

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION  
MEETING AGENDA  
FEBRUARY 15, 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**

**6:30 PM      Recognition of history makers and heroes in West Contra Costa  
and student performances for Black History Month**

**Time:**            The **Board of Education's Open Session meeting will begin at 7:00 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.

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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 Presentation of Student Board Representative from Richmond High School**

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

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

\* **B.7 Minutes: February 1, 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 Grants/Awards/Agreements**

Comment:

Formal action is requested from the Board of Education to accept the grants/awards/agreements, as detailed, dated February 15, 2012.

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 February 15, 2012. The estimated values for any non-cash donation 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 February 15, 2012.

Recommendation:  
Recommend Approval

Fiscal Impact:  
Additional revenue for schools

**\*CI C.4 Summary of Payroll and Vendor Warrant Reports**

Comment:  
The summaries of Payroll and Vendor Warrants issued during the month of January 2012 are provided:

Total of payroll warrants (January 2012):	\$ 8,866,712
Total of vendor warrants (January 2012):	\$ 21,058,199

Recommendation:  
Recommend approval of the payroll and vendor warrant reports

Fiscal Impact:  
As noted above

**\*CI C.5 Enterprise Resource Planning/System Software**

Comment:  
The District's Enterprise Resource Planning/ System software includes the functionality for Human Resources, Budget, Accounting, Payroll, Purchasing as well as site level access for reports and automated purchase requisitions. It became clear in the Fall of 2010 that the current system used by the District, Bi-Tech, was going to have undergo some major upgrades which would amount to a system conversion. (Bi-tech has since notified the District that it will no longer be supporting the software currently in use.) With that in mind a Stakeholder User Team, composed of fifteen users each representing a major functional area, was formed to examine options and the team determined that since a system conversion was necessary a request for proposal (RFP) should be developed. The RFP includes requirements for each area for which the District already maintains software solutions as well as for areas the team wishes to expand the potential for the District to implement additional software solutions. For instance, the team is interested in expanding software to include an improved employee timekeeping, leave and benefits module as well as applicant tracking and employee/applicant self-service portals. Through a series of work sessions and multiple edits the team prepared and published an RFP in April of 2011. RFP submissions were accepted through June 24, 2011. Four RFPs were submitted.

The Stakeholder User Team reviewed each RFP against the requested components and determined that three vendors would move into the product demonstration phase. The product demonstrations were held at Harding Elementary School during the end of July and beginning of August 2011. Every department had strong attendance at the demonstrations and provided feedback regarding the software proposals. The Stakeholder User Team then arranged to have the top ranked vendor, Tyler-Munis, provide a hands-on demonstration in the District's technology lab over the course of a week. Each department was able to send attendees for a more in depth examination of the software during the product demonstration.

Tyler-Munis is the vendor which provides Enterprise Resource Planning/ System software to the City of Richmond, San Jose Unified School District as well as other school districts, and is currently in a phased implementation project with fifteen of the eighteen districts within Contra Costa County. As a result of the large scale implementation within the county the District can leverage the negotiation for implementation using the Contra Costa County of Education pricing afforded the fifteen districts in the process of conversion. Staff is in the process of making inquiries to reference districts regarding the implementation process as well as follow up questions regarding specific functionality for certain departmental functions. Once that is done staff proposes to begin negotiations for final pricing and then engage in project planning. Staff is requesting that the Board authorize staff to negotiate terms for the software, hosting and implementation of the Enterprise Software System. Once staff has finalized the contract negotiation the contract will be placed on the Board's agenda for ratification.

Recommendation:

Approve the negotiation of a contract for implementation of the Enterprise Software System.

Fiscal Impact:

Two year project budget estimate including internal staff resources; \$2.7 million. \$2.2 million Technology/Measure D Bond, and \$500,000 Special Reserve.

**\*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 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.8 Routine Personnel Changes – Classified**

Comment:

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

Recommendation:

For Information Only

Fiscal Impact:

None

**\*CI C.9 Resolution No. 87-1112: Determination of Tie-Breaking Criteria for 2012-2013**

Comment:

Pursuant to provisions of the Education Code section 44955, the Board of Education is required to determine the District's needs should it become necessary to determine the order of termination of employees who first rendered paid service to the District on the same day.

Recommendation:

Recommend Approval

Fiscal Impact:

To be determined

**\*CI C.10 Approval of Agreement with Local One / AB1200 Public Disclosure of Collective Bargaining Agreement with Local One)**

Comment:

District and Local One Collective bargaining for the 2011-2012 year consists of one reopener for each party. Tentative Agreement has been reached on reopeners with representatives of Local One. Local One 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 Local One.

Fiscal Impact:

One time cost of \$309,173 unrestricted general fund \$197,667 restricted and other funds

**\*CI C.11 Approval of Agreement with School Supervisors Association (SSA) / AB1200 Public Disclosure of Collective Bargaining Agreement with the SSA**

Comment:

District and SSA Collective bargaining for the 2011-2012 year consists of one reopener for each party. Tentative Agreement has been reached on reopeners with representatives of SSA. SSA 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 SSA.

Fiscal Impact:

One time cost of \$43,022 unrestricted general fund \$31,468 restricted and other funds

**\*CI C.12 Resolution No. 86-1112 Week of the School Administrator – March 4-10, 2012**

Comment:

Administrators of California's public school are commended for their support of, and contribution to, quality education in the state.

Recommendation:

Recommend Approval

Fiscal Impact:

None

**\*CI C.13 Resolution No. 84-1112: Disabilities Awareness Month – March 2012**

Comment:

This resolution proclaims the month of March 2012 as Disabilities Awareness Month and encourages all schools and educational communities to commemorate this occasion with meaningful student activities and programs that promote and demonstrate learning about and understanding individuals with disabilities.

Recommendation:

Recommend Approval

Fiscal Impact:

None

**\*CI C.14 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: \$88,625. Funding sources as noted.

**\*CI C.15 Ratification and Approval of Negotiated Change Orders**

Comment:

Staff is seeking ratification of change orders on the following current District construction projects: Nystrom Elementary School Multipurpose Room. 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: \$30,100.11

**\*CI C.16 2012 CSBA Delegate Assembly Election Ballot**

Comment:

The California School Boards Association (CSBA) has issued its ballot for candidates for Delegate Assembly, Subregion 7-A (Contra Costa County), to serve a two-year term beginning April 1, 2012 to March 31, 2014.

The Board of Education is recommending the election of Antonio Medrano as representative from Subregion 7-A (Contra Costa County) for the CSBA 2012 Delegate Assembly.

Recommendation:

Cast ballot for Antonio Medrano as Subregion 7-A representative to the CSBA 2012 Delegate Assembly.

Fiscal Impact:

None

**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	Safety Committee
Bayside Parent Teacher Association	Select Committee on High Schools
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
Linked Learning – Multiple Pathways	

**\* 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.

Jeremy Crowder, age 17, passed away on January 29, 2012. Jeremy was a young man that showed maturity, perseverance, and commitment to improving himself. Jeremy played football and was an honor roll student at ECHS as well as a member of the Young Scholars Program and the Angaza Program.

Tyler DeMartini, age 18, passed away February 1, 2012. His love of baseball and passion for skateboarding and life in general were an inspiration to teammates, friends and family. Tyler will be fondly remembered for his charisma, infectious smile and charm.

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 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. 89-1112: 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, 2012, in order to meet the necessary budget reductions for the 2012-2013 school year.

Recommendation:

Recommend Approval

Fiscal Impact:

To be determined

### **\* F.2 Parcel Tax Renewal / Extension Resolution No. 90-1112**

Comment:

In 2004, the voters approved a parcel tax that has helped to fund reduced class sizes, counselors, librarians, custodial services, and athletics. This parcel tax, which annually brings \$9.6 million into the district, was renewed in 2008 with 79% of voters supporting it. Over the past four years, the District has spent the parcel revenue prudently and in alignment with the measure with fully accountability through annual audits and review by the Community Budget Advisory Committee.

Since the approval in 2008, the State of California has dramatically reduced funding for K-12 education. By statute the per pupil revenue limit for 2012-13 should be \$6,742 but due to the financial crisis and the Legislature’s inability to fund public education in California, West Contra Costa Unified School District will receive only \$4,911. The total loss of revenue to WCCUSD is more than \$40 million. The Board has demonstrated financial stewardship in making expenditure reductions including closing schools, capping employee health benefits, requiring employees to take furlough days, raising class sizes, and reducing or eliminating many programs that had served the students of the District. In adopting a budget for 2011-12, the Board used several one-time funding sources such as the Federal Stimulus money to keep essential programs and services. Yet, the District faces a deficit of \$4.7 million for 2012-13 as well as the loss of one-time federal stimulus funds.

At the November 16, 2011 meeting, Bryan Godbe from Godbe Research presented the results of a survey that the Board had authorized in September 2011. The survey results show the voters are willing to support a renewal of the current parcel tax and small increase that would help the District continue to fund key programs and services to get through the current financial hardship.

Recommendation:

That the Board approve ballot language and Resolution No. 90-1112 authorizing a parcel tax renewal / extension on the June 5, 2012 ballot.

Fiscal Impact:

Provide \$13.6 million each year for 5 years for programs and services to students.

**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 – March 7, 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**

**February 15, 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**

- a. Reassignment of Administrators
- b. Approval of Interim Coordinator

**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)**

- a. Resolution No. 88-1112 Non-Reelection of Probationary Certificated Employees
- b. Release of Temporary Certificated Employees

**10. REPORT OF CLOSED SESSION ACTIONS**