

**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
November 3, 2010

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
MEETING AGENDA
NOVEMBER 3, 2010**

BOARD AGENDA PACKETS AND INFORMATION:

Complete Board meeting packets are available for review at the Administration Building, the District's six high schools, and at public libraries throughout West County.

Complete Board agendas and packets are available online at: www.wccusd.net/Documents/Board/boardinformation.aspx

Any writings or documents that are public records and are provided to a majority of the governing board regarding an open session item on this agenda will be made available for public inspection in the District office located at 1108 Bissell Avenue, Richmond, CA 94801 during normal business hours. In addition, such writings and documents may be posted on the District's website as noted above.

VIEWING THE BOARD MEETINGS:

Television:

Live television broadcast of regularly scheduled Board meetings is available by the City of Pinole on PCTV Channel 26/28, the City of Richmond KCRT Channel 28 and the City of Hercules Cable Channel 28. Please check the city websites for local listings of broadcast schedules.

You may also find the complete meeting available on a tape-delay basis through the Richmond City Web Page at: <http://www.kcrt.com> within a few days of the recording date.

Audio tapes of Board meetings are kept on file at the Administration Building, 1108 Bissell Avenue, Richmond, CA 94801 (510-231-1101).

The Board of Education would like to acknowledge Comcast, the cities of Pinole and Richmond, and WCCUSD staff for their generosity and efforts in helping to televise WCCUSD Board of Education meetings.

ATTENDING BOARD MEETINGS:

The public is warmly invited to attend and participate in all WCCUSD Board of Education meetings.

Location: **LOVONYA DEJEAN MIDDLE SCHOOL
3400 MACDONALD AVENUE
RICHMOND, CA 94805**

Time: The **Board of Education's Open Session meeting will begin at 6:30 PM.** The Board will convene at **5:30 PM** in the Multi-Purpose Room to receive comments from anyone wishing to address the Board regarding closed session items (Exhibit A). The Board will then adjourn to closed session and reconvene in open session to address the regular agenda (Exhibits B-G) at 6:30 PM.

Special Accommodations: Upon written request to the District, disability-related modifications or accommodations, including auxiliary aids or services, will be provided. Please contact the Superintendent's Office at 510-231-1101 at least 48 hours in advance of meetings.

"of children be more careful than anything."
e.e. cummings

B. OPENING PROCEDURES

B.1 Pledge of Allegiance

B.2 Welcome and Meeting Procedures

B.3 Roll Call

B.4 Presentation of Student Board Representative from John F. Kennedy High School

Comment:

A Student Board Representative from John F. Kennedy High School will attend the Board of Education meeting on November 3, 2010. We would like to recognize and commend their participation.

Recommendation:

For Information Only

Fiscal Impact:

None

B.5 Report/Ratification of Closed Session

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

* **B.7 Minutes: October 20, 2010**

C. BUSINESS ITEMS

CONSENT ITEMS (Routine Matters)

Consent Calendar Items designated by “CI” are considered routine and will be enacted, approved and adopted by one motion, unless a request for removal, discussion or explanation is received from any Board member or member of the public in attendance. Items the Board pulls for discussion or explanation will be addressed following Section E.

*CI **C.1 Acceptance of Donations**

Comment:

The District has received donations as detailed, dated November 3, 2010. Staff recommends acceptance of these donations.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per donations summary

*CI **C.2 Approval of Fund-Raising Activities**

Comment:

The planned fund-raising events for the 2010-11 school year are detailed, dated November 3, 2010.

Recommendation:

Recommend Approval

Fiscal Impact:

Additional revenue for schools

***CI C.3 Grants/Awards/Agreements**

Comment:

Formal acceptance is requested from the Board of Education to accept the grants/awards/agreements, as detailed dated November 3, 2010.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per grants summary

***CI C.4 Contracted Services**

Comment:

Permission is requested of the Board of Education to approve contracts for services as detailed, dated November 3, 2010.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per contracts summary

***CI C.5 Routine Personnel Changes - Certificated**

Comment:

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

Recommendation:

For Information Only

Fiscal Impact:

None

***CI C.6 Certificated Provisional Internship Permit (PIP) Request(s)**

Comment:

The Provisional Internship Permit (PIP) was created in response to the phasing out of emergency permits and became effective on July 1, 2005. It allows an employing agency to hire an individual who has not yet met the subject matter competence requirement needed to enter an internship program. Prior to requesting a PIP, the employing agency must verify that a diligent search has been made, and a fully credentialed

teacher cannot be found. The PIP is issued for one (1) year and is renewable one time only provided the teacher has taken all appropriate subject matter examinations, but has not yet passed those tests.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.7 Resolution No. 30-1011: American Education Week – November 14-20, 2010**

Comment:
American Education Week was established in 1921 to increase public understanding and appreciation of America's schools, to encourage parents and non-parents to visit schools, to build civic and community pride and support education.

Co-sponsors of American Education Week include the National Parent Teacher Association, the United States Department of Education, the National School Board Association, the National Education Association, the American Federation of Teachers, the American Association of School Administrators, and the American Legion.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.8 Resolution No. 29-1011: Recognizing Contributions of Veterans to the Country**

Comment:
Resolution No. 29-1011 acknowledges the contributions of our veterans and encourages all citizens, staff, faculty, students and families to participate in the celebration of Veterans' Day.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.9 Harding Elementary School Window, Exterior Wall and Roof Repairs Award of Contract**

Comment:
Harding Elementary School has experienced ongoing moisture intrusion issues since renovation in 2005. The District has retained Grossman Design Group, roofing and waterproofing consultants to assist in repairs and upgrades to building envelope systems. This first set of work includes repairs of roof flashings, window sealants, and exterior wall cracking. The District conducted a public bid process for this work. Bids were opened on October 21, 2010. One bid was received from IMR Contractors for \$48,000. This is the lowest responsive, responsible bid.

Recommendation:

Award contract to lowest responsive, responsible bidder

Fiscal Impact:

Total for this action: \$48,000. Funded by the Measure J Bond, Harding Elementary School Waterproofing Repairs Project.

***CI C.10 Richmond High School Fence and Gates Project Final Change Order Approval**

Comment:

The Richmond High Fence and Gates project is complete. CF Contracting is the contractor. This project includes full fence and gate replacement around the campus perimeter. In addition, the project includes full reconfiguration of the front parking lot, with replacement of the asphalt, new concrete, and a new driveway to allow circulation for drop off. During the course of the work there have been a significant number of unforeseen conditions which have resulted in changed scope of work and increased costs. For example, the soils at the site are contaminated and required special handling and disposal. The City of Richmond has also requested substantial additional work in the public right of way. In addition, the time frame for completion of the work on the front parking lot was limited to the summer break, and it was necessary to approve substantial overtime and weekend work for the contractor in order to complete the parking lot prior to the opening of school. Finally, there were a number of items added by the District for underground work related to parking lot lighting, conduits for connection of low voltage systems to the old Art Building on 23rd Street, and repairs to existing shallow storm drain systems.

The combination of the substantial unforeseen conditions and the need to approve off hours work has resulted in potential change orders in excess of Public Contract Code 10% limit. The Board has previously approved a change order for this contract and staff is requesting approval of this final contract adjustment of an additional 5.37%, with findings as noted below.

Approval is required by the Board, with special findings, because this is in excess of the Public Contract Code limit of 10% of the original contract value. In accordance with Public Contract Code 20118.4, the Board, by approving these change orders, finds that it would have been futile to publicly bid the work in question because of the tight time frames to complete this work without affecting the operations of the District, and that the public is best served by having this work completed by the contractor on the project.

Recommendation:

Adopt findings of futility and approve change order to CF Contracting

Fiscal Impact:

Total for this action: \$57,997.80. Funded by the Measure J Bond, Richmond HS Fence and Gates Project.

***CI C.11 Approval of Bid Alternates #1, #2 and #3, Chavez Elementary School Window and Door Replacement Project**

Comment:

On October 6, 2010, the Board awarded the above referenced bid to Pinguelo Construction in the amount of \$262,510. However, the District neglected to include the award of the three bid alternates as follows:

Bid Alternate #1: Provide additive cost to replace Lexan plastic with specified Low E laminated glazing in the store front aluminum window frames on the north side of the two story building (both floors); Bid Alternate #2: Provide an additive cost to remove all existing horizontal mini-blinds at all exterior wall, window and door lite locations and replace them with MechoShade system roller shades; Bid Alternate #3: Provide an additive cost to remove all existing sealant and backing rod around existing aluminum window frames and reinstall new backing rod and sealant at all window locations on the buildings. Basis award was the base bid, but the addition of the 3 alternates, Pinguelo Construction was determined to be the lowest responsive, responsible bidder.

Recommendation:

Award the three above referenced bid alternates to Pinguelo Construction in the amount of \$104,425 (Bid Alternate #1 - \$38,975; Bid Alternate #2 - \$35,000; Bid Alternate #3 - \$30,450). Funded from the Deferred Capital Projects Budget, Measure J Bond.

Fiscal Impact:

\$104,425. Funded from the Deferred Capital Projects Budget of the Measure J Bond.

***CI C.12 Approval of Pool of Pre-Qualified Architects for Measure D 2010 Projects**

Comment:

In preparation for the Measure D 2010 projects, District staff has completed a competitive selection process in order to pre-qualify a number of architectural firms for assignment to upcoming projects. A Request for qualifications (RFQ) was prepared and circulated to over thirty architectural firms with experience in renovation and new construction of California public schools.

The District received statements of qualifications (“SOQ’s) from interested firms. District facilities, Operations/Maintenance and Technology staff evaluated the SOQ’s, and using a set of uniform criteria contained in the RFQ, has created a list of qualified firms from which the District may make selections for ongoing Measure D work. Additional firms may be qualified from time to time after submitting qualifications for review by the District. The recommendation of the pre-qualified firms does not include a specific project assignment. This action merely creates a pool of pre-qualified Architects for upcoming projects. These firms can now be interviewed, or assigned as required, to future Measure D 2010 projects. Proposed assignments will be reviewed and recommended for approval by the Board at the time the projects are set to begin design.

Recommendation:

Approve the attached list of Architectural firms as Pre-Qualified to perform work on projects funded under the Measure D 2010 Bond Program.

Fiscal Impact:

None at this time. Architect fees are budgeted and funded by the Measure D 2010 Bond.

***CI C.13 Ratification and Approval of Negotiated Change Orders**

Comment:

Staff is seeking ratification of change orders on the following current District construction projects: Ford Elementary School New Campus; Portola Middle School Temporary Housing Utilities; and Hercules Middle High School Quad Landscape and Parking. 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: \$61,412.37

***CI C.14 Ratification and Approval of Engineering Services Contracts**

Comment:

Contracts have been initiated by staff using previously qualified consulting, engineering, architectural, or landscape architectural firms to assist in completion of the referenced projects. Many of the firms are already under contract and the staff-initiated work may be an extension of the firm's existing contract with the District. Public contracting laws have been followed in initially qualifying and selecting these professionals.

Recommendation:

Ratify and approve contracts as noted

Fiscal Impact:

Total for this action: \$26,284. Funding sources as noted.

***CI C.15 Citizens' Bond Oversight Committee (CBOC) Appointment**

Comment:

Ms. Adrienne Harris has agreed to accept appointment to the Citizens' Bond Oversight Committee representing the Board of Trustees (Mr. Ramsey's appointment). Staff is seeking approval for Ms. Harris to serve on the CBOC.

Recommendation:

Recommend Approval

Fiscal Impact:

None

D. AWARDS, RECOGNITIONS, AND REPORTS

*** D.1 Ed Fund Mini-Grants & School-wide Grants**

Comment:

Each fall, The Ed. Fund awards grants to teachers, principals, and other staff or community leaders in WCCUSD who have creative ideas for their schools. This year there are 67 awards totaling \$45,439. These grant recipients are leaders who go above and beyond the call of duty to serve our students. Projects range in content from poetry programs, after school video clubs, garden projects and debate teams, as well as more traditional literacy and math programs. No matter what the subject, each grant

supports the standards and learning goals the District considers essential. With fresh ideas and innovative programs, these professionals ensure that the children in our community thrive.

The Ed. Fund is pleased to present to the Board of Education the recipients for the 2010-11 school year.

Recommendation:
For Information Only

Fiscal Impact:
None

* **D.2 National Education Associations KEYS 2.0 Survey**

Comment:
Marelen Fong, California Teachers Association (CTA), will make a presentation on The National Education Association's (NEA) KEYS 2.0 survey instrument. KEYS 2.0 is a comprehensive, research-based, and data driven continuous school improvement program grounded on 42 Indicators of School Quality that are clustered around six "KEYS".

The six KEYS are:

- Shared Understanding and Commitment to High Goals
- Open Communication and Collaborative Problem Solving
- Continuous Assessment for Teaching and Learning
- Personal and Professional Learning
- Resources to support Teaching & Learning
- Curriculum and Instruction

The tools are an essential part of NEA's Priority Schools campaign.

Recommendation:
For Information Only

Fiscal Impact:
None

* **D.3 Equitable Distribution of Highly Qualified Teachers and Administrators**

Comment:
The Human Resources staff will provide a presentation of the LEA Plan for Equitable Distribution of Highly Qualified and Effective Teachers and Administrators.

Recommendation:
For Information Only

Fiscal Impact:
None

* **D.4 Standing Reports**

Representatives of the following committees and employee unions are invited to provide a brief update to the Board. Representatives from these groups need to sign up to speak prior to the beginning of this item on the agenda by submitting a “Request to Address the Board” form. Five minutes may be allowed for each subcommittee or group listed below:

Academic Subcommittee	Public Employees Local 1
Bayside Parent Teacher Association	School Supervisors Association
Citizens’ Bond Oversight Committee	United Teachers of Richmond
Community Budget Advisory Committee	West Contra Costa Administrators Association
Facilities Subcommittee	
Ivy League Connection	
Linked Learning – Multiple Pathways	
Safety Committee	
Special Education Citizens Advisory Committee	
Youth Commission	

* **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.

Roger Matthew Giordano, an electrician for the Maintenance / Operations Department since May 2004, passed away in October 2010. He enjoyed participating on the District’s bowling league with friends and co-workers. He was cared for by those he worked alongside.

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

Recommendation:

For Information Only

Fiscal Impact:

None

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

* **E.1 Superintendent’s Report**

* **E.2 WCCUSD Public Comment**

Members of the public are invited to speak to the Board about any matter that is not otherwise on the agenda and is related to issues affecting public education in the WCCUSD. **Approximately 30 minutes will be allocated for this item.** If there are more requests to speak than can be heard within this time limit, “WCCUSD Public Comment” will continue after Item G. Individuals wishing to speak must submit a “WCCUSD Public Comment” form prior to the beginning of this item on the agenda.

Depending on the number of persons who wish to speak, from one to three minutes will be allocated to each speaker at the discretion of the President of the Board in order to accommodate as many speakers as possible. The Board cannot dialogue on any issues brought before it by the public that have not been previously agendaized, but may refer these to staff for response and/or placement on future agendas.

F. ACTION ITEMS

*** F.1 Alvarado Unity High Charter School Petition**

Comment:

On September 9, 2010, the petitioner submitted to West Contra Costa Unified School District a petition for a charter school known as Alvarado Unity High Charter School (“Charter School”). Pursuant to the Charter Schools Act of 1992 (the “Act”), Education Code section 47600 *et seq.*, the Legislature has charged local school boards with the responsibility for reviewing and acting on petitions by charter schools.

Staff has reviewed the charter petition (“Petition”) for the establishment (for five years) of the Alvarado Unity High School Charter School (“Charter School”). The Charter School is governed by a nonprofit public benefit corporation, but the District would be responsible for oversight of the Charter School. The Charter School seeks to provide students “the core skills necessary for academic achievement and, ultimately, for success in today’s global, multicultural and multilingual society.” (Petition, p. 4.) It is the stated mission of the Charter School to prepare its students for admission to and success in college by offering a rigorous curriculum that meets the University of California A-G requirements, with an emphasis in basic skills and core subject matter in English language arts, mathematics, social studies and science, and a comprehensive support program that promotes healthy youth development. (Petition, p. 5.)

Submission of a charter petition is governed by the requirements of Education Code section 47605 and 47607. Education Code section 47605(b) requires the Board, within 30 days of receiving a petition, to hold a public hearing to consider the level of support for the petition. The public hearing was held on October 6, 2010.

The Act states that a school district governing board considering whether to grant a charter petition “shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that establishment of charter schools should be encouraged.” (Ed. Code, § 47605(b).) With this legislative intent in mind, the governing board must grant a charter “if it is satisfied that granting the charter is consistent with sound educational practice.” (Ed. Code, § 47605(b).)

Upon receipt of the petition, components of the petition were assigned to various staff members of the District for review and analysis based on individual areas of expertise. Review of the different components of the charter petition was allocated as follows: Educational Program, Linda Jackson, Executive Director K-12 Schools, Lynn Potter, Director Educational Services, Sonja Neely-Johnson, Harlan Kerr, Sherry Bell, Susan Dunlap, Coordinators Educational Services; Special Education, Steve Collins, SELPA Director; Fiscal/Budget, Martin Coyne, Executive Director, CPA; Human Resources/Employee Issues, Patricia Calvert, Director of Human Resources; Legal/Operational, Ed Sklar, Lozano Smith Attorneys at Law.

Staff and legal counsel have reviewed the Petition and prepared the Staff Written Findings Regarding Alvarado Unity High Charter School Petition (“Findings”), which are attached. Staff’s analysis of the petition includes a review of its educational program, fiscal and governance structure, student admissions and discipline, labor and personnel issues, facilities and legal issues.

The pages immediately following this précis contain proposed findings prepared by District staff and outside counsel condensing the remaining areas of concern, the resolution of those concerns, and Staff’s ultimate recommendation regarding those areas.

Recommendation:

Staff recommends that the Board deny the charter petition on the following grounds pursuant to Education Code section 47605:

- (a) The Charter School presents an unsound educational program for the students to be enrolled in the Charter School. (Ed. Code § 47605(b)(1).)
- (b) The Petitioners are demonstrably unlikely to successfully implement the program set forth in the Petition. (Ed. Code § 47605(b)(2).)
- (c) The Petition does not contain reasonably comprehensive descriptions of certain required elements set forth in Education Code section 47605, subdivisions (b)(5)(A-P).

In order to deny the Petition on the grounds set forth above, Education Code section 47605, subdivision (b) requires the Governing Board to make “written factual findings, specific to the particular Petition, setting forth specific facts to support one or more” of the grounds for denying the charter. Staff recommends that the Board adopt the proposed findings of fact, attached, as its own.

Fiscal Impact:

None

* **F.2 Adoption of Board Policy 5145.7 – Sexual Harassment**

Comment:

The Board Policy 5145.7 – Sexual Harassment was brought to the October 6, 2010 Board Meeting for the first reading. The policies have been posted on the website for review and feedback. Staff has made corrections and is bringing back this policy for Board approval.

Recommendation

Recommend Approval

Fiscal Impact:

None

G. DISCUSSION ITEMS

* **G.1 Project Status Report**

Comment:

The following are provided for review of Facilities Planning and Construction in the District's Bond Program and for information regarding individual projects:

- Engineering Officer's Report—Verbal Presentation
- Construction Status Reports—Current Construction Projects

Recommendation:

For Information Only

Fiscal Services:

None

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

I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT

J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING

Lovonya DeJean Middle School – November 17, 2010

K. ADJOURNMENT

At 10:00 PM, any items remaining on the agenda that require immediate attention will be moved to this time. All other items will be tabled to another or the following Board meeting in order to make fair and attentive decisions. The meeting will adjourn at 10:30 PM. The meeting may be extended by a majority vote of the Board of Education.

The public may address items which are marked with an asterisk (*).

A. CLOSED SESSION

A.1 CALL TO ORDER

A.2 DISCLOSURE OF ITEMS TO BE DISCUSSED IN CLOSED SESSION
(Government Code 54957.7)

A.3 RECESS TO CLOSED SESSION AS SCHEDULED

See Exhibit A

(Government Code Section 54954.5)

The **Open Session** will resume at the end of the **Closed Session** in the Multi-Purpose Room at approximately **6:30 PM**.

EXHIBIT A

(Government Code Section 54954.5)

CLOSED SESSION AGENDA

November 3, 2010

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

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

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

3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED/POTENTIAL LITIGATION
[Government Code Section 54956.9(b)]

Four cases

4. LIABILITY CLAIMS (Government Code Section 54956.95)

5. CONFERENCE WITH LABOR NEGOTIATORS

a. Superintendent/Dr. Bruce Harter

b. Employee Organizations

- UTR
- Local One
- School Supervisors Association
- WCCAA
-

- c. Unrepresented Employees
 - Confidential and Management

6. PUBLIC EMPLOYEE APPOINTMENT

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: November 3, 2010

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

Agenda Item: B.4

Subject: Presentation of Student Board Representative from John F. Kennedy High School

Background Information:

A Student Board Representative from John F. Kennedy High School will attend the Board of Education on November 3, 2010. We would like to recognize and commend their 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

October 20, 2010

A. CLOSED SESSION

B. OPENING PROCEDURES

President Madeline Kronenberg called the meeting to order at 5:00 PM. The Board recessed into Closed Session. President Kronenberg called the Public Session to order at 6:31 PM.

B.1 Pledge of Allegiance

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

B.2 Welcome and Meeting Procedures

President Kronenberg offered welcome 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: Waheed Balogun, Director of Facilities and Construction, Steve Collins, SELPA Director; Otilia Espinosa, Interpreter; Bill Fay, Associate Superintendent Operations; Luis Freese, Executive Director Maintenance and Operations; Sheri Gamba, Associate Superintendent for Business Services; Wendell Greer, Associate Superintendent K-Adult; Bruce Harter, Superintendent; Debbie Haynie, Executive Secretary; Joshua Herrera, Electronics Technician; Barbara Jellison, Director Food Services; Sue Kahn, Pinole Valley High Principal; Joe Mayes, Maintenance Manager; Nia Rashidchi, Assistant Superintendent Educational Services; Ann Reinhausen, Assistant Superintendent Human Resources; Bill Savidge, District Engineering Officer

B.4 Presentation of Student Board Representative from Hercules High School

Whitney Vuong provided a report of activities at Hercules High School.

B.5 Report/Ratification of Closed Session

Superintendent Harter asked the Board to ratify the vote taken in Closed Session to expel six (6) students, suspending those expulsions for placement in the West Contra Costa Unified School District.

Motion: Mr. Medrano moved approval of the expulsions and suspension for placement of six (6) students. Mr. Ramsey seconded. Mr. Medrano, Ms. Miles, Mr. Ramsey, and President Kronenberg 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 student settlement agreement.

Motion: Mr. Medrano moved to ratify the vote taken in Closed Session for approval of a student settlement agreement. Ms. Miles seconded. Mr. Medrano, Ms. Miles, Mr. Ramsey, Mr. Thurmond and President Kronenberg voted yes, no abstentions and no absences. Motion carried 5-0-0-0.

Superintendent Harter asked the Board to ratify the vote taken in Closed Session for the extension of the Superintendent's employment contract for one additional year.

Motion: Mr. Medrano moved approval of the vote taken in Closed Session for the extension of the Superintendent's employment contract for one additional year. Ms. Miles seconded. Mr. Medrano, Ms. Miles, Mr. Ramsey, Mr. Thurmond and President Kronenberg voted yes, no abstentions and no absences. Motion carried 5-0-0-0.

B.6 Agenda Review and Adoption

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

B.7 Minutes: October 6, 2010

MOTION: Mr. Ramsey moved approval the Minutes of October 6, 2010. Mr. Medrano seconded. Mr. Medrano, Ms. Miles, Mr. Ramsey, Mr. Thurmond, Student Representative Whitney Vuong (advisory vote only) and President Kronenberg voted yes with no abstentions and no absences. Motion carried 5-0-0-0.

C. BUSINESS ITEMS

C.1 Acceptance of Donations

C.2 Approval of Fund-Raising Activities

C.3 Contracted Services

C.5 Adoption of Resolution No. 28-1011: Replacement of Outdated Warrant

C.6 Certificated Personnel Changes

C.7 Routine Personnel Changes – Classified

C.8 Three (3) year Cooperative Contract between State of California, Department of Rehabilitation (DOR) and West Contra Costa Unified School District

C.9 Ratification and Approval of Negotiated Change Orders

C.10 Ratification and Approval of Engineering Services Contracts

C.11 Leadership Public Schools/Gompers Continuation High School Architectural Services Contract

C.12 Purchase of State Re-locatable Buildings

C.13 Resolution No. 27-1011: Designation of Authorized Agent for Cal EMA, the Office of Emergency Services

C.14 Approval of Greenhouse Gas Reduction Grant Program Funding Agreement with Bay Area Air Quality Management District for Energy Efficiency Projects and Renewable Energy System at Hercules Middle High School

Public Comment:

Tom Kelly

Board Comment:

None

MOTION: Mr. Ramsey moved approval of Consent Items C.1 – C14. Mr. Medrano seconded. Mr. Medrano, Ms. Miles, Mr. Ramsey, Mr. Thurmond, Student Representative Whitney Vuong (advisory vote only) and President Kronenberg voted yes with no abstentions and no absences. Motion carried 5-0-0-0.

D. AWARDS, RECOGNITIONS, AND REPORTS

D.1 Linked Learning Update

Mr. Greer introduced the Linked Learning program as it is encompassed in the fifteen Career Academies at the comprehensive high schools. He introduced students and lead teachers from three of those academies. Presentations were provided by Mr. William Harris and students from the Pinole Valley Environmental Studies Academy, Mr. Steven Thomas and students from DeAnza's Health Academy, and Mr. Jose Irizarry and graduates from Richmond High School's Health Academy.

Public Comment:

None

Board Comment:

Mr. Ramsey thanked the students and staff and said it was exciting to hear the stories coming from their schools. He also offered congratulations to the two college students who came back to share their experiences. Mr. Medrano thanked everyone for their presentations. He said he was excited to see the banners at each high school announcing their academies. He concluded with comments about being a member of the academy core leadership team.

Ms. Miles thanked the administrators and teachers for supporting these programs and that the DeAnza program is a model for programs throughout the country. She further said that she and Mr. Medrano attended an ITA program's graduation ceremony this summer. These essential programs provide students with a career path, work experience, services hours and leads to many job opportunities.

Mr. Thurmond offered congratulations to the students, teachers, and their parents. He said he thought these students were very smart in making the choice to investigate a career before they have to make the decision. He talked about the pressure to make decisions without the opportunity to investigate and learn by doing. He commended all of the students.

President Kronenberg said that Pinole Valley's Lighthouse Designation makes them a leader in one of the most important education ventures in California. She offered congratulations to the teachers and students for their success and looked forward to more involvement.

Ms. Vuong said she was happy to learn about these academies and that similar programs would be beneficial to students at Hercules High.

D.2 Report Update 2009-10 – Food Service Department

Mr. Fay introduced Ms. Barbara Jellison, Food Services Director, who provided a report on accomplishments for last year. She spoke about supporting the nutritional needs of the students of the District with breakfast, lunch and summer lunch programs.

Public Comment:

None

Board Comment:

Mr. Thurmond thanked Ms. Jellison for her presentation and also thanked her for speaking to the Youth Commission last year. He complimented the Food Services staff on serving an enormous amount of meals. He asked about students coming to school hungry as an issue leading to truancy. Ms. Jellison spoke about the difficulty of a child approaching an adult to let them know they are hungry. She spoke about ongoing training for staff at school sites and an expansion of the breakfast program, as well as the ability to offer a meal at any time. She talked about awareness, letting parents know of the program's availability, and giving students a variety of choices. She said the computerizing of cafeterias help to do away with tickets in order to eliminate the stigma identifying a student as qualified for a free or reduced cost lunch program.

Ms. Miles asked about a school that does not have a breakfast program and the process to get one started. Ms. Jellison provided information as it pertained to the piloting of programs at Fairmont and Olinda schools. She said that eleven of the twelve secondary schools currently take advantage of the breakfast program.

President Kronenberg thanked Ms. Jellison and the staff for the good work they do in feeding the numbers of students. Ms. Jellison commended her dedicated staff, as well as the parents, who believe in the quality of the meals served.

D.3 Budget Update for 2010-11

Ms. Gamba provided an update of the District's budget based upon the adopted California budget and the overall state of the economy.

Public Comment:

None

Board Comment:

Mr. Ramsey said he appreciated the brief update.

Mr. Medrano said that he had hoped for some good news.

Ms. Miles asked about a plan to address the deficit. Ms. Gamba talked about a cash flow issue which will be handled by the inter-fund borrowing previously authorized by the Board when approving this year's budget. She said the District is in a much better position than many other districts in the state and that the passage of Measure M will provide funding to maintain class sizes that can't be taken away by state.

Mr. Thurmond asked about changes for licensed child care providers and another changes to the adopted state budget.

Ms. Gamba spoke about county mental health care providers no longer able to provide services because of lack of state funding. She explained that the duty of care remains with the District and the resulting cost shortfall.

President Kronenberg asked about the elimination of the Tier III flexibility and how those line items will be addressed. Ms. Gamba spoke about this concern and development of a long term strategy for funding, saying that it will be difficult for the Board to know what to do when the State does not know it will do.

Ms. Miles asked for a future report about programs to be addressed due to lack of funding. Ms. Gamba spoke about bringing a report when state funding develops, and whether voters approve the parcel tax measure on the November

ballot. Ms. Miles said that the Board wants to be as proactive as possible to address issues with community input. Ms. Gamba spoke about the loss of federal ARRA funding at the end of this school year, continued efforts to stabilize, and look at the costs of components as the District transitions into 2011-2012.

D.4 Standing Reports

Bayside Council of PTAs. Christina Slamon provided two announcements: the Reflections and Art contest, with the theme “Together We Can,” and the general meeting of the 32nd District PTA on October 25 in Concord, where new officer training will be held. She added that Bayside Councils of PTA has endorsed Measure M for school funding.

Public Employees Local One. Michael Wasilchin commended the District on the successful health fair held a few weeks ago. He also offered praise to the Human Resources staff for their diligent work in posting and filling positions in the District. He concluded by commenting on the CBAC’s structure, agendas and reference materials distributed to members. He encouraged members of the public to get involved in school funding through this committee.

Facilities Subcommittee. Mr. Medrano reported on the October 19 meeting where the agenda included approval of a recommendation to the Board seeking a bonding capacity waiver request from State Board of Education. He said that discussion also included the review of the Request for Qualifications process for architectural services for Measure D 2010. Mr. Ramsey commented about the correction at DeAnza of the application of coating protection against graffiti. Mr. Ramsey also elaborated on the bond limit capacity waiver due to the decrease in assessed property value estimates.

Ivy League Connection. Mr. Ramsey reported on Dartmouth College’s recent visit and information session in the District. He also reported that Vanderbilt University is interested in pursuing a full mentorship program and collaboration with Pinole Valley High. He spoke about the second year of mentorship with Brown University and student representation from Hercules, DeAnza, El Cerrito and Richmond high schools.

Community Budget Advisory Committee. Ms. Gamba announced the next meeting scheduled for October 28 at Alvarado, 6:30 p.m.

Youth Commission. Mr. Thurmond announced that the Commission is seeking representatives from the District’s high schools and will meet again on October 25 at the RYSE Center in Richmond at 6:30 p.m.

Safety Committee. Mr. Thurmond announced that the next meeting of the Safety Committee will be held on October 27 at Richmond High School at 6:00 p.m. This meeting will be open to the public as the committee reviews some of the new safety measures on the campus, as well as looking at overall data around suspensions in the District.

Citizen’s Bond Oversight Committee. Mr. Ramsey announced the October 27 meeting, asking Ms. Miles to attend in his absence.

Linked Learning. President Kronenberg mentioned the program is creating great energy and enthusiasm. She and Mr. Medrano will report back to the Board about future meetings.

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

E.1 Superintendent’s Report
Superintendent Harter reported on activities in the District.

E.2 WCCUSD Public Comment

Public Comment:

Michael Wasilchin, Araceli Vazquez, Veronica Ramos, Raina Garcia, Ana Ramos, Saira Ramos, Dayna Barajas, Diane Davis

Mr. Thurmond asked how the concerns raised by the public speakers regarding the limitation of vendor access to Richmond High during the school lunch program could be addressed. Mr. Ramsey said he agreed and asked that an item be agendized for future discussion regarding the Richmond High campus, liability issues for food vendors as well

as a response from the Food Services division. Mr. Medrano spoke about vendors delivering food products to campuses. President Kronenberg suggested that this be agendaized for discussion at the November 17 meeting.

F. ACTION ITEMS

F.1 Approve the following reclassification, revised job descriptions: Campus Security Officer - II, Campus Security Officer - I

Mr. Greer introduced this item to give history and context regarding the job descriptions. He said that over the last two years discussion about safety at school sites has developed the upgrade of Student Site Supervisor positions to Campus Security Officers I and II. The new positions will increase responsibility and expectations and be more in line with needs of school sites today. These positions will be more highly trained to provide a better level of support. Mr. Greer commended Local One representative Michael Wasilchin and Human Resources Director Erin Fleming for their diligence in working out the details.

Public Comment:
Michael Wasilchin

Board Comment:

Mr. Thurmond asked for clarification about the two job descriptions. Mr. Wasilchin clarified that Secondary Site Supervisors and Student Supervisors will be moved to the Campus Security Officer I position which is the entry level position. The Campus Security Officer II position will provide lead direction to the other position and work with campus administrators, school resource officers, as well as working with the defibrillators and specific safety equipment.

President Kronenberg said she has watched the development of the positions and the underpinning of the District safety program. She complimented clarity of the job descriptions so that the employee can know the expectations.

MOTION: Mr. Medrano moved approval of the Revised Job Descriptions: Campus Security Officer – I and Campus Security Officer - II. Mr. Ramsey seconded. Mr. Medrano, Ms. Miles, Mr. Ramsey, Mr. Thurmond, Student Representative Whitney Vuong (advisory vote only) and President Kronenberg voted yes with no abstentions and no absences. Motion carried 5-0-0-0.

G. DISCUSSION ITEMS

H. UNFINISHED REQUESTS TO ADDRESS THE BOARD (continued from Item E)
None

I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT

Mr. Ramsey spoke about hard work toward supporting Measure M on Election Day. He also spoke about the need for meeting order and rules, and asked that criteria be established regarding public speakers and translators.

Mr. Medrano spoke about the recent California Latino School Boards Association conference and discussion of the long-term English language learner students. He also spoke about taking California School Boards Association training workshops. He commented about the recent Youth Summit held at DeJean with 350 students in attendance and announced the upcoming Parent as Partners conference on Saturday, October 23rd at DeJean.

Ms. Miles acknowledged Mr. Wasilchin and his sons' hard work and support toward the passage of the parcel tax, Measure M. She reported that she recently attended the Civic Pride conference, taking 30 students from her school where they had opportunity to learn about the importance of voting and civic awareness.

Mr. Thurmond thanked volunteers working in support of Measure M. He also thanked those who presented the Linked Learning information because it demonstrated the growth of the students. He congratulated the staff at Kennedy High for their work on a new mentoring program. He requested a future presentation to the Board from Healthy Richmond, an effort to make an investment in the community around health and their interested in partnering with District.

President Kronenberg commented on a photograph of Judge Hiramoto in Dr. Harter's presentation as she represented Harvard at the recent Pinole Valley College Fair. She said that the next day Judge Hiramoto was at El Cerrito High School, working with the Northern California debate tournament which hosted 400 students and 110 judges. Ms. Kronenberg concluded by speaking in support of the passage of Measure M.

Ms. Whitney Vuong thanked the Board for the opportunity to serve at the meeting.

J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING
Lovonya DeJean Middle School – November 3, 2010

K. ADJOURNMENT
President Kronenberg adjourned the meeting at 9:21 PM.

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

BH:dh

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: November 3, 2010

From: Sheri Gamba *slg*
Associate Superintendent Business Services

Agenda Item: CI C.1

Subject: Acceptance of Donations

Background Information: The District has received donations as summarized on the attached sheet dated November 3, 2010. 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
 November 3, 2010 Board Meeting

<u>Donor Name</u>	<u>Description or Purpose</u>	<u>Estimated Value</u>	<u>Receiving School or Department</u>
PG & E Campaign for the Community	Supplies	\$312.00	Downer Elementary School
PG & E Corp. Foundations	Supplies	\$312.00	Downer Elementary School
Chase	Supplies	\$166.16	Ford Elementary School
Trent D. Ernst	Supplies-Water Polo	\$200.00	Hercules Middle High School
Ms. V.B. McClelland	Close-Up Going to Washington	\$100.00	Kennedy High School
Robyn Blakely	Set of Paperback Biography Books	*\$61.76	Wilson Elementary
Brian Lam	Supplies	\$50.00	Wilson Elementary


*Estimated values for the non-cash donations are provided by the donor
 Donation Précis 110310

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: November 3, 2010

From: Sheri Gamba 
Associate Superintendent Business Services

Agenda Item: CI C.2

Subject: Approval of Fund-Raising Activities

Background Information: The planned fund-raising events for the 2010-11 school year are summarized on the attached sheet dated November 3, 2010.

Recommendation: Recommend Approval

Fiscal Impact: Additional revenue for schools

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

West Contra Costa Unified School District
November 3, 2010 Board Meeting

APPROVAL OF FUND-RAISERS


<u>School</u>	<u>Fund-Raising Activity</u>	<u>Activity Sponsor</u>
El Cerrito High School	Halloween Grams	Interact Club
Valley View Elementary	Chuck E. Cheese Fundraiser	Valley View Parent Club

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: November 3, 2010

From: Sheri Gamba 
Associate Superintendent Business Services

Agenda Item: CI C.3

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 sheet dated November 3, 2010.

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
SIG - School Improvement Grant at Lincoln and Central	\$1,333,334	California Department of Education - Regional Coordination and Support Office	School Improvement at Lincoln
Resource # 3180 & 3181	7/1/10 - 9/30/11		PCA # 15020-00 & 15127-00
Carl Perkins Career & Technical Education Improvement Act	\$267,118	California Department of Education - Secondary Career & Adult Learning Division	Vocational and Technical Support
Resource # 3550	7/1/10 - 6/30/11		PCA # 14894-00
Alliance for a Healthier Generation	\$8,000	Alliance for a Healthier Generation	Nutrition programs at Kennedy High School and Hercules Middle High School
Resource # 9607	7/1/10 - 6/30/11		

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: November 3, 2010

From: Sheri Gamba *SG*
Associate Superintendent Business Services

Agenda Item: CI C.4

Subject: Contracted Services

Background Information: Permission is requested of the Board of Education to approve the following contracts for services as detailed on the attached sheets dated November 3, 2010.

Recommendation: Recommend Approval

Fiscal Impact: As noted per contracts summary

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

CONTRACTED SERVICES

The following professional consultant services are recommended for approval.

<u>DEPARTMENT</u>	<u>DATE OF SERVICE</u>	<u>CONSULTANT NAME</u>	<u>COST & FUNDING</u>	<u>PURPOSE</u>
Curriculum State Project	10/14/10 Thru 12/9/10	Sacramento County Office of Education R23277	\$58,900 Title II NCLB	Sacramento County Office of Education will provide open court reading training & provide benchmark development training to Teachers, Principals and District Office Personnel.
Curriculum Federal Project	11/4/10 Thru 6/30/11	Bay Area Community Resources R23568	\$55,370 SIG	SB65/Bilingual Parent Liaison Support Services Coordinator Consultant: To provide attendance and drop-out prevention for Lincoln students and families including initiating and attending home visits, monitoring and following up on attendance issues, and facilitating and following up (case management) on care team and SST meetings.

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: November 3, 2010

From: Ann Reinlagen,
Assistant Superintendent Human Resources

Agenda Item: CI C.5

Subject: Routine Personnel Changes - Certificated

Background Information:

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

Recommendation: For Information Only

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

**WEST CONTRA COSTA UNIFIED SCHOOL
DISTRICT
November 3, 2010
FOR INFORMATION ONLY**

**CERTIFICATED BOARD
CHANGES**

NEW HIRE/RE HIRE/TRANSFER

<u>FIRST NAME</u>	<u>LAST NAME</u>	<u>SITE</u>	<u>POSITION</u>	<u>STATUS</u>	<u>HIRE DATE</u>
PATRICIA	EVANS	PSC	PROJ. ASSISTANT	NEW HIRE	8/19/2010
SELEHI	GARRETT	DEJEAN	ENGLISH SEI	NEW HIRE	8/24/2010
CAROL	MURAYAMA	PERES	K SEI	REHIRE	8/24/2010
ANDREW	LI	KHS	COMPUTER SEI	NEW HIRE	8/24/2010
NICOLE	WHEELER	DOVER	K SEI	NEW HIRE	8/24/2010
ALICE	BELTON	CORONADO	TOSA	REHIRE	8/24/2010
ERIN	WHITBRED	TARA HILLS	INTERV.TEACHER SEI	NEW HIRE	9/10/2010
TRACEY	SINGH	ECHS	SH SEI	NEW HIRE	9/13/2010
KEITH	JOHNSON	ECHS	MUSIC SEI	NEW HIRE	9/16/2010
MARICAR	LARIDA	PSC	VI-ITINERANT	NEW HIRE	9/20/2010
GRACE	SUI	MIRA VISTA	4TH SEI	NEW HIRE	9/20/2010
GARY	JOHNSON	DAHS	ENGLISH SEI	NEW HIRE	9/27/2010
MARIEL	PERLOW	GRANT	NSH SEI	NEW HIRE	9/27/2010
VERONICA	CARLOS- LANDA	KENNEDY HIGH	ENGLISH SEI	NEW HIRE	10/4/2010
JENNIFER	FRANCES	FORD	READING INTERV.TEACHER SEI 50%	NEW HIRE	10/5/2010
RACHEL	WILLIAMS	PORTOLA MID.	MATH SEI	NEW HIRE	10/8/2010
KRIS	BERRY	ELLERHORST	2ND SEI	NEW HIRE	10/11/2010
LEA	O'DELL	PSC	SCHOOL NURSE	REHIRE	10/11/2010
SYLVIA	BULLOCK	PINOLE MIDDLE	MATH SEI	NEW HIRE	10/13/2010
ALICIA	SANCHEZ	ELLERHORST	PREP SEI	NEW HIRE	10/18/2010
JOHN	MISZTI	RICHMOND HIGH	SOC SCI TBE	NEW HIRE	10/21/2010

TERMINATED/RETIRED

				<u>TERM DATE</u>
PATRICIA	CRESPO	HELMS	K-12 IS	8/24/2010
CALVIN	SADHU	DEJEAN	SOC SCI SEI	9/17/2010
LEA	O'DELL	P SC	SCHOOL NURSE	9/29/2010
DAVID	HEMMINGER	HERCULES MIDDLE	RSP SEI	10/1/2010

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: November 3, 2010

From: Ann Reinlagen,
Assistant Superintendent Human Resources

Agenda Item: CI C.6

Subject: Certificated Provisional Internship Permit (PIP) Request(s)

Background Information: The Provisional Internship Permit (PIP) was created in response to the phasing out of emergency permits and became effective on July 1, 2005. It allows an employing agency to hire an individual who has not yet met the subject matter competence requirement needed to enter an internship program. Prior to requesting a PIP, the employing agency must verify that a diligent search has been made, and a fully credentialed teacher cannot be found. The PIP is issued for one (1) year and is renewable one time only provided the teacher has taken all appropriate subject matter examinations, but has not yet passed those tests.

Recommendation: Recommend Approval

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

November 3, 2010

Action Taken

<u>PIP</u>	<u>SITE</u>	<u>ASSIGNMENT</u>
Davis, Nicole	Transition	SH

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:** November 3, 2010

From: Nia Rashidchi **Agenda Item:** CI C.7
Assistant Superintendent, Educational Services

Subject: Resolution No. 30-1011: American Education Week – November 14-20, 2010

Background Information: American Education Week was established in 1921 to increase public understanding and appreciation of America's schools, to encourage parents and non-parents to visit schools, to build civic and community pride and support education.

Co-sponsors of American Education Week include the National Parent Teacher Association, the United States Department of Education, the National School Board Association, the National Education Association, the American Federation of Teachers, the American Association of School Administrators, and the American Legion.

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
Resolution No. 30-1011**

**American Education Week
November 14-20, 2010**

WHEREAS, public schools are the backbone of our democracy, providing young people with the tools they'll need to maintain our nation's precious values of freedom, civility, and equality; and

WHEREAS, schools are the primary influence in children's lives from their families; and

WHEREAS, by equipping young Americans with both practical skills and broader intellectual abilities, schools give them hope for, and access to, a productive future; and

WHEREAS, education employees – be they custodians or teachers, bus drivers or librarians – timelessly serve our children and communities with care and professionalism; and

WHEREAS, schools are community linchpins, bringing together adults and children, educators and volunteers, business leaders and elected officials in a common enterprise; and

NOW THEREFORE, BE IT RESOLVED, that the Board of Education and West Contra Costa Unified School District proclaims the week of November 14-20, 2010 as American Education Week as the 89th observance of American Education Week; and be it further

PASSED AND ADOPTED by the Board of Education of the West Contra Costa Unified School District on the third day of November 2010, 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 November 3, 2010.

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:** November 3, 2010
From: Bill Fay **Agenda Item:** CI C.8
Associate Superintendent
Subject: Resolution No. 29-1011: Recognizing Contributions of Veterans to the Country

Background Information:

Resolution No. 29-1011 acknowledges the contributions of our veterans and encourages all citizens, staff, faculty, students and families to participate in the celebration of Veterans' Day.

Recommendation: Recommend adoption of resolution

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

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

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION**

Resolution No. 29-1011

RECOGNIZING CONTRIBUTIONS OF VETERANS TO THE COUNTRY

WHEREAS, tens of millions of Americans have served in the Armed Forces of the United States during the past century; and

WHEREAS, hundreds of thousands of Americans have given their lives while serving in the Armed Forces during the past century;

WHEREAS, the willingness of our citizens to give freely and unselfishly of themselves, even their lives, in the defense of our democratic principles, gives this great Nation continued strength and vitality; and

WHEREAS, the contributions and sacrifices of the men and women who served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by Americans; and

WHEREAS, on this special day, our hearts and thoughts also turn to those who were disabled while serving their country, their sacrifices and hardships endure, and daily earn additional honor and compassion of a grateful nation.

WHEREAS, Americans throughout this great nation set aside Veterans' Day for special remembrance of the men and women who have served to protect our freedom; and

NOW, THEREFORE, BE IT RESOLVED, that the President does recognize November 11, 2010, as Veterans' Day, and ask that on this day of honor, all citizens express their gratitude to our veterans; and

BE IT FURTHER RESOLVED, that the Governing Board of the West Contra Costa Unified School District does hereby support Veterans' Day, and encourages all citizens, staff, faculty, students and their families to participate in the celebration of Veterans' Day.

APPROVED, PASSED AND ADOPTED by the Governing Board of the West Contra Costa Unified School District on the third day of November, by the following vote:

AYES: _____

NOES: _____

ABSTENTIONS: _____

I DO HEREBY CERTIFY that the foregoing resolution was duly and regularly introduced, passed and adopted by the members of the Governing Board of the West Contra Costa Unified School District at a public meeting of said Board held on November 3, 2010.

President of the Governing Board of the
West Contra Costa Unified School District

Clerk of the Governing Board of the
West Contra Costa Unified School District

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: November 3, 2010

From: Bill Fay
Associate Superintendent for Operations

Agenda Item: CI C.9

Subject: Harding Elementary School Window, Exterior Wall and Roof Repairs Award of Contract

Background Information:

Harding Elementary School has experienced ongoing moisture intrusion issues since renovation in 2005. The District has retained Grossman Design Group, roofing and waterproofing consultants to assist in repairs and upgrades to building envelope systems. This first set of work includes repairs of roof flashings, window sealants, and exterior wall cracking. The District conducted a public bid process for this work. Bids were opened on October 21, 2010. One bid was received from IMR Contractors for \$48,000. This is the lowest responsive, responsible bid.

Recommendation: Award contract to lowest responsive, responsible bidder.

Fiscal Impact: Total for this action: **\$48,000.** Funded by the Measure J Bond, Harding Elementary School Waterproofing Repairs Project.

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:** November 3, 2010
From: Bill Fay **Agenda Item:** CI C.10
Associate Superintendent for Operations
Subject: Richmond High School Fence and Gates Project Final Change Order Approval

Background Information:

The Richmond High Fence and Gates project is complete. CF Contracting is the contractor. This project includes full fence and gate replacement around the campus perimeter. In addition, the project includes full reconfiguration of the front parking lot, with replacement of the asphalt, new concrete, and a new driveway to allow circulation for drop off. During the course of the work there have been a significant number of unforeseen conditions which have resulted in changed scope of work and increased costs. For example, the soils at the site are contaminated and required special handling and disposal. The City of Richmond has also requested substantial additional work in the public right of way. In addition, the time frame for completion of the work on the front parking lot was limited to the summer break, and it was necessary to approve substantial overtime and weekend work for the contractor in order to complete the parking lot prior to the opening of school. Finally, there were a number of items added by the District for underground work related to parking lot lighting, conduits for connection of low voltage systems to the old Art Building on 23rd Street, and repairs to existing shallow storm drain systems.

The combination of the substantial unforeseen conditions and the need to approve off hours work has resulted in potential change orders in excess of Public Contract Code 10% limit. The Board has previously approved a change order for this contract and staff is requesting approval of this final contract adjustment of an additional 5.37%, with findings as noted below.

Approval is required by the Board, with special findings, because this is in excess of the Public Contract Code limit of 10% of the original contract value. In accordance with Public Contract Code 20118.4, the Board, by approving these change orders, finds that it would have been futile to publicly bid the work in question because of the tight time frames to complete this work without affecting the operations of the District, and that the public is best served by having this work completed by the contractor on the project.

Recommendation: Adopt findings of futility and approve change order to CF Contracting.

Fiscal Impact: Total for this action: **\$57,997.80.** Funded by the Measure J Bond, Richmond HS Fence and Gates Project.

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:** November 3, 2010
From: Bill Fay **Agenda Item:** CI C.11
Associate Superintendent for Operations
Subject: Approval of Bid Alternates #1, #2 and #3, Chavez Elementary School Window and Door Replacement Project.

Background Information:

On October 6, 2010, the Board awarded the above referenced bid to Pinguelo Construction in the amount of \$262,510. However, the District neglected to include the award of the three bid alternates as follows: Bid Alternate #1: Provide additive cost to replace Lexan plastic with specified Low E laminated glazing in the store front aluminum window frames on the north side of the two story building (both floors); Bid Alternate #2: Provide an additive cost to remove all existing horizontal mini-blinds at all exterior wall, window and door lite locations and replace them with MechoShade system roller shades; Bid Alternate #3: Provide an additive cost to remove all existing sealant and backing rod around existing aluminum window frames and reinstall new backing rod and sealant at all window locations on the buildings. Basis award was the base bid, but the addition of the 3 alternates, Pinguelo Construction was determined to be the lowest responsive, responsible bidder.

Recommendation: Award the three above referenced bid alternates to Pinguelo Construction in the amount of \$104,425 (Bid Alternate #1 - \$38,975; Bid Alternate #2 - \$35,000; Bid Alternate #3 - \$30,450). Funded from the Deferred Capital Projects Budget, Measure J Bond.

Fiscal Impact: \$104,425. Funded from the Deferred Capital Projects Budget of 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:** November 3, 2010
From: Bill Fay **Agenda Item:** CI C.12
Associate Superintendent for Operations
Subject: Approval of pool of Pre-Qualified Architects for Measure D 2010 projects

Background Information:

In preparation for the Measure D 2010 projects, District staff has completed a competitive selection process in order to pre-qualify a number of architectural firms for assignment to upcoming projects. A Request for qualifications (RFQ) was prepared and circulated to over thirty architectural firms with experience in renovation and new construction of California public schools.

The District received statements of qualifications (“SOQ’s) from interested firms. District facilities, Operations/Maintenance and Technology staff evaluated the SOQ’s, and using a set of uniform criteria contained in the RFQ, has created a list of qualified firms from which the District may make selections for ongoing Measure D work. Additional firms may be qualified from time to time after submitting qualifications for review by the District. The recommendation of the pre-qualified firms does not include a specific project assignment. This action merely creates a pool of pre-qualified Architects for upcoming projects. These firms can now be interviewed, or assigned as required, to future Measure D 2010 projects. Proposed assignments will be reviewed and recommended for approval by the Board at the time the projects are set to begin design.

Recommendation: Approve the attached list of Architectural firms as Pre-Qualified to perform work on projects funded under the Measure D 2010 Bond Program.

Fiscal Impact: None at this time. Architect fees are budgeted and funded by the Measure D 2010 Bond.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____



Measure D-2010 – List of Recommended Architectural Firms

1. AEDIS Architecture & Planning
2. Architecture for Education, Inc. (A4E)
3. Baker Vilar Architects
4. BCA Architects
5. Beverly Prior Architects
6. BFGC-IBI Group Architecture
7. Bill Gould Design
8. DLM Architecture
9. Gelfand Partners Architects
10. Hibser Yamauchi Architects
11. HKIT Architects
12. HMC Architects
13. HMR Architects
14. Interactive Resources
15. Lionakis
16. LPA, Inc.
17. MVE Institutional, Inc.
18. Powell & Partners Architects
19. Quattrocchi Kwok Architects
20. Sally Swanson Architects
21. VBN Architects
22. WLC Architects, Inc.
23. Cody Anderson Wasney Architects
24. Hamilton & Aitken Architects
25. SIM Architects, Inc.

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:** November 3, 2010
From: Bill Fay **Agenda Item:** CI C.13
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: Ford Elementary School New Campus; Portola Middle School Temporary Housing Utilities; and Hercules Middle High School Quad Landscape and Parking. 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: **\$61,412.37**

DISPOSITION BY BOARD OF EDUCATION

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

November 3, 2010 Change Order Ratification Summary

	Project	Company	Original Contract	Previously Approved CO's	Items Pending Board Action		Total CO's	CO Percent of Original Contract	Adjusted New Contract	Change Order Numbers
					CO's Pending Ratification	CO's Pending Approval				
1	Ford ES New School	Alten Construction	\$16,734,206.00	\$283,083.00	\$30,285.00	\$0.00	\$313,368.00	1.87%	\$17,047,574.00	11
2	Portola MS Temp Housing Utilities	Evans Brothers, Inc.	\$389,000.00	\$0.00	\$11,350.74	\$0.00	\$11,350.74	2.92%	\$400,350.74	1
3	Hercules MS/HS Quad Landscape & Parking	McNabb Construction, Inc.	\$247,450.00	\$0.00	\$19,776.63	\$0.00	\$19,776.63	7.99%	\$267,226.63	1

Pending Board Actions	Ratifications	\$61,412.37
	Approvals	\$0.00
	Total Board Action	\$61,412.37

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
Office of the Superintendent

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education **Meeting Date:** November 3, 2010
From: Bill Fay **Agenda Item:** CI C.14
Associate Superintendent for Operations
Subject: Ratification and Approval of Engineering Services Contracts

Background Information:

Contracts have been initiated by staff using previously qualified consulting, engineering, architectural, or landscape architectural firms to assist in completion of the referenced projects. Many of the firms are already under contract and the staff-initiated work may be an extension of the firm's existing contract with the District. Public contracting laws have been followed in initially qualifying and selecting these professionals.

Recommendation: Ratify and approve contracts as noted.

Fiscal Impact: Total for this action: **\$26,284.** 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
Collins Elementary School Drainage and Paving Repairs Deferred Capital Projects Measure J Bond	November 2010 thru January 2011	Pacific Engineering	\$13,900	Civil Engineering Services to provide construction documents for project.
Hercules Middle High School Fields Project Capital Facilities Fund	October 2010 thru December 2010	WR Robinson and Associates	\$12,384	Construction management services for additional scope elements.

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:** November 3, 2010
From: Bill Fay **Agenda Item:** CI C.15
Associate Superintendent for Operations
Subject: Citizens' Bond Oversight Committee (CBOC) Appointment

Background Information:

Ms. Adrienne Harris has agreed to accept appointment to the Citizens' Bond Oversight Committee representing the Board of Trustees (Mr. Ramsey's appointment). Staff is seeking approval for Ms. Harris to serve on the CBOC.

Recommendation: Approve appointment to the CBOC.

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:** November 3, 2010
From: Bruce Harter **Agenda Item:** D.1
Superintendent
Subject: Ed Fund Mini-Grants & School-wide Grants

Background Information:

Each fall, The Ed. Fund awards grants to teachers, principals, and other staff or community leaders in WCCUSD who have creative ideas for their schools. This year there are 67 awards totaling \$45,439. These grant recipients are leaders who go above and beyond the call of duty to serve our students. Projects range in content from poetry programs, after school video clubs, garden projects and debate teams, as well as more traditional literacy and math programs. No matter what the subject, each grant supports the standards and learning goals the District considers essential. With fresh ideas and innovative programs, these professionals ensure that the children in our community thrive.

The Ed. Fund is pleased to present to the Board of Education the recipients for the 2010-11 school year.

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: November 3, 2010

From: Nia Rashidchi
Assistant Superintendent

Agenda Item: D.2

Subject: National Education Associations KEYS 2.0 Survey

Background Information:

Marelen Fong, California Teachers Association (CTA), will make a presentation on The National Education Association's (NEA) KEYS 2.0 survey instrument. KEYS 2.0 is a comprehensive, research-based, and data driven continuous school improvement program grounded on 42 Indicators of School Quality that are clustered around six "KEYS".

The six KEYS are:

- Shared Understanding and Commitment to High Goals
- Open Communication and Collaborative Problem Solving
- Continuous Assessment for Teaching and Learning
- Personal and Professional Learning
- Resources to support Teaching & Learning
- Curriculum and Instruction

The tools are an essential part of NEA's Priority Schools campaign.

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: November 3, 2010

From: Ann Reinlagen,
Assistant Superintendent Human Resources

Agenda Item: D.3

Subject: Equitable Distribution of Highly Qualified Teachers and Administrators

Background Information:

The Human Resources staff will provide a presentation of the LEA Plan for Equitable Distribution of Highly Qualified and Effective Teachers and Administrators.

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 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education **Meeting Date:** November 3, 2010
From: Bruce Harter **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.

Roger Matthew Giordano, an electrician for the Maintenance / Operations Department since May 2004, passed away in October 2010. He enjoyed participating on the District's bowling league with friends and co-workers. He was cared for by those he worked alongside.

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

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: November 3, 2010

From: Wendell Greer
Associate Superintendent

Agenda Item: F.1

Subject: Alvarado Unity High Charter School Petition

Background Information:

On September 9, 2010, the petitioner submitted to West Contra Costa Unified School District a petition for a charter school known as Alvarado Unity High Charter School ("Charter School"). Pursuant to the Charter Schools Act of 1992 (the "Act"), Education Code section 47600 *et seq.*, the Legislature has charged local school boards with the responsibility for reviewing and acting on petitions by charter schools.

Staff has reviewed the charter petition ("Petition") for the establishment (for five years) of the Alvarado Unity High School Charter School ("Charter School"). The Charter School is governed by a nonprofit public benefit corporation, but the District would be responsible for oversight of the Charter School. The Charter School seeks to provide students "the core skills necessary for academic achievement and, ultimately, for success in today's global, multicultural and multilingual society." (Petition, p. 4.) It is the stated mission of the Charter School to prepare its students for admission to and success in college by offering a rigorous curriculum that meets the University of California A-G requirements, with an emphasis in basic skills and core subject matter in English language arts, mathematics, social students and science, and a comprehensive support program that promotes healthy youth development. (Petition, p. 5.)

Submission of a charter petition is governed by the requirements of Education Code section 47605 and 47607. Education Code section 47605(b) requires the Board, within 30 days of receiving a petition, to hold a public hearing to consider the level of support for the petition. The public hearing was held on October 6, 2010.

The Act states that a school district governing board considering whether to grant a charter petition "shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that establishment of charter schools should be encouraged." (Ed. Code, § 47605(b).) With this legislative intent in mind, the governing board must grant a charter "if it is satisfied that granting the charter is consistent with sound educational practice." (Ed. Code, § 47605(b).)

Upon receipt of the petition, components of the petition were assigned to various staff members of the District for review and analysis based on individual areas of expertise. Review of the different components of the charter petition was allocated as follows: Upon receipt of the petition, components of the petition were assigned to various staff members of the District for review and analysis based on

individual areas of expertise. Review of the different components of the charter petition was allocated as follows: Educational Program, Linda Jackson, Executive Director K-12 Schools, Lynn Potter, Director Educational Services, Sonja Neely-Johnson, Harlan Kerr, Sherry Bell, Susan Dunlap, Coordinators Educational Services; Special Education, Steve Collins, SELPA Director; Fiscal/Budget, Martin Coyne, Executive Director, CPA; Human Resources/Employee Issues, Patricia Calvert, Director of Human Resources; Legal/Operational, Ed Sklar, Lozano Smith Attorneys at Law.

Staff and legal counsel have reviewed the Petition and prepared the Staff Written Findings Regarding Alvarado Unity High Charter School Petition (“Findings”), which are attached. Staff’s analysis of the petition includes a review of its educational program, fiscal and governance structure, student admissions and discipline, labor and personnel issues, facilities and legal issues.

The pages immediately following this précis contain proposed findings prepared by District staff and outside counsel condensing the remaining areas of concern, the resolution of those concerns, and Staff’s ultimate recommendation regarding those areas.

Recommendation

Staff recommends that the Board deny the charter petition on the following grounds pursuant to Education Code section 47605:

- (a) The Charter School presents an unsound educational program for the students to be enrolled in the Charter School. (Ed. Code § 47605(b)(1).)
- (b) The Petitioners are demonstrably unlikely to successfully implement the program set forth in the Petition. (Ed. Code § 47605(b)(2).)
- (c) The Petition does not contain reasonably comprehensive descriptions of certain required elements set forth in Education Code section 47605, subdivisions (b)(5)(A-P).

In order to deny the Petition on the grounds set forth above, Education Code section 47605, subdivision (b) requires the Governing Board to make “written factual findings, specific to the particular Petition, setting forth specific facts to support one or more” of the grounds for denying the charter. Staff recommends that the Board adopt the proposed findings of fact, attached, as its own.

Fiscal Impact: None

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

STAFF REPORT AND PROPOSED FINDINGS OF FACT REGARDING ALVARADO UNITY HIGH SCHOOL CHARTER PETITION

Staff has reviewed the charter petition (“Petition”) for the establishment of the Alvarado Unity High School Charter School (“Charter School”). The Petition seeks to establish the Charter School for five years. The Charter School is governed by a nonprofit public benefit corporation, but the District would be responsible for oversight of the Charter School. The Charter School seeks to provide 9th through 12th grade students “the core skills necessary for academic achievement and, ultimately, for success in today’s global, multicultural and multilingual society.” (Petition, p. 4.) It is the stated mission of the Charter School to prepare its students for admission to and success in college by offering a rigorous curriculum that meets the University of California A-G requirements, with an emphasis in basic skills and core subject matter in English language arts, mathematics, social studies and science, and a comprehensive support program that promotes healthy youth development. (Petition, p. 5.)

The Charter School is modeled after another charter school operated by Petitioners, Oakland Unity High School, in Oakland. The Petition, itself, appears to be generally copied from other sources. As a result, it generally fails to take into consideration the specifics of the District’s community and its students. This leads to flaws in various portions of the Petition, which should be tailored to the District’s student population.

Consistent with Education Code section 47605(b), the District conducted a public hearing on October 6, 2010, to hear from Charter School supporters and consider the level of support for the Petition. At the hearing, Petitioners made a presentation and no community members spoke in favor of, or in opposition to, the Petition.

Overview of Charter Petitions Generally

The Charter Schools Act of 1992 (“Act”) governs the creation of charter schools in the State of California. The Act states that a school district governing board considering whether to grant a charter petition “shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that establishment of charter schools should be encouraged.” (Ed. Code § 47605(b).) With this legislative intent in mind, the governing board must grant a charter “if it is satisfied that granting the charter is consistent with sound educational practice.” (Ed. Code § 47605(b).) The governing board may not deny a petition unless it sets forth specific facts to support one, or more, of the following five findings:

- (1) The charter school presents an unsound educational program for the students to be enrolled in the charter school.
- (2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.

- (3) The petition does not contain the number of signatures required by Education Code section 47605, subdivision (a)(1)(A) or (a)(1)(B). Specifically, subdivision (a)(1)(A) requires that the petition be signed by a number of parents or guardians of students equal to at least one-half the number of students that the charter school estimates will enroll in the charter school for its first year of operation. In the alternative, subdivision (a)(1)(B) requires that the petition be signed by a number of teachers that is equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the school during the first year of operation.
- (4) The petition does not contain an affirmation of certain specific conditions set forth in Education Code section 47605, subdivision (d), including that the Charter School: (1) will be nonsectarian in its admission policies, employment practices, and all other operations; (2) will not charge tuition; and (3) will not discriminate against any student on the basis of the characteristics set forth in Education Code section 220.
- (5) The petition does not contain reasonably comprehensive descriptions of the following elements set forth in Education Code section 47605, subdivision (b)(5)(A-P), which constitute sixteen separate elements that must be addressed in every charter petition.
 - (A) A description of the educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an “educated person” in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling students to become self-motivated, competent, and lifelong learners.
 - (B) The measurable student outcomes identified for use by the charter school. “Student outcomes” means the extent to which all students of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school’s educational program.
 - (C) The method by which student progress in meeting those student outcomes is to be measured.
 - (D) The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement.
 - (E) The qualifications to be met by individuals to be employed by the school.

- (F) The procedures that the school will follow to ensure the health and safety of students and staff.
- (G) The means by which the school will achieve a racial and ethnic balance among its students that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.
- (H) Admission requirements, if applicable.
- (I) The manner in which annual, independent, financial audits will be conducted, which will employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies will be resolved to the satisfaction of the chartering authority.
- (J) The procedures by which students can be suspended or expelled.
- (K) The manner by which staff members of the charter schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.
- (L) The public school attendance alternatives for students residing within the school district who choose not to attend charter schools.
- (M) A description of the rights of any employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school.
- (N) The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter.
- (O) A declaration whether or not the charter school will be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act ("EERA" or "Rodda Act").
- (P) A description of the procedures to be used if the charter school closes. These procedures must ensure a final audit of the school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of student records.

Charter school petitions are also required to include discussion of the impact on the chartering district, including, the facilities to be utilized by the school, the manner in which administrative services will be provided, potential civil liabilities for the school district, and a three year projected operational budget. (Ed. Code § 47605(g).)

Recommended Grounds for Denying Charter Petition

Staff recommends that the Board deny the Petition on the following grounds, pursuant to Education Code section 47605:

- (a) The Charter School presents an unsound educational program for the students to be enrolled in the Charter School. (Ed. Code § 47605(b)(1).)
- (b) The Petitioners are demonstrably unlikely to successfully implement the program set forth in the Petition. (Ed. Code § 47605(b)(2).)
- (c) The Petition does not contain the signatures required by Education Code 47605, subdivision (a)(1).
- (d) The Petition does not contain reasonably comprehensive descriptions of certain required elements set forth in Education Code section 47605, subdivisions (b)(5)(A-P).

In order to deny the Petition on the grounds set forth above, Education Code section 47605, subdivision (b), requires the Governing Board to make “written factual findings, specific to the particular Petition, setting forth specific facts to support one or more” of the grounds for denying the charter. Staff recommends that the Board adopt the proposed findings of fact, set forth below, as its own.

The following proposed findings of fact have been grouped for convenience under the four grounds for denying the Petition, although some findings of fact support more than one ground for denial.

Proposed Findings of Fact

FINDING I: THE CHARTER SCHOOL PRESENTS AN UNSOUND EDUCATIONAL PROGRAM FOR STUDENTS TO BE ENROLLED AT THE CHARTER SCHOOL.

The Petition identifies its target population as predominantly lower socioeconomic, Hispanic, Southeast Asian and/or African American students, with an estimated 80% of students qualifying for Free or Reduced Price Lunch. (Petition, p. 5.) Based upon the District’s experience, this target population will include a range of learning abilities and skills, including special education students and English Language Learners (“ELLs”). For the following reasons, the Petition presents an unsound educational program for the students to be enrolled at the Charter School:

- A. The Petition does not sufficiently describe the proposed curriculum or teaching methods to be employed at the Charter School.
 - B. The Petition does not provide an academic calendar or instructional minutes.
 - C. The Petition does not include a detailed plan for low achieving students.
 - D. The Petition does not adequately address how the Charter School will modify its educational program to educate ELL students.
 - E. The Petition does not address how the Charter School’s educational program will serve special education students.
- A. The Petition does not sufficiently describe the proposed curriculum or teaching methods to be employed at the Charter School.

The Petition presents an unsound educational program because it does not provide specificity regarding the proposed curriculum or teaching methods as required by Education Code section 47605(b)(5). The Petition fails in this regard for both its general program and its programs for special groups such as special education students and ELLs, as described in detail below.

With respect to its general student population, the Petition indicates that the Charter School’s mission is to “prepare its student for admission to and success in college.” (Petition, p. 6.) This will be achieved through “on-site curriculum that meets or exceeds California state standards.” (Petition, p. 5.) Further, students will “receive intensive preparation in all core subjects; they apply knowledge in these subjects to community service activities that benefit the community and environment, and they are exposed to career options and role models of college graduates. As part of the advisory program, all students begin exploring college and career options . . .” (Petition, p. 5.)

However, the Petition provides only a general overview of core academic, lifelong learning and leadership skills that students will obtain. It then lists seven curriculum “guidelines” to achieve those skills. Those guidelines are very vague and fail to explain how teachers will develop and implement specific lesson plans and curriculum. There are no specifics linking instructional practices with mastery of academic content standards in core curriculum areas. The Petition should, at a minimum, include an outline for curriculum for each of its core academic subjects. The absence of such curriculum is particularly troubling in light of the fact that the proposed Charter School is modeled after Oakland Unity High School, operated by Petitioners. As a result, such curriculum should be readily available. Furthermore, the Petition wholly fails to address certain aspects of curriculum necessary to meet the University of California A-G requirements (a stated mission of the Charter School), including visual and performing arts, foreign language and other college preparatory electives. The Petition also fails to

describe how the UC A-G requirements and graduation requirements will be communicated to parents or emphasized in the curriculum.

Additionally, the Petition fails to describe how the Charter School will implement certain pedagogical approaches described in the Petition. For instance, the “Funds of Knowledge” approach is proposed to link the family and community to the curriculum. However, the Petition does not provide any examples of what this will entail. (Petition, p. 8.) There is also no discussion as to how community service activities will be implemented. Likewise, the Petition describes intensive support for each student through advisory services to be provided by classroom teachers. However, the staffing ratio reveals that each teacher will have 25 students that he or she will be advising, in addition to their normal class load. Given the time constraints on each teacher, it is unclear from the Petition how the advising will take place to ensure that support is available for each student.

B. The Petition does not provide an academic calendar or instructional minutes.

The Petition further presents an unsound educational program because it does not describe the academic calendar for the Charter School or indicate that it will provide sufficient instructional minutes to its students. Without this information, District staff cannot determine whether sufficient time will be allotted to both core academic subjects and other skills in order to meet the Charter School’s objectives.

C. The Petition does not include a detailed plan for low achieving students.

The Petition presents an unsound educational program because it does not adequately describe how the Charter School will identify and respond to the needs of pupils who are not achieving at or above expected levels. The Petition states that “The Charter School will seek early identification of low-achieving students through formal and informal assessments and observations.” (Petition, p. 9.) Additionally, “students at risk of failing to meet state adopted standard will receive extra attention in and outside of the classroom.” (Petition, p. 9.) However, the Petition fails to delineate what specific assessments and observations will be conducted, who will conduct them, and what extra attention the student may receive. Without this information, the Petition fails to present a sound educational program for low achieving students.

D. The Petition does not adequately address how the Charter School will modify its educational program to educate ELL students.

As set forth above, a large percentage of students of the Charter School’s target population are likely to be ELLs. As a result, the Petition should address how the Charter School’s educational program will meet their needs. The Petition states that the Charter School will meet all applicable requirements” for ELLs, but fails to adequately describe ELL placement or any specialized curriculum that may be available. Additionally, and as set forth in further detail in FINDING II(A), the Petition does not require teaching staff to be appropriately credentialed to meet the needs of ELL students. As a result of the

foregoing, the Petition presents an unsound educational program for educating ELL students.

E. The Petition does not address how the Charter School's educational program will serve special education students.

The Petition contains numerous errors and omissions relating to the Charter School's plan for the provision of special education and related services to eligible pupils, as set forth below. As a result, the Petition presents an unsound educational program for special education students.

1. Delineation of Duties

The Petition fails to adequately describe how it intends to apportion responsibility for the delivery of special education services to eligible Charter School students. The Petition provides that the Charter School will "enter into a MOU with WCCUSD which spells out in detail the responsibilities for provision of special education services by the Charter School and the manner in which special education funding will flow through WCCUSD to the students of the Charter School." (Petition, p. 12.) However, the Petition includes no description of the role that Charter School staff will serve in the individualized education program ("IEP") formation and implementation process. It is not clear where, or how, services will be delivered or what resources will be available at the Charter School for those purposes. The Petition appears to assign responsibility for scheduling IEP team meetings to WCCUSD staff, but nowhere in the Petition is there a discussion of where those meetings will be convened, or which, if any, Charter School staff will attend. There is no indication in the Petition that Petitioners are aware of state and federal requirements regarding a properly noticed and convened IEP team meeting, what persons make up the required members of a student's IEP team, or what constitutes a properly developed IEP.

The Petition further indicates that a WCCUSD resource specialist will be responsible for "integrating related services with the Charter School's support curriculum." (Petition, p. 12.) This is contrary to the law. Specifically, an IEP requires that programmatic decisions be individualized to the student, and designed to meet the student's unique needs, based on input from his/her IEP team. Requiring each IEP to integrate related services with the Charter School's support curriculum is contrary to the mandate of the Individuals with Disabilities Education Act ("IDEA").

With regard to funding, the Petition indicates that the Charter School will contribute to the District's unfunded special education costs (Petition, p. 12); however, other than a single line in the Charter School budget indicating anticipated special education expenditures of \$400 per student (Petition, p. 56), there is no indication as to how the Charter School has calculated its costs for its contribution to the District's encroachment, or what costs are represented in the \$400 per student currently budgeted.

2. Identification, Referral and Assessment

The Petition provides only two routes for the identification of special education students. First, upon enrollment, the Charter School intends to ask parents/guardians whether their child has received or receives special education services. Second, the Petition states that the Charter School will identify special education students by referrals from the Charter School's staff. (Petition, p. 12.) The Petition fails to consider that students may be referred for assessment for special education and related services by their parents. Title 5 of the California Code of Regulations provides that "all referrals for special education and related services shall initiate the assessment process." (5 C.C.R. section 3021(a).) Therefore, if a parent/guardian requests an assessment, the Charter School must develop a timely referral for assessment. Again, the Petition is not clear as to whether Charter School intends for WCCUSD staff to provide assessment for Charter School pupils and does not include any provisions that indicate that Petitioners are cognizant of requirements in state and federal law related to assessments for special education eligibility.

Moreover, the Petition does not describe any of the timelines for referral, development of an assessment plan, and convening an IEP team meeting following assessment. The Petition further provides that "[i]f the assessment recommends special education services, the WCCUSD resource specialist will develop, together with the parents and the appropriate teachers, an IEP for the student." (Petition, p. 12.) This is incorrect. State and federal special education law make clear that assessors may make *recommendations* as to a student's eligibility for special education, but that only the student's IEP team, acting as a whole in a properly noticed and convened IEP team meeting, may determine whether the student satisfies the eligibility criteria for special education and related services. (Ed. Code §§ 56323 and 56329.)

Additionally, the Petition fails to identify or discuss the Charter School's responsibility to provide an interim placement and comparable services when a student with an IEP transitions to the Charter School during the academic year. Under Education Code section 56325 the Charter School may be required to provide "comparable services" for up to thirty days.

The Petition's lack of clarity as to its duties and obligations with regard to identification, referral, and assessment suggests that Petitioners cannot ensure that Charter School pupils eligible for special education and related services will receive the services to which they are legally entitled.

3. Discipline

The Petition provides that "[a] student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Act ("IDEA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to regular education students except when federal and state law

mandates additional or different procedures.” (Petition, p. 51.) Despite asserting that the Charter School will comply with federal and state mandates, there are no provisions in the Petition that describe the Charter School’s policies and procedures for discipline of students eligible for special education and related services. Those provisions should be fully described either in the Petition itself or in the Charter School’s policies and regulations, and should include, but not be limited to: suspension and expulsion; the criteria and process for conducting functional analysis assessments; development of behavior intervention plans; and the criteria and process for conducting manifestation determinations. Additionally, the Petition does not include any provisions that indicate that Petitioners are aware of the Charter School’s continuing obligation to provide educational services following a disciplinary removal totaling more than ten days.

4. Extended School Year

The Petition fails to discuss the Charter School’s obligation to provide extended school year (“ESY”) services for an eligible student as determined by the student’s IEP team. It is not clear if the Charter School intends WCCUSD to provide those services, and if so, where they are to be provided during the ESY period. The Charter School cannot rely on WCCUSD to provide these services unless an agreement is reached regarding same.

5. Additional Missing Special Education Program Elements

The Petition does not describe or discuss numerous other special education program elements, including, but not limited to: how the Charter School will respond to requests for Independent Educational Evaluations; how the Charter School will timely refer students for reevaluations, mental health services and/or behavioral assessments; functional assessment analyses; how the Charter School will comply with Least Restrictive Environment mandates, the method by which the Charter School’s special education program will comply with independent study law; and the provision of transportation to students whose IEPs require it to ensure the student can access his or her education. Finally, the Petition includes no discussion as to how the Charter School proposes to respond to due process filings, compliance complaints, or parent complaints related to special education.

6. Section 504.

The Petition fails to discuss the provision of services pursuant to the Rehabilitation Act of 1973 (“Section 504”). The Charter School’s duties and obligations for the provision of special education and related services to eligible pupils are separate and distinct from its responsibilities under Section 504. Without a clear and complete description of the Charter School’s plan for the provision of Section 504 services and accommodations, WCCUSD cannot adequately assess Petitioners’ understanding of its obligations under the law.

In sum, the foregoing provisions strongly suggest that Petitioners do not understand the scope and nature of their duties and responsibilities under state and federal special

education law. As a final illustration of the serious deficiencies in the Charter School’s special education plan, it is worth noting that the Petition fails to even mention the Charter School’s fundamental responsibility to eligible students – namely, its duty to provide those students with a free appropriate public education (“FAPE”).

FINDING II: THE PETITIONERS ARE DEMONSTRABLY UNLIKELY TO SUCCESSFULLY IMPLEMENT THE PROGRAM SET FORTH IN THE PETITION.

In order to successfully implement the educational program described in the Petition, the Petition must demonstrate that its policies and procedures are consistent with the educational program. Based upon the information provided in the Petition, the Petitioners are demonstrably unlikely to successfully implement the educational program for the following reasons:

- A. The employee qualifications described in the Petition are inconsistent with the educational program.
 - B. The Petition fails to provide certain policies and procedures described in the Petition that are necessary to confirm that the program can be implemented.
 - C. The Petition does not provide adequate budget.
 - D. The Petition does not provide an adequate description of the facilities in which the Charter School will be located.
- A. The employee qualifications described in the Petition are inconsistent with the educational program.

As set forth above, the Charter School’s target student population consists, in large part, of Hispanic and Southeast Asian students. Many of these students will be ELLs. To assist in educating these students, the Petition states “AUHS will *seek to hire* teachers who have experience and/or knowledge of the student populations at the school, including Spanish-English bilingual teachers with BCLAD or CLAD credentials.” (Petition, p. 22, emphasis added.) The language does not *require* teachers to have either a CLAD or BCLAD credential, despite the student population. The credentials of the Petitioners likewise indicate that CLAD or BCLAD is a goal, as opposed to requirement, as only one of the teachers is identified as holding a CLAD certification. None of the teachers whose resumes were included in the Petition identify themselves as Spanish-English bi-lingual. In light of the student population proposed to be served by the Charter School, the employee qualifications described in the Petition are inconsistent with the educational program and therefore, Petitioners are unlikely to successfully implement the proposed educational program.

B. The Petition fails to provide certain policies and procedures described in the Petition that are necessary to confirm that the program can be implemented.

Education Code section 47605(b)(5)(F) requires the Petition to include “the procedures that the school will follow to ensure the health and safety of pupils and staff.” The Petition indicates that “AUHS will adopt and implement a comprehensive set of health, safety, and risk management policies 30 days before the operation of the school.” (Petition, p. 23.) In light of the fact that Petitioners are already operating a similar program in Oakland, such policies should be readily available for inclusion in the Petition. Without this information being included in the Petition, the District cannot evaluate whether those policies will sufficiently protect the health and safety of pupils and staff, thereby facilitating successful implementation of the Charter School program. Without this information, the Petitioners are demonstrably unlikely to successfully implement its program.

C. The Petition does not provide an adequate budget.

A charter school petition must include a budget that demonstrates the educational program can be successfully implemented. The proposed budget in this Petition has several significant flaws.

1. The budget does not show a strong reserve or projected ending balance for the first year of operation.
2. The expenditures for special education excess costs are not consistent with the current experience of the District.
3. The monthly projection of revenue receipts is not consistent with local/state/federal funding disbursements.
4. Expenditures are not projected by month and do not correspond with typical/reasonable schedules.
5. The budget does not show a positive fund balance each month and/or identify sources of working capital.
6. The budget does not reflect any negotiated (or planned to be negotiated) agreements for services to be provided by the District.

In addition, the Petition does not provide a description of annual budget development, implementation and review process, including the process by which the charter school leadership will monitor and report regarding the continued financial solvency of the Charter School. As a result of the foregoing financial issues, Petitioners are demonstrably unlikely to successfully implement the Charter School program.

- D. The Petition does not provide an adequate description of the facilities in which the Charter School will be located.

Education Code section 47605(g) requires that a charter petition include a discussion regarding where the charter school will be or plans to be located. The Petition does not provide this information, although it does provide a line item in the budget for facilities, which appears to be low. Without a location to house the Charter School or a realistic perspective of the cost to do so, the Petitioners are demonstrably unlikely to be able to successfully implement its program. This lack of discussion of a facility also calls into question the soundness and planning of the Charter School's educational program.

FINDING III: THE PETITION DOES NOT CONTAIN THE SIGNATURES REQUIRED BY EDUCATION CODE SECTION 47605, SUBDIVISION (a)(1).

The petition does not contain the number of signatures required by Education Code section 47605, subdivision (a)(1)(A) or (a)(1)(B). Specifically, subdivision (a)(1)(A) requires that the petition be signed by a number of parents or guardians of students equal to at least one-half the number of students that the charter school estimates will enroll in the charter school for its first year of operation. In the alternative, subdivision (a)(1)(B) requires that the petition be signed by a number of teachers that is equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the school during the first year of operation.

While the Petition was submitted with names typed on to the Petition, no actual signatures appear on the Petition. Therefore, the Petition was submitted without signatures. As a result, the Petition does not comply with the requirements of Education Code section 47605(a)(1).

FINDING IV: THE PETITION DOES NOT CONTAIN REASONABLY COMPREHENSIVE DESCRIPTIONS OF CERTAIN REQUIRED ELEMENTS SET FORTH IN EDUCATION CODE SECTION 47605, SUBDIVISIONS (b)(5)(A-P).

The Petition does not contain reasonably comprehensive descriptions of many of the elements set forth in Education Code section 47605, subdivisions (b)(5)(A-P), as set forth below.

- A. The Petition does not contain a reasonably comprehensive description of the educational program. (Element A.)

The Charter Schools Act requires a charter school petition to contain a reasonably comprehensive description of the educational program, including identification of "whom the school is attempting to educate." (Ed. Code § 47605 (b)(5)(A).) As set forth in FINDING I, the Petition does not contain a reasonably comprehensive description of the educational program for five reasons: 1) the Petition does not sufficiently describe the

proposed curriculum or teaching methods to be employed at the Charter School; 2) the Petition does not provide an academic calendar or instructional minutes; 3) the Petition does not include a detailed plan for low achieving students; 4) the Petition does not adequately address how the Charter School will modify its educational program to educate ELL students; and 5) the Petition does not address how the Charter School's educational program will serve special education students.

B. The Petition does not clearly identify measurable pupil outcomes. (Element B.)

Education Code section 47605(b)(5)(B) requires the Petition to identify "the measurable student outcomes identified for use by the charter school. "Student outcomes" means the extent to which all students of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program." The Petition provides that the average state testing score for the Charter School will be at or above parity with schools of similar socio-economic ranking. (Petition, p. 14.) The Petition does not provide further detail. These measurable pupil outcomes appear to be inconsistent with the stated mission of the Charter School to prepare all students for college. As a result, the Petition fails to clearly identify reasonable pupil outcomes that are consistent with its stated objectives. Moreover, there is limited discussion in the description of the educational program as to how these outcomes will be obtained.

C. The Petition does not clearly identify the method by which student progress in meeting those student outcomes is to be measured. (Element C.)

Education Code section 47605(b)(5)(C) requires the Petition to identify "the method by which pupil progress in meeting those pupil outcomes is to be measured." Page 15 of the Petition references "How WUCCH Measures Pupil Outcomes." It is unclear what "WUCCH" is or how it relates to the Petition. Furthermore, the Petition does not identify the method by which student progress is measured for special populations, including special education and ELL students. As a result, the Petition is unclear with respect to this element.

D. The Petition does not adequately describe all elements of the governance structure of the Charter School. (Element D.)

Education Code section 47605(b)(5)(D) requires the Petition to describe "the governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement." The Petition does not adequately address all aspects of this requirement.

First, the Petition states that "prior to the opening of the school, the Unity Schools Bylaws will be amended to provide for a WCCUSD appointed representative to serve as a member of the Unity Schools Board." (Petition, p. 16.) However, it does not state whether this District representative will be a voting or a non voting member.

Second, the Petition states the Charter School governance policies “are aligned with the principles of the Brown Act and the Political Reform Act.” However, the Petition does not require the Charter School (its governing board and officers) to comply with the Brown Act, the Political Reform Act or Government Code section 1090 related to conflicts of interest. In fact, the bylaws for the non-profit corporation operating the Charter School appear to conflict with these requirements. (Petition, pp. 40-48.)

E. The Petition does not sufficiently describe the qualifications to be met by individuals to be employed by the Charter School. (Element E.)

Education Code section 47605(b)(2)(E) requires the Petition to describe the qualifications to be met by individuals to be employed by the Charter School. As set forth in FINDING II(A), above, the Petition does not adequately describe the required credentials for teachers educating ELL students.

Further, as written, employment qualifications for teachers of non-core, non-college preparatory classes are vague. For those classes, the Charter School may hire an individual with “an appropriate mix of subject matter expertise, professional expertise, and the demonstrated capacity to work successfully as a teacher.” (Petition, p. 21.) The Petition fails to determine, perhaps intentionally, the standards for what comprise “subject matter expertise,” “professional expertise,” and a “demonstrated capacity to work successfully as a teacher.” While charter schools have “flexibility” for hiring instructors for non-core, non-college preparatory classes, the standards for hires should be high and well articulated.

Likewise, Petitioners state they “will develop, as needed, the job descriptions, job qualifications selection processes, and evaluation tools appropriate for non-instructional staff that may be employed at the school.” (Petition, p. 22.)

F. The Petition does not describe the procedures that the school will follow to ensure the health and safety of students and staff. (Element F.)

Education Code section 47605(b)(2)(F) requires the Petition to describe the procedures that the school will follow to ensure the health and safety of students and staff. As set forth in FINDING II(B), above, the Petition does not sufficiently describe those procedures or policies.

G. The Petition does not adequately describe the means by which the school will achieve a racial and ethnic balance among its students that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted. (Element G.)

Education Code section 47605(b)(2)(G) requires the Petition to describe the means by which the school will achieve a racial and ethnic balance among its students that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted. The Petition does not address

the actual racial and ethnic balance of the population within the District territory. Rather, the Petition states that the Charter School estimates that over 85% will be of Hispanic, Southeast Asian and/or African American ethnic/cultural background. (Petition, p. 5.) The District's enrollment is closer to 90% students of Color, including American Indian, Asian, Pacific Islanders, Filipino, Hispanic and African American students, among others. Over 50 languages are spoken by students in the District, including Spanish, Filipino (or Tagalog), Mien, Vietnamese and Punjabi.

The Petition provides that "AUHS will implement a student recruitment strategy" that includes "an enrollment process that is scheduled and adapted to include a timeline that allows for a broad based recruiting application process; the appropriate development of promotional and informational materials in languages other than English to appeal to limited English proficient populations; the distribution of promotional and informational materials to a broad variety of community groups and agencies that serve the local population; and outreach meetings in local schools to reach prospective students and parents." (Petition, p. 25.) These recruitment strategies are vague and do not address how the Charter School will conduct outreach to the varied population of the District.

The lack of knowledge regarding the District's student populations, in general, and the student's various ethnic populations, specifically, will cause problems with establishing effective outreach to get these students enrolled in the Charter School. If enrolled, there will be deficiencies in providing services to the District's diverse student population. This would include deficiencies in the translation of parent notices and will impact parental involvement for several students. It also calls into question the inability to actually recruit students, particularly students in this community.

H. The Petition does not provide a sufficient description of the procedures by which students can be suspended or expelled. (Element J.)

Education Code section 47605(b)(2)(J) requires the Petition to provide a description of the procedures by which students can be suspended or expelled. The Petition contains a "Proposed Suspension and Expulsion Policy" as Exhibit F. (Petition, p. 51.) This policy contains two serious flaws.

Charter schools are not required to follow the Education Code when disciplining students, but they are required to provide due process to students assured under the federal and state constitutions. (Goss v. Lopez (1975) 419 U.S. 565; Wood v. Strickland (1975) 421 U.S. 921.) This includes providing clear prior notice to the student of conduct that is subject to discipline, as well as student discipline procedures. The Petition provides that students may be suspended or expelled for any of the infractions enumerated offenses in the policy. (Petition, p. 52.) However, these infractions are "not exhaustive and depending upon the offense a pupil may be suspended or expelled for misconduct not specified above." (Petition, p. 53.) Suspension and expulsion for unidentified misconduct impedes a student's right to notice and due process.

Furthermore, the Petition states no standard upon which an expulsion panel may expel a student, as opposed to imposing other terms of discipline such as suspension. The Education Code lays out clear findings that a Board must make prior to expelling a student. For most disciplinary charges, a Board must find that not only did the student commit the alleged conduct, but certain secondary findings (i.e. that the student is a continuing danger to himself or others; that other means of discipline, short of expulsion, are not feasible) must also be made. For the most heinous offenses, the Education Code only requires that the Board find that the student committed the alleged conduct. While the Charter School is not required to adopt the standards of the Education Code, the Petition should state the findings that must be made prior to expelling a student. This is a basic premise in order to provide due process for disciplined students; it is noticeably lacking in the Petition.

The foregoing issues raise concerns that the Charter School may try to summarily dismiss students from the Charter School for reasons other than those specifically enumerated in the Petition if, for instance, the student was low achieving academically. As a result, the Petition does not provide an adequate description of the procedures by which students can be suspended or expelled.

- I. The Petition does not provide an adequate description of the procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter. (Element N.)

Education Code section 47605(b)(2)(N) requires the Petition to provide an adequate description of “the procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter. The Petition states that the District must provide notices in the written dispute statement for any issue “that could lead to revocation of the charter . . .” Revocation of a charter is governed by Education Code section 47607, not the terms of the dispute resolution provision of a charter petition. Therefore, the description is inconsistent with applicable law and the Petition should be amended to delete that provision.

Additional Comments

In addition to the foregoing, the Petition includes certain miscellaneous contract clauses that are not relevant to a charter petition. (Petition, p. 36.) The “Good Faith,” “Amendments,” “Severability,” “Student Records,” “Applicable Laws,” and “Communication” clauses should not be included in the Petition, as they are not required by Education Code section 47605. If the District approves the Petition and enters into any subsequent agreements for services with the Charter School, such clauses may be appropriate to include in those subsequent agreements.

Recommendation of Denial of Alvarado Unity High School Charter Petition

Based on the foregoing, the District staff makes the following recommendations:

- (1) That the Petition be denied for reasons including, but not limited to, the failure of the Petitioners to present a sound educational program because: 1) the Petition does not sufficiently describe the proposed curriculum or teaching methods to be employed at the Charter School; 2) the Petition does not provide an academic calendar or instructional minutes; 3) the Petition does not include a detailed plan for low achieving students; 4) the Petition does not adequately address how the Charter School will modify its educational program to educate ELL students; and 5) the Petition does not address how the Charter School's educational program will serve special education students. Therefore, the proposed Petition presents an unsound educational program for students to be enrolled at the Charter School.
- (2) That the Petition be denied for reasons including, but not limited to: 1) the employee qualifications described in the Petition are inconsistent with the educational program; 2) the Petition fails to provide certain policies and procedures described in the Petition that are necessary to confirm that the program can be implemented; 3) the Petition does not provide an adequate budget; and 4) the Petition does not provide an adequate description of the facilities in which the Charter School will be located. Therefore, it is demonstrably unlikely that the petitioners will successfully implement the program set forth in the Petition.
- (3) That Petition does not contain the signatures required by Education Code 47605, subdivision (a)(1).
- (4) As described above, the Petition does not contain reasonably comprehensive descriptions of the items required by Education Code section 47605, subdivision (b)(5).

In order to deny the Petition on the grounds set forth above, Education Code section 47605, subdivision (b), requires the Governing Board to make "written factual findings, specific to the particular petition, setting forth specific facts to support one or more" grounds for denying the Petition. District staff recommends that the Governing Board adopt this staff report, and the findings of fact within, as its own.

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: November 3, 2010

From: Wendell Greer
Associate Superintendent, K – Adult Education

Agenda Item: F.2

Subject: Adoption of Board Policy 5145.7 – Sexual Harassment

Background Information:

The Board Policy 5145.7 – Sexual Harassment was brought to the October 6, 2010 Board Meeting for the first reading. The policies have been posted on the website for review and feedback. Staff has made corrections and is bringing back this policy for Board approval.

Recommendation: That the Board approve Board Policy 5145.7 – Sexual Harassment

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

BP 5145.7
Students

Sexual Harassment

The Governing Board is committed to maintaining an educational environment that is free from harassment. The Board prohibits sexual harassment of students by other students, employees or other persons, at school or at school-sponsored or school-related activities. The Board also prohibits retaliatory behavior or action against persons who complain, testify, assist or otherwise participate in the complaint process established pursuant to this policy and ~~the~~ **Administrative Regulation 5145.7. A definition of sexual harassment, examples of conduct that may constitute sexual harassment and the procedure the District will follow to investigate and resolve reported or suspected incidents of sexual harassment are included in Administrative Regulation 5145.7, a copy of which is available in the District's administrative offices or on the District's website.**

Instruction/Information

The Superintendent or designee shall ensure that all district students receive age appropriate instruction and information on sexual harassment. Such instruction and information shall include:

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same gender.
2. A clear message that students do not have to endure sexual harassment.
3. Encouragement to report observed instances of sexual harassment, even where the victim of the harassment has not complained.
4. Information about the person(s) to whom a report of sexual harassment should be made.

Complaint Process

Any student who feels that he or she is being or has been subjected to sexual harassment shall immediately contact his or her teacher or any other employee. **Students may, but are not required to use the Incident Report Form attached to this policy to make complaints of sexual harassment.**

A school employee to whom a complaint is made shall, within 24 hours of receiving the complaint, report it to the principal or designee. Any school employee who observes any incident of sexual harassment involving a student shall report this observation to the principal or designee, whether or not the victim files a complaint.

In any case of sexual harassment involving the principal or any other district employee to whom the complaint would ordinarily be made, the employee who receives the student's report or who observes the incident shall report to the **Non**discrimination **e**Coordinator, **who the District has designated to coordinate its compliance with Title IX on matters other than athletics**, or the Superintendent or designee.

The principal or designee to whom a complaint of sexual harassment is reported shall immediately investigate the complaint in accordance with **aAdministrative #Regulation 5145.7**. Where the principal or designee finds that sexual harassment occurred, he/she shall take prompt, appropriate action to end the harassment and address its effects on the victim. The principal or designee shall also advise the victim of any other remedies that may be available. The principal or designee shall file a report with the Superintendent or designee and refer the matter to law enforcement authorities, where required.

Disciplinary Measures

Any student who engages in sexual harassment of anyone at school or at a school sponsored or school-related activity is in violation of this policy and **may**shall be subject to disciplinary action. For students in grades 4 through 12, disciplinary action may include suspension and/or expulsion, provided that in imposing discipline the entire circumstances of the incident(s) shall be taken into account.

Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the district to monitor, address and prevent repetitive harassing behavior in its schools.

All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action.
(5CCR4964)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex
48900.2 Additional grounds for suspension or expulsion; sexual harassment
48904 Liability of parent/guardian for willful student misconduct
48980 Notice at beginning of term

CIVIL CODE

51.9 Liability for sexual harassment; business, service and professional relationships
1714.1 Liability of parents/guardians for willful misconduct of minor

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

UNITED STATES CODE, TITLE 20

1681-1688 Title IX. Discrimination

Policy WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
Adopted:
Richmond, California

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: November 3, 2010

From: Bill Fay
Associate Superintendent for Operations

Agenda Item: G.1

Subject: Project Status Report

Background Information:

The following are provided for review of Facilities Planning and Construction in the District's Bond Program and for information regarding individual projects:

- Engineering Officer's Report—Verbal Presentation
- Construction Status Reports—Current Construction Projects

Recommendation: For information only

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

PROJECT STATUS REPORT

De Anza High School - Replacement Campus

Period Ending: 10/20/2010

Scope: Replacement Campus

Construction Status:

Architect: DLM Architects
 Project Manager: Jose Chapa, SGI Construction Management
 Project Engineer: Marc Alojegan, SGI Construction Management
 Contractor: Wright Contracting Inc.
 Inspector: Steve Cayson
 WCCUSD Mgr:

Contract Status:

Notice to Proceed:	05/17/2010	Original	Approved	Projected
Construction Schedule (days):	1,080			
Original Completion Date:	05/01/2013			
Projected Completion:	05/01/2013			

Buildings:

Building 1	Administration & Library
Building 2 & 3	Theater & Arts/Delta School
Building 4	Special Education
Building 5	Science
Building 6 & 7	Classrooms
Building 8	Gymnasium
Building 9	Cafeteria
Building 11, 12, & 13	Lobby, Breezeway, & Entrance Structure

Progress This Period:

- Building 1--Install Footing Templates/Curb Forms
- Building 1--Pour Footings, Curbs, & Grade Beams
- Building 1--Install Under-Slab Utilities, Gravel, and Water-Proofing
- Building 2--Place, Finish, & Water-Proof Walls for Seating Pit
- Building 2--Pour Footings, Curbs, & Grade Beams
- Building 3--Install Footing Templates/Curb Forms
- Building 4--Survey/Layout & Excavate Footings
- Building 4--Install Footing Rebar & Templates/Curb Forms
- Building 5--Survey/Layout & Excavate Footings
- Building 5--Install Footing Rebar & Templates/Curb Forms
- Building 8--Install Under-Slab Utilities, Gravel, & Water-Proofing
- Building 8--Pour Slab on Grade
- Building 9--Erect Structural Steel & Install Metal Roof Deck

Anticipated Progress Next Period:

- Building 1--Install Slab Rebar & Pour Slab on Grade
- Building 2--Backfill Walls for Seating Pit & Install Under-Slab Utilities
- Building 3--Pour Footings, Curbs, & Grade Beams
- Building 4--Pour Footings, Curbs, & Grade Beams
- Building 5--Install Footing Rebar & Template/Curb Forms Continuation
- Building 8--Layout & Fabricate Brace Frames
- Building 9--Layout & Cut MEP Roof Penetrations/Deck Inserts

Schedule Assessment/Update:

Construction Duration (Calendar Days):	1,080
Construction Calendar Days Elapsed:	156
Construction Calendar Days Remaining:	924
Percent of Contract Calendar Days Elapsed:	14%
Percent of Construction Completed:	12%

Percentage of Work Done **12%** **Total Project**

Proposed Changes:

- None to Date.

General Comment:

- Notice of Award issued on April 14, 2010.
- Notice to Proceed issued on May 17, 2010.

Progress Photos: 10/20/2010



Building 8 Concrete Slab on Grade



Building 1 Under-Slab Gravel Installation



Building 9 Metal Roof Deck Installation

PROJECT STATUS REPORT

Ford Elementary School - Building

Period Ending: 10/20/2010

Scope: Pre-K, K-5 Elementary School with Computer Laboratory, Library, Administration, Kitchen, Multi-Purpose Room & Stage; with Playgrounds & Parking

Construction Status:

Architect: Kathleen Wong, Jim Fruit, Shao Chen; Sally Swanson Arch
 Project Manager: Lewis Brower, SGI Construction Management
 Project Engineer: Rod Sias, SGI Construction Management
 Contractor: Heather Chierici, Chris Chierici; Alten Construction, Inc.
 Inspector: Mark Eriksen

Contract Status:

Notice to Proceed: 10/12/2009

	Original	Approved	Projected
Construction Schedule (days):	600	18	618
Original Completion Date:	06/04/2011		
Projected Completion:	6/22/2011		

Buildings:

Site Development	Rough Site Work & Underground Utilities
Building; Area A	Classrooms, Administration, Library, Computer Lab
Building; Area B	Pre-Kindergarten, Kindergarten, Classrooms
Building; Area C	Kitchen, Multi-Purpose Room, Stage
Site Finish	Hardscape, Landscape, Irrigation, Accessories

Progress This Period:

- Area A; Overall Wood Framing is complete. Placement of 1st Layer of Roof Underlayment underway.
- Area B; Wood Framing nears completion on 1st and 2nd Floors; Roof Construction is well advanced.
- Area C; Exterior Wall Framing, Blocking & Sheathing nears completion; Interior Wall Framing continues; Roof Construction is underway.
- Areas A, B & C; Electrical, Mechanical, Plumbing and Fire Sprinkler Rough-Ins continue as areas are developed.
- Site; Retaining Walls #1 & #2 are complete; Flow-Through Planter Construction continues; (Rear of Structure) Sidewalk Preparation is underway.

Anticipated Progress Next Period:

- Area A; Complete 1st Layer of Roof Underlayment. Commence Placement of Window Flashing Assemblies.
- Area B; Wall Framing complete, Roof Construction Nears completion.
- Areas A, B & C; Continue Electrical, Mechanical, Plumbing and Fire Sprinkler Rough-Ins..
- Area C; Complete Exterior Wall Framing. Interior Wall and Roof Construction continues.
- Site; Continues Flow-Through Planter and (Rear of Structure) Sidewalk Construction. Commence Trash Enclosure and Electrical Pads Construction.

Schedule Assessment/Update:

Construction Duration (Calendar Days):	618
Construction Calendar Days Elapsed:	383
Construction Calendar Days Remaining:	235
Percent of Contract Calendar Days Elapsed:	61%
Percent of Construction Completed:	52%

Percentage of Work Done

Total Project

Site Development	20%
Building; Area A	58%
Building Area B	32%
Building; Area C	22%
Site Finish	5%

Proposed Changes:

- Miscellaneous issues resulting from AOR issued ASI's and GC RFI Process.
- Impact of Adverse Weather & Site Conditions and possible relationship with Dimensional issues.

General Comment:

- Schedule Recovery continues and attaining a Water Tight Structural Envelope prior to the advent of the Rainy Season remain major considerations.

Progress Photos: 10/20/2010



View of Area A & Part of Area B - Looking West



Area C - Roof Construction has Commenced



Area C; 2nd floor Construction is underway

PROJECT STATUS REPORT

Helms Middle School - Building Demo and General Site Work

Period Ending: 10/20/2010

Scope: Building Demolition and General Site Work

Construction Status:

Architect: Baker Vilar Architects
 Project Manager: Elena Comrie, SGI Construction Management
 Project Engineer: Jemil Sahle, SGI Construction Management
 Contractor: Evan Brothers Inc.
 Inspector:
 WCCUSD Mgr:

Contract Status:

Notice to Proceed:	08/23/2010	Original	Approved	Projected
Construction Schedule (days):	300			
Original Completion Date:	06/19/2011			
Projected Completion:	06/19/2011			

Buildings:

C Bldg	Abatement 75%
400 Bldg	Abatement 85%
500 Bldg	Abatement 93%
Gym	Abatement 50%
Portables	Abatement 0%
600 Bldg	Abatement 90%

Progress This Period:

- C Bldg abatement complete except exterior windows and doors.
- 400 Bldg abatement is complete except exterior window and doors.
- Site has been secured.
- Temporary fence has been installed at the North end of site.
- Leased portable has been removed from site and returned to Mobile Modular.

Anticipated Progress Next Period:

- Completion of Abatement in Bldgs C, 400, 500, 600, Portables and Gym.
- Abatement and removal of exterior windows and doors in all Bldgs.
- Re-secure Buildings after abatement of exterior windows and doors prior to demolition.

Schedule Assessment/Update:

Construction Duration (Calendar Days):	300
Construction Calendar Days Elapsed:	58
Construction Calendar Days Remaining:	242
Percent of Contract Calendar Days Elapsed:	19%
Percent of Construction Completed:	20%

Percentage of Work Done	20%	Total Project
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Proposed Changes:

General Comment:

Progress Photos: 10/20/2010



Gymnasium : Containment & Abatement Underway



C Bldg - Cafeteria / Kitchen : Abatement Underway



C Bldg - Science Class : Interior Abatement Complete

PROJECT STATUS REPORT

Kennedy High School - Restroom Improvements

Period Ending: 10/20/2010

Scope: Restroom Improvements

Construction Status:

Architect: HMC Architects, Inc.
 Project Manager: Herman Blackmon Jr., Amanco, Inc.
 Project Engineer:
 Contractor: JDS Builders Group, Inc.
 Inspector: Steve Cayson
 WCCUSD Mgr:

Contract Status:

Notice to Proceed:	10/12/2009		
		Original	Approved
Construction Schedule (days):	424		
Original Completion Date:	12/10/2010		
Projected Completion:	12/10/2010		

Buildings:

300-1, 300-2, 600-1,... Buildings 100-800 Restrooms
 Phase 3 Restrooms

Progress This Period:

- Plumbing Fixtures - Phase 3 - 90%
- Bathroom Accessories - Phase 3 - 90%
- Finish Electrical - Phase 3 - 90%

Anticipated Progress Next Period:

- Complete Plumbing - Phase 3
- Complete Bathroom Accessories - Phase 3
- Complete Finish Electrical
- Punch Walk - Phase 3
- Contract Closeout
- Complete Project

Schedule Assessment/Update:

Construction Duration (Calendar Days):	424
Construction Calendar Days Elapsed:	373
Construction Calendar Days Remaining:	51
Percent of Contract Calendar Days Elapsed:	87%
Percent of Construction Completed:	97%

Percentage of Work Done **97%** **Total Project**

Proposed Changes:

General Comment:

Progress Photos: 10/20/2010



Grout work in coaches bathroom



Daycare toilet room



Coaches bathroom shower

PROJECT STATUS REPORT

King Elementary School - Increment 2 New Construction

Period Ending: 10/20/2010

Scope: Phase 1: Construction of new school buildings and site work

Construction Status:

Architect: Quattrocchi Kwok Architects
 Project Manager: Alaric Robinson
 Project Engineer: Eddie Law, SGI Construction Management
 Contractor: West Bay Builders
 Inspector: Mark Eriksen
 WCCUSD Mgr:

Contract Status:

Notice to Proceed: 03/25/2009

	Original	Approved	Projected
Construction Schedule (days):	720	9	129
Original Completion Date:	03/15/2011		
Projected Completion:	8/30/2011		

Buildings:

A Single Story - classrooms, library and admin areas
 B Two Story - classrooms
 C Single Story - multi-use with stage and kitchen

Progress This Period:

- Building A:
- Exterior and interior door painting and hardware; permanent power; furnace start-up; above ceiling inspection; interior and exterior light fixtures; wall coverings; glazing; electrical trims.
- Building B:
- Stucco work complete; bathroom tiles and grout; tape tack-boards; furnace install; interior wood trims; cabinets; ceiling grids; data and electrical wires; complete elevator; glazing; pour stairs; toilet partition.
- Building C:
- Interior wall and exposed beam painting, glued ceiling tiles, FLP panels; storefronts; stage equipments.
- Site:
- PG&E gas meter and pad; fencing; light pole bases; irrigation lines; soil amendment; storm drain line connections; flatwork; mow band and planter concrete pour; handicap ramp compaction and concrete pour

Anticipated Progress Next Period:

- Building A:
- Sprinkler drops and trims; cabinet accessories; ceiling tiles; asphalt shingles; low slope roof punch-list; flooring; markerboard accessories; storefront glazing
- Building B:
- Door install and hardware; wall coverings; furnace start-up; sprinkler drops and trims; cabinets; ceiling tiles; light fixtures; data and electrical wires; electrical trims
- Building C:
- Interior light fixtures; electrical trims; kitchen equipment tie-in; storefront glazing; flooring; ceiling tiles
- Site:
- Pave courtyard; planting; site furnishings; pave City sidewalk and street; fencing; flatwork

Schedule Assessment/Update:

Construction Duration (Calendar Days):	720
Construction Calendar Days Elapsed:	574
Construction Calendar Days Remaining:	146
Percent of Contract Calendar Days Elapsed:	79%
Percent of Construction Completed:	75%

Percentage of Work Done **75%** **Total Project**

Proposed Changes:

General Comment:

Progress Photos: 10/20/2010



Building A: Wall Coverings with Finishes



Building C: Ceiling Tiles & Exposed Beams



Site: PG&E Gas Meter, Pad & Fencing Posts

PROJECT STATUS REPORT

Nystrom Elementary School - Multipurpose Room

Period Ending: 10/20/2010

Scope: Construction of a new 13,800 SF Multipurpose Room, demolition of existing upon completion, related site work and playground improvements

Construction Status:

Architect: Interactive Resources
 Project Manager: Sonya Perkins, SGI Construction Management
 Project Engineer: Eddie Law, SGI Construction Management
 Contractor: John Plane Construction
 Inspector: Kris Gilbert / Brad Williamson
 WCCUSD Mgr:

Contract Status:

Notice to Proceed:	07/26/2010		
		Original	Approved
Construction Schedule (days):	515		
Original Completion Date:	12/23/2011		
Projected Completion:	12/23/2011		

Buildings:

Single Story Multi-use - library, classroom, computer lab & kitchens

Progress This Period:

Installed main underground plumbing and electrical conduits and backfill; layout and excavate footings; deliver and install rebar

Anticipated Progress Next Period:

Continue footing excavation; rebar and anchor bolt install; pour footings; form slab; under slab electrical and plumbing; off-haul spoils; install rebar

Schedule Assessment/Update:

Construction Duration (Calendar Days):	515
Construction Calendar Days Elapsed:	86
Construction Calendar Days Remaining:	429
Percent of Contract Calendar Days Elapsed:	16%
Percent of Construction Completed:	8%

Percentage of Work Done **8 %** **Total Project**

Proposed Changes:

General Comment:

Constant updates and interaction with adjacent LPS High and Nystrom Elementary school principals regarding upcoming construction activities.

Progress Photos: 10/20/2010



Underground Electrical Conduits



Footing Layout and Excavation



Footing Rebar Cage with Fabric

PROJECT STATUS REPORT

Pinole Middle School - Modernization Phase II

Period Ending: 10/20/2010

Scope: Modernization Phase II

Construction Status:

Architect: Powell and Partners
 Project Manager: Steve Millar, Amanco, Inc.
 Project Engineer: Jeffery Feldman
 Contractor: Alpha Bay Builders, Inc.
 Inspector: Kris Gilbert
 WCCUSD Mgr:

Contract Status:

Notice to Proceed:	10/05/2009		
		Original	Approved
Construction Schedule (days):	425		
Original Completion Date:	12/04/2010		
Projected Completion:	3/30/2011		

Buildings:

Building A Buildings A-1 thru-a-5

Progress This Period:

- Roof water tight - 90% complete
- Retaining wall in parking lot complete
- Drywall 85% complete
- Court yard colored concrete 60% complete
- Stucco mark up 100% complete

Anticipated Progress Next Period:

- Roof 100% complete
- Stucco 65% complete
- Windows and doors 100% complete
- Parking lot paving 100% complete (weather permitting)
- Drywall 100% complete
- Fire line tie in 100% complete
- insulation 100% complete

Schedule Assessment/Update:

Construction Duration (Calendar Days):	425
Construction Calendar Days Elapsed:	380
Construction Calendar Days Remaining:	45
Percent of Contract Calendar Days Elapsed:	89%
Percent of Construction Completed:	66%

Percentage of Work Done 66% Total Project

Proposed Changes:

Redesign concrete walkway from building B to building A

General Comment:

Primary goal this period will be to make all buildings water tight.

Progress Photos: 10/20/2010



Final layer building A-3 roof.



Prepping for Multi purpose room windows



Band Room handicap ramp ready for concrete.