

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
MEETING AGENDA
NOVEMBER 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.

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.

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 El Cerrito High School

B.5 Report/Ratification of Closed Session

* **B.6 Agenda Review and Adoption (Public Comment)**

* **B.7 Minutes: October 19, 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 November 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 summarized dated November 2, 2011. The estimated values for any non-cash donations are those provided by the donor. 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 November 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 November 2, 2011.

Recommendation:

Fiscal Impact:

***CI C.5 Resolution No. 71-1112: State and Federal Surplus Property Program**

Comment:
Officials of the District shall be authorized as District representatives to acquire government surplus property from the California Department of General Services.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.6 Certificated Board Authorization - Education Code 44285.3**

Comment:
Ed Code 44285.3 allows the Governing Board of a school district to authorize the holder of a multiple subject, standard elementary, single subject or standard secondary, credential with his or her consent, to teach departmental classes in grades K-12 provided the teacher has adequate knowledge of subject matter.

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: \$349,021. Funding sources as noted.

***CI C.8 Ratification and Approval of Negotiated Change Orders**

Comment:

Staff is seeking ratification of Change Orders on the following current District construction projects: Ford ES New School, Nystrom Elementary School Multipurpose Room, Madera ES Portables 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.

Recommendation:

Ratify negotiated Change Orders as noted

Fiscal Impact:

Total ratification and approval by this action: \$966,906.82

***CI C.9 Approval of Portola Middle School at Castro Elementary Site Construction Administration Fees**

Comment:

Portola Middle School Modernization is one of the listed projects in Measure D Bond program. Construction Documents have been completed by HY Architects and the project is expected to be out to bid by the end of December 2011. The scope of work includes bid support services, construction administration services by the architect and the architect's sub-consultants for the duration of construction, and final DSA closeout services.

Recommendation:

Approve proposed Portola Middle School at Castro Elementary Site Construction Administration Fees.

Fiscal Impact:

Total for this action: \$1,431,080. Portola Middle School at Castro ES is a project from the original Measure D, though the funds would be Measure J Bonds.

***CI C.10 Resolution No. 70-1112: Recognizing Contributions of Veterans to the Country**

Comment:

Resolution No. 70-1112 acknowledges the contributions of our veterans and encourages all citizens, staff, faculty, students and families to participate in the celebration of Veterans' Day.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.11 Citizens' Bond Oversight Committee (CBOC) Appointment by the City of Hercules**

Comment:
The Hercules City Council has forwarded a recommendation that Mr. Gerard Boulanger be appointed to serve as the representative of the City of Hercules.

Recommendation:
Approve appointment as noted

Fiscal Impact:
None

D. AWARDS, RECOGNITIONS, AND REPORTS

*** D.1 The Ed. Fund Grant Winners for 2011**

Comment:
For the 28th year, the Ed. Fund will be awarding Mini-grants and School-wide grants to WCCUSD Schools. The Ed. Fund Grants program is designed to create a sustainable change in our classrooms and schools. Utilizing standards-based curriculum, these imaginative projects transform our students' academic, social, and emotional growth by making learning come to life. Each year The Ed. Fund Grants program affects the lives of nearly 10,000 students.

This year The Ed. Fund awarded \$54,000 in grant money to amazing projects destined to ignite imagination and create change in our schools. Through the generous contributions from private donors at our 23rd annual Excellence in Education banquet, The Ed. Fund was able to focus over \$12,000 specifically on Arts & Music through our grant making this year. Among these winners was, Education Though Music, a non-profit who will provide comprehensive music education at four elementary schools this year (Wilson, Peres, Lincoln, and Coronado).

School-wide grants (3 or more classrooms) made a larger percentage of our applications than ever before. We are thrilled by the enormous impact our grant making will have on large populations of students.

The Ed. Fund would like to thank our corporate, foundation, and private sponsors who have made our grants program possible for 28 years. We are proud of our continued support to WCCUSD teachers and students in the classroom. We wish all of our winners the best of luck in implementing their projects and thank them for their tireless dedication to our students.

Recommendation:
Recognize the Ed Fund grant awardees

Fiscal Impact:

None

* **D.2 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	Linked Learning – Multiple Pathways
Bayside Parent Teacher Association	Safety Committee
Citizens’ Bond Oversight Committee	Youth Commission
Community Budget Advisory Committee	Public Employees Local 1
Facilities Subcommittee	School Supervisors Association
Ivy League Connection	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 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 Naming the Gymnasium at John F. Kennedy High School in Memory of Dolly Felix**

Comment:

In accordance with Board Policy 7310, the subcommittee of the Board of Education unanimously and enthusiastically approved the recommendation to rename the John F. Kennedy Gym for Dolly Felix. Ms. Felix, who passed away on June 25, 2011, served as a teacher and athletic coach at Harry Ells and John F. Kennedy High Schools and was the first female Athletic Director in the West Contra Costa Unified School District. Ms. Felix will long be remembered as a kind, caring, and encouraging individual who was always ready to help people in academics, athletics or the teaching profession.

Recommendation:

Recommend renaming the Kennedy gymnasium for Dolly Felix

Fiscal Impact:

None

G. DISCUSSION ITEMS

*** G.1 Integrity Education Center Charter School**

Comment:

The Integrity Education Center, a nonprofit corporation, submitted a petition to West Contra Costa Unified School District (WCCUSD) on October 13, 2011, to establish an independent charter school known as Integrity Education Center. 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 receiving a petition, to hold a public hearing to consider the level of support for 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 regarding the Petition at a subsequent board meeting.

Recommendation:

Public hearing only

Fiscal Impact:

None

*** 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 funded by the Measures J & D 2010:

- Portola Middle School
- Coronado Elementary School
- Nystrom Elementary School
- Overview of the status of the district eligibility for state funding.

Recommendation:

For Information Only

Fiscal Impact:

None

* **G.3 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 – November 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 (*).

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

November 2, 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