West Contra Costa Unified School District
Board of Education
Meeting Agenda
October 19, 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.

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 **5:00 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.

"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 John F. Kennedy High School
B.5 Report/Ratification of Closed Session
* **B.6 Agenda Review and Adoption** (Public Comment)
* **B.7 Minutes:** October 4, 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 Grants/Awards/Agreements

Comment:
Formal action is requested from the Board of Education to accept the grants/awards/agreements, as detailed, dated October 19, 2011.

Recommendation:
Recommend Approval

Fiscal Impact:
As noted per grants summary

*CI C.2 Acceptance of Donations

Comment:
The District has received donations as summarized, dated October 19, 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 2011-12 school year are summarized, dated October 19, 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 the following contracts for services as detailed, dated October 19, 2011.

Recommendation:
Recommend Approval

Fiscal Impact:
As noted per contracts summary

***CI C.5 Summary of Payroll and Vendor Warrant Reports**

Comment:
The summaries of Payroll and Vendor Warrants issued during the month of September, 2011:

Total of payroll warrants (September 2011):	$ 8,775,116
Total of vendor warrants (September 2011):	$20,091,309

Recommendation:
Recommend approval of the payroll and vendor warrant reports

Fiscal Impact:
As noted above

***CI C.6 Notice of Completions: Bid J068280 Kennedy High School Admin Interiors Renovations, Bid J068278 Crespi Middle School Fire Restoration Project, Bid J068289 Collins Elementary School Portable Site Package, Bid J068281 Madera Elementary School Portable Site Package, Bid J068282 Mira Vista Elementary School Portables Site Package, Bid J068290 Collins Elementary School Parking & Driveway Improvements**

Comment:
Substantial completion notices has been received for: Bid J068280, Bid J068278, Bid J068289, Bid J068281, J068282 and Bid J068290.

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:

AM Woo Construction, Bid J068280 Kennedy High School Admin Interiors Renovations

ERA Construction, Bid J068278 Crespi Middle School Fire Restoration Project
ERA Construction, Bid J068289 Collins Elementary School Portable Site Package
AM WOO Construction, Bid J068281 Madera Elementary School Portable Site Package
Calico-California Constructors, Bid J068282 Mira Vista Elementary School Portables Site Package.
Michael G McKim Company, Bid J068290 Collins Elementary School Parking & Driveway Improvements

Recommendation:
Recommend approval of these notices of completion

Fiscal Impact:
None

***CI C.7 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.8 CalPERS Retiree Health Care Vesting Resolutions – United Teachers of Richmond – for those retiring prior to July 1, 2010/Resolutions #26-1112, #27-1112**

Comment:
Each year, since adopting CalPERS as the District's health benefits provider, the Board has been required to adopt resolutions acknowledging rates and contributions. With the implementation of the District's tiered vesting program associated with each bargaining unit, CalPERS is now requiring the District to provide resolutions for each tier that is reflected in each union contract for future retirees. In addition, CalPERS requires resolutions for each program in place for current retirees. They are no longer permitting combined resolutions as they have in the past.

Resolution	Program	Amount	Years of Service	Notes
26-1112	Fully Paid	Uncapped	5	Retired prior to January 1, 2007
27-1112	Kaiser Cap	Changes each year based upon the new CalPERS rates	5	Retired after December 31, 2006 but before July 1, 2010

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.9 CalPERS Future Retiree Health Care Vesting Resolutions for those retiring July 1, 2010 or later – United Teachers of Richmond/Resolutions #28-1112, #29-1112**

Comment:
Each year, since adopting CalPERS as the District's health benefits provider, the Board has been required to adopt resolutions acknowledging rates and contributions. With the implementation of the District's tiered vesting program associated with each bargaining unit, CalPERS is now requiring the District to provide resolutions for each tier that is reflected in each union contract for future retirees. In addition, CalPERS requires resolutions for each program in place for current retirees. They are no longer permitting combined resolutions as they have in the past.

Resolution	Program	Amount (monthly)	Years of Service	Notes
28-1112	Tier I	$450.00	10	Hired prior to January 1, 2007
29-1112	Tier II	$750.00	20	Hired prior to January 1, 2007, and attained 20 years by June 30, 2010

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.10 CalPERS Retiree Health Care Vesting Resolutions – Local 1 - for those retiring prior to July 1, 2010/Resolutions #30-1112, #31-1112**

Comment:
Each year, since adopting CalPERS as the District's health benefits provider, the Board has been required to adopt resolutions acknowledging rates and contributions. With the implementation of the District's tiered vesting program associated with each bargaining unit, CalPERS is now requiring the District to provide resolutions for each tier that is reflected in each union contract for future retirees. In addition, CalPERS requires resolutions for each program in place for current retirees. They are no longer permitting combined resolutions as they have in the past.

Resolution	Program	Amount	Years of Service	Notes
30-1112	Fully Paid	Uncapped	5	Retired prior to January 1, 2007 – new rates effective January 1, 2012
31-1112	Blue Shield + 10%	Changes each year based upon the new CalPERS rates	5	Retired after December 31, 2006 but before July 1, 2010 - new rates effective January 1, 2012

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.11 CalPERS Future Retiree Health Care Vesting Resolutions for those retiring July 1, 2010 or later – Local One/Resolutions #32-1112, #33-1112, #34-1112, #35-1112**

Comment:
Each year, since adopting CalPERS as the District's health benefits provider, the Board has been required to adopt resolutions acknowledging rates and contributions. With the implementation of the District's tiered vesting program associated with each bargaining unit, CalPERS is now requiring the District to provide resolutions for each tier that is reflected in each union contract for future retirees. In addition, CalPERS requires resolutions for each program in place for current retirees. They are no longer permitting combined resolutions as they have in the past.

Resolution	Program	Amount (monthly)	Years of Service	Notes
32-1112	Tier I	$450.00	5	Hired prior to January 1, 2007
33-1112	Tier II	$550.00	20	Hired prior to January 1, 2007, and attained 20 years of service by June 30, 2010
34-1112	Tier III	$450	10	Hired after January 1, 2007, before July 15, 2009
35-1112	Tier IV	$450	25	Hired on or after July 15, 2009, paid only to age 65

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.12 CalPERS Retiree Health Care Vesting Resolutions – West Contra Costa Administrators Association - for those retiring prior to July 1, 2010/Resolutions #36-1112, #37-1112**

Comment:
Each year, since adopting CalPERS as the District's health benefits provider, the Board has been required to adopt resolutions acknowledging rates and contributions. With the implementation of the District's tiered vesting program associated with each bargaining unit, CalPERS is now requiring the District to provide resolutions for each tier that is reflected in each union contract for future retirees. In addition, CalPERS requires resolutions for each program in place for current retirees. They are no longer permitting combined resolutions as they have in the past.

Resolution	Program	Amount	Years of Service	Notes
36-1112	Fully Paid	Uncapped	5	Retired prior to January 1, 2007
37-1112	Blue Shield + 10%	Changes each year based upon the new CalPERS rates	5	Retired after December 31, 2006 but before July 1, 2010

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.13 CalPERS Future Retiree Health Care Vesting Resolutions for those retiring July 1, 2010 or later – West Contra Costa Association of Administrators/Resolutions #38-1112, #39-1112, #40-1112, #41-1112, #42-1112**

Comment:
Each year, since adopting CalPERS as the District's health benefits provider, the Board has been required to adopt resolutions acknowledging rates and contributions. With the implementation of the District's tiered vesting program associated with each bargaining unit, CalPERS is now requiring the District to provide resolutions for each tier that is reflected in each union contract for future retirees. In addition, CalPERS requires resolutions for each program in place for current retirees. They are no longer permitting combined resolutions as they have in the past.

Resolution	Program	Amount (monthly)	Years of Service	Notes
38-1112	Tier I	$250.00	5	Hired prior to January 1, 2007
39-1112	Tier II	$450.00	10	Hired prior to January 1, 2007
40-1112	Tier III	$550.00	20	Hired prior to January 1, 2007, and attained 20 years of service by June 30, 2010
41-1112	Tier IV	$750.00	25	Hired prior to January 1, 2007, and attained 25 years of service by June 30, 2010
42-1112	Tier V	$450.00	25	Hired on or after January 1, 2007, paid only to age 65

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.14 CalPERS Retiree Health Care Vesting Resolutions – School Supervisor Association - for those retiring prior to July 1, 2010/Resolutions #43-1112, #44-1112**

Comment:
Each year, since adopting CalPERS as the District's health benefits provider, the Board has been required to adopt resolutions acknowledging rates and contributions. With the implementation of the District's tiered vesting program associated with each bargaining unit, CalPERS is now requiring the District to provide resolutions for each tier that is reflected in each union contract for future retirees. In addition, CalPERS requires resolutions for each program in place for current retirees. They are no longer permitting combined resolutions as they have in the past.

Resolution	Program	Amount	Years of Service	Notes
43-1112	Fully Paid	Uncapped	5	Retired prior to January 1, 2007
44-1112	Blue Shield + 10%	Changes each year based upon the new CalPERS rates	5	Retired after December 31, 2006 but before July 1, 2010

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.15 CalPERS Future Retiree Health Care Vesting Resolutions for those retiring July 1, 2010 or later – School Supervisors Association/Resolutions #45-1112, #46-1112, #47-1112, #48-1112**

Comment:
Each year, since adopting CalPERS as the District's health benefits provider, the Board has been required to adopt resolutions acknowledging rates and contributions. With the implementation of the District's tiered vesting program associated with each bargaining unit, CalPERS is now requiring the District to provide resolutions for each tier that is reflected in each union contract for future retirees. In addition, CalPERS requires resolutions for each program in place for current retirees. They are no longer permitting combined resolutions as they have in the past.

Resolution	Program	Amount (monthly)	Years of Service	Notes
45-1112	Tier I	$450.00	5	Hired prior to January 1, 2007
46-1112	Tier II	$550.00	20	Hired prior to January 1, 2007 and attained 20 years by June 30, 2010
47-1112	Tier III	$450.00	10	Hired after January 1, 2007 but prior to July 15, 2009
48-1112	Tier IV	$450.00	25	Hired on or after July 15, 2009, paid only to age 65

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.16 CalPERS Retiree Health Care Vesting Resolutions – Classified Management (unrepresented) - for those retiring prior to July 1, 2010/Resolutions #49-1112, #50-1112, #51-1112**

Comment:
Each year, since adopting CalPERS as the District's health benefits provider, the Board has been required to adopt resolutions acknowledging rates and contributions. With the implementation of the District's tiered vesting program associated with each bargaining unit, CalPERS is now requiring the District to provide resolutions for each tier that is reflected in each union contract for future retirees. In addition, CalPERS requires resolutions for each program in place for current retirees. They are no longer permitting combined resolutions as they have in the past.

Resolution	Program	Amount	Years of Service	Notes
49-1112	Fully Paid	Uncapped	5	Retired prior to January 1, 2007
50-1112	"Blue Shield + 10% "	Changes each year based upon the new CalPERS rates	5	Retired after December 31, 2006 but before January 1, 2009
51-1112	Coverage Level Caps	$450.00 (single), $920.00 (two party), $1,200.00 (family)	5	Retired After December 31, 2008 but before July 1, 2010.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.17 CalPERS Future Retiree Health Care Vesting Resolutions for those retiring July 1, 2010 or later – Classified Management (unrepresented)/Resolutions #52-1112, #53-1112, #54-1112, #55-1112**

Comment:
Each year, since adopting CalPERS as the District's health benefits provider, the Board has been required to adopt resolutions acknowledging rates and contributions. With the implementation of the District's tiered vesting program associated with each bargaining unit, CalPERS is now requiring the District to provide resolutions for each tier that is reflected in each union contract for future retirees. In addition,

CalPERS requires resolutions for each program in place for current retirees. They are no longer permitting combined resolutions as they have in the past.

Resolution	Program	Amount (monthly)	Years of Service	Notes
52-1112	Tier I	$450.00	5	Hired prior to January 1, 2007
53-1112	Tier II	$550.00	20	Hired prior to January 1, 2007 and attained 20 years by June 30, 2010
54-1112	Tier III	$450.00	10	Hired on or after January 1, 2007 but prior to July 15, 2009
55-1112	Tier IV	$450.00	25	Hired on or after July 15, 2009, paid only to age 65

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.18 CalPERS Retiree Health Care Vesting Resolutions – Certificated Management (unrepresented) - for those retiring prior to July 1, 2010/Resolutions #56-1112, #57-1112**

Comment:
Each year, since adopting CalPERS as the District's health benefits provider, the Board has been required to adopt resolutions acknowledging rates and contributions. With the implementation of the District's tiered vesting program associated with each bargaining unit, CalPERS is now requiring the District to provide resolutions for each tier that is reflected in each union contract for future retirees. In addition, CalPERS requires resolutions for each program in place for current retirees. They are no longer permitting combined resolutions as they have in the past.

Resolution	Program	Amount	Years of Service	Notes
56-1112	Fully Paid	Uncapped	5	Retired prior to January 1, 2007
57-1112	"Blue Shield + 10% "	Changes each year based upon the new CalPERS rates	5	Retired after December 31, 2006 but before January 1, 2009

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.19 CalPERS Future Retiree Health Care Vesting Resolutions for those retiring July 1, 2010 or later – Certificated Management (unrepresented)/Resolutions #58-1112, #59-1112, #60-1112, #61-1112**

Comment:
Each year, since adopting CalPERS as the District's health benefits provider, the Board has been required to adopt resolutions acknowledging rates and contributions. With the implementation of the District's tiered vesting program associated with each bargaining unit, CalPERS is now requiring the District to provide resolutions for each tier that is reflected in each union contract for future retirees. In addition, CalPERS requires resolutions for each program in place for current retirees. They are no longer permitting combined resolutions as they have in the past.

Resolution	Program	Amount (monthly)	Years of Service	Notes
58-1112	Tier I	$250.00	5	Hired prior to January 1, 2007
59-1112	Tier II	$450.00	10	Hired prior to January 1, 2007
60-1112	Tier III	$550.00	20	Hired prior to January 1, 2007, and attained 20 years of service by June 30, 2010
61-1112	Tier IV	$750.00	25	Hired prior to January 1, 2007, and attained 25 years of service by June 30, 2010
62-1112	Tier V	$450.00	25	Hired on or after January 1, 2007, paid only to age 65

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.20 CalPERS Retiree Health Care Vesting Resolutions – Confidential (unrepresented) - for those retiring prior to July 1, 2010/Resolutions #63-1112, #64-1112**

Comment:
Each year, since adopting CalPERS as the District's health benefits provider, the Board has been required to adopt resolutions acknowledging rates and contributions. With the implementation of the District's tiered vesting program associated with each bargaining unit, CalPERS is now requiring the District to provide resolutions for each tier that is reflected in each union contract for future retirees. In addition, CalPERS requires resolutions for each program in place for current retirees. They are no longer permitting combined resolutions as they have in the past.

Resolution	Program	Amount	Years of Service	Notes
63-1112	Fully Paid	Uncapped	5	Retired prior to January 1, 2007
64-1112	Blue Shield + 10%	Changes each year based upon the new CalPERS rates	5	Retired after December 31, 2006 but before July 1, 2010

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.21 CalPERS Future Retiree Health Care Vesting Resolutions for those retiring July 1, 2010 or later – Confidential (unrepresented)/Resolutions #65-1112, #66-1112, #67-1112, #68-1112**

Comment:
Each year, since adopting CalPERS as the District's health benefits provider, the Board has been required to adopt resolutions acknowledging rates and contributions. With the implementation of the District's tiered vesting program associated with each bargaining unit, CalPERS is now requiring the District to provide resolutions for each tier that is reflected in each union contract for future retirees. In addition, CalPERS requires resolutions for each program in place for current retirees. They are no longer permitting combined resolutions as they have in the past.

Resolution	Program	Amount (monthly)	Years of Service	Notes
65-1112	Tier I	$450.00	5	Hired prior to January 1, 2007
66-1112	Tier II	$550.00	20	Hired prior to January 1, 2007 and attained 20 years by June 30, 2010
67-1112	Tier III	$450.00	10	Hired on or after January 1, 2007 but prior to July 15, 2009
68-1112	Tier IV	$450.00	25	Hired on or after July 15, 2009, paid only to age 65

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.22 Routine Personnel Changes - Certificated**

Comment:
Routine personnel changes include actions to hire, promote, or terminate certificated employees in accord with appropriate laws, established policies and procedures.

Recommendation:
For Information Only

Fiscal Impact:
None

***CI C.23 Acceptance of Contracts for Placement of Student Teachers**

Comment:
Teachers in this district provide supervision and evaluation for students at California State University, East Bay, 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 October 19, 2011.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.24 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: $428,780. Funding sources as noted.

***CI C.25 Ratification and Approval of Negotiated Change Orders**

Comment:
Staff is seeking ratification of Change Orders on the following current District construction projects: Mira Vista ES Portables, Portola MS Fencing & Drainage, Ford ES New School, Nystrom Elementary

School Multipurpose Room, El Cerrito HS Multi-Use Sports Field and De Anza HS New Campus. 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 Mira Vista ES Portable 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: $299,782.15

***CI C.26 Approval of updated District Standards for Middle School Renovations and Reconstructions**

Comment:
The District has completed one full middle school reconstruction at Helms Middle School. Pinole Middle School is currently under construction. Portola Middle School is in design phase for reconstruction. As a part of every District project, there are standards which cover basic spaces in every school, from administration to classrooms. These standards include lighting, finishes, cabinets/storage, presentation materials, and all other elements needed to design the spaces. The standards are the basis of each school that undergoes renovation or reconstruction and are provided the Architects of Record for their use. The District Standards have continued to evolve over time and it is appropriate to update them at this time. The District retained HY Architects for this update. Their work reflects lessons learned over the course of construction of the first projects, including feedback from teachers, staff, and District Administrators. The updated standards also are appropriate as the Board has adopted the Collaborative for High Performance Schools ("CHPS") Standards. These are the "green building standards" for schools in California and reflect the District's commitment to sustainable design.

The standards were presented to the Facilities Subcommittee at their meeting of October 11, 2011. The Facilities Subcommittee recommends approval by the full Board.

Standards are provided for review under separate cover.

Recommendation:
Adopt updated District Standards for High School Renovations and Reconstructions.

Fiscal Impact:
Project budgets include design to the referenced standards.

***CI C.27 Approval of awards of Ford Elementary School Furniture contract**

Comment:
The new construction of the Main Building at Ford Elementary School is nearly complete. The next step for the District is to purchase new furniture for the school. The District has prepared preliminary furnishing criteria with classroom configurations, specialty spaces including computer labs, special education, admin furnishings, offices and staff work areas.

The District engaged in a public bid process, using its preliminary furnishing criteria, to select the vendor for this contract. Public bids were opened on October 6, 2011. Three vendors submitted proposals. They are as follows: Sierra School Equipment Co., $401,335.98; Young Office Solutions, $393,458.67; Contrax, $343,256.21.

Recommendation:
Approve contract for Ford Elementary School Main Building furniture, setup and installation to the lowest responsive, responsible vendor, after the expiration of the protest period.

Fiscal Impact:
$343,256.21. Funded by the Measure J Bond, under the Ford Elementary School Furniture and Equipment Budget.

***CI C.28 Approval of Valley View Elementary School Architectural fees**

Comment:
Valley View Elementary School is one of the listed projects in the Measure D 2010 Bond. The Valley View Elementary School campus reconstruction and replacement project has been initially programmed and master planned by DLM Architects. The Board approved the Valley View Master Plan on the September 7th meeting. It is time for the development of the plans and the construction documents. The scope includes on-site Temporary Interim Campus, construction of New Permanent Buildings as well as the Demolition of the existing Campus and new site work improvement including civil, utilities and landscape. The fees include multi phases of work.

Recommendation:
Approve proposed Valley View Elementary School Architectural and Engineering fees

Fiscal Impact:
$2,838,125

***CI C.29 Approval of contract for Furniture, set up and installation at Nystrom Elementary School Multipurpose Building**

Comment:
The new construction of the Multipurpose Building at Nystrom Elementary School is nearly complete. The next step for the District is to purchase new furniture for the building. The District has prepared preliminary furnishing criteria with classroom configurations, specialty spaces including computer labs, special education, admin furnishings, offices and staff work areas.

The District engaged in a public bid process, using its preliminary furnishing criteria, to select the vendor for this contract. Public bids were opened on October 11, 2011. Three Contractors submitted proposals. They are as follows: Sierra School Equipment $99,992.09, Young Office Solutions $137.616.40 and Contrax $106,501.47. The lowest responsive, responsible vendor is Sierra School Equipment.

Recommendation:
Approve contract for Nystrom Elementary School Multipurpose Building furniture, setup and installation with the lowest responsive, responsible vendor, after the expiration of the protest period.

Fiscal Impact:
$99,992.09. Funded by the Measure J Bond, under the Nystrom Elementary School Furniture and Equipment Budget.

***CI C.30 Williams Lawsuit Complaints Quarterly Report**

Comment:
The Williams Lawsuit requires that a quarterly report be brought before the Board of Education reflecting the number of complaints filed with any school in the district during a particular quarter. This report reflects the time period from July 1, 2011 through September 30, 2011.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.31 Citizens' Bond Oversight Committee (CBOC) Appointments by Public Employees Union, Local One**

Comment:
The Public Employees Union, Local One has forwarded a recommendation that Mr. Julio Arroyo be appointed to serve as their representative to the Citizens' Bond Oversight Committee. Additionally, Mr. Scott Brown was recommended to serve as the Local's alternate and would attend and participate in meetings of the CBOC that Mr. Arroyo is unable to attend.

Recommendation:
Approve appointments as noted

Fiscal Impact:
None

***CI C.32 Bond Litigation Expenses: Resolution No. 69-1112**

Comment:
Certain legal expenses incurred by the District are appropriately paid from bond proceeds. This Resolution, if approved by the Board, authorizes the use of bond proceeds to pay legal expenses arising from the Orrick litigation (Case No. 10-00317) and the KND litigation (Case No. 09-02462). The actual payment of fees and expenses from the two legal matters would still be reviewed and approved by the

Board and staff under the same procedures as are currently in place. The Resolution provides the basis for a potential future court application leading to an order authorizing the use of bond proceeds in the manner described in the Resolution.

Recommendation:
Recommend Approval

Fiscal Impact:
None

*CI **C.33 Board Policy 3100 – Revision**

Comment:
Last January the California Department of Education provided a letter that stated:

> "The Governmental Accounting Standards Board (GASB) has issued Statement 54 (GASB 54), *Fund Balance Reporting and Governmental Fund Type Definitions*, that considerably alters the categories and terminology used to describe the components that compose fund balance. These changes are intended to enhance how fund balance information is reported and to improve its usefulness by establishing new fund balance classifications that are easier for users to understand and apply. The new standard also clarifies the definitions of certain governmental funds.
>
> The new standard does not change the actual amount of fund balance reported, and does not change most aspects of day-to-day accounting."

Subsequently the California School Board Association (CSBA) began revising the board policies which correspond to this new accounting standard. This revision reflects an update to Board Policy 3100 in accordance with the new standard. The financial statements for 2010-11 include the new terminology for fund balance classifications.

Recommendation:
Recommend Approval

Fiscal Impact:
None

*CI **C.34 NCLB Supplemental Educational Services (SES) Tutoring Contracts**

Comment:
The No Child Left Behind (NCLB) Act of 2001 requires school districts to set aside an amount equivalent to 20% of the Title I entitlement for the purposes of providing Transportation for Choice and Supplemental Educational Services (SES). In WCCUSD 20% of the entitlement is $1,743,319. Of this amount, $100,000 is needed for Transportation for Choice leaving $1,643,319 available for SES tutoring.

Federal guidance regarding Supplemental Educational Services was released on January 14, 2009. The guidance specifies the roles and responsibilities of the U.S. Department of Education, the State Board of Education and the Local Educational Agency. The guidance has been used to inform the

implementation of this initiative in WCCUSD. Each year the Department of Education sets the official per pupil allotment (PPA) for each district, which represents the maximum amount to be expended per participant. The official rate for 2011-12 is $1,262.54 per student; therefore, approximately 1,301 eligible students may be served.

Parent/guardians of all students participating in the free and reduced lunch program at the 19 Title I schools in year 2 and beyond of NCLB Program Improvement were informed of the opportunity to receive these tutoring services. An informational catalog and application were created in English and Spanish with descriptions of the programs offered by the State-approved providers. These materials were mailed to all eligible families in August. In addition, catalogs are available in the front office of all participating schools. Furthermore, many of the participating schools host provider fairs for their school communities.

Permission is requested of the Board of Education to approve contracts between the District and named State-approved SES providers per parental choice for the period of October 1, 2011 through June 30, 2012 per the provided list.

Recommendation:
Recommend Approval

Fiscal Impact:
Appropriate expenditure of Title I SES reservation

D. AWARDS, RECOGNITIONS, AND REPORTS

* D.1 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
Youth Commission
Public Employees Local 1
School Supervisors Association
United Teachers of Richmond

* D.2 In Memory of Members of the School Community

Comment:
The District would like to take time to recognize the contributions of members of our school community who have passed away. The District requests the community to submit names to be reported as a regular part of each agenda.

Daneen Cali passed away recently. Ms. Cali worked at Fairmont Elementary School for twelve years as a special education teacher, retiring in 2008.

George Griset passed away earlier this month. He began working in the district in 1957 teaching fifth grade, middle school math, and serving as an elementary principal and supervisor. He went on to become Director of Elementary Schools and Director of Special Programs before retiring in 1991.

Our thoughts go out to the family and friends in the loss of their loved one.

Recommendation:
For Information Only

Fiscal Impact:
None

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 – Marshall Walker Jr. Heart Screening Foundation

Comment:
The Marshall Walker Jr. Heart Screening Foundation is a non-profit organization, established in 2009, to create awareness and bring attention to Sudden Cardiac Death among young athletes, and give early warnings of possible heart disease.

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

F. ACTION ITEMS

* F.1 Approval of Wilson Elementary School Master Plan

Comment:
Wilson Elementary School is one of the listed projects in the Measure D 2010 Bond. In order to develop the scope of work for this campus the District has engaged in a Master Planning process to determine project priorities and configuration of a replacement school at the site. This process included numerous meetings with school staff and teachers. In addition, the District hosted a neighborhood meeting for the project and reviewed the proposed master plan for reconstruction with local residents.

Interactive Resources Architects is the Master Plan Architect for Wilson ES. They will present the proposed master plan for the Board. The Facilities Subcommittee of the Board has reviewed the Master Plan and recommended approval by the full Board at its meeting of October 11, 2011.

Recommendation:
Approve proposed Wilson Elementary School Master Plan

Fiscal Impact:
$34,000,000 is the total project budget for Wilson. Future project work will be funded by the Measure D 2010 Bond when those funds are available.

* F.2 Public Hearing and Adoption, Initial Bargaining Proposal of West Contra Costa Unified School District for the 2011-2012 labor negotiations with Public Employees Union, Local 1

Presentation and Public Hearing of Initial Bargaining Proposal

Comment:
The CBA (Collective Bargaining Agreement) with West Contra Costa Unified School District and the Public Employees Union, Local 1 is in its fourth and final year. Article 1 of the CBA provides that each party may open one article and one mutually agreeable article for each of the last two years of the contract. The District is exercising its option to open Article 16 Compensation, at this time.

Pursuant to the Educational Employments Relations Act, the initial proposal for negotiations by school districts and labor unions must be submitted at a public meeting of the governing board. The initial proposal of the West Contra Costa Unified School District for 2011-12 will be presented, at which time the public is allowed comment on this proposal.

Recommendation:
That the Board of Education hold a public hearing on the initial bargaining proposal of West Contra Costa Unified School District for 2011-2012.

Board Adoption of Initial Bargaining Proposal

Comment:
Following the public hearing on its initial bargaining proposal, the Board of Education will be asked to adopt the proposal of West Contra Costa Unified School District for 2011-2012.

Recommendation:
That the Board of Education adopt the District's initial bargaining proposal for labor negotiations with Public Employees Union, Local 1.

Fiscal Impact:
To Be Determined

*** F.3 Public Hearing and Adoption, Initial Bargaining Proposal of School Supervisors Association for 2011-2012**

Presentation and Public Hearing of Initial Bargaining Proposal

Comment:
The CBA (Collective Bargaining Agreement) with West Contra Costa Unified School District and the School Supervisors Association is in its fourth and final year. Article 10, Section 10001.01of the CBA provides that each party may open one article and one mutually agreeable article for each of the last two years of the contract. School Supervisors Association is exercising its option to open Article 5 Benefits, at this time.

Pursuant to the Educational Employments Relations Act, the initial proposal for negotiations by school districts and labor unions must be submitted at a public meeting of the governing board. The initial proposal of the School Supervisors Association for 2011-12 will be presented, at which time the public is allowed comment on this proposal.

Recommendation:
That the Board of Education hold a public hearing on the initial bargaining proposal of School Supervisors Association for 2011-2012.

Board Adoption of Initial Bargaining Proposal

Comment:
Following the public hearing on its initial bargaining proposal, the Board of Education will be asked to adopt the proposal of School Supervisors Association for 2011-2012.

Recommendation:
That the Board of Education adopt the initial bargaining proposal for labor negotiations with School Supervisors Association.

Fiscal Impact:
To Be Determined

*** F.4 Public Hearing and Adoption, Initial Bargaining Proposal of West Contra Costa Unified School District for the 2011-2012 labor negotiations with the School Supervisors Association (SSA)**

Presentation and Public Hearing of Initial Bargaining Proposal

Comment:
The CBA (Collective Bargaining Agreement) with West Contra Costa Unified School District and the School Supervisors Association is in its fourth and final year. Article 10, Section 10001.01of the CBA provides that each party may open one article and one mutually agreeable article for each of the last two years of the contract. The District is exercising its option to open Article 3.1 Salary, at this time.

Pursuant to the Educational Employments Relations Act, the initial proposal for negotiations by school districts and labor unions must be submitted at a public meeting of the governing board. The initial proposal of the West Contra Costa Unified School District for 2011-12 will be presented, at which time the public is allowed comment on this proposal.

Board Adoption of Initial Bargaining Proposal

Comment:
Following the public hearing on its initial bargaining proposal, the Board of Education will be asked to adopt the proposal of West Contra Costa Unified School District for 2011-2012.

Recommendation:
That the Board of Education adopt the District's initial bargaining proposal for labor negotiations with School Supervisors Association.

Fiscal Impact:
To be determined

*** F.5 Special Education Annual Service Plan Revision and Public Hearing**

Comment:
Due to a court case out of Los Angeles County, the California Department of Education (CDE) is requiring Special Education Local Plan Areas (SELPAs) to revise their 2011-12 Annual Service Plan to include students identified as special education who are in county jails. To document these services, all service plans must contain evidence that the SELPA has arranged for services, as needed, in community, court schools and county jails. SELPAs retain responsibility for services for all identified students to age 22 regardless of the student's placement.

Even if the SELPA does not currently have any students in county jails or any other program mentioned above, each SELPA needs to have a plan in place to serve the students.

The Annual Service Plan must include a complete detailed description of Special Education Services provided by each district and/or SELPA. The description must include the nature of the services, including related services and the physical location where the services are provided.

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 program.

Accordingly, the West Contra Costa Unified School District SELPA's Annual Service Plan has been updated and revised, as required by CDE.

Complete copies of the Local Plan including the Annual Service Plan are available at www.wccusd.net under the Special Education Department website.

Recommendation:
Public Hearing and Board Approval

Fiscal Impact:
None

G. DISCUSSION ITEMS

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 – October 26, 2011 – Special Meeting
Lovonya DeJean Middle School – November 2, 2011 – Regular Meeting

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

October 19, 2011

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