West Contra Costa Unified School District
Board of Education
Meeting Agenda
March 2, 2011

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/Documents/Board/boardinformation.aspx

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.

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.

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.

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.

"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 Presentation of Student Board Representative from North Campus High School

Comment:
A Student Board Representative from North Campus High School will attend the Board of Education meeting on March 2, 2011. We would like to recognize and commend their participation.

Recommendation:
For Information Only

Fiscal Impact:
None

B.5 Report/Ratification of Closed Session
*** B.6 Agenda Review and Adoption** (Public Comment)
* **B.7 Minutes:** February 9, 2011

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 Grants/Awards/Agreements**

Comment:
Formal acceptance is requested from the Board of Education to accept the grants/awards/agreements, as detailed, dated March 2, 2011.

Recommendation:
Recommend Approval

Fiscal Impact:
As noted per grants summary

***CI C.2 Acceptance of Donations**

Comment:
The District has received donations as detailed, dated March 2, 2011. Staff recommends acceptance of these donations.

Recommendation:
Recommend Approval

Fiscal Impact:
As noted per donations summary

***CI C.3 Approval of Fund-Raising Activities**

Comment:
The planned fund-raising events for the 2010-11 school year are detailed, dated March 2, 2011.

Recommendation:
Recommend Approval

Fiscal Impact:
Additional revenue for schools

***CI C.4 Contracted Services**

Comment:
Permission is requested of the Board of Education to approve contracts for services as detailed, dated March 2, 2011.

Recommendation:
Recommend Approval

Fiscal Impact:
As noted per contracts summary

***CI C.5 Community Budget Advisory Committee Amended Member Ratification**

Comment:
The Community Budget Advisory Committee (CBAC) met on February 17, 2011. This is an amendment to the expiration term of Greg Whaling, whose term will expire on June 30, 2012 and to amend the roster to include Board member Elaine Merriweather. The committee roster is subject to ratification by the School Board at a regular Board of Education meeting. Pending ratification, below is a complete list of the committee members and term dates. The CBAC is currently seeking members for the positions of Community Member and Business Leader.

COMMUNITY BUDGET ADVISORY COMMITTEE - MEMBERS			
MEMBER NAME	MEMBER TYPE	VOTING STATUS	TERM ENDING
Tammy Campbell*	Parent	Voting	June 30, 2012
Charles Johnson	Classified	Voting	December 31, 2012
Sue Kahn	Principal	Voting	December 31, 2012
Eduardo Martinez*, Vice Chair	Community Member	Voting	June 30, 2012
Erwin Reeves, Chair	Business Leader	Voting	June 30, 2011
Robert Studdiford	Parent	Voting	June 30, 2011
Greg Whaling*	Teacher	Voting	June 30, 2012
Antonio Medrano	Board	Non-Voting	
Elaine Merriweather	Board	Non-Voting	
Sheri Gamba	Business Services	Non-Voting	
Lisa Erwin	Business Services	Non-Voting	

*New term effective July 1, 2010

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.6 Resolution No. 54-1011: California Adult Education Week – March 15-19, 2011**

Comment:
The administration, teachers and students of the West Contra Costa Adult School are recognized for their efforts and accomplishments.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.7 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: $492,410. Funding sources as noted.

***CI C.8 Portola Middle School Temporary Campus Additional Site Work Award of Contract**

Comment:
There are a number of outstanding issues at the Portola Temporary Campus site which the District needs to address. These include inadequate, deteriorated drainage systems, fences and gates, exterior lighting, and site work. District staff initiated a remedial project to address these concerns and to complete the work on the perimeter areas of the campus.

HY Architects has prepared plans and specifications for the project. The District conducted a public bid process for the project. The project documents included a number of bid alternates to allow the District to assess the cost of work in different areas. Bids were opened on February 14, 2011. Ten contractors submitted bids. One bidder was declared non-responsive. They are as follows, including cost of the listed bid alternates: Bay Construction $392,900; B Bros. $330,400; Pleasanton Engineering $372,000; Nema $335,000; Riverview $326,500; W.R. Forde $307,000; CF Contracting $304,200; Ghillotti Brothers $303,553; and, Ray's Electric $288,950.

The lowest responsive, responsible bidder is Ray's Electric, at $288,950.

Recommendation:
Award contract to lowest responsive, responsible bidder

Fiscal Impact:
$288,950**.** Funded by the Measure J Bond, under the Portola Middle School Project budget.

***CI C.9 Approval of Pre-Qualified Hazardous Materials Consulting Firms for Measure D 2010 Projects**

Comment:
In preparation for the Measure D 2010 projects, District staff has completed a competitive selection process in order to pre-qualify hazardous materials consulting firms for assignment to upcoming projects. These consultants provide site surveys, prepare abatement plans and specifications, and monitor abatement activities for District construction projects. A Request for Qualifications and Proposals was prepared and circulated to area firms with experience in hazardous materials consulting services for California public schools. The District received Statements of Qualifications ("SOQ's) from interested firms and also received fee proposals for specific sites. District Facilities/Bond Program staff evaluated the SOQ's, and using a set of uniform criteria contained in the RFQ, has created a list of qualified firms from which the District may make selections for ongoing Measure D 2010 work. Additional firms may be qualified from time to time after submitting qualifications for review by the District. The recommended firms are as follows:

List of Qualified Firms:
MS Environmental Solutions, Inc.
RGA Environmental
SCA Environmental, Inc.

Recommendation:
Approve the listed firms as pre-qualified to provide hazardous materials consulting services as noted.

Fiscal Impact:
None at this time. Hazardous materials consulting fees will be budgeted and funded by the Measure J Bond, until such time as funds are available for projects under the Measure D 2010 bond.

***CI C.10 Resolution No. 57-1011: Read Across America - March 2, 2011**

Comment:
The West Contra Costa Unified School District and the Board of Education join with the United Teachers of Richmond in calling on the citizens of West Contra Costa to assure that every child is in a safe place reading with a caring adult on Tuesday, March 2, 2011.

Recommendation:
Recommend Approval

Fiscal Impact:
None

D. AWARDS, RECOGNITIONS, AND REPORTS

*** D.1 Installation of Youth Commission**

Comment:
The West Contra Costa Unified School District Youth Commission was established by the Board of Education on January 7, 2009 as an opportunity to create a youth leadership advisory board to involve youth participation in the governance of the Board and for WCCUSD high school students to develop leadership skills. The Youth Commission has recently completed the selection process for new members.

Recommendation:
That the Board install the new members of the Youth Commission

Fiscal Impact:
None

*** D.2 More Inclusive Practices**

Comment:
Research has shown that students placed in the general education environment, show more academic and social/emotional growth than students in a self-contained classroom. Over the past five years the special education department has significantly increased the number of students that are provided services within the general education classroom. The April 2008 Certification Report stated that 36.65% of special education students were placed in special day classes. At the end of the 2009-10 school year, 27% were being served in special day classes.

The Special Education department will highlight some of their successful inclusive models in the District.

Recommendation:
For Information Only

Fiscal Impact:
None

*** D.3 Budget Report Update**

Comment:
The Governor's budget report issued in mid-January indicates that the District may have an estimated $11.6 million deficit in the 2011-12 school year. This would occur if the Legislature fails to place the measure to extend existing taxes on the State Ballot in June or if the voters fail to pass that measure. Staff will provide a budget update.

Recommendation:
For Information Only

Fiscal Impact:
None

*** D.4 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
Special Education Citizens Advisory Committee
Youth Commission
Public Employees Local 1
School Supervisors Association
United Teachers of Richmond
West Contra Costa Administrators Association

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

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

*** E.2 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 agendized, but may refer these to staff for response and/or placement on future agendas.

F. ACTION ITEMS

* F.1 Resolution No. 56-1011: Resolution of Intention to Reduce or Eliminate Particular Kinds of Services

Comment:
Pursuant to Education Code Section 44955, the District must adopt a resolution to reduce or eliminate particular kinds of services and notice the appropriate certificated staff prior to March 15, 2011, in order to meet the necessary budget reductions for the 2011-2012 school year.

Recommendation:
Recommend Approval

Fiscal Impact:
To be determined

* F.2 Building Educated Leaders for Life (BELL) K-8 Summer Program

Comment:
At the February 16, 2011 Board meeting, there was a thorough conversation regarding Building Educated Leaders for Life (BELL) and Summer Learning in WCCUSD. Bell is a non-profit that exists to transform the academic achievements, self-confidence, and life trajectories of children living in under-resourced, urban communities.

The BELL K-8 Summer Program offers day-long literacy and math instruction as well as enrichment courses to under-performing elementary and middle school students. The program also works to engage parents and positive adult role models from the community in the educational process, while working closely with school administration and faculty. BELL has a proven record of effectiveness that results in 3 or more months of academic growth in literacy and math. The BELL Summer program is a five-week summer learning experience that operates from Monday through Friday for 6.5 hours per day.

BELL will also partner with WCCUSD by providing $977,257 to support the 2011 summer learning program. This joint effort between BELL and WCCUSD fully funds a comprehensive summer learning program for 2,000 students. There is no funding gap.

Recommendation:
Approve the contract with BELL

Fiscal Impact:
$1,500,000.00 (Title I AARA categorical monies)

G. DISCUSSION ITEMS

* G.1 Community Roots Academy Charter School

Comment:
Community Roots Academy Charter School submitted a petition to West Contra Costa Unified School District (WCCUSD) on February 9, 2011 to establish an independent charter school. Pursuant to the Charter School Act of 1992 (the "Act"), Education Code Section 47600 et seq., the Legislature has charged local school boards with the responsibility of reviewing and acting on petitions for charter schools.

Education Code section 47605(b) requires the Board, within 30 days of submission of the petition, to hold a public hearing to receive public comment on the Petition. That is the purpose of this agenda item.

The Act also requires the Board to either grant or deny the Petition within 60 days of submission. Staff and legal counsel are receiving and analyzing information related to the Petition, as well as the operation and potential effects of the proposed charter school, and will make a recommendation as to the petition at a subsequent board meeting.

Recommendation:
Public hearing only at this time

Fiscal Impact:
To be determined

* G.2 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 – March 16, 2011

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 (*).

Agenda Item: A

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

March 2, 2011

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

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

1. Srago v. WCCUSD
2. WCCUSD v. Orrick

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

a. Reassignment of Administrators

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

8. STUDENT DISCIPLINE (Education Code Section 35146)

a. Expulsions

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

a. Resolution No. 55-1011: Non-Reelection of Probationary Certificated Employees

b. Release of Temporary Certificated Employees

10. REPORT OF CLOSED SESSION ACTIONS