s) of funding have been identified to fund the proposed agreement:**

**Unrestricted General Fund Balance: \$754,601  
Restricted General Fund and Other Funds: \$321,729  
Fund 12: \$11,811**

**FISCAL IMPACT IN CURRENT YEAR: None**

**These costs are included in the source funding information provided above. This is the amount that will be obligated for the 2012-13 fiscal year.**

**FISCAL IMPACT IN FUTURE YEARS:**

**This is a one year provision with no obligation to future years beyond 2012-13. (one time cost)**

**Summary of Tentative Agreement: Two work days will be added to the UTR schedule for the purpose of professional development and collaboration for the 2012-13 school year.**

## CERTIFICATION

To be signed by the District Superintendent and Chief Business Official of the district prior to submission to the Governing Board and by the Board President upon formal Board action on the proposed agreement.

The certification is based on the most recent available information on state apportionments, property taxes and other sources of ongoing revenue as well as the most recent reasonable projections of ongoing expense.

The information provided in this document summarizes the financial implications of the proposed agreement and is submitted to the Governing Board for public disclosure of the major provisions of the agreement in accordance with the requirements of AB1200, AB2756 and Government Code 3547.5.

The Superintendent and Chief Business Official of the district certify that, based on the best of their knowledge as of the date of this certification, the district will be able to meet the costs incurred under the proposed agreement over the term of the agreement. Furthermore, all necessary adjustments to the current budget have been or will be made in order to provide the funding for the settlement that is outlined in this statement of disclosure.

  
\_\_\_\_\_  
District Superintendent

6-6-12  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Chief Business Official

5-31-12  
\_\_\_\_\_  
Date

After public disclosure of the major provisions contained in this Summary, the Governing Board, at its meeting on June 13, 2012, took action to approve the proposed agreement.

\_\_\_\_\_  
President, Governing Board

\_\_\_\_\_  
Date

District Package Counterproposal #4

To UTR

May 7, 2012

Time: 7 p.m.
  
 Mel Collins, UTR
5/10/12

Date

  
 Ann Reinlagen  
 Assistant Superintendent
5-10-12

Date

The District offers the following Package Counterproposal to UTR. This proposal must be accepted or rejected in its entirety. The District reserves the right to revert to its prior position if this package proposal is rejected. This proposal is intended to cover the 2012-2013 school year only.

1. The District offers, for the 2012-2013 school year only, two mandatory staff development days which will be added to the salary schedule for the 2012-2013 school year only. The first day will occur on August 16, 2012 prior to the return of students on August 20, 2012. The teacher workday will be August 17, 2012, as determined by the calendar committee. All unit members shall receive his/her per diem pay for his/her staff development days. Non-classroom staff and/or any program or school that is currently on a different schedule, for example psychologists and the staff at the Turnaround Model schools, shall return one day earlier for the first staff development day in August 2012. The second staff development day for all bargaining unit members shall be scheduled for October 12, 2012.
2. School sites that are currently implementing weekly collaboration time shall maintain it for the 2012-2013 school year. Schools that do not currently have collaboration time may choose to implement a collaboration schedule or will be expected to create a staff development schedule (separate from the days set forth in paragraph one) for the 2012-2013 school year and submit that schedule to the Assistant Superintendent of Human Resources. (The parties acknowledge that at this time only four schools do not have a collaboration schedule.)
3. The parties agree to resume negotiations for the successor contract on or about October 15, 2012.

RECEIVED  
WCCUSD

JUN 01 2012

Associate Superintendent  
Business Services

May 31, 2012

Bruce Harter, Ph.D., Superintendent  
West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, CA 94801

Dear Dr. Harter:

Our office has reviewed your District's 2012-13 Negotiated Salary Settlement Disclosure documents that provide the details for the tentative agreement with the United Teachers of Richmond (UTR) bargaining unit of the West Contra Costa Unified School District.

We agree with the District's certification that it will be able to provide the necessary funding for the two work days added to the UTR schedule for the purpose of professional development and collaboration for the 2012-13 school year for the UTR bargaining unit. Based on our analysis of the disclosure documents, it appears the agreement will result in an increase in costs of \$1,088,141 to the District. **The District should proceed with caution when considering any future settlements, including salary or other on-going costs, given the uncertainty of California state finances.**

We wish to thank your staff for the concise and complete disclosure packet that was submitted for our review. If you have any questions, please feel free to contact me at 925-942-3418.

Sincerely,



Bill Clark  
Associate Superintendent  
Business Services

BC:tf


cc: Sheri Gamba, Associate Superintendent, Business Services, WCCUSD  
Chris Rea, District Advisor, District Business Services, CCCOE

097 11/12

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

---

**To:** Board of Education **Meeting Date:** June 13, 2012  
**From:** Ann Reinlagen,  **Agenda Item:** CI C.7  
Assistant Superintendent Human Resources  
**Subject:** Acceptance of Contracts for Placement of Student Teachers

**Background Information:**

Teachers in this district provide supervision and evaluation for student teachers seeking credentials to teach in California public school classrooms. These arrangements are made between the institution of higher education and the individual classroom teacher at no cost to the district.

Staff requests approval from the Board of Education to accept Contracts for Placement of Student Teachers as detailed on the attached sheet dated June 13, 2012.

**Recommendation:** Recommended Approval.

**Fiscal Impact:** None

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

West Contra Costa Unified School District  
June 13, 2012

ACCEPTANCE OF CONTRACTS FOR PLACEMENT OF STUDENT TEACHERS

The following institution of higher education has submitted a contract with West Contra Costa Unified School District. This institution intends to place student teachers in the West Contra Costa Unified School District schools.

California State University, East Bay – Student Teaching Agreement  
Dominican University – Student Teaching Agreement



West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

---

**To:** Board of Education **Meeting Date:** June 13, 2012  
**From:** Ann Reinlagen, **Agenda Item:** CI C.8  
Assistant Superintendent Human Resources  
**Subject:** Recommendation for Preliminary Teaching Credential

**Background Information:** Pursuant to Education Code 44830.3 (d), District Interns, upon completion of service sufficient to meet program standards and performance assessments, maybe recommended by the governing board, recommend to the Commission on Teacher Credentialing, be credentialed in the manner prescribed by Section 44328 of Ed. Code.

**Recommendation:** Recommend Approval

**Fiscal Impact:** None

**DISPOSITION BY BOARD OF EDUCATION**

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

**June 13, 2012**

**Level I Education Specialist Credential/Preliminary Single Subject Credential  
Fortune School of Education**

<u><b>NAME</b></u>	<u><b>SITE</b></u>	<u><b>ASSIGNMENT</b></u>
Borg, Gretchen	Gompers	Special Ed NSH
Dickison, Gina	Helms Middle School	PE
Vaughn, Robbie M	Portola Middle School	English

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

**To:** Board of Education

**Meeting Date:** June 13, 2012

**From:** Ann Reinlagen,  
Assistant Superintendent Human Resources



**Agenda Item:** CI C.9

**Subject:** Agreement with California Teachers Association

**Background Information:**

The California Teachers Association and the West Contra Costa Unified School District enter into this agreement to release a teacher to work with CTA for the 2012-2013 school year.

**Recommendation:** Recommended Approval.

**Fiscal Impact:** None

**DISPOSITION BY BOARD OF EDUCATION**

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_

Not Approved \_\_\_\_\_

Tabled \_\_\_\_\_

1 **AGREEMENT REGARDING RELEASE TIME PURSUANT TO ED. CODE §44987**

2 WHEREAS, Terri Jackson has been elected to serve on the governing board of the  
3 California Teachers Association, (hereafter "CTA") effective June 28, 2011; and

4 WHEREAS, pursuant to Education Code §44987, Ms. Jackson is entitled to be released  
5 from her duties as a certificated employee of the West Contra Costa Unified School District  
6 (hereafter "the District") without any loss of pay or benefits; and

7 WHEREAS, the District is entitled to some reimbursement by the California Teachers  
8 Association for her leave of absence; and

9 WHEREAS, the parties to this Agreement recognize that it is to the advantage of both the  
10 District and Ms. Jackson to employ a teaching partner who will be assigned to Ms. Jackson's  
11 class at Stewart School for the entire school year to work in conjunction with Ms. Jackson and  
12 the District in teaching that class;

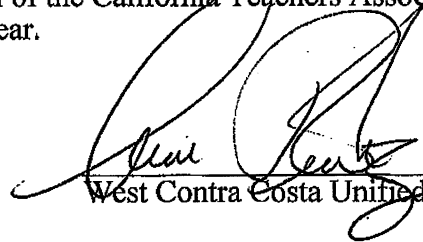
13 IT IS NOW THEREFORE RESOLVED that CTA and the District enter into the  
14 following agreement:

15 1. The District will assign Kristyn Loy to serve as a teaching partner to Terri Jackson's  
16 class at Stewart School for the 2012-13 school year. Ms. Loy will be assigned to that class on a  
17 full-time basis.

18 2. CTA will discharge its obligations under Education Code Section 44987 by  
19 reimbursing the District for Kristyn Loy's salary and benefits for the 2012-13 school year. The  
20 District will not charge CTA for Ms. Jackson's salary and benefits but will pay her salary and  
21 benefits to which she is entitled under the collective bargaining agreement between the District  
22 and the United Teachers of Richmond.

23 3. Ms. Jackson will have the right to return to her assignment at Stewart School at the  
24 conclusion of her service as an elected official of the California Teachers Association. The term  
25 of this Agreement is for the 2012-13 school year.

26 Dated: \_\_\_\_\_

  
West Contra Costa Unified School District

27 Dated: \_\_\_\_\_

28  
Mikki Cichocki, Secretary-Treasurer  
California Teachers Association

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

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**To:** Board of Education

**Meeting Date:** June 13, 2012

**From:** Steve Collins  
SELPA Director

**Agenda Item:** CI C.10

**Subject:** Community Advisory Committee (CAC) for Special Education

**Background Information:**

The Community Advisory Committee (CAC) for Special Education is a state mandated parent/community advisory group. The members are composed of special education parents, members of the community, teachers and other staff members who are interested in participating. The CAC advises the special education department and reviews the Special Education Local Plan.

The CAC By-Laws stipulate that "The CAC shall submit names of nominees to the Superintendent for approval. Formal appointment shall be made by the School Board" (CAC By-Laws, November, 2002).

The nominees listed on the attachment are to serve as members of the CAC Membership for 2012-14. Also included, are the current members who are serving from 2011-13.

**Recommendation:** Board Approval

**Fiscal Impact:** None

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_

Not Approved \_\_\_\_\_

Tabled \_\_\_\_\_

**PROPOSED CAC MEMBERSHIP FOR 2012-14**

<b><u>Name</u></b>	<b><u>Address</u></b>	<b><u>End of Term</u></b>
<b>2012-14</b>		
Bishop, Jeanine (Parent)	370 Ocean View Avenue, Kensington, CA 94707	2014
Costa, Victor (Parent)	2611 Lucas Avenue, Pinole, CA 94564	2014
Cleberg, Kathy (Parent)	2680 Alhambra Way, Pinole, CA 94564	2014
LeBlanc, Chereese (Parent)	P.O. Box 1412, El Cerrito, CA 94530	2014
Rouse, Nancie (Teacher)	3818 Via Verdi, Richmond, CA 94803	2014
Tucker, Hope (Parent)	1050 Bayview Farm Road #115, Pinole, CA 94564	2014

## CAC MEMBERSHIP FOR 2011- 13

<u>Name</u>	<u>Address</u>	<u>End of Term</u>
<b>2011-13</b>		
Bartson, Beth (Staff)	7140 Gladys Avenue, El Cerrito, CA 94530	2013
Bluntach, Belinda (Parent)	15702 Crestwood Drive #432, San Pablo, CA 94806	2013
Borg, Gretchen & Frank (Parents)	541 42 <sup>nd</sup> Street, Richmond, CA 94805	2013
Curry, Michael (Parent)	2111 San Mateo St., Richmond, CA 94804	2013
Lama, Rajendra Norba (Parent)	340 Key Blvd., Richmond, CA 94805	2013
Lambert, Jeannette (Parent)	3001 Estates Ave., Pinole, CA 94564	2013
Marte, Kathleen (Parent)	612 43 <sup>rd</sup> Street, Richmond, CA 94805	2013
McGadney, Jerome (Parent)	1535 Benton St #1, Alameda, CA 94501	2013
Ordonez, Jennifer (Parent)	2406 Standard Avenue, San Pablo, CA 94806	2013
Rutford, Brian (Community)	436 Parr Blvd., Richmond, CA 94801	2013
Smith, Takako (Parent)	2440 Hinkley Circle, Richmond, CA 94804	2013

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

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**To:** Board of Education **Meeting Date:** June 13, 2012  
**From:** Bill Fay **Agenda Item:** CI C.11  
Associate Superintendent for Operations  
**Subject:** Ratification and Approval of Engineering Services Contracts

**Background Information:**

Contracts have been initiated by staff using previously qualified consulting, engineering, architectural, or landscape architectural firms to assist in completion of the referenced projects. Many of the firms are already under contract and the staff-initiated work may be an extension of the firm's existing contract with the District. Public contracting laws have been followed in initially qualifying and selecting these professionals.

**Recommendation:** Ratify and approve contracts as noted.

**Fiscal Impact:** Total for this action: \$987,055.85. Funding sources as noted.

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_



**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
FACILITIES PLANNING AND CONSTRUCTION**

**ENGINEERING & ARCHITECTURAL SERVICES CONTRACTS**

<b>Project/Funding</b>	<b>Dates</b>	<b>Firm</b>	<b>Contract Cost</b>	<b>Reference</b>
Kennedy High School Locker Replacement Project  Measure J Bond (PID: 3601211-17)	May 2012 through September 2012	HMR Architects	Not to Exceed, \$7,200	Design and construction administration services.
Olinda Elementary School Fire Alarm Replacement Project  Measure D-2010 Bond (PID: 1451612-04)	May 2012 through April 2012	AE3 Partners, Inc.	\$44,980	Architectural design services to develop construction documents and obtain DSA approval.
Shannon Elementary School Fire Alarm Replacement Project  Measure D-2010 Bond (PID: 1541612)	May 2012 through April 2012	AE3 Partners, Inc.	\$44,980	Architectural design services to develop construction documents and obtain DSA approval.
Bond Program Management  Multiple Bond Measures	July 2012 through June 2013	Davillier-Sloan, Inc.	\$360,000	Labor compliance services for all Measure D, Measure J and ERP projects.
Bond Program Standards Update Project  Measure D-2010	May 2012 through September 2012	Deems Lewis McKinley	\$22,500	Design services for developing updated master product standards list.
Lupine Hills Elementary School Shade Structures Project  Measure D-2010 Bond (PID: 1261612-00)	May 2012 through August 2012	USA SHADE & Fabric Structures, Inc.	\$88,835.85	Fabrication and installation services for two shade structures.

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
FACILITIES PLANNING AND CONSTRUCTION**

**ENGINEERING & ARCHITECTURAL SERVICES CONTRACTS**

Olinda Elementary School Capital Deferred Maintenance Project  Measure D-2010 Bond (PID: 1451612-13)	May 2012 through December 2012	AE3 Partners, Inc.	\$27,680	Architectural design services for restroom renovations, multi-purpose room repairs and side yard maintenance.
Richmond High School Modernization Project  Measure D-2010 Bond (PID: 3641108-00)	May 2012 through June 2012	Alan Kropp & Associates, Inc.	\$26,500	Geotechnical engineering investigation, and geologic and seismic hazards assessment services.
Kennedy High School Cooler/Freezer Box Replacement  Measure D-2010 Bond (PID: 3601612-00)	May 2012 through August 2012	HMR Architects	\$7,000	Design and construction administration services.
Gompers/LPS Campus Replacement Project  Measure D-2010 Bond (PID: 3581366-00)	June 2012 through July 2012	Fehr and Peers	\$8,400	Engineering services to prepare traffic control and detour plans for temporary road closure.
Nystrom Elementary School Modernization - Temporary Campus Project  Measure J Bond (PID: 1441205-09)	May 2012 through September 2012	Kleinfelder	\$20,600	Geotechnical construction observation and testing services.
Gompers/LPS Soil Removal Project  Measure J Bond (PID: 3581366-02)	January 2012 through April 2012	RGA Environmental, Inc.	\$24,920	Services for additional groundwater investigation.

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
FACILITIES PLANNING AND CONSTRUCTION**

**ENGINEERING & ARCHITECTURAL SERVICES CONTRACTS**

Gompers/LPS Soil Removal Project  Measure J Bond (PID: 3581366-02)	January 2012 through April 2012	RGA Environmental, Inc.	\$19,885	Engineering services to provide bid process support and regulatory agency coordination.
Gompers/LPS Soil Removal Project  Measure J Bond (PID: 3581366-02)	April 2012 through May 2012	RGA Environmental, Inc.	\$58,485	Engineering services to provide oversight and regulatory agency coordination regarding TCRA lead-impacted material removal and oily soil excavation.
Gompers/LPS Soil Removal Project  Measure J Bond (PID: 3581366-02)	February 2012	RGA Environmental, Inc.	\$4,030	Engineering services to provide lead characterization in soil adjacent to stockpile.
Bond Program Management  Measures J and D-2010 Bonds	May 2012 through December 2012	BPXpress Reprographics	\$100,000	Reproduction services.
Kennedy High School Field Building and Lighting Project  Measure J Bond (PID: 3601211-02)	April 2012 through June 2012	Grossmann Design Group	Not to Exceed, \$12,500	Additional construction administration services.
Kennedy High School Waterproofing Repairs Project  Measure D-2010 Bond (PID: 3601364-02)	June 2012 through August 2012	Grossmann Design Group	Not to Exceed, \$33,160	Waterproofing design construction administration.

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
FACILITIES PLANNING AND CONSTRUCTION**

**ENGINEERING & ARCHITECTURAL SERVICES CONTRACTS**

Downer Elementary School Restroom Repairs  Measure J Bond (PID: 1161223-01)	May 2012	Bunton Clifford Architects	\$750	Additional design and documentation services.
Gompers/LPS - Vista High School Relocatable Classroom Project  Measure D-2010 Bond (PID: 3581212-04)	May 2012 through August 2012	Hamilton + Aitken Architects	\$48,650	Architectural design, documentation and construction phase services.
Shannon Elementary School Capital Deferred Maintenance Project  Measure D-2010 Bond (PID: 1541612-13)	June 2012 through August 2012	AE3 Partners, Inc.	\$18,080	Architectural design services for restroom renovations and multi-purpose room repairs.
Mira Vista Elementary School Restroom Surface Repair Project  Measure D-2010 Bond (PID: 1391223-18)	May 2012	AE3 Partners, Inc.	\$2,640	Additional architectural field investigation and design services.
Murphy Elementary School Restroom Surface Repair Project  Measure D-2010 Bond (PID: 1421223-19)	May 2012	AE3 Partners, Inc.	\$2,640	Additional architectural field investigation and design services.
Sheldon Elementary School Restroom Surface Repair Project  Measure D-2010 Bond (PID: 1551223-20)	May 2012	AE3 Partners, Inc.	\$2,640	Additional architectural field investigation and design services.

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801-3135  
Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION --- BOARD OF EDUCATION**

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**To:** Board of Education **Meeting Date:** June 13, 2012  
**From:** Bill Fay **Agenda Item:** CI C.12  
Associate Superintendent for Operations  
**Subject:** Ratification and Approval of Negotiated Change Orders

**Background information:**

Staff is seeking ratification of change orders on the following current District construction projects: Dover Elementary School New School, Ohlone Elementary School New School, Gompers High School Demo and Site Work, Richmond High School ERP Project and Gompers LPS Soil Removal. Change orders are fully executed by the District upon signature by the Superintendent's designee. Board ratification is the final step required under state law in order to complete payment and contract adjustment.

In addition to normal ratification, approval of the noted change order for the Ford Elementary School New School and Gompers LPS Soil Removal projects are required by the Board, with special findings as noted below, because these projects are in excess of the Public Contract Code limit of 10% of the original contract value. In accordance with Public Contract Code 20118.4, the Board, by approving and ratifying these change orders, finds that it would have been futile to publicly bid the work in question because of the tight time frames to complete this work without affecting the operations of the District, and that the public is best served by having this work completed by the contractor on the project.

**Recommendation:** Ratify negotiated change orders as noted.

**Fiscal Impact:** Total ratification and approval by this action: **\$226,306.83**

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

**June 13, 2012 Change Order Ratification Summary**

					Items Pending Board Action					
	Project	Company	Original Contract	Previously Approved CO's	CO's Pending Ratification	CO's Pending Approval	Total CO's	CO Percent of Original Contract	Adjusted New Contract	Change Order Numbers
1	Ford ES New School	Alten Construction, Inc.	\$16,734,206.00	\$2,255,841.00	\$0.00	\$20,340.00	\$2,276,181.00	13.60%	\$19,010,387.00	32
2	Dover ES New School	Alten Construction, Inc.	\$21,491,000.00	\$707,148.50	\$35,741.00	\$0.00	\$742,889.50	3.46%	\$22,233,889.50	18, 19
3	Ohlone ES New School	Zovich Construction	\$16,961,000.00	\$0.00	\$48,304.00	\$0.00	\$48,304.00	0.28%	\$17,009,304.00	1 thru 6
4	Gompers HS Demo and Site Work	Evans Brothers	\$1,693,000.00	\$174,745.43	-\$21,723.74	\$0.00	\$153,021.69	9.04%	\$1,846,021.69	3,5
5	Richmond HS ERP Project	West Coast Contractors	\$4,156,000.00	\$292,597.00	-\$16,000.00	\$0.00	\$276,597.00	6.66%	\$4,432,597.00	3,5
6	Gompers LPS Soil Removal	Applied Water Resources Corp	\$477,428.00	\$0.00	\$47,742.80	\$111,902.77	\$159,645.57	33.44%		1 thru 7

Pending Board Actions	Ratifications	\$94,064.06
	Approvals	\$132,242.77
	Total Board Action	\$226,306.83

Note: the proposed Board action is to ratify all change orders below ten percent (10%) of the contract value; the change order amounts pending Board approval is the portion of the change order(s) above 10%.

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

**To:** Board of Education **Meeting Date:** June 13, 2012  
**From:** Bill Fay **Agenda Item:** CI C.13  
Associate Superintendent for Operations  
**Subject:** Collins Elementary School New Fire Alarm Project Award of Contract

**Background Information:**

The District has initiated a project to upgrade fire alarm systems at various school sites which require the replacement of existing systems that do not meet current code requirements and lacks a number of essential features. AE3 has prepared plans and specifications for the new fire alarm system at Collins Elementary School. Scope of work includes the installation of a new fire alarm system, including conductors, conduit, audio/visual devices, pull stations and control equipment.

The District conducted a public bid process for the project. Bids were received on June 5, 2012. Four contractors submitted bids. They are as follows: Watson Electric, Inc., \$239,788; Arthulia, Inc., \$263,000; B-Side, Inc., \$285,400; Nema Construction, \$289,000.

**Recommendation:** Award contract to lowest responsive, responsible bidder after the expiration of the protest period.

**Fiscal Impact:** Funded from the Measure J Bond.

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

**To:** Board of Education **Meeting Date:** June 13, 2012  
**From:** Bill Fay **Agenda Item:** CI C.14  
Associate Superintendent for Operations  
**Subject:** Ellerhorst Elementary School, Harding Elementary School, Lincoln Elementary School, and  
Tara Hills Elementary School Restroom Renovation Project Award of Contract

**Background Information:**

Several restroom wall finishes installed during Measure M Phase 1A projects have deteriorated since installation. There are cracked surfaces and delaminating epoxy finishes due to improper substrate application and preparation. In addition, many of the restrooms are seriously deteriorated after years of use.

DLM Architects has prepared plans and specifications for the restroom renovations at Ellerhorst Elementary School, Harding Elementary School, Lincoln Elementary School, and Tara Hills Elementary School. Scope of work consist of, but is not limited to, installation of tile finishes; installation of wall finish; refinishing or replacement of epoxy floors; paint throughout; reinstallation or replacement of various bathroom accessories and plumbing fixtures; and electrical work related to replacement of various fans and installation of hand dryers.

The District engaged in a public bid process for the project. Bids were opened on June 6, 2012. Three contractors submitted bids. They are as follows: B-Side, \$885,000; S&H Construction, \$945,000; Vila Construction, \$1,666,144.

**Recommendation:** Award contract to the lowest responsive, responsible bidder after the expiration of the protest period.

**Fiscal Impact:** Funded from the Measure J Bond.

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_



West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

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**To:** Board of Education **Meeting Date:** June 13, 2012  
**From:** Bill Fay **Agenda Item:** CI C.15  
Associate Superintendent for Operations  
**Subject:** Mira Vista Elementary School Concrete Stoops Project Award of Contract

**Background Information:**

The District is initiating planned maintenance projects at various school sites. One major area of focus is making schools access compliant. DLM has prepared plans and specifications to make Mira Vista Elementary School's concrete stoops ADA compliant. Scope of work includes selective demolition and construction necessary for the project and consists of replacing exterior concrete landings throughout the campus.

The District conducted a public bid process for the project. Bid date has been moved, bids to open on June 13, 2012. \_\_\_\_\_ Contractors submitted bids. They are as follows: \_\_\_\_\_. The lowest responsive, responsible bidder is \_\_\_\_\_.

**Recommendation:** Award contract to the lowest responsive, responsible bidder after the expiration of the protest period.

**Fiscal Impact:** Funded from the Measure D-2010 Bond.

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

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**To:** Board of Education **Meeting Date:** June 13, 2012  
**From:** Bill Fay **Agenda Item:** CI C.16  
Associate Superintendent for Operations  
**Subject:** Sheldon Elementary School, Murphy Elementary School, and Mira Vista Elementary School  
Restroom Renovation Project Award of Contract

**Background Information:**

Several restroom wall finishes installed during Measure M Phase 1A projects have deteriorated since installation. There are cracked surfaces and delaminating epoxy finishes due to improper substrate application and preparation. In addition, many of the restrooms are seriously deteriorated after years of use.

AE3 Architects has prepared plans and specifications for the restroom renovations at Sheldon Elementary School, Murphy Elementary School, and Mira Vista Elementary School. Scope of work consist of, but is not limited to, installation of tile finishes; installation of wall finish; refinishing or replacement of epoxy floors; paint throughout; reinstallation or replacement of various bathroom accessories and plumbing fixtures; and electrical work related to replacement of various fans and installation of hand dryers.

The District engaged in a public bid process for the project. Bids were opened on June 5, 2012. Five contractors submitted bids. They are as follows: AM Woo Construction, \$477,000; S&H Construction, \$490,000; Hung Construction, \$716,000; DRP Builders, \$990,000; Vila Construction, \$1,079,074.

**Recommendation:**

Award contract to the lowest responsive, responsible bidder after the expiration of the protest period.

**Fiscal Impact:** Funded from the Measure J Bond.

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION----BOARD OF EDUCATION**

**To:** Board of Education **Meeting Date:** June 13, 2012  
**From:** Bill Fay **Agenda Item:** CI C.17  
Associate Superintendent for Operations  
**Subject:** RFP #112-03 Vehicle Fleet Management Services

**Background Information:**

The District has an aging fleet of vehicles that has reached a point of needing the replacement of twenty vehicles that in some cases have already been placed out of service due to safety and or the age of the vehicle. The District solicited an RFP for a vehicle Fleet Management Service Program. This program would include the leasing of vehicles for a sixty month term to include full maintenance and insurance for each vehicle. Four firms were solicited and the District received a response from one vendor. Enterprise Fleet Management responded to the RFP.

**Recommendation:** Recommend sixty month lease with Enterprise Fleet Management.

**Fiscal Impact:** Annually \$78,182.55 RRM, \$18,057.56 MRAD, \$12,876.71 Safety

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

**Vehicles funded by RRM**

Quantity	Vehicle	Monthly Cost per Vehicle Before Tax	Monthly Vehicle Costs with Tax	Monthly Full Maintenance Costs	Monthly Physical Damage Costs (Estimated)	Monthly Mobile Resources Management Costs	Total Monthly Costs
2	3/4 ton Carpenters pickup	\$333.91	\$726.25	\$67.02	\$56.00	\$60.00	\$909.27
1	1/2 ton Lock panel van	\$278.87	\$303.27	\$33.51	\$28.00	\$30.00	\$394.78
2	1/2 ton Painting panel van	\$284.78	\$619.40	\$67.02	\$56.00	\$60.00	\$802.42
1	3/4 ton Heating panel van	\$289.90	\$315.27	\$33.51	\$28.00	\$30.00	\$406.78
1	3/4 ton Carpenters panel van	\$289.90	\$315.27	\$33.51	\$28.00	\$30.00	\$406.78
2	3/4 ton Electrical utility pickup	\$403.92	\$878.53	\$67.02	\$56.00	\$60.00	\$1,061.55
2	3/4 ton Plumbing utility pickup	\$403.92	\$878.53	\$67.02	\$56.00	\$60.00	\$1,061.55
3	mini Electronics panel van	\$367.07	\$1,197.57	\$100.53	\$84.00	\$90.00	\$1,472.10
14		\$2,652.27	\$5,234.07	\$469.14	\$392.00	\$420.00	\$6,515.21
<b>Annual</b>		<b>\$31,827.24</b>	<b>\$62,808.87</b>	<b>\$5,629.68</b>	<b>\$4,704.00</b>	<b>\$5,040.00</b>	<b>\$78,182.55</b>

**Vehicles funded by MRAD**

Quantity	Vehicle	Monthly Cost per Vehicle Before Tax	Monthly Vehicle Costs with Tax	Monthly Full Maintenance Costs	Monthly Physical Damage Costs (Estimated)	Monthly Mobile Resources Management Costs	Total Monthly Costs
2	3/4 ton Ground utility pickup	\$403.92	\$878.53	\$67.02	\$56.00	\$60.00	\$1,061.55
1	mini Operations panel van	\$323.44	\$351.74	\$33.51	\$28.00	\$30.00	\$443.25
3		\$727.36	\$1,230.27	\$100.53	\$84.00	\$90.00	\$1,504.80
<b>Annual</b>		<b>\$8,728.32</b>	<b>\$14,763.20</b>	<b>\$1,206.36</b>	<b>\$1,008.00</b>	<b>\$1,080.00</b>	<b>\$18,057.56</b>

**Vehicles funded by Safety**

Quantity	Vehicle	Monthly Cost per Vehicle Before Tax	Monthly Vehicle Costs with Tax	Monthly Full Maintenance Costs	Monthly Physical Damage Costs (Estimated)	Monthly Mobile Resources Management Costs	Total Monthly Costs
3	compact Safety 4 door	\$244.76	\$798.53	\$100.53	\$84.00	\$90.00	\$1,073.06
3		\$244.76	\$798.53	\$100.53	\$84.00	\$90.00	\$1,073.06
<b>Annual</b>		<b>\$2,937.12</b>	<b>\$9,582.35</b>	<b>\$1,206.36</b>	<b>\$1,008.00</b>	<b>\$1,080.00</b>	<b>\$12,876.71</b>

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

---

**To:** Board of Education **Meeting Date:** June 13, 2012  
**From:** Bill Fay **Agenda Item:** CI C.18  
Associate Superintendent for Operations  
**Subject:** Citizens' Bond Oversight Committee (CBOC) Appointment: Ivette Ricco recommended by Board Member Medrano

**Background Information:**

Under the current administrative regulations governing the Citizens' Bond Oversight Committee, there is a CBOC member appointed by each school board member. Committee members are allowed to serve two 2-year terms. As Board member Medrano's appointment is now eligible for renewal, he has forwarded a recommendation to re-appoint Ivette Ricco to the Citizens' Bond Oversight Committee.

**Recommendation:** Recommend Approval

**Fiscal Impact:** None

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
1108 Bissell Avenue  
Richmond, California 94801-3135  
Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION----BOARD OF EDUCATION**

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**To:** Board of Education **Meeting Date:** June 13, 2012  
**From:** Board President and Clerk **Agenda Item:** CE C.19  
**Subject:** Resolution No. 117-1112: Specifications of the Election Order

**Background Information:** Resolution No. 117-1112 meets the legal requirements necessary prior to any Board election. The resolution calls for the holding of a Regular Governing Board Member Consolidated Election.

**Recommendation:** Recommend Approval of Resolution No. 117-1112

**Fiscal Impact:** Benefit to the District

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

**West Contra Costa Unified School District  
Board of Education  
Contra Costa County, State of California**

In the Matter of Ordering Regular )  
Governing Board Member Elections; ) Resolution No. 117-1112  
Specifications of the Election Order )

WHEREAS, Education Code 1302 (a) provides that, in the absence of establishing the Election Day for governing boardmembers to regularly occur on specified statewide elections, the regular election to select governing boardmembers in any school or community college district shall be held on the first Tuesday after the first Monday in November of each even-numbered year.

WHEREAS, Education Code 5322 provides that whenever an election for governing boardmembers is ordered, the governing board shall, by resolution, provide for specifications of the election order which shall be delivered to the County Superintendent of Schools and the officer conducting the election not less than 123 days prior to the date set for the election; and

WHEREAS, other elections of school districts or other public agencies may be held in whole in part within the territory of this District and it is to the advantage of the District to consolidate therewith;

WHEREAS, Elections Code Section 13307 requires that before the nominating period opens the governing body must determine whether a charge shall be levied against each candidate submitting a candidate's statement to be sent to the voters; determine the number of words, may estimate the cost; and determine whether the estimate must be paid in advance; and

WHEREAS, Elections Code Section 12112 and Education Code 5363, requires the publication of a notice of the election once in a newspaper of general circulation in the District;

WHEREAS, tie votes shall be determined by lot or runoff election according to Education Code 5016.

NOW, THEREFORE, BE IT RESOLVED as follows:

SPECIFICATIONS OF THE ELECTION ORDER

1. This Governing Board hereby orders an election to be held within the territory included in this District on the 6<sup>th</sup> Day of November, 2012 for the purpose of electing member(s) to the Governing Board of the District in accordance with the following specifications:

2. The purpose of the election is to choose successors for the following offices:

Governing Board Member \_\_\_\_\_ 4 year term \_\_\_\_\_

Governing Board Member \_\_\_\_\_ 4 year term \_\_\_\_\_

3. The Governing Board has determined that the Candidate will pay for the Candidate's Statement. The Candidate's Statement will be limited to 200 words. As a condition of having the Candidate's Statement published, the candidate shall pay the estimated cost at the time of filing. The Governing Board accepts the Elections Division's estimated cost and shall assume no part of the cost of printing, handling, translating, or mailing of candidate statements filed pursuant to Elections Code 11307.

4. The Governing Board requests that the Elections Division publish the Notice of Election in a newspaper of general circulation that is regularly circulated in the territory.

5. The Governing Board has determined that the action to be taken in the event of a tie vote is as follows: the Governing Board shall schedule a runoff election in accordance with law.

6. This Board hereby requests and consents to the consolidation of this election with other elections to be held in whole or in part in the territory of the District, pursuant to Education Code 5340 and Elections Code 10400.

7. The Clerk of this Board is ordered to deliver copies of this Resolution, to the County Superintendent of Schools and to the Registrar of Voters, and if applicable, to the Registrar of Voters of any other county in which the election is held, as required by Education Code 5322 and 5324.

8. In accordance with Education Code 5421, the District will reimburse the county for the actual cost incurred by the county elections official in conducting the general district election upon receipt of a bill stating the amount due as determined by the elections official.

9. The County Superintendent of Schools to file resolutions calling governing board elections with Elections Office according the Education Code 5324.

10. I, Antonio Medrano, Clerk of the Board of Trustees of the West Contra Costa Unified School District, do hereby certify that the foregoing Resolution was proposed by Boardmember \_\_\_\_\_, seconded by Boardmember \_\_\_\_\_, and was duly passed and adopted by said Board, at an official and public meeting thereof held on June 13, 2012, by the following vote:

AYES: \_\_\_\_\_ NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_ ABSTAIN: \_\_\_\_\_

DATED: \_\_\_\_\_

\_\_\_\_\_  
Clerk, Board of Trustees



**ITEM REQUIRING ATTENTION----BOARD OF EDUCATION**

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**To:** Board of Education **Meeting Date:** June 13, 2012  
**From:** Wendell Greer **Agenda Item:** D.1  
Associate Superintendent, K-Adult Operations  
**Subject:** In Recognition – Kennedy High School Boys Track Team

**Background Information:**

At the North Coast Section Meet of Champions on May 26, held at UC Berkeley, the Kennedy High boys track team won the NCS Boys Varsity Division. They made this achievement with no field events and no mid or long distance runners. The KHS young men brought home a very nice and big plaque and banner.

NCS covers the Bay Area and upward to the California/Oregon border. There are over 160 high schools that comprise the NCS.

The KHS participants are:

Kenneth Walker III (Senior)

110 High Hurdles (1st)

300 Hurdles (1st)

\*Kenneth is one of the top hurdlers in the state. He's earned a football scholarship to UCLA.

Takkarist McKinley (Junior)

100 meters (3rd)

200 meters (1st)

\*This is Takkarist's first year running track. His athletic performance has been noticed by a number of colleges and universities.

4x100 Relay Team (1st)

Kenneth Walker III

Takkarist McKinley

Lovell Stewart (Senior)

Tom Jacobs (Senior)

The KHS track coach, and co-Athletic Director, is Carl Sumler. Mr. Sumler is a dedicated and committed coach who's making a difference in the lives and futures of the students he coaches.

**Recommendation:**

That the Board recognize the accomplishments of these young athletes

**Fiscal Impact:** None

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_

Not Approved \_\_\_\_\_

Tabled \_\_\_\_\_

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION----BOARD OF EDUCATION**

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**To:** Board of Education

**Meeting Date:** June 13, 2012

**From:** Ann Reinlagen,  
Assistant Superintendent Human Resources

**Agenda Item:** D.2

**Subject:** West Contra Costa Unified School District presents:  
"2011-2012 Employee Retirees"

**Background Information:**

The West Contra Costa Unified School District honors its 2011-12 Employee Retirees. It is with great honor and gratitude that we present and recognize these individuals.

Our school communities and the District are indeed fortunate to have benefited from their wisdom and accumulated experience which guided and informed our current and future work and that of our students. Their dedication, caring, creativity, ingenuity, and resilience have been an important part of what makes our District special.

**Recommendation:** Recognition

**Fiscal Impact:** None

**DISPOSITION BY BOARD OF EDUCATION**

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_

Not Approved \_\_\_\_\_

Tabled \_\_\_\_\_

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

**To:** Board of Education

**Meeting Date:** June 13, 2012

**From:** Steve Collins  
SELPA Director

**Agenda Item:** D.3

**Subject:** Richmond Association of School Administrators (RASA) Award Winners.

**Background Information:**

Each year the Richmond Association of School Administrators acknowledges exemplary administrators and participates in the Association of California School Administrator (ACSA) Administrator of the Year awards.

RASA is a chapter of ACSA Region VI. The RASA Board selects candidates based upon nominations by West Contra Costa Unified School District (WCCUSD) administrators and individual accomplishments within the district. The individuals selected from WCCUSD move on to the ACSA Region VI competition.

**Administrator of the Year awards for WCCUSD 2011-12 are:**

Denise Pinney, Principal, Elementary School  
Sylvia Greenwood, Principal, Middle School  
Tracie Manipis, Co-Administrator, Elementary School  
Terri Ishmael, Co-Administrator, Secondary  
Gabriel Chilcott, Co-Administrator, Secondary  
Susan Dunlap, Administrator, Curriculum & Instruction  
Sheri Gamba, Administrator, Business Services  
Barbara Kitagawa, Administrator, Special Education  
Ann Reinhamen, Administrator, Human Resources  
Lori Walker, Confidential

**Recommendation:** For Information Only

**Fiscal Impact:** None

**DISPOSITION BY BOARD OF EDUCATION**

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_

Not Approved \_\_\_\_\_

Tabled \_\_\_\_\_

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

**To:** Board of Education

**Meeting Date:** June 13, 2012

**From:** Nia Rashidchi  
Assistant Superintendent, Educational Services

**Agenda Item:** D.4

**Subject:** Multilingual District Advisory Committee Report

**Background Information:**

The Multilingual District Advisory Committee (MDAC) is comprised of a representative from each of our school's English Learner Advisory Committees (ELACs). Four meetings are held each year in different locations to facilitate attendance from members of the different school communities. The meetings are conducted on Thursday nights at 6:30 and repeated the following Friday morning as an additional strategy to promote participation. The topics covered include the legally required items, items requested by the parents and current issues impacting our English learner (EL) students.

The MDAC co-chairpersons, Raul Morales, ELAC representative from Richmond High School, and Stephanie Sequeira from Chavez Elementary School, will present the MDAC Report to the Board. The Report will include highlights from the 2012 Language Census, an annual report to the California Department of Education that includes data on English learners and fluent-English-proficient students and other related information on our district EL population.

**Recommendation:** For information only

**Fiscal Impact:** None

**DISPOSITION BY BOARD OF EDUCATION**

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_

Not Approved \_\_\_\_\_

Tabled \_\_\_\_\_


WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
1108 Bissell Avenue  
Richmond, California 94801-3135  
Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION----BOARD OF EDUCATION**

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**To:** Board of Education

**Meeting Date:** June 13, 2012

**From:** Sheri Gamba   
Associate Superintendent Business Services

**Agenda Item:** D.5

**Subject:** Preliminary Budget for 2012-2013

**Background Information:** Staff is presenting a report on the general fund portion of the preliminary budget for 2012-13, along with information regarding the Governor's May Revision Proposal for 2012-13. The final 2012-13 budget is scheduled for a public hearing and adoption at the meeting of the Board of Education on June 27, 2012.

**Recommendation:** For Information Only

**Fiscal Impact:** None

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**

Schedule 1

**2012-13 JULY 1 ADOPTION - PRELIMINARY**

**STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE**

	GENERAL FUND			SPECIAL	CAPITAL	OTHER	DISTRICT
	UNRESTRICTED	RESTRICTED	TOTAL	REVENUE FUNDS Schedule 2	OUTLAY FUNDS Schedule 3	FUNDS Schedule 4	
<b>REVENUES</b>							
Revenue Limit Sources	\$ 140,525,663	\$ 7,698,915	\$ 148,224,578	\$ -	\$ -	\$ -	\$ 148,224,578
Federal Revenues	0	25,780,824	25,780,824	12,633,017	-	-	38,413,841
Other State Revenues	23,692,568	32,801,090	56,493,658	7,413,561	11,599,844	-	75,507,063
Other Local Revenues	2,420,398	18,087,077	20,507,475	1,320,525	1,500,040	21,684,417	45,012,457
Total Revenues	166,638,629	84,367,906	251,006,535	21,367,103	13,099,884	21,684,417	307,157,939
<b>EXPENDITURES</b>							
Certificated Salaries	69,938,372	33,060,889	102,999,261	2,342,446	-	-	105,341,707
Classified Salaries	20,784,522	20,178,569	40,963,091	5,618,621	1,059,180	70,181	47,711,073
Employee Benefits	40,289,379	21,818,277	62,107,656	3,039,928	439,491	36,592	65,623,667
Books and Supplies	3,541,452	6,733,509	10,274,961	5,932,499	3,627,592	1,000	19,836,052
Services and Other Operating Expenditures	10,468,037	35,725,959	46,193,996	951,176	5,531,902	21,728,669	74,405,743
Capital Outlay	972,166	2,897,132	3,869,298	300,000	132,263,673	-	136,432,971
Other Outgo	974,967	-	974,967	-	-	-	974,967
Direct/Indirect Support Costs	(1,546,635)	908,193	(638,442)	638,442	-	-	-
Total Expenditures	145,422,260	121,322,528	266,744,788	18,823,112	142,921,838	21,836,442	450,326,180
<b>INCREASE OF (DECREASE) IN FUND BALANCE RESULTING FROM OPERATIONS</b>	21,216,369	(36,954,622)	(15,738,253)	2,543,991	(129,821,954)	(152,025)	(143,168,241)
<b>OTHER FINANCING SOURCES AND (USES)</b>							
Interfund Transfers In	5,779,684	-	5,779,684	-	-	-	5,779,684
Interfund Transfers Out	-	-	-	(4,879,684)	-	(900,000)	(5,779,684)
Other Sources	-	-	-	-	70,000,000	-	70,000,000
Other Uses	-	-	-	-	-	-	-
Contributions To Restricted Programs	(30,299,117)	30,299,117	-	-	-	-	-
Total Other Financing Sources and Uses	(24,519,433)	30,299,117	5,779,684	(4,879,684)	70,000,000	(900,000)	70,000,000
<b>NET CHANGE IN FUND BALANCE</b>	(3,303,064)	(6,655,505)	(9,958,569)	(2,335,693)	(59,821,954)	(1,052,025)	(73,168,241)
<b>ESTIMATED BEGINNING FUND BALANCE, JULY 1, 2012</b>	21,871,286	10,413,331	32,284,616	19,496,150	131,793,007	46,227,706	229,801,478
<b>PROJECTED ENDING FUND BALANCE JUNE 30, 2013</b>	\$ 18,568,222	\$ 3,757,826	\$ 22,326,047	\$ 17,160,457	\$ 71,971,053	\$ 45,175,681	\$ 156,633,237

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

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**To:** Board of Education

**Meeting Date:** June 13, 2012

**From:** Bruce Harter

**Agenda Item:** E.2

**Subject:** Request to Address the Board on Growing West County School Gardens

**Background Information:**

Ms. Joanna Pace would like to present a brief status report on school gardens in the district.

**Recommendation:** For Information Only

**Fiscal Impact:** None

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_

Not Approved \_\_\_\_\_

Tabled \_\_\_\_\_

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION----BOARD OF EDUCATION**

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**To:** Board of Education

**Meeting Date:** June 13, 2012

**From:** Wendell C. Greer  
Associate Superintendent, K-Adult Operations

**Agenda Item:** F.1

**Subject:** West County Community High School Charter Renewal Petition Staff Findings and Resolution No. 120-1112

**Background Information:** The West Contra Costa Unified School District (“District”) received a charter renewal petition (“Renewal Petition”) on April 27, 2012, from West County Community High School (“West County” or “Charter School”), a charter high school serving approximately 123 students, requesting that the District’s Board of Education renew the West County charter (“Charter”) for an additional five-year term. The West County Charter was first approved by the District’s Board of Education in 2007, for a five-year term ending on June 30, 2012.

Pursuant to the Charter Schools Act of 1992 (the “Act”), Education Code section 47600 *et seq.*, the Legislature has charged local school boards with the responsibility for reviewing and acting on initial and renewal charter school petitions.

Submission of a charter renewal petition is governed by the requirements of Education Code section 47605 and 47607. Education Code section 47605(b) requires the Board, within 30 days of receiving a petition, to hold a public hearing to consider the level of support for the petition. The State Board of Education (“SBE”) has adopted new regulations, effective November 23, 2011, which add substantial detail to the procedure for renewing charter school petitions. Among other things, the newly-adopted regulations allow for the automatic renewal of a charter school petition if a school district fails to make written factual findings to support a denial within 60 days of the district’s receipt of a petition. (Cal. Code Regs., tit. 5, § 11966.4 (c).) Petitioners submitted their Renewal Petition on April 27, 2012. Accordingly, the District’s Board of Education must take action regarding the approval or denial of the Renewal Petition on or before June 26, 2012, or the West County Charter will be automatically deemed renewed.

Upon receipt, components of the Renewal Petition were assigned to various District staff members to review and analyze based on individual areas of expertise. Specifically, components of the West County Renewal Petition were assigned as follows: Steve Collins, SELPA Director, Lyn Potter, Educational Director, Sonja Neely-Johnson, Coordinator Educational Services, Susan Dunlap, Coordinator EL Services, Nicole Joyner, Administrator, Linda Jackson, Executive Director Emeritus, Pat Calvert, Director Human Relations, Daniela Parasidis, Accounting Director and Legal/Operational, Ed Sklar and Claudia Weaver, Lozano Smith Attorneys at Law.

Staff and legal counsel have reviewed the Renewal Petition and prepared the “Staff Report and Proposed Findings of Fact Regarding West County Community High School Charter Renewal Petition” (“Staff Report”) which is attached.



The Staff Report includes Staff's recommendations to the Board regarding approval or denial of the Renewal Petition and approval or denial of Resolution No. 120-1112.

**Recommendation:**

Staff makes the following recommendations regarding the West County Renewal Petition:

1. Staff recommends that the Board deny the Renewal Petition based on substantive deficiencies in the Renewal Petition as well as significant concerns with the Charter School's educational, operational, and financial performance. Staff has concluded that such deficiencies and concerns are sufficient to warrant a recommendation to deny the Renewal Petition, pursuant to Education Code sections 47605 and 47607. This recommendation of denial is supported by the California Charter Schools Association ("CCSA"). The CCSA's bases for recommending non-renewal of the West County Charter are set forth in its Academic Accountability Report Card for West County Community High School and supporting documentation, attached to the staff Report as Exhibit A.
2. Staff recommends that after the Board of Education denies the Charter School's Renewal Petition that the Board adopts the attached Resolution No. 120-1112 and all of the written proposed Findings of Fact, contained within the attached Staff Report, as its own.

**Fiscal Impact:** None

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_

Not Approved \_\_\_\_\_

Tabled \_\_\_\_\_

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**

**RESOLUTION NO. 120-1112**

**RESOLUTION TO DENY THE PETITION  
TO RENEW THE CHARTER OF  
WEST COUNTY COMMUNITY HIGH SCHOOL**

WHEREAS, petitioners for West County Community High School (“Petitioners”) submitted to West Contra Costa Unified School District (“District”) a charter renewal petition (“Petition”), dated April 27, 2012, for the West County Community High School (“West County” or “Charter School”);

WHEREAS, the District’s Governing Board held a public hearing on May 23, 2012 as required by law;

WHEREAS, the staff report and recommendation was also considered on June 13, 2012; and

WHEREAS, the Governing Board has considered the level of public support for the Charter School and has reviewed the Petition and all information received with respect to the Petition, including all supporting documentation; and

WHEREAS, in reviewing the Petition, the Governing Board has been guided by the intent of the California Legislature that charter schools are and should become an integral part of the California educational system and that establishment of charter schools should be encouraged; and

WHEREAS, after analysis of the Petition and the related materials, the Governing Board finds that Petitioners are demonstrably unlikely to successfully implement the program set forth in the Petition; and

WHEREAS, after analysis of the Petition and the related materials, the Governing Board finds that Petitioners present an unsound educational program for the students to be enrolled in the Charter School.

NOW, THEREFORE, BE IT DECLARED that the West Contra Costa Unified School District Board of Education hereby declines to renew the Petition for renewal of the Charter of the West County Community High School based on the findings of fact by the District Staff and, herein adopted by the Governing Board.

BE IT FURTHER DECLARED that the West Contra Costa Unified School District Board of Education hereby instructs the Charter School and District staff to take any appropriate action authorized by law to bring an orderly closure to the Charter School’s operations by June 30, 2012, and to report back to the Governing Board within thirty (30) days regarding the status of such closure and any further recommendations. Said action by the Charter School shall include:

1. The Charter School's Petition will terminate on June 30, 2012.
2. The Charter School is directed to send appropriate notices of the Charter School's closure to Charter School parents, students and staff, the California Department of Education's Charter Schools Division, the State Superintendent of Public Instruction, the Contra Costa County Superintendent of Schools, and the appropriate school districts and county offices of education that may be responsible for providing education services to the Charter School's students so that the receiving districts may assist in facilitating student transfers.
3. The Charter School shall immediately notify pupils and parents of the Charter School's closure and provide information to the parents regarding the availability of other public school options. The Charter School is also directed to post notices at the Charter School site advising pupils and parents whom to contact regarding school attendance options for the 2012-2013 school year.
4. The Charter School is directed to work cooperatively with the District's Superintendent or his designees, the State Department of Education, State Board of Education and the Contra Costa County Office of Education, as appropriate to their respective interests and applicable law, in all matters pertaining to the Charter School's closure and the winding up of its affairs.
5. Upon the direction of the District Superintendent or his designees, the Charter School and its directors, officials, agents, employees or any other person authorized to act on the Charter School's behalf, inasmuch as they are considered public school officials in matters pertaining to operations of the charter school or public trustees with respect to all public funds and any property purchased with public funds, are hereby ordered to:
  - (a) Refrain from making any expenditures of any kind on behalf of the Charter School, including without limitation, salary payments, rental payments, invoice payments and contract payments, without the express written consent of the Superintendent or his designees;
  - (b) Refrain from making any sale, purchase or other transfer of any interest of any nature in the Charter School's real or personal property without the express written consent of the Superintendent or his designees;
  - (c) Provide the student records to the student's District of residence or future placement;
  - (d) Assist the District Superintendent or his designees to account for all assets and liabilities of the Charter School and otherwise winding up the affairs of the Charter School;
  - (e) Immediately notify pupils and parents of the Charter School's closure and provide information to the parents regarding the availability of other school options, and
  - (f) Take any other action requested by District staff to bring an orderly closure to the Charter School's operation.
  - (g) Complete an independent final audit within six months after the closure of the Charter School that may function as the annual audit, and that includes at least the following:

- (1) An accounting of all financial assets, including cash and accounts receivable and an inventory of property, equipment, and other items of material value.
  - (2) An accounting of the liabilities, including accounts payable and any reduction in apportionments as a result of audit findings or other investigations, loans, and unpaid staff compensation.
  - (3) An assessment of the disposition of any restricted funds received by or due to the charter school.
- (h) Dispose of any net assets remaining after all liabilities of the Charter School have been paid or otherwise addressed, including but not limited to, the following:
- (1) The return of any grant funds and restricted categorical funds to their source in accordance with the terms of the grant or state and federal law, as appropriate, which may include submission of final expenditure reports for entitlement grants and the filing of any required Final Expenditure Reports and Final Performance Reports.
  - (2) The return of any donated materials and property in accordance with any conditions established when the donation of such materials or property was accepted.

**PASSED AND ADOPTED** by the West Contra Costa Unified School District Board of Education on this 13th day of June, 2012, by the following vote:

AYES: \_\_\_\_\_  
 NOES: \_\_\_\_\_  
 ABSTAIN: \_\_\_\_\_  
 ABSENT: \_\_\_\_\_

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Charles Ramsey  
 President of the Board of Education

ATTESTED TO:

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Bruce Harter  
 Superintendent

**STAFF REPORT AND PROPOSED FINDINGS OF FACT  
REGARDING WEST COUNTY COMMUNITY HIGH SCHOOL  
CHARTER RENEWAL PETITION**

**I. Introduction**

A. Background

The West Contra Costa Unified School District (“District”) received a charter renewal petition (“Renewal Petition”) on April 27, 2012, from West County Community High School (“West County” or “Charter School”), a California nonprofit public benefit corporation, requesting that the District’s Board of Education (“Board”) renew the West County charter (“Charter”) for an additional five year term. The West County Charter was first approved by the Board in 2007, for a five-year term ending on June 30, 2012.

West County Community High School serves students in grades 9 through 12. Enrollment for the current 2011-2012 school year stands at 123 students—a decline from the 129 students enrolled during the 2010-2011 school year—and far fewer than the 200 students the Charter School hopes to enroll “in the long term.” (Renewal Petition, p. 19.)<sup>1</sup>

B. Timeline for Board Action

The State Board of Education (“SBE”) recently adopted new regulations which add substantial detail to the procedure for renewing charter school petitions. These new regulations, which are discussed in greater detail herein, took effect on November 23, 2011. Among other things, the newly-adopted regulations allow for the automatic renewal of a charter school petition if a school district fails to make written factual findings to support a denial within 60 days of the district’s receipt of a petition. (Cal. Code Regs., tit. 5, § 11966.4 (c).) West County’s current charter is effective until June 30, 2012. Petitioners submitted their Renewal Petition on April 27, 2012. Accordingly, the District’s Board will need to take action regarding the approval or denial of the Renewal Petition on or before June 26, 2012, or the West County Charter will be automatically deemed renewed.

**II. Summary**

This Staff Report sets forth findings based upon a review of the Renewal Petition and its appendices; and the Charter School’s past educational, operational, and financial performance during the term of the current Charter. Pursuant to that review process, District staff and legal counsel have identified substantive deficiencies in the Renewal Petition itself, as well as significant concerns with the Charter School’s educational, operational, and financial performance during the term of the current Charter. District staff has concluded that these

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<sup>1</sup> We note that the Conditional Use Permit granted to West County by the Richmond Planning Commission in 2009 restricts the Charter School’s enrollment to 150 students and 20 faculty/staff members at its current location. (Appendix V.)

deficiencies and concerns are sufficient to warrant a recommendation to deny the Renewal Petition, pursuant to Education Code sections 47605 and 47607.

This recommendation of denial is supported by the California Charter Schools Association (“CCSA”). The CCSA’s bases for recommending non-renewal of the West County Charter are set forth in its Academic Accountability Report Card for West County Community High School and supporting documentation, attached hereto as Exhibit A. As appropriate, relevant provisions from the CCSA report are also incorporated and summarized in this Staff Report.

### **III. Standard for Review of a Renewal Petition**

The Charter Schools Act of 1992 (“Act”) governs the creation of charter schools in the State of California. The Act includes Education Code section 47605, subdivision (b), which sets out the standards and criteria for petition review, and provides that a school district governing board considering whether to grant a charter petition “shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that establishment of charter schools should be encouraged.”

The Act further provides that renewals and material revisions of charter petitions are governed by the same standards and criteria set forth in Education Code section 47605 “and shall include but not be limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed.” (Ed. Code § 47607(a)(2).)

A charter school must now also provide documentation with its petition for renewal showing that it has satisfied at least one of the following academic performance criteria specified in Education Code section 47607, subdivision (b) (5 Cal. Code Regs. § 11966.4(a)(1))

1. Attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years, or in the aggregate for the prior three years.
2. Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years.
3. Ranked in deciles 4 to 10, inclusive, on the API for a demographically comparable school in the prior year or in two of the last three years.
4. The entity that granted the charter determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school. This determination shall be based upon all of the following: a) documented and clear and convincing data; b) pupil achievement data from assessments, including, but not limited to, the Standardized Testing and Reporting Program for

demographically similar pupil populations in the comparison schools; and c) information submitted by the charter school.

New regulations specifically state that when reviewing a charter renewal petition, chartering authorities “shall consider the past performance of the school’s academics, finances, and operation in evaluating the likelihood of future success, along with future plans for improvement if any.” (Cal. Code Regs., tit. 5, § 11966.4 (b)(1).)

The Board may only deny a petition for renewal if the Board makes written factual findings, specific to the particular petition, setting forth: (1) facts to support a failure to meet one of the academic criteria set forth above in Education Code section 47607, subdivision (b); and/or (2) specific facts to support one or more of the following grounds for denial as set out in Education Code section 47605, subdivision (b):

1. The charter school presents an unsound educational program for the students to be enrolled in the charter school.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
3. The petition does not contain an affirmation of certain specific conditions set forth in Education Code section 47605, subdivision (d).
4. The petition does not contain reasonably comprehensive descriptions of certain elements in its program and operations. (Ed. Code § 47605(b).)<sup>2</sup>

#### **IV. Recommended Grounds for Denying the Charter Petition**

Staff recommends that the Board deny the West County Renewal Petition on the following grounds, pursuant to Education Code section 47605:

1. The Renewal Petition presents an unsound educational program for the students enrolled in the Charter School. (Ed. Code § 47605(b)(1).)
2. The Petitioners are demonstrably unlikely to successfully implement the program set forth in the Renewal Petition. (Ed. Code § 47605(b)(2).)
3. The Renewal Petition does not contain reasonably comprehensive descriptions of certain required elements set forth in Education Code section 47605, subdivisions (b)(5)(A-P).

In order to deny the Renewal Petition on the grounds set forth above, Education Code section 47605, subdivision (b), requires the Board to make “written factual findings, specific to the

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<sup>2</sup> Petitions to initially establish a charter school require a threshold number of parents' or teachers' signatures. The new regulations provide that the signature requirement is not applicable to a petition for renewal. (Cal. Code Regs., tit. 5, § 11967.5 (d).)

particular Petition, setting forth specific facts to support one or more” of the grounds for denying the Charter. **Staff recommends that the Board adopt the proposed findings of fact, set forth below, as its own findings.**

Please note that these findings of fact have been grouped for convenience under the aforementioned grounds for denial of a charter renewal petition. However, certain findings of fact may support more than one ground for denial.

**V. West County Renewal Petition Review**

A. Failure to Provide Required Documentation Demonstrating that Charter School Met Minimum Academic Criteria

As a preliminary matter, charter schools that have operated for at least four years must first meet one of the minimum academic performance criteria listed in Education Code section 47607(b) before the request for renewal is analyzed for compliance with other provisions. (5 C.C.R. § 11966.4, Ed. Code § 47607(b).) Here, the Renewal Petition does not provide the required documentation and does not state whether the Charter School has met any of the minimum academic performance criteria.

B. District Determination that Charter School Meets Minimum Academic Performance Criteria

Although the West County Renewal Petition includes the Charter School’s API scores for the past four years, Petitioners do not include the annual API growth targets as set by the California Department of Education (“CDE”); thus, the documentation contained in the Renewal Petition was insufficient for the District to determine whether the Charter School achieved its API growth targets in any of the past three years or whether the Charter School’s API scores could support any other legal basis for renewal.

Notwithstanding the omission of this required information, the District has independently reviewed data provided by the California Department of Education (“CDE”) and, as described below, has determined that the Charter School meets the minimum academic criteria based on its Academic Performance Index (“API”) in two of the prior three years (Ed. Code § 47607(b)(1).) However, such a determination does not entitle the Charter School to renewal of its petition; rather meeting at least one of the academic performance criteria set out in the Education Code is a simply a prerequisite to further Board review and consideration of the sufficiency of the Renewal Petition and the Charter School’s past performance.

The California Department of Education (“CDE”), reports the Charter School’s API growth since approval of the Charter in 2007 as follows:



Year	Base	Growth Target	Growth	API	Met Schoolwide?
2010-11	619	9	-22	594	No
2009-10	595	10	26	619	Yes
2008-09	570	12	25	595	Yes
2007-08	n/a	n/a	n/a	570	n/a
3-year aggregate		31	29		No

The Charter School did not meet its API growth target in 2010-11, but it did meet its growth targets for 2008-09 and 2009-10. The Charter School also did not meet its API growth target in the aggregate for the prior three years. Nonetheless, because West County met its API targets in two of the last three years, District staff has concluded that the Charter School met the minimum academic performance criteria set out at Education Code section 47607(b)(1).

C. Charter School Obligation to Improve Student Learning

Petitioners assert that the Charter School’s API scores “are not an accurate measure of the effectiveness of our program” and that their minimal API growth is a result of their small size, the number of special education students in the Charter School, and a drop in the number of students passing the English Language Arts portion of the CAHSEE. (Renewal Petition, p. 12.) Petitioners also argue that because fewer than 100 students were included in the CDE’s API calculations for 2010-2011, the sample size was rendered “statistically insignificant.” (Renewal Petition, p. 13.)

In defending the Charter School’s performance, Petitioners note that “a lack of current textbooks and modern equipment has, no doubt, impacted overall academic performance.” (Renewal Petition, p. 15.) Considered in light of the many concerns identified by District staff in reviewing the Charter School’s budgetary projections, (*See* Section VI, Finding 2.B, below.), this statement raises serious doubts about the ability of West County Community High School to provide its students with the appropriate resources necessary to help ensure academic success for its students.

Petitioners also indicate that West County special education students are not appropriately served. Specifically, Petitioners allege that West County “doesn’t have nearly the sort of funded and resource-rich program for Special Education student as does other schools.” (Renewal Petition, p. 15.) This statement is puzzling in light of the fact that the District provides special education and related services to eligible West County students, and accordingly, ensures that Charter School’s students receive a free appropriate public education in the same manner as is provided to other District students. Specifically, a West County special education student receives all of the placements, programs, supports, and services set forth in the student’s Individualized Education Program (“IEP”).

Despite the Charter School’s minimal 29-point API growth over the first four years of its operation, Petitioners argue that West County is entitled to renewal of its Charter because the Charter School has API scores that are *comparable* to other high schools in the District. They

assert that “a typical district student would perform as well at WCCHS as at any other District high school...” and that “[g]enerally speaking, a District student will do no better nor worse academically by attending WCCHS over another school.” (Renewal Petition, pp. 16-17.) Elsewhere, Petitioners note their intention to “provide learning environments not better than but different from those provided by the District.” (Renewal Petition, p. 14.)

Instead of a commitment to academic excellence, Petitioners point to the sense of “emotional safety” and the Charter School’s focus on “social safety and care” as a “key differentiator” between West County and other District schools. (Renewal Petition, pp. 15-16.) Petitioners acknowledge that the Charter School’s emphasis on the creation of a safe environment “can sometimes detract from test scores” but they assure the District that the “trade-off is well worth it.” (Renewal Petition, p. 15.)

Petitioners’ view is not supported by the plain language of the Education Code which calls for performance-based charter schools designed to improve student learning. (Ed. Code § 47601.) In passing the reform-driven Charter Schools Act, the California Legislature intended that charter schools should be granted greater flexibility and operational autonomy than traditional public schools. However, in exchange for additional flexibility, the Legislature mandated that charter schools must “improve student learning.” (Ed. Code § 47601.) Further, charter schools are “accountable for meeting measurable pupil outcomes” and an evaluation of charter school performance must be guided by “performance-based accountability systems.” (Ed. Code § 47601(f).) In other words, it is not sufficient that a typical district student performs as well at WCCHS as at any other District high school....” Rather, the Charter Schools Act clearly contemplates that, overall, charter students should *out-perform* students enrolled in traditional public schools. Otherwise, West County cannot justify its existence under the Act, and its Charter should not be renewed.

The Legislature’s mandate that charter schools must “improve student learning” and “increase learning opportunities for all pupils” has not been fulfilled at West County (Ed. Code § 47601.) Instead, the average API for general education students at the Charter School has increased only 6 points (634 to 640) over the first four years of the current Charter, while the API for special education students has dropped by 118 points (517 to 399.)

#### D. CCSA Minimum Renewal Criteria

The California Charter Schools Association (“CCSA”)—the State’s largest charter school advocacy organization—also recognizes the performance-driven mandate of charter schools. The CCSA’s website states: “The Charter Schools Law that was approved in California in 1992 opened the door to education reform and school choice, allowing charter schools to operate with autonomy and flexibility in exchange for higher accountability.” (<http://www.calcharters.org/advocacy/accountability/>).

As part of the CCSA’s efforts to ensure accountability within the charter movement, the organization has adopted its own minimum academic performance expectations for charter schools seeking renewal. One of the three measures that the CCSA uses in assessing charter school performance is its Similar Students Measure (“SSM”) “which looks at how schools

perform *compared to similar student populations* across the state, as a way to hone in on the value-added by schools regardless of the gifts and challenges their students bring to the door.” (Emphasis added.) ([http://www.calcharters.org/advocacy/accountability/.](http://www.calcharters.org/advocacy/accountability/))

Following the release of the CDE’s API results in August 2011, the CCSA identified eleven charter schools eligible for renewal, including West County Community High School that did not meet CCSA’s Minimum Criteria for Renewal.<sup>3</sup>

In a March 23, 2012 letter to District Superintendent Harter, and copied to the Board, CCSA Senior Vice President Gary Borden urged the District not to renew the West County charter. Mr. Borden noted that West County had met the “low bar” set by the Education Code in determining whether a charter school is minimally eligible for consideration of renewal; however, Mr. Borden reminded the District that

“[Charter] authorizers are not compelled to renew a charter simply because these eligibility requirements have been met. Authorizers are also required to evaluate whether a charter is providing a sound educational program, whether the charter school has met the terms of its charter, and whether the petitioners are demonstrably unlikely to successfully implement the program set forth in the renewal petition, among other things.”

Mr. Borden’s letter attached a copy of CCSA’s Minimum Criteria for Renewal and an Academic Accountability Report Card for West County Community High School detailing the Charter School’s failure to meet CCSA’s renewal standards. A complete copy of the CCSA data is attached as Exhibit A, and is summarized as follows:

In order to meet CCSA’s Minimum Criteria for Renewal, charter schools must have operated for a minimum of four years and meet at least one of the following:

1. Academic Performance Index (API) score of at least 700 in most recent year; or
2. 3-year cumulative API growth of at least 50 points (2010-11 growth + 2009-10 growth + 2008-09 growth); or
3. Within range of or exceeding predicted performance based on similar student populations statewide, for at least two out of the last three years, based on CCSA’s metric, the “Similar Students Measure” (SSM). The SSM identifies schools that persistently fall short of a prediction based upon how students with similar backgrounds performed statewide.

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<sup>3</sup> According to the CCSA, the 11 schools originally identified as underperforming were “given the opportunity to provide demographic data corrections, and additional student-level and longitudinal data. CCSA analyzed the data and determined that of the 11 schools in renewal, 10 schools still do not meet CCSA’s Minimum Criteria for Renewal.” (<http://www.calcharters.org/2011/12/fact-sheet-call-for-non-renewal-of-charter-schools-not-meeting-minimum-performance-criteria.html>.)

Stated otherwise, only schools that fail all three measures are deemed below criteria, as is the case with West County Community High. Note the results for the SSM performance, which compares West County Community High students with *similar students'* results.

**Table 1: West County Community High Results: CCSA Minimum Criteria For Renewal**

<b>Metric</b>	<b>West County Community High</b>	<b>Met Minimum?</b>
2011 API Growth score of 700	594	<b>NO</b>
Three-year Cumulative API growth of 50	29	<b>NO</b>
SSM Performance Band of "Within/Fluctuating" or above	Below Most Years	<b>NO</b>
	<b>Above or Below Minimum Criteria?</b>	<b>BELOW</b>

The CCSA is not vested with regulatory authority and its academic performance renewal criteria are not statutory requirements. Nevertheless, District staff believes that the Charter School's failure to meet the CCSA standards, together with other deficiencies and concerns described in this Report, supports denial of the Renewal Petition.

E. West County Community High School Past Performance

As noted above, new regulations specifically state that when reviewing a charter renewal petition, chartering authorities "shall consider the past performance of the school's academics, finances, and operation in evaluating the likelihood of future success, along with future plans for improvement if any." (Cal. Code Regs., tit. 5, § 11966.4 (b)(1).)

Throughout the term of the Charter, District personnel have regularly reviewed the Charter School's academic performance and fiscal condition. The Charter School's past educational performance has been a concern to the District, as noted above. District staff has considered concerns about West County's academic performance together with the following:

1. Due to State deferrals, West County Community High School has sold and assigned their receivables payable by the State of California to Charter School Capital, Inc. to assist in their cash flow for the past two years. When coupled with the prospective budgetary concerns addressed below, the Charter School's fiscal status is of concern.
2. With regard to the Charter School's general operations, District personnel were denied access to the entire campus during a recent site visit, and instead, were restricted to visiting two classrooms.

In sum, pursuant to its oversight duties, District staff has considered the Charter School's academic program, finances, and operations, and has concluded that the Charter School is unlikely to be successful in implementing the educational, operational, and financial plans outlined in the Renewal Petition and its appendices.

## VI. Proposed Findings of Fact

### **Finding 1: West County Presents an Unsound Educational Program for Pupils to be Enrolled at the Charter School**

Petitioners note that the Charter School's student body faces "the same academic and social challenges as those in the District's and other high schools. These challenges include underperformance by most students, and in particular, English Learners and minority students." (Renewal Petition, p. 20.) Petitioners describe West County as "an ideal environment for students at all achievement levels." (Renewal Petition, p. 33.) However, as described below, the Renewal Petition fails to adequately address the specific educational interests, backgrounds, or challenges of its diverse student population. In addition to the Charter School's lackluster academic performance, West County also presents an unsound educational program for the students to be enrolled at the Charter School, for the following reasons:

- A. The Renewal Petition does not sufficiently describe the Charter School's curriculum and instructional program.
- B. The Renewal Petition does not include an adequate plan for meeting the needs of low achieving and at-risk students.
- C. The Renewal Petition does not include an adequate plan for meeting the needs of high-achieving students.
- D. The Renewal Petition does not adequately address how the Charter School identifies, educates, and reclassifies English Learners.
- E. The Renewal Petition does not adequately address how the Charter School's educational program serves special education students.

- A. The Renewal Petition does not sufficiently describe the Charter School's curriculum and instructional program.

The description of the Charter School's educational program provided in the Renewal Petition should describe the instructional program that the Charter School utilizes including, but not limited to the curriculum and teaching methods. (Ed. Code § 47605(b)(5).) The educational program and curriculum described in the Renewal Petition fails to meet this legal threshold and present an inadequate program for both its general education program and its programs for special groups such as low-achieving and English Learner students.

1. *Classrooms, Class Sizes, Number of Teaching Staff.* It is not clear from the Renewal Petition and its appendices how many classrooms West County currently supports, the school's current student-teacher ratio, or the number of certificated and non-certificated teaching staff, classroom aides, and instructional assistants currently employed by the Charter School. The Charter School's budget projections do not answer this last question as they include only lump-sum totals for certificated and classified salaries without further detail. (Appendix Q.)

The Renewal Petition does include a series of course and teaching assignments templates but does not indicate which, if any, of these schemes is presently in place. (Appendix G.) Without this information, District staff cannot determine whether the Charter School offers its students the small class size and academic support it promises.

2. *Instructional Program & Curriculum.* The Renewal Petition should also, at a minimum, identify the curricular and teaching materials in use at the school, and should include an outline of the curriculum for each core academic subject area at each of the grade levels. However, this information is missing from the Renewal Petition. The Renewal Petition and the Parent-Student Handbook include a list of course offerings and a proposed program of studies; however District staff did not locate any course descriptions. (Renewal Petition, pp. 23-32; Appendix K.) With the exception of sample syllabi for a Learning to Learn and a Leadership class, the Renewal Petition does not explain how teaching staff will develop and implement specific lesson plans and curriculum. (Renewal Petition, pp. 23-32; Appendix F.) No sample lesson plans for any grade level are included and no specific curricular or teaching materials are identified. Without this information, the District is unable to ascertain whether Petitioners are knowledgeable as to academic content standards by grade level and how the standards should be linked to instructional practices in order to ensure mastery of each core curricular area.

West County students are required to complete a yearly “Be the Change” service learning project. (Renewal Petition, pp. 28-29.) The Renewal Petition references development of a “Be the Change Guidebook” and describes a seven year roll-out plan for implementing the program. Unfortunately, Petitioners do not attach the Guidebook and do not indicate whether the program is in place, as much of the language describing this program seems speculative. Petitioners do not provide any information as to the types of service projects students may have completed or the partnerships the District may have entered into with local agencies for sponsorship of “Be the Change” projects, as is described in the Renewal Petition. (Renewal Petition, pp. 28-29.) The As another concern, the Renewal Petition does not articulate how these service projects are structured or assessed, what curricular and technology resources are utilized, and how the Charter School ensures that classroom teachers are qualified to provide the guidance and support necessary for students to complete such projects. These shortcomings are significant, given the emphasis that Petitioners have placed on the “Be the Change” program.

The Renewal Petition describes “Community Space” as the “cornerstone” of the Charter School’s educational plan. (Renewal Petition, p. 25.) Community Space appears to serve multiple purposes—“study hall”; “community meeting place”; “location for small-seminar classes and homeroom meetings”; and “desk space for all teachers.” (Renewal Petition, p. 25.) Students are assigned to “divisions” when enrolled at West County and as they move through each division, students are accorded more independent study time in Community Space. Students in Division III, for example, have two study periods in the Community Space daily, and can choose to skip one lecture each week to work in the Community Space. (Renewal Petition, p. 25.) Although the Renewal Petition indicates that a teacher supervises Community Space, it is not clear how the physical space is appropriately utilized in such a way that students are assured of a quiet space without distractions for studying.

Lastly, the Renewal Petition indicates that the Charter School operates a 170-day school schedule. Petitioners state that the school meets the statutory requirement for minimum

instructional minutes and instructional days for students in grades 9 through 12, but the number of annual instructional minutes provided is not provided. (Renewal Petition, p. 24.)

3. *Technology; Library.* Although the Charter School's course offerings list two Web Design elective offerings, Petitioners do not set out any technology plan for Charter School pupils. The Renewal Petition also does not indicate how many computer stations and printers are available for student use. Budget projections do not identify funds allocated for the purchase, upgrade, or replacement of computer stations and supplies. Appendix R indicates that computer maintenance is handled by parent volunteers. No information is provided as to the qualifications of such volunteers, or a back-up plan for the provision of IT services in the event a qualified volunteer cannot be located. It is not clear whether volunteers or teaching staff are responsible for directly assisting students with technology needs. Additionally, the Renewal Petition does not indicate whether the Charter School maintains a library or provides students with other assistance in accessing appropriate library and online resources.

B. The Renewal Petition does not include detailed plans for serving low-achieving or at-risk students.

Petitioners acknowledge that "students who score below proficiency on STAR tests, or are receiving grades of D or lower on their course work, need extra attention to be successful." (Renewal Petition, p. 33.) Once low-achieving students are identified, "strategies for support are discussed and implemented by the entire faculty." (Renewal Petition, p. 33.) However, the Renewal Petition only briefly references specific intervention and tutoring services that the Charter School makes available to low-achieving and at-risk students. Specifically, "[s]truggling students can receive additional academic support during their scheduled Community Space time which includes, but is not limited to: volunteers from the community, mentoring from other students, peer-tutoring, modified curricula, additional teacher support, etc." (Renewal Petition, p. 33.) It is not clear if any certificated staff is available to provide 1:1 tutoring during Community Space or at other times during the school day. There is no discussion as to how tutoring assignments are made or whether volunteer or peer tutors are required to have specialized qualifications or the training necessary for providing supplemental academic instruction to low-achieving students. The Renewal Petition makes no reference to scaffold instruction, types of learning materials, pre-teaching, re-teaching, or any of the other standard learning strategies used to address the needs of low performing students. The financial projections provided in the Petition do not appear to allocate any funds for the provision of any before- or after-school tutoring programs. Even more troubling is the statement that low-achieving students are given "*the option of repeating courses and/or pursuing courses through independent study in order to meet learning objectives.*" (Renewal Petition, p. 33.) The provision of tutoring by volunteers and/or students, and a policy that relies on requiring low-achieving and at-risk students to repeat failed coursework via independent study are not appropriate replacements for the use of proven intervention strategies implemented by teaching staff who are experienced in providing remedial instruction.

Further, the Renewal Petition does not include any information regarding what specific assessments will be conducted to determine a low-achieving student's progress, who will conduct such assessments, what kind of data teachers will actually use to complete student

progress report forms, or how it will be determined whether specific interventions and/or tutoring are effective.

C. The Renewal Petition does not include a detailed plan for meeting the needs of its high-achieving students.

While the Renewal Petition identifies broad intentions to provide opportunities for all students, the brief half-page description of West County’s plan for meeting the needs of its high-achieving students does not provide adequate information about particular services or programs that are available to high-achieving students, or how such services or programs are implemented. (Renewal Petition, p. 33.) Petitioners indicate that high-achieving students are “given the flexibility and time to pursue their own interests and goals” but there is no information as to how this flexibility translates into actual enriched learning opportunities for gifted and high-achieving students. Instead, the Renewal Petition notes that students can take courses “above their traditional grade level” or enroll in classes at Contra Costa College.” (Renewal Petition, p. 33.) Of note, the Charter School’s course offerings do not appear to include any courses listed as Honors or Advanced Placement (“AP”) courses and the Renewal Petition does not include any sample lesson plans or examples of how the Charter School teaching staff modifies its general curriculum to meet the needs of high-achieving students. Based on the scant information provided, the Charter School’s plan for meeting the needs of high-achieving students is inadequate.

D. The Petition does not adequately address how the Charter School will educate English Learners.

According to the California Department of Education (“CDE”), all federal requirements and some state requirements for English Learner (“EL”) programs apply to charter schools. Reviews under the State’s Categorical Program Monitoring process are conducted in the same manner for charter schools as for other public schools. Overall, charter schools are not exempt from meeting the educational needs of EL students.

The Renewal Petition does not identify the percentage or total number of English Learners enrolled in the Charter School. Neither do Petitioners report the number of Reclassified Fluent English Proficient (“RFEP”) students or the number of students who advance to higher CELDT level annually. Because the District must consider the Charter School’s past educational performance, the Charter School was obligated to provide data regarding the progress of its EL students in its Renewal Petition. Such information was not provided; thus, District staff cannot thoroughly assess whether West County’s EL students are making adequate progress.

A review of demographic data for the District shows that, for the 2010-2011 school year, 1,871, or 22.4 %, of District’s 8,365 high school students were English Learners. A comparison of the numbers of English Learner students reported by West County to the CDE via the DataQuest program and the Charter School’s annual enrollment figures indicates that West County’s English Learner student population has never constituted more than 24% of the school’s total enrollment. For the past three years, West County has served a lower percentage of English Learners than has been served in District high schools:



2007-2008: Total enrollment:	66	EL: 16	(24%)
2008-2009: Total enrollment:	100	EL: 15	(15%)
2009-2010: Total enrollment:	129	EL: 21	(16%)
2010-2011: Total enrollment:	123	EL: 0	(0%)

(DataQuest information for the 2011-2012 school year is not yet available on the CDE website.)

While the Renewal Petition states that the Charter meets all legal regulations for notification, identification, placement, program offerings, teacher qualifications and reclassification of English Learners, review of the West County Plan for English Learners does not support that assertion. (Renewal Petition, pp. 34-36.) Specifically, the information provided in the Renewal Petition raises the following areas of concern regarding the Charter School’s plan for educating its EL students:

1. *Identification and Notification.* In identifying EL students, the Renewal Petition indicates that the California English Language Development Test (“CELDT”) is administered annually or within thirty days of enrollment to all students with a home language other than English. However, state regulations require school districts to test only those students identified as English Learners—not all students with a language other than English. The Renewal Petition does not indicate what score on the CELDT identifies the student as an English Learner, or describe the different levels of English Language placement or the services and/or programs that will be available to EL students at each of the levels. The Renewal Petition states that parents will be notified of CELDT results within thirty days of receiving results, but no notification procedures are described and there is no discussion of the information that is given to parents regarding the placement and services that will be provided to EL students. (Renewal Petition, p. 34.)
2. *Reclassification.* The Renewal Petition does not identify the minimum CELDT score or the minimum score on another assessment measure that is needed for a student to be designated as Reclassified Fluent English Proficient (“RFEP”). The Charter School does not discuss its process for conducting EL reclassification and annual reviews using a Language Review Team (“LRT”) process, which is required under state and federal Categorical Program Review, if the Charter School intends to apply for federal Title III-NCLB funding, or state Economic Impact Aid--Limited English Proficiency (“EIA-LEP”) funding. Specifically, the LRT process is designed to ensure that each EL student is making appropriate progress and is appropriately placed. RFEP students must also be evaluated twice each year, for two years following their RFEP designation, to ensure that they are receiving adequate support for transitioning into the mainstream classroom after termination of targeted ELD support. This monitoring process is not described in any detail in the Renewal Petition.
3. *ELD Instruction.* Petitioners assert that the Charter School intends to provide “traditional language development classes” to eligible students. Presumably, Petitioners are referring to direct English Language Development (“ELD”) instruction. However, ELD is not listed in the Charter School’s current course offerings. (Appendix K.) Further, the Renewal Petition does not identify any specialized curriculum or other materials for English Learners. The daily bell

schedules included in the Renewal Petition do not specify a class period during which ELD will be delivered, although the Renewal Petition references “pull-out intensive English language development.” (Renewal Petition, p. 35.) There are no benchmarks or EL specific goals listed in the various sections on data, assessment, and accountability, such as Appendix S. At a minimum, the Renewal Petition should identify a consistent ELD curriculum, specific assessments, and a schedule for monitoring student progress in reaching English proficiency.

4. *Staffing.* With regard to staffing needs for English Learners, the Renewal Petition provides that “WCCHS has a goal of employing at least 30% of its instructional staff CLAD-certified.” (Renewal Petition, p. 35.) Elsewhere, Petitioners state that “[c]ontent area classes are taught by instructors with CLAD credentials who use SDAIE strategies.” (Renewal Petition, p. 35.) This raises the question as to whether the Charter School ensures that qualified teaching staff is available to provide ELD instruction to all eligible English Learners. Although the Renewal Petition references the use of SDAIE strategies, it does not provide any specific examples of how interventions and strategies appropriate for English Learners will be implemented throughout the day by classroom teachers. Moreover, instead of requiring that all classroom teachers have CLAD or BCLAD certification, the Renewal Petition indicates that the Charter School relies on “pairing with bilingual peers, classroom assistance by bilingual instructors or instructional assistants” and volunteer tutoring from bilingual parents to provide ELD to English Learners. (Renewal Petition, p. 35.) Petitioners do not describe any qualifications or training that are prerequisites to providing such services.

5. *Progress Reporting.* Lastly, the Renewal Petition does not provide any information demonstrating the progress of English Learners in their program during the term of the current Charter. Without supporting documentation, the Board cannot adequately assess the efficacy of the Charter School’s EL program.

Overall, Petitioners provide an insufficient description of how English Learners will be supported and do not have a sound program for meeting their legal obligations to this subgroup of learners.

E. The Renewal Petition does not adequately address how the Charter School’s educational program serves special education students.

1. *Allocation of Responsibilities.* Petitioners indicate that the Charter School “shall be categorized as a public school of the District in accordance with Education Code Section 47641(b).” (Renewal Petition, p. 36.) In the absence of an executed Memorandum of Understanding (“MOU”) between the Parties, special education services have been provided to by the District since the 2007-2008 school year, in exchange for the District’s retention of the Charter School’s allocation of state and local special education funding. (Renewal Petition, p. 36.) Nonetheless, in the absence of an executed MOU, the Renewal Petition must set forth a sufficiently comprehensive educational program that describes the Charter School’s understanding of its legal obligations to ensure that students eligible for special education and related services will receive a free appropriate public education (“FAPE”). However, the brief summary provided in the Renewal Petition does meet the Charter School’s statutory obligation to include a comprehensive plan for serving special education students.

2. *District Provision of Services.* Petitioners' characterization of the manner in which special education services are provided to eligible students by the District is inaccurate. In particular, the District provides a Resource Specialist Teacher to the Charter School based on enrollment; it does not provide a fulltime or 3/4 -time Resource Teacher or Full Inclusion Specialist. (Renewal Petition, p. 38.) Additionally, the District does not provide an SDC teacher and aide. Contrary to the Renewal Petition, the District is not obligated to consult with the Charter School prior to assessing a Charter School student; selecting an assessor; when addressing, investigating, or responding to complaints related to special education; or when it decides to initiate a due process request. (Renewal Petition, pp. 37-38.)

3. *Extended School Year.* The Renewal Petition fails to discuss the Charter School's obligation to provide extended school year ("ESY") services for an eligible student as determined by the student's IEP team. It is not clear if the Charter School intends the District to provide those services, and if so, where they are to be provided during the ESY period.

4. *Special Education Discipline.* With the exception of a brief description of the process for conduction manifestation determinations, the Renewal Petition does not include the Charter School's policies and procedures for discipline of students eligible for special education and related services. Discipline of disabled students should be fully described in the Charter School's policies and procedures, and should include, but not be limited to: suspension and expulsion; the criteria and process for conducting functional analysis assessments; development of behavior intervention plans; as well as the criteria and process for selecting interim alternative educational settings.

5. *Notice of Procedural Safeguards.* The Renewal Petition does not indicate when parents must be provided with a Notice of Procedural Safeguards. (Renewal Petition, p. 37.) State and federal law require that a parent or guardian be provided a notice of procedural safeguards when: a Parent/Guardian asks for a copy; the first time a child is referred for special education assessment; each time a child is reassessed; each time a Parent/Guardian requests a due process hearing; and each time a change of placement is implemented because of a violation of a code of student conduct. (20 U.S.C. § 1415(d)(1)(A); 34 C.F.R. §§ 300.504(a) and 300.530(h); Ed. Code, §§ 56301(d)(2), 56321, 56500.1 and 56502.)

6. *Additional Missing Special Education Program Elements.* The Renewal Petition does not discuss numerous other special education program elements, including, but not limited to: parental requests for Independent Educational Evaluations; how the Charter School will timely refer students for reevaluations, mental health services and/or behavioral assessments; functional assessment analyses; the development of behavioral intervention plans, or the method by which the Charter School's special education program will comply with independent study law. Lastly, the Petition does not provide any discussion of the relevant timelines set out in state and federal law concerning development of an assessment plan, the completion of assessments, or the scheduling of initial IEP, or annual and triennial IEP team review meetings.

7. *Section 504.* The Renewal Petition misstates the Charter School's obligations to students eligible for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504"). Section 504 provides that "no otherwise qualified individuals with a disability shall be excluded from

participation in, be denied the benefits of, or be subjected to discrimination under any program or activity that receives Federal financial assistance solely by reason of his or her disability.” (29 U.S.C. § 794; 34 C.F.R. § 104.) While charter schools are exempt from certain state laws specifically applicable to school districts, they are not exempt from laws which generally apply to public agencies or from federal or state laws, including but not limited to, the Individuals with Disabilities Education Act (“IDEA”) (20 U.S.C. §§ 1400 et seq.), the federal Americans with Disabilities Acts (42 U.S.C. §§ 12101 et seq.), and Section 504.

The Renewal Petition states: “In accordance with the proposed Administrative Services Agreement, WCCHS works with the District to provide 504 services.” The same provision indicates that West County staff work with the District-appointed RSP teacher or another District-appointed personnel to develop a legal 504 plan.” (Renewal Petition, p. 39.) It is important to note that the Parties have not, to date, entered into any agreement that reallocates any responsibility for the provision of Section 504 services to the District. Accordingly, the sole responsibility for compliance with the provisions of Section 504 rests with West County. This includes sole responsibility for the costs of implementing Section 504 services, including the costs of providing health and nursing services to students whose Section 504 plans require such accommodations. The District does not provide the Charter School or its students any funding, services, or personnel for such purposes.

In sum, the Renewal Petition does not demonstrate the Charter School’s understanding of its legal obligations to ensure that students eligible for special education and related services will receive a FAPE.

**Finding 2: The Petitioners are Demonstrably Unlikely to Successfully Implement the Program Set Forth in the Petition.**

In order to successfully implement the educational program described in the Renewal Petition, the Charter School must demonstrate that its policies and procedures are consistent with the educational program. Based upon the information provided in the Renewal Petition, District staff has concluded that the Petitioners are demonstrably unlikely to successfully implement the educational program for an additional five-year term for the following reasons:

- A. The employee qualifications and staffing plans described in the Renewal Petition are incomplete.
- B. The Renewal Petition presents an inadequate and unrealistic financial and operational plan for the proposed charter school.
- C. The Petition fails to provide certain policies and procedures described in the Petition that are necessary to confirm that the program can be implemented.
  - A. The employee qualifications and staffing plan described in the Renewal Petition are incomplete.

As noted above, Petitioners do not indicate how many certificated and non-certificated teachers and other classified personnel the Charter School currently employs. The Renewal Petition

includes job descriptions for the positions of Teacher, Lead Teacher, Educational Director, Administrative Director, Administrative Assistant, and Counselor. No job descriptions are included for other classified personnel such as classroom aides or instructional assistants. The Renewal Petition also does not include any job descriptions or a list of the employment qualifications for non-certificated teachers of non-core classes. Without such job requirements, there is no way to ensure that non-credentialed instructors will have sufficient subject matter expertise, professional experience and the demonstrated ability to work with students in the targeted population. While charter schools have “flexibility” for hiring instructors for non-core classes, the qualifications for these positions should be high and clearly articulated. (Renewal Petition, pp. 61-63.)

B. The Petition presents an inadequate and unrealistic financial and operational plan for the proposed charter school.

A budget reflects the priorities and commitment levels of an organization. In the case of the Charter School, the budget is the embodiment of their plan to successfully deliver their educational program if their Charter is renewed. When considering a petition for renewal, the District must consider the past performance of the Charter School’s finances in evaluating the likelihood of future success, along with future plans for improvement if any. (5 C.C.R. § 11966.4(b)(1).) As a part of the Renewal Petition, the Charter School is required to include financial statements that include a proposed first-year operational budget, including cash-flow and financial projections for three years of operation. (Ed. Code § 47605(g).) As described herein, the Charter School’s budget fails to meet certain legal requirements for a charter renewal, and lacks certain fundamental information.

Although the Renewal Petition states that, “a complete budget, narrative, and cash flow projection for the next three years” is attached under Appendix Q (Renewal Petition at p. 81), none of these items were provided despite the fact that they are required by law. Failure to provide this information is a basis to deny the Renewal Petition. Furthermore, the lack of this financial information does not allow the District to adequately determine that the Charter School would likely succeed in delivering its educational program, which is another basis for denial of the Renewal Petition. (Ed. Code § 47605(b)(2).)

The Charter School’s budget also lacks other critical information explaining how their budget will successfully deliver their educational program. This basic information is necessary in determining whether the budget is sound. For instance, each number in the budget must be reasonably supported by facts showing that the amount allocated will be sufficient to cover the expense. Therefore data on what was needed in the past, the number of students to be served, the type of items to be purchased, the cost and quantity of each unit, the monthly payments for a service or the terms of a contract would all be pieces of information that would confirm the accuracy of the budget. Here, the Charter School does not provide such data for the majority of the categories in the budget, leaving the overall soundness of budget in question.

District staff has identified the following deficiencies in the Charter School's budget/projections:

1. *The Charter School Did Not Provide Financial Statements.* The Charter School's proposed budget does not include any financial statements detailing their operations for the past four years. Such documents would demonstrate the past financial stability of the Charter School as it proposes to move forward.

2. *The Charter School Did Not Provide a Cash-Flow Projection for the Next Three Years.* A cash-flow projection is a critical tool in analyzing a budget and must be included in a charter renewal petition. (Ed. Code § 47605(g).) The term "cash-flow" represents the timing of when cash becomes available to an organization. Determining the cash-flow is an essential aspect of budgeting because if an organization receives the necessary cash after their payments are due, then the financial health of the organization is not sound. Therefore, when looking at the cash-flow, "timing is everything." If money is not received as scheduled, or if payments are due sooner than expected, these factors will have a negative impact on a budget. Here, the Renewal Petition does not include a cash-flow projection for any of the next three as required by law. (Ed. Code § 47605(g).) The absence of this information is a basis to deny the Renewal Petition.

3. *The Charter School Did Not Provide a Financial Projection for the Next Three Years.* The Charter School must provide a three-year financial projection as a prerequisite to charter renewal. (Ed. Code § 47605(g).) The defining purpose of a financial projection is the estimation of how future expenditures will be satisfied by future revenues. Here, the Renewal Petition provides a financial projection for the current year and the two years thereafter. The three-year period stated in the Renewal Petition does not meet the minimum requirements of the law as it fails to provide a financial projection for the third future year. (Ed. Code § 47605(g).) Additionally, the Charter School's financial projection is substantively inadequate because it does not disclose the assumptions on which the projections are based. There is no mention of projected enrollment, past expenditures in similar categories, cash balances or any explanation as to how the amounts stated in the budget accurately reflect the conditions the Charter School will encounter over the next three years. Dollar amounts simply stated without any context as to how they were calculated cannot be accepted as accurate or valid. Additionally, there is no budget narrative explaining how the budget aligns with the goals of the Charter School or how it will support student learning. The absence of this information is a basis to deny the Renewal Petition. (Ed. Code § 47605(g).)

4. *There is No Explanation for the Level of Fundraising.* Every budget begins by identifying the source of its revenues. The organization must identify both the amount of money it expects to make and the level of certainty attached to receipt of those funds. Both of these aspects are critical in evaluating whether the sources of revenues are reliable and sufficient for the purposes of a budget. Here, the Charter School states that in the 2012-2013 and 2013-2014 school years, the Charter School expects to receive \$50,000 in donations each year. The Charter School does not explain where this money will come from, when the Charter School can expect to receive this money, or whether the Charter School has achieved this level of fundraising in past years. Therefore, these amounts cannot be determined to be reasonably reliable.

5. *The Budget Lacks a Line Item for Administrative Services to Be Performed by the District.* In the Renewal Petition, the Charter School indicates that it intends to continue to contract with the District for administrative services. Specifically, the Charter School intends the District to provide the following services: (1) fingerprinting services; (2) attendance reporting; (3) oversight of compliance with teacher credentialing requirements; (4) payroll advances in the event that State ADA funds are delayed; (5) audit supervision; (6) training for CELDT testing; and (7) special education services. (Renewal Petition, p. 84.) However, there is no specific line item in the Charter School's budget for these services. Without a specific amount, it is unclear how the Charter School intends to pay for these services or whether the amount budgeted is sufficient.

6. *There is No Explanation as to whether the Amount Budgeted for Salaries is Sufficient.* The largest and most expensive expenditure in any budget is salaries. The Charter School's budget for salaries increases annually by \$5,000 from \$317,000 in 2011-2012 to \$323,000 in 2012-2013 with no explanation or breakdown for the base amount or the annual increase. It is unclear whether additional funds are being allocated because of an expected increase in staff or a general increase in existing salaries. It is also unclear how the Charter School intends to pay for substitute staff during instances when regularly employed staff members take medical leave, vacation, or other forms of absences. Each of these uncertainties undermines the soundness of the Charter School's budget.

7. *There is No Explanation Whether the Amount Budgeted for Benefits is Sufficient.* Benefits are an essential aspect of the overall compensation package an organization can offer to its employees. The Charter School states, "to remain competitive in attracting the best-qualified instructors, WCCHS will provide full health benefits to all full-time employees." (Renewal Petition, p. 63.) Here, it is not clear what range of benefits the Charter School intends to offer to its employees or how much the Charter School will pay in premiums. Furthermore, the Charter School budgeted \$100,000 for Health Benefits in the 2012-2013 and 2013-2014 school years. In general, the costs of health benefits have been steadily rising every year, and it is not clear whether the static amounts the Charter School has budgeted will be sufficient to provide the Charter School employees with the same level of benefits from one year to the next.

8. *The Budget Lacks a Line Item for Office Equipment and Supplies.* Office equipment is critical to the daily operations of a high school. If the Charter School intends to lease office equipment, then an amount should be budgeted for the anticipated costs. If the Charter School owns the office equipment it uses, then an amount should be budgeted for general maintenance. In either case, the budget does not include a line item for these costs and it is unclear how the Charter School intends to address these needs. Additionally, the budget does not clearly identify a specific line item for office supplies. The budget does have a line item titled "Materials & Supplies" but it is not clear whether this line item is dedicated for office supplies, student supplies or both. Furthermore, the amount budgeted in this line item starts at \$5,000 in 2012-2013 and goes up to \$10,000 in 2013-2014. Because there are no assumptions provided in the budget explaining how the Charter School calculated this amount, no determination can be made on whether this amount is sufficient.

9. *The Budget Lacks a Line Item for Insurance Premiums.* The Renewal Petition states, “WCCHS shall purchase and maintain, during the term of this Charter, [insurance] in minimum amounts as set forth as follows: (1) one million dollars (\$1,000,000) per occurrence; and (2) two million dollars (\$2,000,000) excess insurance.” (Renewal Petition, p. 84.) The Charter School’s budget does not include a line item for the payment of insurance premiums and it is unclear how the Charter School intends to pay for this coverage.

10. *The Budget Lacks Reserves.* It is a sound and standard practice for a budget to include a reserve amount in the event of economic uncertainties. Setting aside these funds gives an organization a “cushion” of cash to react to unforeseen expenses which were not budgeted. Here, the Charter School’s budget does not include a reserve for economic uncertainties, leaving the Charter School’s educational program susceptible to financial instability if an unforeseen expense were to arise.

11. *The Budget Lacks a Revolving Cash Balance for Cash-Flow Purposes.* Unlike expenses, revenue streams for charter schools are not necessarily realized on a monthly basis. Although a charter school may eventually receive revenue sufficient to cover its expenses, having sufficient cash at the appropriate time is another matter. Therefore, it is a sound and standard practice for a budget to include a revolving cash balance to pay for items such as payroll, invoices and other monthly expenses as they come due with the expectation of reimbursing the revolving cash balance as revenues are later realized. Here, the Charter School’s budget does not include a revolving cash balance, leaving the Charter School’s educational program susceptible to financial instability. It appears that the Charter School anticipates relying on District funds to cover expenses when the Charter School lacks cash on hand. (Renewal Petition, p. 84.) The District has not agreed to this arrangement and the Budget does not address how the Charter School intends to meet this challenge without the District’s assistance.

C. The Renewal Petition fails to provide certain policies and procedures that are necessary to confirm that the program can be implemented in accordance with applicable law.

Education Code section 47605(b)(5)(F) requires the Petition to include “the procedures that the school will follow to ensure the health and safety of pupils and staff.” Petitioners have indicated that they have adopted a number of policies which are on file at the Charter School. (Renewal Petition, p. 64.) District staff was able to locate copies of the Charter School’s student discipline policies, sexual harassment policy, and a conflicts of interest code dispersed throughout the Renewal Petition and appendices. However, without copies of certain other Board-adopted policies available for review, the District cannot be assured that the Charter School is operated pursuant to law. Of particular importance are the following: (1) health and safety (including but not limited to the administration of medication and emergency response); (2) mandated reporting; (3) student free speech and expression as required by Education Code section 48907; (4) complaint procedures; (5) special education and Section 504. Petitioners’ failure to provide the District with a comprehensive set of the Charter School’s Board-adopted policies is another indicator that they are demonstrably unlikely to successfully implement the Charter School’s program.



### **Finding 3: The Renewal Petition Does Not Contain Reasonably Comprehensive Descriptions of Certain Required Elements**

The Renewal Petition does not contain reasonably comprehensive descriptions of certain elements set forth in Education Code section 47605, subdivisions (b)(5)(A-P), as set forth below.

#### **A. Measurable Student Outcomes; Methods of Measurement and Other Uses of Data**

Petitioners' plan describing Measurable Pupil Outcomes notes that students are expected to meet four Schoolwide Student Goals each year—Academic Rigor and California Standards; Habits of Work; Self-knowledge; and Community-Building. (Renewal Petition, pp. 40-43.) The Renewal Petition sets out Specific Measurable Outcomes for each of the four Goals. However, Petitioners do not include any information describing the Charter School's progress towards meeting each outcome over the past four years. For example, in describing how students will meet rigorous academic standards, the Renewal Petition lists seven desired outcomes, including: "Increase the number of students passing courses based upon the California Standards every year, until a minimum pass rate of 80-85% has been achieved." However, the Renewal Petition does not indicate the Charter School's original base line, or its current progress towards meeting the desired outcome. Lack of any information regarding West County's past progress towards meeting these outcomes in the Renewal Petition is a substantial deficiency.

#### **B. Governance**

1. *Governance Structure.* The Education Code requires the Renewal Petition to describe "the governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement." (Ed. Code § 47605(b)(5)(D).) The Renewal Petition indicates that West County is operated as nonprofit public benefit organization and a copy of its Articles of Incorporation and Bylaws are attached as appendices. (Renewal Petition, pp. 48-51; Appendices D, U.) The Renewal Petition notes that another organization—Peacekey—was "instrumental in guiding and supporting WCCHS in the first few years of organization. Now that WCCHS has acquired educational and organizational strength WCCHS will maintain the partnership with Peacekey on an as-needed basis." (Renewal Petition, p. 14; Appendices A, B.) Peacekey's corporate status is listed on the Secretary of State's business entity website as "Suspended." The actual status of the ongoing relationship between West County and Peacekey is unclear. Included at Appendix B is a "Partnership Agreement" between the parties and West County's Bylaws continue to list a "Peacekey Organization Member" as a standing member of the school's Governing Board. (Appendix D, pp. 11-12.)

2. *Conflict of Interest; Compliance with Applicable Laws.* The Renewal Petition states that the Charter School complies with the Brown Act, the Public Records Act, a Conflict of Interest code and its Bylaws." (Renewal Petition, p. 51.) Petitioners state that the school has adopted a Conflicts of Interest code that "complies with the Political Reform Act, Corporations Code Conflicts of Interest rules, and which shall be updates with any charter specific conflicts of interest laws or regulations." (Renewal Petition, p. 51.) Review of the Conflicts of Interest code at Appendix W, does not indicate that the Charter School intends to comply with all such laws as are applicable to public agencies, including Government Code section 1090.

3. *Mandatory Parent Participation Hours.* As required by the West County Bylaws and set out in a Family Agreement, each family must perform five hours of volunteer service each month for a total of fifty hours each school year. (Renewal Petition, p. 54; Appendices D, T.) Failure to attend a mandatory monthly meetings penalizes families by adding an additional 2.5 hours to that annual requirement. Families who do not complete their required hours risk future enrollment in the school. (Appendix T.) The Family Agreement indicates that families experiencing a hardship may apply for a waiver; however, the Agreement does not indicate how a hardship is defined and does describe the Charter School's process for ensuring such waivers are granted in an equitable non-arbitrary manner.

C. Health and Safety Plan

With the exception of an unlawful harassment policy and an Earthquake Disaster Plan, Petitioners provide no policies or procedures, and only a brief summary of the Charter School's plans for meeting the health and safety and safety needs of its students and staff. (Renewal Petition, p.63-65)

Moreover, while charter schools are exempt from many requirements of California's Education Code, they are not exempt from federal law, including, but not limited to the IDEA and Section 504. However, the Renewal Petition fails to include any assurances that Petitioners will ensure that health and nursing services are provided to an eligible student in accordance with the law if the student's Section 504 plan requires such accommodations. Further, the Charter school's proposed budget does not include any allocation of funds for the hiring a school nurse or for contracting with a nursing registry or agency for the provision of nursing services to Charter School students in accordance with the provisions of section 49423 and other applicable laws and regulations. Because a single student with diabetes may require the administration of insulin multiple times during the school day, this budgetary oversight suggests that Petitioners are not familiar with the legally-mandated requirements and costs for the provision of health and nursing services to students who require such services to access their educational program.

In sum, without additional information, copies of the required policies and procedures, and a realistic assessment of the staffing and budget projections needed to provide for the health and safety of its students, the District cannot evaluate whether the Charter School's health and safety plan sufficiently protects its pupils and staff, thereby facilitating successful implementation of the Charter School program.

D. Dispute Resolution Process

Education Code section 47605(b)(5)(N) requires the Charter School to provide the procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter. However, the Dispute Resolution process set out in the Renewal Petition includes terms to which the District will not agree. Specifically, the Charter School's requirement that the Superintendent and members of the District's Board of Education participate directly in the dispute resolution process, rather than a District designee(s) as determined by the District, creates a cumbersome and onerous process which is not acceptable to the District. (Renewal Petition, pp. 65-66.) Additionally, the Renewal Petition does not describe

the Charter School's plans for resolving internal disputes and responding to complaints, and it is not clear if the Charter School has adopted a Uniform Complaint procedure.

E. Facilities

Charter school petitions are also required to include discussion of the impact on the chartering district, including the facilities to be utilized by the school. (Ed. Code § 47605 (g).)

West County Community High School is currently located at 777 Sonoma Street, Richmond, CA 94805. Petitioners indicate that they received a Conditional Use Permit from the Richmond Planning Commission on May 9, 2009 for continued operation of the school subject to the terms of that Use Permit. (Renewal Petition, p. 85; Appendix V.) The Use Permits includes a number of conditions on the Charter School's use of its current facility, including a limit on the Charter School's enrollment to a maximum of 150 students and 20 faculty/staff. As noted above, petitioners indicate that they intend for the Charter School to serve up to 200 students, but they do not explain whether their plans for growth of the school contemplate moving to a larger location or requesting approval of expansion plans from the Planning Commission. In addition, Petitioners do not indicate whether they have fulfilled other conditions of use set out in the Use Permit, including the construction of an exterior staircase prior to August 1, 2012. (Appendix V.)

VII. Recommended Grounds for Denying Charter Petition

Based on this review, Staff recommends that the Board deny the West County Renewal Petition under the grounds listed above. In sum, the Renewal Petition presents an unsound educational program for the Charter School's students and Petitioners are demonstrably unlikely to successfully implement the program for the proposed five-year renewal term. Moreover, the Renewal Petition does not contain reasonably comprehensive descriptions of the required programmatic and operational elements.

As noted above, in order to deny the Renewal Petition on the grounds set forth above, Education Code section 47605, subdivision (b), requires the Board to make "written factual findings, specific to the particular Petition, setting forth specific facts to support one or more" of the grounds for denying the Charter. **Therefore, Staff recommends that the Board adopt the proposed findings of fact, set forth below, as its own findings.**



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March 23, 2012

**RE: Opposition to the Renewal of West County Community High**

Superintendent Bruce Harter  
West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, CA 94801

Dear Superintendent Harter:

We understand that the Board of Education of the West Contra Costa Unified School District will be considering the renewal of West County Community High Charter's petition (Charter) later this spring. We urge you to consider data related to the Charter's poor academic performance, as explained more fully below, and deny the Charter renewal. We believe that the School's failure to establish a sufficient record of demonstrating strong academic outcomes for the students that it serves on measures of absolute rigor, performance over time, and particularly in comparison with other schools serving the same student demographics, justify denying the Charter's renewal.

By way of background, the California Charter Schools Association (CCSA) is California's membership and professional organization serving 982 public charter schools and 412,000 students across the state. We have spent many years of deep study of the distribution of performance of all public schools (traditional and charter), engaging in research on the development of an improved framework for setting minimum performance expectations for academic outcomes for California charter schools. It is worth noting that the National Association for Charter School Authorizers recently recognized CCSA for this work as the best exemplar in the nation in 2011 for academic accountability work. Further, as stewards of a movement predicated on the premise that charter schools enjoy flexibility and autonomy in exchange for a promise of improved academic outcomes, the Association has pushed for a higher floor of stable, predictable measures to be established. From this context, we have developed our Accountability Framework, including our Minimum Criteria for Renewal, described more fully below.

**Provisions of the Education Code**

Current law (Ed Code Section 47607(b)), provides a low bar for authorizers to determine whether a charter is eligible for renewal, such as meeting the API growth target in the prior year or in two of the last three years, or ranked in deciles 4 to 10, inclusive on the API in the prior year or in two of the last three years.

But authorizers are not compelled to renew a charter simply because these eligibility requirements are met. Authorizers are also required to evaluate whether a charter is providing a sound educational program, whether the charter school has met the terms of its charter, and whether

the petitioners are demonstrably unlikely to successfully implement the program set forth in the renewal petition, among other things (Ed Code Section 47607(b)). It is CCSA's position that evaluation of the charter school's performance against CCSA's Minimum Renewal Criteria can provide sufficient evidence of a school's failure to meet the standards of Education Code Section 47605(b).

We recommend that the district take into account CCSA's data analysis because current statutory renewal eligibility requirements do not provide an adequate evaluation of a charter school's academic performance, as those requirements are based upon extremely volatile API growth targets and upon API decile rankings, which are released nearly a year after testing. CCSA developed its own Minimum Renewal Criteria, which are designed to:

- Use elements of both academic status and growth
- Use multiple years of data to mitigate yearly fluctuations
- Use the most recently available data for renewal decisions
- Allow schools to demonstrate additional value through the SSM
- Align better with other cutting edge accountability and performance management approaches, such as value added measures and the use of status and growth measures to track an individual school's record over time both statewide and nationally, even within the limitations of California's dated data system, which does not yet track individual student level data for reporting purposes

#### **CCSA Minimum Criteria for Renewal**

In order to meet CCSA's Minimum Criteria for Renewal, charter schools must have operated for a minimum of four years and meet at least one of the following:

- Academic Performance Index (API) score of at least 700 in most recent year
- 3-year cumulative API growth of at least 50 points (2010-11 growth + 2009-10 growth + 2008-09 growth)
- Within range of or exceeding predicted performance based on similar student populations statewide, for at least two out of the last three years, based on CCSA's metric, the "Similar Students Measure" (SSM). The SSM identifies schools that persistently fall short of a prediction based upon how students with similar backgrounds performed statewide.

We believe meeting these criteria are a necessary condition to fulfilling school's broader educational goals. Importantly, CCSA's metrics assess the performance of the school *while taking into the account the background of the students served*. Thus, our metrics hone in on the value-added by schools regardless of the gifts and challenges their students bring to the door.

We established these criteria over a year ago, and recently announced a call for non-renewal and closure of the schools that fail to meet these criteria, at the direction of our Board of Directors and Member Council as official CCSA policy. We firmly believe that closure of persistently low performing schools is a natural part of a healthy charter school movement, and we have been encouraged to see the level of support the Association has received in our recent action including strong statements of support from US Secretary of Education Arne Duncan, and national and state education leaders. For more information regarding CCSA's Accountability Framework, we suggest

you visit <http://www.calcharters.org/advocacy/accountability>, which includes links to the reports, and an FAQ on the Public Call for Non-Renewal and Closure.

For the 2011-12 school year, ten charter schools statewide do not meet CCSA’s Minimum Renewal Criteria, representing slightly more than 1% of the 982 charter schools currently in operation in California, and inclusive of all school types and regions of the state. West County Community High Charter is one of those ten.

**Analysis of Outcomes for West County Community High**

The Data Profile shared below summarizes the results for West County Community High on the CCSA Minimum Criteria for Renewal and eligibility criteria under Education Code section 47607(b).

**West County Community High does not meet CCSA’s Minimum Criteria for Renewal.** Appendix A includes the CCSA Academic Accountability Report Card that was provided to the school in October 2011, detailing these results. Schools must meet ONE of the following criteria to meet CCSA’s Minimum Criteria for Renewal: 700 API (2011 Growth score), 50 points cumulative API growth over three API cycles, or a SSM Performance Band of “Within/Fluctuating” or above. See Appendix B for a description of the SSM Performance Bands. Stated otherwise, only schools that fail ALL THREE measures are deemed below criteria, as is the case with West County Community High. Note the results for the SSM performance, which compares West County Community High students with *similar students’ results*.

**Table 1: West County Community High Results: CCSA Minimum Criteria for Renewal**

Metric	West County Community High	Met Minimum?
2011 API Growth score of 700	594	NO
Three-year Cumulative API growth of 50	29	NO
SSM Performance Band of “Within/Fluctuating” or above	Below Most Years	NO
	<b>Above or Below Minimum Criteria?</b>	<b>BELOW</b>

**Outcomes Based on Current Statute in EdCode**

**West County Community High does meet the provisions of the renewal eligibility requirements listed under Ed Code Section 47607(b), the current statutory framework for authorizers to apply at the time of renewal.** It did not meet its API growth target in the last year. It did meet its API growth target in both of the prior two years, but it did not meet the target in the aggregate for the prior three years. It did not receive API ranks or API ranks for a demographically comparable school.

**Table 2: West County Community High Results: First three renewal eligibility requirements listed under EC 47607(b)**

Year	API growth	API growth target	Met API growth target?	State Rank	Met State Rank minimum?	Similar Schools Rank	Met Similar Schools Rank minimum?
2010-11	-22	9	NO	N/A	N/A	N/A	N/A
2009-10	26	10	YES	N/A	N/A	N/A	N/A
2008-09	25	12	YES	N/A	N/A	N/A	N/A
2007-08	N/A	N/A	N/A	N/A	/	N/A	/
3-Yr Aggregate (08-09 + 09-10 + 10-11)	29	31	NO				

**"N/A" means the data is either not yet available or does not apply to the EC 47607 (b) provisions.**

We urge you to give this analysis and recommendation your most careful consideration and vote to deny the petition for renewal. Ultimately, the intent of the Charter Schools Act cannot be fulfilled if charter schools do not improve pupil learning and increase learning opportunities for *all* pupils. If you have any questions, I invite you to contact me at (916) 448-0995 ext. 307 or gborden@calcharters.org.

Sincerely,



Gary Borden  
Senior Vice President, Statewide Advocacy  
California Charter Schools Association



Myrna Castrejon  
Senior Vice President, Achievement and Performance Management  
California Charter Schools Association

cc: West Contra Costa Unified School Board

encl: CCSA Academic Accountability Report Card for West County Community High

## **APPENDIX A: CCSA Academic Accountability Report Card**

The attached CCSA Academic Accountability Report Card was sent to school officials at West County Community High by CCSA on October 17, 2011. CCSA communicated with the school to verify the accuracy of the information in the Report Card (which was downloaded from the California Department of Education's website) and offered the school the opportunity to submit additional longitudinal student-level standardized test score data demonstrating academic performance outcomes not evidenced in the CCSA Accountability Framework. CCSA did not receive such additional data from this school, and did not receive information suggesting an inaccuracy of the underlying data or the results included in the CCSA Academic Accountability Report Card. The Report Card was made public on the CCSA website on December 15, 2011. The CCSA Academic Accountability Report Cards are publicly available for all charter schools in California at the following link: [http://snapshots.calcharters.org/academic\\_accountability\\_report\\_card](http://snapshots.calcharters.org/academic_accountability_report_card).



## APPENDIX B: Description of the Similar Students Measure

The **Similar Students Measure (SSM)** is a tool that assesses school performance while filtering out many of the non-school effects on student achievement through the use of regression-based predictive modeling, an approach used by the California Department of Education (CDE) and researchers across the field<sup>1</sup>. We compare a school's Academic Performance Index (API) to a prediction that controls for the effects of student background on performance, thus enabling researchers to identify schools that are significantly over-performing or under-performing, relative to their prediction. The following summarizes the process of calculating the SSM:

**1. Annual School Performance Prediction (ASPP):** The Annual School Performance Prediction (ASPP) uses linear regression models to predict a school's Academic Performance Index (API) while controlling for the effects of student background characteristics on performance. The ASPP regression model includes all public schools in California (excluding schools participating in the state's Alternative Schools Accountability Model (ASAM) or those with fewer than 20 valid test scores) and controls for a set of publicly available student background variables, including family income, parent education level, mobility, ethnicity, and percent English Learner and Special Education students. The model controls for the level of parent education data reported as well as the school size and grade span, separating out elementary, middle and high schools. The resulting ASPP is a statistical prediction of a school's academic performance given its student body.

**2. Percent Predicted API:** The Annual School Performance Prediction is then compared to each school's actual API performance (Actual API ÷ Predicted API) creating a ratio termed the Percent Predicted API. This is used to assess whether schools are substantially under- or over-performing their prediction of academic performance. The Percent Predicted API is then categorized into performance bands. If a school is within 5% of its ASPP, it is categorized as "Within Predicted." Schools outside of that range are categorized as Above or Below Predicted, and schools far outside of that range (10% or more) are categorized as Far Above or Far Below Predicted.

**3. Similar Students Measure (SSM):** The Similar Students Measure (SSM) uses three years of annual Percent Predicted API results to identify patterns of performance for charter schools. The resulting SSM provides a measure of relative performance, estimating the value that schools add to the gifts and challenges students bring to their school experience. Schools are categorized into **SSM Performance Bands** as follows, based upon their Percent Predicted API over the prior three years:

- **Far Below All Years:** Far Below Predicted for all years which have data
- **Below All Years:** Below Predicted for all years which have data
- **Below Most Years:** Below Predicted 2 out of the past 3 years
- **Within/Fluctuating:** Within Predicted for all years which have data, or fluctuating between bands
- **Above Most Years:** Above Predicted 2 out of the past 3 years
- **Above All Years:** Above Predicted for all years which have data
- **Far Above All Years:** Far Above Predicted for all years which have data

In conjunction with absolute measure of academic status and growth, the SSM drives CCSA's work to define minimum performance standards for charter schools.

For more information, please see the Technical Guide at: <http://www.calcharters.org/2011/02/technical-guide-construction-of-aspp-and-ssm.html>

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<sup>1</sup> The California Department of Education uses a similar approach to create the Schools Characteristics Index. California Department of Education, "2009-10 Academic Performance Index Reports: Information Guide," May 2010, page 67, <http://www.cde.ca.gov/ta/ac/ap/documents/infoguide09.pdf>. A 2010 Report published by Ed Source used the Schools Characteristics Index to classify middle schools across the state. <http://www.edsource.org/middle-grades-study.html>.

School: West County Community High School

**General School Data**

CDS Code: 07-61796-0115352  
 Primary Contact: Gary Einhorn  
 Phone: (510) 230-4105  
 Address: 777 Sonoma Street  
 Richmond, CA 94805  
 Grades Served: 9-12  
 School Type: HIGH

**School Renewal & Authorization**

Open Date:  
 Charter Start Date: 09/04/2007  
 Authorizer: West Contra Costa Unified  
 Charter Expiration Date: 06/01/2012  
 Number of Years Old: 4

**General School Data**

Number of Valid 2011 STAR Test Scores:	88	% African American:	12
% of Free/Reduced Price Lunch Eligible Students:	64	% American Indian/AN:	0
% of English Language Learners:	24	% Asian:	0
% of Students with Disabilities:	16	% Filipino:	2
Average Parent Education:	2.42	% Latino/Hispanic:	66
% of Parent Education Responses Received:	90	% NH/Pacific Islander:	0
		% White:	10
		% Two or more races:	1
% of Student Retention from October 2010 to 2011 STAR Testing:	81		

Note: The above data are publicly reported to the California Department of Education through the 2011 STAR Program student answer documents. They are used for the calculation of schools' Similar Students Measure (SSM) - see page 2.

**What's Inside This Report**

**Page 2: CCSA Accountability Framework**

The CCSA Accountability Framework measures three elements of your school's performance: academic status (API score), growth over time (cumulative API growth over the past three years), and comparison to similar student populations (Similar Students Measure, or SSM).  
 - Schools are divided into 4 quadrants based on whether their API and cumulative growth scores place them above or below the statewide average - these are the status and growth metrics.  
 - Schools are also categorized into SSM Performance Bands based on whether they perform below, within range of, or above a predicted score based on student background - this is the comparison metric. (See more detail on page 4)

Schools four years and older (ASAM excluded) must meet at least one of the following CCSA minimum criteria for renewal:

- API at or above 700 points
- 3-year cumulative API growth greater than or equal to 50 points (2010-11 growth + 2009-10 growth + 2008-09 growth)
- Similar Students Measure (SSM) band higher than "Below" at least two out of the last three years.

**Page 3: SBE Revocation Regulations**

In 2010, the State Board of Education adopted regulations that would allow them to initiate a process of potential revocation if a school is below certain level of performance. They only apply to schools five years and older. If a school five years and older has both of the following, it could be identified for potential revocation by the SBE:

- API Statewide Rank in the first decile for both of the prior two years
- 3-year cumulative API growth less than 50 points (2010-11 growth + 2009-10 growth + 2008-09 growth)

The revocation process would trigger a review where the school would be called to present additional performance data to demonstrate additional value-add to students' educational experience. SSM results would guide CCSA support in the event of revocation implementation.

**Summary of School Results**

**Meets CCSA Minimum Criteria for Renewal?**

*(Options: Yes, No, Does not apply)*

**ABOVE OR BELOW MINIMUM CRITERIA?**

**Below**

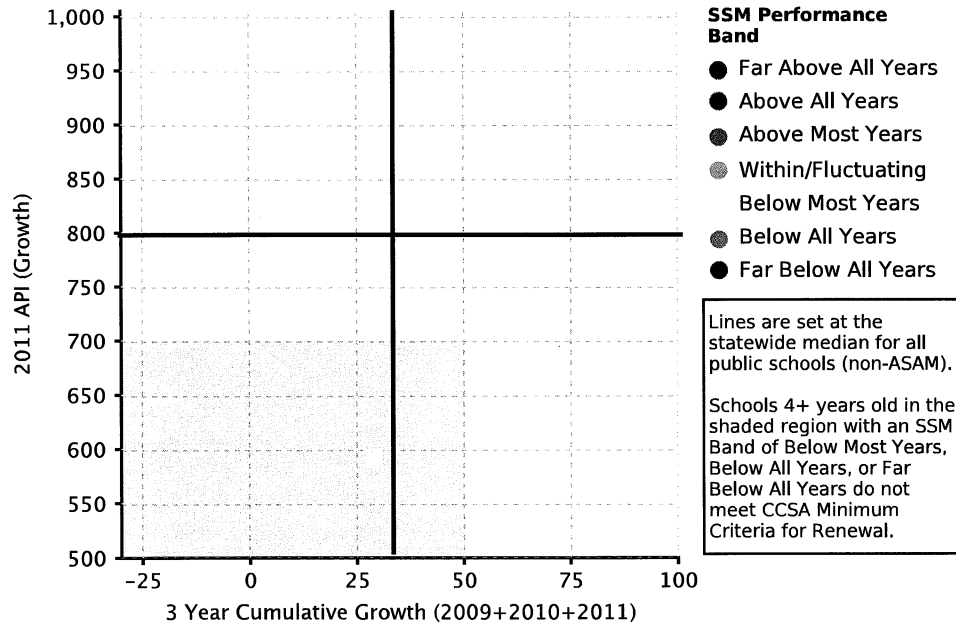
**Above or Below SBE Revocation Regulations?**

*(Options: Above, Below, Does not apply)*

**ABOVE OR BELOW REVOCATION CRITERIA?**

**n/a (<5 years old)**

**CCSA Accountability Framework: Status, Growth, & SSM**



**CCSA Minimum Criteria for Renewal**

	<b>School Result</b>
2011 API (Growth):	594
3-Year Cumulative API Growth:	29
SSM Performance Band:	Below Most Years
<b>ABOVE OR BELOW MINIMUM CRITERIA?</b>	<b>Below</b>

My school is 4 years old. Minimum criteria only apply to schools 4 and older.

**Definition of CCSA Minimum Criteria for Renewal:** Schools four years and older must meet **at least one** of the following in order to qualify for CCSA support at renewal:

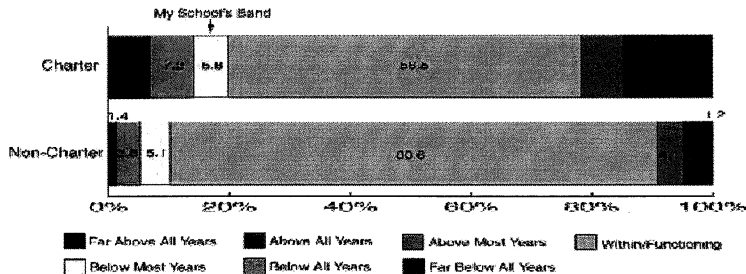
- API score at or above 700
- 3-year cumulative API growth greater than or equal to 50 points (2010-11 growth + 2009-10 growth + 2008-09 growth)
- Similar Students Measure (SSM) band higher than "Below" at least two out of the last three years

**More Detail: SSM Performance Band**

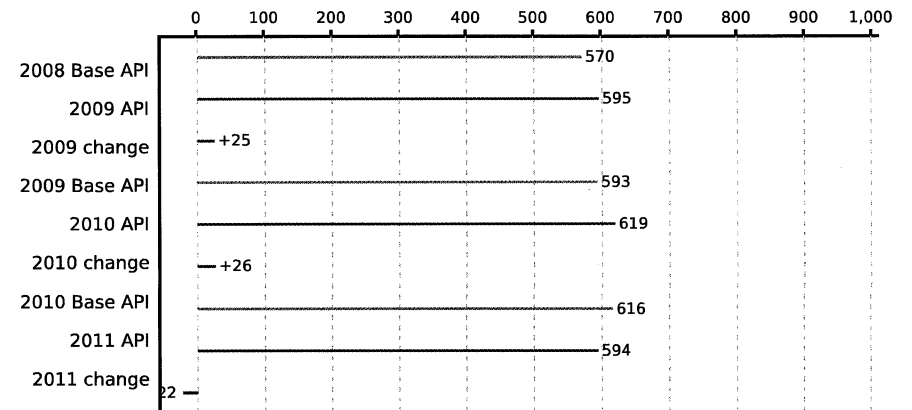
Academic Year	Annual Result (Far Above, Above, Within, Below, or Far Below)
2008-2009:	Within Predicted
2009-2010:	Below Predicted
2010-2011:	Below Predicted

**SSM Performance Band: Below Most Years**

**SSM Performance Bands: Statewide Breakdown**



**More Detail: 3-Year Cumulative API Growth**



School: West County Community High School

**State Board of Education Revocation Regulations**

Criteria for revocation eligibility (only applies to non-ASAM schools 5 years and older): Statewide rank of 1 over the past two years and 3-year cumulative growth under 50 points

<b>Criteria</b>	<b>School Status</b>
Does it apply? (i.e., Is my school non-ASAM, 5+ years?)	No
Statewide Rank 2009-10	1
Statewide Rank 2010-11	1
3-year Cumulative API Growth	29
<b>Above or below revocation criteria:</b>	<b>n/a (&lt;5 years old)</b>

If you have any questions on the material presented in the CCSA Academic Accountability Report Card, please contact:

[accountability@calcharters.org](mailto:accountability@calcharters.org)

or call Samantha Olivieri, Director of Accountability, at 415-283-5077

For more information on the CCSA Accountability Framework, please visit

<http://www.calcharters.org/advocacy/accountability/>



School: West County Community High School

Definitions and Data Sources		
Term	Definition	Data Source
<b>API Score</b>	The Academic Performance Index (API) is a numeric score ranging from 200 to 1,000 that summarizes a school's	2011 Growth API Data File
<b>3-year cumulative API growth</b>	Cumulative API growth over the last three API cycles (i.e. an API cycle represents the difference between a current year growth API and the prior year's base API).	2011, 2010 and 2009 Growth API Data Files
<b>Similar Students Measure</b>	<p><b>What is it?</b> The Similar Students Measure (SSM) identifies schools that over- and under-perform compared to similar students statewide. It functions as a "proxy value-add" measure by comparing each school's performance to a prediction based on how schools with similar student background perform.</p> <p><b>How is it calculated?</b> For each of the prior three years, schools are categorized as to whether their API score was Far Above, Above, Within Range of, Below, or Far Below their prediction based on student background. Those results are aggregated into a three-year SSM Performance Band. There are seven SSM Performance Bands: Far Above All Years, Above All Years, Within/Fluctuating, Below Most Years, Below All Years, Far Below All Years. The SSM calculation is based on API scores and publicly-reported student demographics, as reported to the California Department of Education with STAR testing. The variables used are listed below. For technical detail on the SSM, see the Technical Guide: <a href="http://www.calcharters.org/2011/02/technical-guide-construction-of-aspp-and-ssm.html">www.calcharters.org/2011/02/technical-guide-construction-of-aspp-and-ssm.html</a></p>	California Charter Schools Association, calculated using California Department of Education (CDE) reported data
<b>School Type</b>	Elementary, Middle, or High School, as assigned by CDE for deterring API ranks	
<b># of Valid Test Scores</b>	Number of students in grades two through eleven tested in STAR Program testing for 2011. Note: Only includes number of students included in the 2011 API	2011 Growth API Data File
<b>% Free/Reduced Lunch Enrollment</b>	Percentage of students in the school who were eligible for the free or reduced-price lunch program	2011 STAR Program answer document
<b>% English Language Learners</b>	Percentage of students at the school who were designated as English Learners	
<b>% Students with Disabilities</b>	Percentage of students who are designated as students with disabilities (SWDs). A SWD receives special education services and has a valid disability code on the STAR Program student answer document.	
<b>Average Parent Education Level</b>	Average of all parent education level responses using the following scale: 1 = Not high schools graduate; 2 = High school graduate; 3 = Some college; 4 = College graduate; 5 = Graduate School	
<b>Response Rate for Parent Education</b>	Percentage of parents responding to parent education level question	
<b>% Student Retention from October 2010 to 2011 STAR Testing:</b>	Percentage of students who were counted as part of the school enrollment on the October 2010 Fall Census Day and who have been continuously enrolled since that date to the date of STAR Program testing	
<b>Pupil ethnicity percentages</b>	Percentage of students in the school in each ethnic category: African American, American Indian, Asian, Filipino, Hispanic, Pacific Islander, White, Two or More Races	
<b>Percentage of grade span enrollments</b>	<p>Percentage of total enrollment in the following grade spans:</p> <ul style="list-style-type: none"> <li>Elementary schools: grade 2, grade 6, grades 7-8 and grades 9-11</li> <li>Middle schools: grade 2, grades 3-5, grade 6, grades 9-11</li> <li>High schools: grade 2, grades 3-5, grade 6, grades 7-8</li> </ul>	

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

**To:** Board of Education

**Meeting Date:** June 13, 2012

**From:** Nia Rashidchi, Assistant Superintendent  
Educational Services

**Agenda Item:** F.2

**Subject:** Textbook Adoption for Middle School Algebra I

**Background Information:**

The WCCUSD Board of Education has undertaken a Middle School Mathematics Initiative (“It All Adds Up!”). As part of this initiative, all middle school math teachers were surveyed. All Algebra I teachers wrote comments asking the district to consider an adoption of a new standards-based textbook this spring. The district proceeded with a pilot and adoption process with involvement of all middle school Algebra I teachers. The 46 criteria used to rate the materials were developed by the California County Superintendents Educational Services Association’s Curriculum and Instruction Steering Committee Mathematics Subcommittee and have been used throughout the state for textbook adoption processes.

These Algebra I instructional materials present the district with the opportunity to have teachers utilize materials that are standards-based, provide a smoother transition to the Common Core State Standards, and enable our teachers to provide high quality mathematics instruction to all students.

McDougal Littell California Mathematics Algebra 1 is the recommendation from central office staff and the middle school Algebra I teachers.

The instructional materials have also been placed on display at the district office for feedback.

**Recommendation:** Approval

**Fiscal Impact:** \$120,000

**DISPOSITION BY BOARD OF EDUCATION**

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_

Not Approved \_\_\_\_\_

Tabled \_\_\_\_\_

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION----BOARD OF EDUCATION**

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**To:** Board of Education

**Meeting Date:** June 13, 2012

**From:** Steve Collins  
SELPA Director

**Agenda Item:** F.3

**Subject:** Special Education Annual Service Plan and Annual Budget Plan

**Background Information:**

Assembly Bill AB602, Chapter 654, Statutes of 1997 added new requirements to the Special Education Local Plan. AB602 requires SELPAs to submit Annual Budget and Service plans. These plans must be adopted at public hearings. As required in Education Code (EC) Section 56205, these plans must identify expected expenditures and include a description of services and the physical location of these services. The Local Budget and Service Plans must demonstrate that all individuals with exceptional needs have access to services and instruction appropriate to meeting their needs as specified in their IEPs.

**Annual Service Plan:**

The Annual Service Plan must include a complete detailed description of special education services provided by each district and/or SELPA. This description must include:

- A. The nature of the services, including Related Services
- B. The physical location where the services are provided which may include:
  1. Alternative Schools
  2. Charter Schools
  3. Opportunity Day Schools operated by school districts
  4. Community Day Schools operated by the County Office of Education regardless of whether the district or County Office of Education participates in the Local Plan.
  5. Nonpublic Schools/agencies

The Service Plan description must demonstrate that all individuals with exceptional needs have access to services and instruction appropriate to meet their needs as specified in their individual education programs.

**Annual Budget Plan:**

The Annual Budget Plan identifies expected expenditures for all items listed below:

- A. Funds received in accordance with Chapter 7.2 (Special Education Funds)
- B. Administrative Costs of the Plan
- C. Special Education Services to pupils with severe disabilities as defined by IDEA 2004 including 'Low Incidence' Disabilities (deaf, hard of hearing, blind, visually impaired, and orthopedically handicapped students)
- D. Special Education services to pupils with non-severe disabilities as defined by IDEA 2004.
- E. Supplemental aids and services to meet the individual needs of pupils placed in regular classrooms and environments.
- F. Regionalized operations and services and direct instructional support by Program Specialists
- G. The use of property taxes allocated to special education pursuant to Section 2572.

The Annual Budget Plan may be revised during any fiscal year according to the policymaking process. Accordingly, the West Contra Costa Unified School District SELPA's Annual Service Plan and Annual Budget Plan have been updated and reviewed, as is required by California Department of Education.

Complete copies of the Local Plan and Budget Plan are available at [www.wccusd.net](http://www.wccusd.net) under the Special Education department website.

**Recommendation:** Board Approval

**Fiscal Impact:** None

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_

Not Approved \_\_\_\_\_

Tabled \_\_\_\_\_



## CERTIFICATION OF ANNUAL SERVICE PLAN

<b>1. Check one, as applicable:</b>		
<input checked="" type="checkbox"/> Single District	<input type="checkbox"/> Multiple District	<input type="checkbox"/> District/County
County-District-School Code/Special Education Local Plan Area (SELPA) Code <b>0761796/0712</b>	SELPA Name <b>West Contra Costa Unified</b>	Application Date <b>June 13, 2012</b>
SELPA Address <b>2465 Dolan Way</b>	SELPA City <b>San Pablo</b>	SELPA Zip code <b>94806</b>
Name SELPA Director (Print) <b>Steve Collins, SELPA Director</b>		SELPA Director's Telephone Number <b>( 510) 307-4633</b>
<b>2. CERTIFICATION BY AGENCY DESIGNATED AS ADMINISTRATIVE AND FISCAL AGENCY FOR THIS PROGRAM (Responsible Local Agency [RLA] or Administrative Unit [AU])</b>		
RLA/AU Name <b>West Contra Costa SELPA</b>	Name/Title of RLA Superintendent (Type) <b>Bruce Harter, Superintendent</b>	Telephone Number <b>( 510) 231-1101</b>
RLA/AU Street Address <b>1108 Bissell Avenue</b>	RLA/AU City <b>Richmond</b>	RLA/AU Zip code <b>94801</b>
Date of Governing Board Approval <b>June 13, 2012</b>		

### Certification of Approval of Annual Service Plan Pursuant to California *Education Code* Section 56205(b)

I certify that the Annual Service Plan was developed according to the SELPA's local plan governance and policy making process. Notice of this public hearing was posted in each district within the SELPA at least 15 days prior to the hearing.

The Annual Service Plan was presented for public hearing on June 13, 2012.

Adopted this 13<sup>th</sup> day of June, 2012.

Signed: \_\_\_\_\_  
                     RLA/AU Superintendent

FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY

Received by the State Superintendent of Public Instruction: Date: \_\_\_\_\_ By: \_\_\_\_\_

**CERTIFICATION OF ANNUAL BUDGET PLAN  
 FISCAL YEAR: 2012-13**

<b>1. Check one, as applicable:</b> <input checked="" type="checkbox"/> Single District <input type="checkbox"/> Multiple District <input type="checkbox"/> District/County		
County-District-School Code/Special Education Local Plan Area (SELPA) Code <b>0761796/0712</b>	SELPA Name <b>West Contra Costa Unified</b>	Application Date <b>June 13, 2012</b>
SELPA Address <b>2465 Dolan Way</b>	SELPA City <b>San Pablo</b>	SELPA Zip code <b>94806</b>
Name SELPA Director (Print) <b>Steve Collins, SELPA Director</b>		SELPA Director's Telephone Number <b>(510) 307-4633</b>
<b>2. CERTIFICATION BY AGENCY DESIGNATED AS ADMINISTRATIVE AND FISCAL AGENCY FOR THIS PROGRAM (Responsible Local Agency [RLA] or Administrative Unit [AU])</b>		
RLA/AU Name <b>West Contra Costa SELPA</b>	Name/Title of RLA Superintendent <b>Bruce Harter, Superintendent</b>	Telephone Number <b>( 510 ) 231-1101</b>
RLA/AU Street Address <b>1108 Bissell Avenue</b>	RLA/AU City <b>Richmond</b>	RLA/AU Zip code <b>94801</b>
Date of Governing Board Approval <b>June 13, 2012</b>		

**Certification of Approval of Annual Budget Plan Pursuant to California *Education Code* Section 56205(b)**

I certify that the Annual Budget Plan was developed according to the SELPA's local plan governance and policy making process. Notice of this public hearing was posted in each school within the SELPA at least 15 days prior to the hearing.

The Annual Budget Plan was presented for public hearing on June 13, 2012.

Adopted this 13<sup>th</sup> day of June, 2012.

Signed: \_\_\_\_\_  
                     RLA/AU Superintendent

**ANNUAL BUDGET PLAN**  
**FISCAL YEAR: 2012-13**

The Annual Budget Plan shall identify expected expenditures for all items required by this part as listed below. The *Standardized Account Code Structure (SACS)* codes provide source information from the local educational agency (LEA) reporting.

	<b>Reference/Label</b>	<b>Instructions</b>	<b>Estimated Totals</b>
A	Funds received in accordance with Chapter 7.2 (commencing with California <i>Education Code</i> [EC] Section 56836) (Special Education Program Funding)	<i>SACS Resource Code</i> 6500 (State), 3300-3499 (Federal) 6515-6535 (General Fund) District Contribution	32,632,406    19,729,888
B	Administrative costs of the plan	<i>SACS Goal Code</i> 5001 Function 2100	4,218,916
C	Special Education services to pupils with: (1) <b>severe disabilities</b> , and (2) <b>low-incidence disabilities</b>	<i>SACS Goal Code</i> 5710	725,837
		<i>SACS Goal Code</i> 5730	3,443,884
		<i>SACS Goal Code</i> 5750	21,588,945
D	Special education services to pupils with <b>non-severe disabilities</b>	<i>SACS Goal Code</i> 5770	20,263,059
E	Supplemental aids and services to meet the individual needs of pupils placed in <b>regular education classrooms</b> and environments	Any <i>SACS Goal Code</i> with <i>SACS Function Code</i> 1130 <sup>1</sup>	877,978
F	Regionalized operations and services, and direct instructional support <b>by program specialists</b> in accordance with Article 6 (commencing with Section 56836.23) of Chapter 7.2. (SELPA Program Specialists Funding)	<i>SACS Goal Code</i> 5050	-0-
		<i>SACS Goal Code</i> 5060	1,243,675
G	The use of <b>property taxes</b> allocated to the special education local plan area pursuant to <i>EC</i> Section 2572.	Statement is included in Local Plan	

<sup>1</sup> Function Activity Classification can be located at:  
<http://www.cde.ca.gov/be/ag/ag/yr08/mar08item24a6.doc>

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FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY

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Received by the State Superintendent of Public Instruction: Date: \_\_\_\_\_ By: \_\_\_\_\_

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

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**To:** Board of Education **Meeting Date:** June 13, 2012  
**From:** Bill Fay **Agenda Item:** G.1  
Associate Superintendent for Operations  
**Subject:** Project Status Report – Facilities Planning and Construction

**Background Information:**

The following are provided for review of Facilities Planning and construction in the District's Bond Program and for information regarding individual projects:

- Engineering Officer's Report – Verbal Presentation
- Construction Status Reports – Current Construction Projects

**Recommendation:** For information only

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

# PROJECT STATUS REPORT

## De Anza High School - Replacement Campus

### Period Ending: 5/30/2012

**Scope:** Replacement Campus

**Construction Status:**

Architect: DLM Architects  
 Project Manager: Jose Chapa, SGI Construction Management  
 Project Engineer: Marc Alojepan, SGI Construction Management  
 Contractor: Wright Contracting Inc.  
 Inspector: Steve Cayson  
 WCCUSD Mgr: Eduardo Donoso

**Contract Status:**

Notice to Proceed:	05/17/2010			
		<b>Original</b>	<b>Approved</b>	<b>Projected</b>
Construction Schedule (days):	1,080			
Original Completion Date:	05/01/2013			
Projected Completion:	05/01/2013			

**Buildings:**

Building 1	Administration & Library
Building 2 & 3	Theater & Arts/Delta School
Building 4	Special Education
Building 5	Science
Building 6 & 7	Classrooms
Building 8	Gymnasium
Building 9	Cafeteria
Building 11, 12, & 13	Lobby, Breezeway, & Entrance Structure

**Progress This Period:**

- Building 1, 2, 3, 4, 5, 8, 9, & 11--Interior Finishes, FRL, & Casework
- Building 1, 2, 3, 4, & 5--Install Ceiling & Lighting
- Building 3, 4, & 5--Install Sunshades
- Building 6 & 7--Install HVAC Ducts & Equipment
- Building 6, 7, & 11--Install MEP Rough-Ins
- Building 7--Install Brick Veneer
- Building 7 & 11--Install Sheetrock & Finish
- Building 8, 9, & 11--Install Flooring
- Building 12--Install Fire-Proofing & Exterior Metal Stud Framing
- Building 13--Pour Concrete Footings, Curbs, & Grade Beams
- Site Work--Rough Grade for Parking Lot and Courtyards

**Anticipated Progress Next Period:**

- Building 1, 2, 3, 4, 5, 8, 9, & 11--Interior Finishes, FRL, & Casework
- Building 1, 2, 3, 4, 5, 6, & 7--Install Ceiling & Lighting
- Building 3, 4, 5, 6, & 7--Install Sunshades
- Building 3, 4, 5, 6, & 11--Install Flooring
- Building 8--Install Main Gym Bleachers
- Building 12--Exterior Metal Stud Framing & Sheetrock
- Building 13--Form & Rebar Columns
- Site Work--Rough Grade, Ornamental Fencing, & Irrigation System

**Schedule Assessment/Update:**

Construction Duration (Calendar Days):	1,080
Construction Calendar Days Elapsed:	744
Construction Calendar Days Remaining:	336
Percent of Contract Calendar Days Elapsed:	68%
Percent of Construction Completed:	70%

<b>Percentage of Work Done</b>	<b>70%</b>	<b>Total Project</b>
--------------------------------	------------	----------------------

**Proposed Changes:**

**General Comment:**

Progress Photos: 5/30/2012



**Building 6--Sunshade Installation**



**Building 7--Rough Grading for Courtyards**



**Building 8--Main Gym Floor Installation & Striping**

# PROJECT STATUS REPORT

Dover Elementary School -

Period Ending: 5/30/2012

**Scope:** Increment 2 - Construction of new kindergarten/preschool classrooms and multi-purpose room buildings with covered walkway.

**Construction Status:**

Architect: HY Architects, Inc.  
 Project Manager: Eddie Law, SGI Construction Management  
 Project Engineer:  
 Contractor: Alten Construction, Inc.  
 Inspector: Kris Gilbert  
 WCCUSD Mgr: Eduardo Donoso

**Contract Status:**

Notice to Proceed: 06/15/2009

	Original	Approved	Projected
Construction Schedule (days):	1,110	208	1,318
Original Completion Date:	06/29/2012		
Projected Completion:	1/23/2013		

**Buildings:**

Building A Main Admin. Building & Classrooms - COMPLETED  
 Building B Pre-School/Kindergarten - IN PROGRESS  
 Building C Multi Purpose Building - IN PROGRESS  
 Site Work Site Work and Covered Walkway

**Progress This Period:**

- Building B:
- Interior finishes including ceiling grid; bathroom tiles; plumbing fixtures and accessories; casework; tack board; whiteboards; wood trims; registers/grilles; epoxy flooring
  - Plastering activities - scratch, brown and finish coat completed
  - Start of electrical and low voltage wire pull and connections
  - Paint interior doors and installation of hardware
- Building C:
- Lathing and plastering activities completed
  - Mud, tape and texture completed
  - Stage floor completed
  - Kitchen finishes including urethane flooring, FRP, hood

**Anticipated Progress Next Period:**

- Building B:
- Continuation of interior finishes including casework; bathroom trims and accessories; acoustical wall panels; ceiling tiles; resilient flooring; walk off mats; glazing; signage
  - Removal of scaffold; exterior paint; clean-up
  - Start-up and testing of equipment; and commissioning
- Building C:
- Continuation of interior finishes including casework; bathroom tiles, trims and accessories; acoustical wall and P-Lam panels; paint; resilient flooring
  - Stage bamboo flooring and chair lift installation
  - Delivery and installation of kitchen equipment, sinks and tables

**Schedule Assessment/Update:**

Construction Duration (Calendar Days):	1,309
Construction Calendar Days Elapsed:	1,080
Construction Calendar Days Remaining:	229
Percent of Contract Calendar Days Elapsed:	82%
Percent of Construction Completed:	82%

**Percentage of Work Done 82% Total Project**

Phase 1 -- Demolition & Site Work	Increments 1 & 1A	100%
Phase 2 -- Building "A"	Increment 2	100%
Phase 3 -- Building "B" & "C"	Increment 3	70%
Phase 4 -- Site Work & Playground	Increment 3	5%

**Proposed Changes:**

**General Comment:**

Progress Photos: 5/30/2012



Bldg B Finishes - Casework, Fixtures, Trim



Building C - Plastering - Color Coat



Bldg C Finishes - Urethane Flooring, Hood, FRP



# PROJECT STATUS REPORT

Gompers High School -  
Period Ending: 5/30/2012

**Scope:** Soil Removal & Site Work

**Construction Status:**

Architect: N/A  
 Project Manager: Timothy Peel, SGI Construction Management  
 Project Engineer: Gaile F. Suarez, SGI Construction Management  
 Contractor: Applied Water Resources  
 Inspector: Ninyo & Moore  
 WCCUSD Mgr: Andrew Mixer

**Contract Status:**

Notice to Proceed:	4/9/2012	<b>Original</b>	<b>Approved</b>	<b>Projected</b>
Construction Schedule (days):	50			
Original Completion Date:	5/29/2012			
Projected Completion:	5/29/2012			

**Buildings:**

N/A

**Progress This Period:**

Project Complete

**Anticipated Progress Next Period:**

Final C/O and Payment

**Schedule Assessment/Update:**

Construction Duration (Calendar Days):	50
Construction Calendar Days Elapsed:	16
Construction Calendar Days Remaining:	34
Percent of Contract Calendar Days Elapsed:	32%
Percent of Construction Completed:	99%

**Percentage of Work Done**                      **99%**                      **Total Project**

**Proposed Changes:**

**General Comment:**

Progress Photos: 5/30/2012



Final Area of Excavation



Shoring Removal



Remediation Complete

# PROJECT STATUS REPORT

## Kennedy High School - ADA Upgrades and Elevator

### Period Ending: 5/30/2012

**Scope:** ADA Upgrades and Elevator Project

**Construction Status:**

Architect: HMC Architects  
 Project Manager: Herman Blackmon Jr., Amanco, Inc.  
 Project Engineer:  
 Contractor: CF Contracting  
 Inspector: Brad Williamson  
 WCCUSD Mgr: Andrew Mixer

**Contract Status:**

Notice to Proceed:	08/15/2011	<b>Original</b>	<b>Approved</b>	<b>Projected</b>
Construction Schedule (days):	210			
Original Completion Date:	3/12/2012			
Projected Completion:	7/15/2012			

**Buildings:**

**Progress This Period:**

- Installing Elevator - 75%
- Completed Installation and Passed State Inspection for Chair Lifts
- Conducted Training for Chair Lifts
- Installing Doors - 40%
- Completed Roofing Flashing

**Anticipated Progress Next Period:**

- Complete Stucco for Elevator and Machine Room
- Complete Elevator Installation
- Continue Installation of Doors
- Conduct Inspection and Training for Elevator

**Schedule Assessment/Update:**

Construction Duration (Calendar Days):	210
Construction Calendar Days Elapsed:	294
Construction Calendar Days Remaining:	-84
Percent of Contract Calendar Days Elapsed:	140%
Percent of Construction Completed:	85%

**Percentage of Work Done**                      **85%**                      **Total Project**

**Proposed Changes:**

- Add Knox Box at Front of School Per Requirement of the Fire Inspector.

**General Comment:**

Progress Photos: 5/30/2012



**Elevator Installation**



**Installed Elevator Door**



**Gym Door Installation**



# PROJECT STATUS REPORT

## Kennedy High School - Concession Stand and Lights

### Period Ending: 5/30/2012

**Scope:** Concession Stand and Lights

**Construction Status:**

Architect: Powell & Partners  
 Project Manager: Herman Blackmon Jr., Amanco, Inc.  
 Project Engineer:  
 Contractor: B-Side Construction  
 Inspector: Brad Williamson  
 WCCUSD Mgr: Andrew Mixer

**Contract Status:**

Notice to Proceed:	04/01/2011	<b>Original</b>	<b>Approved</b>	<b>Projected</b>
Construction Schedule (days):	210			
Original Completion Date:	10/28/2011			
Projected Completion:	6/30/2012			

**Buildings:**

Concession Stand

**Progress This Period:**

- Mounted Security Lights
- Completed Mounting of Speakers
- Installed Bathroom Accessories
- Installed Bathroom Partition Doors
- Installing Windows - 5%

**Anticipated Progress Next Period:**

- Install HVAC Units on Roof
- Install Roof and Window Flashing
- Install Windows
- Install Parapet Flashing
- Install Open Data Rack
- Mount Audio Rack

**Schedule Assessment/Update:**

Construction Duration (Calendar Days):	210
Construction Calendar Days Elapsed:	416
Construction Calendar Days Remaining:	-206
Percent of Contract Calendar Days Elapsed:	198%
Percent of Construction Completed:	95%

<b>Percentage of Work Done</b>	<b>95%</b>	<b>Total Project</b>
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**Proposed Changes:**

**General Comment:**

Progress Photos: 5/30/2012



Concession Stand - Partition Doors



Concession Stand - Serving Window Installation



Concession Stand - Wired Speakers

# PROJECT STATUS REPORT

Kennedy High School - Quads Upgrade

Period Ending: 5/30/2012

**Scope:** Quads Upgrade

**Construction Status:**

Architect: HMC Architects  
 Project Manager: Herman Blackmon Jr., Amanco, Inc.  
 Project Engineer:  
 Contractor: CF Contracting  
 Inspector: Brad Williamson  
 WCCUSD Mgr: Andrew Mixer

**Contract Status:**

Notice to Proceed:	12/27/2011		
		<b>Original</b>	<b>Approved</b>
Construction Schedule (days):	300		
Original Completion Date:	10/27/2012		
Projected Completion:	10/27/2012		

**Buildings:**

Hardscape & Landscaping in the Quads of Campus

**Progress This Period:**

Phase 1

- Added Base Rock and Compacted for "K" Paver Area
- Installed Light Posts
- Poured Concrete for Stairs at Outside Gym Stage
- Excavated for Trench Drain at Gym Stage
- Raised Catch Basin
- Installed Conduits for Irrigation Controller
- Poured Concrete Bases for Benches and Tables
- Trenching for Irrigation Lines

**Anticipated Progress Next Period:**

Phase 1

- Pour Flatwork Concrete
- Pour "K" for Logo and Install Pavers
- Install Trench Drains
- Prepare Soil for Planting
- Install Irrigation Controller
- Start Installing Benches and Tables
- Start Planting
- Mobilize for Phase 2
- Demolition for Phase 2

**Schedule Assessment/Update:**

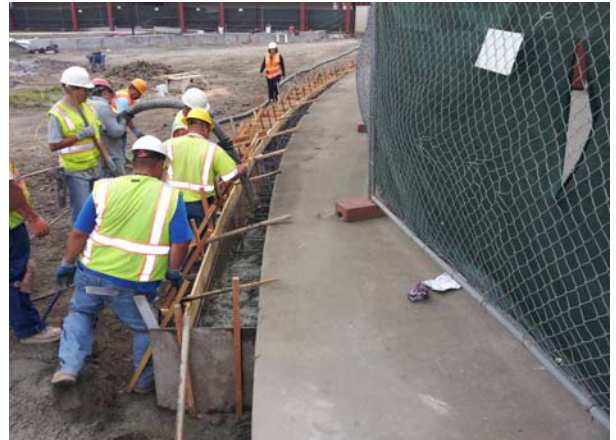
Construction Duration (Calendar Days):	244
Construction Calendar Days Elapsed:	148
Construction Calendar Days Remaining:	96
Percent of Contract Calendar Days Elapsed:	60%
Percent of Construction Completed:	40%

**Percentage of Work Done**                      **40%**                      **Total Project**

**Proposed Changes:**

**General Comment:**

Progress Photos: 5/30/2012



Concrete Pour for Gym Stage Stairs



Formed K Logo



Site Lights

# PROJECT STATUS REPORT

## Nystrom Elementary School - Temp Housing Units

### Period Ending: 5/30/2012

**Scope:** Temp Campus

**Construction Status:**

Architect: Interactive Resources  
 Project Manager: Nirav Desai, SGI Construction Management  
 Project Engineer:  
 Contractor: Alten Construction  
 Inspector: Kris Gilbert  
 WCCUSD Mgr: Andrew Mixer

**Contract Status:**

Notice to Proceed:	05/10/2012		
		<b>Original</b>	<b>Approved</b>
Construction Schedule (days):	90		
Original Completion Date:	08/03/2012		
Projected Completion:	08/03/2012		

**Buildings:**

Temp Campus

**Progress This Period:**

- Site coordination and mobilization complete
- Remove Access soil and demo (E) asphalt ongoing
- Site rough grading and pothole for utility connection underway

**Anticipated Progress Next Period:**

- Lay underground site wet and dry utility
- Fine grading
- Set modular units
- Start utility and low-voltage connection to existing infrastructure

**Schedule Assessment/Update:**

Construction Duration (Calendar Days):	90
Construction Calendar Days Elapsed:	20
Construction Calendar Days Remaining:	70
Percent of Contract Calendar Days Elapsed:	22%
Percent of Construction Completed:	15%

**Percentage of Work Done**                      **15%**                      **Total Project**

**Proposed Changes:**

Encounter field condition "purple soil" during grading work and ongoing removal of contaminated soils prior to trenching work.

**General Comment:**

Progress Photos: 5/30/2012



Site Grading and asphalt demo work



Existing soil with vegetation and waste debris



Purple Soil



# PROJECT STATUS REPORT

Ohlone Elementary School - West Campus

Period Ending: 5/30/2012

**Scope:** West Campus

**Construction Status:**

Architect: Powell & Partners  
 Project Manager: Sonya Perkins, SGI Construction Management  
 Project Engineer: Paul Orr, SGI Construction Management  
 Contractor: Zovich Construction  
 Inspector: Mark Eriksen  
 WCCUSD Mgr: Eduardo Donoso

**Contract Status:**

Notice to Proceed:	08/01/2011	<b>Original</b>	<b>Approved</b>	<b>Projected</b>
Construction Schedule (days):	720			
Original Completion Date:	7/20/2013			
Projected Completion:	7/20/2013			

**Buildings:**

Building A Two Story Building.  
 Building B Single Story Building.

**Progress This Period:**

- Building B - continued clerestory framing, roof framing, low roof plywood, electrical and technological rough-in at East and West Walls; installing blocking for the Learning Walls pursuant to ASI 33; sprinkler installation at east and west sections of the building; HVAC rough-in; plumbing rough-in; began erecting standalone mock-up displaying cement plaster, roof, cladding, weatherproofing and window installation methods/systems; proceeded with the Bay Window Opening mock-up to gauge the dimensions for the window rough opening.
- Building A - continued installing nailers at curbs and wall; second floor; wall blocking; framing canopy columns; electrical and technological rough-in at east and west levels. Utilities - no work on underground utilities has been performed during the previous period; Site Work - continued standalone mock-up.

**Anticipated Progress Next Period:**

- Building B - continue blocking for learning wall, electrical and technological rough-in at East and West Walls; Bay Window mock-up; scaffolding; HVAC roof curbs framing; reframe skylights.
- Building A - continue installing nailers at curbs and wall; second floor rough framing; electrical and technological rough-in at east and west levels; sprinkler rough-in; scaffolding. Utilities - none anticipated; Site Work - commence grading at west location of site & finalize mock-up.

**Schedule Assessment/Update:**

Construction Duration (Calendar Days):	720
Construction Calendar Days Elapsed:	303
Construction Calendar Days Remaining:	417
Percent of Contract Calendar Days Elapsed:	42%
Percent of Construction Completed:	40%

**Percentage of Work Done**                      **40%**                      **Total Project**

**Proposed Changes:**

**General Comment:**

Progress Photos: 5/30/2012



**Building A First and Second Level Rough Framing**



**Building A Second Story Classroom Framing**



**Building B Canopy Framing At West Hallway Entrance**

# PROJECT STATUS REPORT

## Portola Middle School - BLDG Demo & Site Work

### Period Ending: 5/31/2012

**Scope:** Demolition of the Original Portola Middle School with attending Environmental Waste Management and Materials Salvage.

**Construction Status:**

Architect: HY Architects  
 Project Manager: Lew Brower, Hector DeLeon, SGI Construction Management  
 Project Engineer: Jemil Sahle, SGI Construction Management  
 Contractor: Alten Construction  
 Inspector: Kris Gilbert  
 WCCUSD Mgr: Andrew Mixer

**Contract Status:**

Notice to Proceed:	5/9/2012		
		<b>Original</b>	<b>Approved</b>
Construction Schedule (days):	225		
Original Completion Date:	12/20/2012		
Projected Completion:	12/20/2012		

**Buildings:**

Mobilization	Fencing, Trailers, Temporary Utilities & Facilities
Start-Up	Salvaging, 3rd Party Contractors/Vendors
Abatement	Buildings and Portables
Demolition	Site, Buildings and Portables
Completion	Grading, Hydroseeding, Fencing and Demobilization

**Progress This Period:**

- Fence Installation Progresses.
- Materials Salvage Underway.
- Prep for 3rd Party Storage Tank Fluids Removal Underway.

**Anticipated Progress Next Period:**

- Complete Fence Installation.
- Complete Materials Salvage.
- Continue Underground Storage Tank Empty and Removal.
- Commence Abatement of Buildings and Portables.

**Schedule Assessment/Update:**

Construction Duration (Calendar Days):	225
Construction Calendar Days Elapsed:	22
Construction Calendar Days Remaining:	203
Percent of Contract Calendar Days Elapsed:	9%
Percent of Construction Completed:	2%

<b>Percentage of Work Done</b>	<b>2%</b>	<b>Total Project</b>
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Mobilization	5%	5%
Start-Up	2%	2%
Abatement	0%	0%
Demolition	0%	0%
Completion	0%	0%

**Proposed Changes:**

**General Comment:**

Pre-Construction Documentation Submissions, Construction Schedule Review and Submittals Processing has commenced.

Progress Photos: 5/31/2012



**Perimeter Construction Fence Installation Underway**



**Initial SWPPP Installations are Progressing**



**Materials Designated for Salvage are Being Collected**