

**WEST CONTRA COSTA
UNIFIED SCHOOL DISTRICT**

BOARD OF TRUSTEES



MISSION STATEMENT

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

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

MEETING OF
March 18, 2009

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
MEETING AGENDA
MARCH 18, 2009**

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: http://www.wccusd.net/board/APM_index.shtml

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 AND LISTENING TO THE BOARD MEETINGS:

Television:

Live television broadcast of regularly scheduled Board meetings is temporarily suspended due to construction at the Richmond Civic Center. Board meetings will be rebroadcast 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 rebroadcast 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.

Radio:

Radio broadcast of regularly scheduled Board meetings is temporarily suspended.

Audio tapes of Board meetings are kept on file in the Communications Office, Room 215, 1108 Bissell Avenue, Richmond, CA 94801 (510-231-1132).

The Board of Education would like to acknowledge the cities of Pinole and Richmond for their generosity 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 **6:00 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.

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 Mia Montemayor, Pinole Valley High School**

Comment:

Student Board Representative Mia Montemayor will be representing Pinole Valley High School at the Board of Education on March 18, 2009. We would like to recognize and commend her 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 Board Minutes: March 4, 2009**

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 acceptance is requested from the Board of Education to accept the grants/awards/agreements, as detailed dated March 18, 2009.

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 March 18, 2009. 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 2008-09 school year are summarized dated March 18, 2009.

Recommendation: Recommend Approval

Fiscal Impact: Additional revenue for schools

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

Comment:

Attached are the summaries of Payroll and Vendor Warrants issued during the month of February, 2009.

Total of payroll warrants: \$10,254,495

Total of vendor warrants: \$19,089,912

Recommendation: Recommend approval of the payroll and vendor warrant reports

Fiscal Impact: As noted above

***CI C.5 Adoption of Resolution 76-0809: Replacement of Outdated Warrant**

Comment:

Government Code Section 29802(c) allows the governing board, by resolution, to order a replacement check be issued for a warrant that is stale dated. This resolution authorizes the issuance of a check to replace the outdated warrant for Barbara Mallon. Staff recommends replacement of the stale dated warrant.

Recommendation: Recommend approval to replace the outdated warrant

Fiscal Impact: No impact

***CI C.6 Acceptance of Contracts for Placement of Student Teachers**

Comment:

Teachers in this district provide supervision and evaluation for students 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 dated March 18, 2009.

Recommendation: Recommend Approval

Fiscal Impact: None

***CI C.7 Notification of Claims Rejected**

Comment:

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

Recommendation: Ratify the rejection of claim

Fiscal Impact: None

***CI C.8 Resolution No. 75-0809 Directing Preparation of Annual Report - MRAD**

Comment:

In order to make a determination of improvements and any substantial changes proposed to be made to the existing improvements of the district's public recreational facilities, a resolution directing preparation of an annual engineering report is required, including a list of schools for which the improvements will be made during the fiscal year 2009-10.

Staff recommends approval of this resolution for purposes of the Maintenance Recreation and Assessment District in accordance with Sections 22565 et seq., of the Landscaping and Lighting Act of 1972, (Streets and Highways Code Section 22565 et seq.). Once the report has been completed, it will be presented to the Board for preliminary approval.

Recommendation: Recommend approval of this resolution for MRAD

Fiscal Impact: Revenue for MRAD Fund

***CI C.9 Certificated Personnel Changes**

Comment:

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

Recommendation: Recommend Approval

Fiscal Impact: None

***CI C.10 Ratification and Approval of Engineering Services Contracts**

Comment:

Contracts have been initiated by staff using previously qualified 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

Fiscal Impact: Total for this action: \$788,235. Funding sources as noted.

***CI C.11 Ratification and Approval of Negotiated Change Orders**

Comment:

Staff is seeking ratification of Change Orders on the following current District construction projects: Dover Elementary School Sitework Ph. I; El Cerrito HS Admin/Theater Building; El Cerrito HS New Campus; Leadership Public Schools Temporary Campus; and Community Kitchens Package 3. 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: \$335,263.55.

***CI C.12 Ratification of Previously Awarded Contracts**

Comment:

The following construction contracts were approved by the Board at regularly scheduled meetings throughout the year. These actions were taken prior to the expiration of the Bid Protest period in order to expedite the start of the work. In each case, the Board authorized staff to issue the Notice of Award. The Education Code requires the Board to ratify these award actions by staff. The following contracts were awarded by staff pursuant to Board authorization after successful completion of the Bid Protest period:

1. **Trinet Construction.** Dover Elementary Sitework Phase II Contract. Contract award: \$77,000. No bid protest received. Authorization to award at Board meeting December 10, 2008.
2. **Bay Cities Paving and Grading.** Ford Elementary School Demolition, Sitework, and Grading. Contract award: \$697,000. No bid protest received. Authorization to award at Board meeting January 21, 2009.
3. **Streamline Builders.** Transition Learning Center Access Ramps Replacement Project. Contract award: \$33,000. No bid protest received. Authorization to award at Board meeting February 4, 2009.

Recommendation: Ratify previously awarded contracts

Fiscal Impact: No additional fiscal impact; see previous authorizations to award.

***CI C.13 Portola Middle School at the Castro Site Preliminary Architectural Services Contract**

Comment:

The District has completed Environmental Review of the Portola Middle School at the Castro site. The Board has adopted the Final Environmental Impact Report (FEIR). The District is engaged in resolving a petition seeking to vacate the Board's adoption of the FEIR. As such, any foreseeable outcome and its resolution must be completed prior to the start of the construction phase. Because the architectural design, Division of State Architect (DSA) approval and the solicitation processes are in excess of 12 months, staff feels it is prudent to begin this non-concurrent process, to minimize the temporary housing status that students/staff will need to endure.

The District selected HY Architects for the renovation and new construction of Portola Middle School in 2004 based upon their experience with middle school projects and their work on previous district elementary school projects. The firm has prepared the preliminary review plans for the Portola-Castro site project.

The term “Preliminary Architectural Services” is prudent because these services are a coefficient of construction costs. As the District cost estimators are responding to the current contracting environment, the projection of project costs have been declining; and we will see that adjustment reflected in HY Architect’s fee proposal in the final staff recommendation tendered for board approval.

The proposed Preliminary Architectural Services contract includes: educational program confirmation; update of the conceptual design—including site design and building plans; preliminary systems, materials, finishes identification; and confirmation of the scope of work to modernize existing buildings. This will allow the District to complete updated cost estimates based upon the more clearly defined scope of work.

Recommendation: Award preliminary Architectural Services Contract to HY Architects

Fiscal Impact: \$162,700. Funded from the Measure J Bond.

***CI C.14 Transition Learning Center (“TLC”) Fence and Gates Project Award of Contract**

Comment:

The District has received funding for the replacement of damaged fencing and gates at TLC. Funding is under the Office of Public School Construction’s Emergency Repair Program. The Seville Group (“SGI”) has prepared bid specifications for the project. The project is currently out for public bid. Bids are due to be opened on March 12, 2009. Staff will bring a recommendation for award to the meeting of March 18, 2009.

This item is being presented prior to the expiration of the five working day Bid Protest period. In consideration of this timing, and in order to expedite the project, the Board’s action will be to authorize staff to issue the Notice of Award effective at the end of the Bid Protest period to the lowest responsive, responsible bidder. This award by staff will then be brought back for ratification at a future meeting.

Recommendation: Authorize staff to issue Notice of Award upon successful completion of the Bid Protest period.

Fiscal Impact: \$ _____. Funded from the state Emergency Repair Program (“ERP”).

***CI C.15 Montalvin Manor Elementary Trash Enclosure Project Award of Contract**

Comment:

In order to complete the work on the Kay Road Extension and the Montalvin Manor Elementary New Entry Plaza, the District needs to construct an appropriate trash enclosure area. This will be adjacent to the new plaza, with screening and a size adequate for bins and recycling containers. Baker Vilar Architects prepared construction documents for the project. The project is currently out for public bid. Bids are due to be opened on March 12, 2009. Staff will bring a recommendation for award to the meeting of March 18, 2009.

This item is being presented prior to the expiration of the five working day Bid Protest period. In consideration of this timing, and in order to expedite the project, the Board's action will be to authorize staff to issue the Notice of Award effective at the end of the Bid Protest period to the lowest responsive, responsible bidder. This award by staff will then be brought back for ratification at a future meeting.

Recommendation: Authorize staff to issue Notice of Award upon successful completion of the Bid Protest period

Fiscal Impact: \$ _____. Funded from the Capital Facilities Fund.

***CI C.16 Resolution No. 77-0809: Day of Recognition for César Chávez, March 31, 2009**

Comment:

This resolution is in recognition of César Chávez for his great leadership in bringing social justice to California's migrant farm workers, providing a model of solving problems through non-violent, democratic actions and a life of service to others.

Recommendation: For Information Only

Fiscal Impact: None

D. AWARDS, RECOGNITIONS, AND REPORTS

*** D.1 Richmond Association of School Administrators (RASA) Award Recipients**

Comment:

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

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

Administrator of the Year awards for WCCUSD 2008-09 are:

Ora Anderson, Special Education Administrator
Liz Torio, Central Office Administrator
Janet Scott, Elementary Principal, Peres
Bea Ponce, Confidential
Antoinette Henry-Evans, Middle School Principal, DeJean
Sue Kahn, High School Principal, Pinole Valley

Recommendation: For Recognition Only

Fiscal Impact: None

* **D.2 Recognition of West County Reads & Richmond Tales**

Comment:

All 4th and 5th grade students who attend school in Richmond's Iron Triangle will be receiving a copy of Summer Brenner's new book *Richmond Tales*, the story of two children growing up in Richmond. Two students from our schools will be presenting the characters and telling some of the story of the book.

Recommendation: For Recognition Only

Fiscal Impact: None

* **D.3 Budget Report Update**

Comment:

Staff will provide information for the 2008-09 and 2009-10 district budget.

Recommendation: For Information Only

Fiscal Impact: Further analysis will be necessary to fully quantify the financial impact.

* **D.4 Standing Reports**

Representatives of the following committees and employee unions are invited to provide a brief update to the Board. Please sign up to speak prior to the beginning of this item on the agenda by submitting a "Request to Address the Board" form. Two 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
Safety Committee
Special Education Citizens Advisory Committee

Public Employees Local 1
School Supervisors Association
United Teachers of Richmond
West Contra Costa Administrators Association

* **D.5 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.

Alexander Edward Forristall, a 2007 graduate of Pinole Valley High School, passed away January 11, 2009. Alex was a good student and participated on the PVHS golf team for three years. He worked as a Customer Service Representative at the Hilltop branch of The Mechanics Bank and was looking forward to continuing his education at Diablo Valley College. He will always be remembered for his friendly personality and welcoming smile.

Salvador Cortez-Mendez, a Junior at Gompers Continuation High School, passed away February 28, 2009. Salvador was a student in the Gompers family for a year and a half and had made steady progress towards graduation. He was known for a ready smile and sincere love of life. He demonstrated in his classes an ongoing curiosity and sincere compassion for his classmates.

Oline Floe, retired English teacher, passed away recently. Ms. Floe began teaching in 1974 at Harry Ells High School. She continued teaching English at Richmond High School, and later at Adams Middle School, retiring in 2007. Ms. Floe will be remembered as a great educator and great inspiration to her students and all who knew her.

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

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 Charter Facilities Assignments – Proposition 39 Final Offer to Leadership Public Schools
Richmond Charter School**

Comment:

The District has received a Proposition 39 charter facility request from Leadership Public Schools, Inc. The District is obligated by statute to make a preliminary offer and a final offer by April 1, 2009. At the January 21, 2009 Board meeting, a proposed preliminary offer was identified.

Recommendation: Approval of the Proposition 39 final offer to Leadership Public School, Inc.

Fiscal Impact: As identified in the final offer proposal

* **F.2 Charter Facilities Assignments – Proposition 39 Final Offer to Manzanita Charter School**

Comment:

The District has received a Proposition 39 charter facility request from Manzanita Charter School. The District is obligated by statute to make a preliminary offer and a final offer by April 1, 2009. At the January 21, 2009 Board meeting, a proposed preliminary offer was identified.

Recommendation: Approval of the Proposition 39 final offer to Manzanita Charter School

Fiscal Impact: As identified in the final offer proposal

* **F.3 Charter Facilities Assignments – Proposition 39 Final Offer to Richmond College Preparatory K-5 Charter School (Richmond College Prep)**

Comment:

The District has received a Proposition 39 charter facility request from Richmond College Prep. The District is obligated by statute to make a preliminary offer and a final offer by April 1, 2009. At the January 21, 2009 Board meeting, a proposed preliminary offer was identified.

Recommendation: Approval of the Proposition 39 final offer to Richmond College Prep

Fiscal Impact: As identified in the final offer proposal

G. DISCUSSION ITEMS

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

April 1, 2009 – Lovonya DeJean Middle School

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

March 18, 2009

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

1. Negotiator: Superintendent / Dr. Bruce Harter
2. Property: Land located on either side of Lexington Avenue between Stockton Avenue and Eureka Street in El Cerrito, CA. Price and all terms of agreement.
3. Property: 1021 Navellier Street, El Cerrito, CA. Price and all terms of agreement.

2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

[Government Code Section 54956.9(a)]

1. WCCUSD v. RDS Architects
2. Lumagbas et al. v. WCCUSD et al.
3. 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)

- a. Expulsions

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

10. REPORT OF CLOSED SESSION ACTIONS

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

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: March 18, 2009

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

Agenda Item: B.4

Subject: Presentation of Student Board Representative Mia Montemayor, Pinole Valley High School

Background Information:

Student Board Representative Mia Montemayor will be representing Pinole Valley High School at the Board of Education on March 18, 2009. We would like to recognize and commend her participation.

Recommendation: For Information Only

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

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

Agenda Item B.7

March 4, 2009

A. CLOSED SESSION

B. OPENING PROCEDURES

President Audrey Miles called the meeting to order at 5:30 PM. The Board recessed into Closed Session. President Miles called the Public Session to order at 6:49 PM.

B.1 Pledge of Allegiance

President Miles led those in attendance in the pledge of allegiance.

B.2 Welcome and Meeting Procedures

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

B.3 Roll Call

Board Members Present: Madeline Kronenberg, Antonio Medrano, Audrey Miles, Charles Ramsey, Tony Thurmond

Staff Present: Alejandro Alonso, Interpreter; Andre Bell, Executive Director Business Services; Patricia Calvert, Director Human Resources, Certificated; Steve Collins, SELPA Director; Martin Coyne, Director Accounting/Audits; Lisa Erwin, Executive Director Business Services; Bill Fay, Associate Superintendent for Operations; Erin Fleming, Director Human Resources, Classified; Sheri Gamba, Associate Superintendent for Business Services; Wendell Greer, Associate Superintendent K-Adult; Bruce Harter, Superintendent; Debbie Haynie, Executive Assistant to the Superintendent; Barbara Mallon, Director of Curriculum and Instruction; Ken McDaniel, Electronics Supervisor; Elmer Meredith, Electronics Technician; Nia Rashidchi, Assistant Superintendent Educational Services; Jessica Romeo, Assistant Superintendent for Human Resources; Bill Savidge, District Engineering Officer.

B.4 Presentation of Student Board Representative Ana Garibo, John F. Kennedy High School

Ms. Garibo spoke about Kennedy students' activities and her participation with the Ivy League Connection over the past four years.

B.5 Report/Ratification of Closed Session

Superintendent Harter asked that the Board ratify the vote taken in Closed Session to expel twenty-one (21) students from the West Contra Costa Unified School District, suspending twenty-one (21) of those expulsions for placement in district schools.

MOTION: Mr. Ramsey moved to ratify the vote taken in Closed Session to expel twenty-one (21) students and suspend those expulsions for placement in district schools. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey and President Miles voted yes, Mr. Thurmond voted no, with no abstentions and no absences. Motion carried 4-1-0-0.

Superintendent Harter asked that the Board ratify the vote taken in Closed Session to give notice to non-reelect forty-six (46) probationary teachers for 2009-2010.

MOTION: Ms. Kronenberg moved to ratify the vote taken in Closed Session to give notice to non-reelect forty-six (46) probationary teachers for 2009-2010 (Resolution No. 71-0809). Mr. Ramsey seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey and President Miles voted yes, Mr. Thurmond voted no, with no abstentions. Motion carried 4-1-0-0.

Superintendent Harter asked the Board to ratify the vote taken in Closed Session to give notice to reassign fifty-five (55) administrators for the 2009-2010 school year.

MOTION: Mr. Ramsey moved to ratify the vote taken in Closed Session to give notice to reassign fifty-five (55) administrators for the 2009-2010 school year. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Ramsey and President Miles voted yes, Mr. Medrano and Mr. Thurmond voted no, with no abstentions and no absences. Motion carried 3-2-0-0.

Superintendent Harter asked the Board to ratify the vote taken in Closed Session to release seventy-five (75) temporary teachers for the 2009-2010 school year.

MOTION: Ms. Kronenberg moved to ratify the vote taken in Closed Session to release seventy-five (75) temporary teachers for the 2009-2010 school year. Mr. Ramsey seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey and President Miles voted yes, with Mr. Thurmond abstaining and no absences. Motion carried 4-0-1-0.

Superintendent Harter asked the Board to ratify the vote taken in Closed Session to approve a settlement agreement in the case of S.H. v. WCCUSD.

MOTION: Mr. Medrano moved to ratify the vote taken in Closed Session to approve a settlement agreement in the case of S.H. v. WCCUSD. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey and President Miles voted yes, with Mr. Thurmond abstaining and no absences. Motion carried 4-0-1-0.

B.6 Agenda Review and Adoption

MOTION: Mr. Ramsey moved to approve the agenda. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond, Student Representative Ana Garibo (advisory vote only) and President Miles voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

B.7 Minutes: February 2, 2009; February 4, 2009; February 11, 2009

MOTION: Mr. Ramsey moved approval of the minutes of February 2, 2009, February 4, 2009, and February 11, 2009. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond, Student Representative Ana Garibo (advisory vote only) and President Miles voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

C. BUSINESS ITEMS

C.1 Contracted Services

C.2 Grants/Awards/Agreements

C.3 Acceptance of Donations

C.4 Approval of Fund-Raising Activities

Al Kirkman spoke about fund raising and approaching cities for funds to keep schools open.

C.5 Acceptance of Contracts for Placement of Student Teachers

C.6 Agreements for Nonpublic, Nonsectarian School/Agency Services

C.7 Summary of Payroll and Vendor Warrant Reports

C.8 Adoption of Resolution 74-0809: Replacement of Outdated Warrants

C.9 Ratification and Approval of Engineering Services Contracts

Robert Brower spoke about environmental documents and the decision-making process.

Sandi Potter, Mayor of El Cerrito, spoke about the environmental review and scope of work for the relocation of Portola Middle School.

Michael Boloyan spoke about moving the Portola campus to the El Cerrito High campus.

Bill Jones asked the Board for reconsideration of a previous vote to move Portola to the ECHS temporary campus.

C.10 Ratification and Approval of Negotiated Change Orders

C.11 King Elementary New Campus Construction Project Award of Contract

Mr. Ramsey commented that this project came in 49% under budget, which will allow funds to be used to benefit other construction projects.

C.12 Pinole Middle School Temporary Kitchen Utilities Project Award of Contract

C.13 Approval of Board Member to Attend CSBA Delegate Assembly May 16-17, 2009

C.14 2009 CSBA Delegate Assembly Election Ballot

Mr. Ramsey thanked Mr. Medrano for his willingness to serve as a delegate to CSBA.

C.15 Resolution No. 73-0809: California Adult Education Week – March 9-13, 2009

C.16 Request Textbook Materials Waiver

C.17 Memorandum of Understanding (MOU) between West Contra Costa Adult Education and North Richmond Young Adult Empowerment Center

C.18 Memorandum of Understanding (MOU) between West Contra Costa Adult Education and Pathway to Choices Inc. (PTC)

MOTION: Mr. Ramsey moved approval of the Consent Items pulling Item C.9 Ratification and Approval of Engineering Services Contract for a separate vote. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond, Student Representative Ana Garibo (advisory vote only) and President Miles voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

C.9 Ratification and approval of Engineering Services Contracts

Mr. Ramsey commented on the process and direction to be taken by staff and the Board if approved.

President Miles asked for additional information regarding the California Environmental Quality Act (CEQA) process. Superintendent Harter commented about the staff interpretation of the Board's decision to name the ECHS campus as the lead proposal and not as a project under CEQA and said that at a later date the Board will be asked to approve the CEQA process and then make a final decision on whether to relocate the students to the high school campus.

Mr. Fay commented that counsel advised that this is a lead proposal and not a project until the Board votes on it as a project.

Mr. Thurmond said he appreciated the public comment and that the safety of students is of foremost importance.

MOTION: Mr. Thurmond moved approval of item C.9 Ratification and Approval of Engineering Services Contracts. Mr. Medrano seconded. A roll call vote was taken with Mr. Medrano, Mr. Thurmond, and President Miles voting yes, Ms. Kronenberg, Mr. Ramsey and Student Representative Ana Garibo (advisory vote only) voting no, and no abstentions. Motion carried 3-2-0-0.

D. AWARDS, RECOGNITIONS, AND REPORTS

D.1 Recognition of AT&T Contributions to the West Contra Costa Unified School District

Mr. Greer asked Ms. Devi Jameson to provide a brief overview of the contribution received from AT& T through their Aspire program to support high school, college and workforce readiness. Mr. Ron Whittier commented on the types of programs being put forth in the district. Mr. Will Rigney commended the school district for the highly competitive environment for its students.

Board Comment:

Mr. Ramsey commented on the work being done in the district and the technology center at El Cerrito High School. He thanked AT&T for its commitment.

Ms. Kronenberg commented about the work of the technical academies and the Counseling Wizard software for district students.

Mr. Thurmond thanked Mr. Rigney and AT&T for their continued support of this community, particularly in these economic times.

Ms. Miles read the certificate of recognition that was presented to Mr. Rigney and offered her thanks.

D.2 Recognition of Dartmouth Intern Harmony Gbe

Superintendent Harter introduced Ms. Harmony Gbe, a Dartmouth intern, who is serving six weeks of community service in the district. Ms. Gbe, a junior at Dartmouth studying government and sociology, spoke about her time at WCCUSD.

Board Comment:

Ms. Kronenberg thanked Harmony for coming to the district and working with students.

Mr. Ramsey commented on Harmony's travel, as she is preparing to study abroad in Paris. He also thanked Marilyn O'Brian and Patricia Player for spending time to show Harmony around the district.

Mr. Thurmond thanked Ms. Gbe for her service and meeting with students throughout the district.
Mr. Medrano wished Ms. Gbe the best as she continues college and pursues her career.
President Miles thanked Ms. Gbe for her service to students.

D.3 Budget Report Update

Ms. Gamba provided an update with information for the Second Interim Report, information received from the State of California, and the federal stimulus package.

Public Comment:

Tammy Campbell, Robert Studdiford, Al Kirkman, Jill Wolkenfeld

Board Comment:

Mr. Medrano asked about any modifications to class size reduction. Ms. Gamba clarified with information regarding the new state law determination of K-3 class size reduction to assist school districts in financial jeopardy.
Mr. Ramsey said he agreed with keeping the commitment to the community with support of parcel tax Measure D.
Ms. Kronenberg spoke about looking elsewhere rather than at class size reduction for funds. She said she would like to see information placed on the website for the public to view and better understand.
Mr. Thurmond asked questions about cost savings and closing the deficit for 2009-2010. Ms. Gamba provided clarification.
Superintendent Harter provided further information about determining additional funding or reductions if some options do not come through.
Ms. Miles spoke about looking at maintaining valued programs by looking for additional funding options.
Ms. Garibo said she would like to know more about closing the deficit for 2009-2010 and reductions in staff. Ms. Gamba provided clarification about dollars spent for staffing and other areas.
Mr. Ramsey asked further questions about possible class size reduction models. Ms. Gamba explained that she will bring to the Board every option available based upon state law.

D.4 Standing Reports

Charles Cowens provided an update of the Community Budget Advisory Committee meeting held March 2nd. He announced the next meeting on March 26, 2009, location to be determined.

Barbara Mallon reported on a recent Academic Subcommittee Meeting, where the discussion included curricular integration, professional development opportunities, and lesson plans. The next meeting will be held on March 25, 2009, 6:30 PM at Vista Hills.

Tammy Campbell spoke about the Budget Advisory Committee imploring the community to participate.

Pixie Hayward Schikele, United Teachers of Richmond, said that decisions made tonight will adversely affect the quality of education for the future with budget cuts and gutting programs.

Richard Leung of Public Employees Union Local One spoke about the poor record of maintaining new facilities and spoke against cuts to custodians.

Sue Pricco of the Citizens Bond Oversight Committee reported a major overhaul of their website, and meeting with bond fund personnel. She said the CBOC annual report is complete and will be posted on the website. The Committee discovered that the audit, ending June 2008, had been modified with suggestions and observations made by the Oversight Committee. The modifications are planned to go to the Board after input from the Committee. She concluded by asking to agendize a joint meeting in April for a presentation by member Leonard McNeil on students in the construction academy with its impact on bond funding.

Mr. Medrano spoke about the Facilities Subcommittee meeting held on February 13, 2009 which included a discussion of the relocation of Portola students to the El Cerrito campus, a review of the Nystrom project and changes necessary to bring that project back on budget. He said that a discussion was held regarding the bond program financial and cash flow review, and announced the next meeting on March 11, 2009.

Mr. Ramsey provided an update of the Ivy League Connection and securing over \$35,000 in scholarship funds for students to attend this year's programs. He commented on the application process and chaperones for this year.

D.5 In Memory of Members of the School Community

Superintendent Harter recognized community members who recently passed away.

Public Comment:

Robert Brower spoke about two Kennedy students who were victims of random violence.

Board Comment:

President Miles requested a moment of silence in memory of these community members and students.

Ms. Garibo said that Kennedy High School planned opportunities that allowed students and staff to demonstrate their sense of loss and grief for fellow students.

Mr. Thurmond said he appreciated the reminder of the loss of community members, particularly students. He suggested that an upcoming safety committee meeting might work on violence strategies, inviting members in the community who work on violence prevention.

Mr. Medrano, Mr. Ramsey and Ms. Kronenberg also offered condolences to families and the greater school family.

E. PUBLIC AND COMMITTEE COMMUNICATIONS

(Education Code 35145.5; Government Code 54950 et seq.)

E.1 Superintendent's Report

Superintendent Harter provided a report of activities in the district.

Ms. Garibo left the meeting.

E.2 WCCUSD Public Comment

Tammy Campbell, Peggy Dabel, Marilyn Gonzalez, Michael Paul, Olivia Trevino, Marco Delgado, Manuel Martinez, Charles Rachlis, Michael Ali, Eric Swabeck, Alicia Jackson, Byron Argueta, Quanah Parker Brightman, Jocelyn Collins, Susan Billings, Jamie Myrick, Patricia Cuevas, Charles Cowens, Jill Wolkenfeld, Jessica Macial, Jon Hopkins, John Irminger, Eduardo Martinez, Sandi Potter, Tom Panus, Adrienne Harris, Bill Jones, Christina Slamon

F. ACTION ITEMS

F.1 Deferral of Closure of Lake Elementary School

Superintendent Harter provided background information regarding support from the City of San Pablo to provide funds for 2009-2010 and 2010-2011 to keep Lake School open through a mutual agreement with the city and the district. He recommended Board approval of a deferral of an earlier decision to close Lake School until 2011-2012, unless additional funding is identified.

Mayor Leonard McNeil informed the Board about the myriad of support the City of San Pablo provides to the district. He also reported that the city council recently approved financial support of afterschool programs at Riverside and Bayview elementary schools as well as the active participation of council members in various San Pablo schools.

Public Comment:

Charles Cowens spoke about the rationale of school closures and what happens if external funds are not forthcoming.

Board Comment:

Mr. Thurmond thanked the San Pablo City Council members for their support of Lake and other schools, acknowledging Mayor McNeil, the council members and the citizens for their support of students and all schools.

Mr. Medrano said he is very proud of this strong action by the San Pablo City Council and community.

Ms. Kronenberg said she attended the celebration at Lake after San Pablo's City Council approval of funding for the school.

Mr. Ramsey thanked the City of San Pablo for its support and willingness to come forward in this difficult financial time.

Ms. Miles said she looks forward to continued work with the Mayor and the City of San Pablo as well as the other cities represented in the district.

MOTION: Mr. Ramsey moved to approve the deferral of the previously approved closure of Lake Elementary school until 2011-12, unless additional external funding is identified to keep the school open past June 20, 2011. Mr. Thurmond seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond and President Miles voted yes, with no abstentions and no absences. Motion carried 5-0-0.

F.2 Attendance Area Reassignment for Students in Schools Approved for Closure for 2009-10

Superintendent Harter provided information regarding the residence and transfer context of student attendance areas, recommending approval of the reassignment of students at El Sobrante, Castro and Adams as designated, and approval of the priority for student transfers from closed schools.

Public Comment:

Mary Schmida, Sharon Johnson, Miné Ternar Kal, Jill Wolkenfeld, Karen Robinson

Superintendent Harter announced that the West Contra Costa Transportation Advisory Committee (WCCTAC) has received grant funding to provide low income students with free bus passes to middle and high school students who live a certain distance from schools. He said the details are yet to be worked out, but there is hope that this program could begin by benefiting summer school students. This is also hoped to be a way to increase and enhance attendance as well as assist students who have part-time jobs.

Board Comment:

Mr. Thurmond asked for clarification about bus passes. Superintendent Harter clarified that for the last two years WCCTAC has had a small grant to provide free bus passes for low income 6th and 7th graders, and that as part of Measure J, beginning 2009, additional funds are available in this county to support our students with free bus passes for low income middle and high school students who live a certain distance from their school. He added that when the details are worked out, this will be a great assistance for students.

Mr. Medrano asked about adding portables to receiving schools. Superintendent Harter responded with information about the potential for relocatable classes at Fairmont and Murphy schools.

Ms. Miles asked about the placement of special needs children with IEPs. Mr. Collins explained the process for Castro's full inclusion program moving to Fairmont and Harding and that transfer applications are not necessary for these Special Education students.

MOTION: Mr. Medrano moved approval of the Attendance Area Reassignment for Students in Schools Approved for Closure for 2009-2010. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond and President Miles voted yes, with no absences and no abstentions. Motion carried 5-0-0-0.

Mr. Thurmond left the dais.

F.3 Resolution No. 68-0809: Same Date of Hire Criteria

Ms. Romeo explained that in the event the district must reduce certificated staff for the 2009-2010 school year, such reductions must be made on the basis of seniority, and that whenever two or more employees have the same date of hire, it is necessary to have specific criteria upon which to base reduction decisions.

Public Comment:

None

Board Comment:

None

MOTION: Mr. Medrano moved approval of Resolution No. 68-0809: Same Date of Hire Criteria. Mr. Ramsey seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey and President Miles voted yes, with no abstentions and Mr. Thurmond absent. Motion carried 4-0-0-1.

F.4 Resolution No. 70-0809: Resolution to Decrease the Number of Certificated Employees Due to a Reduction in Particular Kinds of Services

Ms. Romeo provided background information regarding the need to reduce particular kinds of service in order to meet the necessary budget reductions for 2009-2010.

Mr. Thurmond returned to the dais.

Public Comment:

Margaret Maher, Charles Cowens

Board Comment:

Mr. Thurmond asked questions regarding a cost estimate of the proposed layoffs. Superintendent Harter responded that staff would come back with this information at another time. Ms. Romeo added that until the criteria are applied and it is determined which teachers would be affected, staff could provide an average of teacher costs, but would not know a specific dollar value until specific individuals and their health benefit costs are identified. Mr. Thurmond asked further questions about the budget presentation and proposed staff reductions. Ms. Gamba responded that layoffs and matters subject to bargaining will position the Board to be able to make additional decisions regarding further budget reductions. She provided further clarification regarding the reduction in particular kinds of service. Mr. Medrano asked for figures to share with the community. Ms. Gamba said she will provide a summary of information.

Ms. Kronenberg spoke about staff reductions with the biggest group occurring through class size reduction. Ms. Romeo and Ms. Gamba provided clarification.

Ms. Miles had questions about the process should additional funds become available. Ms. Romeo explained the process and said that positions could be reinstated should additional funding become available.

Mr. Thurmond urged the Board to consider a way to prevent layoffs with the possibility of any agreement with employee groups to find a total dollar value of these positions to prevent loss of jobs and management of the budget. He asked the maker of the motion to accept an amendment to bifurcate the motion to include a delay in hopes that an agreement with the labor groups can be reached to determine the needed funds by March 13; and then if not, the layoffs would move forward.

Ms. Romeo cautioned that March 13 would be too late for the district to issue layoff notices in order to meet the required deadline.

Mr. Ramsey did not agree to modify his motion.

MOTION: Mr. Ramsey moved approval of Resolution 70-0809: Resolution to Decrease the Number of Certificated Employees Due to a Reduction in Particular Kinds of Service. Ms. Kronenberg seconded. A roll call vote was taken with Ms. Kronenberg, Mr. Medrano, Mr. Ramsey and President Miles voting yes, Mr. Thurmond voting no, with no abstentions and no absences. Motion carried 4-1-0-0.

F.5 Resolution No. 69-0809: Authorization to Eliminate Classified Positions and Layoff Classified Employees

Ms. Romeo provided background to this item saying that currently these positions are vacant with permanent employees and that passage would assist in the effort to balance the budget.

Public Comment:

Olajuwon Thornton, Marcus Mitchell, Richard Leung

Board Comment:

Mr. Ramsey said that nothing in this action prevents entities from discussing layoffs while a delay would handicap staff to move the process forward and could be brought back to the Board if agreements are reached.

Ms. Romeo addressed the impact of delaying action on this item on the budget and Second Interim reporting. She further clarified that last year things worked out where the district was able to rescind layoff notices and noted that some of these current positions are related to school closure savings built into the budget.

Ms. Kronenberg said she felt there is nothing precluding the Board from making any changes to this action as programs are reinstated.

Ms. Gamba spoke about the savings incurred with vacant positions and school closures. She said the Second Interim Report, to be submitted to the County Office of Education, will include multi-year projections based on action taken at this Board meeting showing accountability for action necessary to reduce the budget.

MOTION: Mr. Medrano moved to table action on Resolution No. 69-0809: Authorization to Eliminate Classified Positions and Layoff Classified Employees until labor groups can discuss the matter with the district. Mr. Thurmond second. A roll call vote was taken with Mr. Medrano and Mr. Thurmond voting yes, Ms. Kronenberg, Mr. Ramsey and President Miles voting no, with no abstentions and no absences. Motion failed 2-3-0-0.

MOTION: Mr. Ramsey moved approval of Resolution No. 69-0809: Authorization to Eliminate Classified Positions and Layoff Classified Employees. Ms. Kronenberg seconded. A roll call vote was taken with Ms. Kronenberg, Mr. Ramsey and President Miles voting yes, Mr. Medrano and Mr. Thurmond voting no, with no abstentions and no absences. Motion carried 3-2-0-0.

F.6 Resolution No. 72-0809: Authorization to Eliminate Classified Positions and Layoff Classified Employees, After-School Program

Ms. Romeo provided information about layoffs to After-School programs at five sites. She recommended that the item be approved with the effective date of April 30, 2009 as programs are closing at three sites, and delay the effective dates to June 30, 2009 for Bayview and Riverside schools.

Public Comment:
None

Board Comment:
Mr. Ramsey thanked the City of San Pablo and the YMCA for the support offered to the After-School programs.

MOTION: Mr. Ramsey moved approval of Resolution No. 72-0809: Authorization to Eliminate Classified Positions and Layoff Classified Employees, After-School Programs. Ms. Kronenberg seconded. A roll call vote was taken with Ms. Kronenberg, Mr. Ramsey and Ms. Miles voting yes, Mr. Medrano and Mr. Thurmond voting no, with no abstentions and no absences. Motion carried 3-2-0-0.

F.7 Second Interim Report, 2008-09

Ms. Gamba presented information regarding the Second Interim Report for 2008-09 with staff recommendation of a Qualified Certification.

Public Comment:
None

Board Comment:
None

MOTION: Mr. Ramsey moved approval of the Second Interim Report, 2008-09. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond and President Miles voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

G. DISCUSSION ITEMS

G.1 Status Reports – Facilities Planning and Construction

Mr. Savidge provided a presentation on the status of the Bond Facilities program.

Mr. Medrano asked about the El Cerrito theater regarding capacity to host graduations. Mr. Savidge reported that the gymnasium has a larger capacity. Mr. Medrano continued with questions about graffiti at Helms. Mr. Savidge responded with information about graffiti coating used for surfaces that cannot be painted as typical stucco surfaces.

Mr. Ramsey asked questions about bid review for assessment of square footage costs in order to conform to market conditions and bring back proposals and timelines. Mr. Savidge responded with clarification regarding current bid announcements.

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

Christina Slamon spoke about protocol for limiting public comments.
Tammy Campbell provided several Pinole Valley High School announcements.

I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT

Mr. Ramsey said he hoped that the Citizens' Bond Oversight Committee has opportunity to review and approve the performance audit prior to coming to Board for approval. He continued by mentioning the students who serve as school ambassadors for the district on campus visits both at east coast schools and at their home schools.

Mr. Medrano spoke about home foreclosures in Richmond and wanting feedback from Board members to realize how this affects students in the school district. He announced a March 12 town hall meeting. He concluded by announcing that the Mexican Consulate is offering free classes to adults to complete their high school education.

Mr. Thurmond thanked the schools that invited him to participate in Black History Month and Read Across America activities.

Ms. Kronenberg thanked the Olinda PTA for copies of the book *The Little Engine That Could*. She reported going to Sacramento, where changes need to be made in education funding, urging organizations to address and take action.

Ms. Miles said this was the saddest day of her life to have to close schools and approve the process for layoffs of staff and teachers that she personally knows. She commented on receiving letters from Shannon school students in appreciation of keeping their school open. She concluded that the Board must be fiscally responsible to make hard decisions and continue to seek support for legislators, community and local officials.

J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING

Lovonya DeJean Middle School – March 18, 2009

K. ADJOURNMENT

President Miles adjourned the meeting at 11: 41 PM.

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

BH:dh

Approved
3-18-09

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

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: March 18, 2009

From: Sheri Gamba, Assoc. Supt., Business Services

Agenda Item: CI C.1

Subject: Grants/Awards/Agreements

Background Information: Formal acceptance is requested from the Board of Education to accept the grants/awards/agreements, as detailed on the attached sheets dated March 18, 2009.

Recommendation: Recommend Approval

Fiscal Impact: As noted per grants summary.

DISPOSITION BY BOARD OF EDUCATION		
Motion by: _____	Seconded by: _____	
Approved _____	Not Approved _____	Tabled _____

GRANT / AWARD / AGREEMENT NOTIFICATIONS

Project Name	Project Amount for Budget Period	Funding Agency	Comments
CPA - Technology and New Media Academy at ECHS	\$10,000	California Department of Education - High School Initiative and Career Education Office	To support the Technology and New Media Academy at ECHS
Resource # 6385	1/2/09 - 6/30/10		PCA # 24960-01
CPA - Architecture, Construction, Engineering and Technology at KHS	\$10,000	California Department of Education - High School Initiative and Career Education Office	To support the ACET Academy at RHS
Resource # 6385	1/2/09 - 6/30/10		PCA # 24960-02
CPA - Information Technology Academy at KHS	\$10,000	California Department of Education - High School Initiative and Career Education Office	To support the Information Technology Academy at KHS
Resource # 6385	1/2/09 - 6/30/10		PCA # 24960-03
CPA - Law and Justice Academy at PVHS	\$10,000	California Department of Education - High School Initiative and Career Education Office	To support the Law and Justice Academy at PVHS
Resource # 6385	1/2/09 - 6/30/10		PCA # 24960-04
CPA - Environmental Studies Academy at PVHS	\$25,000	California Department of Education - High School Initiative and Career Education Office	To support the Environmental Studies Academy at PVHS
Resource # 6385	1/2/09 - 6/30/10		PCA # 24960-05
CPA - Law Academy at RHS	\$10,000	California Department of Education - High School Initiative and Career Education Office	To support the Law Academy at RHS
Resource # 6385	1/2/09 - 6/30/10		PCA # 24960-06
Program Improvement Local Educational Agency Corrective Action	\$1,800,000	California Department of Education - Regional Coordination and Support Office	To contract with a state-approved District Assistance and Intervention Team (DAIT) To implement Corrective Action
Resource # 3185	11/10/08 - 3/31/10		PCA # 14956-02

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

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education *AG* **Meeting Date:** March 18, 2009

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

Subject: Acceptance of Donations

Background Information: The District has received donations as summarized on the attached sheet dated March 18, 2009. The estimated values for any non-cash donations (as indicated by an asterisk) are those provided by the donor. Staff recommends acceptance of these donations.

Recommendation: Recommend Approval

Fiscal Impact: As noted per donations summary.

DISPOSITION BY BOARD OF EDUCATION		
Motion by: _____	Seconded by: _____	
Approved _____	Not Approved _____	Tabled _____

West Contra Costa Unified School District
 March 18, 2009 Board Meeting

ACCEPTANCE OF DONATIONS

<u>Donor Name</u>	<u>Description or Purpose</u>	<u>Estimated Value</u>	<u>Receiving School or Department</u>
Richard Nagler	For Library Fund	\$500	Chavez Elementary School
Blanca Henderson	For Library Fund	\$500	Chavez Elementary School
Frayda Simon	For Library Fund	\$200	Chavez Elementary School
Grita Kamin	For Library Fund	\$100	Chavez Elementary School
Marty Schiffenbauer	For Library Fund	\$100	Chavez Elementary School
Sheryl Burnstein	For Library Fund	\$100	Chavez Elementary School
Chris Muller	For Library Fund	\$50	Chavez Elementary School
Sarah Dieli	For Library Fund	\$100	Chavez Elementary School
Wendy Miller	For Library Fund	\$50	Chavez Elementary School
Jan Volz-Kelly	For Library Fund	\$20	Chavez Elementary School
Adriana Fernandez	For Library Fund	\$70	Chavez Elementary School
Anonymous	For Library Fund	\$100	Chavez Elementary School
Barnes & Nobles	60 books	\$959 *	Collins Elementary School
Collins PTA	For computer lab position	\$6,500	Collins Elementary School
Alameda County Computer Resource Center	Computer equipment	\$250 *	De Anza High School
Wells Fargo Community Support Campaign	For school use	\$125	Ellerhorst Elementary School
WaMu	For school use	\$107	Ellerhorst Elementary School
Olson Steel	For women's basketball	\$250	Hercules High School
Clem Underhill Trust	For Close-up	\$100	Kennedy High School
Michael Pertiz	For Close-up	\$100	Kennedy High School
Mr. & Mrs. Glenn Voyles	For Close-up	\$5,000	Kennedy High School
Marilyn Hertzberg	For Close-up	\$10	Kennedy High School
Wells Fargo Foundation	For school use	\$140	North Campus High School

Wells Fargo Community Support	For school use	\$140	North Campus High School
Marcia Hataye	6 boxes of copy paper	\$235 *	Pinole Valley High School
Wells Fargo	For school welfare	\$175	Pinole Valley High School
Macy's	For student welfare	\$150	Pinole Valley High School
BP Fabric of America Fund	For baseball	\$500	Pinole Valley High School
DPR Construction Inc. RWC	For athletic gear	\$5,000	Richmond High School
Shannon PTA	For study trip	\$587	Shannon Elementary School
Marcia Hataye	4 boxes of copy paper	\$157	Vista High School
Washington School PTA	For clerical and yard supervisor	\$7,100	Washington Elementary School

- Estimated values for non-cash donations are provided by the donor.

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

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: March 18, 2009

From: Sheri Gamba, Assoc. Supt., Business Services

Agenda Item: CI C.3

Subject: Approval of Fund-Raising Activities

Background Information: The planned fund-raising events for the 2008-09 school year are summarized on the attached sheet dated March 18, 2009.

Recommendation: Recommend Approval

Fiscal Impact: Additional revenue for schools

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

APPROVAL OF FUND-RAISERS

<u>School</u>	<u>Fund-raising Activity</u>	<u>Activity Sponsor</u>
Ellerhorst Elementary School	Light bulb sales, See's Candy sales	PTA, faculty and students
Kensington Elementary School	Annual Community Fundraising Drive, Barnes and Noble Fundraiser	Kensington Education Foundation
Pinole Valley High School	Picture Sales, Matchmaker survey, Book fair, Read-a-thon	Faculty, students and community
Portola Elementary School	Movie night at Cerrito Theater	PTSA

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

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: March 18, 2009

From: Sheri Gamba, Assoc. Supt., Business Services

Agenda Item: CI C.4

Subject: Summary of Payroll and Vendor Warrant Reports

Background Information: Attached are the summaries of Payroll and Vendor Warrants issued during the month of February, 2009.

Total of payroll warrants: \$10,254,495

Total of vendor warrants: \$19,089,912

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

Fiscal Impact: As noted above.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

West Contra Costa Unified School District

Month of : Feb 28, 2009

Payrolls	Warrant From	Warrant To	Numbers To	Total Warrants Current	Total Warrants Previous	Total Warrants To Date
Regular	565997	567038	567038	2,671,562	15,616,645	18,288,207
Reg. EFT	220683	222712	222712	6,362,392	34,560,181	40,922,573
Variable	564602	565996	565996	691,618	7,090,194	7,781,812
Var. EFT	219528	220682	220682	525,846	6,061,099	6,586,945
Special	0	0	0	0	364,401	364,401
Special EFT					0	0
Typed	296708	296741	296741	23,275	179,450	202,725
Typed					0	0
Cancelled	Various	Various	Various	(20,198)	(133,437)	(153,635)
Totals				10,254,495	63,738,532	73,993,028

Salary detail is available upon request in the Payroll office.


 Kaye Fresquez, Payroll Supervisor

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
WEEKLY VENDOR WARRANT REPORT
2008-2009

PAYMENT DATE: February 4, 2009

PAGE-1

FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	410511	410502	4,644,137	53,039,263	57,683,400
7706	CAFETERIA	410581	410558	19,578	2,764,271	2,783,849
7707	CHILD DEVELOPMENT	410553	410561	447	61,103	61,550
7710	BUILDING	410490	410526	1,759,916	51,660,784	53,420,700
7711	CAPITAL FACILITIES	410586	410444	1,724	567,126	568,850
7712	SELF INSURANCE	410450	410505	30,508	2,978,742	3,009,250
7713	PROPERTY & LIABILITY					
7713	STATE SCHOOL LEASE/PURCHASE					0
7714	COUNTY SCHOOL FACILITIES					0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY	410550	410550	16,427	638,833	655,260
7719	CHARTER SCHOOL					0
7725	MRAD					0
7728	DEBT SERVICE					0
7744	RETIREE BENEFITS	410460	410473	5,369	139,516	144,885
7770	ADULT EDUCATION	410549	410598	15,912	275,172	291,084
7785	DEFERRED MAINTENANCE	410623	410623	991	707,769	708,760
7701	PAYROLL REVOLVING				46,195,394	46,195,394
	TOTALS			6,495,009	159,027,973	165,522,982

Christine E. Spang
Prepared By

Mark C. Cogan
Accounting Supervisor

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
WEEKLY VENDOR WARRANT REPORT
2008-2009

PAYMENT
DATE: February 11, 2009

PAGE-2

FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	410670	410915	1,779,467	57,683,400	59,462,867
7706	CAFETERIA	410679	410886	193,577	2,783,849	2,977,426
7707	CHILD DEVELOPMENT	410797	410889	235	61,550	61,785
7710	BUILDING	410673	410908	731,543	53,420,700	54,152,243
7711	CAPITAL FACILITIES	410838	410838	1,080	568,850	569,930
7712	SELF INSURANCE					
7712	PROPERTY & LIABILITY	410693	410909	65,017	3,009,250	3,074,267
7713	STATE SCHOOL					
7713	LEASE/PURCHASE					
7714	COUNTY SCHOOL FACILITIES					
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				655,260	655,260
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS				144,885	144,885
7770	ADULT EDUCATION	410768	410832	5,255	291,084	296,339
7785	DEFERRED MAINTENANCE				708,760	708,760
7701	PAYROLL REVOLVING				46,195,394	46,195,394
	TOTALS			2,776,174	165,522,982	168,299,156

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
WEEKLY VENDOR WARRANT REPORT
2008-2009

PAYMENT
DATE: February 26, 2009

PAGE-3

FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	410917	411138	2,538,137	59,462,867	62,001,004
7706	CAFETERIA	410924	411136	189,511	2,977,426	3,166,937
7707	CHILD DEVELOPMENT	410945	410945	68,703	61,785	130,488
7710	BUILDING	410942	411133	771,808	54,152,243	54,924,051
7711	CAPITAL FACILITIES	410938	410938	594	569,930	570,524
7712	SELF INSURANCE PROPERTY & LIABILITY	411061	411061	1,125	3,074,267	3,075,392
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY	410916	410916	109,350	655,260	764,610
7719	CHARTER SCHOOL				0	0
7725	MIRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS				144,885	144,885
7770	ADULT EDUCATION	410927	410992	2,056	296,339	298,395
7785	DEFERRED MAINTENANCE				708,760	708,760
7701	PAYROLL REVOLVING				46,195,394	46,195,394
	TOTALS			3,681,284	168,299,156	171,980,440

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
WEEKLY VENDOR WARRANT REPORT
2008-2009

PAYMENT
DATE: February 10, 2009

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FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL				62,001,004	62,001,004
7706	CAFETERIA				3,166,937	3,166,937
7707	CHILD DEVELOPMENT				130,488	130,488
7710	BUILDING				54,924,051	54,924,051
7711	CAPITAL FACILITIES				570,524	570,524
7712	SELF INSURANCE					
7712	PROPERTY & LIABILITY				3,075,392	3,075,392
7713	STATE SCHOOL					
7713	LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				764,610	764,610
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS				144,885	144,885
7770	ADULT EDUCATION				298,395	298,395
7785	DEFERRED MAINTENANCE				708,760	708,760
7701	PAYROLL REVOLVING	410648	410669	769,036	46,195,394	46,964,430
	TOTALS			769,036	171,980,440	172,749,476

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
WEEKLY VENDOR WARRANT REPORT
2008-2009

PAYMENT
DATE: February 27, 2009

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FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL				62,001,004	62,001,004
7706	CAFETERIA				3,166,937	3,166,937
7707	CHILD DEVELOPMENT				130,488	130,488
7710	BUILDING				54,924,051	54,924,051
7711	CAPITAL FACILITIES				570,524	570,524
7712	SELF INSURANCE PROPERTY & LIABILITY				3,075,392	3,075,392
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				764,610	764,610
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS				144,885	144,885
7770	ADULT EDUCATION				298,395	298,395
7785	DEFERRED MAINTENANCE				708,760	708,760
7701	PAYROLL REVOLVING	411139	411195	5,368,409	46,964,430	52,332,839
	TOTALS			5,368,409	172,749,476	178,117,885

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

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education **Meeting Date:** March 18, 2009

From: Sheri Gamba, Assoc. Supt., Business Services **Agenda Item:** CI C.5

Subject: Adoption of Resolution No. 76-0809 Replacement of Outdated Warrant

Background Information: Government Code Section 29802(c) allows the governing board, by resolution, to order a replacement check be issued for a warrant that is stale dated. This resolution authorizes the issuance of a check to replace the outdated warrant for Barbara Mallon. Staff recommends replacement of the stale dated warrant.

Recommendation: Recommend approval to replace the outdated warrant.

Fiscal Impact: No impact.

DISPOSITION BY BOARD OF EDUCATION		
Motion by: _____	Seconded by: _____	
Approved _____	Not Approved _____	Tabled _____

BOARD OF EDUCATION
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
RESOLUTION NO. 76-0809
REPLACEMENT OF OUTDATED WARRANT
March 18, 2009

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

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

Type:	Vendor Check
Payee:	Barbara Mallon
Check No.:	374563
Amount:	\$64.75
Issue Date:	October 18, 2006

PASSED AND ADOPTED on the 18th day of March, 2009, at a regular meeting of the Board of Education by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

Bruce Harter
Secretary, Board of Education

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

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: March 18, 2009

From: Sheri Gamba, Assoc. Supt., Business Services

Agenda Item: CI C.6

Subject: Acceptance of Contracts for Placement of Student Teachers

Background Information: Teachers in this district provide supervision and evaluation for students 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 March 18, 2009.

Recommendation: Recommend Approval

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

West Contra Costa Unified School District
March 18, 2009

ACCEPTANCE OF CONTRACTS FOR PLACEMENT OF STUDENT TEACHERS

The following institutions of higher education have submitted a contract with West Contra Costa Unified School District. These institutions intend to place student teachers in the West Contra Costa Unified School District schools.

University of San Francisco, San Francisco, CA

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

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Date: March 18, 2009

From: Sheri Gamba, Assoc. Supt., Business Services

Agenda Item: CI C.7

Subject: Notification of Claims Rejected

Background Information: The District has received a claim requesting compensation for personal injury. The District's risk management firm has investigated the claim and is requesting the School Board to ratify the authorized claim rejection.

Recommendation: Ratify the rejection of claim

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

West Contra Costa Unified School District
March 18, 2009

2008-2009 CLAIM REJECTED

<u>School or Department</u>	<u>Date of Occurrence</u>	<u>Claimant</u>	<u>Type of Loss</u>	<u>Disposition of Settlement</u>
Bayview Elementary School	12/16/08	District Student	Personal Injury	Rejected

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

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education *sg* **Meeting Date:** March 18, 2009
From: Sheri Gamba, Assoc. Supt, Business Services **Agenda Item:** CI C.8
Subject: Resolution #75-0809 Directing Preparation of
Annual Report - MRAD

Background Information: In order to make a determination of improvements and any substantial changes proposed to be made to the existing improvements of the district's public recreational facilities, a resolution directing preparation of an annual engineering report is required, including a list of schools for which the improvements will be made during the fiscal year 2009-10.

Staff recommends approval of this resolution for purposes of the Maintenance Recreation and Assessment District in accordance with Sections 22565 et seq., of the Landscaping and Lighting Act of 1972, (Streets and Highways Code Section 22565 et seq.). Once the report has been completed, it will be presented to the Board for preliminary approval.

Recommendation: Recommend approval of this resolution for MRAD.

Fiscal Impact: Revenue for MRAD Fund

DISPOSITION BY BOARD OF EDUCATION		
Motion by: _____	Seconded by: _____	
Approved _____	Not Approved _____	Tabled _____

BOARD OF EDUCATION
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 75-0809

A RESOLUTION DIRECTING PREPARATION OF ANNUAL REPORT

MARCH 18, 2009

West Contra Costa Unified School District
Maintenance and Recreation Assessment District

RESOLVED, by the Board of Education (the "Board") of the West Contra Costa Unified School District (the "District"), County of Contra Costa, State of California, that

1. On August 3, 1994, this Board ordered the formation of and levied the first assessment within the West Contra Costa Unified School District Maintenance and Recreation Assessment District (the "Maintenance District") pursuant to the provisions of the Landscaping and Lighting Act of 1972 (commencing at Section 22500 of the California Streets and Highways Code)(hereinafter the "Act"). (All section numbers herein refer to the California Streets and Highways Code.)

2. Sections 22620 et seq., of the Act provide for the levy of annual assessments after formation of the Maintenance District.

3. Within the Maintenance District, the existing and proposed improvements and any substantial changes proposed to be made to the existing improvements are generally as described on Exhibit "A" attached and by this reference made a part of this Resolution.

4. SCI Consulting Group, having been designated as Engineer of Work for purposes of the Maintenance District, is hereby ordered to prepare and file an annual report in accordance with Section 22565 et seq., of the Act.

PASSED AND ADOPTED on March 18, 2009, at a regular meeting of the Board of Education by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Bruce Harter, Ph.D.
Secretary, Board of Education

EXHIBIT A

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
Maintenance and Recreation Assessment District

The improvements consist of the installation, maintenance and servicing of public recreational facilities, including but not limited to landscaping, playgrounds, basketball courts, tennis courts, sprinkler systems, swimming pools, running tracks and turf areas, as applicable, at each of the following locations:

Bayview Elementary	3001 - 16 th St	San Pablo
Cameron	7140 Gladys Ave	El Cerrito
Cesar E Chavez Elementary	960 - 17 th St	Richmond
Collins Elementary	1224 Pinole Valley Rd	Pinole
Coronado Elementary	2001 Virginia Ave	Richmond
Dover Elementary	1871 - 21 st St	San Pablo
Downer Elementary	1777 Sanford Ave	San Pablo
Ellerhorst Elementary	3501 Pinole Valley Rd	Pinole
Fairmont Elementary	724 Kearney St	El Cerrito
Ford Elementary	2711 Maricopa Ave	Richmond
Grant Elementary	2400 Downer Ave	Richmond
Hanna Ranch Elementary	2480 Refugio Valley Rd	Hercules
Harbour Way Elementary	214 So 11 th St	Richmond
Harding Elementary	7230 Fairmount Ave	El Cerrito
Lupine Hills Elementary	1919 Lupine Rd	Hercules
Highland Elementary	2829 Moyers Rd	Richmond
Kensington Elementary	90 Highland Blvd	Kensington
King Elementary	234 So 39 th St	Richmond
Lake Elementary	2700 - 11 th St	San Pablo
Lincoln Elementary	29 - 6 th St	Richmond
Madera Elementary	8500 Madera Dr	El Cerrito
Mira Vista Elementary	6397 Hazel Ave	Richmond
Montalvin Elementary	300 Christine Dr	San Pablo
Murphy Elementary	4350 Valley View Rd	Richmond
Nystrom Elementary	230 Harbour Way	Richmond
Ohlone Elementary	1616 Pheasant Dr	Hercules
Olinda Elementary	5855 Olinda Rd	El Sobrante
Peres Elementary	719 - 5 th St	Richmond
Riverside Elementary	1300 Amador St	San Pablo
Shannon Elementary	685 Marlesta Rd	Pinole
Sheldon Elementary	2601 May Rd	Richmond
Stege Elementary	4949 Cypress Ave	Richmond

Stewart Elementary	2040 Hoke Dr	Pinole
Tara Hills Elementary	2300 Dolan Way	San Pablo
Valley View Elementary	3416 Maywood Dr	Richmond
Verde Elementary	2000 Giaramita St	Richmond
Washington Elementary	565 Wine St	Richmond
Wilson Elementary	629 - 42 nd St	Richmond
Crespi Middle	1121 Allview Ave	El Sobrante
DeJean Middle	3400 Macdonald Ave	Richmond
Helms Middle	2500 Road 20	San Pablo
Pinole Middle	1575 Mann Dr	Pinole
Portola Middle	1021 Navellier St	El Cerrito
De Anza High	5000 Valley View Rd	Richmond
El Cerrito High	540 Ashbury Ave	El Cerrito
Hercules Middle/High	1900 Refugio Valley Rd	Hercules
Kennedy High	4300 Cutting Blvd	Richmond
Pinole Valley High	2900 Pinole Valley Rd	Pinole
Richmond High	1250 - 23 rd St	Richmond
Gompers Continuation	157 - 9 th St	Richmond
North Campus	2465 Dolan Way	San Pablo
Vista High	2600 Moraga Way	San Pablo
Adult Education	6028 Ralston Ave	Richmond
Alvarado	5626 Sutter Ave	Richmond
Adams	5000 Patterson Circle	Richmond
Castro	7125 Donal Ave	El Cerrito
El Sobrante	1060 Manor Rd	El Sobrante
Seaview	2000 Southwood Dr	San Pablo
Vista Hills	2625 Barnard Rd	Richmond
Harmon Center	2853 Groom Dr	Richmond
Knolls Center	2867 Groom Dr	Richmond
Central District	1108 Bissell Ave	Richmond
Nutrition Center	750 Bissell Ave	Richmond
Electronics	2336 Welcome Ave	Richmond
Facilities Operations Center	1300 Potrero Ave	Richmond
Gardeners Warehouse	2550 Moraga Ave	San Pablo
Kerry Hills (PSC)	2465 Dolan Way	San Pablo
Maintenance & Operations	125 So 8 th St	Richmond
Paint & Glaziers	800 Bissell Ave	Richmond
Vehicle Garage	260 So 23 rd St	Richmond
Warehouse-Furniture	600 So. 6 th St	Richmond
Warehouse-Stores	810 Ohio Ave	Richmond

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

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: March 18, 2009

From: Jessica R. Romeo,
Assistant Superintendent Human Resources

Agenda Item: CI C.9

Subject: Certificated Personnel Changes

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

Recommendation: Recommend Approval

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

March 18, 2009

Waivers

SITE

ASSIGNMENT

Balderas, Lourdes	Coronado	Bilingual
Caldera, Luciano	Helms	Bilingual
Coker, Lily	Lake	Bilingual
Huerta, Jacqueline	Helms	Bilingual Algebra
Olea, Miguel	Chavez	Bilingual
Wharton, Philip	Helms	Bilingual

Definition: Variable term waivers provide applicants with additional time to complete the requirements for the credential that authorizes the service or provide employing agencies with time to fill the assignment with an individual who either holds an appropriate credential or qualifies under one of the assignment options. (Assignment pending fingerprint clearance when applicable)

Consent

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

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education **Meeting Date:** March 18, 2009
From: Bill Fay **Agenda Item:** CI C.10
Associate Superintendent for Operations
Subject: Ratification and Approval of Engineering Services Contracts

Background Information:

Contracts have been initiated by staff using previously qualified 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

Fiscal Impact: Total for this action: \$788,235. Funding sources as noted.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____
Approved _____ Not Approved _____ Tabled _____

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

ENGINEERING & ARCHITECTURAL SERVICES CONTRACTS

Project/Funding	Dates	Firm	Contract Cost	Reference
Hercules Middle High School Field Lighting and Landscape Capital Facilities Fund	March 2009 thru June 2009	Miller Pacific Engineering	\$15,700	Geotechnical engineering services— investigation & report.
DeAnza High School Reconstruction Measure J Bond	Interim Housing Sept. 2008 thru April 2009-- ratification. All others March 2009 thru June 2012.	DLM Architects	\$509,975	Additional Services: Interim Housing \$77,500 Fields, Sitework Increment: \$288,831 Baseball Field Renovation: \$45,644 Additional subconsultants— AV, CHPS: \$98,000
Measure J Projects Measure J Bond	March 2009 thru February 2010	Production Technical Services	\$262,560 total. Rate: \$21,880 per month	Master Inspector for all projects. DSA Class I. Coordinate all District DSA Inspection. Provide coordination with all Utility Companies for Measure J projects.

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

ITEM REQUIRING ATTENTION --- BOARD OF EDUCATION

To: Board of Education **Meeting Date:** March 18, 2009
From: Bill Fay **Agenda Item:** CI C.11
Associate Superintendent for Operations
Subject: Ratification and Approval of Negotiated Change Orders

Background information:

Staff is seeking ratification of Change Orders on the following current District construction projects: Dover Elementary School Sitework Ph. I; El Cerrito HS Admin/Theater Building; El Cerrito HS New Campus; Leadership Public Schools Temporary Campus; and Community Kitchens Package 3. 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 by this action: **\$335,263.55.**

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

March 18, 2009 Change Order Ratification Summary

Items Pending Board Action										
	School Site	Company	Original Contract	Previously Approved CO's	CO's Pending Ratification	CO's Pending Approval	Total CO's	CO Percent of Original Contract	Adjusted New Contract	Change Order Numbers
1	Dover ES	Evans Brothers	\$446,958.00	\$0.00	\$28,571.72	\$0.00	\$28,571.72	6.39%	\$475,529.72	1
2	El Cerrito HS Theatre	Lathrop Construction	\$22,580,000.00	\$669,942.00	\$118,178.00	\$0.00	\$788,120.00	3.49%	\$23,368,120.00	20
3	El Cerrito HS New School	Lathrop Construction	\$54,264,000.00	\$2,785,483.00	\$155,500.00	\$0.00	\$2,940,983.00	5.42%	\$57,204,983.00	35
4	Leadership Public Schools	Bay Cities & Grading	\$1,616,000.00	\$86,852.98	\$34,005.29	\$0.00	\$120,858.27	7.48%	\$1,736,858.27	3
5	Community Kitchen Pkg 3	Kin Wo Construction	\$660,200.00	\$0.00	-\$991.46	\$0.00	(\$991.46)	-0.15%	\$659,208.54	1

Pending Board Actions	Ratifications	\$335,263.55
	Approvals	\$0.00
	Total Board Action	\$335,263.55

Note: the proposed Board Action is to Ratify all Change Orders below ten percent (10%) of the Contract Value; the change order amounts pending Board Approval is the portion of the Change Order(s) above 10%

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

ITEM REQUIRING ATTENTION --- BOARD OF EDUCATION

To: Board of Education **Meeting Date:** March 18, 2009
From: Bill Fay **Agenda Item:** CI C.12
Associate Superintendent for Operations
Subject: Ratification of Previously Awarded Contracts.

Background information:

The following construction contracts were approved by the Board at regularly scheduled meetings throughout the year. These actions were taken prior to the expiration of the Bid Protest period in order to expedite the start of the work. In each case, the Board authorized staff to issue the Notice of Award. The Education Code requires the Board to ratify these award actions by staff. The following contracts were awarded by staff pursuant to Board authorization after successful completion of the Bid Protest period:

1. **Trinet Construction.** Dover Elementary Sitework Phase II Contract. Contract award: \$77,000. No bid protest received. Authorization to award at Board meeting December 10, 2008.
2. **Bay Cities Paving and Grading.** Ford Elementary School Demolition, Sitework, and Grading. Contract award: \$697,000. No bid protest received. Authorization to award at Board meeting January 21, 2009.
3. **Streamline Builders.** Transition Learning Center Access Ramps Replacement Project. Contract award: \$33,000. No bid protest received. Authorization to award at Board meeting February 4, 2009.

Recommendation: Ratify previously awarded contracts

Fiscal Impact: No additional fiscal impact, see previous authorizations to award.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

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

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education **Meeting Date:** March 18, 2009
From: Bill Fay **Agenda Item:** CI C.13
Associate Superintendent for Operations
Subject: Portola Middle School at the Castro Site Preliminary Architectural Services Contract

Background Information:

The District has completed Environmental Review of the Portola Middle School at the Castro site. The Board has adopted the Final Environmental Impact Report (FEIR). The District is engaged in resolving a petition seeking to vacate the Board's adoption of the FEIR. As such, any foreseeable outcome and its resolution must be completed prior to the start of the construction phase. Because the architectural design, Division of State Architect (DSA) approval and the solicitation processes are in excess of 12 months, staff feels it is prudent to begin this non-concurrent process, to minimize the temporary housing status that students/staff will need to endure.

The District selected HY Architects for the renovation and new construction of Portola Middle School in 2004 based upon their experience with middle school projects and their work on previous district elementary school projects. The firm has prepared the preliminary review plans for the Portola-Castro site project.

The term "Preliminary Architectural Services" is prudent because these services are a coefficient of construction costs. As the District cost estimators are responding to the current contracting environment, the projection of project costs have been declining; and we will see that adjustment reflected in HY Architect's fee proposal in the final staff recommendation tendered for board approval.

The proposed Preliminary Architectural Services contract includes: educational program confirmation; update of the conceptual design—including site design and building plans; preliminary systems, materials, finishes identification; and confirmation of the scope of work to modernize existing buildings. This will allow the District to complete updated cost estimates based upon the more clearly defined scope of work.

Recommendation: Award preliminary Architectural Services Contract to HY Architects.

Fiscal Impact: \$162,700. Funded from the Measure J Bond.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

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

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education **Meeting Date:** March 18, 2009
From: Bill Fay **Agenda Item:** CI C.14
Associate Superintendent for Operations
Subject: Transition Learning Center (“TLC”) Fence and Gates Project Award of Contract

Background Information:

The District has received funding for the replacement of damaged fencing and gates at TLC. Funding is under the Office of Public School Construction’s Emergency Repair Program. The Seville Group (“SGI”) has prepared bid specifications for the project. The project is currently out for public bid. Bids are due to be opened on March 12, 2009. Staff will bring a recommendation for award to the meeting of March 18, 2009.

This item is being presented prior to the expiration of the five working day Bid Protest period. In consideration of this timing, and in order to expedite the project, the Board’s action will be to authorize staff to issue the Notice of Award effective at the end of the Bid Protest period to the lowest responsive, responsible bidder. This award by staff will then be brought back for ratification at a future meeting.

Recommendation: Authorize staff to issue Notice of Award upon successful completion of the Bid Protest period.

Fiscal Impact: \$ _____. Funded from the state Emergency Repair Program (“ERP”).

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

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

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education **Meeting Date:** March 18, 2009
From: Bill Fay **Agenda Item:** CI C.15
Associate Superintendent for Operations
Subject: Montalvin Manor Elementary Trash Enclosure Project Award of Contract

Background Information:

In order to complete the work on the Kay Rd. Extension and the Montalvin Manor Elementary New Entry Plaza, the District needs to construct an appropriate trash enclosure area. This will be adjacent to the new plaza, with screening and a size adequate for bins and recycling containers. Baker Vilar Architects prepared construction documents for the project. The project is currently out for public bid. Bids are due to be opened on March 12, 2009. Staff will bring a recommendation for award to the meeting of March 18, 2009.

This item is being presented prior to the expiration of the five working day Bid Protest period. In consideration of this timing, and in order to expedite the project, the Board's action will be to authorize staff to issue the Notice of Award effective at the end of the Bid Protest period to the lowest responsive, responsible bidder. This award by staff will then be brought back for ratification at a future meeting.

Recommendation: Authorize staff to issue Notice of Award upon successful completion of the Bid Protest period.

Fiscal Impact: \$ _____. Funded from the Capital Facilities Fund.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue

Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: March 18, 2009

From: Nia Rashidchi, Assistant Superintendent *NR*

Agenda Item: CI C.16

Subject: Resolution No. 77-0809: Day of Recognition for César Chávez, March 31, 2009

Background Information: This resolution is in recognition of César Chávez for his great leadership in bringing social justice to California's migrant farm workers, providing a model of solving problems through non-violent, democratic actions and a life of service to others.

Recommendation: For Information Only

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 77-0809

**César Chávez Day of Recognition
March 31, 2009**

WHEREAS, the State of California celebrates César Chávez’s birthday, March 31st, as an official Day of Recognition in our public schools; and

WHEREAS, César Chávez was a significant civil rights leader who led the historic labor movement to gain social justice for California’s agricultural workers; and

WHEREAS, César Chávez’s legacy shows that even the poorest and most powerless people in our society can overcome grievous wrongs through non-violent, democratic means; and

WHEREAS, César Chávez’s life portrayed great dignity, courage, and humanity through living a life of service to others; and

WHEREAS, César Chávez serves as a role model for all students through his determination to improve society as a whole and conditions for the poor, disadvantaged, and ethnically oppressed in particular; and

WHEREAS, today’s students should learn about the life, values, sacrifices and contributions that César Chávez made to his community, his state, and his country; and

WHEREAS, the State Board of Education provides an internet-based model César Chávez curriculum guide available for use by all public schools;

NOW THEREFORE, BE IT RESOLVED, that the Governing Board of the West Contra Costa Unified School District does hereby proclaim Tuesday, March 31, 2009 as an official Day of Recognition of the life and work of César Chávez, encouraging all teachers to make use of the Model Curriculum and other supplemental César Chávez resources in their teaching presentations on that day.

PASSED AND ADOPTED BY THE Board of Education of the West Contra Costa Unified School District on the eighteenth day of March 2009 by the following vote:

AYES _____ NOES _____ ABSENT _____ ABSTAIN _____

I HEREBY CERTIFY that the foregoing resolution was duly introduced, passed, and adopted by the Board of Education at a meeting held on March 18, 2009.

Bruce Harter
Secretary, Board of Education

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

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: March 18, 2009

From: Steve Collins
SELPA Director

Agenda Item: D.1

Subject: Richmond Association of School Administrators (RASA) Award Recipients

Background Information:

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

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

Administrator of the Year awards for WCCUSD 2008-09 are:

Ora Anderson, Special Education Administrator

Liz Torio, Central Office Administrator

Janet Scott, Elementary Principal, Peres

Bea Ponce, Confidential

Antoinette Henry-Evans, Middle School Principal, DeJean

Sue Kahn, High School Principal, Pinole Valley

Recommendation: For Recognition Only

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

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

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: March 18, 2009

From: Wendell Greer
Associate Superintendent, K-Adult Operations

Agenda Item: D.2

Subject: Recognition of West County Reads & Richmond Tales

Background Information:

All 4th and 5th grade students who attend school in Richmond's Iron Triangle will be receiving a copy of Summer Brenner's new book *Richmond Tales*, the story of two children growing up in Richmond. Two students from our schools will be presenting the characters and telling some of the story of the book.

Recommendation: For Recognition Only

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

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

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education *sg* **Meeting Date:** March 18, 2009

From: Sheri Gamba, Assoc. Supt., Business Services **Agenda Item:** D. 3

Subject: Budget Report Update

Background Information: Staff will provide information for the 2008-09 and 2009-10 district budget.

Recommendation: For information only

Fiscal Impact: Further analysis will be necessary to fully quantify the financial impact.

DISPOSITION BY BOARD OF EDUCATION		
Motion by: _____	Seconded by: _____	
Approved _____	Not Approved _____	Tabled _____

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

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education **Meeting Date:** March 18, 2009
From: Bruce Harter, Superintendent **Agenda Item:** D. 5
Subject: In Memory of Members of the School Community

Background Information:

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.

Alexander Edward Forristall, a 2007 graduate of Pinole Valley High School, passed away January 11, 2009. Alex was a good student and participated on the PVHS golf team for three years. He worked as a Customer Service Representative at the Hilltop branch of The Mechanics Bank and was looking forward to continuing his education at Diablo Valley College. He will always be remembered for his friendly personality and welcoming smile.

Salvador Cortez-Mendez, a Junior at Gompers Continuation High School, passed away February 28, 2009. Salvador was a student in the Gompers family for a year and a half and had made steady progress towards graduation. He was known for a ready smile and sincere love of life. He demonstrated in his classes an ongoing curiosity and sincere compassion for his classmates.

Oline Floe, retired English teacher, passed away recently. Ms. Floe began teaching in 1974 at Harry Ells High School. She continued teaching English at Richmond High School, and later at Adams Middle School, retiring in 2007. Ms. Floe will be remembered as a great educator and great inspiration to her students and all who knew her.

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

Recommendation: For Information Only

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

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

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education **Meeting Date:** March 18, 2009
From: Bill Fay **Agenda Item:** F.1
Associate Superintendent for Operations
Subject: Charter Facilities Assignments – Proposition 39 Final Offer to Leadership Public Schools
Richmond Charter School

Background Information:

The District has received a Proposition 39 charter facility request from Leadership Public Schools, Inc. The District is obligated by statute to make a preliminary offer and a final offer by April 1, 2009. At the January 21, 2009 Board meeting, a proposed preliminary offer was identified.

Recommendation: Approval of the Proposition 39 final offer to Leadership Public School, Inc.

Fiscal Impact: As identified in the final offer proposal

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____
Approved _____ Not Approved _____ Tabled _____



**WEST CONTRA COSTA UNIFIED SCHOOL
DISTRICT**

1108 Bissell Avenue
Richmond, CA 94801-3135

**Bill Fay, Associate Superintendent
Operations Division**

**Tel: (510) 231-1105
Fax: (510) 236-0190**

March __, 2009

Jonathan Faustine, Chief Operating Officer
Leadership Public Schools, Inc.
2601 Mission St., 9th Flr.
San Francisco, CA 94110

**Re: Proposition 39 Facilities Request
FINAL OFFER OF FACILITIES**

Dear Mr. Faustine:

The West Contra Costa Unified School District ("District") has received the September 30, 2008 written request for facilities by Leadership Public Schools Richmond Charter School ("Leadership") for the 2009-2010 school year. The Board of Trustees ("Board") of the District has carefully considered the request of Leadership for provision of a reasonably equivalent District facility under the terms of Proposition 39, its implementing regulations (Ed. Code, § 47614; Cal. Code Regs., tit. 5, § 11969.1 et seq.), and applicable case law. In accordance with District Policy, the District makes this final offer of facilities.

5 CCR § 11969.9(h) states as follows:

On or before April 1, having reviewed any concerns and/or counter proposals made by the charter school pursuant to subdivision (g), the school district shall submit in writing a final notification of the space offered to the charter school. The notification shall include a response to the charter school's concerns and/or counter proposals (if any). The notification shall specifically identify:

(1) the teaching station, specialized classroom space, and non-teaching station space offered for the exclusive use of the charter school and the teaching station, specialized classroom space, and non-teaching station space to which the charter is to be provided access on a shared basis with district-operated programs;

(2) for shared space, the arrangements for sharing;

- (3) the in-district classroom ADA assumptions for the charter school upon which the allocation is based and, if the assumptions are different than those submitted by the charter school pursuant to subdivision (e), a written explanation of the reasons for the differences;
- (4) the specific location or locations of the space;
- (5) all conditions pertaining to the space;
- (6) the pro rata share amount; and
- (7) the payment schedule for the pro rata share amount, which shall take into account the timing of revenues from the state and from local property taxes.

The District has received and reviewed Leadership's March 6, 2009 letter in response to the District's preliminary offer. The final offer set forth below addresses all of the concerns raised by Leadership.

Following is the District's final offer of facilities to the charter school for the 2009-2010 school year:

1) Description of Facilities: The District will make available to Leadership facilities at the "Leadership Public School Temporary Campus," located adjacent to the campus of Nystrom Elementary School at South 10th Street, Richmond, California, beginning with the 2009-2010 school year. The facilities, which Leadership first occupied in January 2009, consist of the following:

Building Group A:

5 Classrooms (including Biology Classroom) @ 960 Square Feet each
1 Administrative Office @ 542 Square Feet

Building Group B:

6 Classrooms @ 960 Square Feet each
1 RSP Classroom @ 663 Square Feet
1 Art Classroom @ 835 Square Feet
6 Offices

Building Group C:

4 Classrooms & 960 Square Feet each
1 Science Classroom @ 960 Square Feet each
1 Biology Classroom @ 960 Square Feet each
1 Girls' Toilet
1 Storage Room

Building Group D:

2 Classrooms @ 960 Square Feet each
1 Media Library Classroom @ 960 Square Feet
1 Cafeteria

Building Group E:

2 Computer Classrooms @ 960 Square Feet each
Boys' Toilet
Girls' Toilet

A site plan depicting the above-listed facilities is attached as Exhibit A.

As part of the Master Facilities Plan update, the District will house the Charter School at the Temporary Campus Site pending the demolition of the buildings holding the Gompers Continuation School and the construction of a new facility at the site. Funding has not yet been security for this project, and there is no current timetable for its completion.

2) Comparison Group Schools:

In accordance with the methodology set forth in 5 C.C.R §11969.3(a), the comparison group schools for Leadership are Richmond High School, Kennedy High School and De Anza High School.

The above-described facilities meet the reasonable equivalence requirement set forth in Proposition 39 and 5 C.C.R §11969.3(a) with reference to the capacity and condition of the comparison group schools, since the Charter School's facilities consist of new construction and also includes the following non-classroom and specialized classroom space: 1 administrative space, 6 office spaces, Biology Classroom, Art Classroom, RSP Classroom, 2 Computer Classrooms, Medial Library Classroom, Biology Classroom and Science Classroom. The Charter School shall also have continued use of the auditorium, gymnasium and fields at Martin Luther King Park.

3) ADA Assumptions:

Leadership's Request for Facilities identifies a projected Total classroom ADA of 320, and a Total in-District classroom ADA of 313, for the 2009-2010 school year. Pursuant to 5 C.C.R. § 11969.9(d), on December 1, 2008, sent a letter to Leadership objecting to its ADA projections and providing an projection of 300 ADA for the 2009-2010 school year.

The District's offer meets and exceeds the capacity standards set forth in 5 C.C.R. 11969.2(b) according to the District's loading standards, for either projection.

4) Pro Rata Share:

The District will waive the pro-rata share set forth in Education Code section 47614 since the pro rata share has historically yielded only nominal sums, and is cumbersome and time-consuming to calculate. It is not in the District's interests at this point to compute such a fee. The District is not waiving the right to collect this fee, or agreeing to any interpretation of the Education Code that would prevent the District from collecting the pro rata share under Education Code section 47614. The District will collect an oversight fee of 3% as set forth in Education Code section 47614, as well as the Charter School's share of the State Loan Repayment (\$49.10/ADA for 2009-2010), as well as special education encroachment (\$657.42 /ADA for 2009-2010.) The latter two charges would apply regardless of whether the charter school accepts this final offer. If the charter school declines the final offer, the oversight fee charged would be 1% under Education Code section 47613.

5) Conditions:

The Charter School's use and occupation of the facilities is conditioned upon payment of the 3% oversight fee under Education Code section 47613. (The District will also collect the Charter School's share of the State Loan Repayment, as well as special education encroachment, as identified in the previous paragraph.) The Charter School will also be required to execute the Facilities Use Agreement attached to the District's preliminary offer. (5 CCR § 11969.9(f)(3).) The Charter School will be required to comply with all of the obligations set forth under Proposition 39 and its implementing regulations, including but not limited to the requirement that it assume responsibility for "[t]he ongoing operations and maintenance of facilities and furnishings and equipment" at the site, and "shall comply with school district policies regarding the operations and maintenance of the school facility and furnishings and equipment." (5 C.C.R. § 11969.4)

6) Location Preference/Differences with Facilities Request:

The District notes that the Charter School's September 30, 2009 facilities request states that "the charter school desires to continue locating its facility in the temporary campus adjacent to Nystrom Elementary." This facilities offer complies with the location preference. Therefore, the District has met the requirement set forth in Education Code section 47614(b) that "[t]he school district shall make reasonable efforts to provide the charter school with facilities near to where the charter school wishes to locate." There are also no differences between the Charter School's Facilities Request and the District's offer. (5 CCR § 11969.9(f))

Under 5 C.C.R. § 11969.9(i):

The charter school must notify the school district in writing whether or not it intends to occupy the offered space. This notification must occur by May 1 or 30 days after the school district notification pursuant to subdivision (h), whichever is later. The charter school's notification can be withdrawn or modified before this deadline. After the deadline, if the charter school has notified the school district that it intends to occupy the offered space, the charter school is committed to paying the pro rata share amount as identified. If the charter school does not notify the school district by this deadline that it intends to occupy the offered space, then the space shall remain available for school district programs and the charter school shall not be entitled to use facilities of the school district in the following fiscal year.

Please contact me if you have any questions regarding this proposal.

Very truly yours,

Sincerely,

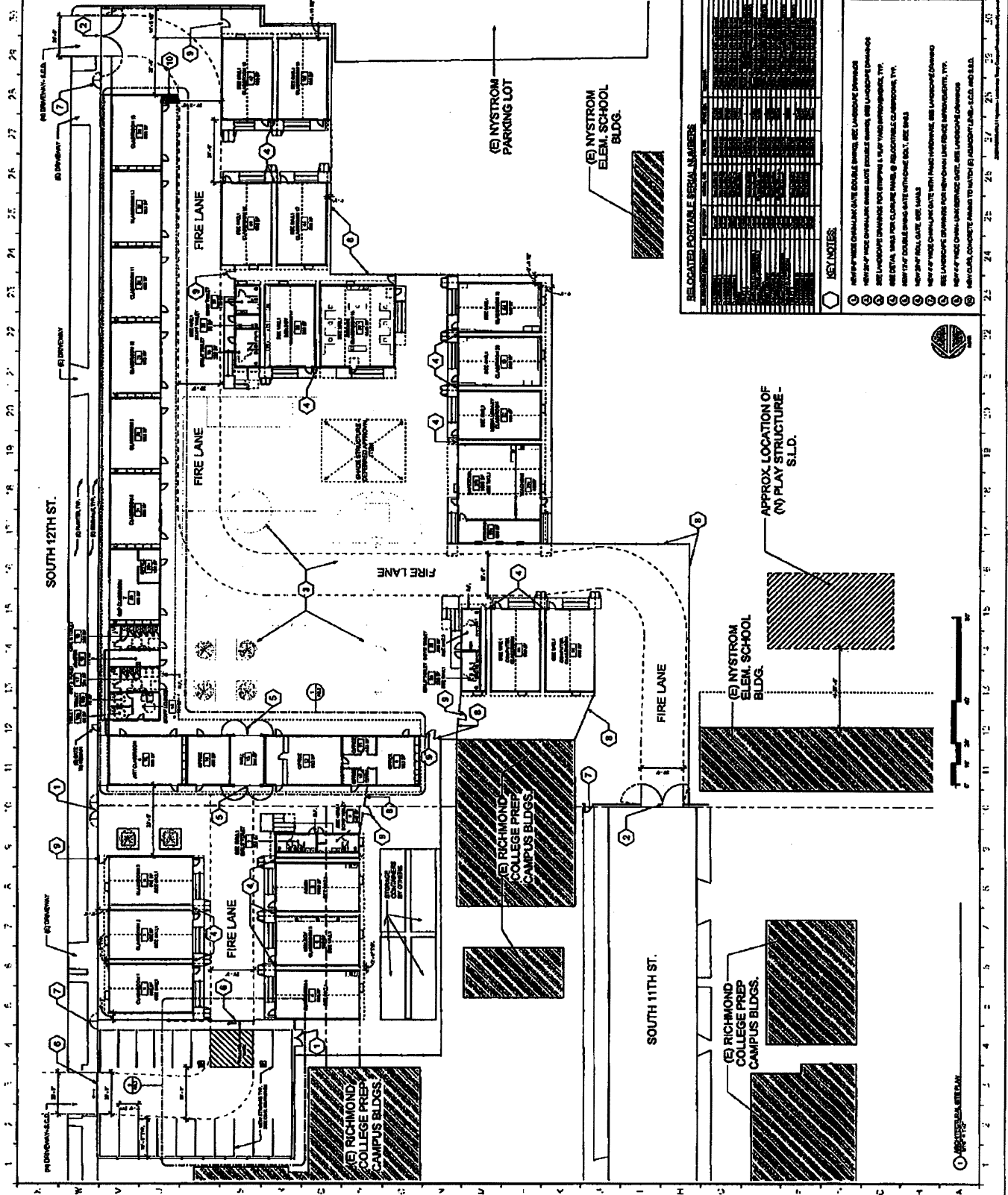
Bill Fay
Associate Superintendent

BF:aif

cc: Bruce Harter, Superintendent
Bill Savidge, Engineering Officer

John R. Yeh, Esq.
Miller Brown & Dannis
71 Stevenson St., 19th Floor
San Francisco, CA 94105
VIA FACSIMILE – (415) 543-4384

 INTERACTIVE ARCHITECTURE	Leadership Public School Temporary Campus South 12th St Richmond, CA	ARCHITECTURAL SITE PLAN	A1.1
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RELOCATED PORTABLE SERIAL NUMBER

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KEY NOTES

- 1 SEE EXISTING CONDITIONS FOR CONCERNING INTERFERING CONDITIONS.
- 2 SEE EXISTING CONDITIONS FOR CONCERNING INTERFERING CONDITIONS.
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- 14 SEE EXISTING CONDITIONS FOR CONCERNING INTERFERING CONDITIONS.



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

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education **Meeting Date:** March 18, 2009
From: Bill Fay **Agenda Item:** F.2
Associate Superintendent for Operations
Subject: Charter Facilities Assignments – Proposition 39 Final Offer to Manzanita Charter School

Background Information:

The District has received a Proposition 39 charter facility request from Manzanita Charter School. The District is obligated by statute to make a preliminary offer and a final offer by April 1, 2009. At the January 21, 2009 Board meeting, a proposed preliminary offer was identified.

Recommendation: Approval of the Proposition 39 final offer to Manzanita Charter School.

Fiscal Impact: As identified in the final offer proposal

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____
Approved _____ Not Approved _____ Tabled _____



WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

1108 Bissell Avenue
Richmond, CA 94801-3135

Bill Fay, Associate Superintendent
Operations Division

Tel: (510) 231-1105
Fax: (510) 236-0190

March __, 2009

VIA FACSIMILE – (510) 232-0009
AND EMAIL – ManzanitaMiddle@earthlink.net

Tara Denison, Operations Director
Manzanita Middle School
3200 Barrett Avenue
Richmond, CA 94804

Re: Proposition 39 Facilities Request
FINAL OFFER OF FACILITIES

Dear Ms. Denison:

The West Contra Costa Unified School District (“District”) has received the October 24, 2008 written request for facilities by Manzanita Middle School (“Manzanita” or “Charter School”) for the 2009-2010 school year. The Board of Trustees (“Board”) of the District has considered the request of the Charter School for provision of a reasonably equivalent District facility under the terms of Proposition 39, its implementing regulations (Ed. Code, § 47614; Cal. Code Regs., tit. 5, § 11969.1 et seq.), and applicable case law. In accordance with District Policy, the District makes this final offer of facilities.

5 CCR § 11969.9(h) states as follows:

(h) On or before April 1, having reviewed any concerns and/or counter proposals made by the charter school pursuant to subdivision (g), the school district shall submit in writing a final notification of the space offered to the charter school. The notification shall include a response to the charter school's concerns and/or counter proposals (if any). The notification shall specifically identify:

- (1) the teaching station, specialized classroom space, and non-teaching station space offered for the exclusive use of the charter school and the teaching station, specialized classroom space, and non-teaching station space to which the charter is to be provided access on a shared basis with district-operated programs;
- (2) for shared space, the arrangements for sharing;

- (3) the in-district classroom ADA assumptions for the charter school upon which the allocation is based and, if the assumptions are different than those submitted by the charter school pursuant to subdivision (e), a written explanation of the reasons for the differences;
- (4) the specific location or locations of the space;
- (5) all conditions pertaining to the space;
- (6) the pro rata share amount; and
- (7) the payment schedule for the pro rata share amount, which shall take into account the timing of revenues from the state and from local property taxes.

The District has received and reviewed Manzanita's February 27, 2009 letter in response to the District's preliminary offer and responds as follows: The District declines Manzanita's request for a multi-year agreement. The District's obligation to provide facilities to charter schools under Proposition 39 runs year-to-year (5 C.C.R. § 11969.9), and it remains in the District's interest not to commit the DeJean site to a multi-year agreement. Moreover, the District has considered Manzanita's request that its allocated facility be physically discrete and separate from the DeJean site, including separate access, perimeter fencing, and staggered pickup and drop off times. The District is unable to accommodate these conditions. Proposition 39 expressly authorizes sharing between charter schools and district schools. (5 C.C.R. section 11969.3(b), 5 C.C.R. section 11969.3 (h)(1).) While the District has attempted to the extent practicable to consolidate Manzanita's facilities, but cannot possibly achieve the level of isolation that Manzanita seeks. Some of the non-classroom facilities at the site, such as the library, gymnasium and cafeteria, must necessarily be shared and will result in some interaction between the two school communities. Furthermore, the District's obligation to provide a reasonably equivalent site under Proposition 39 does not extend to providing the level of physical isolation from DeJean that is requested by Manzanita.

The District also declines to adopt Manzanita's proposed revision to Section 10 ("Installation of Improvements") of the facilities agreement. It is not in the District's interest to limit the requirement of District consent to the installation or removal of fixtures. The District stands by the original language that it proposed. The District will also require Manzanita volunteers to submit to the fingerprinting requirement to promote the safety of students and staff at both schools. Therefore, the District stands by the original language proposed in Section 13, and also stands by the language in the original facilities agreement as proposed.

Following is the District's Final Offer of facilities to the Charter School for the 2009-2010 school year:

1) Description of Facilities

The District offers Manzanita the shared use of space at the Lovonya DeJean Middle School, located at 3400 Macdonald Ave. Richmond, California 94805 for the 2009-2010 school year, including furnishings and equipment. The amount of space offered is based on District loading standards for the same types of space in regular District schools, and Manzanita's projected Average Daily Attendance (ADA) for in-District students for the school year 2009-2010. The amount and types of space, and configuration thereof will be as follows:

Type of Facility	Approximate Square Footage Appropriate for Each Type of Facility
_____ 6 _____ Classrooms	_____ 960 _____ sq. ft. per classroom
Staff bathroom in wing (Shared)	<u>Existing Space</u>
Student restrooms in wing (Shared)	<u>Existing Space</u>
Library (Shared)	<u>Existing Space</u>
Gymnasium (Shared)	<u>Existing Space</u>
Cafeteria (Shared)	<u>Existing Space</u>
Administration area, conference room, offices and pullout teaching spaces. Classrooms to be reconfigured. _____ 2 _____ classroom spaces	_____ 960 _____ sq. ft. total
Outdoor area for lunches, playing, PE, sports, and assembly area	_____ 310,000 _____ sq. ft. total
Parking for staff and parents (Shared)	<u>Existing Parking Spaces</u>

A site map depicting the exact facilities to be offered to Manzanita is attached as Exhibit A.

2) Comparison Group Schools

In accordance with the methodology set forth in 5 C.C.R §11969.3(a), the comparison group schools for Manzanita are Adams, Crespi and DeJean.

The above-described facilities meet the reasonable equivalence requirement set forth in Proposition 39 and 5 C.C.R §11969.3(a) with reference to the capacity and condition of the comparison group schools. (See, Exhibit B)

3) ADA Assumptions

The Charter School's Request for Facilities identifies a projected total classroom ADA of 150. The District's offer meets and exceeds the capacity standards set forth in 5 C.C.R. 11969.2(b) according to the District's loading standards. (See, Exhibit B)

4) Pro Rata Share

The District will waive the pro-rata share set forth in Education Code section 47614 since the pro rata share has historically yielded only nominal sums, and is cumbersome and time-consuming to calculate. It is not in the District's interests at this point to compute such a fee. The District is not waiving the right to collect this fee, or agreeing to any interpretation of the Education Code that would prevent the District from collecting the pro rata share under Education Code section 47614. The District will collect an oversight fee of up to 3% of the charter school's revenue for

actual oversight costs as set forth in Education Code section 47614, as well as the Charter School's share of the State Loan Repayment (\$49.10/ADA for 2009-2010), as well as special education encroachment (\$657.42 /ADA for 2009-2010.) The latter two charges would apply regardless of whether Manzanita accepts this final offer. If Manzanita declines the final offer, the oversight fee charged would be 1% under Education Code section 47613.

5) Conditions

The Charter School's use and occupation of the facilities is conditioned upon payment of the 3% oversight fee under Education Code section 47613. (The District will also collect the Charter School's share of the State Loan Repayment, as well as special education encroachment, as identified in the previous paragraph.) The Charter School will also be required to execute the Facilities Use Agreement attached to the District's preliminary offer. (5 CCR § 11969.9(f)(3).) As noted above, the District declines to accept any of Manzanita's proposed revisions. The Charter School will be required to comply with all of the obligations set forth under Proposition 39 and its implementing regulations, including but not limited to the requirement that it assume responsibility for "[t]he ongoing operations and maintenance of facilities and furnishings and equipment" at the site, and "shall comply with school district policies regarding the operations and maintenance of the school facility and furnishings and equipment." (5 C.C.R. § 11969.4)

6) Location Preference/Differences from Facilities Request

The District notes that the Charter School's October 24, 2008 facilities request states a location preference of Fairmont Elementary School in El Cerrito, or Alvarado Adult Education in Richmond. Education Code section 47614(b) states that "[t]he school district shall make reasonable efforts to provide the charter school with facilities near to where the charter school wishes to locate." The District has made a reasonable effort to locate the Charter School near its desired location.

Under 5 C.C.R. § 11969.9(i):

The charter school must notify the school district in writing whether or not it intends to occupy the offered space. This notification must occur by May 1 or 30 days after the school district notification pursuant to subdivision (h), whichever is later. The charter school's notification can be withdrawn or modified before this deadline. After the deadline, if the charter school has notified the school district that it intends to occupy the offered space, the charter school is committed to paying the pro rata share amount as identified. If the charter school does not notify the school district by this deadline that it intends to occupy the offered space, then the space shall remain available for school district programs and the charter school shall not be entitled to use facilities of the school district in the following fiscal year.

Please contact me if you have any questions regarding this proposal.

Sincerely,

Bill Fay
Associate Superintendent

BF:aif

cc: Bruce Harter, Superintendent
Bill Savidge, Engineering Officer

Michael Brody, Esq.
Ellman, Burke Hoffman & Johnson
601 California St. Floor 19
San Francisco, CA 94108
VIA FACSIMILE – (415) 495-7587

John R. Yeh, Esq.
Miller Brown & Dannis
71 Stevenson St., 19th Floor
San Francisco, CA 94105
VIA FACSIMILE – (415) 543-4384

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

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education **Meeting Date:** March 18, 2009
From: Bill Fay **Agenda Item:** F.3
Associate Superintendent for Operations
Subject: Charter Facilities Assignments – Proposition 39 Final Offer to Richmond College
Preparatory K-5 Charter School (Richmond College Prep)

Background Information:

The District has received a Proposition 39 charter facility request from Richmond College Prep. The District is obligated by statute to make a preliminary offer and a final offer by April 1, 2009. At the January 21, 2009 Board meeting, a proposed preliminary offer was identified.

Recommendation: Approval of the Proposition 39 final offer to Richmond College Prep.

Fiscal Impact: As identified in the final offer proposal

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____



**WEST CONTRA COSTA UNIFIED SCHOOL
DISTRICT**

1108 Bissell Avenue
Richmond, CA 94801-3135

**Bill Fay, Associate Superintendent
Operations Division**

**Tel: (510) 231-1105
Fax: (510) 236-0190**

March __, 2009

VIA FACSIMILE (510) 232-4023

Peppina Chang, Director
Richmond Elementary School
P.O. Box 2814
Richmond, CA 94801

**Re: Proposition 39 Facilities Request
FINAL OFFER OF FACILITIES**

Dear Ms. Chang:

The West Contra Costa Unified School District ("District") has received the September 30, 2008 written request for facilities by Richmond College Preparatory K-5 Charter School ("Richmond College Prep" or "Charter School") for the 2009-2010 school year. The Board of Trustees ("Board") of the District has considered the request of the Charter School for provision of a reasonably equivalent District facility under the terms of Proposition 39, its implementing regulations (Ed. Code, § 47614; Cal. Code Regs., tit. 5, § 11969.1 et seq.), and applicable case law. In accordance with District Policy, the District makes this final offer of facilities.

Under 5 C.C.R. § 11969.9(g), the Charter School "shall respond in writing to the school district's preliminary proposal made pursuant to subdivision (f), expressing any concerns, addressing differences between the preliminary proposal and the charter school's facilities request pursuant to subdivision (b), and/or making counter proposals," on or before March 1, 2009. The District did not receive such a letter from the charter school.

5 CCR § 11969.9(h) states as follows:

On or before April 1, having reviewed any concerns and/or counter proposals made by the charter school pursuant to subdivision (g), the school district shall submit in writing a final notification of the space offered to the charter school. The notification shall include a response to the charter school's concerns and/or counter proposals (if any). The notification shall specifically identify:

- (1) the teaching station, specialized classroom space, and non-teaching station space offered for the exclusive use of the charter school and the teaching station, specialized classroom space, and non-teaching station space to which the charter is to be provided access on a shared basis with district-operated programs;
- (2) for shared space, the arrangements for sharing;
- (3) the in-district classroom ADA assumptions for the charter school upon which the allocation is based and, if the assumptions are different than those submitted by the charter school pursuant to subdivision (e), a written explanation of the reasons for the differences;
- (4) the specific location or locations of the space;
- (5) all conditions pertaining to the space;
- (6) the pro rata share amount; and
- (7) the payment schedule for the pro rata share amount, which shall take into account the timing of revenues from the state and from local property taxes.

Following is the District's final offer of facilities to the Charter School for the 2009-2010 school year:

1) Description of Facilities: The District will continue to make available to the Charter School facilities currently located at Harbour Way Academy, located at 214 South 11th Street, Richmond, CA, consisting of the following:

- 1 Classroom @ 744 square feet
- 1 Classroom @ 600 square feet
- 1 Classroom @ 960 square Feet
- Cool Out Room @ 94 square feet
- Principal's Office @ 342 square feet
- Counselor's Office @ 117 square feet
- Administrative Space @ 90 square feet
- Library @ 187 square feet
- Reading Room @ 126 square feet
- Computer Room @ 90 square feet
- Computer Room @ 143 square feet

Kitchen @ 216 square feet
Storage @ 120 square feet
2 Restrooms @ 60 square feet

A true and correct copy of a site plan depicting these facilities is attached as Exhibit A.

The District will also make available to the Charter School facilities at the site located adjacent to the campus of Nystrom Elementary School at the intersection of Florida Avenue and South 12th Street, Richmond, California, beginning with the 2009-2010 school year. The facilities will consist of the following:

2 Kindergarten Classrooms & 1440 square feet
4 Classrooms for grades 1-5 & 960 square feet
12 x 40 Toilet Room

A true and correct copy of a site plan depicting these facilities is attached as Exhibit B.

2) Comparison Group Schools:

In accordance with the methodology set forth in 5 C.C.R §11969.3(a), the comparison group schools for Richmond College Prep are Nystrom and Coronado. The above-described facilities meet the reasonable equivalence requirement set forth in Proposition 39 and 5 C.C.R §11969.3(a) with reference to the capacity and condition of the comparison group schools, since the Charter School's facilities consist of new construction and also includes administrative, storage, computer and library space.

3) ADA Assumptions:

The Charter School's Request for Facilities identifies a projected total in-District classroom ADA of 154.8. The District's offer consisting of 9 classrooms meets and exceeds the capacity standards set forth in 5 C.C.R. 11969.2(b) according to the District's loading standards.

4) Pro Rata Share:

The District will waive the pro-rata share set forth in Education Code section 47614 since the pro rata share has historically yielded only nominal sums, and is cumbersome and time-consuming to calculate. It is not in the District's interests at this point to compute such a fee. The District is not waiving the right to collect this fee, or agreeing to any interpretation of the Education Code that would prevent the District from collecting the pro rata share under Education Code section 47614. The District will collect an oversight fee of 3% as set forth in Education Code section 47614, as well as the Charter School's share of the State Loan Repayment (\$49.10/ADA for 2009-2010), as well as special education encroachment (\$657.42 /ADA for 2009-2010.) The latter

two charges would apply regardless of whether the charter school accepts this final offer. If the charter school declines the final offer, the oversight fee charged would be 1% under Education Code section 47613.

5) Conditions:

The Charter School's use and occupation of the facilities is conditioned upon payment of the 3% oversight fee under Education Code section 47613. (The District will also collect the Charter School's share of the State Loan Repayment, as well as special education encroachment, as identified in the previous paragraph.) The Charter School will also be required to execute the Facilities Use Agreement attached to the District's preliminary offer. (5 CCR § 11969.9(f)(3).) The Charter School will be required to comply with all of the obligations set forth under Proposition 39 and its implementing regulations, including but not limited to the requirement that it assume responsibility for "[t]he ongoing operations and maintenance of facilities and furnishings and equipment" at the site, and "shall comply with school district policies regarding the operations and maintenance of the school facility and furnishings and equipment." (5 C.C.R. § 11969.4)

6) Location Preference/Differences from Facilities Request:

The District notes that the Charter School's September 30, 2008 facilities request states that "the Charter School desires continued use of the former Harbour Way Academy facility located at 214 South 11th Street in Richmond, CA, 94804 for the administration office and kitchen/student lunch preparation area," as well as "one contiguous school site for the operation of the school" by the 2011-2012 school year.

This facilities offer complies with the location preference. Therefore, the District has met the requirement set forth in Education Code section 47614(b) that "[t]he school district shall make reasonable efforts to provide the charter school with facilities near to where the charter school wishes to locate." There are also no differences between the Charter School's Facilities Request and the District's offer. (5 CCR § 11969.9(f))

Under 5 C.C.R. § 11969.9(i):

The charter school must notify the school district in writing whether or not it intends to occupy the offered space. This notification must occur by May 1 or 30 days after the school district notification pursuant to subdivision (h), whichever is later. The charter school's notification can be withdrawn or modified before this deadline. After the deadline, if the charter school has notified the school district that it intends to occupy the offered space, the charter school is committed to paying the pro rata share amount as identified. If the charter school does not notify the school district by this deadline that it intends to occupy the offered

Peppina Chang, Director
March __, 2009
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space, then the space shall remain available for school district programs and the charter school shall not be entitled to use facilities of the school district in the following fiscal year.

Please contact me if you have any questions regarding this proposal.

Very truly yours,

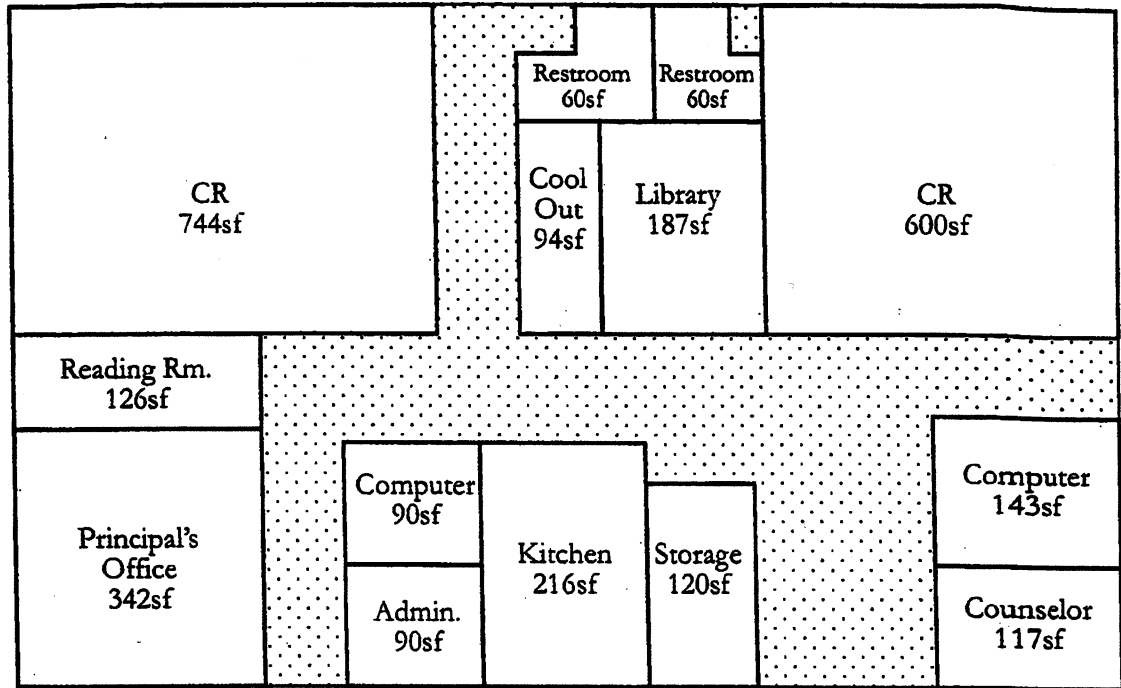
Sincerely,

Bill Fay
Associate Superintendent

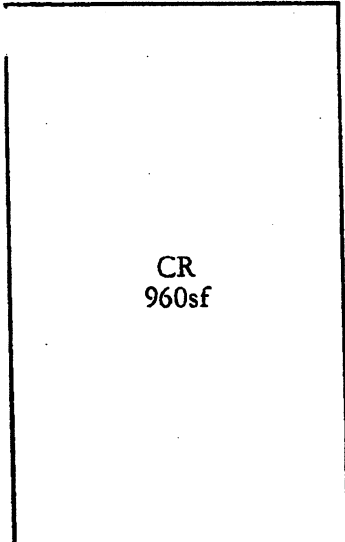
BF:aif

cc: Bruce Harter, Superintendent
Bill Savidge, Engineering Officer

John R. Yeh, Esq.
Miller Brown & Dannis
71 Stevenson St., 19th Floor
San Francisco, CA 94105
VIA FACSIMILE – (415) 543-4384



Unit A: Portable Classroom



Unit B: Portable Classroom

FLORIDA AVE.

S. 12TH STREET

PROPERTY LINE

(N) RCP CAMPUS

BUILDING GROUP A

CLASSROOM 4

24x40 Classroom
PC # 02-103141
Serial No. 02-705-76
Prev. DSA Appl. No. 104456

KINDERGARTEN

36x40 Classroom
PC # 02-104899

KINDERGARTEN

36x40 Classroom
PC # 02-104899

CLASSROOM 1

24x40 Classroom
PC # 02-103141
Serial No. 02-705-070
Prev. DSA Appl. No. 104456

CLASSROOM 2

24x40 Classroom
PC # 02-103141
Serial No. 02-705-073
Prev. DSA Appl. No. 104456

CLASSROOM 3

24x40 Classroom
PC # 02-103141
Serial No. 02-705-074
Prev. DSA Appl. No. 104456

RESTROOM

20x40 Toilet Room
PC # 02-104895

MECH. UNIT, TYP.

20' FIRE LANE

TRASH AND RE RECEPTACLES OF THIS PROJE

STRIPING SIDE OF LOT IS NOT PHASE NOR SEPARATE (PROJECT)

SEE 3/L.1.5 FOR GATE ELEVATION & HDWR, TYP.
SEE 14/A9.1 FOR ACCESSIBLE PARKING

