

**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
April 25, 2012

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
MEETING AGENDA
APRIL 25, 2012**

BOARD AGENDA PACKETS AND INFORMATION:

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

Complete Board agendas and packets are available online at: www.wccusd.net.

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

VIEWING THE BOARD MEETINGS:

Television:

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

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

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

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

ATTENDING BOARD MEETINGS:

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

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

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

Order of Business: **ORDER OF BUSINESS MAY BE CHANGED WITHOUT NOTICE**

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

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

B. OPENING PROCEDURES

B.1 Pledge of Allegiance

B.2 Welcome and Meeting Procedures

B.3 Roll Call

B.4 Presentation of Student Board Representative from North Campus High School

B.5 Report/Ratification of Closed Session

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

* **B.7 Minutes: April 3, 2012; April 4, 2012**

C. BUSINESS ITEMS

CONSENT ITEMS (Routine Matters)

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

***CI C.1 Grants/Awards/Agreements**

Comment:

Formal action is requested from the Board of Education to accept the grants/awards/agreements as detailed, dated April 25, 2012.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per grants summary

***CI C.2 Acceptance of Donations**

Comment:

The District has received donations as summarized, dated April 25, 2012. The estimated values for any non-cash donations are provided by the donor. Staff recommends acceptance of these donations.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per donations summary

***CI C.3 Approval of Fund-Raising Activities**

Comment:

The planned fund-raising events for the 2012-12 school year are summarized, dated April 25, 2012.

Recommendation:
Recommend Approval

Fiscal Impact:
Additional revenue for schools

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

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

Total of payroll warrants (March 2012):	\$ 10,161,441
Total of vendor warrants (March 2012):	\$ 25,506,919

Recommendation:
Recommend approval of the payroll and vendor warrant reports

Fiscal Impact:
As noted above

***CI C.5 Contracted Services**

Comment:
Permission is requested of the Board of Education to approve the following contracts for services as detailed, dated April 25, 2012.

Recommendation:
Recommend Approval

Fiscal Impact:
As noted per contracts summary

***CI C.6 Resolution No. 102-1112: California “Day of the Teacher”**

Comment:
We wish to recognize all of the teachers who give their energy, their intellect, their commitment, and their love to the students of West Contra Costa Unified School District with a resolution proclaiming May 9, 2012 as the “Day of the Teacher.”

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.7 Resolution No. 101-1112: National “Day of the School Nurse”**

Comment:

We wish to recognize all the school nurses who give their energy, their intellect, their commitment, and their love to the students of West Contra Costa Unified School District with a resolution proclaiming May 9, 2012 as the “Day of the School Nurse.”

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.8 Approval of Sabbatical Leave Requests for 2012-2013**

Comment:

The District and UTR have a negotiated agreement for the District to provide ten Sabbatical Leaves each year. The leaves can be taken for purposes of formal study, travel, or independent study. Teachers on leave will receive 50% of their annual salary and health and welfare coverage pursuant to contract. Each request for leave is provided.

Recommendation:

Recommend Approval

Fiscal Impact:

\$241,393.80 - including salary and health benefits

***CI C.9 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: \$ 525,022.23. Funding sources as noted.

***CI C.10 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 School, Kennedy High School ADA Upgrades and Elevator, Nystrom Elementary School Multi-Purpose Room, Dover Elementary School Increment 2 and King Elementary

School New School. Change orders are fully executed by the District upon signature by the Superintendent's designee. Board ratification is the final step required under state law in order to complete payment and contract adjustment.

In addition to normal ratification, approval of the noted change orders for the Ford Elementary School New School and Verde Elementary School Toilet Room Restoration project is required by the Board, with special findings as noted below, because these projects are in excess of the Public Contract Code limit of 10% of the original contract value. In accordance with Public Contract Code 20118.4, the Board, by approving and ratifying these change orders, finds that it would have been futile to publicly bid the work in question because of the tight time frames to complete this work without affecting the operations of the District, and that the public is best served by having this work completed by the contractor on the project.

Recommendation:

Ratify negotiated change orders as noted

Fiscal Impact:

Total ratification and approval by this action: \$555,905.96

***CI C.11 Coronado Elementary School Interim Campus at Kennedy High School Award of Contract**

Comment:

As part of the preparation for the Modernization of Coronado Elementary School, the District is preparing an interim campus to house the school during construction. Because of the limited size of the existing school site, the school will be relocated to an existing softball field at the Kennedy High School campus for the duration of the project. Scope of the project includes site work improvements, utility work, and coordination related to the installation of thirty-three District leased emergency portable classrooms at Kennedy High School. WLC has prepared plans and specifications for the project.

The District engaged in a public bid process for the project. Bids were opened on April 12, 2012. Six contractors submitted bids. They are as follows: BHM Construction, Inc., \$1,618,900; Vila Construction Co., \$1,890,000; Interstate Graving & Paving, Inc., \$1,915,000; Trinet Construction, Inc., \$1,940,000; Schembri Construction, \$1,955,101; JUV, Inc., \$2,117,000. The apparent lowest responsive bidder is BHM Construction.

Recommendation:

Award contract to the lowest responsive, responsible bidder after the expiration of the protest period.

Fiscal Impact:

Funded from the Measure D-2010 Bond

***CI C.12 Kennedy High School Replacement Softball Field Award of Contract**

Comment:

Coronado Elementary School Interim Housing will be relocated to the existing softball field at Kennedy High School. A reconstruction of an existing softball field will be needed to accommodate the campus's needs.

The District engaged in a public bid process for the project. Bids were opened on April 11, 2012. Three contractors submitted bids. They are as follows: Lemings Irrigation, Inc., \$107,900; ERA Construction, Inc., \$118,000; Suarez & Munoz Construction, Inc., \$142,928. The apparent lowest responsive bidder is Lemings Irrigation, Inc.

Recommendation:

Award contract to Lemings Irrigation, Inc.

Fiscal Impact:

\$107,900. Funded by the Measure J Bond.

***CI C.13 Nystrom Elementary School Temporary Campus Site Work Project Award of Contract**

Comment:

As part of the preparation for the Modernization of Nystrom Elementary School's main classroom building, the District is preparing a temporary campus adjacent to the school, on City of Richmond property. The scope of the project will include grading and paving of the site, installation of requisite utility infrastructures, receiving and connecting of portable classroom, administration, support buildings, and the removal of potentially contaminated soil. Interactive Resources has prepared plans and specifications for the project.

The District conducted a public bid process for the project. Bids were opened on April 10, 2012. Four contractors submitted bids. They are as follows: Trinet Construction, \$1,792,400; Alten Construction, \$1,834,007; BHM Construction, \$1,953,200; John Plane, \$1,966,371. The apparent lowest responsive bidder is Trinet Construction.

Recommendation:

Award contract to the lowest responsive, responsible bidder after the expiration of the protest period.

Fiscal Impact:

Funded by the Measure J Bond, under the Nystrom Elementary School Modernization Project budget.

***CI C.14 Portola Middle School Demolition Award of Contract**

Comment:

The Board has approved the relocation of Portola Middle School to the new school site at Castro Elementary School. The next step is the demolition of the original Portola Middle School campus. HY Architects has prepared plans and specification for this project.

The scope of work is comprised of demolition of the existing middle school campus, paving of the sidewalk and curb, landscaping and grading of the site, hazardous material abatement, and removal of the underground storage tank.

The District engaged in a public bid process for the project. Bids were opened on April 12, 2012. Nine contractors submitted bids. They are as follows: Evans Brothers, Inc., \$2,148,000; Alten Construction, Inc., \$2,191,176; Urban Metro Environmental, Inc., \$2,330,606.50; Silverado Contractors, \$2,376,738; Schembri Construction, \$2,496,961; JM Environmental, Inc., \$2,584,496; Cleveland Wrecking Company, \$2,719,066; Arthulia, Inc., \$2,730,570; and Cal Pacific Construction, Inc., \$3,492,000. The apparent lowest responsive bidder is Evans Brothers, Inc.

Recommendation:

Award contract to the lowest responsive, responsible bidder after the expiration of the protest period.

Fiscal Impact:

Funded from the Measure D-2010 Bond

***CI C.15 Resolution No. 98-1112: To Support the Schools and Local Public Safety Protection Act 2012**

Comment:

The Board of Education joins in support of the broad coalition including the Governor, legislators, educators, labor unions, community groups, and businesses in urging the reevaluation of how California funds schools and essential public services. The Board further urges action to restore the tax system of California to make sure all are paying their fair share, and to provide adequate per-pupil funding to ensure all California students have the opportunity for quality education.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.16 Naming Peres Dental Clinic for Dr. Dan Tanita**

Comment:

For a number of years, Dr. Tanita has led a group of volunteer dentists in providing dental services to low income children at Peres Elementary School. At the April 4, 2012 meeting, the Board accepted the bid to significantly upgrade the clinic including specialized equipment and a renovation of the clinic space. During the discussion of the bids, the Board, by consensus, supported a proposal to name the clinic the “Dr. Dan Tanita Dental Clinic.” Board Policy 7310 governs the naming of facilities and provides that the Board may name a facility in honor of someone who has made an outstanding contribution to WCCUSD.

Recommendation:

That the Board name the Peres dental clinic the “Dr. Dan Tanita Dental Clinic”

Fiscal Impact:

Unknown at this time

D. AWARDS, RECOGNITIONS, AND REPORTS

*** D.1 Recognition of Hanna Ranch and Olinda Elementary School as 2012 California Distinguished Schools**

Comment:

The California Distinguished School Award identifies and honors those schools that have demonstrated educational excellence for all students and progress in narrowing the achievement gap.

Olinda Elementary in Richmond and Hanna Ranch in Hercules were invited to apply for the honor. Schools must meet a variety of eligibility criteria including designated federal and state accountability measures based on the Elementary and Secondary Education Act (ESEA) and the Academic Performance Index (API) requirements.

Both Olinda and Hanna Ranch Elementary schools were selected for recognition by the State Superintendent of Public Instruction on March 29, 2012.

Recommendation:
For Information Only

Fiscal Impact:
None

* **D.2 Recognition of Highland Elementary School as a recipient of 2011-2012 Academic Achievement Award**

Comment:

Section 1117 (b) of the Elementary and Secondary Education Act (ESEA) of 2001 requires that all states receiving Title 1 funds establish a program that recognizes Title 1 schools that exceed Adequate Yearly Progress for two or more years or significantly close the achievement gap among numerically significant subgroups.

In order to be considered for honor, schools must meet a variety of eligibility criteria including designated federal and state accountability measures based on Adequate Yearly Progress and Academic Performance Index requirements.

Highland Elementary School in Richmond was selected for recognition for the 2012 Title 1 Academic Achievement Award by the State Superintendent of Public Instruction on April 11, 2012.

Recommendation:
For Information Only

Fiscal Impact:
None

* **D.3 Teacher of the Year/Ed. Fund Excellence in Education Award Winner Recognition**

Comment:

This year, West Contra Costa Unified School District collaborated with the Ed Fund and combined the Teaching Excellence Awards process with the Teacher of the Year Awards process.

The names of this year's teachers being celebrated are: Joshua Hastings (Richmond High School, Grades 9 to 11 Social Science), Maria Saxton (Washington Elementary School, Grade 2 Dual Immersion), Abigail Sims-Evelyn (Lovonya DeJean Middle School, Grades 7 and 8 Leadership, Grade 8 History), and Tracey Singh-Poole (DeAnza High School, grades 9 to 12 Severely Handicapped Special Education).

These teachers of excellence share a profound passion for instilling a love of learning in our diverse students so that they can attain their goals and realize their dreams. By carefully and thoughtfully weaving creativity, adherence to high standards, profound knowledge of the subjects being taught, and appreciation of individual differences, needs, and strengths, these award winning teachers raise the quality of education to new heights.

Sharing the honors with the Teacher of the Year/Teaching Excellence Award winners is the 2012 Distinguished Citizen Award winner, Todd Groves. Mr. Groves is the coordinator of the El Cerrito High School Writer’s Coach Connection; School Site Council President; Member, El Cerrito High School Instructional Learning Team and Master Plan for Academic Change (MPAC) Program Advisor.

We want to recognize and congratulate our honorees for all the wonderful work they carry out with our students on a daily basis.

The Ed. Fund will also celebrate and honor the excellence of these four teachers and single volunteer at its Annual Ed. Fund Excellence in Education Gala on Friday, May 18th at the Craneway Pavilion in Richmond.

Recommendation:

Celebrate the winners

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 | Safety Committee |
| Bayside Parent Teacher Association | Select Committee on High Schools |
| Citizens’ Bond Oversight Committee | Youth Commission |
| Community Budget Advisory Committee | Public Employees Local 1 |
| Facilities Subcommittee | School Supervisors Association |
| Ivy League Connection | United Teachers of Richmond |
| Linked Learning – Multiple Pathways | |

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

* **E.1 Superintendent’s Report**

* **E.2 WCCUSD Public Comment**

Members of the public are invited to speak to the Board about any matter that is not otherwise on the agenda and is related to issues affecting public education in the WCCUSD. **Approximately 30 minutes will be allocated for this item.** If there are more requests to speak than can be heard within this time

limit, “WCCUSD Public Comment” will continue after Item G. Individuals wishing to speak must submit a “WCCUSD Public Comment” form prior to the beginning of this item on the agenda.

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

F. ACTION ITEMS

* **F.1 Resolution No. 103-1112: Authorization to Eliminate and/or Reduce Classified Positions and Layoff Classified Employees**

Comment:

A lack of work and/or funds necessitates the elimination and/or reduction in hours of the noticed classified positions.

Recommendation:

Recommend Approval

Fiscal Impact:

To be determined

F.2 Resolution No. 97-1112 Directing Preparation of Annual Report - MRAD

Comment:

In order to make a determination of improvements and any substantial changes proposed to be made to the existing improvements of the district’s public recreational facilities, a resolution directing preparation of an annual engineering report is required, including a list of schools for which the improvements will be made during the fiscal year 2012-2013.

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

Recommendation:

Recommend approval of this resolution for MRAD

Fiscal Impact:

Revenue for MRAD Fund

* **F.3 Resolution No. 99-1112 Approving a Form of the Preliminary Official Statement in Connection with the 2012 General Obligation Refunding Bonds (the “Bonds”) (Refunding all or a portion of outstanding (i) 2002 Measure D Bonds and (ii) 2000 Measure M Bonds, the “Refunded Bonds”)**

Comment:

The Board has provided direction that, under certain savings thresholds, staff should seek to refund existing bonds (refinance bond debt) in order to: (i) lower tax rates for taxpayers within the District to save taxpayers money and (ii) produce 4% present value savings on debt service payments made by the District on the Refunded Bonds.

This Resolution approves the form of the Preliminary Official Statement (POS) and the form and execution of the Official Statement (OS) relating to the sale of the Bonds. The purpose of the POS is market the Bonds to potential investors by providing information about the Bonds and the source of repayment of the Bonds and to furnish financial information and operating data relating to the District. Staff will work with legal counsel to complete the final OS which will be published when the final terms of the Bonds are available after the bond sale.

Recommendation:

Adopt the Resolution

Fiscal Impact:

GO Bond Debt – refunding for tax payer and District savings

G. DISCUSSION ITEMS

*** G.1 Leadership Public High Schools Petition Renewal**

Comment:

Leadership Public Schools, a charter high school, submitted a renewal petition to West Contra Costa Unified School District [WCCUSD] on April 6, 2012, with hopes to continue a five year charter in this District. Pursuant to the Charter School Act of 1992 (the "Act"), Education Code section 47600 et seq., the Legislature has charged local school boards with the responsibility of reviewing and acting on petitions for charter schools.

Education Code section 47605(b) requires the Board, within 30 days of submission of the petition, to hold a public hearing to receive public comment on the Petition. That is the purpose of this agenda item.

The Act also requires the Board either to grant or deny the Petition within 60 days of submission.

Staff and legal counsel are reviewing and analyzing information related to the Petition, as well as the operation and potential effects of the proposed charter school. A recommendation, based on staff findings, will be presented to the Board at a subsequent board meeting.

Recommendation:

Public Hearing Only

Fiscal Impact:

None

* **G.2 Project Status Report – Facilities Planning and Construction**

Comment:

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

- Helms Middle School
- King Elementary School

Recommendation:

For Information Only

Fiscal Impact:

None

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

I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT

J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING

Lovonya DeJean Middle School – May 9, 2012

K. ADJOURNMENT

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

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

A. CLOSED SESSION

A.1 CALL TO ORDER

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

A.3 RECESS TO CLOSED SESSION AS SCHEDULED

See Exhibit A

(Government Code Section 54954.5)

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

EXHIBIT A

(Government Code Section 54954.5)

CLOSED SESSION AGENDA

April 25, 2012

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

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

- a. WCCUSD v. Orrick
- b. Srago v. WCCUSD

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

Four cases

4. LIABILITY CLAIMS (Government Code Section 54956.95)

5. CONFERENCE WITH LABOR NEGOTIATORS

- a. Superintendent/Dr. Bruce Harter
- b. Employee Organizations
 - UTR
 - Local One
 - School Supervisors Association
 - WCCAA

- c. Unrepresented Employees
 - Confidential and Management

6. PUBLIC EMPLOYEE APPOINTMENT

7. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)

8. STUDENT DISCIPLINE (Education Code Section 35146)

Expulsions

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

Certificated / Classified Employee Dismissal

10. REPORT OF CLOSED SESSION ACTIONS

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: April 25, 2012

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

Agenda Item: B.4

Subject: Presentation of Student Board Representative from North Campus High School

Background Information:

A Student Board Representative from North Campus High School will attend the Board of Education on April 25, 2012. 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 _____



MINUTES

SPECIAL JOINT EL CERRITO CITY COUNCIL – WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION MEETING

Tuesday, April 3, 2012 – 7:00 p.m.

City Council Chambers

Meeting Location

El Cerrito City Hall – City Council Chambers
10890 San Pablo Avenue, El Cerrito

Council Members

Janet Abelson
Rebecca Benassini
Ann Cheng
Greg Lyman
William C. Jones, III

Board Members

Madeline Kronenberg
Antonio Medrano
Elaine R. Merriweather
Charles T. Ramsey
Tony Thurmond

ROLL CALL

Present: Councilmembers Abelson, Benassini, Cheng, Lyman and Mayor Jones.
Boardmembers Kronenberg, Medrano, Merriweather, Thurmond and President Ramsey.

7:00 p.m.

CONVENE SPECIAL JOINT CITY COUNCIL – WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION MEETING

Mayor Jones convened the Special Joint City Council – West Contra Costa Unified School District Board of Education meeting at 7:04 p.m.

1. **PLEDGE OF ALLEGIANCE TO THE FLAG** was led by Councilmember Cheng.
2. **COMMENTS BY MAYOR JONES**

Mayor Jones welcomed the Board to City El Cerrito and noted that Board President Ramsey initiated the idea of convening a joint meeting as a way of sharing ideas and receiving presentations of mutual interest to the WCCUD and Board. Mayor Jones congratulated the Board and WCCUD staff on paying off the state debt.

3. **COMMENTS BY WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION PRESIDENT RAMSEY**

Board President Ramsey thanked everyone in attendance and stated that he is excited to be in El Cerrito and is looking forward to a robust discussion and hearing from residents.

4. ORAL COMMUNICATIONS FROM THE PUBLIC

Lynda Frank, El Cerrito, spoke in support of the Writer Coach Connection and the positive impact it has achieved in the school district. Ms. Frank noted a correlation between how the school district performs, test scores and property values.

Jean Womack, Richmond, spoke in support of the Writer Coach Connection program.

Al Miller, El Cerrito, thanked the City Council and Board of Education for convening a joint meeting. Mr. Miller spoke in support of the School Resource Officer program.

Janet Duckart, El Cerrito, spoke in support of the WCCUSD support of adult schools and senior programs and expressed concerns about future funding and the continuance of programs for older adult programs.

Robert Menzimer, Albany, described the background, success and benefits of the Writer Coach Connection program in El Cerrito and expressed concerns about continued funding and volunteerism.

Todd Groves, El Cerrito, spoke in support of the Writer Coach Connection and the need for additional funding.

Maureen Dixon, El Cerrito, spoke in support of the Writer Coach Connection, shared data and testimony regarding the program and described the benefits to students who are engaged in the program.

Karen Shebeck, Kensington, spoke in support of the WCCUSD Measure K parcel tax.

Kathie Weinstein, El Cerrito, expressed concerns about losing school resource officers and expressed her support for the senior exemption in the WCCUSD Measure K parcel tax. Ms. Weinstein also spoke in support of continuing the Writer Coach Connection and senior programs.

Jewel Bleckinger, Richmond, expressed her support for continued funding of senior programs and the importance of programs in the community for citizens of all ages.

Florence H. Brown, El Cerrito, expressed her support for senior programs and encouraged the School Board to maintain senior programs.

5. OVERVIEW OF WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT MEASURE K TAX PROPOSAL

Presenter: Bruce Harter, Ph.D, Superintendent, West Contra Costa Unified School District.

Action: Presentation heard and discussion held.

6. PRESENTATION AND DISCUSSION OF MATTERS OF MUTUAL INTEREST TO THE CITY OF EL CERRITO AND THE WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

A. Update on WCCUSD Bond/Facilities Program

Presenters: Bill Fay, Associate Superintendent for Operations and Magdy Abdalla, District Engineering Officer, West Contra Costa Unified School District.

Action: Presentation heard and discussion held.

B. Update on Campus Safety and School Resource Officer Program

Presenters: Sylvia Moir, Police Chief and School Resource Officers Jeff Albrandt, Clyde Chang, and Edwin Jacala. Wendell Greer, Associate Superintendent, Matt Burnham, Principal, Portola Middle School and David Luongo, Principal, El Cerrito High School

President Ramsey stated that safety is a priority, explained that funding for the programs comes out of the general fund and expressed his appreciation for the work and dedication of the School Resource Officers.

Action: Presentation heard and discussion held.

C. Overview of After-School Programs in El Cerrito

Presenter: Christopher Jones, Acting Recreation Director and Liz Torio, Educational Services Director, West Contra Costa Unified School District.

Action: Presentation heard and discussion held.

D. Comments and Questions from the City Council/School Board

Action: Discussion held.

SUPPLEMENTAL COMMUNICATIONS

Item No. 5 Overview of West Contra Costa Unified School District Measure K Tax Proposal

1. Powerpoint presentation, "29,215 Reasons to Support Measure K" – *Submitted by Bruce Harter, Ph.D., WCCUSD Superintendent.*

Item No. 6(A) Update on WCCUSD Bond/Facilities Program

2. Powerpoint presentation, "City of El Cerrito Bond Program Projects" – *Submitted by Bill Fay, WCCUSD.*

Item No. 6(B) Update on Campus Safety and School Resource Officer Program

3. Powerpoint presentation – *Submitted by Sylvia Moir, Chief of Police, El Cerrito.*

Item No. 6(C) Overview of After-School Programs in El Cerrito

4. Powerpoint presentation, "After School Programs: WCCUSD and El Cerrito" – *Submitted by Christopher Jones, Acting Recreation Director, El Cerrito.*

Other:

5. Writer Coach Connection in West Contra Costa County – *Submitted by Robert Menzimer.*

7. ADJOURNED JOINT CITY COUNCIL/WCCUSD BOARD OF EDUCATION MEETING at 9:25 p.m.

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

April 4, 2012

A. CLOSED SESSION

B. OPENING PROCEDURES

President Ramsey called the meeting to order at 5:30 P.M. The Board recessed into Closed Session.
President Ramsey called the Public Session to order at 6: 37 P.M.

B.1 Pledge of Allegiance

President Ramsey led the pledge of allegiance.

B.2 Welcome and Meeting Procedures

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

B.3 Roll Call

Board Members Present: Madeline Kronenberg, Antonio Medrano, Elaine Merriweather, Charles Ramsey, Tony Thurmond

Staff Present: Magdy Abdalla, Director Facilities Construction; Martin Coyne, Director of Bonds Program; Danielle Paradisa, Director of Finance; Joe Mayes, Manager of Maintenance and Operations; Jean Hansen, Principal Peres Elementary School; Sylvia Greenwood, Principal Lovonya DeJean Middle School; Bill Fay, Associate Superintendent for Operations; Erin Fleming, Director Classified Personnel; Luis Freese, Executive Director Maintenance and Operations; Sheri Gamba, Associate Superintendent for Business Services; Wendell Greer, Associate Superintendent K-Adult Schools; Bruce Harter, Superintendent; Debbie Haynie, Executive Secretary; Joshua Herrera, Electronics Technician; June Kalfsbeek, Sr. Confidential Secretary; Nia Rashidchi, Assistant Superintendent Education Services; Ann Reinhaben, Assistant Superintendent Human Resources; Reyna Ortiz de Toureil, Translator

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

Absent

President Ramsey passed the gavel to Mr. Medrano to preside over this portion of the meeting.

B.5 Report/Ratification of Closed Session

Superintendent Harter asked the Board to ratify the action taken in Closed Session regarding the April 4, 2012 recommendation to approve expulsion cases #001 - #006 and suspend those expulsions for placement within the West Contra Costa Unified School District.

Motion: Ms. Kronenberg moved to ratify the action taken in Closed Session regarding the recommendation of April 4, 2012 for expulsion cases #001 – #006. Mr. Thurmond seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather and Mr. Thurmond voted yes, President Ramsey abstained, and no absences. Motion carried 4-0-1-0.

Mr. Medrano passed the gavel to President Ramsey who presided over the remainder of the meeting.

B.6 Agenda Review and Adoption

MOTION: Mr. Thurmond moved approval of the agenda, including moving items D.1 and D.3 to follow Approval of Minutes. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond and President Ramsey voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

B.7 Minutes: March 21, 2012

MOTION: Ms. Kronenberg moved approval of the Minutes of March 21, 2012. Mr. Thurmond seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond, and President Ramsey voted yes, with no abstentions and 0 absences. Motion carried 5-0-0-0.

D. AWARDS, RECOGNITIONS, AND REPORTS

D.1 Recognition of John Iwawaki for his 100th Escape Club Camping Trip

Superintendent Harter presented John Iwawaki, DeJean Middle School teacher, with recognition for completion of one hundred overnight camping field trips with the Escape Club at Adams and DeJean Middle Schools

Public Comment:

Jason Lau

Board Comment:

Ms. Merriweather thanked Mr. Iwawaki for her daughter's involvement with the Escape Club.

D.3 Closing the Achievement Gap Update

Superintendent Harter presented information about the District's efforts to close the achievement gap. Dr. Sharroky Hollie presented additional information regarding his work with District teachers. Ms. Emily Ruflide, second grade teacher and Principal Denise Pinney of Tara Hills Elementary School, spoke about teacher training. Mr. Steve Thomas, Science teacher at DeAnza High School, addressed the impact of Linked Learning on the achievement gap.

Board Comment:

Mr. Thurmond asked about the next steps be for intervention programs for the middle school and high school students. Dr. Hollie responded.

Ms. Kronenberg shared that she had previously attended Dr. Hollie's workshop in Sacramento and commented about the application for adult education.

Ms. Merriweather commended Dr. Hollie for his extensive teacher training in the District.

Ms. Rashidchi spoke of the elementary teacher training over the last three years.

Mr. Medrano commented on parent involvement. Dr. Hollie responded.

President Ramsey thanked everyone for the presentation and Dr. Hollie for his participation.

C. BUSINESS ITEMS

C.1 Acceptance of Donations

C.2 Approval of Fund-Raising Activities

C.3 Contracted Services

C.4 Routine Personnel Changes - Certificated

C.5 Routine Personnel Changes - Classified

C.6 Six students from our district high schools will be participating on a 15 day college tour

C.7 Board Policy 6170.1 Transitional Kindergarten (TK)

C.8 Ratification and Approval of Engineering Services Contracts

C.9 Ratification and Approval of Negotiated Change Orders

C.10 Acceptance of the 2012-2011 Financial Bound Audit Report

C.11 Approval of El Cerrito High School Stadium and Field Replacement Additional Design Fees

C.12 Coronado Elementary School at Kennedy School Portable Lease

C.13 Kennedy High School Science Classrooms Portable Lease

C.14 Multipurpose Room Audio-Visual Project at Helms MS

C.15 Multipurpose Room Audio-Visual Project at Pinole MS

C.16 Nystrom Elementary School Portable Lease

C.17 Nystrom Elementary School Temporary Campus Site Work Project Award of Contract

C.18 Williams Lawsuit Complaints Quarterly Report

MOTION: Mr. Medrano moved approval of Consent Items C.1 – C.18. Ms. Merriweather seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond, and President Ramsey voted yes, with no abstentions and no absences. Motion carried 5-0-0.

C.20 Peres Elementary School Dental Clinic

Dr. Tanita thanked the District and Principal Hansen. He said the supportive community is a model for other District's in health care delivery to students.

Public Comment:

None

Board Comment:

President Ramsey directed Mr. Fay and Mr. Abdalla to move this project forward. Mr. Hibser of Hibser, Yamauchi Architects, Inc. also shared that the project has been given approved by Principal Hansen.

MOTION: President Ramsey made a friendly amendment to the motion to re-name the dental clinic as the Dr. Dan Tanita Dental Clinic at Peres Elementary. Mr. Medrano moved approval of the amended motion. Ms. Merriweather seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond, and President Ramsey voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

E.2 WCCUSD Public Comment

Jacqueline Majors, Michael Beer, Robin Wilson, Tana Monteiro, Christian Anderson, Miya Woodhouse

D.2 Budget Update

Ms. Gamba gave a budget update and said the Governor's May Revise information will be presented at the May 23, 2012 meeting.

Public Comment:

Sarah Butler

Board Comment:

Ms. Merriweather reported on the new initiative supported by the Governor.

D.4 Board Priority on Middle School Mathematics – It All Adds Up

Ms. Rashidchi introduced Curriculum Director Phil Gonsalves who has shared information about the implementation of the Board's Middle School Math Priority. President Ramsey had questions about department chair signatures approving this implementation. Mr. Gonsalves responded.

Public Comment:

None

Board Comment:

None

D.5 Standing Reports

Ivy League Connection. Mr. Don Gosney reported on the progress of the Ivy League Connection and preparing students to be successful in their summer programs.

Citizens' Bond Oversight Committee. Mr. Robert Studdiford reviewed items from the last meeting. He announced the next meeting will be on April 25, 2012 at the Facilities Operations Center with a tour of Nystrom Elementary School at 5:30 p.m. He also said that the committee would like to hold a joint meeting with Board of Education in July 2012.

Community Budget Advisory Committee. Ms. Gamba announced the next meeting for April 26 at Alvarado Adult Education Center.

Select Committee on High Schools. Mr. Greer announced the next meeting will be held at Richmond High School on April 24 at 6:30 p.m.

Linked Learning. Ms. Kronenberg announced the next meeting set for May 14, at 6:00 p.m. at El Cerrito High School. Mr. Medrano spoke about a recent meeting at Richmond High's Law Academy attended by County Probation Director Philip Kader.

Safety Committee. Mr. Thurmond announced the next meeting for April 18 at Helms Middle School. Ms. Merriweather asked that meeting notices be posted on the District website.

Youth Commission. Mr. Thurmond announced the next meeting to be held April 9, 6:00 p.m. at the Pinole Round Table Pizza.

Academic Subcommittee. Ms. Rashidchi said the next meeting will be held April 17, 6:30 p.m. at Helms Middle School.

D.6 In Memory of Members of the School Community

Superintendent Harter recognized the contributions of members of the community who have passed away.

Public Comment:

None

Board Comment:

None

E. PUBLIC AND COMMITTEE COMMUNICATIONS

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

E.1 Superintendent's Report

Superintendent Harter provided a report of activities in the District.

F. ACTION ITEMS

None

G. DISCUSSION ITEMS

G.1 Project Status Report

Mr. Magdy Abdalla provided a report of construction projects in the District.

Public Comment:

None

Board Comment:

President Ramsey had questions about the El Cerrito stadium project and the shade structure for King Elementary School. Mr. Abdalla responded with clarification. President Ramsey and Mr. Medrano requested updates on the Helms Middle School, Montalvin Elementary School and King Elementary School projects for a future meeting.

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

None

I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT

Mr. Medrano spoke about the San Pablo Police Department hosting an awards dinner to be held May 25, 2012 honoring students. He also reported on the Close-Up Program and retired teacher Dorothy Herzberg interviewed by the media as a winner of the Jefferson Award for public service. Mr. Medrano reported on the recent WASC visit at Richmond High.

President Ramsey asked Mr. Abdalla additional questions regarding Nystrom Elementary School. Mr. Abdalla clarified.

President Ramsey said he would like to have a celebration to recognize Fred Stewart and Linda Grundhoffer for their service as State Administrator and Trustee. President Ramsey concluded with speaking about the reported Chevron tax assessment appeal decision and the impact for the entire county.

J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING

Lovonya DeJean Middle School – April 25, 2012

K. ADJOURNMENT

President Ramsey adjourned the meeting in the name of former State Trustee and Administrator Fred Stewart at 9:54 P.M.

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

BH:jk

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: April 25, 2012

From: Sheri Gamba 
Associate Superintendent Business Services

Agenda Item: CI C.1

Subject: Grants/Awards/Agreements

Background Information: Formal action is requested from the Board of Education to accept the grants/awards/agreements, as detailed on the attached sheet dated April 25, 2012.

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
Early Head Start Program Enhancement Services	\$58,800	Contra Costa County - Employment & Human Services	Support of the Early Head Start Program at Cameron School
	1/1/12 - 12/31/12		Agreement # 38-865-8
School Improvement Grant Cohort 2	\$3,721,958	California Department of Education - School Improvement Grant Cohort 2	School Improvement at De Anza High School and Helms Middle School
Resource # 3180	3/1/12 - 9/30/13		PCA # 15183-00

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: April 25, 2012

From: Sheri Gamba
Associate Superintendent Business Services

Agenda Item: CI C.2

Subject: Acceptance of Donations

Background Information: The District has received donations as summarized on the attached sheet dated April 25, 2012. 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
 April 25, 2012 Board Meeting

<u>Donor Name</u>	<u>Description or Purpose</u>	<u>Estimated Value</u>	<u>Receiving School or Department</u>
Denise Logsdon	Supplies	\$30.00	Cameron School
Denise Logsdon	Supplies	\$30.00	Cameron School
Luis Hernandez	Supplies	\$30.00	Cameron School
Luis Hernandez	Supplies	\$30.00	Cameron School
PG&E Corporation	Materials and Supplies	\$75.00	Cameron School
Wells Fargo Foundation Matching Gift Program	Special Administrative Account	\$300.00	Hanna Ranch Elementary
Kaiser Permanente Community Giving Campaign	Special Administrative Account	\$40.00	Hanna Ranch Elementary
AT&T United Way Employee Giving Campaign	Special Administrative Account	\$42.00	Hanna Ranch Elementary
Chevron Humankind Matching Gift Program	Special Administrative Account	\$172.62	Hanna Ranch Elementary
Chevron Humankind Matching Gift Program	Special Administrative Account	\$500.00	Hanna Ranch Elementary
PG&E Corporation	Special Administrative Account	\$202.00	Hanna Ranch Elementary
PG&E Corporation	Special Administrative Account	\$202.00	Hanna Ranch Elementary
Mr. T. Harris	Supplies	\$20.00	Nystrom Elementary
Adventure Sports	Tickets for Hot Air Balloon Rides	\$600.00	Helms Middle
Mr. Robert Thompson	Supplies	\$300.00	State Preschool
Mr. Arthur J. Hatchett	Close-up Going to Washington	\$50.00	Kennedy High
California Retired Teachers Association	Supplies	\$1,500.00	Pinole Valley High

*Estimated values for the non-cash donations are provided by the donor
 Donation Précis 042512

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: April 25, 2012

From: Sheri Gamba
Associate Superintendent Business Services

Agenda Item: CI C.3

Subject: Approval of Fund-Raising Activities

Background Information: The planned fund-raising events for the 2011-12 school year are summarized on the attached sheet dated April 25, 2012.

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
April 25, 2012 Board Meeting

APPROVAL OF FUND-RAISERS

<u>School</u>	<u>Fund-Raising Activity</u>	<u>Activity Sponsor</u>
Kensington Elementary	Carnival	Kensington PTA & Dad's Club
El Cerrito High	Talent Show	Illusionist Club
Pinole Valley High	Sell tickets to A's Game	Student Body
Pinole Valley High	Dinner at Kaliente	Teachers & Class of 2013
Pinole Valley High	Sale of Candy	National Honor Society
Pinole Valley High	Dinner At Mel's	Teachers and Class of 2015
Pinole Valley High	Selling Arm Bands	Teachers & Class of 2012

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: April 25, 2012

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

Agenda Item: CI C.4

Subject: Summary of Payroll and Vendor Warrant Reports

Background Information: Attached are the summaries of Payroll and Vendor Warrants issued during the month of March 2012.

Total of payroll warrants (March 2012): \$ 10,161,441

Total of vendor warrants (March 2012): \$ 25,506,919

Recommendation: Recommend approval of the payroll and vendor warrant reports

Fiscal Impact: As noted above

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

West Contra Costa Unified School District

Month of : March 2012

Payrolls	Warrant From	Numbers To	Total Warrants Current	Total Warrants Previous	Total Warrants To Date
Variable	641093	642153	715,633	5,375,576	6,091,209
Regular	642826	643526	1,639,573	11,974,746	13,614,319
Special	642154	642825	214,588	180,773	395,361
Variable EFT	333758	335190	784,660	6,515,354	7,300,014
Regular EFT	335932	338201	6,521,383	41,609,397	48,130,780
Special EFT	335191	335931	279,093	0	279,093
Typed	297465	297483	19,748	170,307	190,055
BENEFITS				0	0
Cancelled	Various	Various	(13,236)	(92,534)	(105,770)
Totals			10,161,441	60,358,043	69,803,851

Salary detail is available in the Payroll office upon request.

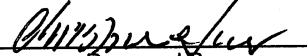

 Cheryl Lewis, Payroll Supervisor

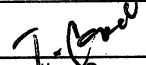
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
WEEKLY VENDOR WARRANT REPORT
2011-2012

PAYMENT
DATE: March 1, 2012

PAGE-1

FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	448509	448756	1,940,664	62,786,566	64,727,230
7706	CAFETERIA	448521	448730	11,663	4,070,737	4,082,400
7707	CHILD DEVELOPMENT	448710	448710	63	140,090	140,153
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY				564,629	564,629
7710	BUILDING	448510	448757	347,496	49,920,919	50,268,415
7711	CAPITAL FACILITIES	448684	448752	10,515	578,717	589,232
7712	SELF INSURANCE PROPERTY & LIABILITY				2,222,263	2,222,263
7713	STATE SCHOOL LEASE/PURCHASE					0
7714	COUNTY SCHOOL FACILITIES					0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY					0
7719	CHARTER SCHOOL					0
7725	MRAD					0
7728	DEBT SERVICE					0
7744	RETIREE BENEFITS	448527	448744	643	159,353	159,996
7770	ADULT EDUCATION	448523	448741	1,592	130,213	131,805
7785	DEFERRED MAINTENANCE				0	0
7790	BOND INTEREST & REDEMPTN				2,400	2,400
7701	PAYROLL REVOLVING				33,882,051	33,882,051
	TOTALS			2,312,636	154,457,938	156,770,574


Prepared By


Accounting Supervisor

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
WEEKLY VENDOR WARRANT REPORT
2011-2012

PAYMENT
DATE: March 7, 2012

PAGE-2

FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	448759	448829	4,874,707	64,727,230	69,601,937
7706	CAFETERIA	448775	448989	303,377	4,082,400	4,385,777
7707	CHILD DEVELOPMENT	448769	448947	115	140,153	140,268
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY				564,629	564,629
7710	BUILDING	448760	448999	3,386,002	50,268,415	53,654,417
7711	CAPITAL FACILITIES				589,232	589,232
7712	SELF INSURANCE PROPERTY & LIABILITY	448996	448996	23,156	2,222,263	2,245,419
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				0	0
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS	448788	448788	5,055	159,996	165,051
7770	ADULT EDUCATION	448765	448970	4,374	131,805	136,179
7785	DEFERRED MAINTENANCE				0	0
7790	BOND INTEREST & REDEMPTN				2,400	2,400
7701	PAYROLL REVOLVING				33,882,051	33,882,051
	TOTALS			8,596,786	156,770,574	165,367,360

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
WEEKLY VENDOR WARRANT REPORT
2011-2012

PAYMENT

DATE: March 14, 2012

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FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	449031	449306	1,020,632	69,601,937	70,622,569
7706	CAFETERIA	449046	449300	258,873	4,385,777	4,644,650
7707	CHILD DEVELOPMENT	449114	449206	1,049	140,268	141,317
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY				564,629	564,629
7710	BUILDING	449029	449303	2,006,130	53,654,417	55,660,547
7711	CAPITAL FACILITIES	449246	449246	6,585	589,232	595,817
7712	SELF INSURANCE PROPERTY & LIABILITY				2,245,419	2,245,419
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				0	0
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS				165,051	165,051
7770	ADULT EDUCATION	449071	449298	15,383	136,179	151,562
7785	DEFERRED MAINTENANCE				0	0
7790	BOND INTEREST & REDEMPTN				2,400	2,400
7701	PAYROLL REVOLVING				33,882,051	33,882,051
	TOTALS			3,308,652	165,367,360	168,676,012

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
WEEKLY VENDOR WARRANT REPORT
2011-2012

PAYMENT

DATE: March 21, 2012

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FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	449309	449583	1,786,895	70,622,569	72,409,464
7706	CAFETERIA	449333	449565	47,625	4,644,650	4,692,275
7707	CHILD DEVELOPMENT	449449	449543	582	141,317	141,899
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY				564,629	564,629
7710	BUILDING	449308	449582	925,458	55,660,547	56,586,005
7711	CAPITAL FACILITIES				595,817	595,817
7712	SELF INSURANCE PROPERTY & LIABILITY	449325	449420	56,096	2,245,419	2,301,515
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				0	0
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS				165,051	165,051
7770	ADULT EDUCATION	449462	449547	1,554	151,562	153,116
7785	DEFERRED MAINTENANCE				0	0
7790	BOND INTEREST & REDEMPTN				2,400	2,400
7701	PAYROLL REVOLVING				33,882,051	33,882,051
	TOTALS			2,818,210	168,676,012	171,494,222

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
WEEKLY VENDOR WARRANT REPORT
2011-2012

PAYMENT

DATE: March 28, 2012

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FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	449587	449825	1,695,059	72,409,464	74,104,523
7706	CAFETERIA	449599	449820	219,472	4,692,275	4,911,747
7707	CHILD DEVELOPMENT	449594	449719	3,050	141,899	144,949
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY	449812	449812	3,456	564,629	568,085
7710	BUILDING	449597	449787	865,816	56,586,005	57,451,821
7711	CAPITAL FACILITIES	449823	449823	10,320	595,817	606,137
7712	SELF INSURANCE PROPERTY & LIABILITY	449666	449807	47,623	2,301,515	2,349,138
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				0	0
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS				165,051	165,051
7770	ADULT EDUCATION	449593	449807	2,810	153,116	155,926
7785	DEFERRED MAINTENANCE				0	0
7790	BOND INTEREST & REDEMPTN				2,400	2,400
7701	PAYROLL REVOLVING				33,882,051	33,882,051
	TOTALS			2,847,606	171,494,222	174,341,828

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
WEEKLY VENDOR WARRANT REPORT
2011-2012

PAYMENT

DATE: March 9, 2012

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FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL				74,104,523	74,104,523
7706	CAFETERIA				4,911,747	4,911,747
7707	CHILD DEVELOPMENT				144,949	144,949
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY				568,085	568,085
7710	BUILDING				57,451,821	57,451,821
7711	CAPITAL FACILITIES				606,137	606,137
7712	SELF INSURANCE PROPERTY & LIABILITY				2,349,138	2,349,138
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				0	0
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS				165,051	165,051
7770	ADULT EDUCATION				155,926	155,926
7785	DEFERRED MAINTENANCE				0	0
7790	BOND INTEREST & REDEMPTN				2,400	2,400
7701	PAYROLL REVOLVING	449005	449028	922,352	33,882,051	34,804,403
	TOTALS			922,352	174,341,828	175,264,180

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
WEEKLY VENDOR WARRANT REPORT
2011-2012

PAYMENT

DATE: March 30, 2012

PAGE-7

FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL				74,104,523	74,104,523
7706	CAFETERIA				4,911,747	4,911,747
7707	CHILD DEVELOPMENT				144,949	144,949
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY				568,085	568,085
7710	BUILDING				57,451,821	57,451,821
7711	CAPITAL FACILITIES				606,137	606,137
7712	SELF INSURANCE PROPERTY & LIABILITY				2,349,138	2,349,138
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				0	0
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS				165,051	165,051
7770	ADULT EDUCATION				155,926	155,926
7785	DEFERRED MAINTENANCE				0	0
7790	BOND INTEREST & REDEMPTN				2,400	2,400
7701	PAYROLL REVOLVING	449827	449888	4,700,677	34,804,403	39,505,080
	TOTALS			4,700,677	175,264,180	179,964,857

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: April 25, 2012

From: Sheri Gamba
Associate Superintendent Business Services

Agenda Item: CI C.5

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 April 25, 2012.

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>
Business Services	4/9/12 Thru 6/30/14	Tyler Technologies Inc.	\$1,157,153 Measure D 2010	Acquisition and Implementation of Enterprise Resource Program Software. This is the first and main contract which is a part of the Board approved software implementation (replacing Bi-Tech). Project was approved February 15, 2012.
Educational Services	3/14/12 Thru 6/30/13	Intel Assess Inc.	\$89,750. Title I	Intel-Assess will create an effective assessment program for grades K-11. Intel-Assess will provide access to its "Assessment Blueprint" which: determines item counts by standard, reviews individual assessments and entire assessment program to ensure that educational goals are met, compares assessment program to state's blueprint. Intel-assess provides online implementation, platform session, and ongoing support. Access to writing prompts available in the standards product. Per student fee grades 2-11 is \$3.50 based on 23,500 students. Per student fee grades K-1 is \$1.50 based on 5,000 students.

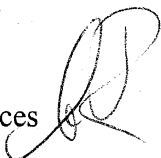
West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: April 25, 2012

From: Ann Reinlagen,
Assistant Superintendent Human Resources



Agenda Item: CI C.6

Subject: Resolution No.102-1112: California "Day of the Teacher"

Background Information:

We wish to recognize all of the teachers who give their energy, their intellect, their commitment, and their love to the students of West Contra Costa Unified School District with a resolution proclaiming May 9, 2012 as the "Day of the Teacher."

Recommendation: Recommend Approval

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

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

RESOLUTION NO. 102-1112

**May 9, 2012
“Day of the Teacher”**

WHEREAS, the State of California designates the second Wednesday of May as the official Day of the Teacher; and

WHEREAS, teachers open children’s minds to imagine the possibilities; and

WHEREAS, teachers incorporate into their day lesson plans to inspire students to succeed; and

WHEREAS, teachers involve every single child; and

WHEREAS, teachers continue to influence us long after our school days are only memories; and

WHEREAS, it is appropriate that all communities in the District should recognize, appreciate and respect the heroic and unsung efforts of our teachers to respond to the ever-increasing intellectual and social needs of our students;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the West Contra Costa Unified School District proclaims May 9, 2012 as the Day of the Teacher in West Contra Costa County, and

BE IT FURTHER RESOLVED, that the Board of Education urges all citizens to honor our teachers on this and every other day of the year.

PASSED AND ADOPTED on this 25th day of April 2012 at a regular meeting of the Board of Education by the following vote:


AYES ___ NOES ___ ABSENT ___ ABSTAIN ___

I 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 Regular Meeting held on April 25, 2012.

Secretary, Board of Education

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

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education **Meeting Date:** April 25, 2012
From: Ann Reinlagen,  **Agenda Item:** CI C.7
Assistant Superintendent Human Resources
Subject: Resolution No. 101-1112: National "Day of the School Nurse"

Background Information:

We wish to recognize all the school nurses who give their energy, their intellect, their commitment, and their love to the students of West Contra Costa Unified School District with a resolution proclaiming May 9, 2012 as the "Day of the School Nurse."

Recommendation: Recommend Approval

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

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

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

RESOLUTION NO. 101-1112

May 9, 2012

“Day of the School Nurse”

WHEREAS, the State of California designates May 9 as the official Day of the School Nurse; and

WHEREAS, School Nurses promote the health and well-being of school children and families; and

WHEREAS, School Nurses provide for the optimal educational experience of children and families; and

WHEREAS, School Nurses educate students, families, and staff about health problems, health promotion and self-care; and

WHEREAS, School Nurses promote each student’s attainment of optimal health in order to achieve their maximum learning potential; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the West Contra Costa Unified School District proclaims May 9, 2012 as the Day of the School Nurse in West Contra Costa County, and

BE IT FURTHER RESOLVED, that the Board of Education urges all citizens to honor our school nurses on this and every other day of the year.

PASSED AND ADOPTED on this 25th day of April 2012 at a regular meeting of the Board of Education by the following vote:

AYES ___ NOES ___ ABSENT ___ ABSTAIN ___

I 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 Regular Meeting held on April 25, 2012.

Secretary, Board of Education

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

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: April 25, 2012

From: Ann Reinlagen,
Assistant Superintendent Human Resources

Agenda Item: CI C.8

Subject: Approval of Sabbatical Leave requests for 2012-2013

Background Information: The District and UTR have a negotiated agreement for the district to provide 10 Sabbatical Leaves each year. The leaves can be taken for purposes of formal study, travel, or independent study. Teachers on leave will receive 50% of their annual salary and health and welfare coverage pursuant to contract. Each request for leave is set forth on the attachment.

Recommendation: Recommend Approval

Fiscal Impact: \$241,393.80 - including salary and health benefits

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

**SABBATICAL RECOMMENDATIONS
FOR 2012-2013**

Kirsten Cohen

Riverside Elementary – 6th grade

Purpose of Sabbatical: Formal Study, Year

The purpose of the Sabbatical is to take 8 upper division or graduate semester units pending acceptance at the University to further her education in an advance degree.

Christine Moran

Sheldon Elementary – 2nd grade

Purpose of Sabbatical: Formal Study, Year

The purpose of the Sabbatical is to take 16 upper division or graduate semester units at University of California, Irvine.

Don Peterkin

El Cerrito High – English, Journalism

Purpose of Sabbatical: Formal Study, Year

The purpose of the Sabbatical is to take 18 upper division or graduate semester units pending acceptance at the University, to obtain his Master in Linguistics.

Karen Rixford

Highland Elementary – 5th grade

Purpose of Sabbatical: Travel, Year

The purpose of the Sabbatical is to travel throughout the Pacific Northwest and create a photo documentation of climate region, native cultures, and environmentally significant sites. This project will be used in the classroom to enhance student learning in both science and social studies.

Verdell Simon-Tatum

Stege Elementary – 3rd grade

Purpose of Sabbatical: Formal Study, Year

The purpose of the Sabbatical is to take 15 upper division or graduate semester units at Cambridge College and obtain her Administrative Credential.

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:** April 25, 2012
From: Bill Fay **Agenda Item:** CI C.9
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: \$ 525,022.23. 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
Lupine Hills Elementary School ADA Ramp & Stairs Project Measure J Bond (PID: 1261218)	January 2012 through March 2012	Kevin Donahue Structural Engineers	\$4,823.98	Additional design services and reimbursable expenses to obtain DSA approval.
Nystrom Elementary School Temporary Campus Measure J Bond (PID: 1441205-06)	March 2012 through April 2012	RGA Environmental, Inc.	Not to exceed, \$9,500	Environmental engineering services to test existing stockpile of soil and issue report.
Helms Middle School New School Building Project Measure J Bond (PID: 2101101-04)	October 2009 through January 2011	Baker Vilar Architects	\$119,370.25	Additional design and construction administration services.
Downer Elementary School Playfield Project Measure J Bond (PID: 1161224-00)	March 2012 through December 2012	Bunton Clifford Architects	\$45,266	Additional design services to restart and complete construction documents and obtain DSA approval and construction administration services.
Crespi Middle School Gym Roof Replacement Project Measure D-2010 Bond (PID: 2061612-03)	April 2012 through August 2012	Allana Buick & Bers	\$15,940	Design review and construction phase services.
Wilson Elementary School Project Measure D-2010 Bond (PID: 1651384-00)	March 2012	GeoTech	\$5,950	Underground locating services.

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

ENGINEERING & ARCHITECTURAL SERVICES CONTRACTS

Mira Vista Elementary School ADA Ramp Project Measure D-2010 Bond (PID: 1391215-01)	April 2012 through May 2012	A3GEO, Inc.	\$7,000	Geotechnical investigation services for new ADA-compliant ramps.
Lake Elementary School Restroom Repairs Project Measure D-2010 Bond (PID: 1341612-08)	April 2012 through May 2012	Hamilton + Aitken Architects	\$24,600	Architectural design, documentation and construction phase services.
Lake Elementary School Fire Alarm Replacement Project Measure D-2010 Bond (PID: 1341612-04)	April 2012 through December 2012	Hamilton + Aitken Architects	\$25,400	Architectural design services to develop construction documents and obtain DSA approval.
Grant ES Fire Alarm Replacement Project Measure D-2010 Bond (PID: 1251612-04)	April 2012 through December 2012	Hamilton + Aitken Architects	\$25,400	Architectural design services to develop construction documents and obtain DSA approval.
Grant Elementary School Deferred Maintenance Project Measure D-2010 Bond (PID: 1251612-13)	April 2012 through August 2012	Hamilton + Aitken Architects	\$31,528	Architectural design, documentation and construction phase services for installation of relocatable classrooms.
Dover Elementary School Campus Replacement Project Measure J Bond (PID: 1151201-01)	April 2012	HY Architects, Inc.	\$2,440	Additional design services for pre-school and Kindergarten classroom revisions.

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

ENGINEERING & ARCHITECTURAL SERVICES CONTRACTS

Gompers/LPS Campus Replacement Project Measure D-2010 Bond (PID: 3581366-00)	March 2012 through April 2012	HMC Architects	\$75,000	Additional architectural, engineering and audio-visual design services to incorporate recently approved Educational Specification and Constructability Review comments.
Collins Elementary School Deferred Maintenance Project Measure D-2010 Bond (PID: Pending)	June 2012 thru September 2012	AE3 Partners	\$19,300	Architectural design services for door hardware and floor replacement.
Collins Elementary School Deferred Maintenance Project Measure D-2010 Bond (PID: Pending)	June 2012 thru September 2012	AE3 Partners	\$11,670	Additional design services for access compliant multi-purpose restrooms.
Ohlone Elementary School Project Measure J Bond (PID: Pending)	April 2012	Powell & Partners	\$2,190	Additional architectural and engineering services for structural modification.
Cameron Elementary School Roof Repairs Measure J Bond (PID: Pending)	May 2012 through August 2012	Grossman Design Group	\$14,500	Architectural services and construction review.

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

ENGINEERING & ARCHITECTURAL SERVICES CONTRACTS

Reprographic Services	January 2012 thru June 2012	BPXpress Reprographics	\$60,000	Reproduction services.
Measure J Bond				
Gompers/LPS Project	July 2012 through July 2015	Omtrak	\$22,144	Project services to collect digital turnover and warranty information.
Measure D-2010 Bond (PID: 3581366-00)				
Olinda Elementary School Deferred Maintenance Project	April 2012 through May 2012	Cornerstone	Not to exceed, \$3,000	Structural engineering services for assessing existing building.
Measure D-2010 Bond (PID: 1451612-13)				

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:** April 25, 2012
From: Bill Fay **Agenda Item:** CI C.10
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 School, Kennedy High School ADA Upgrades and Elevator, Nystrom Elementary School Multi-Purpose Room, Dover Elementary School Increment 2 and King Elementary School New School. Change orders are fully executed by the District upon signature by the Superintendent's designee. Board ratification is the final step required under state law in order to complete payment and contract adjustment.

In addition to normal ratification, approval of the noted change orders for the Ford Elementary School New School and Verde Elementary School Toilet Room Restoration project is required by the Board, with special findings as noted below, because these projects are in excess of the Public Contract Code limit of 10% of the original contract value. In accordance with Public Contract Code 20118.4, the Board, by approving and ratifying these change orders, finds that it would have been futile to publicly bid the work in question because of the tight time frames to complete this work without affecting the operations of the District, and that the public is best served by having this work completed by the contractor on the project.

Recommendation: Ratify negotiated change orders as noted.

Fiscal Impact: Total ratification and approval by this action: **\$555,905.96**

DISPOSITION BY BOARD OF EDUCATION

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

April 25, 2012 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, Inc.	\$16,734,206.00	\$2,091,075.00	\$0.00	\$119,027.00	\$2,210,102.00	13.21%	\$18,944,308.00	30
2	Kennedy HS ADA Upgrades & Elevator	CF Contracting	\$836,880.00	\$0.00	\$30,173.67	\$0.00	\$30,173.67	3.61%	\$867,053.67	1
3	Nystrom ES Multipurpose Room	John Plane Construction	\$5,240,107.00	\$464,713.55	\$25,053.29	\$0.00	\$489,766.84	9.35%	\$5,729,873.84	14
4	Dover ES Increment 2	Alten Construction, Inc.	\$21,491,000.00	\$695,817.50	\$11,331.00	\$0.00	\$707,148.50	3.29%	\$22,198,148.50	17
5	Verde ES Toilet Room Restoration	Affordable Painting Services, In	\$83,000.00	\$21,560.00	\$0.00	\$7,900.00	\$29,460.00	35.49%	\$112,460.00	2
6	King ES New School	West Bay Builders	\$15,595,000.00	\$637,417.16	\$0.00	\$362,421.00	\$999,838.16	6.41%	\$16,594,838.16	13

Pending Board Actions	Ratifications	\$66,557.96
	Approvals	\$489,348.00
	Total Board Action	\$555,905.96

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:** April 25, 2012
From: Bill Fay **Agenda Item:** CI C.11
Associate Superintendent for Operations
Subject: Coronado Elementary School Interim Campus at Kennedy High School Award of Contract

Background Information:

As part of the preparation for the Modernization of Coronado Elementary School, the District is preparing an interim campus to house the school during construction. Because of the limited size of the existing school site, the school will be relocated to an existing softball field at the Kennedy High School campus for the duration of the project. Scope of the project includes site work improvements, utility work, and coordination related to the installation of thirty-three District leased emergency portable classrooms at Kennedy High School. WLC has prepared plans and specifications for the project.

The District engaged in a public bid process for the project. Bids were opened on April 12, 2012. Six contractors submitted bids. They are as follows: BHM Construction, Inc., \$1,618,900; Vila Construction Co., \$1,890,000; Interstate Graving & Paving, Inc., \$1,915,000; Trinet Construction, Inc., \$1,940,000; Schembri Construction, \$1,955,101; JUV, Inc., \$2,117,000. The apparent lowest responsive bidder is BHM Construction.

Recommendation: Award contract to the lowest responsive, responsible bidder after the expiration of the protest period.

Fiscal Impact: Funded from the Measure D-2010 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:** April 25, 2012

From: Bill Fay **Agenda Item:** CI C.12
Associate Superintendent for Operations

Subject: Kennedy High School Replacement Softball Field Award of Contract

Background Information:

Coronado Elementary School Interim Housing will be relocated to the existing softball field at Kennedy High School. A reconstruction of an existing softball field will be needed to accommodate the campus's needs.

The District engaged in a public bid process for the project. Bids were opened on April 11, 2012. Three contractors submitted bids. They are as follows: Lemings Irrigation, Inc., \$107,900; ERA Construction, Inc., \$118,000; Suarez & Munoz Construction, Inc., \$142,928. The apparent lowest responsive bidder is Lemings Irrigation, Inc.

Recommendation: Award contract to Lemings Irrigation, Inc.

Fiscal Impact: \$107,900. Funded by 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:** April 25, 2012

From: Bill Fay **Agenda Item:** CI C.13
Associate Superintendent for Operations

Subject: Nystrom Elementary School Temporary Campus Site Work Project Award of Contract

Background Information:

As part of the preparation for the Modernization of Nystrom Elementary School's main classroom building, the District is preparing a temporary campus adjacent to the school, on City of Richmond property. The scope of the project will include grading and paving of the site, installation of requisite utility infrastructures, receiving and connecting of portable classroom, administration, support buildings, and the removal of potentially contaminated soil. Interactive Resources has prepared plans and specifications for the project.

The District conducted a public bid process for the project. Bids were opened on April 10, 2012. Four contractors submitted bids. They are as follows: Trinet Construction, \$1,792,400; Alten Construction, \$1,834,007; BHM Construction, \$1,953,200; John Plane, \$1,966,371. The apparent lowest responsive bidder is Trinet Construction.

Recommendation: Award contract to the lowest responsive, responsible bidder after the expiration of the protest period.

Fiscal Impact: Funded by the Measure J Bond, under the Nystrom Elementary School Modernization Project budget.

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:** April 25, 2012
From: Bill Fay **Agenda Item:** CI C.14
Associate Superintendent for Operations
Subject: Portola Middle School Demolition Award of Contract

Background Information:

The Board has approved the relocation of Portola Middle School to the new school site at Castro Elementary School. The next step is the demolition of the original Portola Middle School campus. HY Architects has prepared plans and specification for this project.

The scope of work is comprised of demolition of the existing middle school campus, paving of the sidewalk and curb, landscaping and grading of the site, hazardous material abatement, and removal of the underground storage tank.

The District engaged in a public bid process for the project. Bids were opened on April 12, 2012. Nine contractors submitted bids. They are as follows: Evans Brothers, Inc., \$2,148,000; Alten Construction, Inc., \$2,191,176; Urban Metro Environmental, Inc., \$2,330,606.50; Silverado Contractors, \$2,376,738; Schembri Construction, \$2,496,961; JM Environmental, Inc., \$2,584,496; Cleveland Wrecking Company, \$2,719,066; Arthulia, Inc., \$2,730,570; and Cal Pacific Construction, Inc., \$3,492,000. The apparent lowest responsive bidder is Evans Brothers, Inc.

Recommendation: Award contract to the lowest responsive, responsible bidder after the expiration of the protest period.

Fiscal Impact: Funded from the Measure D-2010 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:** April 25, 2012
From: Bruce Harter **Agenda Item:** CI C.15
Superintendent
Subject: Resolution No. 98-1112: To Support the Schools and Local Public Safety
Protection Act 2012

Background Information:

The Board of Education joins in support of the broad coalition including the Governor, legislators, educators, labor unions, community groups, and businesses in urging the reevaluation of how California funds schools and essential public services. The Board further urges action to restore the tax system of California to make sure all are paying their fair share, and to provide adequate per-pupil funding to ensure all California students have the opportunity for quality education.

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. 98-1112**

**Resolution to Support the
Schools and Local Public Safety Protection Act of 2012**

WHEREAS, in the past four years, public education has been cut by more than \$20 billion, class sizes have soared at all grade levels, more than 40,000 educators have been laid off, and arts have been eliminated; and,

WHEREAS, state college and university fees have increased more than 300 percent, pricing many students out of obtaining a degree, while students at community colleges find it increasingly difficult to get the classes they need; and

WHEREAS, the California budget has suffered huge cuts in every program, but particularly in support for seniors, disabled and low- and middle income Californians who may go without health coverage, child care, and welfare-to-work programs; and

WHEREAS, if Californians fail to pass a tax initiative in November, the state faces a \$9 billion deficit with our K-12 schools facing about \$5 billion in midyear cuts; and

WHEREAS, the bottom 20 percent of wage earners in California pay 11 percent of their income in taxes, while the top one percent of wage earners pay only 7.8 percent; and

WHEREAS, the Schools and Local Public Safety Protection Act of 2012 implements a seven-year tax on millionaires that requires the richest Californians to pay their fair share to help fund education and other essential services; and

WHEREAS, *the Schools and Local Public Safety Protection Act of 2012* also proposes an increase of the state sales tax by a quarter-cent for four years; and

WHEREAS, the Act is expected to generate \$9 billion and is the only funding initiative that takes care of the whole state by closing the budget deficit and paying down the state's wall of debt; and

WHEREAS, *the Schools and Local Public Safety Protection Act of 2012* is supported by a broad coalition that includes the governor, legislators, educators, labor unions, community groups, and businesses; now, therefore,

BE IT RESOLVED that it is time to reevaluate how California funds schools and essential public services; to demand action to restore the tax system of California to make sure all are paying their fair share; and to provide adequate per-pupil funding to ensure all California students have the opportunity for quality education; and

BE IT FURTHER RESOLVED that this body, the Board of Education of the West Contra Costa Unified School District, supports the Schools and Local Public Safety Protection Act of 2012, as a balanced and responsible solution that begins to put California back on the road to recovery.

I hereby certify that the foregoing resolution was duly and regularly introduced, passed, and adopted by the Board of Education of the West Contra Costa Unified School District, Contra Costa County, at a meeting of said Board on the 25th of April 2012.

Clerk of the Board of Education

Secretary of the Board of Education

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

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: April 25, 2012

From: Bruce Harter
Superintendent

Agenda Item: CI C.16

Subject: Naming Peres Dental Clinic for Dr. Dan Tanita

Background Information:

For a number of years, Dr. Tanita has led a group of volunteer dentists in providing dental services to low income children at Peres Elementary School. At the April 4, 2012 meeting, the Board accepted the bid to significantly upgrade the clinic including specialized equipment and a renovation of the clinic space. During the discussion of the bids, the Board, by consensus, supported a proposal to name the clinic the "Dr. Dan Tanita Dental Clinic." Board Policy 7310 governs the naming of facilities and provides that the Board may name a facility in honor of someone who has made an outstanding contribution to WCCUSD.

Recommendation:

That the Board name the Peres dental clinic the "Dr. Dan Tanita Dental Clinic"

Fiscal Impact: Unknown at this time

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: April 25, 2012

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

Agenda Item: D.1

Subject: Recognition of Hanna Ranch and Olinda Elementary School as 2012 California Distinguished Schools

Background Information:

The California Distinguished School Award identifies and honors those schools that have demonstrated educational excellence for all students and progress in narrowing the achievement gap.

Olinda Elementary in Richmond and Hanna Ranch in Hercules were invited to apply for the honor. Schools must meet a variety of eligibility criteria including designated federal and state accountability measures based on the Elementary and Secondary Education Act (ESEA) and the Academic Performance Index (API) requirements.

Both Olinda and Hanna Ranch Elementary schools were selected for recognition by the State Superintendent of Public Instruction on March 29, 2012.

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: April 25, 2012

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

Agenda Item: D.2

Subject: Recognition of Highland Elementary School as a recipient of 2011-2012 Academic Achievement Award

Background Information:

Section 1117 (b) of the Elementary and Secondary Education Act (ESEA) of 2001 requires that all states receiving Title 1 funds establish a program that recognizes Title 1 schools that exceed Adequate Yearly Progress for two or more years or significantly close the achievement gap among numerically significant subgroups.

In order to be considered for honor, schools must meet a variety of eligibility criteria including designated federal and state accountability measures based on Adequate Yearly Progress and Academic Performance Index requirements.

Highland Elementary School in Richmond was selected for recognition for the 2012 Title 1 Academic Achievement Award by the State Superintendent of Public Instruction on April 11, 2012.

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:** April 25, 2012
From: Nia Rashidchi **Agenda Item:** D.3
Assistant Superintendent Education Services
Subject: Teacher of the Year/Ed. Fund Excellence in Education Award Winner Recognition

Background Information:

This year, West Contra Costa Unified School District collaborated with the Ed Fund and combined the Teaching Excellence Awards process with the Teacher of the Year Awards process.

The names of this year's teachers being celebrated are: Joshua Hastings (Richmond High School, Grades 9 to 11 Social Science), Maria Saxton (Washington Elementary School, Grade 2 Dual Immersion), Abigail Sims-Evelyn (Lovonya DeJean Middle School, Grades 7 and 8 Leadership, Grade 8 History), and Tracey Singh-Poole (DeAnza High School, grades 9 to 12 Severely Handicapped Special Education).

These teachers of excellence share a profound passion for instilling a love of learning in our diverse students so that they can attain their goals and realize their dreams. By carefully and thoughtfully weaving creativity, adherence to high standards, profound knowledge of the subjects being taught, and appreciation of individual differences, needs, and strengths, these award winning teachers raise the quality of education to new heights.

Sharing the honors with the Teacher of the Year/Teaching Excellence Award winners is the 2012 Distinguished Citizen Award winner, Todd Groves. Mr. Groves is the coordinator of the El Cerrito High School Writer's Coach Connection; School Site Council President; Member, El Cerrito High School Instructional Learning Team and Master Plan for Academic Change (MPAC) Program Advisor.

We want to recognize and congratulate our honorees for all the wonderful work they carry out with our students on a daily basis.

The Ed. Fund will also celebrate and honor the excellence of these four teachers and single volunteer at its Annual Ed. Fund Excellence in Education Gala on Friday, May 18th at the Craneway Pavilion in Richmond.

Recommendation: Celebrate the winners

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: April 25, 2012

From: Ann Reinlagen
Assistant Superintendent Human Resources

Agenda Item: F.1

Subject: Resolution No. 103-1112: Authorization to Eliminate and/or Reduce Classified Positions and Layoff Classified Employees

Background Information:

A lack of work and/or funds necessitates the elimination and/or reduction in hours of the attached classified positions.

Recommendation: Recommend Approval

Fiscal Impact: To be determined

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
RESOLUTION NO. 103-1112
AUTHORIZATION TO ELIMINATE CLASSIFIED POSITIONS,
LAY OFF CLASSIFIED EMPLOYEES AND REDUCE WORK YEAR**

WHEREAS, it is necessary, because of lack of work and/or funds, to eliminate/or reduce certain classified positions of the District; and

WHEREAS, certain services performed by a classified employees are being eliminated and/or reduced;

NOW, THEREFORE, BE IT RESOLVED that the following positions should be eliminated and/or reduced as of June 30, 2012:

Eliminate:

Afterschool Program Supervisor	13.00 FTE
Campus Security Officer I	2.53 FTE
Desktop Support Technician	0.60 FTE
Instructional Aide	0.93 FTE
Instructional Aide – Bilingual	1.07 FTE
Graduate Tutor	2.47 FTE
Instructional Assistant	.80 FTE
Office Manager Middle/Jr. High	1.00 FTE
School Community Worker	1.73 FTE
Student Support Services Supv	2.00 FTE
Typist Clerk II	2.00 FTE
Upper Division Tutor	0.10 FTE

Total 28.23FTE

Reduction in Work Year

Reduce the work year by 3 days for the following positions working in the Transition Program from 211 paid days to 208 paid days starting with the 2012-13 school year:

4 Classroom Support Aides
18 Special Education Assistant

BE IT FURTHER RESOLVED that the Superintendent hereby authorizes a notice of lay off to affected employees as required by law.

BE IT ALSO RESOLVED that the positions enumerated herein being eliminated and/or reduced effective June 30, 2012.

PASSED AND ADOPTED on this 25th day of April 2012, by the Board of Education of the West Contra Costa Unified School District, County of Contra Costa, State of California, by the following vote:

AYES:

NOES:

ABSENT:

I 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 April 25, 2012.

Bruce Harter, Ph.D.
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: April 25, 2012

From: Sheri Gamba
Associate Superintendent Business Services

Agenda Item: F.2

Subject: Resolution No. 97-1112 Directing Preparation of Annual Report - MRAD

Background Information: In order to make a determination of improvements and any substantial changes proposed to be made to the existing improvements of the district's public recreational facilities, a resolution directing preparation of an annual engineering report is required, including a list of schools for which the improvements will be made during the fiscal year 2012-2013.

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

Recommendation: Recommend approval of this resolution for MRAD

Fiscal Impact: Revenue for MRAD Fund

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

BOARD OF EDUCATION
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 97-1112

A RESOLUTION DIRECTING PREPARATION OF ANNUAL REPORT

APRIL 25, 2012

West Contra Costa Unified School District
Maintenance and Recreation Assessment District

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

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

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

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

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

PASSED AND ADOPTED on April 25, 2012, at a regular meeting of the Board of Education by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

EXHIBIT A

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
Maintenance and Recreation Assessment District

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

Bayview Elementary	3001 - 16 th St	San Pablo
Cameron	7140 Gladys Ave	El Cerrito
Cesar E Chavez Elementary	960 - 17 th St	Richmond
Collins Elementary	1224 Pinole Valley Rd	Pinole
Coronado Elementary	2001 Virginia Ave	Richmond
Dover Elementary	1870 19 th Street	San Pablo
Downer Elementary	1231 - 18 th Street	San Pablo
Ellerhorst Elementary	3501 Pinole Valley Rd	Pinole
Fairmont Elementary	724 Kearney St	El Cerrito
Ford Elementary	2711 Maricopa Ave	Richmond
Grant Elementary	2400 Downer Ave	Richmond
Hanna Ranch Elementary	2480 Refugio Valley Rd	Hercules
Harbour Way Elementary	2465 Dolan Way	San Pablo
Harding Elementary	7230 Fairmount Ave	El Cerrito
Lupine Hills Elementary	1919 Lupine Rd	Hercules
Highland Elementary	2829 Moyers Rd	Richmond
Kensington Elementary	90 Highland Blvd	Kensington
King Elementary	4022 Florida Avenue	Richmond
Lake Elementary	2700 - 11 th St	San Pablo
Lincoln Elementary	29 - 6 th St	Richmond
Madera Elementary	8500 Madera Dr	El Cerrito
Mira Vista Elementary	6397 Hazel Ave	Richmond
Montalvin Elementary	300 Christine Dr	San Pablo
Murphy Elementary	4350 Valley View Rd	Richmond
Nystrom Elementary	230 Harbour Way South	Richmond
Ohlone Elementary	1616 Pheasant Dr	Hercules
Olinda Elementary	5855 Olinda Rd	El Sobrante
Peres Elementary	719 - 5 th St	Richmond
Riverside Elementary	1300 Amador St	San Pablo
Shannon Elementary	685 Marlesta Rd	Pinole
Sheldon Elementary	2601 May Rd	Richmond
Stege Elementary	4949 Cypress Ave	Richmond
Stewart Elementary	2040 Hoke Dr	Pinole
Tara Hills Elementary	2300 Dolan Way	San Pablo
Valley View Elementary	3416 Maywood Dr	Richmond

Verde Elementary	2000 Giaramita St	Richmond
Washington Elementary	565 Wine St	Richmond
Wilson Elementary	629 - 42 nd St	Richmond
Crespi Middle	1121 Allview Ave	El Sobrante
DeJean Middle	3400 Macdonald Ave	Richmond
Helms Middle	2500 Road 20	San Pablo
Pinole Middle	1575 Mann Dr	Pinole
Portola Middle	1021 Navellier St	El Cerrito
De Anza High	5000 Valley View Rd	Richmond
El Cerrito High	540 Ashbury Ave	El Cerrito
Hercules Middle/High	1900 Refugio Valley Rd	Hercules
Kennedy High	4300 Cutting Blvd	Richmond
Pinole Valley High	2900 Pinole Valley Rd	Pinole
Richmond High	1250 - 23 rd St	Richmond
Gompers Continuation	715 Chanslor Avenue	Richmond
North Campus	2465 Dolan Way	San Pablo
Vista High	2625 Barnard Road	San Pablo
Adult Education	6028 Ralston Ave	Richmond
Alvarado	5625 Sutter Ave	Richmond
Adams	5000 Patterson Circle	Richmond
Castro	7125 Donal Ave	El Cerrito
El Sobrante	1060 Manor Rd	El Sobrante
Seaview	2000 Southwood Dr	San Pablo
Vista Hills	2625 Barnard Rd	Richmond
Harmon Center	2853 Groom Dr	Richmond
Knolls Center	2867 Groom Dr	Richmond
Central District	1108 Bissell Ave	Richmond
Nutrition Center	750 Bissell Ave	Richmond
Electronics & Glazier	2336 Welcome Ave	Richmond
Facilities Operations Center	1300 Potrero Ave	Richmond
Gardeners Warehouse	2550 Moraga Ave	San Pablo
Kerry Hills (PSC)	2465 Dolan Way	San Pablo
Maintenance & Operations	125 So 8 th St	Richmond
Paint	125 So 8 th St	Richmond
Vehicle Garage	260 So 23 rd St	Richmond
Warehouse-Furniture	600 So. 6 th St	Richmond
Warehouse-Stores	810 Ohio Ave	Richmond

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

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: April 25, 2012

From: Sheri Gamba 
Associate Superintendent Business Services

Agenda Item: F.3

Subject: Resolution No. 99-1112 Approving a Form of the Preliminary Official Statement in Connection with the 2012 General Obligation Refunding Bonds (the "Bonds") (Refunding all or a portion of outstanding (i) 2002 Measure D Bonds and (ii) 2000 Measure M Bonds, the "Refunded Bonds")

Background Information:

The Board has provided direction that, under certain savings thresholds, staff should seek to refund existing bonds (refinance bond debt) in order to: (i) lower tax rates for taxpayers within the District to save taxpayers money and (ii) produce 4% present value savings on debt service payments made by the District on the Refunded Bonds.

This Resolution approves the form of the Preliminary Official Statement (POS) and the form and execution of the Official Statement (OS) relating to the sale of the Bonds. The purpose of the POS is market the Bonds to potential investors by providing information about the Bonds and the source of repayment of the Bonds and to furnish financial information and operating data relating to the District. Staff will work with legal counsel to complete the final OS which will be published when the final terms of the Bonds are available after the bond sale.

Recommendation: Adopt the Resolution

Fiscal Impact: GO Bond Debt – refunding for tax payer and District savings

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

RESOLUTION NO. 99-1112

RESOLUTION OF THE BOARD OF EDUCATION OF WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT APPROVING THE FORM OF THE PRELIMINARY OFFICIAL STATEMENT IN CONNECTION WITH THE WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT (CONTRA COSTA COUNTY, CALIFORNIA) 2012 GENERAL OBLIGATION REFUNDING BONDS

WHEREAS, a duly called bond election was held in the West Contra Costa Unified School District, Contra Costa County, State of California (hereinafter referred to as the "District"), on November 7, 2000, and thereafter canvassed pursuant to law;

WHEREAS, at such election there was submitted to and approved by the affirmative vote of two-thirds or more of the voters of the District a question as to the issuance and sale of general obligation bonds of the District for the various purposes set forth in the ballot submitted to and approved by the voters, in the maximum principal amount of \$150,000,000, payable from the levy of an *ad valorem* tax against the taxable property in the District (the "2000 Authorization");

WHEREAS, a duly called bond election was held in the District, on March 5, 2002, and thereafter canvassed pursuant to law (the "Election");

WHEREAS, at such Election there was submitted to and approved by the affirmative vote of fifty-five percent or more of the voters of the District a question as to the issuance and sale of general obligation bonds of the District for the various purposes set forth in the ballot submitted to and approved by the voters, in the maximum principal amount of \$300,000,000, payable from the levy of an *ad valorem* tax against the taxable property in the District (the "2002 Authorization");

WHEREAS, pursuant to the 2000 Authorization, on April 22, 2003, the District issued the West Contra Costa Unified School District (Contra Costa County, California) General Obligation Bonds, Election of 2000, Series C in the aggregate principal amount of \$95,000,000 (the "2000 Series C Bonds");

WHEREAS, pursuant to the 2002 Authorization, on June 26, 2002, the District, previously issued the West Contra Costa Unified School District (Contra Costa County, California) General Obligation Bonds, Election of 2002, Series A in the aggregate principal amount of \$30,000,000 (the "2002 Series A Bonds");

WHEREAS, pursuant to the 2002 Authorization, on August 25, 2003, the District, previously issued the West Contra Costa Unified School District (Contra Costa County, California) General Obligation Bonds, Election of 2002, Series B in the aggregate principal amount of \$100,000,000 (the "2002 Series B Bonds");

WHEREAS, pursuant to the 2002 Authorization, on August 11, 2004, the District, previously issued the West Contra Costa Unified School District (Contra Costa County, California) General Obligation Bonds, Election of 2002, Series C in the aggregate principal amount of \$69,999,376.75 (the "2002 Series C Bonds", together with the 2000 Series C Bonds, the 2002 Series A Bonds, and the 2002 Series B Bonds, the "Prior Bonds");

WHEREAS, the Board of Education of the District (the “Board”) previously authorized the issuance of refunding bonds to refund all or a portion of the outstanding Prior Bonds in an aggregate principal amount not-to-exceed \$140,000,000 (the “Bonds”), pursuant to Resolution No. 80-1112 (the “Bond Resolution”) passed at a duly called meeting of the Board held on January 18, 2012;

WHEREAS, the Board now wishes to approve the form of the Preliminary Official Statement, as such term is defined herein, in connection with the issuance of the Bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT, CONTRA COSTA COUNTY, CALIFORNIA, AS FOLLOWS:

SECTION 1. Official Statement. The Preliminary Official Statement relating to the Bonds, substantially in the form on file with the Secretary of the Board, is hereby approved, and the Superintendent or the Associate Superintendent for Business Services of the District, or such other officers or employees of the District as the Superintendent may designate (each, an “Authorized Officer”), each alone, are hereby authorized and directed, for and in the name and on behalf of the District, to deliver such Preliminary Official Statement to the Underwriters, as named in the Purchase Contract (the “Underwriters”) to be used in connection with the offering and sale of the Bonds. The Authorized Officers each alone, are hereby authorized and directed, for and in the name and on behalf of the District, to deem the Preliminary Official Statement “final” pursuant to 15c2-12 of the Securities Exchange Act of 1934, prior to its distribution and to execute and deliver to the Underwriters, the final Official Statement substantially in the form of the Preliminary Official Statement, with such changes therein, deletions therefrom and modifications thereto as the Authorized Officer executing the same shall approve (the “Official Statement”). The Underwriters are hereby authorized to distribute copies of the Preliminary Official Statement to persons who may be interested in the purchase of the Bonds and is directed to deliver copies of the Official Statement to the purchasers of the Bonds. Execution of the Official Statement shall conclusively evidence the District’s approval of the Official Statement.

SECTION 2. Authorized Actions. The President, Vice President, and Clerk of the Board and the Authorized Officers are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to proceed with the preparation of the Official Statement, and otherwise carry out, give effect to and comply with the terms and intent of this Resolution. Such actions heretofore taken by such officers, officials and staff are hereby ratified, confirmed and approved.

SECTION 3. Effective Date. This Resolution shall take effect immediately upon its passage.

PASSED, ADOPTED AND APPROVED this 25th day of April, 2012, by the following vote:

AYES:	MEMBERS	_____
NOES:	MEMBERS	_____
ABSTAIN:	MEMBERS	_____
ABSENT:	MEMBERS	_____

President of the Board of Education

ATTEST:

Secretary of the Board of Education

SECRETARY'S CERTIFICATE

I, _____, Secretary of the Board of Education of the West Contra Costa Unified School District, hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted at a regular meeting of the Board of Education of said District duly and regularly and legally held at the regular meeting place thereof on April 25, 2012, of which meeting all of the members of the Board of Education of said District had due notice and at which a quorum was present.

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes.

Said resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

Dated: _____, 2012

By: _____
Secretary

PRELIMINARY OFFICIAL STATEMENT DATED _____, 2012

NEW ISSUE—FULL BOOK-ENTRY

RATINGS: Moody's: ___
 S&P: ___
 Fitch: ___
 See "MISCELLANEOUS—Ratings"

In the opinion of Stradling Yocca Carlson & Rauth, a Professional Corporation, San Francisco, California ("Bond Counsel"), under existing statutes, regulations, rulings and judicial decisions, and assuming the accuracy of certain representations and compliance with certain covenants and requirements described herein, interest (and original issue discount) on the Bonds is excluded from gross income for federal income tax purposes and is not an item of tax preference for purposes of calculating the federal alternative minimum tax imposed on individuals and corporations. In the further opinion of Bond Counsel, interest (and original issue discount) on the Bonds is exempt from State of California personal income tax. See "TAX MATTERS" with respect to tax consequences relating to the Bonds.

\$140,000,000*

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
 (CONTRA COSTA COUNTY, CALIFORNIA)
 2012 GENERAL OBLIGATION REFUNDING BONDS**

Dated: Date of Delivery

Due: August 1, as shown on the inside cover

This cover page is to be viewed as a reference to the information contained in this Official Statement. It is not a summary of this issue. Investors must read the entire Official Statement to obtain information essential to the making of an informed investment decision.

The West Contra Costa Unified School District (Contra Costa County, California) 2012 General Obligation Refunding Bonds (the "Bonds") are being issued by the West Contra Costa Unified School District (the "District") to refund all or a portion of the District's outstanding: (i) \$95,000,000 General Obligation Bonds, Election of 2000, Series C (the "Series 2000C Bonds"); (ii) \$30,000,000 General Obligation Bonds, Election of 2002, Series A (the "Series 2002A Bonds"); (iii) \$100,000,000 General Obligation Bonds, Election of 2002, Series B (the "Series 2002B Bonds"); (iv) \$69,999,376.75 General Obligation Bonds, Election of 2002, Series C (the "Series 2002C Bonds," and together with the Series 2000C Bonds, Series 2002A Bonds, and the Series 2002B Bonds, the "Refunded Bonds"); and (v) to pay costs associated with the issuance of the Bonds. See "ESTIMATED SOURCES AND USES OF FUNDS—Plan of Refunding."

The Bonds are general obligations of the District payable solely from *ad valorem* taxes. The Board of Supervisors of Contra Costa County (the "County") is empowered and is obligated to levy *ad valorem* taxes upon all property subject to taxation by the District, without limitation as to rate or amount (except certain personal property which is taxable at limited rates), for the payment of principal of and interest on the Bonds when due. See "TAX BASE FOR REPAYMENT OF THE BONDS—*Ad Valorem* Property Taxation" and "SECURITY FOR THE BONDS." The *ad valorem* property taxes will be levied in amounts at least sufficient to make all payments of principal of and interest on the Bonds, when due.

Interest on the Bonds is payable semiannually on February 1 and August 1 of each year, commencing August 1, 2012, to maturity or prior redemption thereof. Principal on the Bonds is payable on August 1 in each of the years and in the amounts shown in the Maturity Schedule, on the inside front cover. See "SECURITY FOR THE BONDS—Payment of Principal and Interest."

The Bonds will be issued in book-entry form only, and will be initially issued and registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"). Purchasers will not receive physical certificates representing their interest in the Bonds. Payments of principal of and interest on the Bonds will be paid by The Bank of New York Mellon Trust Company, N.A., Los Angeles, California, designated as the Paying Agent, Registrar and Transfer Agent, to DTC for subsequent disbursement to DTC Participants, who will remit such payments to the beneficial owners of the Bonds. See "THE BONDS—Book-Entry Only System."

The Bonds are subject to redemption as more fully described herein. See "THE BONDS—Redemption of Bonds."

The District has applied for a policy of municipal bond insurance with respect to the Bonds. If bond insurance is purchased, the scheduled payments of principal and interest on the Bonds when due will be guaranteed under an insurance policy to be issued concurrently with the delivery of the Bonds.

THE BONDS ARE GENERAL OBLIGATION BONDS OF THE DISTRICT AND DO NOT CONSTITUTE A DEBT, LIABILITY OR OBLIGATION OF THE COUNTY. NO PART OF ANY FUND OF THE COUNTY IS PLEDGED OR OBLIGATED TO THE PAYMENT OF THE BONDS.

MATURITY SCHEDULE*
 (See Inside Front Cover)

The Bonds will be offered when, as and if issued by the District and received by the Underwriters, subject to approval of their legality by Stradling Yocca Carlson & Rauth, a Professional Corporation, San Francisco, California, Bond Counsel to the District. Certain legal matters will be passed upon for the District by GCR, LLP, Emeryville, California, as Disclosure Counsel to the District; and for the Underwriter by _____, California. It is anticipated that the Bonds, in book-entry form, will be available for delivery through DTC on or about _____, 2012.

PIPER JAFFRAY & CO.

DE LA ROSA & CO.

Dated: _____, 2012

* Preliminary, subject to change.

\$140,000,000*
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
(CONTRA COSTA COUNTY, CALIFORNIA)
2012 GENERAL OBLIGATION REFUNDING BONDS
Base CUSIP†: 952347

\$ _____ Serial Maturities

<i><u>Maturity Date</u></i> <i><u>(August 1)</u></i>	<i><u>Principal</u></i> <i><u>Amount</u></i>	<i><u>Interest</u></i> <i><u>Rate</u></i>	<i><u>Yield</u></i>	<i><u>CUSIP†</u></i> <i><u>Suffix</u></i>
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\$ _____	% Term Bonds due August 1, 20 _____	— Yield _____	% CUSIP† Suffix _____
\$ _____	% Term Bonds due August 1, 20 _____	— Yield _____	% CUSIP† Suffix _____

* Preliminary, subject to change.

† CUSIP is a registered trademark of the American Bankers Association. CUSIP data herein is provided by CUSIP Global Services, managed by Standard and Poor's on behalf of the American Bankers Association. The CUSIP numbers are provided solely for convenience of reference only. The District takes no responsibility for the accuracy of such data.

No dealer, broker, salesperson or other person has been authorized by the District or the County to give any information or to make any representations other than those contained herein. If given or made, such other information or representations must not be relied upon as having been authorized by the District or the County.

The Bonds have not been registered under the Securities Act of 1933, as amended, in reliance upon an exemption contained in such act and have not been registered or qualified under the securities laws of any state. This Official Statement does not constitute an offer to sell or the solicitation of an offer to buy, nor shall there be any sale of the Bonds by a person in any jurisdiction in which it is unlawful for such person to make such an offer, solicitation or sale.

The information and expressions of opinion herein are subject to change without notice and neither delivery of this Official Statement nor any sale made hereunder shall, under any circumstances, create any implication that there has been no change in the affairs of the District or any other parties described herein since the date hereof. This Official Statement is being submitted in connection with the sale of the Bonds referred to herein and may not be reproduced or used, in whole or in part, for any other purpose, unless authorized in writing by the District. All summaries of documents and laws are made subject to the provisions thereof and do not purport to be complete statements of any or all such provisions.

Certain statements included or incorporated by reference in this Official Statement constitute "forward-looking statements" within the meaning of the United States Private Securities Litigation Reform Act of 1995, Section 21E of the United States Securities Exchange Act of 1934, as amended, and Section 27A of the United States Securities Act of 1933, as amended. Such statements are generally identifiable by the terminology used such as a "plan," "expect," "estimate," "project," "budget" or similar words. Such forward-looking statements include, but are not limited to certain statements contained in the information under "APPENDIX A—DISTRICT FINANCIAL AND OPERATING INFORMATION."

The achievement of certain results or other expectations contained in such forward-looking statements involves known and unknown risks, uncertainties and other factors which may cause actual results, performance or achievements described to be materially different from any future results, performance or achievements expressed or implied by such forward-looking statements. While the District has agreed to provide certain on-going financial and operating data on an annual basis, it does not plan to issue any updates or revisions to those forward-looking statements if or when its expectations or events, conditions or circumstances on which statements are based change. See "CONTINUING DISCLOSURE" and "APPENDIX D—FORM OF CONTINUING DISCLOSURE CERTIFICATE."

The District maintains an internet website. The information presented on such website is *not* incorporated by reference as part of this Official Statement and should not be relied upon in making investment decisions with respect to the Bonds. Various other websites referred to in this Official Statement also are not incorporated herein by such references.

The Underwriters provided the following sentence for inclusion in this Official Statement: "The Underwriters have reviewed the information in this Official Statement in accordance with, and as a part of, its responsibilities to investors under the federal securities laws as applied to the facts and circumstances of this transaction, but the Underwriters do not guarantee the accuracy or completeness of such information."

WITH RESPECT TO THIS OFFERING, THE UNDERWRITERS MAY ALLOT OR EFFECT TRANSACTIONS WHICH STABILIZE OR MAINTAIN THE MARKET PRICE OF THE BONDS AT A LEVEL ABOVE THAT WHICH MIGHT OTHERWISE PREVAIL IN THE OPEN MARKET. SUCH STABILIZING, IF COMMENCED, MAY BE DISCONTINUED AT ANY TIME. THE UNDERWRITERS MAY OFFER AND SELL THE BONDS DESCRIBED HEREIN TO CERTAIN DEALERS AND DEALER BANKS AND BANKS ACTING AS AGENTS AND OTHERS AT PRICES LOWER THAN THE PUBLIC OFFERING PRICES STATED IN THIS OFFICIAL STATEMENT AND SAID PUBLIC OFFERING PRICES MAY BE CHANGED FROM TIME TO TIME BY THE UNDERWRITERS.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

BOARD OF EDUCATION

Charles T. Ramsey, President
Antonio Medrano, Clerk
Madeline Kronenberg, Member
Elaine R. Merriweather, Member
Tony Thurmond, Member

ADMINISTRATION

Dr. Bruce Harter, Superintendent
Sheri Gamba, Associate Superintendent, Business Services
Wendell C. Greer, Associate Superintendent, K-Adult Education
William Fay, Associate Superintendent, Operations
Nia Rashidchi, Assistant Superintendent, Education Services
Ann Reinhausen, Assistant Superintendent, Human Resources
Steve Collins, Director, Special Education Local Area Plan

PROFESSIONAL SERVICES

Financial Advisor

KNN Public Finance, a Division of Zions First National Bank
Oakland, California

Bond Counsel

Stradling Yocca Carlson & Rauth, a Professional Corporation
San Francisco, California

Disclosure Counsel

GCR, LLP
Emeryville, California

Paying Agent

The Bank of New York Mellon Trust Company, N.A.
Los Angeles, California

Verification Agent

Causey Demgen & Moore, Inc.
Denver, Colorado

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\$140,000,000*
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
(CONTRA COSTA COUNTY, CALIFORNIA)
2012 GENERAL OBLIGATION REFUNDING BONDS

INTRODUCTION

This Official Statement, which includes the cover page, inside cover page, and appendices hereto, is provided to furnish information concerning the West Contra Costa Unified School District (Contra Costa County, California) 2012 General Obligation Refunding Bonds (the "Bonds"). This Introduction is only a brief description of and guide to, and is qualified by, more complete and detailed information contained in the entire Official Statement. A full review of the entire Official Statement should be made.

The offering of the Bonds to potential investors is made only by means of the entire Official Statement. This Official Statement is not to be construed as a contract or agreement of the District with the Underwriters or the owners of any of the Bonds. Statements contained in this Official Statement which involve estimates, forecasts or matters of opinion, whether or not expressly so stated, are intended solely as such and are not to be construed as representations of fact.

The summaries and information concerning the Bonds, references to the Resolution (defined below) providing for the issuance of the Bonds, statutes and constitutional provisions of the State of California referred to herein do not purport to be comprehensive or definitive, and are qualified in their entirety by reference to such resolution, statutes and constitutional provisions. Furthermore, the information set forth herein, other than that provided by the District, has been obtained from official sources which are believed to be reliable, but is not guaranteed by the District as to accuracy or completeness. This Official Statement is submitted in connection with the sale of the Bonds referred to herein and may not be reproduced or used, in whole or in part, for any other purpose.

This Official Statement speaks only as of its date, and the information contained herein is subject to change. Neither delivery of this Official Statement nor any sale made hereunder shall, under any circumstances, create any implication that there has been no change in the affairs of the District since the date hereof. Except as required by the Continuing Disclosure Certificate of the District relating to the Bonds, the District has no obligation to update the information in this Official Statement. See "CONTINUING DISCLOSURE" and "APPENDIX D—FORM OF CONTINUING DISCLOSURE CERTIFICATE."

THE DISTRICT

The West Contra Costa Unified School District (the "District") is located in Contra Costa County (the "County"), State of California (the "State"), approximately 15 miles northeast of the City and County of San Francisco, California. The District encompasses approximately 110 square miles and provides educational services to approximately 235,000 residents of the cities of El Cerrito, Hercules, Pinole, Richmond and San Pablo, the unincorporated communities of El Sobrante, Kensington and North Richmond, and certain other unincorporated areas within the County. The District is governed by a five-member Board of Education (the "District Board"). The management and policies of the District are administered by a Superintendent, who is appointed by the District Board and is responsible for day-to-day operations as well as the supervision of the District's personnel. Dr. Bruce Harter currently serves as the District's Superintendent. More detailed information concerning the District's governance, organization and finances is provided in "APPENDIX A—DISTRICT FINANCIAL AND OPERATING INFORMATION."

* Preliminary, subject to change.

The District's average daily attendance ("ADA") for fiscal year 2010-11 was 27,589 students. The Second Interim Report of the District dated January 31, 2012 (the "Second Interim Report") projects the District's ADA for fiscal year 2011-12 will be 27,391 students. Additional information on the District's operating information is set forth in "APPENDIX A—DISTRICT FINANCIAL AND OPERATING INFORMATION" and "APPENDIX C—DISTRICT FINANCIAL STATEMENTS FOR FISCAL YEAR ENDED JUNE 30, 2011." Taxable property in the District had a fiscal year 2010-11 assessed valuation of approximately \$21.93 billion and has a fiscal year 2011-12 assessed valuation of approximately \$22.17 billion. See "TAX BASE FOR REPAYMENT OF THE BONDS."

THE BONDS

Authority for Issuance of the Bonds; Purpose

The Bonds are being issued pursuant to the provisions of Articles 9 and 11 of Chapter 3 of Part 1 of Division 2 of Title 5 of the California Government Code (the "Refunding Act"), and pursuant to a resolution adopted by the Board of Education of the District on January 18, 2012 (the "Resolution").

The Bonds are being issued by the District to refund all or a portion of the District's outstanding: (i) \$95,000,000 General Obligation Bonds, Election of 2000, Series C (the "Series 2000C Bonds"); (ii) \$30,000,000 General Obligation Bonds, Election of 2002, Series A (the "Series 2002A Bonds"); (iii) \$100,000,000 General Obligation Bonds, Election of 2002, Series B (the "Series 2002B Bonds"); (iv) \$69,999,376.75 General Obligation Bonds, Election of 2002, Series C (the "Series 2002C Bonds," and together with the Series 2000C Bonds, Series 2002A Bonds and the Series 2002B Bonds, the "Refunded Bonds"); and (v) to pay costs associated with the issuance of the Bonds. See "PLAN OF REFUNDING."

Form and Registration

The Bonds will be issued in the principal amounts set forth on the inside cover hereof, in the denomination of \$5,000 each or any integral multiple thereof and will be dated their date of delivery. The Bonds will be issued in fully registered form, without coupons. The Bonds will be initially registered in the name of Cede & Co. as registered owner and nominee for The Depository Trust Company ("DTC"), New York, New York. DTC will act as securities depository of the Bonds. Purchasers will not receive certificates representing their interest in the Bonds purchased. Principal and interest will be paid by The Bank of New York Mellon Trust Company, N.A., (the "Paying Agent") to DTC, which will in turn remit such principal and interest to its participants for subsequent disbursement to the Beneficial Owners of the Bonds, as applicable, as described herein. See "APPENDIX E—BOOK-ENTRY ONLY SYSTEM."

Redemption of Bonds*

Optional Redemption of Bonds. The Bonds maturing on or before August 1, 20___, are not subject to redemption prior to their maturity dates. The Bonds maturing on or after August 1, 20___, may be redeemed before maturity at the option of the District on any date on or after August 1, 20___, as a whole, or in part, by lot, from such maturities as are selected by the District. The Bonds will be deemed to consist of \$5,000 portions, and any such portion may be separately redeemed. The Bonds redeemed prior to maturity, if any, will be redeemed at the principal amount thereof together with accrued interest to date of redemption, without premium.

* Preliminary, subject to change.

Mandatory Sinking Fund Redemption. The Term Bonds maturing on August 1, 20__ are subject to mandatory sinking fund redemption on August 1 of each Mandatory Sinking Fund Redemption Date and in the respective principal amounts as set forth in the following schedule, at a redemption price equal to the principal amount thereof to be redeemed plus accrued interest thereon to the date fixed for redemption, without premium:

Mandatory Sinking Fund Redemption Date <u>(August 1)</u>	Principal Amount to <u>be Redeemed</u>
---	---

(Maturity)

Selection of Bonds for Redemption. Whenever provision is made in the Resolution for the redemption of Bonds and less than all Outstanding Bonds are to be redeemed, the Paying Agent, upon written instruction from the District, shall select Bonds for redemption as so directed and if not directed, in inverse order of maturity. Within a maturity, the Paying Agent shall select Bonds for redemption by lot. Redemption by lot shall be in such manner as the Paying Agent shall determine; provided, however, that the portion of any Bond to be redeemed in part shall be in the Principal Amount of \$5,000 or any integral multiple thereof.

Notice of Redemption of Bonds

When redemption is authorized or required pursuant to the Resolution, the Paying Agent, upon written instruction from the District, will give notice (a "Redemption Notice") of the redemption of Bonds. The Redemption Notice will specify the Bonds or designated portions thereof (in the case of redemption of Bonds in part but not in whole) to be redeemed, the date of redemption, the place or places where the redemption will be made, including the name and address of the Paying Agent, the redemption price, the CUSIP numbers (if any) assigned to the Bonds to be redeemed, the Bond numbers of the Bonds to be redeemed in whole or in part and, in the case of any Bond to be redeemed in part only, the Principal Amount of such Bond to be redeemed, and the original issue date, interest rate and stated maturity date of each Bond to be redeemed in whole or in part. Such Redemption Notice shall further state that on the specified date there shall become due and payable upon each Bond or portion thereof being redeemed at the redemption price thereof, together with the interest accrued to the redemption date, and that from and after such date, interest with respect thereto shall cease to accrue.

The Redemption Notice will be given to the Registered Owners by the Paying Agent at least 30 but not more than 45 days prior to the redemption date in the manner provided in the Resolution. Neither failure to receive nor any defect in any such Redemption Notice so given shall affect the sufficiency of the proceedings for the redemption of the affected Bonds.

Effect of Notice of Redemption for Bonds

Notice having been given in the manner described above and in compliance with the provisions of the Resolution, and the monies for the redemption (including the interest to the applicable date of redemption) having been set aside for such purpose, the Bonds to be redeemed shall become due and payable on such date of redemption. If on such redemption date, money for the redemption of all the Bonds to be redeemed, together with interest accrued to such redemption date, are held by the Paying Agent so as to be available therefor on such redemption date, then from and after such redemption date, interest with respect to the Bonds to be redeemed shall cease to accrue and become payable. All money held by or on behalf of the Paying Agent for the redemption of Bonds will be held in trust for the account of the Owners of Bonds to be so redeemed.

All Bonds paid at maturity or redeemed prior to maturity pursuant to the provisions of the Resolution will be cancelled upon surrender thereof and be delivered to or upon the order of the District. All or any portion of a Bond purchased by the District will be cancelled by the Paying Agent.

Bonds No Longer Outstanding

When any Bonds (or portions thereof), which have been duly called for redemption prior to maturity under the provisions of the Resolution, or with respect to which irrevocable instructions to call for redemption prior to maturity at the earliest redemption date have been given to the Paying Agent, in form satisfactory to it, and sufficient moneys are held by the Paying Agent irrevocably in trust for the payment of the redemption price of such Bonds or portions thereof, and, accrued interest with respect thereto to the date fixed for redemption, all as provided in the Resolution, then such Bonds will no longer be deemed Outstanding and shall be surrendered to the Paying Agent for cancellation.

Defeasance of Bonds

All or a portion of the outstanding maturities of the Bonds may be defeased prior to maturity in the following ways:

(1) by irrevocably depositing with an independent escrow agent selected by the District an amount of cash which together with amounts transferred from the Debt Service Fund is sufficient to pay all Bonds outstanding and designated for defeasance (including all principal and interest represented thereby and prepayment premiums, if any) at or before their maturity date; or

(2) by irrevocably depositing with an independent escrow agent selected by the District noncallable Government Obligations (as defined below), together with cash, if required, in such amount as will, in the opinion of an independent certified public accountant, together with interest to accrue thereon and moneys transferred from the Debt Service Fund together with the interest to accrue thereon, be fully sufficient to pay and discharge all Bonds outstanding and designated for defeasance (including all principal and interest represented thereby and prepayment premiums, if any) at or before their maturity date.

If a Bond is defeased as described above, then, notwithstanding that any of such Bonds shall not have been surrendered for payment, all obligations of the District with respect to all such designated outstanding Bonds shall cease and terminate, except only the obligation of the Paying Agent or an independent escrow agent selected by the District to pay or cause to be paid from funds deposited pursuant to paragraphs (1) or (2), above, to the Owners of such designated Bonds not so surrendered and paid all sums due with respect thereto.

As used in this section, "Government Obligations" have the meaning given below:

Government Obligations means: Direct and general obligations of the United States of America (which may consist of obligations of the Resolution Funding Corporation that constitute interest strips), or obligations that are unconditionally guaranteed as to principal and interest by the United States of America, or "prerefunded" municipal obligations rated in the highest rating category by Moody's Investors Service or Standard & Poor's. In the case of direct and general obligations of the United States of America, Government Obligations shall include evidences of direct ownership of proportionate interests in future interest or principal payments of such obligations. Investments in such proportionate interests must be limited to circumstances where (a) a bank or trust company acts as custodian and holds the underlying United States obligations; (b) the owner of the investment is the real party in interest and has the right to proceed directly and individually against the obligor of the underlying United States obligations; and (c) the underlying United States obligations are held in a special account, segregated from the custodian's general assets, and are not available to satisfy any claim of the custodian, any person claiming through the custodian, or any person to whom the custodian may be obligated; provided that such obligations are rated or assessed "AAA" by Standard & Poor's or "Aaa" by Moody's Investors Service.

PLAN OF REFUNDING

The Bonds are being issued to refund the Refunded Bonds identified in the table below and to pay costs associated with the issuance of the Bonds.

REFUNDED BONDS

Maturity Date (August 1)	<u>Series 2000C Bonds</u>	<u>Series 2002A Bonds</u>	<u>Series 2002B Bonds</u>	<u>Series 2002C Bonds</u>
2012				
2013				
2014				
2015				
2016				
2017				
2018				
2019				
2020				
2021				
2022				
2023				
2024				
2025				
2026				
2027				
2028				
2029				
2030				
2031				
2032				
2033				
2034				

The Resolution provides that an amount of net proceeds from the sale of the Bonds, [together with certain moneys on deposit in the debt service funds established for the Refunded Bonds,] will be transferred to The Bank of New York Mellon Trust Company, N.A., as escrow agent (the "Escrow Agent"), for deposit into the Escrow Fund established under an Escrow Agreement dated as of _____1, 2012 (the "Escrow Agreement"), by and between the District and the Escrow Agent, which amount, together with an amount or amounts of cash held uninvested therein, shall be sufficient to refund the Refunded Bonds.

Causey Demgen & Moore, Inc. (the "Verification Agent"), an independent certified public accountant licensed to practice in the State, acting as verification agent with respect to the Escrow Fund, will certify in writing that moneys deposited and invested in the Escrow Fund, together with earnings thereon, will be sufficient to pay the redemption price of, and interest on the Refunded Bonds, as the same become due. See "MISCELLANEOUS-Verification."

ESTIMATED SOURCES AND USES OF FUNDS

The proceeds of the Bonds are expected to be applied as follows:

<u>Sources of Funds</u>	<u>Total</u>
Par Amount	\$ _____
Net Original Issue Premium	_____
Total Sources:	\$ _____
<u>Uses of Funds</u>	
Escrow Fund	\$ _____
Debt Service Fund	_____
Underwriters' Discount	_____
Costs of Issuance ⁽¹⁾	_____
Total Uses:	\$ _____

⁽¹⁾ Includes the fees of the Financial Advisor, Bond Counsel, Disclosure Counsel, Paying Agent, Escrow Agent, and Verification Agent, the rating agency fees, [the bond insurance premium,] the printing costs and other miscellaneous fees and expenses.

Deposit and Investment of Bond Proceeds

Premium or proceeds of the sale of the Bonds necessary to pay all or a portion of the costs of issuing the Bonds may be deposited in a fund held by the Paying Agent and known as “West Contra Costa Unified School District 2012 General Obligation Refunding Bonds Cost of Issuance Fund” (the “Cost of Issuance Fund”) to be kept separate and distinct from all other District funds and be used solely for the purpose of paying costs of issuance of the Bonds.

Any accrued interest and premium received by the District from the sale of the Bonds shall be kept separate and apart in the fund created under the Resolution and designated as the “West Contra Costa Unified School District 2012 General Obligation Refunding Bonds Debt Service Fund” (the “Debt Service Fund”) for the Bonds and used only for payments of principal of and interest on the Bonds. Any premium received by the District from the sale of the Bonds not needed to pay for cost of issuance shall be deposited in either the Debt Service Fund or the Escrow Fund. Any excess proceeds of the Bonds remaining after the required deposit to the Escrow Fund and payment of the costs of issuance of the Bonds shall be transferred to the Debt Service Fund and applied to the payment of the principal of and interest on the Bonds. If, after payment in full of the Bonds, there remain excess proceeds, any such excess amounts shall be transferred to the general fund of the District.

The Bond proceeds deposited in the Escrow Fund will be invested and applied as provided in the Escrow Agreement. The proceeds of the *ad valorem* property taxes levied to repay the Bonds and monies held in the Debt Service Fund may be invested in any investment permitted by law. It is anticipated that the *ad valorem* tax proceeds and moneys in the Debt Service Fund will be invested in the County Investment Pool, although the District could provide instructions to invest in other lawful investments. See “APPENDIX G— COUNTY INVESTMENT POLICY AND EXCERPTS FROM TREASURER’S QUARTERLY INVESTMENT REPORT AS OF [DECEMBER 31, 2011].”

SECURITY FOR THE BONDS

General

The Bonds are general obligations of the District payable solely from *ad valorem* taxes levied on taxable property within the District. The County, on behalf of the District, is empowered and obligated to levy *ad valorem* taxes, without limitation as to rate or amount, in an amount sufficient to pay the principal of and interest on the Bonds due and payable in the next succeeding bond year (less amounts on deposit in the Debt

Service Fund), upon all property subject to taxation by the District (except certain personal property which is taxable at limited rates). See “TAX BASE FOR REPAYMENT OF THE BONDS” herein and “SECURITY FOR THE BONDS—Payment of Principal and Interest on the Bonds” for a description of the manner in which such payments will be made.

Factors Affecting Property Tax Security for the Bonds

The amount of annual *ad valorem* taxes levied by the County to repay the Bonds will be determined by the relationship between the assessed valuation of taxable property in the District and the amount of debt service due on the Bonds and the then outstanding prior general obligation bonds of the District (collectively, the “Prior General Obligation Bonds”). Fluctuations in the annual debt service on the Bonds and the Prior General Obligation Bonds and the assessed value of taxable property in the District may cause the annual tax rate applicable to the Bonds to fluctuate. See “SECURITY FOR THE BONDS—Combined Annual Debt Service.”

Issuance by the District of additional authorized bonds payable from *ad valorem* property taxes may cause the overall property tax rate within the District to increase. Pursuant to a recent voter authorization, the District currently has \$280 million of general obligation bonds payable from *ad valorem* property taxes authorized and unissued. See “APPENDIX A-DISTRICT FINANCIAL AND OPERATING INFORMATION-District Debt Structure.”

Moreover, economic and other factors beyond the District’s control could cause a reduction in the assessed value of taxable property within the District and necessitate a corresponding increase in the annual tax rate. These factors include a general market decline in real property values, reclassification of property to a class exempt from taxation, whether by ownership or use (such as exemptions for property owned by the federal government, the State of California (the “State”) and local agencies and property used for qualified educational, hospital, charitable or religious purposes), or the complete or partial destruction of taxable property caused by a natural or manmade disaster, such as earthquake, flood or toxic contamination.

THE BONDS ARE GENERAL OBLIGATION BONDS OF THE DISTRICT AND DO NOT CONSTITUTE A DEBT, LIABILITY OR OBLIGATION OF THE COUNTY. NO PART OF ANY FUND OF THE COUNTY IS PLEDGED OR OBLIGATED TO THE PAYMENT OF THE BONDS.

Payment of Principal and Interest on the Bonds

Payments of principal and interest shall be made from the funds on deposit in the Debt Service Fund. Interest on the Bonds is payable semiannually on February 1 and August 1 of each year (each, a “Bond Payment Date”), commencing on [August 1, 2012], to maturity or prior redemption thereof. The interest on the Bonds shall be payable in lawful money of the United States of America. Payment of interest on any Bond Payment Date shall be made to the person appearing on the registration books of the Paying Agent as the Owner thereof as of the Record Date immediately preceding such Bond Payment Date, such interest to be paid by wire transfer or check mailed to such Owner on the Bond Payment Date at his address as it appears on such registration books or at such other address as he may have filed with the Paying Agent for that purpose on or before the Record Date. The Owner in an aggregate principal amount of One Million Dollars (\$1,000,000) or more may request in writing to the Paying Agent that such Owner be paid interest by wire transfer to the bank and account number on file with the Paying Agent as of the Record Date.

Principal on the Bonds is payable on August 1 in each of the years and in the amounts shown in the Maturity Schedule, on the inside front cover. The principal, and redemption premiums, if any, payable on the Bonds shall be payable in lawful money of the United States of America upon maturity or redemption upon surrender at the designated office of the Paying Agent. The Paying Agent is authorized to pay the Bonds when duly presented for payment at maturity or early redemption, and to cancel all Bonds upon payment thereof.

Semi-Annual Debt Service on the Bonds

The scheduled payments of principal and interest on the Bonds, assuming no optional redemptions prior to maturity, are set forth on the following table:

<u><i>Date</i></u>	<u><i>Principal</i></u>	<u><i>Interest</i></u>	<u><i>Semi-Annual Debt Service</i></u>
8/1/2012			
2/1/2013			
8/1/2013			
2/1/2014			
8/1/2014			
2/1/2015			
8/1/2015			
2/1/2016			
8/1/2016			
2/1/2017			
8/1/2017			
2/1/2018			
8/1/2018			
2/1/2019			
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2/1/2025			
8/1/2025			
2/1/2026			
8/1/2026			
2/1/2027			
8/1/2027			
2/1/2028			
8/1/2028			
2/1/2029			
8/1/2029			
2/1/2030			
8/1/2030			

Combined Annual Debt Service

The District currently has general obligation bonds outstanding under five separate voter-approved authorizations, generally referred to herein as the 1998 Authorization, the 2000 Authorization, the 2002 Authorization, the 2005 Authorization and the 2010 Authorization. Each of the five authorizations and the bonds issued and outstanding under each separate authorization are described in detail under “APPENDIX A—DISTRICT FINANCIAL AND OPERATING INFORMATION - District Debt Structure.”

Annual debt service for all General Obligation Bonds of the District currently outstanding is as follows:

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
Prior General Obligation Bonds
As of _____, 2012

Year Ending (August 1)	1998 <u>Authorization</u>	2000 ⁽¹⁾ <u>Authorization</u>	2002 ⁽¹⁾ <u>Authorization</u>	2005 ⁽²⁾ <u>Authorization</u>	2010 ⁽²⁾⁽³⁾ <u>Authorization</u>	Total Annual <u>Debt Service</u>
2012	\$2,938,732.50	\$11,569,092.50	\$13,175,760.83	\$16,245,491.26	\$10,168,817.92	\$54,097,895.01
2013	2,936,845.00	12,318,100.00	13,444,847.50	16,790,491.26	10,479,600.00	55,969,883.76
2014	2,939,467.50	12,674,350.00	16,455,247.50	17,933,691.26	4,773,400.00	54,776,156.26
2015	2,940,867.50	14,010,150.00	17,142,722.50	19,155,291.26	4,773,400.00	58,022,431.26
2016	2,939,942.50	14,673,550.00	17,869,422.50	20,496,266.26	4,773,400.00	60,752,581.26
2017	2,941,287.50	15,228,212.50	19,120,137.50	21,925,953.76	4,773,400.00	63,988,991.26
2018	2,945,323.75	6,282,462.50	20,129,675.00	23,477,853.76	4,773,400.00	57,608,715.01
2019	2,941,912.50	6,248,212.50	20,431,937.50	25,146,953.76	4,773,400.00	59,542,416.26
2020	2,950,107.50	6,212,962.50	21,160,137.50	26,954,013.76	5,018,400.00	62,295,621.26
2021	2,949,052.50	6,176,462.50	22,186,137.50	28,904,213.76	5,006,150.00	65,222,016.26
2022	2,953,852.50	6,153,462.50	23,415,425.00	30,940,463.76	5,108,900.00	68,572,103.76
2023	2,949,832.50	6,128,937.50	24,112,162.50	31,606,389.76	5,100,900.00	69,898,222.26
2024	1,533,275.00	6,110,750.00	25,210,725.00	32,214,506.50	5,097,400.00	70,166,656.50
2025	743,575.00	6,093,000.00	26,361,500.00	33,637,257.50	5,203,150.00	72,038,482.50
2026	--	6,081,250.00	27,566,000.00	35,080,457.50	5,207,112.50	73,934,820.00
2027	--	6,069,750.00	28,832,750.00	36,585,820.00	5,319,375.00	76,807,695.00
2028	--	6,058,000.00	30,176,000.00	38,160,582.50	5,320,062.50	79,714,645.00
2029	--	6,050,500.00	31,589,750.00	39,809,232.50	5,328,312.50	82,777,795.00
2030	--	6,041,500.00	33,078,000.00	41,529,907.50	26,444,200.00	107,093,607.50
2031	--	6,035,500.00	34,644,000.00	43,328,670.00	6,794,450.00	90,802,620.00
2032	--	6,021,750.00	35,697,000.00	45,206,995.00	6,929,925.00	93,855,670.00
2033	--	--	35,570,500.00	47,173,495.00	7,068,337.50	89,812,332.50
2034	--	--	37,403,500.00	48,608,980.00	7,208,637.50	93,221,117.50
2035	--	--	--	28,575,875.00	7,354,775.00	35,930,650.00
2036	--	--	--	29,860,000.00	7,500,437.50	37,360,437.50
2037	--	--	--	--	7,648,362.50	7,648,362.50
2038	--	--	--	--	7,804,012.50	7,804,012.50
2039	--	--	--	--	7,960,825.00	7,960,825.00
2040	--	--	--	--	8,117,500.00	8,117,500.00
2041	--	--	--	--	8,277,737.50	8,277,737.50
Total	\$37,604,073.75	\$172,237,955.00	\$574,773,338.33	\$779,348,852.62	\$210,107,780.42	\$1,774,072,000.12

⁽¹⁾ After the issuance of the Bonds, the annual debt service for general obligation bonds issued and outstanding under the 2000 Authorization and the 2002 Authorization will be adjusted to reflect the issuance of the Bonds.

⁽²⁾ The District anticipates receiving federal subsidy payments in connection with certain bonds issued under the 2005 Authorization and the 2010 Authorization. The annual debt service shown above is not adjusted for these anticipated federal subsidy payments.

⁽³⁾ The District has committed to make mandatory sinking fund payments to the Series A-1 Bonds Sinking Fund held by the County and pledged for the payment of principal of the Series A-1 Bonds when due. The annual debt service set forth above has not been adjusted for these mandatory sinking fund payments.

BOND INSURANCE

The District has applied for a policy of municipal bond insurance with respect to the Bonds. If municipal bond insurance is purchased, the scheduled payment of principal and interest on the Bonds when due will be guaranteed under an insurance policy to be issued concurrently with the delivery of the Bonds.

TAX BASE FOR REPAYMENT OF THE BONDS

The information in this section describes *ad valorem* property taxation, assessed valuation, and other measures of the tax base of the District. The Bonds are general obligations of the District payable solely from *ad valorem* taxes levied on taxable property within the District. The District's General Fund is not a source for the repayment of the Bonds.

Ad Valorem Property Taxation

The collection of property taxes is significant to the District and the owners of the Bonds in two respects. First, the County will levy and collect *ad valorem* taxes on all taxable parcels within the District which are pledged specifically to the repayment of the Bonds and the Prior General Obligation Bonds. Second, the general *ad valorem* property tax levy levied in accordance with Article XIII A of the California Constitution (“Article XIII A”) and its implementing legislation is a source of funding to operate the District’s educational program. As described below, the general *ad valorem* property tax levy and the additional *ad valorem* property tax levy pledged to repay the Bonds and the Prior General Obligation Bonds will be collected through annual tax bills distributed by the County to the owners of parcels within the boundaries of the District.

Method of Property Taxation. Beginning in fiscal year 1978-79, Article XIII A and its implementing legislation permitted each county to levy and collect all property taxes (except for levies to support prior voter approved indebtedness) and prescribed how levies on county-wide property values were to be shared with local taxing entities within each county. All property is assessed using full cash value as defined by Article XIII A. See “CONSTITUTIONAL AND STATUTORY PROVISIONS AFFECTING DISTRICT REVENUES AND APPROPRIATIONS—Article XIII A of the State Constitution.” State law, however, provides exemptions from *ad valorem* property taxation for certain classes of property such as churches, colleges, non-profit hospitals, and charitable institutions.

Future assessed valuation growth allowed under Article XIII A (new construction, certain changes of ownership, up to 2% inflation) will be allocated on the basis of “situs” among the jurisdictions that serve the tax rate area within which the growth occurs. Local agencies and schools will share the growth of “base” sources from the tax rate area. Each year’s growth allocation becomes part of each agency’s allocation in the following year. The availability of revenue from growth in the tax bases in such entities may be affected by the existence of redevelopment agencies which, under certain circumstances, may be entitled to sources resulting from the increase in certain property values. State law exempts \$7,000 of the assessed valuation of an owner-occupied principal residence. This exemption does not result in any loss of revenue to local agencies since an amount equivalent to the taxes that would have been payable on such exempt values is made up by the State.

Taxes are levied for each fiscal year on taxable real and personal property which is situated in a county as of the preceding January 1. Real property which changes ownership or is newly constructed is revalued at the time the change in ownership occurs or the new construction is completed. The current year property tax rate will be applied to the reassessment, and the taxes will then be adjusted by a proration factor to reflect the portion of the remaining tax year for which taxes are due.

For assessment and collection purposes, property is classified either as “secured” or “unsecured” and is listed accordingly on separate parts of the assessment roll. The “secured roll” is that part of the assessment roll containing State-assessed property and real property having a tax lien which is sufficient, in the opinion of the county assessor, to secure payment of the taxes. Unsecured property comprises all property not attached to land such as personal property or business property. Unsecured property is assessed on the “unsecured roll.”

Property taxes on the secured roll are due in two installments, on November 1 and February 1 of each fiscal year, and if unpaid become delinquent on December 10 and April 10, respectively. A penalty of 10 percent attaches immediately to all delinquent payments. Property on the secured roll with respect to which taxes are delinquent becomes tax defaulted on or about June 30 of the fiscal year. Such property may thereafter be redeemed by payment of a penalty of 1.5 percent per month to the time of redemption, plus costs and a redemption fee. If taxes are unpaid for a period of five years or more, the property is subject to sale by the Treasurer-Tax Collector of the county levying the tax.

Property taxes on the unsecured roll are due as of the January 1 lien date and become delinquent, if unpaid, on August 31. A 10 percent penalty attaches to delinquent unsecured taxes. If unsecured taxes are

unpaid at 5 p.m. on October 31, an additional penalty of 1.5 percent attaches to them on the first day of each month until paid. A county has four ways of collecting delinquent unsecured personal property taxes: (1) bringing a civil action against the taxpayer; (2) filing a certificate in the office of the county clerk specifying certain facts in order to obtain a lien on certain property of the taxpayer; (3) filing a certificate of delinquency for record in the county recorder's office in order to obtain a lien on certain property of the taxpayer; and (4) seizing and selling personal property improvements or possessory interests belonging or assessed to the delinquent taxpayer.

Appeals of Assessed Value; Proposition 8 Reductions. A property owner may appeal a County Assessor's determination of assessed value based on Proposition 8, passed by the voters in November 1978 ("Proposition 8"), or based on a challenge to the base year value.

Proposition 8 requires that for each January 1 lien date, the taxable value of real property must be the lesser of its base year value, annually adjusted by the inflation factor pursuant to Article XIII A of the State Constitution, or its full cash value, taking into account reductions in value due to damage, destruction, depreciation, obsolescence, removal of property or other factors causing a decline in value. Property owners may apply for a Proposition 8 reduction of their property tax assessment with the County board of equalization or assessment appeals board. In most cases, an appeal is based on the property owners believe that market conditions cause the property to be worth less than its current assessed value. Proposition 8 reductions may also be unilaterally applied by the County Assessor. See "—Historic Assessed Valuations - Table 1- Assessed Valuation Fiscal Years 2003-12" reflecting the County Assessor's reduction of the assessed value of certain parcels, commencing in fiscal year 2008-09.

Any reduction in the assessed value granted as a result of a Proposition 8 appeal, or unilateral reassessment by the County Assessor, applies to the year for which the application or reassessment is made. These reductions are subject to annual review and the assessed values are adjusted back to the original values when market conditions improve. Once the property has regained its prior value, adjusted for inflation, it becomes subject to the annual inflationary factor growth rate allowed under Article XIII A.

Appeals for reduction in the base year value of an assessment, if successful, reduce the assessment for the year in which the appeal is made and thereafter. The base year is determined by the completion date of new construction or the date of change of ownership. Any base year appeal must be made within four years of change of ownership or new construction date.

The District cannot predict the changes in assessed values that might result from pending or future appeals by taxpayers. Any reduction in aggregate assessed valuation of property within the District due to appeals, as with any reduction in assessed valuation due to other causes, will result in an increase of the tax rate levied upon all property subject to taxation within the District for the payment of principal of and interest on the Bonds, when due.

District Assessed Valuation. Both the general *ad valorem* property tax levy and the additional *ad valorem* levy for payment of debt service on District general obligation bonds, including the Bonds and the Prior General Obligation Bonds, are based upon the assessed valuation of taxable property in the District. Property taxes allocated to the District are collected by the County at the same time and on the same tax rolls as are county, city and special district taxes. The assessed valuation of each parcel of property is the same for both District and county taxing purposes. The valuation of secured property by the County is established as of January 1, and is subsequently equalized in September of each year.

The base values of property within the District could be reduced due to factors beyond the District's control, including general market decline in real property values, reclassification of property to a class exempt from taxation, whether by ownership or use, or the complete or partial destruction of taxable property caused by a natural or manmade disaster (such as earthquake, flood, fire dumping, acts of terrorism or toxic contamination). The District is located in a seismically active region that includes at least two active earthquake faults, the Hayward and Calaveras Faults. Both of those faults are branches of the well known San

Andreas Fault underlying the City and County of San Francisco and most of the State. Although no significant earthquake activity has occurred in the region within the last 20 years, an earthquake of large magnitude could result in extensive damage to property within the District and could adversely affect the region's economy.

Taxation of State-Assessed Utility Property. A portion of the property tax revenue of the District is derived from utility property subject to assessment by the State Board of Equalization ("SBE"), including railways, telephone and telegraph companies, and companies transmitting or selling gas or electricity. State-assessed property, or "unitary property," is property of a utility system with components located in many taxing jurisdictions that are assessed as part of a "going concern" rather than as individual pieces of real or personal property. The assessed value of unitary and certain other state-assessed property is allocated to the counties by the SBE, taxed at special county-wide rates, and the tax revenues distributed to taxing jurisdictions (including the District) according to statutory formulae generally based on the distribution of taxes in the prior year. In general, if any unitary property is transferred or converted to a non-utility use, due to reorganization or sale or other change, such transfer would increase the assessed valuation within the District since the property would be taxed locally. The transfer or conversion of property located within the District to a utility use would have the opposite effect. The District is not able to predict any future transfers of State-assessed property or its impact on the District's utility tax revenues, or whether future legislation or litigation may affect unitary property, or the method by which the SBE currently assesses or allocates such revenues.

Historic Assessed Valuations

The information provided in Tables 1 through 5 below has been provided by California Municipal Statistics, Inc. The District has not independently verified this information and does not guarantee its accuracy.

The following table shows the history of assessed valuation within the District commencing in fiscal year 2002-03. The secured, utility and unsecured property within the District have assessed values of \$20,967,316,009, \$10,792,683 and \$1,192,454,380, respectively, reflecting an estimated increase of approximately 1.10% on the District's tax base for fiscal year 2011-12. The average annual growth rate within the District from fiscal year 2002-03 to fiscal year 2011-12 is 4.12%.

**TABLE 1
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
ASSESSED VALUATION FISCAL YEARS 2002-03 THROUGH 2011-12⁽¹⁾**

<u>Fiscal Year</u>	<u>Local Secured</u>	<u>Utility⁽²⁾</u>	<u>Unsecured</u>	<u>Total⁽³⁾</u>	<u>Annual % Change⁽⁴⁾</u>
2002-03	\$15,264,716,553	\$47,769,561	\$845,837,829	\$16,158,323,943	--
2003-04	16,523,400,415	47,437,220	832,007,819	17,402,845,454	7.70%
2004-05	18,694,802,748	34,877,710	942,323,175	19,672,003,633	13.04
2005-06	20,898,373,912	35,233,047	937,524,349	21,871,131,308	11.18
2006-07	23,394,796,810	32,996,057	996,599,562	24,424,392,429	11.67
2007-08	25,972,526,364	12,872,037	986,267,215	26,971,665,616	10.43
2008-09	25,968,908,280	12,850,519	1,080,701,277	27,062,460,076	0.30
2009-10	22,527,198,702	12,079,880	1,206,474,766	23,745,753,348	(12.30)
2010-11	20,862,423,058	12,710,612	1,052,023,491	21,927,157,161	(7.70)
2011-12	20,967,316,009	10,792,683	1,192,454,380	22,170,563,072	1.10

⁽¹⁾ Does not include unitary property valuation.

⁽²⁾ Includes property owned by each utility within the District. The decrease in anticipated utility revenue for fiscal year 2011-12 is due to a reallocation of approximately \$2,000,000 dollars from utility assessments to unsecured assessments in connection with the reclassification of a large parcel.

⁽³⁾ Totals before the redevelopment increment deduction.

⁽⁴⁾ Commencing in 2008-09, the Assessor reduced the assessed value of a number of parcels throughout the County. Taxpayers are also entitled to seek a reduction in assessed valuations by way of the appeals process.

Source: California Municipal Statistics, Inc.

Commencing in tax year 2008-09, the County Assessor has applied unilateral reassessments to property within the County based on market conditions. The most significant property base value reductions,

by percentage of value, took place between 2008-09 and 2010-11. At present, approximately 46% of the properties within the County are assessed at temporarily reduced base values. The County Assessor continues to monitor the assessed values of all property within the County annually.

Tax Levies, Collections and Delinquencies

A 10% penalty attaches to any delinquent payment for secured roll taxes. In addition, property on the secured roll for which taxes are delinquent becomes tax-defaulted. Such property may thereafter be redeemed by payment of the delinquent taxes and the delinquency penalty, plus a redemption penalty to the time of redemption. If taxes are unpaid for a period of five years or more, the property is subject to auction sale by the Treasurer. Collection efforts against a taxpayer who has sought protection from creditors in United States Bankruptcy Court, or against secured property the value of which has been compromised by environmental contamination or natural disaster, may be fruitless to recover unpaid taxes due with respect to such property.

In the case of unsecured property taxes, a 10% penalty attaches to delinquent taxes on property on the unsecured roll, and an additional penalty of 1.5% per month begins to accrue beginning November 1st of the fiscal year, and a lien is recorded against the assessee. The taxing authority has four ways of collecting unsecured personal property taxes: (a) filing a civil action against the taxpayer; (b) filing a bond in the office of the County Clerk specifying certain facts in order to obtain a judgment lien on specific property of the taxpayer; (c) filing a bond of delinquency for record in the County Recorder’s office in order to obtain a lien on specified property of the taxpayer; and (d) seizing and selling personal property, improvements or possessory interests belonging or assessed to the taxpayer.

Teeter Plan and Tax Losses Reserve Fund. The County has adopted the Teeter Plan, as provided for in Section 4701 *et seq.* of the State Revenue and Taxation Code and has created a tax losses reserve fund. Under the Teeter Plan, each participating local agency, including school districts, levying property taxes in the County receives the amount of uncollected taxes credited to its fund, in the same manner as if the amount credited had been collected. In return, the County receives and retains delinquent payments, penalties and interest as collected that would have been due the local agency. The County applies the Teeter Plan to taxes levied for the repayment of school district general obligation bonds.

The Teeter Plan is to remain in effect unless the County Board of Supervisors orders its discontinuance or unless, prior to the commencement of any fiscal year of the County (which commences on July 1) the Board of Supervisors receives a petition for its discontinuance from two-thirds of the participating revenue districts in the County. The Board of Supervisors may also, after holding a public hearing on the matter, discontinue the procedures under the Teeter Plan with respect to any tax levying agency in the County if delinquencies within that agency’s area exceed 3% in any tax year. Although delinquencies in the District exceeded 3% in fiscal years 2006-07 through 2009-10, the County did not order discontinuance of the Teeter Plan and the Teeter Plan is in effect as of the date of this Official Statement.

The recent history of tax collections and delinquencies within the District is only available with respect to bond debt service tax levies, and is as shown below.

**TABLE 2
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
SECURED TAX CHARGES AND DELINQUENCIES⁽¹⁾**

<u>Fiscal Year</u>	<u>Secured Tax Charge</u>	<u>Amount Delinquent as of June 30</u>	<u>Percent Delinquent June 30</u>
2006-07	\$26,418,406.60	\$1,210,210.04	4.58%
2007-08	31,299,773.17	1,550,643.72	4.95
2008-09	26,534,360.10	1,663,455.48	6.27
2009-10	40,349,223.42	1,282,023.52	3.18
2010-11	38,278,694.81	845,259.12	2.21

⁽¹⁾ The history of tax collections and delinquencies is available only with respect to bond debt service tax levy.
Source: California Municipal Statistics, Inc.

Tax Rates

The State Constitution permits the levy of an *ad valorem* tax not to exceed 1% of the full cash value of taxable property, and State law requires the full 1% tax to be levied. The levy of special *ad valorem* taxes in excess of the 1% levy is permitted as necessary to provide for the debt service payments on school bonds and other voter-approved indebtedness. The tax rate necessary to pay debt service on the Bonds and the Prior General Obligation Bonds in any given year depends on the assessed value of property in that year. For taxing purposes, the State Board of Equalization divided the area served by the District into tax rate areas ("TRA"). The largest TRA in the District is TRA 8-001. Table 3A summarizes components of the property tax rate in TRA 8-001 from fiscal year 2007-08 to fiscal year 2011-12.

TABLE 3A
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
LARGEST COMPONENT PARTS OF TRA 8-001⁽¹⁾
(Percentage of Assessed Valuation)

	<u>2007-08</u>	<u>2008-09</u>	<u>2009-10</u>	<u>2010-11</u>	<u>2011-12</u>
General - Countywide	1.0000%	1.0000%	1.0000%	1.0000%	1.0000%
City of Richmond	.1400	.1400	.1400	.1400	.1400
Bay Area Rapid Transit District	.0076	.0090	.0057	.0031	.0041
East Bay Regional Park	.0080	.0100	.0108	.0084	.0071
West Contra Costa Unified School District	.1035	.1230	.1828	.1869	.2322
Contra Costa Community College District	.0108	.0066	.0126	.0133	.0144
Total	1.2699%	1.2886%	1.3519%	1.3517%	1.3978%

⁽¹⁾ The 2011-12 assessed valuation of TRA 8-001 is \$5,080,923,687.
Source: California Municipal Statistics, Inc.

Assessed Valuation By Land Use

The following table reflects the 2011-12 assessed valuation and parcels by land use within the District.

TABLE 3B
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
2011-12 ASSESSED VALUATION AND PARCELS BY LAND USE

	<u>Assessed Valuation⁽¹⁾</u>	<u>% of Total</u>	<u>No. of Parcels</u>	<u>% of Total</u>
Non-Residential:				
Commercial	\$1,192,078,120	5.69%	1,419	1.84%
Vacant Commercial	44,462,308	0.21	301	0.39
Professional/Office	281,266,771	1.34	360	0.47
Industrial	3,455,165,092	16.48	701	0.91
Vacant Industrial	177,754,801	0.85	369	0.48
Recreational	25,959,303	0.12	30	0.04
Government/Social/Institutional	90,827,437	0.43	985	1.28
Vacant Other	14,046,590	0.07	1,098	1.43
Miscellaneous	<u>45,949,024</u>	<u>0.22</u>	<u>415</u>	<u>0.54</u>
Subtotal Non-Residential	\$5,327,509,446	25.41%	5,678	7.38%
Residential:				
Single Family Residence	\$12,046,329,831	57.45%	55,997	72.76%
Condominium/Townhouse	1,698,256,221	8.10	8,625	11.21
2-4 Residential Units	936,089,809	4.46	3,654	4.75
5+ Residential Units/Apartments	829,114,524	3.95	801	1.04
Mobile Homes	1,891,526	0.01	201	0.26
Miscellaneous Residential Improvements	7,734,499	0.04	88	0.11
Vacant Residential	<u>120,390,153</u>	<u>0.57</u>	<u>1,919</u>	<u>2.49</u>
Subtotal Residential	<u>\$15,639,806,563</u>	<u>74.59%</u>	<u>71,285</u>	<u>92.62%</u>
Total	\$20,967,316,009	100.00%	76,963	100.00%

⁽¹⁾ Local Secured Assessed Valuation; excluding tax-exempt property.
Source: California Municipal Statistics, Inc.

Assessed Valuation of Single-Family Homes

The following table provides the 2011-12 assessed valuation of single family residential parcels within the District.

**TABLE 3C
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
PER PARCEL FISCAL YEAR 2011-12 ASSESSED VALUATION OF SINGLE FAMILY HOMES**

Single Family Residential	<u>No. of Parcels</u>	<u>2011-12 Assessed Valuation</u>	<u>Average Assessed Valuation</u>	<u>Median Assessed Valuation</u>		
	55,997	\$12,046,329,831	\$215,125	\$176,500		
<u>2011-12 Assessed Valuation</u>	<u>No. of Parcels⁽¹⁾</u>	<u>% of Total</u>	<u>Cumulative % of Total</u>	<u>Total Valuation</u>	<u>% of Total</u>	<u>Cumulative % of Total</u>
\$0 - 99,999	14,458	25.819%	25.819%	\$879,869,176	7.304%	7.304%
100,000 - 199,999	16,627	29.693	55.512	2,429,131,009	20.165	27.469
200,000 - 299,999	11,327	20.228	75.740	2,796,051,588	23.211	50.680
300,000 - 399,999	6,968	12.444	88.183	2,405,918,684	19.972	70.652
400,000 - 499,999	3,589	6.409	94.593	1,575,561,549	13.079	83.731
500,000 - 599,999	1,538	2.747	97.339	833,889,741	6.922	90.654
600,000 - 699,999	773	1.380	98.720	495,228,804	4.111	94.765
700,000 - 799,999	331	0.591	99.311	245,505,038	2.038	96.803
800,000 - 899,999	172	0.307	99.618	145,324,862	1.206	98.009
900,000 - 999,999	80	0.143	99.761	75,495,474	0.627	98.636
1,000,000 - 1,099,999	56	0.100	99.861	58,019,420	0.482	99.117
1,100,000 - 1,199,999	30	0.054	99.914	34,179,158	0.284	99.401
1,200,000 - 1,299,999	17	0.030	99.945	21,222,210	0.176	99.577
1,300,000 - 1,399,999	8	0.014	99.959	10,734,702	0.089	99.666
1,400,000 - 1,499,999	5	0.009	99.968	7,278,527	0.060	99.727
1,500,000 - 1,599,999	5	0.009	99.977	7,773,439	0.065	99.791
1,600,000 - 1,699,999	4	0.007	99.984	6,516,500	0.054	99.845
1,700,000 - 1,799,999	2	0.004	99.987	3,572,368	0.030	99.875
1,800,000 - 1,899,999	1	0.002	99.989	1,800,000	0.015	99.890
1,900,000 - 1,999,999	2	0.004	99.993	3,835,292	0.032	99.922
2,000,000 and greater	4	0.007	100.000	9,422,290	0.078	100.000
Total	55,997	100.000%		\$12,046,329,831	100.000%	

⁽¹⁾ Improved single family residential parcels. Excludes condominiums and parcels with multiple family units.
Source: California Municipal Statistics, Inc.

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Largest Taxpayers in the District

The 20 largest taxpayers in the District, as shown on the 2011-12 secured tax roll, and the amounts of their assessed valuation for all taxing jurisdictions within the District, are shown below. When more taxable property is owned by a single taxpayer, tax collections are more dependent on the ability or willingness of such taxpayer to pay property taxes. As reflected below, in 2011-12 only one taxpayer owned more than 1% of the total taxable property within the District. Assessed valuation for the 20 largest taxpayers amounts to \$3,788,888,287, or approximately 18% of the District's total 2011-12 secured tax roll.

TABLE 4
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
LARGEST 2011-12 LOCAL SECURED TAXPAYERS

<u>Property Owner</u>	<u>Primary Land Use</u>	<u>2011-12 Assessed Valuation</u>	<u>% of Total⁽¹⁾</u>
Chevron USA, Inc.	Industrial	\$2,746,309,920	13.10%
Bio-Rad Laboratories Inc.	Industrial	130,981,809	0.62
Richmond Parkway Associates	Apartments	101,776,035	0.49
MCD-RCCA-El Cerrito LLC	Shopping Center	85,265,342	0.41
Lennar Emerald LLC	Residential Development	74,534,000	0.36
Richmond Associates LLC	Shopping Center	64,653,573	0.31
Berlex Laboratories Inc.	Industrial	60,228,256	0.29
Kaiser Foundation Health Plan	Medical Building	59,462,762	0.28
Richmond Essex LP	Apartments	47,693,832	0.23
Cherokee Simeon Venture I LLC	Office Building	46,605,291	0.22
Pacific Atlantic Terminals LLC	Industrial	42,982,587	0.20
DDRM Hilltop Plaza LP	Shopping Center	42,015,000	0.20
Dicon Fiberoptics Inc.	Industrial	40,407,901	0.19
Ford Point LLC	Industrial	37,317,142	0.18
IIT Pinole Business Park I LP	Industrial	37,250,000	0.18
Signature at Abella LLC	Shopping Center	35,405,873	0.17
Stephens & Stephens LLC	Industrial	34,800,000	0.17
BP West Coast Products	Industrial	34,559,799	0.16
California Fats & Oils Inc.	Industrial	33,550,550	0.16
Richmond Investors 2010 LLC	Apartments	33,088,615	0.16
TOTAL		\$3,788,888,287	18.07%

⁽¹⁾ Total Local Secured Assessed Valuation for 2011-12: \$20,967,316,009.
Source: California Municipal Statistics, Inc.

Chevron Property Tax Appeals and Litigation. Chevron USA, Inc. (“Chevron”), the largest taxpayer in the District, currently represents 13.10% of the total local secured assessed valuation in the District. Chevron appealed its property assessed valuations for tax years 2004, 2005 and 2006 (the “2004-06 Appeal”) to the County Assessment Appeals Board (the “Appeals Board”) seeking to reduce the assessed valuation of its refinery, comprised of 45 parcels located primarily within the City of Richmond. On November 19, 2009, the Appeals Board adopted findings and issued a decision (the “Appeals Board Decision”) granting Chevron retroactive reductions in its assessed valuations in the amounts of approximately \$346 million for tax year 2004-05, \$452 million for tax year 2005-06, and \$465 million for tax year 2006-07. In compliance with the Appeals Board Decision, the County issued refunds to Chevron and then issued directives to several cities and districts within the County seeking reimbursement of the alleged overpayments.

On May 17, 2010, Chevron filed a lawsuit (the “Chevron Lawsuit”) seeking further reductions in the assessed values established under the Appeals Board Decision. In the Chevron Lawsuit, Chevron alleges, among other things, that the taxable values determined by the Appeals Board Decision are excessive and improper and otherwise unsupported by the administrative record. On October 12, 2010, the County filed an opposition to the Chevron Lawsuit and a cross-complaint against the Appeals Board claiming that the assessed

values reflected in the Appeals Board Decision are too low. In late 2010 the court granted the City of Richmond leave to intervene and the City of Richmond filed a complaint in intervention to support the County's opposition to the Chevron Lawsuit. On September 9, 2011, the court took the following actions: (i) granted Chevron's motion for judgment on the pleadings with respect to the County's cross-complaint; (ii) dismissed the County's cross-complaint without leave to amend; and (iii) granted leave to the City of Richmond to amend its complaint in intervention. Thereafter, the City of Richmond filed its amended complaint in intervention asserting that if there is any error in the Appeals Board Decision it would be that the Appeals Board undervalued the Chevron property. In February 2012, the County filed a motion for judgment on the pleadings, asserting among other things that Chevron had failed to exhaust its administrative remedies prior to filing the Chevron Lawsuit. The hearing on that motion is scheduled for April 27, 2012.

Below are historical local secured assessed valuations of Chevron for each fiscal year, commencing with fiscal year 2004-05, which is the first year for which Chevron appealed certain of the County's property tax assessments, as discussed below.

TABLE 5
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
CHEVRON USA, INC. - HISTORY OF SECURED ASSESSED VALUATION

<u>Year</u>	<u>Assessed Valuations⁽¹⁾</u>
2004-05	\$2,469,045,601 ⁽²⁾
2005-06	2,678,641,859 ⁽²⁾
2006-07	2,680,893,790 ⁽²⁾
2007-08	3,433,927,316
2008-09	3,472,863,434
2010-11	3,086,587,302
2010-11	2,028,768,690
2011-12	2,746,309,920

⁽¹⁾ Secured Assessed Value of the Chevron property as reflected on the County Assessor's Equalized Tax Roll. Values have not been adjusted to reflect successful property tax appeals.

⁽²⁾ The County Appeals Board ruled that Chevron's Richmond refinery was over assessed in the amount of approximately \$346 million, approximately \$452 million and approximately \$465 million for the tax years of 2004-05, 2005-06 and 2006-07, respectively.

Source: California Municipal Statistics, Inc.

In addition to the Chevron Lawsuit, 28 local cities and special districts filed a petition for writ of mandate, declaratory relief, and injunctive relief (collectively, the "Joint Petition") in Contra Costa County Superior Court. The Joint Petition challenges the County's directive that each entity refund its portion of the 2004, 2005 and 2006 taxes allegedly overpaid by Chevron. Discovery is ongoing in connection with the Joint Petition and a hearing is anticipated in the fall of 2012.

Chevron has also appealed its property assessed valuations for tax years 2007, 2008 and 2009 (the "2007-09 Appeal") to the Appeals Board. Hearings on the 2007-09 Appeal commenced in October 2011 and concluded in January 2012. The Appeals Board issued its decision on this matter on April 2, 2012. Under that decision, Chevron lost its appeal and is required to pay approximately \$27 million in additional taxes for the 2007-2009 tax years. Chevron has not yet indicated whether it will appeal this decision.

Chevron has also appealed its property assessed valuations for the 2010 and 2011 tax years (the "2010-11 Appeal") to the Appeals Board. The first hearing on that appeal is scheduled for April 16, 2012.

The District cannot predict the final outcome of the Chevron Lawsuit, the Joint Petition, the 2007-09 Appeal, the 2010-11 Appeal or the effect of any orders or decisions on the annual tax rate on taxable property within the District.

The assessed value reductions granted to Chevron in the Appeals Board Decision may result in an increase in the annual tax rate on taxable property within the District. Because the District is subject to a Revenue Limit (defined herein below) that is comprised of the local property tax collected and State funding, reductions in local tax collections can be offset by State funding as described more fully in “GENERAL SCHOOL DISTRICT FINANCIAL INFORMATION – Allocation of State Funding to Districts.”

CONSTITUTIONAL AND STATUTORY PROVISIONS AFFECTING DISTRICT REVENUES AND APPROPRIATIONS

The Bonds are general obligations of the District payable solely from *ad valorem* taxes levied on taxable property within the District. The *ad valorem* tax is required to be levied by the County in an amount sufficient for the payment of debt service on the Bonds. See “SECURITY FOR THE BONDS.” Articles XIII A, XIII B, XIII C and XIII D of the Constitution, Propositions 98 and 11, and certain other provisions of law discussed below, describe the potential effect of these Constitutional and statutory measures on the ability of the County to levy taxes and the District to spend tax proceeds for operating and other purposes, and it should not be inferred from the inclusion of such materials that these laws impose any limitation on the ability of the County to levy *ad valorem* taxes for payment of the Bonds. The *ad valorem* tax levied by the County for payment of the Bonds was approved by the District’s voters in compliance with Article XIII A, Article XIII C, and all applicable laws.

Constitutionally Required Funding of Education

The State Constitution requires that from all State revenues there shall first be set apart the monies to be applied by the State for the support of the public school system and public institutions of higher education. School districts in the State receive a significant portion of their funding from State appropriations. As a result, fluctuations in State revenues can significantly affect appropriations made by the State Legislature to school districts.

Article XIII A of the State Constitution

Article XIII A of the State Constitution, as amended, limits the amount of *ad valorem* taxes on real property to 1% of the full cash value thereof, except that additional *ad valorem* taxes may be levied to pay debt service on indebtedness approved by the voters prior to July 1, 1978, and on bonded indebtedness approved by a two-thirds vote on or after July 1, 1978, for the acquisition or improvement of real property. Proposition 39, approved by State voters on November 7, 2000, provides an alternative method of seeking voter approval for bonded indebtedness (see “Proposition 39” below). Article XIII A defines full cash value to mean “the county assessor’s valuation of real property as shown on the 1975-76 tax bill under “full cash value,” or thereafter, the appraised value of real property when purchased, newly constructed, or a change in ownership has occurred after the 1975 assessment.” The full cash value may be adjusted annually to reflect inflation at a rate not to exceed 2% per year, or a reduction in the consumer price index or comparable local data at a rate not to exceed 2% per year, or reduced in the event of declining property value caused by damage, destruction or other factors including a general economic downturn.

Article XIII A has subsequently been amended to permit reduction of the “full cash value” base in the event of declining property values caused by damage, destruction or other factors, to provide that there would be no increase in the “full cash value” base in the event of reconstruction of property damaged or destroyed in a disaster, and in other minor or technical ways.

Legislation Implementing Article XIII A

Legislation has been enacted and amended a number of times since 1978 to implement Article XIII A. Under current law, local agencies are no longer permitted to levy directly any property tax (except to pay voter

approved indebtedness). The 1% property tax is automatically levied by the county and distributed according to a formula among taxing agencies. The formula apportions the tax roughly in proportion to the relative shares of taxes levied prior to 1989.

Increases of assessed valuation resulting from reappraisals of property due to new construction, change in ownership or from the 2% annual adjustment are allocated among the various jurisdictions in the "taxing area" based upon their respective "situs." Article XIII A effectively prohibits the levying of any other *ad valorem* property tax above the 1% limit except for taxes to support indebtedness approved by the voters as described above.

All taxable property value included in this Official Statement is shown at 100% of taxable value (unless noted differently) and all tax rates reflect the \$1 per \$100 of taxable value.

Article XIII B of the State Constitution

An initiative to amend the State Constitution entitled "Limitation of Government Appropriations" was approved on September 6, 1979 thereby adding Article XIII B to the State Constitution ("Article XIII B"). In June 1990, Article XIII B was amended by the voters through their approval of Proposition 111. Under Article XIII B, the State and each local governmental entity has an annual "appropriations limit" and is not permitted to spend certain monies that are called "appropriations subject to limitation" (consisting of tax revenues, State subventions and certain other funds) in an amount higher than the appropriations limit. Article XIII B does not affect the appropriations of monies that are excluded from the definition of "appropriations subject to limitation," including debt service on indebtedness existing or authorized as of January 1, 1979, or bonded indebtedness subsequently approved by the voters. In general terms, the appropriations limit is to be based on certain fiscal year 1978-79 expenditures, and is to be adjusted annually to reflect changes in costs of living and changes in population, and adjusted where applicable for transfer of financial responsibility of providing services to or from another unit of government. Among other provisions of Article XIII B, if these entities' revenues in any year exceed the amounts permitted to be spent, the excess would have to be returned by revising tax rates or fee schedules over the subsequent two years. However, in the event that a school district's revenues exceed its spending limit, the district may, in any fiscal year, increase its appropriations limit to equal its spending by borrowing appropriations limit from the State, provided the State has sufficient excess appropriations limit in such year.

Article XIII C and Article XIII D of the State Constitution

On November 5, 1996, the voters of the State approved Proposition 218, the so called "Right to Vote on Taxes Act." Proposition 218 added Articles XIII C and XIII D to the State Constitution, which contain a number of provisions affecting the ability of local agencies, including school districts, to levy and collect both existing and future taxes, assessments, fees and charges.

Article XIII D deals with assessments and property related fees and charges. Article XIII D explicitly provides that nothing in Article XIII C or XIII D shall be construed to affect existing laws relating to the imposition of fees or charges as a condition of property development; however it is not clear whether the initiative power is therefore unavailable to repeal or reduce developer and mitigation fees imposed by the District. Developer fees imposed by the District are neither pledged nor available to pay the Bonds.

Proposition 26

On November 2, 2010, State voters adopted Proposition 26, amending Article XIII C of the State Constitution to expand the definition of "tax" to include "any levy, charge or exaction of any kind imposed a local government" except the following: (1) a charge imposed for a specific benefit conferred or privilege granted directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local agency of conferring the benefit or granting the privilege; (2) a charge imposed

for a specific government service or product provided directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the agency of providing the service or product to the payor; (3) a charge imposed for the reasonable regulatory costs to the local government incident to issuing licenses and permits, performing investigations, inspections, and audits, enforcing agricultural marketing orders, and the administrative enforcement and adjudication thereof; (4) a charge imposed for entrance to or use of state property, or the purchase, rental, or lease of state property; (5) a fine, penalty, or other monetary charge imposed by the judicial branch of government or a local government, as a result of a violation of law; (6) a charge imposed as a condition of property development; and (7) assessments and property-related fees imposed in accordance with the provisions of Article XIII D. Proposition 26 provides that the local government bears the burden of proving by a preponderance of the evidence that a levy, charge, or other exaction is not a tax, that the amount is no more than necessary to cover the reasonable costs of the governmental activity, and that the manner in which those costs are allocated to a payor bear a fair or reasonable relationship to the payor's burdens on, or benefits received from, the governmental activity.

Proposition 62

On November 4, 1986, State voters adopted Proposition 62, a statutory initiative which amended the Government Code by the addition of Sections 53720-53730. Proposition 62 requires that (i) any local tax for general governmental purposes (a "general tax") must be approved by a majority vote of the electorate; (ii) any local tax for specific purposes (a "special tax") must be approved by a two-thirds vote of the electorate; (iii) any general tax must be proposed for a vote by two-thirds of the legislative body; and (iv) proceeds of any tax imposed in violation of the vote requirements must be deducted from the local agency's property tax allocation. Provisions applying Proposition 62 retroactively from its effective date to 1985 are unlikely to be of any continuing importance; certain other restrictions were already contained in the State Constitution.

Most of the provisions of Proposition 62 were affirmed by the 1995 State Supreme Court decision in *Santa Clara County Local Transportation Authority v. Guardino* ("Santa Clara"), which invalidated a special sales tax for transportation purposes because fewer than two-thirds of the voters voting on the measure had approved the tax. Following the State Supreme Court's decision upholding Proposition 62, several actions were filed challenging taxes imposed by public agencies since the adoption of Proposition 62, which was passed in November 1986. On June 4, 2001, the State Supreme Court released its decision in one of these cases, *Howard Jarvis Taxpayers Association v. City of La Habra, et al.* ("La Habra"). In this case, the court held that public agency's continued imposition and collection of a tax is an ongoing violation, upon which the statute of limitations period begins anew with each collection. The court also held that, unless another statute or constitutional rule provided differently, the statute of limitations for challenges to taxes subject to Proposition 62 is three years. Accordingly, a challenge to a tax subject to Proposition 62 may only be made for those taxes received within three years of the date the action is brought.

Although by its terms Proposition 62 applies to school districts, the District has not experienced any substantive adverse financial impact as a result of the passage of this initiative or the *Santa Clara* or *La Habra* decisions and believes that any impact experienced by the District will not adversely affect the ability of the District to make payments with respect to the Bonds.

Proposition 98

On November 8, 1988, State voters approved Proposition 98, a combined initiative, constitutional amendment and statute called the "Classroom Instructional Improvement and Accountability Act" (the "Accountability Act"). The Accountability Act changed State funding of public education below the university level, and the operation of the State's Appropriations Limit, primarily by guaranteeing K-12 school districts and community college districts (collectively, "K-14 districts") a minimum share of State General Fund Revenues.

Under Proposition 98 (as modified by Proposition 111, which was enacted on June 5, 1990), K-14 districts are guaranteed the greater of (a) approximately 40.9% of State General Fund revenues ("Test 1"),

(b) the amount appropriated to K-14 schools in the prior year, adjusted for changes in the cost of living (measured as in Article XIII B by reference to State per capita personal income) and enrollment ("Test 2"), or (c) a third test, which would replace Test 2 in any year when the percentage growth in per capita State General Fund revenues from the prior year plus one half of one percent is less than the percentage growth in State per capita personal income ("Test 3"). Under Test 3, schools would receive the amount appropriated in the prior year adjusted for changes in enrollment and per capita State General Fund revenues, plus an additional small adjustment factor. If Test 3 is used in any year, the difference between Test 3 and Test 2 would become a "credit" to schools which would be paid in future years when per capita State General Fund revenue growth exceeds per capita personal income growth.

Proposition 98 permits the Legislature by two-thirds vote of both houses, with the Governor's concurrence, to suspend the K-14 schools' minimum funding formula for a one-year period, and any corresponding reduction in funding for that year will not be paid in subsequent years. However, in determining the funding level for the succeeding year, the formula base for the prior year will be reinstated as if such suspension had not taken place. In certain fiscal years, the State Legislature and the Governor have utilized this provision to avoid having the full Proposition 98 funding paid to support K-14 schools.

Proposition 98 also changes how tax revenues in excess of the State Appropriations Limit are distributed. "Excess" tax revenues are determined based on a two-year cycle, so that the State could avoid having to return to taxpayers excess tax revenues in one year if its appropriations in the next fiscal year were under its limit. After any two-year period, if there are excess State tax revenues, 50% of the excess would be transferred to K-14 schools with the balance returned to taxpayers. Further, any excess State tax revenues transferred to K-14 schools are not built into the school districts' base expenditures for calculating their entitlement for State aid in the next year, and the State's appropriations limit will not be increased by this amount.

Since Proposition 98 is unclear in some details, there can be no assurance that the Legislature or a court might not interpret Proposition 98 to require a different percentage of State General Fund revenues to be allocated to K-14 districts, or to apply the relevant percentage to the State's budgets in a different way than is proposed in the Governor's Budget. In any event, some fiscal observers expect Proposition 98 to place increasing pressure on the State's budget over future years, potentially reducing resources available for other State programs, especially to the extent the Article XIII B spending limit would restrain the State's ability to fund such other programs by raising taxes.

Proposition 39

Proposition 39, which was approved by State voters in November 2000, provides an alternative method for passage of school facilities bond measures which lowers the constitutional voting requirement from two-thirds to 55% of voters and allows property taxes to exceed the 1% limit in order to repay such bonds. The lower 55% vote requirement would apply only for bond issues to be used for construction, rehabilitation, equipping of school facilities or the acquisition of real property for school facilities. The Legislature enacted additional legislation that placed certain limitations on this lowered threshold, requiring that (i) two-thirds of the governing board of a school district approve placing a bond issue on the ballot, (ii) the bond proposal be included on the ballot of a statewide or primary election, a regularly scheduled local election, or a statewide special election (rather than a school board election held at any time during the year), (iii) the tax rate levied as a result of any single election not exceed \$25 for a community college district, \$60 for a unified school district, or \$30 for an elementary school or high school district per \$100,000 of taxable property value, and (iv) the governing board of the school district appoint a citizen's oversight committee to inform the public concerning the spending of the bond proceeds. In addition, the school board of the applicable district is required to perform an annual, independent financial and performance audit until all bond funds have been spent to ensure that the funds have been used only for the projects listed in the measure.

Notwithstanding the legislative limitation that the tax rate levied as a result of any single election may not exceed \$60 per \$100,000 of taxable property value within the District, the County has the power and is

obligated under State law, to levy a tax in any amount to pay the principal of, redemption premium, if any, and interest on the District's general obligation bonds, including the Bonds.

Proposition 1A

On November 2, 2004, California voters approved Proposition 1A, which amended the State Constitution to reduce significantly the State's authority over major local government revenue sources. Under Proposition 1A, the State may not (i) reduce local sales tax rates or alter the method of allocating the revenue generated by such taxes, (ii) shift property taxes from local governments to schools or community colleges, (iii) change in how property tax revenues are shared among local governments without two-thirds approval of both houses of the State Legislature, or (iv) decrease Vehicle License Fees revenues without providing local governments with equal replacement funding. Beginning in 2008-09, the State may shift to schools and community colleges a limited amount of local government property tax revenue if certain conditions are met, including (a) a proclamation by the Governor that the shift is needed due to a severe financial hardship of the State, and (b) approval of the shift by the State Legislature with a two-thirds vote of both houses. Under such a shift, the State must repay local governments for their property tax losses, with interest, within three years. Proposition 1A does allow the State to approve voluntary exchanges of local sales tax and property tax revenues among local governments within a county. Proposition 1A also amends the State Constitution to require the State to suspend certain State laws creating mandates in any year that the State does not fully reimburse local governments for their costs to comply with the mandates. This provision does not apply to mandates relating to schools or community colleges or to those mandates relating to employee rights.

The application of Proposition 98 and other statutory regulations has become increasingly difficult to predict accurately in recent years. One major reason is that Proposition 98 minimums under the first test and the second test described above are dependent on State General Fund revenues. In several recent fiscal years, the State made actual allocations to K-14 districts based on an assumption of State General Fund revenues at a level above that which was ultimately realized. In such years, the State has considered the amounts appropriated above the minimum as a loan to K-14 districts, and has deducted the value of these loans from future years' estimated Proposition 98 minimums.

Proposition 22

Under Proposition 1A, the State no longer has the authority to permanently shift city, county, and special district property tax revenues to schools, or take certain other actions that affect local governments. In addition, Proposition 1A restricts the State's ability to borrow state gasoline sales tax revenues. (See "— Proposition 1A" above). These provisions in the Constitution, however, do not eliminate the State's authority to temporarily borrow or redirect some city, county, and special district funds or the State's authority to redirect local redevelopment agency revenues. However, Proposition 22, The Local Taxpayer, Public Safety, and Transportation Protection Act, approved by the voters of the State on November 2, 2010, reduces or eliminates the State's authority: (1) to use State fuel tax revenues to pay debt service on state transportation bonds; (2) to borrow or change the distribution of state fuel tax revenues; (3) to direct redevelopment agency property taxes to any other local government; (4) to temporarily shift property taxes from cities, counties, and special districts to schools; (5) and to use vehicle license fee revenues to reimburse local governments for state mandated costs. As a result, Proposition 22 impacts resources in the State's General Fund and transportation funds, the State's main funding source for schools and community colleges, as well as universities, prisons and health and social services programs. According to the LAO's analysis of Proposition 22 submitted by the LAO on July 15, 2010, the expected reduction in resources available for the State to spend on these other programs as a consequence of the passage of Proposition 22 will be approximately \$1 billion in fiscal year 2010-11, with an estimated immediate fiscal effect equal to approximately 1% of the State's total General Fund spending. The longer-term effect of Proposition 22, according to the LAO analysis, will be an increase in the State's General Fund costs by approximately \$1 billion annually for several decades.

Future Initiatives

From time to time other amendments to the State constitution, propositions and initiative measures could be adopted that further affect District revenues or the District's ability to expend revenues.

GENERAL SCHOOL DISTRICT FINANCIAL INFORMATION

State Funding of Education

General. The State Constitution requires that from all State revenues there shall first be set apart the moneys to be applied by the State for the support of the public school system and public institutions of higher education. Proposition 98 guarantees K-14 schools a minimum share of the State's General Fund revenues. See "CONSTITUTIONAL AND STATUTORY PROVISIONS AFFECTING DISTRICT REVENUES AND APPROPRIATIONS—Proposition 98." School districts within the state receive a significant portion of their funding from State appropriations. State income tax and other receipts can fluctuate significantly from year to year, depending on economic conditions in the State and the nation. As a result, decreases in State revenues can affect appropriations made by the Legislature to school districts. In periods when State funding for public education is reduced or the State experiences budget problems, the District's financial position may be affected, even in the absence of significant education policy changes. The District cannot predict how State income or State education funding will vary over the entire term to maturity of the Bonds. See "STATE OF CALIFORNIA FISCAL ISSUES".

For additional information concerning revenues received by the District from the State and other sources. See "Allocation of State Funding to Districts," below, and "APPENDIX A—DISTRICT FINANCIAL AND OPERATING INFORMATION-District Revenues."

Allocation of State Funding to Districts

Under Education Code Section 42238 *et seq.* each school district is determined to have an annual target funding level according to a base revenue limit ("Revenue Limit") per unit of average daily attendance ("ADA"), based upon the actual attendance of students without provision for excused absences. ADA is determined by school districts, and verified by the County Office of Education, twice a year in December ("First Period ADA") and April ("Second Period ADA").

The calculation of the amount of State funding a school district is entitled to receive each year is a multiple step process. First, the prior year statewide Revenue Limit per ADA is recalculated with adjustments for equalization and other factors. Second, the adjusted prior year statewide Revenue Limit per ADA is inflated according to formulas, including the statewide average revenue limit per ADA for each type of ADA (elementary, high school or adult), which yields the school district's current year Revenue Limit per ADA. Third, the current year Revenue Limit per ADA is applied to each school district's ADA for either the current or prior year, as the district elects. Fourth, Revenue Limit adjustments known as "add-ons" are used to adjust for small school district size and for meals for needy pupils, among others. Finally, through a process known as "back-fill" local *ad valorem* property tax and other local revenues (consisting of the District's share of the local 1% property tax received pursuant to Sections 75 *et seq.* and Sections 95 *et seq.* of the California Revenue and Taxation Code and other revenues itemized under Education Code Section 42238(h)) are deducted from the total Revenue Limit calculated for each district to arrive at the amount of funding the State must provide each school district for the current year as "equalization aid".

The statewide Revenue Limit is calculated three times per year based on school district projections, reviewed by the County Office of Education and the State Department of Education, submitted on or about (i) December 10, based on First Period ADA; and (ii) April 15 and June 30, both based on Second Period ADA. School district funding from the State is calculated in February and June. Then, in October of the next fiscal

year, a recalculation or correction is made. Revenue Limit amounts are distributed to school districts on or about the time of the calculations, unless the State applies deferrals.

Enrollment can fluctuate due to factors such as school district population, competition from private, parochial, and public charter schools, inter-district transfers in or out, and other causes. Losses in enrollment lower a school district's Revenue Limit (and may result in loss of operating revenues), without necessarily permitting the district to make adjustments in fixed operating costs. If a school district's local property tax revenues exceed its Revenue Limit, it is not entitled to State equalization aid and receives only its special categorical aid and the "basic aid" of \$120 per student per year guaranteed by Article IX, Section 6 of the State Constitution. Such school districts are known as "basic aid districts." School districts that receive equalization aid, such as the District, may be referred to as "revenue limit districts".

The District is a revenue limit district. See "APPENDIX A—DISTRICT FINANCIAL AND OPERATING INFORMATION—District Revenues" for historical and projected ADA and the Revenue Limit per ADA of the District.

School District Budgets

The District is required by provisions of the State Education Code to maintain a balanced budget in each fiscal year, in which the sum of expenditures and the ending fund balance cannot exceed the sum of revenues and the carry-over fund balance from the previous year. The State Department of Education imposes a uniform budgeting and accounting format for school districts.

School districts must adopt a budget no later than June 30 of each year. The District must submit its budget to the State Superintendent within five days of adoption or by July 1, whichever occurs first. The District follows a single budget adoption cycle, which means its budget is only readopted if it is disapproved or as otherwise needed. The District is under the jurisdiction of the Contra Costa County Superintendent of Schools.

A County Superintendent of Schools must review and approve or disapprove the budgets for each school district under its jurisdiction no later than August 15. The County Superintendent of Schools is required to examine a school district's adopted budget for compliance with the standards and criteria adopted by the State Board of Education and identify technical corrections necessary to bring the budget into compliance with the established standards. If a budget is disapproved, it is returned to the school district with recommendations for revision. The school district is then required to revise the budget, hold a public hearing thereon, adopt the revised budget and file it with the County Superintendent of Schools no later than September 8. Pursuant to State law, the County Superintendent of Schools has available various remedies by which to impose and enforce a budget that complies with State criteria, depending on the circumstances, if a budget is disapproved. After approval of an adopted budget, the school district's administration may submit budget revisions for governing board approval.

Subsequent to approval, the County Superintendent of Schools will monitor each school district in its jurisdiction throughout the fiscal year pursuant to its adopted budget to determine on an ongoing basis if the district can meet its current and subsequent year financial obligations. If the County Superintendent of Schools determines that the district cannot meet its current or subsequent year obligations, the County Superintendent of Schools will notify the district's governing board of the determination and may then do either or both of the following: (a) assign a fiscal advisor to enable the district to meet those obligations or (b) if a study and recommendations are made and a district fails to take appropriate action to meet its financial obligations, the County Superintendent will so notify the State Superintendent of Public Instruction, and then may do any or all of the following for the remainder of the fiscal year: (i) request additional information regarding the district's budget and operations; (ii) develop and impose, after also consulting with the district's governing board, revisions to the budget that will enable the district to meet its financial obligations; and

(iii) stay or rescind any action inconsistent with such revisions. However, the County Superintendent of Schools may not abrogate any provision of a collective bargaining agreement that was entered into prior to the date upon which the County Superintendent of Schools assumed authority.

At minimum, school districts file with their County Superintendent and the State Department of Education a First Interim Financial Report by December 15 covering financial operations from July 1 through October 31 and a Second Interim Financial Report by March 15 covering financial operations from November 1 through January 31. Section 42131 of the Education Code requires that each interim report be certified by the school board as either (a) "positive," certifying that the district, "based upon current projections, will meet its financial obligations for the current fiscal year and subsequent two fiscal years," (b) "qualified," certifying that the district, "based upon current projections, may not meet its financial obligations for the current fiscal year or two subsequent fiscal years," or (c) "negative," certifying that the district, "based upon current projections, will be unable to meet its financial obligations for the remainder of the fiscal year or the subsequent fiscal year." A certification by a school board may be revised by the County Superintendent. If either the first or second interim report is not "positive," the County Superintendent may require the district to provide a third Interim Financial Report covering financial operations from February 1 through April 30 by June 1. If not required, a third interim report is not prepared. Each interim report shows fiscal year to date financial operations and the current budget, with any budget amendments made in light of operations and conditions to that point. The District has adopted and filed its Second Interim Report, dated January 31, 2012, and it is anticipated that it will be certified as "positive" by the County Superintendent of Schools. See "APPENDIX A—DISTRICT FINANCIAL AND OPERATING INFORMATION - Comparative Financial Statements" for the General Fund balances reflected in the District's Second Interim Report.

Information concerning the District's operations and financials is provided as supplementary information only, and it should not be inferred from its inclusion in this Official Statement that debt service on the Bonds is payable from or in any way secured by the District's general fund. Furthermore, the general fund and operating data provided is excerpted from the District's adopted audited financials and interim financial reports, complete copies of which are available on the District's website at www.wccusd.net/wccusd/site/default.asp, under the link "Budget Information."

County Investment Pool

In accordance with Education Code section 41001, each school district in the State maintains substantially all of its operating funds in the county treasury of the county in which it is located. Each county treasurer serves as *ex officio* treasurer for those school districts under jurisdiction of the County Superintendent of Schools of the county. Each county treasurer has the authority to implement and oversee the investment of school district funds held in the county treasury. Generally, the county treasurer pools county funds with school district funds and funds from certain other public agencies and invests the cash. These pooled funds are carried at cost. Interest earnings are accounted for on either a cash or accrual basis and apportioned to pool participants on a regular basis.

Each county is required to invest funds, including those pooled funds described above, in accordance with Government Code Section 53601 *et seq.* In addition, each county is required to establish its own investment policies, which may provide further limitations beyond those required by the Government Code.

See "APPENDIX G—COUNTY INVESTMENT POLICY AND EXCERPTS FROM TREASURER'S QUARTERLY INVESTMENT REPORT AS OF [DECEMBER 31, 2011]" for a discussion of the County Pool, valuation procedures, and investment policies.

Accounting Practices

The accounting policies of the District conform to generally accepted accounting principles in accordance with policies and procedures of the State School Accounting Manual. This manual, according to

Section 41010 of the Education Code, is to be followed by all State school districts. Revenues are recognized in the period in which they become both measurable and available to finance expenditures of the current fiscal period. Expenditures are recognized in the period in which the liability is incurred.

The DISTRICT FINANCIAL STATEMENTS FOR FISCAL YEAR ENDED JUNE 30, 2011, appearing in APPENDIX C of this Official Statement, have been audited by Crowe Horwath LLP, independent accountants (the "Auditors"), as set forth in their report thereon. The District considers its audited financial statements to be public information and, accordingly, no consent has been sought or obtained from the Auditors in connection with the inclusion of such financial statements in this Official Statement. Furthermore, the Auditors have made no representation concerning any changes, material or otherwise, in the financial condition of the District since the date of the audit.

STATE OF CALIFORNIA FISCAL ISSUES

The following information concerning the State's budget has been extracted and summarized from publicly available information which the District believes to be reliable, including information provided by the State's Department of Finance, by the Governor's Office and by the Legislative Analyst's Office (the "LAO"); however, none of the District, its counsel (including Disclosure Counsel), the Financial Advisor or the Underwriters guarantee the accuracy or completeness of this information and none of such entities has independently verified such information. Additional information regarding the State budgets and fiscal issues is available at various State-maintained websites, including www.dof.ca.gov. The websites addresses, if any, are provided for convenience only and none of the information contained therein is incorporated by reference nor have the District, its counsel (including Disclosure Counsel), the Financial Advisor or the Underwriters independently verified any of the information or content of such websites.

As a result of State budget shortfalls in recent years, the District has received significantly less revenue from the State and has had to reduce expenditures. See "APPENDIX A—DISTRICT FINANCIAL AND OPERATING INFORMATION - Comparative Financial Statements."

General Overview

State Budget Process. The State's fiscal year currently begins on July 1 and ends on June 30. The State Constitution requires the Governor to propose a budget to the State Legislature no later than January 10 of each year. Under State law, the proposed budget cannot provide for projected expenditures in excess of projected revenues and balances available from prior fiscal years. A final budget must be adopted by a two-thirds vote of each house of the State Legislature no later than June 15. Upon the Governor's signature the adopted final budget becomes law (the "State Budget"). State law requires that the State Budget be signed into law by no later than June 30, but with the exception of the State Budget for fiscal year 2011-12, the State Budget has not been timely enacted for many years.

Money may be drawn from the State Treasury only through an appropriation made by law. Most appropriations are made through the State Budget, but appropriations bills may also be separately submitted. Bills appropriating funds must be approved by a two-thirds majority vote in each house of the State Legislature (except for bills containing K-14 education appropriations, which require only a simple majority vote) and be signed by the Governor. Subject to override by two-thirds vote of each house of the State Legislature, when an appropriation bill or final budget is submitted for signature, the Governor may reduce or eliminate specific line items without vetoing the entire document. Continuing appropriations, available without regard to fiscal year, may also be provided by statute or the State Constitution. Revenues may be appropriated in anticipation of their receipt and actual funds need not be in the State Treasury at the time an appropriation is enacted. However, delays in the adoption of a final State budget in any fiscal year may affect payments of State funds during a budget impasse.

Financial Stress on State Budget. The State has experienced significant ongoing financial and budgetary stress for several years. Beginning with the 2008-09 fiscal year, the State has, with varying degrees of success, implemented substantial spending reductions, program eliminations, revenue increases, and other efforts to close an estimated \$60 billion budget gap. See “—2011-12 State Budget,” below. The Governor released the Proposed Budget for fiscal year 2012-13 on January 5, 2012, in advance of the January 10 deadline. See “—2012-13 Proposed Budget,” below.

Enacted Budget Trailer Bills. On March 24, 2011, before the fiscal year 2011-12 State Budget was adopted, the governor signed into law several budget trailer bills. The bills were intended to more closely align the State’s revenues with expenditures by deferring payment of amounts owed to public schools until later in the fiscal year. One bill signed into law, Senate Bill No. 70 (Chapter 7, Statutes of 2011), contains several provisions relating to school funding, as follows:

- Provides a revenue limit deficit factor of 19.892% for fiscal years 2011-12 and 2012-13 to reflect a \$106.6 million deficit for county offices of education (“COEs”). Provides a revenue limit deficit factor of 19.608% for fiscal year 2011-12 to reflect a deficit of \$7.7 billion for school districts.
- Defers an additional \$2.1 billion in K-12 funds from fiscal year 2011-12 to fiscal year 2012-13. Specifically, Senate Bill No. 70 shifts \$1.3 billion in March 2012 payments and \$763 million in April 2012 payments to August 2012.
- Extends various K-14 fiscal relief options known as flexibility options to school districts for an additional two fiscal years. For school districts, this includes the extension of categorical flexibility from 2012-12 through 2014-15 by reducing restrictions on funding associated with certain categorical programs, existing K-3 Class Size Reduction Program from 2011-12 through 2013-14, and two additional years for existing statutory provisions that reduce instructional materials purchase and adoption requirements, routine and deferred maintenance requirements, surplus property, class size reduction, instructional minutes and local budget reserve requirements.
- Extends until fiscal year 2014-15, authorization for new schools, the majority of which are charter schools, to access flexible categorical program funding on par with existing schools.
- Establishes a zero percent cost-of-living adjustment (“COLA”) for K-12 programs in fiscal year 2010-11. Though the actual COLA of 1.67% is not provided, it is applied to the deficit factors established in the bill.
- Provides \$2.3 million in federal funds (\$1.5 million in Title VI and \$781,000 in Title II) for fiscal year 2010-11 for the California Longitudinal Pupil Achievement Data System (“CALPADS”).
- Applies an 8.9% reduction to categorical programs for basic aid districts in fiscal year 2010-11 and fiscal year 2011-12 commensurate to the revenue limit reduction rate for other school districts in fiscal year 2010-11 and fiscal year 2011-12. Specifies the intent to restore these reductions at the same time, and in direct proportion to restoration of revenue limit reductions.
- Authorizes a statutory appropriation for the K-3 Class Size Reduction program for fiscal year 2011-12. The statute authorizes the Superintendent of Public Instruction to certify the funding needed for the program in fiscal year 2011-12 to ensure full funding for the program.
- Reduces ongoing Proposition 98 funding for special education by about \$13.1 million in fiscal year 2011-12 and backfills with one-time Proposition 98 savings from various programs to cover fiscal year 2010-11 program adjustments.
- Requires the state to adjust the Proposition 98 calculation so that any shift in local property taxes previously received by RDAs has no effect on the Proposition 98 minimum guarantee in fiscal year 2011-12.

2011-12 State Budget

On June 30, 2011, the State budget for fiscal year 2011-12 (the “2011-12 Budget”) was signed into law by the Governor, closing a \$26.6 billion budget gap by reducing expenditures by \$15 billion, targeting revenue increases of nearly \$1 billion and additional solutions of \$2.9 billion. The 2011-12 Budget assumes revenues of \$94.8 billion, expenditures of \$91.5 billion and a budget deficit of \$2 billion for fiscal year 2010-11. The 2011-12 Budget projects total revenues of \$88.5 billion and authorizes total expenditures of \$85.9 billion for fiscal year 2011-12, thereby projecting that the State will end fiscal year 2011-12 with a \$543 million surplus.

The administration states that it plans to seek voter approval of a ballot measure, by November of 2012, which would protect public safety realignment and supplement the State’s revenues. The 2011-12 Budget also includes a series of “trigger” reductions that are authorized to be implemented in the event the State’s revenues are less than forecasted. The first series of reductions, totaling approximately \$600 million, would be implemented if, by January 2012, State revenues fall short of projections by more than \$1 billion. If by January 2012 revenues are projected to fall short by more than \$2 billion, a second series of reductions in education spending, totaling approximately \$1.9 billion, would be implemented of which \$1.8 billion relate to K-12 revenue limit funding and the home-to-school transportation program.

As part of the second series of “trigger” reductions, the 2011-12 Budget authorizes a reduction of \$1.5 billion to school district revenue limit funding, and a corresponding reduction to the State-mandated length of the school year by seven days. In the event this reduction is implemented, school districts would be permitted to collectively bargain for a shorter school year or accommodate the revenue limit reduction through other means. The 2011-12 Budget also makes other significant, one-time modification to State budgeting requirements under AB 1200. See “GENERAL SCHOOL DISTRICT FINANCIAL INFORMATION—School District Budgets.”

Total Proposition 98 funding is decreased in fiscal year 2011-12 to \$48.7 billion, including \$32.8 billion from the State general fund, which reflects a decrease from the prior year of \$1.1 billion. This decrease is a net figure reflective of all budgetary actions taken with respect to the State’s share of Proposition 98 funding, including increases in baseline revenues, redirection of certain sales tax revenues related to the realignment of public safety programs, and the rebenching of the Proposition 98 minimum funding guarantee (discussed below).

The 2011-12 Budget rebenches the Proposition 98 minimum funding guarantee to account for the following: (i) an increase of \$221.8 million, as part of the realignment of public programs from the State to local governments, to fund the delivery of certain mental health services by school districts, (ii) an increase of \$578.1 million to backfill general fund revenues lost from the suspension of sales and excise taxes on motor vehicle fuels, and (iii) a decrease of \$1.1 billion to reflect the exclusion of most child care programs from Proposition 98. The minimum funding guarantee is also rebenched to account for a \$1.7 billion decrease in State general fund revenues as a result of Assembly Bill 27 of the 2010-11 First Extraordinary Session (“ABx1 27”), a companion bill to the 2011-12 Budget. ABx1 27 authorizes redevelopment agencies (“RDAs”) to continue operations if their establishing cities or counties agree to make a specified payment, of approximately \$1.7 billion statewide, to school districts and county offices of education. Pursuant to Assembly Bill 26 of the 2010-11 First Extraordinary Session (“ABx1 26”), another companion bill to the 2011-12 Budget, RDAs whose establishing cities or counties elect not to make such payments will be required to shut down, and any net tax increment revenues, after payment of redevelopment bonds debt service and administrative costs, will be distributed to cities, counties, special districts and school districts. Certain litigation discussed below challenged the constitutionality of ABx1 26 and ABx1 27 and the latter bill was declared unconstitutional by the Supreme Court of California. See “—*Litigation Regarding Recent State Budgetary Provisions*” below.

The 2011-12 Budget also implements the following significant measures with respect to K-12 education funding:

- *Apportionment Deferral.* An additional deferral of \$1.2 billion in education spending in order to maintain programmatic funding at the fiscal year 2010-11 level.
- *Part-Day Preschool.* A decrease of \$62.3 million to reflect a reduction of income eligibility levels to 70% of the State Median Income, and across-the-board reductions to provider contracts.
- *Charter Schools.* \$11 million in supplemental categorical funding to charter schools that begin operations between 2008-09 and 2011-12.
- *Clean Technology and Renewable Energy Training.* \$3.2 million of increased funding for clean technology and renewable energy job training, career technical education and the Dropout Prevention Program, each of which is designed to provide at-risk high school students with occupational training in areas such as conservation, renewable energy and pollution reduction.
- *Child Care and Development.* A decrease of \$180.4 million to child care and development programs, including reductions to license-exempt provider rates, reductions of income eligibility levels to 70% of the State Median Income, and across-the-board reductions to provider contracts.
- *CALTIDES.* A decrease of \$2.1 million to reflect elimination of funding for the California Longitudinal Teacher Integrated Data System (“CALTIDES”). Although the CALTIDES program was intended to provide a central State information depository regarding the teaching workforce, the 2011-12 Budget indicates the program is not a critical need.
- *Office of the Secretary of Education.* The 2011-12 Budget projects a budget savings of \$1.6 million through the elimination of the Office of the Secretary of Education.

The complete 2011-12 Budget is available from Department of Finance at www.dof.ca.gov/budget/. An impartial analysis and additional information regarding the 2011-12 Budget may be obtained from the LAO at www.lao.ca.gov. None of the information on those websites is incorporated by reference herein.

Fiscal Outlook Report. On November 16, 2011, the LAO released a report entitled “The 2012-13 Budget: California’s Fiscal Outlook” (the “Fiscal Outlook Report”), which included updated expenditure and revenue projections for fiscal year 2011-12. The following information has been adapted from the fiscal Outlook Report.

The Fiscal Outlook Report provided the LAO’s projections of the State’s General Fund revenues and expenditures for fiscal years 2011-12 through 2016-17 under current law, as of its date, absent any actions to close the projected State budgetary deficit with additional spending requirements and tax provisions. Relying on the LAO’s independent assessment of the outlook for the State’s economy, demographics, revenues, and expenditures, the LAO forecasted total State revenues of \$84.8 billion, approximately \$3.7 billion less than the \$88.5 billion figure included in the 2011-12 Budget. The LAO also forecasted total expenditures of \$85.3 billion, slightly below the \$85.9 billion included in the 2011-12 Budget. Absent corrective action, the LAO projected that the State faced a projected year-end deficit of approximately \$3 billion, as compared to the \$543 million year-end surplus assumed by the 2011-12 Budget. The LAO’s assumptions included the following, in part:

- Assumed the implementation of \$2 billion in midyear “trigger” reductions contemplated by the 2011-12 Budget, including all \$600 million of first tier trigger reductions and approximately \$1.4 billion of second tier trigger reductions.
- Assumed that the State would prevail in current, on-going litigation regarding certain provisions of the 2011-12 Budget. See “-Litigation Regarding Recent State Budgetary Provisions” above. However, the LAO assumed that the State would only realize \$1.4 billion of additional revenues from the elimination of redevelopment agencies, rather than the \$1.7 billion figure included in the 2011-12 Budget.
- Did not assume the passage of the Governor’s proposed tax extensions at the November 2012 election. The LAO noted that, if no such ballot measure was passed, under the provisions of the

2011-12 Budget the State would be required to provide an additional \$2 billion of settle-up payments to K-12 education.

- Assumed (i) higher Medi-Cal costs of approximately \$400 million, and (ii) that the State would be unable to reduce departmental costs by \$250 million, as projected by the 2011-12 Budget.

Additional information regarding the Fiscal Outlook Report may be obtained from the LAO at www.lao.ca.gov. Such information is not incorporated herein by any reference.

Prohibition on Diverting Local Revenues for State Purposes. Beginning in 1992-93, the State satisfied a portion of its Proposition 98 obligations by shifting a part of the property tax revenues otherwise belonging to cities, counties and special districts, and RDAs, to school and college districts through a local Educational Revenue Augmentation Fund (“ERAF”) in each county. Local agencies strongly objected to the co-option of their revenues by the State and sponsored a statewide ballot initiative intended to eliminate that practice. In response, the Legislature proposed an amendment to the State Constitution, known as Proposition 1A, which the State’s voters approved at the November 2004 election. Proposition 1A was generally superseded by the passage of a constitutional amendment known as “Proposition 22” at the November 2010 election. See “CONSTITUTIONAL AND STATUTORY PROVISIONS AFFECTING DISTRICT REVENUES AND APPROPRIATIONS—Proposition 22” herein.

Litigation Regarding Recent State Budgetary Provisions. On July 18, 2011, the California Redevelopment Association (“CRA”), the League of California Cities and the Cities of Union City and San Jose filed a petition for writ of mandate (the “CRA Petition”) with the California Supreme Court alleging that ABx1 26 and ABx1 27 violate the State Constitution, as amended by Proposition 22. See “CONSTITUTIONAL AND STATUTORY PROVISIONS AFFECTING DISTRICT REVENUES AND APPROPRIATIONS—Proposition 22” herein. Among other things, the CRA Petition alleges that said bills seek to illegally divert tax increment from RDAs. In the matter entitled *California Redevelopment Association et al. v. Matosantos et al.*, the California Supreme Court, on December 29, 2011, upheld the legality of ABx1 26, stating that the State Legislature has broad powers to establish or dissolve local agencies. However, the Court invalidated ABx1 27 on the grounds that payments required to be made by RDAs to remain in existence could not be characterized as voluntary, and thus violate Proposition 22. The 2012-13 Proposed Budget projects that the elimination of redevelopment agencies pursuant to ABx1 26 will provide additional property tax revenues in the amount of \$1.05 billion for K-14 education funding, thereby offsetting a portion of the State’s Proposition 98 funding obligations. See “—2012-13 Proposed Budget,” below.

On September 28, 2011, the California School Boards Association (“CSBA”) and several other local entities filed a petition for a writ of mandate with the Superior Court of the State of California in the City and County of San Francisco (the “CSBA Petition”). The petitioners allege that the 2011-12 Budget improperly diverts sales tax revenues away from the State’s general fund thereby improperly reducing the Proposition 98 guaranteed funding by approximately \$2.1 billion. The CSBA Petition seeks an order compelling the State Director of Finance and other State officials to recalculate the Proposition 98 minimum funding guarantee in accordance with the State Constitution.

The District is not able to predict, and makes no guarantees with respect to, the outcome of these litigations or how the decisions on the petitions would affect education funding in this or any future years.

2012-13 Proposed Budget

On January 5, 2012, the Governor released the proposed State budget for fiscal year 2012-13 (the “Proposed Budget”). On January 11, 2012, the LAO released its report on the 2012-13 Proposed Budget indicating that in 2011 the State Legislature and the Governor took significant steps to begin to restore the State’s budget to balance but the Proposed Budget shows that the State Legislature still faces a very difficult task.

The Proposed Budget envisions multiyear tax increases, through an initiative that the Governor has proposed for the November 2012 ballot, and significant reductions in social services and subsidized child care programs. As an alternative, if his tax plan is rejected he proposes much larger cuts, aimed largely at schools. The LAO concludes that, if the State Legislature chooses either of the Governor's two proposed paths, the State budget would move much closer to balance over the next several years.

The Proposed Budget recognizes that education funding has been disproportionately impacted over the last few years and provides Proposition 98 funding of \$52.5 billion for 2012-13, an increase of \$4.9 billion compared to the State's 2011-12 Budget. However, the LAO indicates that the cornerstone of the Proposed Budget is the assumption that voters will approve temporary 1-2% income tax increases on the State's wealthiest taxpayers and a temporary 0.5% increase in the State's sales tax. The LAO indicates that the initiative would increase state revenues by \$6.9 billion by the end of 2012-13, and generate billions of dollars per year, until it expires at the end of 2016, that would be used to pay for the State's Proposition 98 school funding obligations, as increased by the initiative, and to help balance the budget by paying for other State programs.

Trigger Cuts in the Proposed State Budget. The Proposed Budget would authorize \$5.4 billion of "trigger cuts" to take effect on January 1, 2013 if the voters do not approve the Governor's tax initiative. Proposition 98 funding for schools and community colleges would bear the brunt of these trigger cuts: \$4.8 billion (90 percent) of the total. A reduction of this magnitude would result in a funding decrease equivalent to more than the cost of three weeks of instruction. It will also mean that up to 20% of funding would be paid by the State in arrears. Other cuts would include (i) \$200 million reduction to each of the University of California and California State University systems; (ii) \$125 million in cuts to State courts; (iii) \$15 million reduction to the Department of Forestry and Fire Protection; (iv) \$7 million reduction to Department of Water Resources and flood control programs; (v) \$1 million reduction to Department of Justice Law Enforcement programs; (vi) unallocated reductions to Department of Fish and Game (\$4 million) and Department of Parks and Recreation (\$2 million).

Proposed Rebenching of Proposition 98 Guarantee. The Proposed Budget includes a series of adjustments or "rebenchings" of the Proposition 98 guarantee. The most significant adjustment relates to the elimination of the sales tax on gasoline. These adjustments provide \$373.2 million of State General Fund savings. The Budget also includes a Proposition 98 General Fund reduction of \$171.2 million to special education and community college apportionments in the current year to offset increased property taxes resulting from the elimination of redevelopment agencies (RDAs).

The Proposed Budget also implements other significant measures with respect to K-12 education funding, as follows:

- ***Costs of Living Adjustment.*** The Proposed Budget does not provide a cost-of-living-adjustment (COLA) for any K-14 program in 2012-13. The projected 2012-13 COLA is 3.17%, which would have provided a \$1.8 billion increase. A deficit factor will be established to reflect the lack of a COLA.
- ***Apportionment Deferrals.*** Contingent on the passage of the proposed tax increases, Proposition 98 funding would be increased by \$2.2 billion to reduce inter-year budgetary deferrals from \$10.4 billion to \$8 billion.
- ***Categorical Program Funding Flexibility; Weighted Per-Pupil Funding.*** The Proposed Budget would suspend educational requirements for almost all categorical programs, basically phasing out all categories (except federally mandated programs such as special education and child nutrition) beginning with fiscal year 2012-12. The revenue limit and categorical program funding models would be replaced with a formula, *weighted per-pupil funding*, phased in over the next five fiscal years so that school districts would receive equal funding per-pupil, plus general purpose funding to serve disadvantaged students. Additionally, an incentive would be provide for

school districts to improve and sustain academic performance. School districts would have discretion to decide how to spend weighted per-pupil funding.

- *Child Care Costs.* The Proposed Budget would reduce funding for subsidized child care programs by approximately \$450 million, representing a reduction of approximately 30%. The bulk of this reduction (approximately \$300 million), would be implemented by reducing eligibility to families that meet certain work participation requirements. Reductions to child care funding are part of the overall plan to restructure the CalWORKs program and reduce State general Fund support for this program by approximately \$1.4 billion.
- *Special Education Property Tax Adjustment.* A decrease of \$24.3 million for special education programs in 2011-12 to reflect increased property tax revenues from RDAs.
- *K-14 Mandates.* The Proposed Budget also includes a proposal to eliminate 31 of 57 existing K-14 educational mandates. The remaining 26 educational mandates would be suspended, though school districts and community college districts could undertake the activities required by these remaining mandates in exchange for additional funding. Such additional funding would be provided through a new \$200 million block grant, composed of \$178 million in funding for school districts and \$22 million for community college districts. Districts that choose to receive this funding would receive a per-student allocation. The Proposed Budget indicates that an auditing and compliance process will be established to ensure grant recipients undertake the required activities
- *Transitional Kindergarten.* A decrease of \$223.7 million to reflect the elimination of the requirement that schools provide an additional year of transitional kindergarten instruction to children that miss the new, September 1 cutoff for enrollment in kindergarten.

The LAO indicates that several of the Governor's proposals have merit, including the increased categorical funding flexibility, weighted per-pupil funding and the non-implementation of the transitional kindergarten program. On the other hand, the LAO notes that the Proposed Budget's baseline revenue projections are higher than those calculated by the LAO in its November 2011 revenue forecast. See "-Fiscal Outlook Report" above. The LAO also indicates concern due to the uncertainty generated by the proposed trigger cuts to education funding; noting that school districts have limited ability to implement mid-year cuts. The LAO further notes that school districts that assume the proposed tax increases will be approved by the voters, could face difficult fiscal issues midyear if the taxes are not approved. Thus, the LAO notes that school districts might have to adopt budgets that assume the trigger reductions would be implemented which would result in the programmatic reductions the Proposed Budget seeks to avoid.

Additional information regarding the Proposed Budget is available from the LAO's website: www.lao.ca.gov. However, such information is not incorporated herein by any reference.

Future Budgets and Actions

The District cannot predict what actions will be taken in the future by the State Legislature and the Governor to address the current State budget deficit, changing State revenues and expenditures or the impact such actions will have on State revenues available in the current or future years for education. The State budget will be affected by national and State economic conditions and other factors over which the District will have no control. Certain actions could result in a significant shortfall of revenue and cash, and could impair the State's ability to fund schools. Continued State budget shortfalls in future fiscal years could have an adverse financial impact on the State General Fund budget.

The District cannot predict how State income or State education funding will vary over the term of the Bonds, and the District takes no responsibility for informing owners of the Bonds as to actions the State Legislature or Governor may take affecting the current year's budget. Information about the State budget and State spending for education is regularly available at various State-maintained websites. Text of proposed and

adopted budgets may be found at the Department of Finance website at www.dof.ca.gov, under the heading "California Budget" or at www.ebudget.ca.gov. Impartial analysis of the budgets and other information is posted by the LAO at www.lao.ca.gov. Also, various State official statements, many of which contain a summary of the current and past State budgets and the impact of those budgets on school districts, may be found at the State Treasurer website at www.treasurer.ca.gov. The information contained in such websites is prepared by the respective entity maintaining each website and not by the District. The District takes no responsibility for the accuracy of any such websites, or their addresses or for the accuracy, completeness or timeliness of information posted there, and such information is not incorporated herein by these references.

TAX MATTERS

In the opinion of Stradling Yocca Carlson & Rauth, a Professional Corporation, San Francisco, California ("Bond Counsel"), under existing statutes, regulations, rulings and judicial decisions, and assuming the accuracy of certain representations and compliance with certain covenants and requirements described herein, interest on the Bonds is excluded from gross income for federal income tax purposes and is not an item of tax preference for purposes of calculating the federal alternative minimum tax imposed on individuals and corporations. In the further opinion of Bond Counsel, interest on the Bonds is exempt from State of California personal income tax. Bond Counsel notes that, with respect to corporations, interest on the Bonds may be included as an adjustment in the calculation of alternative minimum taxable income which may affect the alternative minimum tax liability of corporations.

The difference between the issue price of a Bond (the first price at which a substantial amount of the Bonds of the same series and maturity is to be sold to the public) and the stated redemption price at maturity with respect to such Bond constitutes original issue discount. Original issue discount accrues under a constant yield method, and original issue discount will accrue to a Bond Owner before receipt of cash attributable to such excludable income. The amount of original issue discount deemed received by the Bond Owner will increase the Bond Owner's basis in the Bond. In the opinion of Bond Counsel, the amount of original issue discount that accrues to the owner of the Bond is excluded from the gross income of such owner for federal income tax purposes, is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations, and is exempt from State of California personal income tax. Bond Counsel's opinion as to the exclusion from gross income of interest (and original issue discount) on the Bonds is based upon certain representations of fact and certifications made by the District and others and is subject to the condition that the District complies with all requirements of the Internal Revenue Code of 1986, as amended (the "Code"), that must be satisfied subsequent to the issuance of the Bonds to assure that interest (and original issue discount) on the Bonds will not become includable in gross income for federal income tax purposes. Failure to comply with such requirements of the Code might cause the interest (and original issue discount) on the Bonds to be included in gross income for federal income tax purposes retroactive to the date of issuance of the Bonds. The District has covenanted to comply with all such requirements.

The amount by which a Bond Owner's original basis for determining loss on sale or exchange in the applicable Bond (generally, the purchase price) exceeds the amount payable on maturity (or on an earlier call date) constitutes amortizable Bond premium, which must be amortized under Section 171 of the Code; such amortizable Bond premium reduces the Bond Owner's basis in the applicable Bond (and the amount of tax-exempt interest received), and is not deductible for federal income tax purposes. The basis reduction as a result of the amortization of Bond premium may result in a Bond Owner realizing a taxable gain when a Bond is sold by the Owner for an amount equal to or less (under certain circumstances) than the original cost of the Bond to the Owner. Purchasers of the Bonds should consult their own tax advisors as to the treatment, computation and collateral consequences of amortizable Bond premium.

The Internal Revenue Service (the "IRS") has initiated an expanded program for the auditing of tax-exempt bond issues, including both random and targeted audits. It is possible that the Bonds will be selected for audit by the IRS. It is also possible that the market value of the Bonds might be affected as a result of such an audit of the Bonds (or by an audit of similar bonds). No assurance can be given that in the course of an

audit, as a result of an audit, or otherwise, Congress or the IRS might not change the Code (or interpretation thereof) subsequent to the issuance of the Bonds to the extent that it adversely affects the exclusion from gross income of interest on the Bonds or their market value.

It is possible that subsequent to the issuance of the Bonds there might be federal, state, or local statutory changes (or judicial or regulatory interpretations of federal, state, or local law) that affect the federal, state, or local tax treatment of the Bonds or the market value of the Bonds. Recently, proposed legislative changes have been introduced in Congress, which, if enacted, could result in additional federal income or state tax being imposed on owners of tax-exempt state or local obligations, such as the Bonds. The introduction or enactment of any of such changes could adversely affect the market value or liquidity of the Bonds. No assurance can be given that subsequent to the issuance of the Bonds such changes (or other changes) will not be introduced or enacted or interpretations will not occur. Before purchasing any of the Bonds, all potential purchasers should consult their tax advisors regarding possible statutory changes or judicial or regulatory changes or interpretations, and their collateral tax consequences relating to the Bonds.

Bond Counsel's opinions may be affected by actions taken (or not taken) or events occurring (or not occurring) after the date hereof. Bond Counsel has not undertaken to determine, or to inform any person, whether any such actions or events are taken or do occur. The Resolution and the Tax Certificate relating to the Bonds permit certain actions to be taken or to be omitted if a favorable opinion of bond counsel is provided with respect thereto. Bond Counsel expresses no opinion as to the effect on the exclusion from gross income of interest (and original issue discount) on the Bonds for federal income tax purposes with respect to any Bond if any such action is taken or omitted based upon the advice of counsel other than Stradling Yocca Carlson & Rauth.

Although Bond Counsel has rendered an opinion that interest (and original issue discount) on the Bonds is excluded from gross income for federal income tax purposes provided that the District continues to comply with certain requirements of the Code, the ownership of the Bonds and the accrual or receipt of interest (and original issue discount) with respect to the Bonds may otherwise affect the tax liability of certain persons. Bond Counsel expresses no opinion regarding any such tax consequences. Accordingly, before purchasing any of the Bonds, all potential purchasers should consult their tax advisors with respect to collateral tax consequences relating to the Bonds.

A copy of the proposed form of opinion of Bond Counsel for the Bonds is attached hereto as APPENDIX B.

FINANCIAL STATEMENTS

The audited financial statements of the District for the fiscal year ended June 30, 2011, including the reporting of other post-employment benefit costs and obligations of the District as required under Governmental Accounting Standards Board #45, the independent auditor's report and the statement of activities and of cash flows are included as APPENDIX C attached hereto. The financial statements referred to in the preceding sentence have been audited by Crowe Horwath LLP (the "Auditor"), independent certified accountants. In connection with the inclusion of the financial statements and the report of the Auditor thereon in APPENDIX C to this Official Statement, the District did not request the Auditor to, and the Auditor has not undertaken to, update its report or to take any action intended or likely to elicit information concerning the accuracy, completeness or fairness of the statements made in this Official Statement, and no opinion is expressed by the Auditor with respect to any event subsequent to the date of its report.

CONTINUING DISCLOSURE

The District has covenanted for the benefit of the holders and Beneficial Owners (as defined in the Continuing Disclosure Certificate) of the Bonds to provide certain financial information and operating data relating to the District (the "Annual Report") by not later than nine (9) months following the end of each fiscal year (currently ending June 30) commencing with the report for the 2011-12 fiscal year (which is due no later than March 31, 2013) and to provide notices of the occurrence of certain enumerated events. The Annual Report will be filed by the District in searchable PDF or other acceptable electronic form with the Electronic Municipal Market Access system ("EMMA") of the Municipal Securities Rulemaking Board. The notices of certain enumerated events, if any, will also be filed by the District with EMMA. The specific nature of the information to be contained in the Annual Report or a notice of material event is set forth in "APPENDIX D—FORM OF CONTINUING DISCLOSURE CERTIFICATE." These covenants have been made in order to assist the Underwriters in complying with Securities and Exchange Commission Rule 15c2-12(b)(5) (the "Rule"). During the last five years, the District has complied in all material respects with its previous undertakings to file annual reports or notices of material events as required under the Rule.

MISCELLANEOUS

Legal Opinion

The validity of the Bonds and certain other legal matters are subject to the approving opinion of Bond Counsel. A copy of the proposed form of opinion of Bond Counsel is contained in APPENDIX B hereto.

No Litigation

No litigation is pending or threatened concerning the validity of the Bonds, and a certificate to that effect, executed by an authorized officer of the District, will be furnished to purchasers at the time of the original delivery of the Bonds. Furthermore, the District is not aware of any litigation pending or threatened questioning the political existence of the District or contesting the District's ability to receive *ad valorem* taxes or contesting the District's ability to issue the Bonds.

Ratings

The Bonds have received ratings of "____" from Moody's Investors Service ("Moody's"), "____" from & Poor's Ratings Services, a Standard & Poor's Financial Services LLC business ("S&P"), and "____" from Fitch Ratings ("Fitch"). Any rating issued reflects only the views of such rating agency, and any explanation of the significance of such rating should be obtained from such rating agency, at the following address: Moody's at 7 World Trade Center, 250 Greenwich Street, 23rd Floor, New York, New York 10007; or its website at: www.moodys.com; S&P at 55 Water Street, New York, New York 10041; or its website at: www.standardandpoors.com; and Fitch at One State Street Plaza, 31st Floor, New York, New York 10004; or its website at: www.fitchratings.com. The information contained or referenced in such websites or otherwise provided by any rating agency is not incorporated herein by reference.

There is no assurance that any rating will continue for any given period or that it will not be revised downward or withdrawn entirely by the rating agency if, in the judgment of the rating agency, circumstances so warrant. Any such downgrading or withdrawal may have an adverse effect on the market price of the Bonds. The District does not undertake any responsibility to oppose any such downward revision or withdrawal.

Underwriting

The Bonds are being purchased, for offering to the public, by Underwriters pursuant to a Bond Purchase Contract (the "Purchase Contract") by and between the District and Piper Jaffray & Co. (the

“Representative”), on its own behalf and as representative of E. J. De La Rosa & Co., Inc. (together with the Representative, the “Underwriters”). The Underwriters have agreed to purchase the Bonds at the net price of \$ _____ (which is equal to the principal amount of the Bonds, plus net original issue premium of \$ _____, less an Underwriters’ discount of \$ _____, and less the bond insurance premium of \$ _____ being wired by the Underwriters directly to _____ at the request of the District). Pursuant to the Purchase Contract, the Underwriters will purchase all of the Bonds, if any are purchased, subject to certain terms and conditions to be satisfied by the District. The Underwriters may offer and sell the Bonds to certain dealers and others at prices lower than the offering prices stated on the cover page. The offering prices may be changed from time to time by the Underwriters.

[The following two paragraphs have been provided by the respective underwriter identified below. The District cannot and does not make any representation as to the accuracy or the completeness thereof.]

Piper Jaffray & Co. (“Piper Jaffray”) and Pershing LLC, a subsidiary of The Bank of New York Mellon Corporation (“Pershing”), have entered into an agreement that enables Pershing to distribute certain new issue municipal securities underwritten by or allocated to Piper Jaffray, including the Bonds. Under that agreement, if applicable to the Bonds, Piper Jaffray will share with Pershing a portion of the fee or commission paid to Piper Jaffray.

De La Rosa & Co. has entered into separate agreements with Credit Suisse Securities USA LLC, UnionBanc Investment Services LLC and City National Securities, Inc. for retail distribution of certain municipal securities offerings, at the original issue prices. Pursuant to such agreements, if applicable to the Bonds, De La Rosa & Co. will share a portion of its underwriting compensation with respect to the Bonds, with Credit Suisse Securities USA LLC, UnionBanc Investment Services LLC or City National Securities, Inc.]

Verification

Upon delivery of the Bonds, Causey Demgen & Moore, Inc., will deliver a report on the mathematical accuracy of certain computations based upon certain information and assertions provided to them by the Underwriter relating to (a) the adequacy of the maturing principal of and interest on the Federal Securities in the Escrow Fund, together with any moneys held therein as cash, to pay the redemption price of and interest on with respect to the Refunded Bonds and (b) the computations of yield of the Bonds and the Federal Securities in the Escrow Fund which support Bond Counsel's opinion that the interest on the Bonds is excluded from gross income for federal income tax purposes.

Professionals Involved in the Offering

Stradling Yocca Carlson & Rauth, a Professional Corporation, San Francisco, California is acting as Bond Counsel to the District in connection with the Bonds. GCR, LLP, Emeryville, California is acting as Disclosure Counsel to the District in connection with the Bonds. KNN Public Finance, Oakland, California is serving as the Financial Advisor to the District in connection with the Bonds.

The Bank of New York Mellon Trust Company, N.A., Los Angeles, California is serving as paying agent with respect to the Bonds and as Escrow Agent with respect to the Refunded Bonds. Causey Demgen & Moore, Inc., Denver, Colorado, an independent firm of professional accountants and management consultants, is providing certain services and mathematical computations in connection with the Refunded Bonds. Bond Counsel, Disclosure Counsel, the Verification Agent and the Financial Advisor will receive compensation with respect to the Bonds contingent upon the sale and delivery of the Bonds.

Additional Information

The purpose of this Official Statement is to supply information to prospective buyers of the Bonds. Quotations from and summaries and explanations of the Bonds, the Resolution, and the constitutional provisions, statutes and other documents described herein do not purport to be complete, and reference is made to said documents, constitutional provisions and statutes for full and complete statements of their provisions.

Any statements in this Official Statement involving matters of opinion, whether or not expressly so stated, are intended as such and not as representations of fact. This Official Statement is not to be construed as a contract or agreement between the District and the purchasers or Owners of any of the Bonds.

Copies of documents referred to herein and information concerning the Bonds are available from the District through the Associate Superintendent, Business Services, West Contra Costa Unified School District, 1108 Bissell Avenue, Richmond, California 94801-3135, Telephone: (510) 231-1170. The District may impose a charge for copying, mailing and handling.

This Official Statement and its distribution have been duly authorized and approved by the District.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

By: _____
Associate Superintendent, Business Services

APPENDIX A

DISTRICT FINANCIAL AND OPERATING INFORMATION

The information in this appendix concerning the management and operations of the West Contra Costa Unified School District (the "District"), and the District's revenues and expenditures, is provided as supplementary information only. It should not be inferred from the inclusion of this information in this Official Statement that the principal of and interest on the Bonds is payable from the General Fund of the District or from other District revenues. The Bonds are payable solely from the proceeds of an *ad valorem* tax required to be levied by the Board of Supervisors of Contra Costa County in an amount sufficient for the payment of principal and interest on the Bonds. See "SECURITY FOR THE BONDS" and "TAX BASE FOR REPAYMENT OF THE BONDS—*Ad Valorem* Property Taxation" in the body of this Official Statement. See also "District Debt Structure" and "Statement of Direct and Overlapping Debt" in this appendix for information concerning the District's outstanding general obligation bonds payable from *ad valorem* taxes on a parity with the Bonds.

General Information

The District, unified in November 1964, is located approximately 15 miles northeast of San Francisco, California and consists of approximately 110 square miles in the western portion of Contra Costa County (the "County"). It provides educational services to the residents of the cities of El Cerrito, Hercules, Pinole, Richmond and San Pablo, the unincorporated communities of El Sobrante, Kensington and North Richmond, and certain other unincorporated areas in the County.

The District currently maintains 36 elementary schools, two K-8 school, six middle/junior high schools, six high schools and six alternative/continuation programs, 60 adult education sites, nine operation sites and 17 State-funded preschools. The pupil teacher ratio in the District is approximately 24:1 for kindergarten, 20:1 for grades 1 and 2, 28:1 for grade 3, 33:1 for grades 4 through 6 and for grades 6-8 in K-8 schools and 38:1 maximum for middle and high schools.

Board of Education

The District is governed by a five-member Board of Education (the "Board"), each member of which is elected to a four-year term. Elections for positions to the Board are held every two years, alternating between two and three available positions. The current members of the Board, their respective positions and the expiration of their respective terms are as follows:

BOARD OF EDUCATION WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

<u>Name</u>	<u>Position</u>	<u>Expiration of Term</u>
Charles T. Ramsey	President	December, 2014
Antonio Medrano	Clerk	December, 2012
Madeline Kronenberg	Member	December, 2014
Elaine R. Merriweather	Member	December, 2014
Tony Thurmond	Member	December, 2012

Source: West Contra Costa Unified School District.

District Senior Management Team

The District's senior management team is led by the Superintendent who has the authority and is responsible for administering the affairs of the District in accordance with the policies of the Board. Three Associate Superintendents oversee and manage the following divisions: Business Services, K-Adult Education and Operations. Two Assistant Superintendents oversee and manage Education Services and Human Resources, and a Director oversees and manages the Special Education Local Area Plan. The District's senior management team serves at the discretion of the Board. Brief biographical information for each of the principal members of the District's senior management team is provided below.

Dr. Bruce Harter, Superintendent. Dr. Harter was appointed Superintendent of the District in July 2006. Prior to his appointment with the District, Dr. Harter served as superintendent at three other school districts. Dr. Harter earned his Bachelor's degree at the University of Michigan, Ann Arbor, Michigan and his Doctorate at the University of Colorado, Denver, Colorado. Dr. Harter has 40 years of service in public education.

Sheri Gamba, Associate Superintendent, Business Services. Ms. Gamba was appointed Associate Superintendent of Business Services of the District in 2007. Prior to her appointment with the District, Ms. Gamba served as Chief Business Officer at Antioch Unified School District. Ms. Gamba is the Past President (2010-11) of Northern California Section of the California Association of School Business Officials, and represents the District on various Joint Powers Agency (JPA) Boards in the region. Ms. Gamba has over 24 years of service in public education.

Wendell C. Greer, Associate Superintendent, K-Adult Education. Mr. Greer was appointed Associate Superintendent of K-Adult Education of the District in 2006. Prior to his appointment with the District, Mr. Greer worked as a teacher and coach and served as an administrator at other school districts in Southern California. Mr. Greer has over 30 years of service in public education.

William Fay, Associate Superintendent, Operations. Mr. Fay was appointed Associate Superintendent of Operations of the District in 2008, after 10 years with the Los Angeles Unified School District. Prior to his career in education, Mr. Fay held various operations management positions at the Walt Disney Corporation and served as chair to both the Planning Commission and the Design Commission of the Planning and Development Department of the City of Pasadena, California. Mr. Fay has 15 of service in public education.

Nia Rashidchi, Assistant Superintendent, Education Services. Ms. Rashidchi was appointed Assistant Superintendent of Educational Services of the District in 2008. Prior to her appointment with the District, Ms. Rashidchi served as an Executive Director at a K-12 school district, a state and federal education coordinator and as an Elementary School Principal. Ms. Rashidchi has 18 years of service in public education.

Ann Reinhausen, Assistant Superintendent, Human Resources. Mrs. Reinhausen was appointed Assistant Superintendent of Human Resources of the District in 2010. Prior to her appointment with the District, she served in various certificated positions in two public school districts, advancing from her position as a teacher to a position as Executive Director. Ms. Reinhausen has over 30 years of service in public education.

Steve Collins, Director, Special Education Local Plan Area. Mr. Collins was appointed Special Education Local Plan Area (SELPA) Director of the District in 1996. He has dedicated his career to public education and has served the District for 34 years.

DISTRICT FINANCIAL INFORMATION

The District's financial and operational information contained in this Appendix and other sections of this Official Statement is provided as supplementary information only and it should not be inferred that it is a complete description of the District's operations and finances. The information is summarized and excerpted from the District's audited financials, adopted budgets and interim reports and other publicly available data, which together with other publicly available District information, can be obtained by visiting the District's website at www.wccusd.net/wccusd/site/default.asp, and clicking on the link "Budget Information." It should not be inferred that any portion of the principal of, or interest on, the Bonds is payable from the General Fund of the District. The Bonds are payable only from the proceeds of ad valorem taxes required to be levied by the County in amounts sufficient for the payment therefor.

District Revenues

As is true for all school districts in the State, the District's operating income consists of four components: (1) Revenue Limit Sources (consisting of a mix of State and local property tax revenues,), (2) Federal Revenues, (3) Other State Revenues, and (4) Other Local Revenues. The Revenue Limit Sources includes a portion funded from the State's General Fund and a portion derived from the District's share of the 1% local *ad valorem* property tax authorized by the State Constitution. In addition, school districts may be eligible for other funding, including State and federal program funding and may derive additional revenue from other local sources including parcel

taxes. See “– Other District Revenues,” below. Additional information concerning revenues of the District is available in the District’s Second Interim Report dated January 31, 2012 (the “Second Interim Report”), copies of which may be accessed on the District’s website, as indicated above, or by contacting the District’s Business Services Staff at 1108 Bissell Ave., Richmond CA 94801, Room 106; Phone: (510) 231-1170; Fax: (510) 232-4149. The District may impose a charge for copying, mailing and handling.

The District’s general operating fund (the “General Fund”) is used to account for the day-to-day operations of the District. The General Fund is divided into two sections: unrestricted and restricted. Unrestricted revenue may be spent at the District’s discretion. Restricted funds are monies that can only be used for the purposes allowed by the funding agency.

Revenue Limit and ADA. The District is a “revenue limit district,” which means that it receives some equalization aid. See “GENERAL SCHOOL DISTRICT FINANCIAL INFORMATION-Allocation of State Funding to Districts” in the body of the Official Statement.

The District computes average daily attendance (“ADA”) based on actual attendance only, with no allowances for excused absences. The following table sets forth the ADA based on the District’s second period report of attendance for the past nine years and an estimate for fiscal year 2011-12:

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
AVERAGE DAILY ATTENDANCE**

<u>Academic Year</u>	<u>Average Daily Attendance</u>
2002-03	32,390
2003-04	31,417
2004-05	30,239
2005-06	29,293
2006-07	28,413
2007-08	28,178
2008-09	28,094
2009-10	27,614
2010-11	27,589
2011-12 (estimated)	27,498

Note: Includes grade levels K-12 and special education – adopted budget.
Source: West Contra Costa Unified School District.

A school district’s enrollment can fluctuate due to factors such as population, competition from private, parochial, and public charter schools, inter-district transfers in or out of the district, and other causes. Losses in enrollment lower a school district’s revenue limit (and may result in loss of operating revenues), without necessarily permitting the district to make adjustments in fixed operating costs. The District is considered a declining enrollment district. As such the District may choose to base its Revenue Limit funding for the current fiscal year on the prior fiscal year ADA.

The District’s base Revenue Limit per ADA for fiscal year 2010-11 was \$6,364.82 and for fiscal year 2011-12 is budgeted to be \$6,610.34. In its Second Interim Report, the District estimates that total Revenue Limit for fiscal year 2011-12 will be \$146,873,242 of which \$7,107,208 is restricted. The unrestricted Revenue Limit for fiscal year 2011-12 is estimated to be \$139,766,034 or approximately 83% of the District’s total unrestricted general fund revenues. Such amounts include a \$55 per pupil (approximately \$1.5 million total) mid-year reduction implemented by the State.

Other District Revenues. In addition to base Revenue Limit, the District receives other revenue from State, federal and local sources, including grants, redevelopment pass-through funds and funding for specific programs. The District also collects restricted revenues from other local sources such as parcel taxes, developer fees and certain assessments.

Other State Revenues. Other State Revenues, or categorical funds, consist primarily of restricted revenues that fund specific items, such as special education programs, instructional materials, and mentor

teachers. Although such funds are normally restricted, spending flexibility has been granted to school districts by the State commencing with the 2009-10 State Budget.

The District receives a portion of the State Lottery (the "Lottery") revenues. Lottery revenues allocated to the District must be used for the education of students and cannot be used for non-instructional purposes, such as real property acquisition, facility construction, or the financing of research. Lottery net revenues (gross revenues less prizes and administration expenses) are allocated by computing an amount per ADA or full time equivalent ("FTE"). This figure is derived by dividing the total net revenues figures by the total ADA for grades K-12 and by the total FTE for the community colleges, University of California system and the California State University and College system. Each entity receives an amount equal to its total ADA or FTE, as applicable, multiplied by the per ADA or FTE figure. In fiscal year 2010-11, the District received Lottery revenues in the amount of \$3,672,062. As reflected in its Second Interim Report, the District projects receiving Lottery revenues of approximately \$3,630,242 for fiscal year 2011-12.

The District also receives State Emergency Repair Program (ERP) monies from the State. The District estimates that it will receive \$1.4 million in ERP during fiscal year 2011-12 and anticipates using those funds for certain repairs and portable replacement. As reflected in its Second Interim Report, the total Other State Revenues from all restricted and unrestricted sources is projected to be \$63,180,978 for fiscal year 2011-12.

Federal Revenues. The federal government provides funding for several District programs, including special education programs, programs under the Educational Consolidation and Improvement Act (Title 1), No Child Left Behind funding, specialized programs such as Drug Free Schools and Communities Act of 1989, vocational and technology incentives and various other incentives and pass-through federal sources. As reflected in its Second Interim Report, the District projects receiving restricted and unrestricted federal revenues of approximately \$39,362,380 during fiscal year 2011-12.

Developer Fees. As part of its local revenue income, the District collects development fees as provided under Education Code sections 17620 *et seq.* In order to impose developer fees on new residential construction within the district, the District prepares and adopts a School Facilities Need Analysis annually as required by State law. The law requires all developer fees collected to be applied solely to construction of school facilities and also establishes the maximum fees (adjustable for inflation) which may be collected. Expenditures are restricted by Government Code sections 65970-65981 and are generally limited to those expenditures necessary for the District to provide services to the areas impacted by the development. In prior years, the District collected millions of dollars in developer fees that were applied primarily for capital leases for portable classrooms and as otherwise required by law. Due to the decline in construction and corresponding anticipated decrease in revenue derived from developer fees, the District projects collecting approximately \$160,000 in developer fees during fiscal year 2011-12. However, collection depends on development and the District cannot guarantee that these funds will become available. As of the date of the Second Interim Report, developer fees had not been collected.

Assessment District. On August 3, 1994, the District completed formation of a Maintenance and Recreation Assessment District ("MRAD") pursuant to the Landscape and Lighting Act of 1972. This allows the District to levy taxes to support the maintenance and operations of fields and outdoor areas for the purpose of public use. Annual assessments are \$72 per single family equivalents. There are approximately 77,521 defined living units within the MRAD, and the District has received approximately \$5 million annually in assessment revenue, with approximately \$5.5 million estimated in 2011-12. The use of MRAD revenue is restricted to expenditures for recreation, lighting, and landscape operations and maintenance of facilities generally available to the public; it does not count towards the District's revenue limit and effectively relieves the District from funding many of these expenditures from General Fund revenue. MRAD assessments are levied annually on approval by the Board.

Parcel Tax. On June 8, 2004, voters within the District approved a parcel tax to maintain reduced class sizes from kindergarten to third grade, purchase textbooks and teaching materials, attract and retain qualified teachers, aides and counselors, enhance core subjects, restore library services and athletic programs, and improve custodial services (the "Parcel Tax"). The District annually collects 7.2 cents (\$0.072) per square foot of total building area of buildings within the District's geographic boundaries or \$7.20 per vacant parcel, with an exemption for qualified seniors. The Parcel Tax became effective on July 1, 2004 and was scheduled to expire on June 30, 2009. In November 2008, voters renewed the Parcel Tax, extending the current rate for an additional five

years, beginning July 1, 2009 and ending June 30, 2014. The Parcel Tax is anticipated to generate approximately \$9.7 million for fiscal year 2011-12.

The Board has called for an additional parcel tax election anticipated to be placed on the June 5, 2012 ballot to raise additional local revenues for specified programs. If successful, the measure would provide an additional \$4 million annually for District schools and would extend the current parcel tax to 2016-17.

District Expenditures

The largest part of each school district's general fund budget is used to pay salaries and benefits of certificated (credentialed teachers) and classified (non-instructional) employees. Any changes in salaries and benefits from one year to the next are generally based on changes in staffing levels, negotiated salary increases, and the overall cost of employee benefits. As of the Second Interim Report, the District estimates that it will expend approximately \$212 million in salaries and benefits, or approximately 72% of its expenditures.

Labor Relations and Collective Bargaining. As of June 30, 2011, the District employed 1,572 full-time equivalent ("FTE") certificated and 1,169 FTE classified employees, including management and confidential employees.

During the last several years, the District has reduced salary and post-retirement related expenses through negotiated concessions with employees, including negotiating a work year reduction program under which certain days are identified as unpaid furlough days. The District estimates that unpaid furlough days will reduce expenditures by approximately \$4.4 million in 2011-12 compared to 2010-11. Employees have also agreed to increases in class sizes and to the elimination of prep teachers which the District estimates will reduce expenditures by \$2.2 million in fiscal year 2011-12. In addition, since 2009-10, employee benefits have been reduced through a tiered cap program which the District estimates will reduce expenditures by \$9.9 million annually. A fourth measure taken by the District, with the cooperation of employee groups, is to substantially reduce the District's long-term liability for post-retirement health care. See "Other Post-Employment Benefits" below for additional discussion concerning this issue.

The current collective bargaining agreements with each of the District's four bargaining units are shown in the following table. Such contracts are set to expire on June 30, 2012, as indicated below.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT LABOR ORGANIZATIONS

<u>Labor Organization</u>	<u>Number of Employees</u>	<u>Contract Expiration</u>
United Teachers of Richmond	1,572 full-and part-time	June 30, 2012
Public Employees Union, Local 1	1,026 full-and part-time	November 15, 2012
School Supervisors Association	94 full-and part-time	December 31, 2012
Administrators Association	91 full-and part-time	June 30, 2012

Source: West Contra Costa Unified School District.

Retirement Programs. The District participates in the State Teachers Retirement System ("STRS"). This plan covers all full-time certificated employees. Pursuant to Education Code sections 22950 and 22951, the District's contribution rate is 8.25% of the total creditable compensation earned by each employee enrolled in STRS. In order to receive STRS benefits, an employee must be at least 55 years old and have provided five years of service to State public schools. The District's annual contributions to STRS for the fiscal years ending June 30, 2009, 2010 and 2011 were \$9,485,900, \$8,846,010 and \$8,409,803, respectively, totaling 100% of the required contributions for each year. In the Second Interim Report, the District estimates that its contribution to STRS for fiscal year 2011-12 will be approximately \$8,574,540.

The District also participates in the State Public Employees Retirement System ("PERS"). This plan covers all classified personnel who are employed more than four hours per day. Unlike the STRS employer contribution rate, which is fixed by statute, the PERS rate varies and during the last five (5) fiscal years has ranged from 9.1% to 10.7% of the total creditable compensation earned by each employee enrolled in PERS. In order to receive PERS benefits, an employee must be at least 50 years old and have provided five years of creditable service in PERS. The District's annual contributions to PERS for the fiscal years ending June 30, 2009, 2010 and

2011 were \$3,669,145, \$3,343,635 and \$3,775,389, respectively, totaling 100% of the required contributions for each year. In the Second Interim Report, the District estimates that its contribution to PERS for fiscal year 2011-12 will be approximately \$4,088,347.

Both STRS and PERS are operated on a statewide basis and, based on available information, both STRS and PERS have unfunded liabilities. The amounts of the pension-award benefit obligation (PERS) or unfunded actuarially accrued liability (STRS) will vary from time to time depending upon actuarial assumptions, rates of return on investments, salary scales, and levels of contribution. STRS and PERS each issue separate comprehensive annual financial reports that include financial statements and required supplementary information. Copies of the STRS annual financial report may be obtained from STRS, P.O. Box 15275, Sacramento, California 95851-0275, and copies of the PERS annual financial report and actuarial valuations may be obtained from the CalPERS Financial Services Division, P.O. Box 942703, Sacramento, California 94229-2703. The information presented in those reports is not incorporated by reference in this Official Statement.

The District is unable to predict what the amount of liabilities will be in the future, or what the amount of contributions that the District may be required to make will be. See "APPENDIX C—DISTRICT FINANCIAL STATEMENTS FOR FISCAL YEAR ENDED JUNE 30, 2011" for additional information concerning STRS and PERS contained in the notes to said financial statements.

Other Post-Employment Benefits. Pursuant to its post-employment retirement program, as set forth in its employee contracts prior to 2007, the District is obligated to provide certain post-employment health benefits to employees that were either (i) hired prior to January 1, 2007 and have attained five years of continuous PERS/STRS creditable service or (ii) hired after January 1, 2007 and have attained ten years of continuous PERS/STRS creditable service with the District. Post employment dental benefits are provided to employees who meet the rule of "75" (the number of years worked plus age equals 75 or more). The extent of the District's obligations is dependent on the retirement date for the qualifying employee. For employees that retired prior to January 1, 2007, the District pays 100% of medical and dental costs (subject to certain limitations) for the employee and his or her qualified dependents. For employees retiring after January 1, 2007, the District would pay medical and dental benefits based on the negotiated terms as of the employee's retirement date.

The District negotiated stricter caps and eligibility requirements for post-employment benefits in its employment agreements commencing in 2007, including the four collective bargaining agreements described above. See "—Labor Relations and Collective Bargaining." Under said agreements: (i) employees retiring prior to June 30, 2010 with ten years of continuous PERS/STRS creditable service with the District will be entitled to retire under the practice in place prior to the new restrictions; (ii) employees hired prior to January 1, 2007 and retiring after June 30, 2010, will be entitled to a maximum monthly District contribution depending on years of service with the District (\$450 per month for employees with ten years or more of continuous PERS/STRS creditable service, and \$750 per month for employees with twenty years or more of continuous PERS/STRS creditable service); and (iii) employees hired after January 1, 2007 and retiring with ten years or more of continuous PERS/STRS creditable service with the District will be entitled to a District contribution based on the CalPERS Health Benefits Program's minimum allowable monthly unequal contribution with no payments for prescription, vision, or dental coverage.

During the last several years, the Board has taken action, with the cooperation of employee groups, to reduce the District's long term liability for post-employment health care. In the District's 2008 actuarial study it was determined that the District's Governmental Accounting Standards Board liability ("GASB 34") was \$495 million. At that time, it was projected that, barring certain changes, the District's GASB 34 liability would grow to \$550 million. However, with the implementation of several negotiated retiree benefit provisions, the District's GASB 34 liability has been reduced to \$385 million, according to the most recent actuarial study completed in 2010. To offset its annual GASB 34 liability, the District maintains an irrevocable trust fund in the amount of \$11 million. The District estimated GASB 34 annual required contribution for fiscal year 2011-12 is approximately \$23.6 million.

District Comparative Financial Statements and Second Interim Report

Current Financial Condition. The State Constitution requires that from all State revenues there shall first be set apart the monies to be applied by the State for the support of the public school system and public institutions of higher education. Proposition 98 guarantees K-14 schools a minimum share of the State's General Fund revenues. See "CONSTITUTIONAL AND STATUTORY PROVISIONS AFFECTING DISTRICT REVENUES AND APPROPRIATIONS—Proposition 98." However, when State revenues decrease or the State experiences budget problems, funding for public education may also decrease.

For the last several fiscal years the State has experienced significant budget shortfalls that have led to reduced funding for school districts and to deferral in the timing of payments from the State to the school districts. The State is projecting continued budget shortfalls for the next several fiscal years. The District conducted an analysis of the State's 2011-12 Budget and determined to limit its exposure to certain potential significant changes to education funding contemplated therein, including potential mid-year cuts if certain "triggers" occur, by utilizing "best practice" budgeting and setting aside a \$10 million reserve. As of the Second Interim Report, the District's mid-year trigger reserve has a balance of approximately \$8,580,487. The funds in the reserve are also available to balance the budget, as needed. The District cannot predict how State income or State education funding will vary over the entire term to maturity of the Bonds. See "STATE OF CALIFORNIA FISCAL ISSUES" in the body of this Official Statement.

Second Interim Report. As described in the body of this Official Statement, school districts must file with their County Superintendent of Schools and the State Department of Education a First Interim Financial Report by December 15 covering financial operations from July 1 through October 31 and a Second Interim Financial Report by March 15 covering financial operations from July 1 through January 31. The District's First Interim Report was timely filed and certified as "positive." The District's Second Interim Report for fiscal year 2011-12, dated January 31, 2012, was timely filed and it is expected to be certified as "positive."

The First Interim Report and Second Interim Report update the District's 2011-12 Budget, adopted on June 28, 2011 (the "District's 2011-12 Budget"). The Executive Summary included in the District's 2011-12 Budget describes how the District has addressed the financial challenges of recent years by increasing local revenues, taking advantage of funding flexibility, negotiating employee concessions, and enacting school and facility closures, among other revenue enhancements and expenditure reductions. The District's 2011-12 Budget, First Interim Report and Second Interim Report, together with other District financial reports, are available on the District's website at www.wccusd.net/wccusd/site/default.asp, under the link "Budget Information."

During the last several years of economic crisis, the District has addressed State funding cuts by focusing on cost saving measures, including, but not limited to, collective bargaining contract modifications to control the cost of benefits and salaries, school and facility closures and facility consolidation, as well as adopting flexibility options such as modified K-3 Class size reduction and categorical flexibility.

In the Second Interim Report for fiscal year 2011-12, the District emphasizes the importance of responsible fiscal management and clarifies the use of funding flexibility provided by the State and certain restricted federal revenues. Specifically, the Second Interim Report provides that funding flexibility in the estimated amount of \$14.4 million will be used during fiscal year 2011-12 to offset cuts from the State.

The District also expects to utilize \$5.4 million of American Recovery and Reinvestment Act moneys and related funding received by the District to pay teacher salaries and benefits as well as certain site safety positions during fiscal year 2011-12.

In the Second Interim Report, the District's multi-year projections utilize the County Office of Education's recommended assumptions for developing revenue projections, including a \$260 mid-year trigger cut during 2011-12 and the assumption that the taxes proposed by the Governor in the 2012-13 Proposed State Budget will pass in the November election. The District notes that these assumptions do not constitute a fiscally conservative position due to the State's economic crisis. See "STATE OF CALIFORNIA FISCAL CRISIS" in the body of this Official Statement. However, the District uses the recommended assumptions in the Second Interim Report, including 3.17% cost-of-living-adjustments ("COLA") for 2012-13 and 2.40% COLA for 2013-14.

The multi-year projection includes the Board's direction to keep Shannon and Lake Elementary Schools open, but does not incorporate the K-3 Class Size Reduction program, which is funded solely from the District's restricted parcel tax proceeds, in the unrestricted budget for fiscal year 2012-13.

The multi-year projection using the current assumptions for 2012-13 indicates that the District will be deficit spending in the amount of \$5.4 million; however, by using the \$2.9 million in one-time dollars previously set aside by the Board in the Special Reserve Fund, the anticipated deficit is reduced to \$2.5 million. The District expects to decrease anticipated expenditures from the General Fund for fiscal year 2012-13. In addition, to avoid a projected fiscal year 2013-14 deficit, an additional transfer of Special Reserve Fund dollars in the amount of \$6.6 million will be required. The Second Interim Report reflects that the District will have approximately \$10.5 million in its Special Reserve Fund at the end of the year.

The following table summarizes the District's audited General Fund revenues, expenditures and fund balances for recent fiscal years.

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WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
GENERAL FUND - REVENUES, EXPENDITURES AND FUND BALANCES
(FISCAL YEARS 2006-07 THROUGH 2010-11 (AUDITED), AND FISCAL YEAR 2011-12 (SECOND INTERIM))

	<u>2006-07</u> Actual ⁽¹⁾	<u>2007-08</u> Actual ⁽¹⁾	<u>2008-09</u> Actual ⁽¹⁾	<u>2009-10</u> Actual ⁽¹⁾	<u>2010-11</u> Actual ⁽¹⁾	<u>2011-12</u> 2 nd Interim ⁽²⁾
REVENUES						
Revenue Limit Sources	\$166,673,420	\$166,817,807	\$161,899,365	\$142,320,077	\$147,914,626	\$146,873,242
Federal Revenue	24,788,572	25,621,521	33,497,975	31,062,400	32,744,652	39,362,380
Other State Revenue	74,652,133	71,167,149	66,992,666	63,976,273	63,859,239	63,180,978
Other Local Revenue	22,015,726	21,327,703	20,821,034	20,199,980	22,034,729	20,298,752
Total Revenues ⁽³⁾	<u>288,129,851</u>	<u>284,934,180</u>	<u>283,211,040</u>	<u>257,558,730</u>	<u>266,553,246</u>	<u>269,715,352</u>
EXPENDITURES						
Certificated Salaries	118,718,728	121,060,184	120,290,735	110,694,305	105,990,977	107,506,826
Classified Salaries	40,227,424	44,592,168	41,418,183	37,823,881	38,983,802	41,677,416
Employee Benefits	60,690,279	66,089,445	69,075,209	60,199,786	58,161,626	62,723,851
Books and Supplies	12,129,982	12,340,626	8,843,494	9,912,409	11,369,314	14,113,033
Contract Services and Operating Expenditures	39,040,722	41,425,355	39,283,607	43,130,953	41,059,033	56,834,181
Capital Outlay	795,863	889,702	457,520	1,248,554	331,905	3,012,048
Other Outgo	1,298,343	51,834	41,903	33,137	51,428	6,510,179
Indirect Cost Reimbursement	(843,802)	(802,241)	-	-	-	(803,619)
Debt Service						
Principal	300,000	790,000	1,415,000	2,374,214	3,070,914	-
Interest and Other	189,515	-	-	241,250	686,475	-
Total Expenditures ⁽⁴⁾	<u>272,547,054</u>	<u>286,437,073</u>	<u>280,825,651</u>	<u>265,658,489</u>	<u>259,705,474</u>	<u>291,573,914</u>
EXCESS OF REVENUES OVER/(UNDER) EXPENDITURES	<u>15,582,797</u>	<u>(1,502,893)</u>	<u>2,385,389</u>	<u>(8,099,759)</u>	<u>6,847,772</u>	<u>(21,858,562)</u>
OTHER FINANCING SOURCES/(USES)						
Transfers In	2,383,192	2,839,820	916,428	1,731,887	2,700,512	2,872,000
Transfers Out	(3,237,865)	(3,551,157)	(794,836)	(926,928)	-	-
Proceeds from the issuance of long-term liabilities	189,515	-	-	-	-	-
TOTAL ⁽³⁾	<u>(665,158)</u>	<u>(711,337)</u>	<u>121,592</u>	<u>804,959</u>	<u>2,700,512</u>	<u>2,872,000</u>
NET CHANGE IN FUND BALANCE	<u>14,917,639</u>	<u>(2,214,230)</u>	<u>2,506,981</u>	<u>(7,294,800)</u>	<u>9,548,284</u>	<u>(18,986,562)</u>
BEGINNING FUND BALANCE, JULY 1 ⁽⁴⁾	<u>33,136,357</u>	<u>48,053,996</u>	<u>45,839,766</u>	<u>48,346,747</u>	<u>47,354,945</u>	<u>45,569,215</u>
ENDING FUND BALANCE, JUNE 30 ⁽⁴⁾	<u>\$48,053,996</u>	<u>\$45,839,766</u>	<u>\$48,346,747</u>	<u>\$41,051,947</u>	<u>\$56,903,229</u>	<u>\$26,582,653</u>

⁽¹⁾ Excerpted from the District's respective Audited Financial Reports.

⁽²⁾ Excerpted from the District's Second Interim Report, dated January 31, 2012.

⁽³⁾ Totals may not add to totals due to independent rounding.

⁽⁴⁾ The discrepancy between the ending fund balance for June 30, 2011 and the beginning balance for the Second Interim Report is due to the General Fund information in the audited financial statements for the year ended June 30, 2011, including the Deferred Maintenance Fund and the Special Reserve for Other than Capital Outlay Projects Fund, to conform to GASB Statement No. 54's definition of governmental funds.

Source: West Contra Costa Unified School District.

District Debt Structure

General Obligation Bonds. The District has outstanding general obligation bonds issued under five different voter-approved authorizations, as further described in the paragraphs below. Since 1998, voters have authorized the District to issue up to \$1.27 billion of general obligation bonds. The District has approximately \$819,078,900 of general obligation bonds currently outstanding, including bonds issued to refund all or portions of certain series of bonds.

On June 2, 1998, the District received voter approval, through a bond measure known as Measure E, to issue up to \$40 million in general obligation bonds to fund various capital improvement programs and to construct a middle school (the “1998 Authorization”). The bonds of the 1998 Authorization were issued in four separate series and were refunded with proceeds of the District’s 2001 General Obligation Refunding Bonds, Series A and Series B (the “2001 Refunding Bonds, Series A” and the “2001 Refunding Bonds, Series B”).

On November 7, 2000, the District received voter approval, through a bond measure known as Measure M, to issue up to \$150 million in general obligation bonds to renovate elementary schools (the “2000 Authorization”). The bonds of the 2000 Authorization were issued in three series (the “Series 2000A Bonds,” “Series 2000B Bonds” and “Series 2000C Bonds”). In September of 2009, the District issued its 2009 General Obligation Refunding Bonds (the “2009 Refunding Bonds”) to refund a portion of the then outstanding (i) Series 2000A Bonds, (ii) Series 2000B Bonds, (iii) Series 2005A Bonds (described below) and (iv) Series 2005B Bonds (described below). A portion of the Series 2000C Bonds was refunded in 2011, as further described in the paragraph below. Proceeds of the Bonds will be used to refund all or a portion of the currently outstanding Series 2002C Bonds. See “PLAN OF REFUNDING” in the body of the Official Statement.

On March 5, 2002, the District received voter approval, through a bond measure known as Measure D, to issue up to \$300 million in general obligation bonds to continue renovating the District’s elementary schools and to renovate secondary schools (the “2002 Authorization”). The bonds of the 2002 Authorization were issued in four series (the “Series 2002A Bonds,” “Series 2002B Bonds,” “Series 2002C Bonds,” and “Series 2002D Bonds”). In August 2011, the District issued its 2011 General Obligation Refunding Bonds (the “2011 Refunding Bonds”) to refund a portion of the then outstanding (i) Series 2000C Bonds, (ii) Series 2002A Bonds, and (iii) Series 2002B Bonds. Proceeds of the Bonds will be used to refund all or a portion of the currently outstanding Series 2002A Bonds, Series 2002B Bonds and 2002C Bonds. See “PLAN OF REFUNDING” in the body of the Official Statement.

On November 8, 2005, the District received voter approval, through a bond measure known as Measure J, to issue up to \$400 million in general obligation bonds to continue repairing all District facilities and to improve classroom safety and technology (the “2005 Authorization”). The District has issued approximately \$322,410,000 of the bonds of the 2005 Authorization in four series (the “Series 2005A Bonds,” “Series 2005B Bonds,” “Series 2005C Bonds,” and “Series 2009D-1 Bonds”). A portion of the Series 2009C Bonds were issued in the form of Build America Bonds authorized under the American Recovery and Reinvestment Act of 2009. The Series 2009D-1 Bonds were issued in the form of Qualified School Construction Bonds and the District expects to receive on or about February 1 and August 1 of each year, a cash subsidy from the United States Department of the Treasury (“Treasury”) relative to the interest payable on such bonds by the District, until the last of the Series 2009D-1 Bonds matures on August 1, 2024. A portion of the proceeds of the District’s 2009 Refunding Bonds was used to refund a portion of the Series 2005A Bonds and the Series 2005B Bonds. Approximately \$77.6 million remains authorized and unissued under the 2005 Authorization.

On June 8, 2010, the District received voter approval, through a bond measure known as Measure D, to issue up to \$380 million in general obligation bonds to continue renovating and rebuilding the District’s elementary and secondary schools (the “2010 Authorization”). On November 22, 2011, the District issued \$100,000,000 of bonds under the 2010 Authorization, consisting of its Series 2010A Bonds and its Series 2010A-1 Bonds. The Series 2010A-1 Bonds were issued in the form of Qualified School Construction Bonds and the District expects to receive on or about February 1 and August 1 of each year, a cash subsidy from the Treasury relative to the interest payable on such bonds by the District, until the last of the Series 2010A-1 Bonds matures on August 1, 2030. Approximately \$280 million remains authorized and unissued under the 2010 Authorization.

The bonds issued under each of the Authorizations described above, including refunding bonds, are issued on a parity basis payable from an unlimited tax upon all property subject to taxation within the District. The County Board of Supervisors is empowered and obligated to levy such tax for the repayment of such bonds. See “SECURITY FOR THE BONDS” and “TAX BASE FOR REPAYMENT OF THE BONDS - *AD VALOREM* Property Taxation” in the body of this Official Statement.

Under Education Code section 15106, with respect to bonds under the 1998 Authorization and the 2000 Authorization, and under Education Code section 15270, with respect to bonds under the 2002 Authorization, 2005 Authorization and 2010 Authorization, the amount of general obligation bond indebtedness that the District, as a unified school district, can issue is limited to 2.5% of the assessed value of all taxable property within the District. However, the District has requested and been granted two waivers of this limit by the California State Board of Education (the “SBE”). In May 2009, the SBE granted a waiver (the “2009 Waiver”) allowing the District to issue general obligation bonds in an amount not to exceed 3.5% of the assessed value of taxable property within the District. The 2009 Waiver is authorized for a period beginning May 7, 2009 and ending May 7, 2014. On March 11, 2011, the SBE granted a second waiver (the “2011 Waiver”), thereby allowing the District to issue general obligation bonds in an amount not to exceed 5% of the assessed value of taxable property within the District. The 2011 Waiver applies only to bonds issued pursuant to the 2010 Authorization between March 11, 2011 and December 31, 2021.

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The following table reflects the District's outstanding general obligation bonds, as of April 1, 2012:

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
OUTSTANDING GENERAL OBLIGATION BONDS
AS OF APRIL 1, 2012**

Authorization / Series Name	Issue Date	Final Maturity (August 1)	Original Issue Amount	Principal Outstanding ⁽⁴⁾
1998 Authorization (\$40 million)				
2001 Refunding Bonds, Series A ⁽¹⁾	Nov. 6, 2001	2025	\$28,610,000	\$18,495,000
2001 Refunding Bonds, Series B ⁽¹⁾	Nov. 16, 2001	2025	10,255,000	6,810,000
2000 Authorization (\$150 million)				
Series 2000C Bonds ⁽³⁾	Apr. 22, 2003	2032	95,000,000	43,115,000
2009 Refunding Bonds ⁽²⁾	Aug. 12, 2009	2018	47,215,000	39,310,000
2011 Refunding Bonds ⁽³⁾	Aug. 25, 2011	2024	33,960,000	33,960,000
2002 Authorization (\$300 million)				
Series 2002A Bonds ⁽³⁾	Jun. 26, 2002	2031	30,000,000	11,515,000
Series 2002B Bonds ⁽³⁾	Aug. 25, 2003	2032	100,000,000	40,460,000
Series 2002C Current Interest Bonds	Aug. 1, 2004	2034	40,000,000	35,625,000
Series 2002C Capital Appreciation Bonds	Aug. 11, 2004	2034	29,999,377	28,179,129
Series 2002D Capital Appreciation Bonds	Oct. 19, 2005	2034	99,998,106	93,145,012
2011 Refunding Bonds ⁽³⁾	Aug. 25, 2011	2024	51,605,000	51,605,000
2005 Authorization (\$400 million)				
Series 2005A Bonds ⁽²⁾	May 17, 2006	2035	70,000,000	61,280,000
Series 2005B Bonds ⁽²⁾	July 15, 2008	2035	120,000,000	115,025,000
Series 2009C Capital Appreciation Bonds	Aug. 12, 2009	2033	52,084,759	52,084,759
Series 2009C Build America Bonds	Aug. 12, 2009	2034	52,825,000	52,825,000
2009 Refunding Bonds ⁽³⁾	Aug. 12, 2009	2031	10,645,000	10,645,000
Series 2009D-1 Qualified School Construction Bonds	June 24, 2010	2024	25,000,000	25,000,000
2010 Authorization (\$380 million)				
Series 2010A Bonds	Nov. 22, 2011	2041	79,000,000	79,000,000
Series 2010A-1 Qualified School Construction Bonds	Nov. 22, 2011	2030	<u>21,000,000</u>	<u>21,000,000</u>
TOTAL			\$997,197,242	\$819,078,900

⁽¹⁾ The 2001 Refunding Bonds, Series A and B, were issued to refund four series of bonds in the initial aggregate principal amount of \$40,000,000 issued under the 1998 Authorization.

⁽²⁾ The 2009 Refunding Bonds were issued to fully refund the Series 2000A Bonds and Series 2000B Bonds and partially refund the Series 2005A Bonds and 2005B Bonds.

⁽³⁾ The 2011 Refunding Bonds were issued to partially refund the Series 2000C Bonds, Series 2002A Bonds, and the Series 2002B Bonds.

⁽⁴⁾ The outstanding capital appreciation bonds are expressed in terms of original denominational amount; the accreted interest amount is not included.

Source: West Contra Costa Unified School District.

Certificates of Participation. On August 24, 2005, the District caused the execution and delivery of 2005 Taxable Refunding Certificates of Participation (the "2005 Certificates") in the aggregate principal amount of \$10,600,000. Proceeds of the 2005 Certificates were used to defease the District's then outstanding 1994 Certificates of Participation, originally issued in the aggregate principal amount of \$11,150,000 to defease to maturity certain certificates of participation issued by the District in 1988 (under the District's previous name, the Richmond Unified School District) and with respect to which the District had incurred certain payment defaults. The District has timely made all base rental payments on the 2005 Certificates.

The following table shows remaining base rental payments on the 2005 Certificates.

**2005 CERTIFICATES
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**

Year Ending	Principal	Interest	Total
<u>June 30</u>			
2012	\$ 475,000	\$ 447,577	\$ 922,577
2013	500,000	424,967	924,967
2014	525,000	400,867	925,867
2015	555,000	375,352	930,352
2016-2020	3,205,000	1,434,204	4,639,204
2021-2024	<u>3,630,000</u>	<u>511,395</u>	<u>4,141,395</u>
Total	\$8,890,000	\$3,594,362	\$12,484,362

Source: West Contra Costa Unified School District

Plan for Repayment of Other Long-Term Debt. The District currently has other long term debt with outstanding balances ranging from approximately \$126,000 to approximately \$9,350,000. The District's Board of Education has approved plans for the repayment of such debt from fiscal years 2011-12 to 2015-16, as follows:

- **Voluntary Integration Program.** This obligation arises from cost disallowances in the aggregate amount of \$7,652,000 based on State audits of program expenditures from fiscal years 1988-89 to 1989-90. During fiscal year 1992-93, the original agreement was restructured and an agreed-upon repayment schedule was adopted. The final payment in the amount of \$872,000 will be made during fiscal year 2011-12 and, thereafter, this obligation will be fully discharged.
- **Computer Equipment Acquisition Loans.** During the fiscal year 1989-90, the District financed the acquisition of an administrative and instructional computer system with a loan from IBM. In 1993, the District and IBM restructured the obligation and adopted a schedule of payments of \$3,623,744 comprised of \$2,459,111 of principal and \$1,164,633 of interest payable annually from fiscal years 2007-08 to 2015-16. The Pooled Money investment rate at June 30, 1993, of 4.402%, was used to impute the interest rate. As of June 30, 2011 the balance of the loan was \$3,742,000. The IBM Loan has been paid off in full as of February 2012.
- **Child Care Facilities Loan.** On February 7, 2001, the California Department of Education approved a no-interest loan for the development and acquisition of child care facilities. The District received an initial disbursement of \$573,048 in 2001-02 and a disbursement of \$598,060 in 2002-03. As of June 30, 2011 the balance was \$126,347 and the loan is scheduled to be fully repaid in fiscal year 2012-13.
- **Emergency Apportionment Loans.** Approximately 20 years ago, the District experienced financial difficulties that led to a default in certain lease payments with respect to its 1988 Certificates (described above), and to an April 1991 a Chapter 9 bankruptcy filing (which was dismissed by the United States Bankruptcy Court in October 1991). To resolve such difficulties, the District implemented several steps (collectively, the "Measures"), including but not limited to: (i) obtaining two Emergency Apportionment Loans from the State in July 1990 and November 1991, in the aggregate amount of \$28,525,000 (the "Emergency Apportionment"), which resulted in the appointment of a State Trustee (the "State Trustee"). The State Trustee is vested with authority to stay or rescind any Board action that may, in the opinion the trustee, adversely affect the financial condition of the District; (ii) refunding the 1998 Certificates as described above; and (iii) changes of key personnel.

The payment schedule for the Emergency Apportionment contemplates that the District will make annual payments of approximately \$1,421,000 on February 1 of each year until the loan is fully repaid in fiscal year 2017-18. However, on September 7, 2011, the Board adopted a resolution directing staff to take all necessary actions to pay off the balance of the loan during fiscal year 2011-12. The District projects that such repayment would result in annual savings in the approximate amount of \$1.5 million commencing in fiscal year 2012-13.

On March 5, 2012, the State Superintendent of Public Instruction (the "State Superintendent") provided 60 day notice to the County Superintendent of Schools, the State Legislature, the California Department of Finance and the State Controller that the following conditions set forth in the California Education Code for removal of the State Trustee are expected to be met by April 30, 2012:

- The emergency loan is repaid.
- The District has adequate fiscal systems and controls in place.
- The State Superintendent determined that the District's future compliance plan is probable.

After April 30, 2012 the District will no longer be required to retain the State Trustee, but will continue to be subject to fiscal oversight by the County Superintendent of Schools, as every school district in the State. See "GENERAL SCHOOL DISTRICT FINANCIAL INFORMATION – School District Budgets" in the body of the Official Statement.

No assurance can be given with respect to the future financial condition of the District or any actions that may or may not be taken in connection with any future financial difficulties. The financial condition of the District, however, does not impact the obligation of the Board of Supervisors of the County to levy *ad valorem* taxes for the payment of amounts due in connection with the Bonds. See "SECURITY FOR THE BONDS" in the body of the Official Statement.

Statement of Direct and Overlapping Debt

Set forth below is a schedule of direct and overlapping debt prepared by California Municipal Statistics Inc. for debt issued as of _____, 2012. The table is included for general information purposes only. The District has not reviewed this table for completeness or accuracy and makes no representations in connection therewith. The first column in the table names each public agency which has outstanding debt as of the date of the report and whose territory overlaps the District in whole or in part. The second column shows the percentage of each overlapping agency's assessed value located within the boundaries of the District. This percentage, multiplied by the total outstanding debt of each overlapping agency (which is not shown in the table) produces the amount shown in the third column, which is the apportionment of each overlapping agency's outstanding debt to taxable property in the District.

The schedule generally includes long-term obligations sold in the public credit markets by public agencies whose boundaries overlap the boundaries of the District. Such long-term obligations generally are not payable from revenues of the District (except as indicated) nor are they necessarily obligations secured by land within the District. In many cases, long-term obligations issued by a public agency are payable only from the general fund or other revenues of such public agency.

DIRECT AND OVERLAPPING DEBT
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
As of _____, 2012

APPENDIX B

FORM OF OPINION OF BOND COUNSEL

[Closing Date]

Board of Education
West Contra Costa Unified School District

Members of the Board of Education:

We have examined a certified copy of the record of the proceedings relative to the issuance and sale of \$ _____ West Contra Costa Unified School District (Contra Costa County, California) 2012 General Obligation Refunding Bonds (the "Bonds"). As to questions of fact material to our opinion, we have relied upon the certified proceedings and other certifications of public officials furnished to us without undertaking to verify the same by independent investigation.

Based on our examination as bond counsel of existing law, certified copies of such legal proceedings and such other proofs as we deem necessary to render this opinion, we are of the opinion, as of the date hereof and under existing law, that:

1. Such proceedings and proofs show lawful authority for the issuance and sale of the Bonds pursuant to Articles 9 and 11 of Chapter 3 of Part 1 of Division 2 of Title 5 of the California Government Code, and a resolution (the "Resolution") of the Governing Board of the West Contra Costa Unified School District (the "District").
2. The Bonds constitute valid and binding general obligations of the District, payable as to both principal and interest from the proceeds of a levy of *ad valorem* taxes on all property subject to such taxes in the District, which taxes are unlimited as to rate or amount.
3. Under existing statutes, regulations, rulings and judicial decisions, interest on the Bonds is excluded from gross income for federal income tax purposes and is not an item of tax preference for purposes of calculating the federal alternative minimum tax imposed on individuals and corporations; however, it should be noted that, with respect to corporations, such interest on the Bonds may be included as an adjustment in the calculation of alternative minimum taxable income, which may affect the alternative minimum tax liability of such corporations.
4. Interest on the Bonds is exempt from State of California personal income tax.
5. The difference between the issue price of a Bond (the first price at which a substantial amount of the Bonds of a maturity is to be sold to the public) and the stated redemption price at maturity with respect to such Bonds constitutes original issue discount. Original issue discount accrues under a constant yield method, and original issue discount will accrue to a Bondowner before receipt of cash attributable to such excludable income. The amount of original issue discount deemed received by a Bondowner will increase the Bondowner's basis in the applicable Bond. Original issue discount that accrues to the Bondowner is excluded from the gross income of such owner for federal income tax purposes, is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations, and is exempt from State of California personal income tax.

6. The amount by which a Bondowner's original basis for determining loss on sale or exchange in the applicable Bond (generally, the purchase price) exceeds the amount payable on maturity (or on an earlier call date) constitutes amortizable Bond premium, which must be amortized under Section 171 of the Internal Revenue Code of 1986, as amended (the "Code"); such amortizable Bond premium reduces the Bondowner's basis in the applicable Bond (and the amount of tax-exempt interest received), and is not deductible for federal income tax purposes. The basis reduction as a result of the amortization of Bond premium may result in a Bondowner realizing a taxable gain when a Bond is sold by the Bondowner for an amount equal to or less (under certain circumstances) than the original cost of the Bond to the Bondowner. Purchasers of the Bonds should consult their own tax advisors as to the treatment, computation and collateral consequences of amortizable Bond premium.

The opinions expressed herein may be affected by actions taken (or not taken) or events occurring (or not occurring) after the date hereof. We have not undertaken to determine, or to inform any person, whether any such actions or events are taken or do occur. The Resolution and the Tax Certificate relating to the Bonds permit certain actions to be taken or to be omitted if a favorable opinion of Bond Counsel is provided with respect thereto. No opinion is expressed herein as to the effect on the exclusion from gross income of interest (and original issue discount) for federal income tax purposes with respect to any Bond if any such action is taken or omitted based upon the advice of counsel other than ourselves. Other than expressly stated herein, we express no opinion regarding tax consequences with respect to the Bonds.

The opinions expressed herein as to the exclusion from gross income of interest (and original issue discount) on the Bonds are based upon certain representations of fact and certifications made by the District and others and are subject to the condition that the District complies with all requirements of the Code, that must be satisfied subsequent to the issuance of the Bonds to assure that such interest (and original issue discount) will not become includable in gross income for federal income tax purposes. Failure to comply with such requirements of the Code might cause interest (and original issue discount) on the Bonds to be included in gross income for federal income tax purposes retroactive to the date of issuance of the Bonds. The District has covenanted to comply with all such requirements.

It is possible that subsequent to the issuance of the Bonds there might be federal, state, or local statutory changes (or judicial or regulatory interpretations of federal, state, or local law) that affect the federal, state, or local tax treatment of the Bonds or the market value of the Bonds. No assurance can be given that subsequent to the issuance of the Bonds such changes or interpretations will not occur.

The rights of the owners of the Bonds and the enforceability thereof may be subject to bankruptcy, insolvency, reorganization, moratorium and other similar laws affecting creditors' rights heretofore or hereafter enacted to the extent constitutionally applicable and their enforcement may also be subject to the exercise of judicial discretion in appropriate cases and the limitations on legal remedies against public agencies in the State of California.

Respectfully submitted,

Stradling Yocca Carlson & Rauth

APPENDIX C

FINANCIAL STATEMENTS OF THE DISTRICT FOR THE YEAR ENDED JUNE 30, 2011

APPENDIX D

FORM OF CONTINUING DISCLOSURE CERTIFICATE

THIS CONTINUING DISCLOSURE CERTIFICATE (the "Disclosure Certificate") is executed and delivered by the West Contra Costa Unified School District (the "District") in connection with the issuance and delivery of its \$ _____ (Contra Costa County, California) 2012 General Obligation Refunding Bonds (the "Bonds"). The Bonds are being issued pursuant to a resolution adopted by the Board of Education of the District on January 18, 2012 (the "Resolution").

SECTION 1. Purpose of the Disclosure Certificate. This Disclosure Certificate is being executed and delivered by the District for the benefit of the Holders and Beneficial Owners of the Bonds and in order to assist the Participating Underwriters in complying with the Rule.

SECTION 2. Definitions. In addition to the definitions set forth in the Resolution, which apply to any capitalized term used in this Disclosure Certificate unless otherwise defined in this Section, the following capitalized terms shall have the following meanings:

"Annual Report" shall mean any Annual Report provided by the District pursuant to, and as described in, Sections 3 and 4 of this Disclosure Certificate.

"Disclosure Representative" shall mean the Superintendent or Associate Superintendent of Business Services or either of their designees, or such other officer or employee as the District shall designate in writing from time to time.

"Beneficial Owner" shall mean any person which (a) has or shares the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bonds (including persons holding Bonds through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Bonds for federal income tax purposes.

"Dissemination Agent" shall mean KNN Public Finance, a Division of Zions First National Bank, or any successor Dissemination Agent designated in writing by the District (which may be the District) and which has filed with the District a written acceptance of such designation.

"Holders" shall mean registered owners of the Bonds.

"Listed Events" shall mean any of the events listed in Section 5(a) of this Disclosure Certificate.

"Participating Underwriters" shall mean Underwriters as the original Underwriters of the Bonds required to comply with the Rule in connection with offering the Bonds.

"Repository" shall mean the Municipal Securities Rulemaking Board, which can be found at <http://emma.msrb.org>, or any other repository of disclosure information that may be designated by the Securities and Exchange Commission as such for purpose of the Rule in the future.

"Rule" shall mean Rule 15c2-12(b)(5) adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time.

"State" shall mean the State of California.

SECTION 3. Provision of Annual Reports.

(a) The District shall, or shall cause the Dissemination Agent upon written direction to, not later than nine months following the end of the District's fiscal year (presently ending on June 30), commencing with the report for the 2011-12 fiscal year, provide to the MSRB an Annual Report which is consistent with the requirements of Section 4 of this Disclosure Certificate. The Annual Report shall be provided to the MSRB in an electronic format as prescribed by the MSRB and shall be accompanied by identifying information as prescribed by the MSRB. The Annual Report may be submitted as a single document or as separate documents comprising a package, and may include by reference other information as provided in Section 4 of this Disclosure Certificate; provided that the audited financial statements of the District may be submitted separately from and later than the balance of the Annual Report if they are not available by the date required above for the filing of the Annual Report.

(b) If the Dissemination Agent is a person or entity other than the District then, not later than fifteen (15) days prior to the date specified in subsection (a) for providing the Annual Report to the MSRB, the District shall provide the Annual Report to the Dissemination Agent. If by fifteen (15) days prior to such date the Dissemination Agent has not received a copy of the Annual Report, the Dissemination Agent shall contact the District to determine if the District is in compliance with subsection (a).

(c) If the Dissemination Agent is unable to verify that an Annual Report has been provided to the MSRB by the date required in subsection (a), the Dissemination Agent shall file a notice with the MSRB, in the form required by the MSRB.

(d) The Dissemination Agent shall:

(i) confirm the electronic filing requirements of the MSRB for the Annual Reports; and

(ii) promptly after receipt of the Annual Report, file a report with the District certifying that the Annual Report has been provided pursuant to this Disclosure Certificate, stating the date it was provided the MSRB. The Dissemination Agent's duties under this clause (ii) shall exist only if the District provides the Annual Report to the Dissemination Agent for filing.

(e) Notwithstanding any other provision of this Disclosure Certificate, all filings shall be made in accordance with the MSRB's EMMA system or in another manner approved under the Rule.

SECTION 4. Content of Annual Reports. The District's Annual Report shall contain or include by reference the following:

(a) The audited financial statements of the District for the prior fiscal year, prepared in accordance with generally accepted accounting principles as promulgated to apply to governmental entities from time to time by the Governmental Accounting Standards Board. If the District's audited financial statements are not available by the time the Annual Report is required to be filed pursuant to Section 3(a), the Annual Report shall contain unaudited financial statements in a format similar to the financial statements contained in the final Official Statement, and the audited financial statements shall be filed in the same manner as the Annual Report when they become available.

(b) Material financial information and operating data with respect to the District of the type included in the Official Statement in the following categories (to the extent not included in the District's audited financial statements):

1. State funding received by the District for the last completed fiscal year;
2. average daily attendance of the District for the last completed fiscal year;
3. outstanding District indebtedness; and
4. summary financial information on revenues, expenditures and fund balances for the District's general fund reflecting adopted budget for the current fiscal year.

Any or all of the items listed above may be included by specific reference to other documents, including official statements of debt issues of the District or related public entities, which have been submitted to the MSRB or the Securities and Exchange Commission. If the document included by reference is a final official statement, it must be available from the MSRB. The District shall clearly identify each such other document so included by reference.

SECTION 5. Reporting of Significant Events.

(a) Pursuant to the provisions of this Section 5, the District shall give, or cause to be given, notice of the occurrence of any of the following events with respect to the Bonds in a timely manner not more than ten (10) business days after the event:

1. principal and interest payment delinquencies;
2. unscheduled draws on debt service reserves reflecting financial difficulties;
3. unscheduled draws on credit enhancements reflecting financial difficulties;
4. substitution of credit or liquidity providers, or their failure to perform;

5. issuance by the Internal Revenue Service of proposed or final determinations of taxability or of a Notice of Proposed Issue (IRS Form 5701-TEB);
6. tender offers;
7. defeasances;
8. ratings changes; and
9. bankruptcy, insolvency, receivership or similar proceedings.

Note: for the purposes of the event identified in subparagraph (9), the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an obligated person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the obligated person, or if such jurisdiction has been assumed by leaving the existing governmental body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the obligated person.

(b) Pursuant to the provisions of this Section 5, the District shall give, or cause to be given, notice of the occurrence of any of the following events with respect to the Bonds, if material:

1. unless described in paragraph 5(a)(5), adverse tax opinions or other material notices or determinations by the Internal Revenue Service with respect to the tax status of the Bonds or other material events affecting the tax status of the Bonds;
2. the consummation of a merger, consolidation or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms;
3. appointment of a successor or additional trustee or the change of the name of a trustee;
4. nonpayment related defaults;
5. modifications to the rights of Owners of the Bonds; and
6. notices of redemption.

(c) Whenever the District obtains knowledge of the occurrence of a Listed Event described in Section 5(b), the District shall as soon as possible determine if such event would be material under applicable federal securities laws.

(d) If the District determines that knowledge of the occurrence of a Listed Event under Section 5(b) would be material under applicable federal securities laws, the District shall file a notice of such occurrence with EMMA in a timely manner not more than ten (10) business days after the event.

(e) The District hereby agrees that the undertaking set forth in this Disclosure Certificate is the responsibility of the District and that the Dissemination Agent shall not be responsible for determining whether the District's instructions to the Dissemination Agent under this Section 5 comply with the requirements of the Rule.

(g) Any of the filings required to be made under this Section 5 shall be made in accordance with the MSRB's EMMA system or in another manner approved under the Rule.

SECTION 6. Termination of Reporting Obligation. The obligation of the District and the Dissemination Agent under this Disclosure Certificate shall terminate upon the legal defeasance, prior redemption or payment in full of all of Bonds. If such termination occurs prior to the final maturity of the Bonds, the District shall give notice of such termination in the same manner as for a Listed Event under Section 5.

SECTION 7. Dissemination Agent. The District may, from time to time, appoint or engage a Dissemination Agent (or substitute Dissemination Agent) to assist it in carrying out its obligations under this Disclosure Certificate, and may discharge any such Agent, with or without appointing a successor Dissemination Agent. The Dissemination Agent may resign upon fifteen (15) days written notice to the District. Upon such resignation, the District shall act as its own Dissemination Agent until it appoints a successor. The Dissemination Agent shall not be responsible in any manner for the content of any notice or report prepared by the District pursuant to this Disclosure Certificate and shall not be responsible to verify the accuracy, completeness or materiality of any continuing disclosure information provided by the District. The District shall compensate the Dissemination Agent for its fees and expenses hereunder as agreed by the parties. Any entity succeeding to all or substantially all of the Dissemination Agent's corporate trust business shall be the successor Dissemination Agent without the execution or filing of any paper or further act.

SECTION 8. Amendment; Waiver. Notwithstanding any other provision of this Disclosure Certificate, the District may amend this Disclosure Certificate, and any provision of this Disclosure Certificate may be waived, provided that the following conditions are satisfied:

(a) If the amendment or waiver relates to the provisions of Sections 3(a), 4, or 5(a), it may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature or status of an obligated person with respect to the Bonds, or the type of business conducted;

(b) The undertaking, as amended or taking into account such waiver, would, in the opinion of nationally recognized bond counsel, have complied with the requirements of the Rule at the time of the original issuance of the Bonds, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances;

(c) The amendment or waiver does not, in the opinion of nationally recognized bond counsel, materially impair the interests of the Holders or Beneficial Owners of the Bonds; and

(d) No duties of the Dissemination Agent hereunder shall be amended without its written consent thereto.

In the event of any amendment or waiver of a provision of this Disclosure Certificate, the District shall describe such amendment in the next Annual Report, and shall include, as applicable, a narrative explanation of the reason for the amendment or waiver and its impact on the type (or in the case of a change of accounting principles, on the presentation) of financial information or operating data being presented by the District. In addition, if the amendment relates to the accounting principles to be followed in preparing financial statements, notice of such change shall be given in the same manner as for a Listed Event under Section 5 and the Annual Report for the year in which the change is made should present a comparison between the financial statements as prepared on the basis of the new accounting principles and those prepared on the basis of the former accounting principles.

SECTION 9. Additional Information. Nothing in this Disclosure Certificate shall be deemed to prevent the District from disseminating any other information, using the means of dissemination set forth in this Disclosure Certificate or any other means of communication, or including any other information in any Annual Report or notice of occurrence of a Listed Event, in addition to that which is required by this Disclosure Certificate. If the District chooses to include any information in any Annual Report or notice of occurrence of a Listed Event in addition to that which is specifically required by this Disclosure Certificate, the District shall have no obligation under this Certificate to update such information or include it in any future Annual Report or notice of occurrence of a Listed Event.

SECTION 10. Default. In the event of a failure of the District to comply with any provision of this Disclosure Certificate any Holder or Beneficial Owner of the Bonds may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the District to comply with its obligations under this Disclosure Certificate. A default under this Disclosure Certificate shall not be deemed an event of default under the Resolution, and the sole remedy under this Disclosure Certificate in the event of any failure of the District to comply with this Disclosure Certificate shall be an action to compel performance.

SECTION 11. Duties, Immunities and Liabilities of Dissemination Agent. The Dissemination Agent shall have only such duties as are specifically set forth in this Disclosure Certificate. The Dissemination Agent acts hereunder solely for the benefit of the District; this Disclosure Certificate shall confer no duties on the Dissemination Agent to the Participating Underwriters, the Holders and the Beneficial Owners. The District agrees to indemnify and save the Dissemination Agent, its officers, directors, employees and agents, harmless against any loss, expense and liabilities which it may incur arising out of or in the exercise or performance of its powers and duties hereunder, including the costs and expenses (including attorneys fees) of defending against any claim of liability, but excluding liabilities due to the Dissemination Agent’s gross negligence or willful misconduct. The obligations of the District under this Section shall survive resignation or removal of the Dissemination Agent and payment of the Bonds. The Dissemination Agent shall have no liability for the failure to report any event or any financial information as to which the District has not provided an information report in format suitable for filing with the Repository. The Dissemination Agent shall not be required to monitor or enforce the District’s duty to comply with its continuing disclosure requirements hereunder.

SECTION 12. Beneficiaries. This Disclosure Certificate shall inure solely to the benefit of the District, the Dissemination Agent, the Participating Underwriters and Holders and Beneficial Owners from time to time of the Bonds, and shall create no rights in any other person or entity.

Date: _____, 2012

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

By: _____
[FORM ONLY]
Associate Superintendent of Business Services

Dissemination Agent:

KNN PUBLIC FINANCE

By: _____
Authorized Officer

EXHIBIT A

NOTICE TO REPOSITORY OF FAILURE TO FILE ANNUAL REPORT

Name of District: WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

Name of Bond Issue: West Contra Costa Unified School District (Contra Costa County, California) 2012
General Obligation Refunding Bonds

Date of Issuance: _____, 2012

NOTICE IS HEREBY GIVEN that the District has not provided an Annual Report with respect to the above-named Bonds as required by the Continuing Disclosure Certificate relating to the Bonds. The District anticipates that the Annual Report will be filed by _____, 20__.

Dated: _____

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

By: _____ [FORM ONLY]
Authorized Officer

APPENDIX E

BOOK-ENTRY ONLY SYSTEM

The information in numbered paragraphs 1-10 of this Appendix E, concerning The Depository Trust Company, New York, New York ("DTC") and DTC's book-entry system, has been furnished by DTC for use in official statements and the City takes no responsibility for the completeness or accuracy thereof. The City cannot and does not give any assurances that DTC, DTC Participants or Indirect Participants will distribute to the Beneficial Owners(a) payments of interest or principal with respect to the Bonds, (b) certificates representing ownership interest in or other confirmation or ownership interest in the Bonds, or (c) redemption or other notices sent to DTC or Cede & Co., its nominee, as the registered owner of the Bonds, or that they will so do on a timely basis, or that DTC, DTC Participants or DTC Indirect Participants will act in the manner described in this Appendix E. The current "Rules" applicable to DTC are on file with the Securities and Exchange Commission and the current "Procedures" of DTC to be followed in dealing with DTC Participants are on file with DTC. As used in this Appendix E, "Securities" means the Bonds, "Issuer" means the District and "Agent" means the Paying Agent.

1. The Depository Trust Company ("DTC"), New York, NY, will act as securities depository for the securities (the "Bonds"). The Bonds will be issued as fully-registered securities registered in the name of Cede & Co. (DTC's partnership nominee) or such other name as may be requested by an authorized representative of DTC. One fully-registered security certificate will be issued for each maturity of each series of the Bonds, each in the aggregate principal amount of such issue, and will be deposited with DTC.

2. DTC, the world's largest securities depository, is a limited-purpose trust company organized under the New York Banking Law, a "banking organization" within the meaning of the New York Banking Law, a member of the Federal Reserve System, a "clearing corporation" within the meaning of the New York Uniform Commercial Code, and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 3.5 million issues of U.S. and non-U.S. equity issues, corporate and municipal debt issues, and money market instruments (from over 100 countries) that DTC's participants ("Direct Participants") deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in deposited securities through electronic computerized book-entry transfers and pledges between Direct Participants' accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation ("DTCC"). DTCC is the holding company for DTC, National Securities Clearing Corporation, and Fixed Income Clearing Corporation, all of which are registered clearing agencies. DTCC is owned by the users of its regulated subsidiaries. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly ("Indirect Participants"). The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at www.dtcc.com and www.dtc.org. The information on each website is not incorporated by reference as part of this Official Statement.

3. Purchases of Bonds under the DTC system must be made by or through Direct Participants, which will receive a credit for the Bonds on DTC's records. The ownership interest of each actual purchaser of each Bond ("Beneficial Owner") is in turn to be recorded on the Direct and Indirect Participants' records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the Bonds are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in Bonds, except in the event that use of the book-entry system for the Bonds is discontinued.

4. To facilitate subsequent transfers, all Bonds deposited by Direct Participants with DTC are registered in the name of DTC's partnership nominee, Cede & Co. or such other name as may be requested by an authorized representative of DTC. The deposit of Bonds with DTC and their registration in the name of Cede & Co. or such other DTC nominee do not affect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Bonds; DTC's records reflect only the identity of the Direct Participants to whose accounts such Bonds are credited, which may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

5. Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time.

6. Redemption notices shall be sent to DTC. If less than all of the Bonds within an issue are being redeemed, DTC's practice is to determine by lot the amount of the interest of each Direct Participant in such issue to be redeemed.

7. Neither DTC nor Cede & Co. (nor such other DTC nominee) will consent or vote with respect to the Bonds unless authorized by a Direct Participant in accordance with DTC's MMI Procedures. Under its usual procedures, DTC mails an Omnibus Proxy to the District as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts the Bonds are credited on the record date (identified in a listing attached to the Omnibus Proxy).

8. Redemption proceeds, distributions and dividend payments on the Bonds will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts, upon DTC's receipt of funds and corresponding detail information from the District or the Paying Agent on payable date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participant and not of DTC, the Paying Agent, or the District, subject to any statutory or regulatory requirements as may be in effect from time to time. Payments of principal of, premium, if any, and interest to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of the District or the Paying Agent, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

9. DTC may discontinue providing its services as securities depository with respect to the Bonds at any time by giving reasonable notice to the District or the Paying Agent. Under such circumstances, in the event that a successor securities depository is not obtained, Bond certificates are required to be printed and delivered as described in the applicable Resolution.

10. The District may decide to discontinue use of the system of book-entry-only transfers through DTC (or a successor securities depository). In that event, Bond certificates will be printed and delivered to DTC as described in the applicable Resolution.

Discontinuation of Book-Entry Only System; Payment to Beneficial Owners

In the event that the book-entry system is discontinued, the following provisions would also apply: (a) Bonds may be exchanged for a like aggregate principal amount of Bonds or other authorized denominations of the same maturity and interest rate, upon surrender thereof to the Paying Agent; (b) the transfer of any Bond may be registered on the books maintained by the Paying Agent under the applicable Resolution for such purpose only upon the surrender thereof to the Paying Agent together with a duly executed written instrument

of transfer in a form approved by the Paying Agent; (c) for every exchange or transfer of Bonds, the Paying Agent shall require the payment by any owner requesting such transfer or exchange of any tax or other governmental charge required to be paid with respect to such exchange or registration of transfer; (d) all interest payments on the Bonds will be made by wire or check mailed by the Paying Agent to the owners thereof to such owner's address as it appears on the registration books maintained by the Paying Agent on the 15th day of the month preceding such Interest Payment Date; and (e) all payments of principal of and any premium on the Bonds will be paid upon surrender thereof to the Paying Agent.

The information in this section concerning DTC and DTC's book-entry system has been obtained from sources that the District believes to be reliable, but the District takes no responsibility for the accuracy thereof.

The District cannot and does not give any assurances that DTC will distribute to Participants or that Participants or others will distribute to the Beneficial Owners payments of principal of and interest and premium, if any, on the Bonds paid or any redemption or other notices or that they will do so on a timely basis or will serve and act in the manner described in this Official Statement. The District is not responsible or liable for the failure of DTC or any Participant or Indirect Participant to make any payments or give any notice to a Beneficial Owner with respect to the Bonds or any error or delay relating thereto.

Neither the District nor the Paying Agent will have any responsibility or obligation to Participants, to Indirect Participants or to any Beneficial Owner with respect to (i) the accuracy of any records maintained by DTC, any Participant, or any Indirect Participant; (ii) the payment by DTC or any Participant or Indirect Participant of any amount with respect to the principal of or premium, if any, or interest on the Bonds; (iii) any notice that is permitted or required to be given to Holders pursuant to the applicable Resolution; (iv) the selection by DTC, any Participant or any Indirect Participant of any person to receive payment in the event of a partial redemption of the Bonds; (v) any consent given or other action taken by DTC as Bondholder; or (vi) any other procedures or obligations of DTC, Participants or Indirect Participants under the book-entry system.

APPENDIX F

CERTAIN ECONOMIC DATA FOR CONTRA COSTA COUNTY

The following information concerning Contra Costa County (the "County") is included only for the purpose of supplying general information regarding the community. The Bonds are not a debt of the County.

The information in this section regarding economic activity within the general area in which the West Contra Costa Unified School District (the "District") is located is provided as background information only, to describe the general economic health of the region. However, the District encompasses a relatively small area within the County, and the property tax required to be levied by the County to repay the Bonds will be levied only on property located in the District.

Introduction

The County was incorporated in 1850 with the City of Martinez as the County Seat. The County is situated northeast of San Francisco, bounded by San Francisco and San Pablo bays to the west and north, the Sacramento River delta to the north, San Joaquin County to the east, and by Alameda County on the south. Ranges of hills effectively divide the County into three distinct regions. The central section of the County is developing from a suburban area into a commercial and financial headquarters center. The eastern part of the County is developing from a rural, agricultural area to a suburban region. The County has extensive and varied transportation facilities – ports accessible to ocean-going vessels, railroads, freeways, and rapid transit lines connecting the areas comprising the County with Alameda County and San Francisco.

The District is located in the western portion of the County. The District serves the cities of El Cerrito, Hercules, Pinole, Richmond and San Pablo; and several unincorporated areas, including the communities of El Sobrante, Kensington and North Richmond. Since the west portion of the County, wherein the District is located, has access to the San Francisco Bay and the San Pablo Bay, it contains much of the County's heavy industry. The City of Richmond, which is located within the boundaries of the District, is one of three cities within the County that had increased assessed values for fiscal year 2011-12. The increase in assessed values is largely due to the rehabilitation and modernization of many areas of the City of Richmond.

Population

The following table summarizes the population statistics for the County and cities within the District for the last five calendar years.

POPULATION OF CONTRA COSTA COUNTY AND CITIES WITHIN THE WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT ⁽¹⁾

<u>Year</u>	<u>Contra Costa County</u>	<u>City of El Cerrito</u>	<u>City of Hercules</u>	<u>City of Pinole</u>	<u>City of Richmond</u>	<u>City of San Pablo</u>
2007	1,036,322	23,081	23,859	19,149	103,327	30,816
2008	1,048,242	23,306	24,309	19,260	103,899	31,172
2009	1,060,435	23,440	24,480	19,383	104,513	31,808
2010	1,047,948	23,538	24,051	18,383	103,661	29,143
2011	1,056,064	23,648	24,153	18,460	104,220	28,931

⁽¹⁾ Excludes population statistics of unincorporated territory within the District.
Source: *California Department of Finance*, estimates as of January 2012.

Employment

The following table summarizes historical employment and unemployment in the County during the last five calendar years.

CONTRA COSTA COUNTY CIVILIAN LABOR FORCE, EMPLOYMENT AND UNEMPLOYMENT ANNUAL AVERAGES

	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012⁽⁴⁾</u>
Civilian Labor Force ⁽¹⁾					
Employment	492,000	471,300	463,700	469,600	477,900
Unemployment	<u>32,200</u>	<u>53,500</u>	<u>58,700</u>	<u>54,500</u>	<u>51,000</u>
Total ⁽²⁾	524,200	524,800	522,400	524,100	528,900
Unemployment Rate ⁽³⁾	6.1%	10.2%	11.2%	10.4%	9.6%

⁽¹⁾ Based on place of residence.

⁽²⁾ Totals may not add due to rounding.

⁽³⁾ The unemployment rate is calculated using unrounded data.

⁽⁴⁾ As of February 2012.

Source: *California Employment Development Department, Labor Market Information Division.*

The following table summarizes the number of workers by industry in the County for calendar years 2006 through 2010.

CONTRA COSTA COUNTY FREMONT-HAYWARD-OAKLAND METROPOLITAN DIVISION Estimated Number of Wage and Salary Workers by Industry⁽¹⁾

	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>
Farm	700	700	700	800	800
Manufacturing	20,200	20,600	20,700	18,700	18,100
Wholesale Trade	9,100	9,100	8,700	7,700	7,600
Retail Trade	44,000	44,400	43,600	41,200	40,100
Transportation & Public Utilities	8,400	8,800	8,900	8,300	7,900
Information	13,400	13,000	11,800	10,400	9,800
Financial Activities	32,100	29,100	26,600	25,700	25,500
Professional and Business Services	50,600	49,400	49,300	45,900	43,700
Education and Health	42,700	44,600	45,600	47,700	48,600
Leisure and Hospitality	32,400	33,200	32,800	31,200	31,500
Other Services	12,200	12,500	12,400	11,700	11,600
Government	48,900	52,200	52,600	51,300	48,900
Total All Industries ⁽²⁾	<u>344,500</u>	<u>346,800</u>	<u>339,500</u>	<u>321,800</u>	<u>312,400</u>

⁽¹⁾ Does not include proprietors, self-employed, unpaid volunteers or family workers, domestic workers in households, and persons involved in labor/management trade disputes. Employment reported by place of work. Items may not add to totals due to independent rounding. Not seasonally adjusted.

⁽²⁾ Including those not listed above.

Source: *Labor Market Information Division of the California Employment Development Department.*

Commercial Activity

The following table summarizes historical taxable transactions within the County for the most recent calendar years for which such data is available, 2006 to 2010.

**CONTRA COSTA COUNTY
TAXABLE TRANSACTIONS
(Dollars in Thousands)**

<u>Year</u>	<u>Sales Tax Permits</u>	<u>Taxable Transactions</u>
2006	23,249	\$13,867,661
2007	23,181	14,086,295
2008	23,149	13,307,681
2009	21,395	11,883,049
2010	21,784	11,953,846

Source: *California State Board of Equalization.*

The following table summarizes historical taxable transactions in the District for calendar years 2006 to 2010.

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT ⁽¹⁾
TAXABLE TRANSACTIONS FOR CITIES IN THE
(Dollars in Thousands)**

<u>City</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>
El Cerrito	\$339,605	\$338,603	\$308,414	\$278,014	\$246,574
Hercules	127,680	124,879	128,453	116,921	114,753
Pinole	310,239	303,589	286,289	250,977	259,846
Richmond	1,129,643	1,228,740	1,160,972	1,016,242	1,069,512
San Pablo	146,901	151,789	155,280	139,345	142,225

⁽¹⁾ Excludes taxable transactions occurring in unincorporated territory within the District.

Source: *California State Board of Equalization.*

Median Household Income

The table below reflects recent historical median household income within the County for calendar years 2005 through 2009. Data for calendar year 2011 is not yet available.

**CONTRA COSTA COUNTY
MEDIAN HOUSEHOLD INCOME**

<u>Year</u>	<u>Contra Costa County</u>
2006	74,241
2007	75,483
2008	78,469
2009	75,084
2010	78,385

Source: *U.S. Census Bureau.*

Building Activity

The following table reflects recent historical residential building activity in the County for the last five calendar years for which such data is available.

**CONTRA COSTA COUNTY
RESIDENTIAL BUILDING PERMIT VALUATION
(Dollars in Thousands)
2007-2011**

<u>Year</u>	<u>Number of Residential Permits</u>	<u>Residential Valuation</u>
2007	3,607	1,216,666
2008	1,894	661,937
2009	1,201	504,632
2010	1,699	553,058
2011	1070	454,302

Source: *Construction Industry Research Board.*

The table below summarizes the building activity during calendar year 2011 for cities within the District.

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT⁽¹⁾
2011 BUILDING PERMIT VALUATION FOR CITIES IN THE**

<u>City</u>	<u>Residential Units</u>	<u>Residential Valuation</u>
El Cerrito	0	\$6,668,000
Hercules	0	12,388,000
Pinole	0	2,416,000
Richmond	1	12,295,000
San Pablo	1	2,530,000

⁽¹⁾ Excludes building permit valuation for unincorporated territory within the District.
Source: *Construction Industry Research Board.*

The following table lists the largest employers within Contra Costa County, including city location and industry.

**CONTRA COSTA COUNTY
MAJOR EMPLOYERS**

<u>Employer</u>	<u>Location</u>	<u>Industry</u>
Bayer Health Care Pharmaceuticals	Richmond	Laboratories-Pharmaceutical (Mfrs)
Bio-Rad Laboratories Inc.	Hercules	Laboratory Analytical Instruments (Mfrs)
C & H Sugar Co Inc	Crockett	Sugar Refiners (Mfrs)
California State Auto Ass	Walnut Creek	Automobile Clubs
Chevron Corp	San Ramon	Petroleum Products (Mfrs)
Chevron Global Downstream LLC	San Ramon	Petroleum Products (Whls)
Concord Naval Weapons Station	Concord	Federal Government-National Security
Contra-Costa Regional Med Center	Martinez	Hospitals
Department Of Veterans Affairs	Martinez	Physicians & Surgeons
Doctor's Medical Center	San Pablo	Hospitals
John Muir Health Physical Rhn	Concord	Physical Therapists
John Muir Medical Center	Concord	Hospitals
Kaiser Permanente	Walnut Creek	Hospitals
Kaiser Permanente Medical Center	Martinez	Clinics
Muirlab	Walnut Creek	Laboratories-Medical
Nordstrom	Walnut Creek	Department Stores
PMI Group Inc.	Walnut Creek	Insurance-Bonds
Richmond City Offices	Richmond	Government Offices-City, Village & Twp
San Ramon Regional Medical Center	San Ramon	Hospitals
Shell Oil Products Co.	Martinez	Oil Refiners (Mfrs)
St Mary's College Of CA	Moraga	Schools-Universities & Colleges Academic
Sutter Delta Medical Center	Antioch	Hospitals
Tesoro Golden Eagle Refinery	Pacheco	Oil Refiners (Mfrs)
USS-Posco Industries	Pittsburg	Steel Mills (Mfrs)
VA Outpatient Clinic	Martinez	Physicians & Surgeons

Source: *State of California Employment Development Department*, extracted from the America's Labor Market Information System (ALMIS) Employer Database, 2012, 1st Edition

APPENDIX G

**COUNTY INVESTMENT POLICY AND EXCERPTS FROM TREASURER'S QUARTERLY
INVESTMENT REPORT AS OF [DECEMBER 31, 2011]**

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:** April 25, 2012
From: Wendell C. Greer **Agenda Item:** G.1
Associate Superintendent, K-Adult Operations

Subject: Leadership Public High Schools Petition Renewal

Background Information:

Leadership Public Schools, a charter high school, submitted a renewal petition to West Contra Costa Unified School District [WCCUSD] on April 6, 2012, with hopes to continue a five year charter in this district. Pursuant to the Charter School Act of 1992 (the "Act"), Education Code section 47600 et seq., the Legislature has charged local school boards with the responsibility of reviewing and acting on petitions for charter schools.

Education Code section 47605(b) requires the Board, within 30 days of submission of the petition, to hold a public hearing to receive public comment on the Petition. That is the purpose of this agenda item.

The Act also requires the Board either to grant or deny the Petition within 60 days of submission.

Staff and legal counsel are reviewing and analyzing information related to the Petition, as well as the operation and potential effects of the proposed charter school. A recommendation, based on staff findings, will be presented to the Board at a subsequent board meeting.

Recommendation: Public hearing only

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

LEARN. LEAD. SUCCEED.



**LEADERSHIP
PUBLIC SCHOOLS**

**LEADERSHIP PUBLIC SCHOOLS
RICHMOND**

CHARTER & SUPPLEMENTAL MATERIALS

(A West Contra Costa Unified School District Public Charter School)

**Submitted to the West Contra Costa Unified School District for renewal
on April 6, 2011**

**Previous charter approved by the West Contra Costa Unified School District for initial
term on February 27, 2003 and renewal on January 23rd 2007.**

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LEADERSHIP PUBLIC SCHOOLS RICHMOND CHARTER

(A West Contra Costa Unified School District Public Charter School)

AFFIRMATIONS / ASSURANCES

Leadership Public Schools ("LPS") hereby certifies that the information submitted in this application for a charter for Leadership Public Schools Richmond is true to the best of our knowledge and belief; LPS also certifies that this application does not constitute the conversion of a private school to the status of a public charter school; and further, we understand that if charter is renewed, LPS is committed to the following affirmations:

- LPS conducts all required pupil assessment tests pursuant to Education Code Section 60605 and other applicable law.
- LPS is nonsectarian in its programs, admission policies, employment practices, and all other operations.
- LPS does not charge tuition.
- LPS does not discriminate on the basis of race, ethnicity, national origin, gender, sexual orientation or disability.
- LPS admits all pupils who wish to attend the charter school, subject only to capacity, applicable law, and procedures outlined in the charter.
- The meetings of the Board of Directors of Leadership Public Schools, a non-profit public benefit corporation, are held in accordance with the Brown Act.
- LPS complies with the Individuals with Disabilities in Education Act ("IDEA"), Section 504 of the Rehabilitation Act ("Section 504"), and the Americans with Disabilities Act ("ADA").
- LPS complies with the Public Records Act, the Federal Educational Privacy Rights Act ("FERPA"), and No Child Left Behind Act ("NCLB").
- LPS shall continually strive for a healthy, collaborative, synergistic partnership with the West Contra Costa Unified School District.
- LPS has adopted the California State standards.
- LPS offers, at a minimum, the same number of minutes of instruction set forth in paragraph (3) of subdivision (a) of Education Code Section 46201 for the appropriate grade levels.
- LPS maintains written contemporaneous records that document all pupil attendance and make those records available for audit and inspection as set forth in Education Code Section 47612.5.
- LPS complies with all laws related to generating charter school apportionments for pupils over 19 years of age.
- LPS complies with all local, state and federal laws and regulations applicable to the operation of a charter school.

Louise Bay Waters

Dr. Louise Waters, CEO, Leadership Public Schools

April 6, 2011

Date

INTRODUCTION

Leadership Public Schools, Inc. (“LPS”) is a nonprofit public benefit corporation founded in 2002 by experienced educators and entrepreneurs.

LPS’ mission is to serve diverse and traditionally underserved students by building a network of outstanding small public high schools where we:

- Prepare our students to succeed in college and beyond,
- Develop effective student leaders, and
- Partner with school districts to strengthen both ourselves and other public schools.

In accordance with the California Charter Schools Act of 1992, as amended (“Charter Schools Act”), LPS hereby submits this petition to renew the charter school (“School” or “LPS”) for another renewal term of five years. LPS currently enrolls approximately 450 students in grades 9-12 and plans to eventually enroll approximately 450-500 students. LPS may, under the charter, add grades 6, 7, and 8 to the school and therefore add up to an additional 100 students per grade level. The high school could then be a 6-12 or 7-12 school. LPS would align to match the District’s grade configuration for secondary school which is anticipated to be 7-12.

The Charter Schools Act states:

It is the intent of the Legislature ... to provide opportunities for teachers, parents, pupils, and community members to establish and maintain schools that operate independently from the existing school district structure, as a method to accomplish all of the following:

- a) Improve pupil learning;
- b) Increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low-achieving;
- c) Encourage the use of different and innovative teaching methods;
- d) Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site;
- e) Provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system;
- f) Hold the schools established under this part accountable for meeting measurable pupil outcomes, and provide the schools with a method to change from rule-based to performance-based accountability systems;
- g) Provide vigorous competition within the public school system to stimulate continual improvements in all public schools.

California Education Code Section 47601(a-g)

Further, Education Code section 47605(b) states in pertinent part: "In reviewing petitions for the establishment of charter schools pursuant to this section, the chartering authority 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."

LPS will make important contributions to the legislative goals outlined above. By granting this charter renewal petition, the charter authorizer will help fulfill the intent of the Charter Schools Act while providing students in the area with an additional quality educational option.

LPS Leadership

Leadership Public Schools was founded by a group of experienced charter developers, educators, administrators, Board of Directors and partners. LPS' CEO and Superintendent, Dr. Louise Waters, has over thirty-five years of successful experience in urban education as a teacher, principal, Associate Superintendent, university professor and researcher. Since April 2008 she has led the four Leadership Public Schools in the LPS Charter Management Organization. All members of the LPS Management Team have extensive experience in education within their specific areas of expertise.

LPS' mission, program and team are designed to implement the legislative goals of the Charter Schools Act, including improving pupil learning (particularly for students identified as low-achieving), creating new professional opportunities for teachers, and providing expanded public school choice for parents and students.

CHARTER ELEMENTS

The Charter Schools Act provides that a petition must contain reasonably comprehensive descriptions of the elements described in California Education Code Sections 47605(b)(5)(A-P). These sections of the law and the required descriptions are provided below.

ELEMENT A: EDUCATIONAL PROGRAM

Governing Law: 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 pupils to become self-motivated, competent, and lifelong learners.

California Education Code Section 47605(b)(5)(A).

Population To Be Served by the School

LPS Richmond aims to serve diverse and traditionally underserved students, with the objective of graduating students who are self-motivated, competent, and lifelong learners, roughly reflecting the racial and ethnic socio-economic background of schools within the West Contra Costa Unified School District (“WCCUSD”) and the City of Richmond.

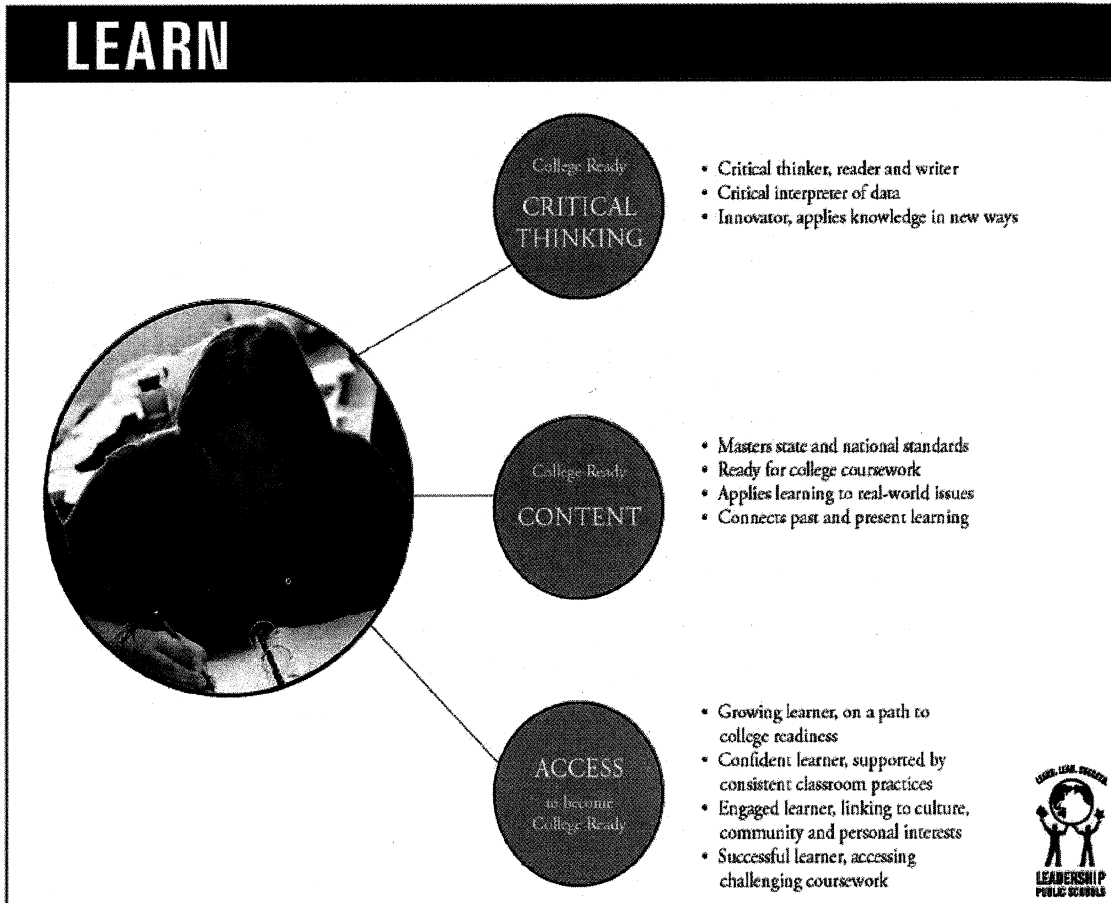
“Traditionally underserved students” is defined by the LPS Board as low-income students who are eligible for the National School Lunch Program, traditionally underserved students of color, or students who are the first generation to attend college in their families.

Our program is also designed to serve English Language Learners and students with Special Education needs. We passionately believe that all students can excel academically despite the daunting challenges many face. Our program identifies and builds on the assets of our students, their parents, and their local communities, rather than any perceived deficits.

In alignment with our mission, once middle school grades are added, preference will be given to student entering with California Standards test scores at the Far Below Basic and Below Basic level.

21st Century Educated Person

Leadership Public Schools has adopted 21st Century student outcomes framed by our motto: Learn, Lead Succeed. These outcomes are:



LEAD



PERSONAL
EMPOWERMENT

- Articulates a personal vision for college and beyond
- Self aware
- Conscious of personal health and fitness
- Resilient
- Self advocate, seeks out resources to solve problems

ACCOUNTABILITY
&
RESPONSIBILITY

- Independent worker
- Accountable to self and others
- Effective group member
- Responsible to larger community

COMMUNITY

- Committed to the school community
- Globally aware
- Able to guide and positively influence others



SUCCEED



COLLABORATION

- Facilitator
- Goal setter and task manager
- Cross-cultural collaborator
- Conflict resolver
- Active listener and respectful communicator

COMMUNICATION

- Effective verbal, nonverbal and written communicator
- Code-switcher, matching language to setting
- Effective information manager
- Effective technology user

COLLEGE
KNOWLEDGE

- Aware of college and financial aid options and requirements
- Identifies college transition supports
- Effective study & time manager



Graduation Requirements

LPS' current graduation requirements are designed to ensure that students meet these 21st Century student outcomes, and meet or exceed the University of California "A-G" admissions course requirements. This list of graduation requirements should not be confused with course offerings. The School offers more courses than those required for graduation. The School may also require students to demonstrate their performance through portfolios and exhibitions. Students may fulfill course requirements through coursework at the School or through an accredited and LPS-approved coursework online program (e.g., University of California Online Program) or at a local community college. Subject to further revision and improvement, they include:

UC Group	Subject Area	State	UC/CSU	LPS
a	English	3	4	4
b	Mathematics	2	3 \1	3
c	History/Social Science	3	2 \2	3
d	Laboratory Science	2	2 \3	2
e	Language other than English	1*	2 \4	2
f	Visual and Performing Arts	1*	1 \5	1
g	Electives		1 \6	1
	Physical Education 7	2		
	Leadership 8			4
	Additional Courses 9			4
	Totals:	14	15	24

*One year language other than English or one year visual and performing arts

\1-Includes elementary and advanced algebra and 2- and 3-dimensional geometry.

\2-State: One year history, cultures, geography and one year U.S history and one semester government and civics and one semester economics; UC: one year history, cultures, geography and one year U.S history or ½ U.S. history & ½ civics/government; CSU: one year US history and one additional year of social science.

\3-UC: Provide fundamental knowledge in at least two of the following three disciplines: biology, chemistry, physics; CSU: One life science and one physicals science.

\4-Two years in the same language.

\5-One year in one of the following four disciplines: dance, drama/theater, music, visual art.

How Learning Best Occurs

In order to achieve the student outcomes detailed above, LPS has developed an educational approach that includes: 1) a **College Ready Curriculum** where not only do all students take a UC/CSU A-G course sequence, but all courses are designed to allow them to reach our goals for success in college and beyond; 2) **Supports to Become College Ready** that allow us to bridge the two parts of our mission – serving students who enter high school significantly below grade level while at the same time preparing them to be successful in college; and 3) a **College Ready Culture** where students learn the habits of mind, develop the confidence and attitudes, and become empowered to succeed in college and return to their communities as leaders.

The LPS Common Spine

To give teachers the needed resources to provide students with a college-ready curriculum and supports, we have collaboratively developed the LPS Common Spine. Much like the role of the spine in the human body, the LPS Common Spine provides the structure for Leadership Public Schools' instructional program. Like the spine, while providing stability and structure, it is flexible and is but one element of the whole. The Common Spine includes:

Curriculum Content

- **Scope and Sequence**: the agreed-upon standards, topics and instructional pace for each course – tightly defined in some cases (math) and more loosely in others (English).
- **Core Content Resources**: the online textbooks and other key pieces of shared content that define the “meat” of the course.
- **Applied Learning**: the activities that extend learning and develop both critical thinking and college-readiness skills – science labs, projects, Socratic Seminars, debates, etc.

Assessment

- **CST / Standards-Aligned Interim Assessments**: Three interim (benchmark) assessments and a practice exam aligned to the CST, AP, SAT or other appropriate external summative exam.
- **Critical-Thinking Measures**: Writing portfolios, lab write-ups, essay exams using primary-source documents and other assessments built in conjunction with the California State University.
- **Formative Assessments**: Unit tests, quizzes for ExitTicket.org, rubrics, etc. to be scored and used by teachers within their own classes.

Access Supports

- **Literacy Scaffolds**: embedded reading comprehension, vocabulary and writing supports, as seen in the College Access Readers, the online textbooks LPS has developed in conjunction with the CK-12 Foundation.
- **Numeracy Scaffolds**: online differentiated numeracy supports as in FlexMath.
- **Spanish Translations and Text-to-Speech**: resources for Special Education students and recent immigrants (assessments and assignments given in English).
- **Multi-media**: simulations, Khan Academy-style videos and other multi-media to improve comprehension.

All Common Spine resources are digital and stored online. Almost all are open-source, free, and editable, and they are continually improved through the re-integration of classroom practices that have shown results.

A note about the power of building the common spine in general and CK-12 in particular.

LPS began building the Common Spine curriculum content resources through a partnership with CK-12 and has since expanded to include other open source content such as the University of California's Hippocampus as well as proprietary materials from Springboard's English curriculum. CK-12 has developed content and a platform that provide an unlimited range of options for teachers, schools and districts. For many teachers and schools, using CK-12 as is, straight off the website, offers a cost-effective way to provide standards-based, state-aligned "textbooks" in a variety of ways: on individual computers, online via LCD projectors for full class use, in bound hard copy, or as printed "workbooks." However, the process of flexing brings even greater power, especially if done collaboratively by teachers.

Curriculum change, whether adopting a new textbook or choosing to implement CK-12, involves predictable challenges. Districts or schools often face twin conundrums – how to get the consistency of top-down change and the buy-in of bottom up and relatedly, how to balance fidelity and flexibility. By using CK-12 and involving teachers in the flexing process at the network level, it is possible to define and maintain a consistent focus and framework across a curriculum initiative while generating considerable ownership among individual teachers. Similarly, the ability of individual teachers to flex the materials at the classroom level gives a high level of school or district-wide consistency while allowing teachers to adapt the flexbooks for specific classes or add in teacher-created materials.

Another challenge in curricular change is providing the right type and depth of professional development to take a good idea from theory to implementation. Involving teachers in the flexing process provides a powerful embedded professional development opportunity. Framing the flexing by identifying power standards, getting consensus on the course scope and sequence, and aligning the flexing to benchmark / unit assessments and focus instructional strategies requires grappling with significant instructional issues. This is a sophisticated type of professional development that has the added advantage of being immensely practical – teachers are preparing materials they will actually use in their classes.

Given that the majority of students across the four LPS campuses enter 9th grades reading far below grade level we decided to use our CK-12 work not only to develop low-cost, tailored textbooks, but also to scaffold these to provide better access to college prep content for our students. Specifically, we are embedding literacy scaffolds directly into CK-12 Algebra, Geometry, and Biology create flexbooks we call College Access Readers. Students with higher-level literacy skills use the original CK-12 content flexed to our scope and sequence. The lowest readers access the materials through text-to-speech versions or Spanish translations. Reflecting the strategies described above, we deliberately built a "collaborative innovation" process to do the flexing, incorporating the following steps.

- Evolution unit pilot in Biology. In February, 2010 the Biology teachers from our four campuses came together to begin the flexing process. This entailed:
 - Reviewing the California State Standards in Biology and selecting the power standards to be given the heaviest emphasis and then determining the curriculum sequence,
 - Participating in a short training on flexing and content literacy strategies and then going through CK-12 hard copies to determine edits and sequence changes, and then
 - Piloting the unit once a literacy specialist had completed the scaffolds and edits.
- Framing the full flexbooks in all three subjects. The Biology planning process (minus the pilot unit) was repeated for each of the other subjects.
- Determining the specific content literacy strategies to embed in the College Access Readers.
- Flexing the Readers by employing teachers and outside specialists over the summer and fall to Flex the CK-12 books to our scope and sequence and with our instructional scaffolds.
- Writing an overview of the project and literacy strategies to serve as the foundation for site and central professional development, (see Appendix B)with 22 teachers and administrators serving as chapter authors.
- Introducing the College Access Readers at the August LPS Administrators' Retreat and later the LPS Teacher Retreat
 - Meeting individually and collectively with principals to integrate CK-12 with each school's site professional development,
 - Walking through the first unit in each subject with teachers.
- Supporting teachers and administrators in implementation
 - Site visits by the LPS Curriculum Coordinator to support individual teachers and the site administrator designated as the literacy lead,
 - Paid phone conferences / webinars walking through each new unit and incorporating suggested edits prior to finalization,
 - Four-cycles of formative evaluation by an outside evaluator to gather input for rapid iteration, identify issues, clarify communication, and determine impact – cycles September, November, February, April.

CK-12 can be used on many levels. It provides an important source of low cost textbooks for all students and online options for many. However it is much more than a product. The flexing process itself can provide significant professional development. It can also be instrumental in building a collaborative professional culture. This flexing process has since been expanded to include revision of the initial 3 College Access Readers, the design of the Readers under development in Algebra 2 and Environmental Science, and the development and revision of benchmark assessments. Julie Christensen, Curriculum Coordinator, has led the development of the Common Spine and is very proficient in pulling together the teacher design teams, managing contracted editors and curriculum specialists, and leading webinars for ongoing refinement and professional development.

The Role of Technology

Over the next five years Leadership Public Schools is moving toward a blended learning / blended teaching model that leverages technology to support our instructional program and move students to achieve our 21st Century student outcomes. This model includes:

A blended-learning environment:

- Where students use technology for remediation, differentiated practice, acceleration, increased course choice and pace, and support to access core content.
- That allows students to track concept mastery with just-in-time data while using a wide range of data to take charge of their paths to college and beyond.
- That provides college-ready technology communication skills (tech and information literacy) and career-oriented technology production skills (web design, app development, eCommerce).

A blended-teaching environment:

- That ensures strong results with the full range of teachers, from new to experienced.
- That provides consistency across time and classrooms.
- That supports teacher innovation and creativity built around high-quality, common curricula and assessments.

A blended-teaching and learning environment:

- That leverages open-source resources in order to minimize cost and maximize flexibility.
- That can be used with limited technology resources and skills but that increases in power and sophistication as those resources increase.

Accelerating Academics – The Technology Enhanced Core

52% of LPS Richmond students enter 9th grade performing at the 5th grade level or below in math with 44% at this level in English. Given this reality it is critical that we have in place a rapid, effective foundational support program as well as a way to concurrently provide access to college preparatory courses. To this end, the LPS blended learning model utilizes multiple technologies as well as non-technological strategies to provide 1) personalized, accelerated backfill of missing foundational skills in math and English, 2) content presentation supports for teachers or directly for students, and 3) scaffolds for literacy, numeracy and conceptual understanding that allow under-prepared students to access core college preparatory content.

English

Backfill and foundational skills. 9th grade students use the DynEd online, individualized ELD / Academic English program 2-3 times a week for 20 minutes to provide differentiated support in academic English language structures in listening, speaking, reading and writing. Students performing below 4th grade level participate in a separate 9th grade English class using Read180 including the L book (for ELD support) and System 44 for basic phonemic language skills.

Content presentation and literacy scaffolds. Teachers use the online, editable, content presentation and differentiated student resources from College Board's Springboard English

program. The Springboard program is backwards mapped from College Board's AP courses and college readiness standards and is specifically structured to incorporate access strategies. In addition, text-to-speech and speech-to-text assistive technology is used for appropriate students.

Critical thinking and deeper learning. By design Springboard is built to include numerous deeper learning teaching and learning strategies, some of which are technology enhanced but most of which are not. Critical writing is supported by the use of an ePortfolio system, Pathbrite, where students will be able to compile, refine and at times publish their English assignments over their four years at LPS.

Math

Backfill and foundational skills; content presentation and access supports. LPS has partnered with CK-12 Foundation to develop a highly successful online FlexMath Algebra program (see Hewlett case study Appendix A: Educational Philosophy and Approach) that includes individualized backfill down to addition, differentiated practice of Algebra and numeracy skills, and technology-enhanced interactive presentations for teacher use. In addition, LPS has modified the CK-12 online Algebra "flexbook" to create the editable Algebra College Access Reader with embedded literacy supports (including text-to-speech and Spanish translations). The Reader and lessons are now available through CK-12 for Geometry and FlexGeometry with embedded video will be available next fall. Development of a College Access Reader in Algebra 2 will be completed next year.

Critical thinking and deeper learning. The LPS – CK-12 math resources include limited open-ended, critical thinking components but these are envisioned for development in 2013.

Science

Content presentations and access scaffolds. As in math, LPS has modified the CK-12 Biology flexbook to include literacy scaffolds, text-to-speech and translation supports. In addition, the CK-12 v2.0 version of these books includes numerous multi-media and differentiation supports. We are in the process of developing similar materials in Environmental Science. Similar work in Chemistry and Physics is in progress.

Critical thinking and deeper learning. Through their collaborative practice LPS teachers have been building out the LPS Common Spine deeper learning resources including labs, virtual labs, and simulations across the sciences. These are drawn from a range of content-specific professional organizations and resource banks.

Social Science

LPS has begun work in tailoring the UC Hippocampus online resources for World History, US History and Government, using the collaborative development process begun with CK-12 resources. However, this is in the early stages and won't be fully available until FY 2014. The vision is to model the use of technology to enhance presentations, access scaffolds and critical thinking much as is being done in science.

Data and Assessment System

LPS has developed the elements of a comprehensive data system. Right now these segments are largely separate and manually linked. Over the next year we hope to adopt, adapt or develop a core system that can support modularized data from the multiple types of technology enhanced learning we will bring to scale at LPS Richmond.

Benchmark assessments and data. LPS has developed four benchmark assessments in each of the 19 core courses. Each includes a multiple choice component that is aligned, and calibrated against, the California Standards Test. Most include a deeper learning component that is backwards mapped from the CSU freshman placement exams or freshman course requirements and were developed in conjunction with CSU. These include lab write ups with critical readings in science, rubric-cored document-based questions (DBQs) in history and rubric-scored essays in English. Many benchmarks include spiral review components of content previously taught. The assessments are stored online in BaseCamp and processed and reported through Data Director. In math and science, additional unit assessments aligned with CK-12 online resources have similar formats.

Targeted data reports. Specialized data reports are used at the student, teacher and administrator levels. At the student level the CAHSEE and CST planners allow students to analyze their practice, or previous, CAHSEE (high school exit exam) and CST data, identify strengths and weaknesses, set targets, and design personal growth plans. The Pathways to College report combines report card, attendance, tardy, CAHSEE and CST, course completion and credit data to enable students to track their progress toward college. Again they identify strengths and weaknesses, goals and strategies and this time also contract with people to help them reach their goals.

Teacher-level data reports allow teachers to look at a wide range of data for each student, at concept-level data benchmark and other assessment data for re-teaching, and at diagnostic data for planning. Other reports aggregate this data, teacher input, and discipline and attendance data to identify students for a variety of interventions.

Mastery Data. The LPS Chief Innovation Officer, has led a teacher design team in the development of ExitTicket, a sophisticated online “clicker” that allows students to use any kind of technology, including mobile, to take online, concept-level quizzes and get immediate feedback. The teacher tracks this just-in-time data on an Ipad heatmap and is able to intervene immediately according to student need. Growth and mastery data is immediately updated for both teachers and students. Soon to be ready will be the ability to track progress by individual concept. Now being used in pilot math classes only, design teams of physics, chemistry and English teachers are waiting to incorporate it into their teaching.

ExitTicket fits into and grew out of a larger focus on tracking concept mastery and the pervasive and public use of data. In addition to ExitTicket mastery data is being collected in other ways and made available to teachers and students through specialized FileMaker Pro and Excel reporting.

Plan For English Language Learners

The LPS EL program supports students on three levels: *access to and support for the core, strategic support, and intensive intervention.*

An important component of our mission is to create access to core content for all students. To that end, we have developed our own curricular resources in close collaboration with the CK-12 Foundation, which offers SBE-approved, open-source textbooks in Math and Science. Our materials are called “College Access Readers.” The Readers are differentiated, modifiable, flexible, provided in English and in Spanish, and compatible with the text-to-speech software we implemented for further support. As of this writing, we have completed Readers in Algebra 1, Geometry, and Biology; we are developing Readers in Algebra 2, Chemistry, and Physics.

These curricular resources have been developed through a process of intense and sustained collaboration among teachers from all school sites. Training teachers how to use these resources has served as embedded professional development, which is reinforced by the ongoing literacy-focused professional development teachers receive at both the site and network levels.

Beyond support and access to the core, LPS Richmond also provides strategic support, including an after-school intervention program, as well as the use of the online DynEd targeted ELD program in the Academic Leadership class.

Our intensive intervention focuses on reading intervention and English language support. The Read180 California program (including the language-centered “L Book” and System 44) comprises the comprehensive curriculum of our Reading course. “First English,” the DynEd level for CELDT 1 and 2 English Learners is also used in the Reading course, in a separate English Language Development course, and in after-school intervention.

CORE ACCESS and SUPPORT

Content Access

- CK-12 College Access Readers (CAR)
 - CAR text-to-speech
 - CAR Spanish
- Ongoing literacy-focused professional development
 - SIOP instructional strategies

Embedded ELD

- CAR vocabulary
- Daily language objectives
- ELD instructional strategies

STRATEGIC SUPPORT

- DynEd courses
("English for Success" and "New Dynamic English")
- Tutoring (as needed)

INTENSIVE INTERVENTION

- Read180 with LBook and System44
- DynEd course
("First English")

While the three-tiered model described above represents the overall model of LPS support for English Learners, LPS Richmond recognizes that such support differs by English proficiency as well as in different content areas. The chart below details both the ELD and Content Access support provided by CELDT level.

	1	2	3	4	5
ELD (in E/LA courses)	- DynEd - System 44, LBook, R180 in Reading - ELD instructional strategies - daily language objective	- DynEd - System 44, LBook, R180 in Reading - ELD instructional strategies - daily language objective	- DynEd in Academic Leadership - LBook in Reading - ELD instructional strategies - daily language objective	- DynEd in Academic Leadership - ELD instructional strategies - daily language objective	- DynEd in Academic Leadership - ELD instructional strategies - daily language objective
ASSESSMENT: MAP Reading test, MAP Language test, E/LA benchmark exams, and E/LA writing assessments					
Content Access (in all courses)	- SIOP/content literacy - ck12 Spanish resources - text-to-speech technology	- SIOP/content literacy - ck12 Spanish resources - text-to-speech technology	- SIOP/content literacy - ck12 Spanish resources - ck12 Level 2 materials	- SIOP/content literacy - ck12 Spanish resources - ck12 Level 2 materials	
ASSESSMENT: Content area benchmark exams and MAP Language test.					

Within these larger program elements, LPS employs a variety of instructional strategies including:

- On-Going Assessment- to establish current or actual level of acquisition and thus establish student's zone of proximal development. This information provides data necessary for lesson planning.

- Scaffolding- promotes learning when concepts and skills are being first introduced to students. These supports may include resources, a compelling task, templates and/or guides
- Think-Pair-Share- After you present a concept, or at specific time intervals, stop class and allow students to collect their thoughts (think). Then have them discuss their idea for 3-5 minutes with the person next to them
- The use of Graphic Organizers to help students visualize relationships between concepts and take apart complex text.
- Annotation to help students understand and process complex text
- Word Walls
- Direct vocabulary instruction
- Oral language sentence frames to promote the use of oral academic English

Special Education, Section 504, and Americans With Disabilities Act

General

LPS does not discriminate on the basis of disability or special needs of any kind. LPS complies with the Individuals with Disabilities Education Improvement Act of 2004 (“IDEA”), Section 504 of the Rehabilitation Act (“Section 504”), the Americans with Disabilities Act (“ADA”), and all other state and federal laws governing special needs students. As described above, the School shall utilize its Student Study Team process to guide referrals of students for evaluation under Section 504 or the IDEA.

Special Education Academic Program

Leadership Public Schools – Richmond will provide all students identified as learning disabled with access to the regular curriculum and to have their educational needs met through a combination of “Pull Out” and “Push In” services. In addition, early identification of student with learning needs is an essential part of the RTI process at LPS.

Response to Intervention (RTI) is a multi-tier approach to the early identification and support of students with learning and behavior needs. The RTI process begins with high-quality instruction and universal screening of all children in the general education classroom.

Struggling learners are provided with interventions at increasing levels of intensity to accelerate their rate of learning. General education teachers through the use of the College Access Reader, which provides learning scaffolds, word and concept definitions as well as language translations for our English learners, may provide RTI in the regular classroom. Other RTI interventions are available through the READ 180 program designed for students who have demonstrated significant difficulty in reading and through the DynEd Program (English language development class for newcomers and leveled Academic Language Development for all students).

Progress is closely monitored to assess both the learning rate and level of performance of individual students. Educational decisions about the intensity and duration of interventions are based on individual student response to instruction. RTI is designed for use when making

decisions in both general education and special education, creating a well-integrated system of instruction and intervention guided by child outcome data.

Special education students who require additional and more intensive support are services in the Resource Specialist Program (RSP). These services are provided based on the student's IEP and may include either Push In Services or a more traditional Pull Out program.

Push In services, refers to our Collaboration services, which provides special education in regular education classrooms. At LPS, more special education students are taught in regular classrooms, and collaboration is increasing. Collaboration helps to ensure children with learning disabilities get a Free Appropriate Public Education including specialized instruction in a regular classroom.

Collaboration Model – Lead Teacher Model: In classrooms where the lead teacher is the regular classroom teacher, the classroom teacher delivers the instruction in the subject area. The special education teacher is an observer who works with children after instruction to provide specially designed instruction ensure understanding, and to provide adaptations and modifications.

Collaboration Models - Team Teaching: This involves both teachers simultaneously working together to teach a classroom of students. Either teacher who has the necessary background knowledge in the subject introduces new concepts and materials to the class. Both teachers work as a team to reinforce learning and provide assistance to students as needed. Special education teachers provide specially designed instruction to students with IEPs and regular education teachers can assist with this as well.

Consultation Models of Collaboration: A special education teacher may provide some instruction to students, but the majority of service is indirect. The special education teacher mostly provides guidance to the regular education teacher on how to modify instruction to meet the student's needs.

Ultimately, LPS believes that an inclusion model of support will help our students face the rigor of a comprehensive high school program while receiving the academic support necessary to ensure their school success. On occasion, it is necessary to provide students with disabilities with targeted, small group or individual academic support. For those students needing a more focused intervention, the Resource Specialist may schedule the students with small group or individual instruction. LPS also provides Speech and Language Therapy services with a licensed Speech and Language Pathologist or through *Presence Learning Inc.*, our on line speech therapy services. Occupational Therapist or counseling services are also provided as required in the students IEP. All Designated Instructional Services are provided in small group or individual sessions.

Special Education Services for Students under IDEA

As allowed by law, LPS at its option elects to participate and function as a public school of the District or County for purposes of special education, pursuant to Education Code Section 47641, LPS as its own LEA, has partnered with the El Dorado County SELPA; the contract for this

partnership is included as Appendix C: Special Populations. LPS, in partnership with the El Dorado County SELPA, bears full responsibility for meeting the needs of special education students, working cooperatively with the SELPA to which it belongs, and providing services through a combination of internal staff, third-party service providers, or other arrangements. As the LEA for special education purposes, all special education funding attributable to LPS' students will flow directly to LPS pursuant to the SELPA's budget allocation plan. LPS does not pay a portion of the charter authorizer's special education encroachment to ensure that the needs of all students with disabilities are met.

LPS will maintain open communications with the SELPA and/or charter authorizer to ensure that students with exceptional needs are identified and that their needs are evaluated and served in compliance with all applicable laws.

Section 504 and Americans with Disabilities Act ("ADA")

LPS shall be solely responsible for compliance with Section 504.

According to LPS policy, LPS recognizes its legal responsibility to ensure that no qualified person with a disability shall, on the basis of disability, be excluded from participation, be denied the benefits of, or otherwise be subjected to discrimination under any program of the School. Any student who has an objectively identified disability which substantially limits a major life activity such as learning is eligible for accommodation by the School.

As needed, a 504 team will be assembled by the Principal or other designee and shall include qualified persons knowledgeable about the student, the meaning of the evaluation data, placement options and the legal requirements for least restrictive environment. The 504 team will review the student's existing records, including academic, social and behavioral records and is responsible for making a determination as to whether an evaluation for 504 services is appropriate. If the student has already been evaluated under the IDEA, those evaluations may be used to help determine eligibility under Section 504. The student evaluation shall be carried out by the 504 team who will evaluate the nature of the student's disability and the impact upon the student's education. This evaluation will include consideration of any behaviors that interfere with regular participation in the educational program and/or activities. The 504 team will consider the following information in its evaluation:

- a) Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel.
- b) Tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligent quotient.
- c) Tests which are selected and administered so as to ensure that when a test is administered to a student with impaired sensory, manual or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever factor the test purports to measure rather than reflecting the student's impaired sensory, manual or speaking skills.

The final determination of whether the student will or will not be identified as a person with a disability is made by the 504 team in writing and noticed in writing to the parent or guardian of the student in their primary language along with the procedural safeguards available to them. If during the evaluation, the 504 team obtains information indicating possible eligibility of the student for special education per the IDEA, a referral for special education assessment will be made by the 504 team.

If the student is found by the 504 team to have a disability under Section 504, the 504 team shall be responsible for determining what, if any, accommodations are needed to ensure that the student receives the free and appropriate public education ("FAPE"). In developing the 504 Plan, the 504 team shall consider all relevant information utilized during the evaluation of the student, drawing upon a variety of sources, including, but not limited to, assessments conducted by LPS' professional staff. The parent or guardian shall be invited to participate in 504 team meetings where program modifications for the student will be determined and shall be given an opportunity to examine in advance all relevant records.

The 504 Plan shall describe the Section 504 disability and any program modification that may be necessary. In considering the 504 Plan, a student with a disability requiring program modification shall be placed in the regular program of the School along with those students who are not disabled to the extent appropriate to the individual needs of the student with a disability.

All 504 team participants, parents, and guardians, teachers and any other participants in the student's education, including substitutes and tutors, must have a copy of each student's 504 Plan. A copy of the 504 Plan shall be maintained in the student's file. Each student's 504 Plan will be reviewed at least once per year to determine the appropriateness of the Plan, continued eligibility or readiness to discontinue the 504 Plan.

Transfer of Courses / College Entrance Requirements

Governing Law: If the proposed school will serve high school pupils, a description of how the Charter School will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the Charter School that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the "A" to "G" admissions criteria may be considered to meet college entrance requirements.

California Education Code Section 47605(b)(5)(A)(ii).

Parents will be notified of the acceptability of credit for transferring into or out of the School.

Parent Notification Regarding Course Eligibility for College

As previously discussed, the School's graduation requirements are based on the University of California "A-G" requirements. LPS' courses either have received approval or will be submitted

for approval by the University of California. The parents and students at the School are notified periodically via the LPS website, school materials and/or mailed letters of both the prospective course eligibility for the University of California and the courses as they are approved.

Parent Notification Regarding Credit Transferability

Students seeking to transfer into the School will be notified in person or via email or a mailed letter of the prospective credit transferability. LPS proposes the following initial plan for credit transferability for students transferring to the School:

Course at Former School	Credit Granted at LPS
A grade of C or higher in UC approved course at other school.	Full credit at the School.
A grade of C or higher in non-UC approved course at other school.	Full course credit upon LPS' review of the course description and determination that the course is comparable with the School's courses.
A grade of D+ or lower in any course at other school.	No course credit unless LPS determines the work performed meets the minimum proficiency and content requirements of LPS' courses.

It is important to note that even if courses from other schools are given full course credit at LPS, students must still meet the School's graduation requirements even if these are higher than the previous school. Students can apply for waivers from LPS on a case by case basis.

It is expected that the local schools will give full course credit to University of California approved courses and will give due consideration to elective courses and other courses that are offered at the School but are not part of the School's graduation requirements or approved by the University of California. Parents will be notified of these matters via parent meetings, letters or emails.

ELEMENT B: MEASURABLE PUPIL OUTCOMES

Governing Law: The measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program.

California Education Code 47605(b)(5)(B).

LPS believes that for a student to be prepared for the 21st Century they must be prepared to Learn, Lead and Succeed. This means:

- **Learn:** college-ready critical thinking skills; college-ready content knowledge, and attitudes and behaviors to become college ready
- **Lead:** personal empowerment, accountability and responsibility, and commitment to the larger community
- **Succeed:** collaboration and communication skills as well as "college knowledge"

Alignment

Outcomes have been operationalized for each LPS course into a set of topics and skills comprising the state standards plus extended college-ready critical thinking and complex text competencies less well-covered by the California standards. The course scope and sequence and benchmark assessment blueprints define what students will know and be able to do at the close of each academic quarter and by the end of the school year. Within this frame, teachers have flexibility in how they design and iterate daily and weekly learning objectives to best meet learning pace and needs. A summer curriculum institute each year engages teachers in mapping and prioritizing the standards and creating the sequencing of daily and weekly objectives for the upcoming school year. The school leaders meet with each teacher weekly to ensure that measurable daily and weekly objectives are well-aligned to annual goals.

Measurement

The table below outlines specific performance metrics aligned to pupil outcomes. Selected assessments measure performance against State and college-ready standards, assess individual student year-to-year growth all along the learning continuum, and enable comparison with other California schools.

Subject Area	Measurable Outcomes	Assessments	Type of Assessment	Frequency	Proficiency Goal	Annual Goal - % by Year
English Language Arts	Read grade-appropriate complex text with fluency and comprehension, express complex ideas in non-fiction genres of writing, and employ correct grammar.	California Standards Test (CST) in English Language Arts	Criterion-referenced, paper-and-pencil standardized test	1x/year	4/5 (Prof/Adv)	2012-13: baseline % 2013-14: +10 2014-15: +10 2015-16: +5 2016-17: +5
		Measures of Academic Progress (MAP) in Reading	Criterion-referenced, computer-based adaptivetest	3x/year	At/above grade level	Growth of ≥ 1.5 grade levels / year until grade level reached & maintained
		Scholastic Reading Inventory (SRI)	Criterion-referenced, computer-based adaptivetest	6x/year	At/above grade level	Growth of ≥ 1.5 grade levels / year until grade level reached & maintained
		Early Assess. Program (EAP) / CSU Eng. Prof. Test (EPT)	Standardized paper and pencil tests of college-entry-level reading & writing skills	1x/year 11 th and 12 th grades only	Score of Ready	2014-2015: baseline % 2015-16: +15 1016-17: +10
		CA HS Exit Exam (CAHSEE)	Criterion-referenced, paper-and-pencil standardized test	1x/yr 10 th , 2x/yr 11 th , 6x/yr 12 th as needed	Passing \geq 350, Prof \geq 380	2013-14: 75% passing, 50% prof; then +10 each year

Subject Area	Measurable Outcomes	Assessments	Type of Assessment	Frequency	Proficiency Goal	Annual Goal - % by Year
Math	Demonstrate mathematical mastery in an established sequence of math courses: Algebra 1 Geometry Algebra 2 + Individualized advanced math pathways through on-line college or AP courses (Statistics, Calculus, etc.)	California Standards Tests (CSTs) in: Algebra 1, Geometry, Algebra 2, Summative HS Math	Criterion-referenced, paper-and-pencil standardized tests	1x/year	4/5 (Prof/Adv)	2012-13: baseline % 2013-14: +10 2014-15: +10 2015-16: +5 2016-17: +5
		Measures of Academic Progress (MAP) in Math	Criterion-referenced, computer-based adaptive standardized test	3x/year	At/above grade level	Growth of ≥ 1.5 grade levels / year until grade level reached & maintained
		Early Assess. Program (EAP) / CSU Entry Level Math Test (ELM)	Standardized paper and pencil tests of college-ready math skills	1x/year 11 th and 12 th grades only	Score of Ready	2014-2015: baseline % 2015-16: +15 2016-17: +10
		California High School Exit Exam (CAHSEE)	Criterion-referenced, paper-and-pencil standardized test	1x/yr 10 th , 2x/yr 11 th , 6x/yr 12 th as needed	Passing \geq 350, Prof \geq 380	2013-14: 75% passing, 50% prof +10 each year

Subject Area	Measurable Outcomes	Assessments	Type of Assessment	Frequency	Proficiency Goal	Annual Goal - % by Year
Science	Demonstrate mastery in an established sequence of science courses: Environmental Science Biology Chemistry + individualized advanced on-line college or AP courses	California Standards Tests (CSTs) in: Biology Life Science Chemistry Physics	Criterion-referenced, paper-and-pencil standardized tests	1x/year	4/5 (Prof/Adv)	2012-13: baseline % 2013-14: +10 2014-15: +10 2015-16: +5 2016-17: +5
English Language Learning	Proficiency in English reading, writing, listening and speaking	California English Language Development Test (CELDT)	Criterion-referenced, paper-and-pencil standardized tests	1x/year	4/5 (Prof/Adv)	Growth of ≥ 1 proficiency level per year until prof.
		DynEd Embedded Assessments	Computer-based curriculum-embedded assessments	Daily	$\geq 80\%$ mastery	$\geq 80\%$ of students $\geq 80\%$ mastery
Social Science	Demonstrate mastery in an established sequence of social science courses: World History US History Government	California Standards Tests (CSTs) in World and U.S. History	Criterion-referenced, paper-and-pencil standardized tests	1x/year	4/5 (Prof/Adv)	2012-13: baseline % 2013-14: +10 2014-15: +10 2015-16: +5 2016-17: +5

Subject Area	Measurable Outcomes	Assessments	Type of Assessment	Frequency	Proficiency Goal	Annual Goal - % by Year
Spanish	Read grade-appropriate complex text in Spanish with fluency and comprehension, express complex ideas in non-fiction genres of writing, and employ correct grammar.	Spanish Benchmark Assessments	Mixed-format State-framework aligned assessments	4x/year	4/5 (Prof/Adv)	Growth of ≥ 1 performance level per year until prof.
Visual Arts	Demonstrate knowledge of visual arts elements and principles, as well as critical and creative thinking	Art Benchmark Assessments	Mixed-format Art CSET-aligned assessments	4x/year	4/5 (Prof/Adv)	$\geq 80\%$ Prof/Adv each year
Special Education	Students will meet all annual goals defined in the Individualized Education Plan (IEP	Tri and Annual Review Assessments	Diagnostic and criterion-referenced assessments	1x/year	Meeting all IEP goals	100% annually
Physical Health & Fitness	Students will understand the role of nutrition and exercise to their physical fitness and well-being, and will learn and practice healthy nutrition and physical activity habits and skills	California Physical Fitness Test (9 th grade)	Physical performance-based assessment	1x/year	Score of 5-6 on 6 point scale	2012-13: baseline % 2013-14: +10 2014-15: +10 2015-16: +5 2016-17: +5

Subject Area	Measurable Outcomes	Assessments	Type of Assessment	Frequency	Proficiency Goal	Annual Goal - % by Year
Lead & Succeed: College-Ready Learning Identity, Strategies and Skills	Students will demonstrate collaboration and communication skills, personal empowerment, accountability for their own learning and well-being, and commitment to the larger community; complete at least 1 college course during high school; basic technology skills in word processing, internet research, digital presentations (i.e. powerpoint), and informational analysis (i.e. excel)	Advisory Report Card	Summary document of all advisory course assessments	6x/year	>= 80% mastery	>=80% at/above 80% mastery each year
		Completion of >=1 college course during high school (>=10 credits earned on transcript)	College A-G credits earned	1x/year	Grade of A, B, or C in college-level course	100% of 12 th grade students annually (beginning in 2015-16)
		Technology Performance assessment	Performance-based assessment	1x, by graduation	>= 80% mastery	>=80% of students at/above 80% mastery
		College-Going Rates	Monitoring of college-ready graduation, college matriculation, and enrollment at beginning of 2 nd semester of first year	1x/year	Graduate college-ready, start and stay in first year of college	2015-16: 95% of seniors graduate college-ready 2016-17: 90% enter college and 80% still in college beginning of 2 nd semester

ELEMENT C: ASSESSMENT OF MEASURABLE PUPIL OUTCOMES

Governing Law: The method by which pupil progress in meeting those pupil outcomes is to be measured.

California Education Code 47605(b)(5)(C).

Assessments

LPS Richmond will utilize a comprehensive range of assessments to monitor pupil progress across the high school subjects and competencies, including state summative, diagnostic, interim, and formative assessments.

State Summative Assessments

LPS administers the California Standards Tests (CSTs), assessing grade level mastery in English Language Arts, Math, Science and History; the California Modified Assessments (CMAs) in those same subjects as appropriate for Special Education students per IEP specifications; the Early Assessment Program (EAP), by which students can test out of taking remedial college classes in English and math; the California High School Exit Exam (CAHSEE) in English language arts and math, and the California English Language Development Test (CELDT), by which students demonstrate progress toward English proficiency.

Diagnostic Assessments and Growth Measures

LPS uses NWEA's computer adapted MAP assessments, the SRI (Scholastic Reading Inventory) and the DynEd program to provide diagnostic data for teachers and course placement and to measure growth mid-year and in the spring. Students who are below grade level are expected to progress ≥ 1.5 grade levels each year.

Interim Assessments

LPS provides Network-wide interim assessments four times a year. These are standards aligned and have been correlated to the California Standards Test and other external measures including Advanced Placement exams, the California Foreign Language Framework, and Conley's "College Knowledge" framework. Data reports are used by teachers and administrators in regular cycles of inquiry and re-teaching after each assessment. Depending on the data, re-teaching may be whole class, small group, or individualized. Performance cut-points are re-calibrated for these assessments each year based on prior year correlation with CST scores, so that the results are strongly predictive of CST performance.

Many courses also include Network-wide unit assessments (math, science, history and Spanish) or modularized topic assessments (English conventions and grammar). Similar data is provided for monitoring and re-teaching.

College-Aligned Assessments

Either as part of the interim assessments or as a separate strand, many courses include assessments that have been backwards mapped from the California State University's Early Academic Placement (EAP) exams or freshman course requirements. These include Document

Based Questions (DBQs) in History, writing portfolios, and on-demand writing assessments in English, and critical readings and labs in science. Students enrolled in Advanced Placement courses participate in the AP exam as well as regular course assessments modeled after the AP tests.

Formative Assessments

In addition to teacher-made quizzes and assessments, LPS places considerable emphasis on just-in-time data through the use of daily exit tickets. Exit tickets may be paper and pencil short quizzes and summaries or may include the use of commercial audience response mechanisms (clickers). The LPS Network is developing a mobile and laptop application, ExitTicket that includes advanced “clicker” functionality and provides teachers and students with immediate data that is tracked and analyzed over time.

Instructional Improvement

In August, all LPS teachers meet three days before school to review the preceding year’s data and revise their achievement plans for the coming year. Two additional Network-wide days support the further development of instructional planning in course-specific groups. Data are presented in three ways:

- Summative data (CST, CAHSEE, MAP, CELDT, Grades) disaggregated by ethnicity, course, teacher, etc. for school-wide planning.
- “Looking Back Rosters” allowing teachers to see all of the data by student for each period and course from the preceding year.
- “Looking Forward Rosters” allowing teachers to see all of the data by student and class in order to plan for the coming year.

Throughout the year, LPS teachers meet weekly by subject area to collaboratively review student performance on weekly measurable objectives, share and develop instructional practices and materials, and tweak the instructional plan as needed for the upcoming week. Teachers complete a rigorous inquiry cycle around each quarterly interim assessment cycle, meeting before the exam to predict performance; directly following the exam to analyze performance, plan re-teaching, and design/select a re-assessment; and two weeks later to analyze and plan using the re-assessment results.

Student-Led Learning and Improvement

The use of exit tickets and just-in-time data is designed to engage students and help them become invested in accelerating their own performance. In addition, LPS has developed an approach called “Personalized Pathways” where students regularly review their own data and develop personal plans to improve their progress. These reports include “Pathways to College” which provides students regular reports on their credits, completion of A-G and graduation requirements, attendance, and tardies and engages them in planning their next steps. Other reports help them analyze diagnostic assessments and plan pathways to success on the CAHSEE and CST examinations. Each marking period, students reflect on their grades, attendance and test scores in Advisory and set and monitor goals for continued improvement.

Data-Driven Course and Intervention Placement

All freshmen participate in diagnostic testing using the Measures of Academic Progress (MAP) from the Northwest Evaluation Association. Based on this assessment and prior grades, and an additional Algebra test, they are placed in Algebra or Geometry. Most students in Algebra, based on MAP, are also placed into Academic Numeracy, a support course for Algebra that also backfills missing basic numeracy skills and spirals content from Algebra I.

Based on the summer MAP Reading test, low-performing students are given an additional reading assessment, the Scholastic Reading Inventory and the Burns and Rowe. Students scoring at 4th grade level or below are placed in Read 180 and/or an ELD course. All other students are placed in English 1 and Academic Leadership, an English support and study skills course. Beyond these courses, all LPS classes are heterogeneous with the exception of 11th and 12th grade AP courses.

All students are enrolled in intervention tutorials when they are falling behind in their courses or show weaknesses on CAHSEE diagnostic assessments. Daily mandatory homework sessions are held after school for those students failing to hand in homework. Every attempt is made to avoid course failure. In addition to interventions scheduled during the school-year, students in need of additional support or credit recovery are enrolled in summer school. Intervention placements change every 6-8 weeks based on updated student performance results.

Special Education students are identified at enrollment based on prior IEPs or go through the SST and Special Education assessment and placement process based on the recommendation of the parent or teachers.

Reporting

Data Director (LPS web-based assessment management system) provides teachers with real-time assessment results and the capacity to create reports combining all included metrics. Additional custom-built databases enable tailored reporting for all key stakeholders, including external partners, network and school leaders, teachers, students, and parents. These resources are an integral component of the LPS Richmond pupil progress monitoring system.

Data dashboards for network and school leaders (as well as other external partners such as the West Contra Costa Unified District Office) provide a graphical view of progress unfolding during and across school years. The School Accountability Report Card (SARC) is also prepared annually and posted on the school website. "Everything" rosters provided in Excel enable teachers to filter and sort by multiple measures (e.g. prior year CST, MAP grade level equivalency, benchmark performance level, and course grade) to identify and respond to students' learning needs throughout the year. Student-facing Academic Planners and reflection sheets engage students in reviewing, reflecting on, and setting goals for their own performance. Customized parent letters provide detailed information on student performance as well as tips for continuing to support student learning at home.

ELEMENT D: LEGAL ISSUES, GOVERNANCE & PARENTAL INVOLVEMENT

Governing Law: The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement.

California Education Code 47605(b)(5)(D).

Legal

LPS is a duly constituted California nonprofit public benefit corporation formed and organized in accordance with the California Nonprofit Public Benefit Corporations Law. As allowed by law, LPS will hold the charter and operate the School as it does other charter schools. The LPS Board of Directors holds ultimate authority for the School operations and will be responsible for any potential liability of the School. LPS is the School and there is no separate organizational entity operating or constituting the School. For example, all school employees are employees of LPS as one organization. Notwithstanding this one organizational structure, LPS will continue its nonprofit corporate existence even if this charter is revoked.

A copy of LPS' Articles of Incorporation, Bylaws and IRS 501(c)(3) Determination Letter are included as supplemental materials in Appendix E: Governance.

LPS shall operate autonomously from the charter authorizer, with the exception of the supervisory oversight. Pursuant to the Education Code Section 47604(c), the charter authorizer shall not be liable for the debts and obligations of the School operated as a California non-profit benefit corporation or for claims arising from the performance of acts, errors, or omissions by the School as long as the charter authorizer has complied with all oversight responsibilities required by law.

The School is nonsectarian in its programs, admissions policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against any student on the basis of race, ethnicity, national origin, gender or disability.

LPS has complied with all applicable federal, state and local laws, including the applicable sections of the Ralph M. Brown Act, the Political Reform Act, and the California Public Records Act, as required by law. Verification of Brown Act training is included in Appendix E.

LPS will retain its own legal counsel when necessary. It has purchased and maintains appropriate levels of general liability and other insurance, and names the charter authorizer as an additional insured. LPS is currently insured by ASCIP (The Alliance of Schools for Cooperative Insurance Programs), which insures many school districts in California.

LPS is responsible for implementing the Charter Schools Act and any other applicable laws in a good faith manner, and to cooperatively pursue any necessary waivers or approvals (e.g., any California State Board of Education requirements or the School's grant applications needing a

Local Educational Agency signature) necessary to implement the charter or seeking appropriate funding.

Governance

The School is governed by a Board of Directors (“LPS Board of Directors” or “LPS Board of Trustees”) whose members have a legal fiduciary responsibility for the well-being of the organization and the School.

This Board of Directors is composed of a broad cross-section of professionals with the skills necessary to appropriately oversee the operation of the organization. These members have, among other things, experience in education, business, technology, facilities, leadership development and organizational development. A Roster of the LPS Board Members and their biographies are included in the supplemental materials submitted in Appendix E.

Current Board members include Josefina Alvarado-Mena (CEO, Safe Passages), Cecily Cameron (Active in Community Affairs), Adam Cloth (Managing Partner, Rolling Hills Capital), Larry Cuban (Professor of Education, Stanford University), Sandy Dean (Partner, Sansome Partners), Marsha Dugan (Active in Community Affairs), D'Lonra Ellis, Esq. (Gap), Karen Eulloqui (student, LPS San Jose), Mutiu Fagbayi (Pres., CEO, Performance Fact), Karene Gray (parent, LPS College Park), Heather Hiles (CEO, Pathbrite and LPS Board Secretary), Mark Kushner (VP, K12 Inc.), JR Matthews (Managing Director, Tregaron Capital and LPS Board Chair), Stu McLaughlin (Partner, Sansome Partners and LPS Board Treasurer), Ana Olazava-Broadbent (LPS San Jose Counselor), Jack Selby (Co-founder, Clarium Capital Management, Inc.), Nicole Sheehan (Active in Community Affairs), Alex Terman (Founder & CEO, Digital Parent and LPS Board Vice Chair), Ricardo Toyloy (Citibank), and Louise Waters (Superintendent & CEO, Leadership Public Schools and LPS Board President). LPS Bylaws provide for a teacher member, parent member, student member and alum on the Board of Directors.

The method of Board election, terms and replacement are all addressed in detail in the LPS Board of Directors Bylaws. Director terms are three years and are staggered. Vacancies are filled by a nominating committee, and approval requires a majority vote by the Board of Directors as required under the law. LPS agrees to provide copies of any changes to the Bylaws to the charter authorizer.

As further outlined in the Board’s Bylaws, the Board of Directors is responsible for:

- Upholding the mission and charters of LPS,
- The general policies of LPS,
- Approving and monitoring of the School’s annual budget,
- Review and approval of the School’s independent fiscal audit, including the resolution of any audit findings,
- Receipt of funds for the operation of the School in accordance with the charter school laws,
- Solicitation and receipt of grants and donations consistent with the mission of LPS,
- Overseeing the sound operation of a hiring system,

- Approving LPS' personnel policies and monitoring the implementation of these policies by the CEO, Principal or other designee,
- Approval of all changes to the charter to be submitted to the Authorizer as necessary in accordance with applicable law,
- Long-term strategic plan for the School and network, and
- Any other responsibilities provided for in the California Corporations Code, the Articles of Incorporation, Bylaws, and applicable sections of the Ed Code, this charter necessary to ensure the proper operation of the School.

The LPS Board of Directors may initiate and carry out any program or activity that is not in conflict with or inconsistent with any law and which is not in conflict with the purposes for which charter schools are established. The Board of Directors may execute any powers delegated to it by law, and shall discharge any duty imposed by law upon it and may delegate to an employee of the School any of those duties. The Board, however, retains ultimate responsibility over the performance of those powers or duties so delegated.

Responsibility of LPS Management

To the extent allowable by law, the Board of Directors may delegate the implementation of its duties to the employees of the organization or other responsible parties.

At the current time, consistent with best practice, the LPS Board of Directors oversees operations but delegates day-to-day authority to the Chief Executive Officer of LPS, who is responsible for the day-to-day operations but may delegate certain responsibilities to other staff, including the Chief Financial Officer, the Vice President for Human Resources, the Director of Operations, their staff, other administrators, and to the Principal at the School.

The Principal may delegate his or her responsibilities further to other school site staff such as the Deans, counselors, office manager, academic department leads and/or teachers. Within the context of the LPS Board policies as outlined in the LPS Operations Guide, current school responsibilities include hiring, instructional plan and supervision, student discipline up to suspension, and discretionary budget management.

The Principal is the senior authority at the school site but the final management authority resides with the Chief Executive Officer and the ultimate overall organizational authority resides in the LPS Board of Directors, as indicated above. This is separate from the oversight responsibilities of the charter authorizer under the Charter Schools Act.

Parental Involvement in Governance and Operation of School

Parents are included in the governance and operation of the school by the creation of an active Parent/Guardian Association (PGA), parent membership on the School Site Council ("SSC") and representation on the LPS Board of Directors. Communications include website updates, PGA Newsletters, monthly PGA meetings, parent-teacher conferences, volunteer opportunities, fundraising, and school surveys, among other things.

All LPS parents are automatically members of the PGA. The PGA serves as a means for parents to support the School and the education of their children, learn more about School activities and needs, and be more involved with the governance and operations of the school by serving as a forum for voicing their concerns and suggestions about both day to day operations and overall policy. Translators are provided when needed. The PGA is also encouraged to utilize the Parent Representative on the LPS Board of Directors for involvement in broader School policy issues.

In addition, parents are also involved with the governance and operation of the School via a School Site Council (“SSC”), in compliance with regulations for Title I and other federal funding. The SSC is comprised of representatives of all School constituencies, including parents, students, teachers and administrators. The SSC participates in reviewing and proposing school and LPS policies, soliciting the views of all their respective constituencies, sharing in the efforts to improve the school and engaging the support of the community. The SSC is valuable governance advisory body for the Principal. Except for those responsibilities legally delegated or, as mentioned above, all formal and legal governance responsibility for LPS resides with the LPS Board of Directors.

LPS is committed to working with parents to address parent concerns. Parents are encouraged to share their ideas and concerns with LPS throughout the school year, both directly and via the PGA, SSC and Parent Representative on the LPS Board of Directors.

ELEMENT E: EMPLOYEE QUALIFICATIONS

Governing Law: The qualifications to be met by individuals to be employed by the school.

California Education Code 47605(b)(5)(E).

LPS recruits professional, effective and qualified personnel to serve in administrative, instructional support and non-instructional support capacities. All of the School’s employees play a key role in creating a positive school culture and effective learning environment which empowers students academically.

LPS requires fingerprint background clearance and TB clearance on all employees, and all teachers and staff meet the legal requirements for employment, including applicable credentialing requirements. Updated proof of teacher credentialing and satisfaction of teacher requirements are included in Appendix G.

Employee personnel policies, contact lists, and organizational charts are included in Appendices G: Employment / HR

Administrator and Support Staff Qualifications

Administrators at the School may include a Principal, Academic Dean or Assistant Principal, Dean of Student Life, Counselor and/or College Counselor, full or part-time Technology Coordinator, and a School Office Manager.

The Principal is the instructional leader, key person at the School responsible for supervising the teachers and non-instructional staff at the school and is responsible for guiding the School student achievement outcomes as outlined in the Educational Program.

The current required qualifications for a LPS Principal include proven effectiveness and alignment with the LPS vision:

College Ready Curriculum

- A-G curriculum = all students graduate course-eligible for UC / CSU
- LPS exit proficiency = CSU criteria for placement without remediation
- Personalization = Advisory pairing teachers and students for four years
- College Access Resources = rigorous content and literacy simultaneously

College Ready Supports

- Personalization = small classes and on-going progress monitoring through four-year Advisory
- Academic Reading, Writing, Research and Study Skills = embedded in all courses
- Intensive freshman induction year
- Targeted Afterschool Interventions
- Personalized Pathways to College program = diagnostic data and computer assisted support

College Ready Culture

- Personalization = close student-teacher relations and tailored academic programs
- School culture = clubs, activities, athletics and community celebrations
- LPS Signature Experiences = Freshman Leadership Retreat, College Tours, Senior Internships

Additional qualifications currently include:

- 2 years of successful educational administrative experience, preferably as a principal or vice principal of an urban high school
- 3 or more years of successful experience teaching in an urban district
- A commitment to access and to rigorous learning for all students
- A sense of urgency in addressing the needs of our students
- Experience with engaging and motivating urban youth
- Expertise as an instructional leader; knowledge of instructional strategies that accelerate the achievement of underperforming students, English learners and special education students
- Experience with change management and data-based reflective practice
- Experience managing a budget, facilities, schedules and other operational tasks
- Ability to communicate effectively orally and in writing

- Ability to speak Spanish in schools with predominantly Latino/a populations
- Success in leading a cohesive team with a strong cultural perspective
- Comfortable with a charter environment of flexible roles

Principal

Responsibilities:

- Instructional Leadership – serve as the instructional leader of the school: use data to improve teaching and learning, coach teachers, implement curriculum and assessments.
- General administration, management and leadership of school site – oversee the daily running of the school, address discipline / behavior issues with the Dean of Student Life, oversee student support programs, oversee schedules, manage budgets, coordinate with the home office and strategic planning.
- Planning and Accountability – manage program plans and monitoring, single plan for student achievement, WASC and other accountability reporting.
- Recruit, build and manage a collaborative faculty team.
- Build a culture of high academic and behavioral expectations and an environment that embraces and supports the diversity of cultures and languages represented in the school.
- Community Relations – build relationships with families, local institutions and the West Contra Costa Unified School District.
- Research and Development – maintain partnerships with foundations, entrepreneurs and educational technology companies participating in the LPS Richmond process. Support the involvement of students and teachers in innovation projects.

Academic Dean

Responsibilities:

- Provide academic support to designated teachers.
- Serve as an instructional leader – use data to improve teaching and learning, coach teachers, implement curriculum and assessments.
- Participate as key member of the school's leadership team, serve as part of the administrative cabinet, work with the community, and mentor teacher-advisors supporting curriculum development and implementation.
- Use data to design and implement intervention programs.
- Facilitate standardized assessments and testing.
- Monitor student achievement, transcripts and attendance.
- Manage registration and scheduling of students.
- With the principal, monitor IEP and 504 plans and attend scheduled IEP meetings.
- Build and sustain a culture of attending college.
- Assist the principal in classroom observations and evaluations.
- Serve as a BTSA Induction coach.
- Lead professional development and collaborations.
- Participate in parent conferences, enrollment outreach sessions, parent association meetings, and other types of community outreach.
- Foster a college-going environment.
- Fulfill other duties as needed to best serve our students.

Dean of Student Life

Responsibilities:

Oversee Student Discipline Program

- Foster a caring school environment.
- Work with students and the school community to create a safe and supportive academic culture.
- Review and implement discipline policies.
- Make recommendations for specific student disciplinary consequences.
- Monitor system for recording student disciplinary behavior and actions.
- Work with advisors on effective leadership and support strategies.
- Work with teachers on effective approaches to classroom management.
- Monitor student attendance and recommend appropriate responses.

Manage Academic Intervention and Support

- With principal and other staff, monitor grades and make recommendations regarding specific and tailored interventions.
- With principal, monitor student credits and college requirements.
- Assist with state standardized tests and internal testing of students.
- Communicate with families regarding academic issues.

Coordinate Student Activities and Forge Connections with the Broader Community

- With principal and other staff, coordinate and monitor student activities.
- Oversee athletic program and clubs.
- Design and facilitate student retreats and other field trips.
- Build partnerships with regional community organizations.
- Develop and sustain relationships with future, current, and alumni parents.
- Serve as a liaison to the Parent Guardian Association.
- Fulfill other duties as needed to best serve our students.

College Counselor

Responsibilities:

Supporting students in navigating college preparation, application and enrollment process

- Design and implement a research-based comprehensive four year plan to support students' preparation for college (College Readiness Plan)
- Use a variety of approaches to communicate messages; advisory, grade level, whole school and individual planning - giving priority to small group sessions
- Provide trainings for teachers in the key components of the College Readiness Plan; provide ways to embed college knowledge in curriculum

Supporting Parents

- Develop and implement a four year plan for parents that aligns with the student plan from pre-disposition to student's college acceptance
- Conduct parent meetings and information sessions
- Provide grade level topics for parent meetings
- Use an asset based approach; build on parent's cultural capital
- Conduct or provide opportunities for parent education programs

Outreach

- Participate and coordinate enrollment sessions with local middle schools

- Collaborate with and seek out community resources for student supplemental programs such as academics, community services, internships

Monitoring and Reporting

- Develop a transparent system of monitoring students on-track or off-track for college acceptance and communicate regularly to the administration team
- Monitor student's progress, completing their four year plan (especially grades, tests, etc.)
- Collaborate and coordinate with Deans and Teachers to get academic support for students
- Compile and complete college acceptance data for LPS Richmond and LPS network reports
- Coordinate with Beyond 12 to track College Persistence data

Intervention Counselor

Responsibilities:

- Assisting all students, individually or in groups, with developing academic and personal/social skills, goals and plans
- Initiating academic interventions for struggling students to improve progress towards high school graduation and college attendance
- Fostering a college-going environment, support students' successful transition to college, and provide care and support for students
- Supporting the LPS Richmond team by conducting and facilitating conferences and in-service programs
- Fostering links between college admission student services and campus life
- Coordinating academic interventions for struggling students
- Attending and providing leadership at Student Study Team meetings as appropriate
- Collaborating with tutors and academic volunteers
- Providing the necessary professional skills to assist students and communities in safe and healthy problem solving and conflict resolution and responding to crisis situations
- Working with students and families and to develop support for intervention program
- Working with school staff to determine appropriate student placement in educational programs
- Developing an intervention services program
- Monitoring student academic performance, behavior, and attendance and assisting with appropriate interventions
- Implementing an effective referral and follow-up process; maintaining community resources list
- Serving as a resource & liaison for teachers, staff, parents, and community social service agencies
- Accurately and appropriately using assessment procedures for determining and structuring individual and group intervention services
- Maintaining records to document interactions, interventions, and decisions along with records based on ethical and legal guidelines
- Conducting or providing opportunities for parent education programs
- Fulfilling other duties as needed to best serve our students.

School Office Manager

Responsibilities:

- Manage all aspects of attendance and student records (accurately maintain student database and attendance records).
- Maintain calendar for principal and school.
- Handle schedules and juggle multiple priorities and tasks.
- Screen principal's mail and phone messages.
- Demonstrate clear understanding of confidentiality.
- Take incoming calls and make necessary outgoing calls, receive visitors and parents, answer questions or direct to appropriate resource.
- Maintain inventory of office and school supplies: requisitions, receive and distribute materials and supplies according to established procedures.
- Manage substitute teacher process.
- Supervise student and temporary workers.
- Demonstrate knowledge of and support for LPS mission, vision, standards, policies and procedures, confidentiality standards and the code of ethical behavior.
- Proofread reports and documents for accuracy, completeness and conformance to established procedures and audit requirements, including Official Transcripts and attendance documents.
- Translate documents from English to Spanish and handle parent translation as appropriate and needed (if Office Manager is Spanish speaking).
- Perform related duties as best needed to serve our students.

Enrollment – Outreach & Afterschool Program Coordinator

Outreach Coordinator Responsibilities:

- Implement an outreach plan to inform prospective urban students targeting LPS programs and student success to meet enrollment goals.
- Establish and track key metrics and milestones to evaluate strategies and improve enrollment.
- Manage application process including communicating with families.
- Maintain admissions files and PowerSchool data.
- Build and foster community partnerships in order to bring services to the school site.
- Increase parent involvement in the school by working closely with all school, parent and community organizations.
- Conduct outreach to engage parents in their child's education with school events and create a welcoming school environment to parents.
- Attend parent meetings along with the principal, where appropriate providing translation.
- Prepare written materials for the purpose of documenting activities and conveying information.
- Recruit parent volunteers for the purpose of assisting the school in its activities.
- Seek out and visit parents of children new to the community for the purpose of helping bridge communication between home, school and community.
- Maintain a high level of ethical behavior and confidentiality of student and parent information.

Afterschool Program Coordinator Responsibilities:

- Build and foster community partnerships in order to bring services to the school site.
- With the consultation of the principal, recruit, hire, and supervise after school staff.
- Coordinate linkages between the regular school day program and the after school program.
- Identify benchmarks on which to measure the success of the program and monitor effectiveness of program to continually advance the program.
- Monitor attendance in the after school program.
- Monitor the guidelines set forth in the grant proposal.
- Provide direct supervision of students in afterschool program by offering class, substituting or co-leading an activity.
- Fulfill other duties as needed to best serve our students.

Technology Coordinator

Responsibilities:

- Set up and maintain all computer resources for students, teachers, admin, and labs
- Work collaboratively with other site technology coordinators, manager of systems admin, and Director of Technology
- Train staff and students, integrating technology to support instruction and curriculum
- Work with the PowerSchool database, scheduling, attendance, and grading software
- Manage the LPS Richmond infrastructure and network, maintain physical connections and availability
- Fulfill certain priorities set by the operations team and report to the director of technology for LPS-wide initiatives
- Attend staff trainings and meetings as required
- Work with students on student clubs
- Work with teachers on tech issues/integration in classrooms
- Fulfill other duties as needed to best serve our students.

Teacher Qualifications (Including California Credentialing and NCLB Compliance)

LPS hires the finest teachers available who are committed to our mission.

The most important qualifications for LPS teachers are:

- Academic expertise & enthusiasm for content area (English, Math, Science, Spanish, Art, etc)
- Record of effective teaching and high achievement in the classroom
- Experience using assessment data to refine curriculum and inform instruction
- A passion for teaching that provides vital energy to improve the minds and lives of students
- Evidence of professional reflection and collaborative work
- Experience in urban schools
- Experience teaching with varied instructional strategies
- Appropriate CA teaching credential with EL authorization
- A commitment to both excellence and equity
- Ability to work under pressure and adapt easily

- Willingness to contribute to student activities, instructional office hours, and school committee
- Comfortable with a charter environment including flexible roles

LPS shall comply with California Education Code Section 47605(1), which states in pertinent part:

Teachers in charter schools shall be required to hold a Commission on Teacher Credentialing certificate, permit or other document equivalent to that which a teacher in other public schools would be required to hold. These documents shall be maintained on file at the charter school and shall be subject to periodic inspection by chartering authority. It is the intent of the Legislature that charter schools be given flexibility with regard to non-core, non-college preparatory courses.

Recruitment, Selection, Development and Evaluation of Educators

Effective instruction is at the center of the LPS educational program. The faculty consists of well-prepared and certified teachers. All core teachers meet the No Child Left Behind Act requirements.

LPS Principals and Human Resources are committed to hiring the best possible candidates as teachers and administrators. LPS recruits through various local, state and organizational sources, including EdJoin, Universities, Teach For America, New Leaders for New Schools, and referrals. Screening interviews, site interviews, teaching demonstration, and references are conducted prior to extending employment offers. Principals are the hiring managers in consultation with the VP of HR. Each position is verified within the budget prior to offer.

LPS teachers are encouraged to pursue LPS Accomplished and Master Teacher status during their career. Professional development and teacher collaboration is scheduled on a weekly and on-going basis on site, with additional LPS network wide professional development and collaboration days, to support teachers throughout their career.

Professional Development

LPS attracts and retains talented teachers by sharing an exciting vision commitment to excellence and creating a professional environment where staff can learn and grow along with their students. To that end, LPS invests heavily in professional development for our staff. Our talented staff are committed to continuing their own learning and refining their practice to stay current in the field ensuring a quality education for all. LPS has weekly collaboration and school site professional development in addition to up to ten professional development days each year. These may include 6 days of summer training to become fluent with our culture and program and 4 days of staff development interspersed throughout the academic year.

Professional development and collaboration occurs on a weekly basis at the site level, virtually, and in person across the four schools of the Leadership Public Schools network. There are also weekly meetings focusing on teaching and learning, and time set aside for teacher collaboration

on a weekly basis. Professional development includes cycles of inquiry analyzing the various types of assessment data as well as professional learning communities that continually refine and improve the implementation of the Common Spine.

Principals participate in monthly professional development principal meetings with the LPS Education Team. In addition, Principals participate and/or facilitate LPS network PD and annual retreat planning sessions.

Teacher Performance and Professional Development

LPS teacher effectiveness expectations are defined by the LPS Effective Teaching Rubric which, in turn, was based on Kim Marshall's Effective Teaching Rubric. The Rubric is included in the supplemental materials provided in Appendix G: Employment / HR. This forms the basis for teacher goal setting, observation, and evaluation. Teachers who are not making adequate progress go onto a Performance Assistance plan and are supported by peer coaches as well as an administrator. The rubric also provides a framework for ongoing walk-throughs and peer observations which are not part of the evaluation system but rather form the basis for teacher inquiry.

The LPS Effective Teaching Rubric also forms the basis for the LPS Career Ladder of Novice, Proficient, Accomplished, and Master Teacher. Master Teacher candidates submit a portfolio demonstrating expert level teaching in four domains of the rubric: Planning, Preparation and Delivery of Instruction (25%); Assessment, Monitoring and Follow Up (20%); Classroom Management and Culture (10%); Professionalism and the Leadership Way (15%). An additional section, Student Achievement (30%) includes attainment and growth measures as well as evaluation of student work. The portfolio includes both artifacts and videos. In June, a Network-wide peer-review panel of four teachers and four administrators makes promotion decisions to Master Teacher status based on a review of the portfolio and a question-and-answer session with each candidate.

The Master Teacher designation represents both a role and the achievement of an Expert level of teaching on the LPS Effective Teaching Rubric. The process to become a Master Teacher includes the following components:

- Preparation of a portfolio demonstrating Expert-level teaching on the LPS Effective Teaching Rubric and student achievement. The portfolio draws from the processes of National Board Certification but is not identical.
- Review by a panel composed of four teachers and four administrators with representation from all sites and across subject areas. Included in the review is a presentation to the panel allowing panel members to ask clarifying questions from their prior portfolio review. The review protocols draw on the University promotion process.
- Design of an individualized Master Teacher role description in tandem with the site principal.

Evaluation of Teachers and Administrators

Teachers are observed informally on a regular basis with two formal observations annually. A formal evaluation based on criteria from the LPS Effective Teaching Rubric and goal setting sessions occurs annually with a mid-year evaluation for new and emerging teachers. Principals are evaluated annually by the Superintendent - CEO with a midyear data review.

LPS is committed to compensating teachers for experience, competency, professional advancement, continuous learning, and demonstrated skill acquisition. There are four specific components to our structure: base pay, supplements for professional certifications, responsibility stipends, and group performance-based recognition.

Compensation

Base Pay Scale: LPS program includes placement based upon experience with step increases. Teachers move across pay columns based on attaining elements of LPS Teacher Career Ladder Rubric. **Group Performance-Based Recognition Programs:** LPS offers two performance-based group recognition programs, a Gainsharing Bonus and an Academic Performance Bonus. All school employees working half-time or more are eligible to participate, with bonuses pro-rated for part-time or partial-year staff. The bonuses are paid at the end of September and are paid only to returning staff, in order to encourage retention.

ELEMENT F: HEALTH & SAFETY PROCEDURES

Governing Law: The procedures that the school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the school furnish the school with a criminal record summary as described in Section 44237.

California Education Code 47605(b)(5)(F).

The Principal is responsible for the oversight of the facilities maintenance and for ensuring a healthy and safe learning environment for students. The Principal is supported by LPS' Director of Operations who negotiates janitorial and building maintenance contracts and works with the School District on deferred maintenance and regulatory inspections.

LPS' insurance provider, Alliance of Schools for Cooperative Insurance Programs (ASCIP), provides onsite safety audits and risk management training. ASCIP regularly distributes safety alerts to keep members abreast of current safety issues and trends as well as offers regular risk management and safety trainings including OSHA training for asbestos and lead awareness.

In the event of a maintenance issue or the discovery of unsafe/hazardous conditions, staff must contact the Principal, school manager, or LPS Director of Operations. All employees are responsible for communicating the discovery of potential workplace hazards or unsafe conditions as soon as possible. A Classroom hazard checklist is available in the Appendix of the Emergency Response Guide to aid this effort. These issues are addressed promptly by the administration of LPS Richmond.

Health and Safety

Background Checks

The School complies with all provisions and procedures of Education Code 44237 and 45125.1 regarding Fingerprints and Criminal Records Summary. Each new employee having contact with minor students and not possessing a valid California Teaching Credential must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary (LiveScan fingerprinting may be used as an alternative).

Vendors, consultants and volunteers, who have direct exposure to students outside the direct supervision of a credentialed employee are fingerprinted and receive background clearance prior to working with or around students.

Role of Staff as Mandated Child Abuse Reporters

All staff are mandated child abuse reporters and follow all applicable reporting laws, the same policies and procedures used by the Authorizer.

TB Testing

LPS follows the requirement of Education Code Section 49406 in requiring tuberculosis testing of all employees.

Medication in School

The School adheres to Education Code Section 49423 regarding administration of medication in school. Parents are to notify the school if their child is on continuing medication. This notification shall include the completed LPS Medicine Distribution Consent form. Forms for administering medication may be obtained from the school manager. This form must be renewed annually or whenever the prescription changes.

Immunizations and Screenings

As required by federal or state law, the school provides screening for student vision, hearing and scoliosis, and students show the required proof of immunization pursuant to Health and Safety Code Sections 120325-120375, and Title 17, California Code of Regulations Sections 6000-6075. The School maintains records of legally required tests and immunizations of students and/or staff.

Drug Free/Alcohol Free/Smoke Free Environment

The School functions as a drug, alcohol and tobacco free workplace.

Bloodborne Pathogens

LPS meets state and federal standards for dealing with bloodborne pathogens and other potentially infectious materials in the workplace. LPS has a written infectious control plan and provide training to staff to protect employees and children from possible infection due to contact with bloodborne viruses, including human immunodeficiency virus (HIV) and hepatitis B virus (HBV).

Whenever exposed to blood or other bodily fluids through injury or accident, children and staff should follow current medical protocol for disinfecting procedures.

More detailed information on LPS Health and Safety Procedures can be found in Appendix F: Management, Enrollment, and Operations.

Emergency Preparedness

LPS is committed to providing a safe school environment and has included a draft Emergency Response Guide that addresses emergency procedures in the event of earthquakes, fire, floods, shootings, and electricity loss. The School maintains 3 days of emergency food and water supplies on campus as well as an emergency lock down kit for each classroom.

Facility Safety

The School utilizes facilities that are compliant with the Americans with Disabilities Act and meets the building requirements described in Education Code 47610-47610.5. The School tests sprinkler systems, fire extinguishers, and fire alarms annually at its facilities to ensure that they are maintained in an operable condition at all times. The School also conducts fire drills as required under Education Code Section 32001 and in conjunction with the District (if located in District facilities).

Comprehensive Sexual Harassment Policies and Procedures

LPS is committed to providing schools that are free from sexual harassment, as well as any harassment based upon such factors as race, religion, creed, color, national origin, ancestry, age, medical condition, marital status, sexual orientation, or disability. The School has adopted the Authorizer's comprehensive policy to prevent and immediately remediate any concerns about sexual discrimination or harassment at the School (including employee to employee, employee to student, and student to employee misconduct). Misconduct of this nature is very serious and is addressed in accordance with the sexual harassment policy, included in the Employee Handbook.

The School will continue to develop and refine further health, safety and risk management guidelines in consultation with its insurance carriers and risk management experts as well as incorporate recommendations from the District. For additional facilities and operational procedures and emergency plan information please refer to Appendix I for the Emergency Response Guide and Facilities Plan.

ELEMENT G: MEANS TO ACHIEVE RACIAL & ETHNIC BALANCE OF DISTRICT

Governing Law: The means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.

California Education Code 47605(b)(5)(G).

Consistent with the intent of the charter law, LPS strives to ensure that the student population at the school roughly represents the population of WCCUSD's Richmond schools with outreach and monitoring efforts that may include, among other things:

- A multi-part enrollment process and lottery as described below,
- Access to School District middle schools to make presentations and provide orientation material to the same extent as other district high schools,
- Outreach through presentations at community organizations, independent schools, faith-based organizations, charter schools with a particular emphasis on those serving Richmond's African American community, and local youth organizations,
- Collaboration with community-based organizations to support outreach efforts,
- Use of brochures, newsletters, TV/Radio public service announcements, print and non-print media for outreach communications, and
- Distribution of materials in languages in English and Spanish, and other frequently spoken languages.

ELEMENT H: ENROLLMENT REQUIREMENTS

Governing Law: Admission requirements, if applicable.

California Education Code 47605(b)(5)(H).

The following admission requirements are intended to create informed applicants who want to attend the School and are committed to the School program: (1) attendance at an enrollment information session or participation in a home visit by LPS staff; (2) completing a written application.

LPS is committed to maintaining a diverse student body. To attain our vision of a racially and economically diverse student population, including traditionally underserved students, English Learners and Special Education students, we use a multiple targeted recruitment and outreach strategies designed to reach out to underserved. These strategies are outlined in the Recruitment and Enrollment Plan included in Appendix F.

Admission shall be open to any California resident who wishes to attend the School, including Special Education students and English language learners. If the number of students interested in attending the School exceeds the School's capacity, enrollment for those grade levels shall be determined by a public random drawing ("lottery") as required by law.

Preferences in the lottery shall be given in the following order:

1. Siblings of enrolled students and alums.
2. Children of LPS staff.
3. Students who reside within WCCUSD.

4. 7th grade students at the Far Below Basic and Below Basic level in math or reading (only if a middle school is added)

A waiting list of applicants at each grade level shall be maintained to fill vacancies that occur during the school year. LPS may also add enrollment preferences specifically required by charter school facility subsidy programs such as SB 740 and state bond programs (e.g., preferences for specific attendance areas).

As indicated previously, the School is nonsectarian in its programs, admissions policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against any student on the basis of race, ethnicity, national origin, gender or disability.

Subject to further refinement and adjustment, the timeline for student enrollment applications shall be:

October through February

- Extensive student outreach as provided in outreach plan included in supplementary information.

March

- Deadline for student applications.
- Student enrollment determined (per public random drawing if more students apply than school capacity at any grade level).
- Wait list created in the order drawn in lottery.
- Students notified of enrollment/wait list status.

March through August

- Students accept/reject enrollment.
- Additional lotteries conducted as needed if waiting list is exhausted.
- Incoming Class is finalized.
- Orientation Letters sent regarding Leadership Retreat dates and School policies.
- Welcoming letter sent to families introducing Advisor and details regarding LPS Retreat.
- Pre-opening Parent Association get-together.
- School Opening.

ELEMENT I: AUDIT AND FISCAL ISSUES

Governing Law: The manner in which annual, independent, financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority.

California Education Code 47605(b)(5)(I).

Annual Audit

An annual independent financial audit is conducted by a certified public accountant with education finance experience using generally accepted accounting principles. The Treasurer and/or Chief Financial Officer of LPS is responsible for contracting and overseeing the independent audit, and LPS will provide a copy of the audit report to the charter authorizer, State Controller, WCCUSD, the State Superintendent of Public Instruction, the California Department of Education, and the California State Board of Education within 30 days of completion, or no later than December 15 of the fiscal year following fiscal year of audit. LPS' Treasurer, Chief Financial Officer or other designee will resolve audit exceptions and deficiencies to the satisfaction of the Charter Authorizer in a timely fashion, with the goal of resolving any audit issues within three months of the auditor's final report or as otherwise agreed upon by the charter authorizer and Charter School. Disputes regarding the resolution of audit exceptions and deficiencies shall be resolved in accordance with the dispute resolution provisions discussed below.

Fiscal Issues

LPS has developed and the LPS Board of Directors approve balanced budgets prior to each fiscal year. Annual budgets will contain reserves and will be submitted to the charter authorizer, WCCUSD, and any other entities as required by law.

LPS may receive funding in accordance with Education Code, Charter Schools Act and other appropriate laws, and will opt to receive funding directly from the State. These funds may include, but are not limited to, general purpose block grant, in lieu of economic impact aid; the California State Lottery; categorical block and non-block grants; charter school funding from the California Department of Education, the federal government or other sources; and any other available or mutually agreeable sources of funding for programs. LPS expects that any funds received by the charter authorizer and due to the school will be forwarded to LPS in a timely fashion.

Financial Reporting

The Charter School shall provide reports to WCCUSD as follows, and may provide additional fiscal reports as requested by the WCCUSD:

1. By July 1, a preliminary budget for the current fiscal year.
2. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. Additionally, on or before December 15, a copy of the Charter School's annual, independent financial audit report for the preceding fiscal year shall be delivered to the District, State Controller, State Department of Education and WCCUSD Superintendent of Schools.
3. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.

4. By September 15, a final unaudited report for the full prior year. The report submitted to the WCCUSD shall include an annual statement of all the Charter School's receipts and expenditures for the preceding fiscal year.

Verifiable Internal Procedures and Controls to Ensure Conformance with Budgets

LPS has verifiable internal procedures to insure compliance with approved budgets. Commencing with the budget process through approval, stakeholders are involved in the formation of the budgets, hiring of staff and other personnel decisions. This budget process is culminated in a board approval of the budget. After the approval and with the commencement of the new fiscal year, monthly budget to actual reports are submitted to each department chair and monthly budget to actual reports are submitted to the CEO and board for review and approval. District oversight also assists with budget maintenance and the process is culminated in the annual audit.

Memorandum of Understanding

LPS has negotiated in good faith to develop a Memorandum of Understanding that establishes the specific financial and service relationship between the School and the charter authorizer. LPS hopes that this Memorandum of Understanding will accomplish the following, among other things:

- Address funds transfer and fiscal oversight procedures,
- Transfer of course credits for the School's classes,
- Address enrollment outreach efforts (e.g., access to middle schools),
- Indicate the charter authorizer services, if any, and opportunities that will require a fee, and
- Enable the efficient and fair resolution of disagreements or disputes between LPS and the charter authorizer.

As required by law, LPS anticipates that the charter authorizer will provide and/or perform the supervisory oversight tasks and duties specified and/or necessitated for the implementation of this charter for a fee representing documented actual costs that will not exceed one percent of the general purpose block grant and categorical block grant funds of LPS Richmond, unless the charter authorizer provides a substantially rent-free facility. In that case, under the Charter School Act, the charter authorizer can charge up to three percent of the general purpose block grant and categorical block grant funds representing documented actual costs of supervisory oversight.

Additional budget sheets and finance procedures are outlined in Appendix H: Finance.

ELEMENT J: PUPIL SUSPENSION AND EXPULSION

Governing Law: The procedures by which pupils can be suspended or expelled.

California Education Code 47605(b)(5)(J).

The procedures for suspension and expulsion includes appropriate due process, are specific and clear and are compliant with state and federal laws governing discipline of special needs students. The bottom-line purpose of the suspension and expulsion procedures is to ensure a safe and effective learning environment while supporting the educational and behavioral needs of the disciplined student to the degree possible. Informed by district processes and best practice, specific suspension and expulsion procedures will be revised from time to time.

The current suspension and expulsion procedures, subject to LPS Board approval and revision in the future to ensure policies are up-to-date with current law and as necessary based upon the School's practical needs are included in the Student and Family Handbook in Appendix F. In the case of the recommendation for suspension and/or expulsion of a student identified under the Individuals with Disabilities Education Improvement Act or for whom there is a basis of knowledge by the LPS of qualification under the same, LPS will conduct a manifestation determination.

Students who are involuntarily transferred or expelled from LPS shall be responsible for seeking alternative enrollment within their district of residence. Pursuant to Education Code 48915.1 (b), LPS has the obligation to inform any school district(s) in which an expelled student may seek to enroll of this expulsion from Leadership Public Schools. LPS believes that a student seeking enrollment in a district school should be considered for enrollment under its policies and procedures related to the re-enrollment of involuntary transfers or expelled pupils. LPS accounts for suspended or expelled students in its average daily attendance accounting as provided by law.

The full text of the LPS Suspension and Expulsion policies is included in Appendix F: Management, Enrollment, and Operations.

ELEMENT K: RETIREMENT SYSTEM

Governing Law: 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.

California Education Code 47605(b)(5)(K)

Retirement benefits are the responsibility of LPS. Employees of LPS have access to retirement plans according to the policies established by the LPS Board of Directors and applicable law.

Employees of LPS who qualify for membership participate in the California State Teachers Retirement system ("STRS"). LPS implements all applicable STRS policies and procedures,

including policies regarding mandatory and permissive membership in STRS for eligible school staff. Employees who participate in STRS are exempted from participating in federal social security.

LPS offers the LPS 401(a) Retirement Plan (“401a Plan”) to all employees who do not participate in STRS; generally administrative and classified staff participate in the 401a Plan. The IRS has issued a determination letter confirming that LPS’ 401a Plan serves as a qualified alternative to federal social security, which was previously submitted to the board with the initial charter petition and has not been changed or modified. Therefore, participants in the 401a Plan are exempted from participating in federal social security.

LPS makes all employer contributions as required by STRS, the 401a Plan, and the federal social security laws. LPS also makes contributions for workers’ compensation insurance, unemployment insurance and any other payroll obligations of an employer.

ELEMENT L: ATTENDANCE ALTERNATIVES

Governing Law: The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.

California Education Code 47605(b)(5)(L).

Students who opt not to attend LPS Richmond may attend other public schools either within the district of residence in accordance with school district of residence policy or another district school as pursued through an inter-district transfer request in accordance with the existing enrollment and transfer policies of the district of residence and receiving district and/or county of residence.

ELEMENT M: RIGHT TO RETURN AS DISTRICT EMPLOYEE

Governing Law: 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.

California Education Code 47605(b)(5)(M).

Certificated employees who were employed by School District prior to employment at the School shall NOT be guaranteed return rights unless they are negotiated by the staff with WCCUSD and/or the collective bargaining unit.

ELEMENT N: DISPUTE RESOLUTION PROCEDURES

Governing Law: The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to the provisions of the charter.

California Education Code 47605(b)(5)(N).

LPS is committed to partnering with the West Contra Costa Unified School District in the spirit of cooperation and mutual benefit. Leadership Public Schools believes that LPS Richmond will have an opportunity to present its position before any action is taken regarding a dispute, and that every effort to resolve the issue amicably will be given before any conditions are given or potential charter revocation actions are taken. LPS believes that the WCCUSD Board of Education and/or WCCUSD Superintendent will agree to inform the CEO of LPS and the Principal of LPS Richmond if they are contacted regarding a conflict at the school and to refer the involved parties to the school's Community Complaint Procedures. Matters unable to be resolved by the WCCUSD Superintendent or designee and LPS will be resolved as agreed to in the Memorandum of Understanding.

ELEMENT O: EXCLUSIVE EMPLOYER

Governing Law: A declaration whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act (Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code).

California Education Code 47605(b)(5)(O).

For the purposes of the Educational Employment Relations Act, and to the extent not superseded by federal labor law, Leadership Public Schools, Inc. in its operation of the School shall be deemed the exclusive employer of the employees of the School.

ELEMENT P: SCHOOL CLOSURE

Governing Law: A description of the procedures to be used if the charter school closes.

Education Code Section 47605(b)(5)(P).

School Close-Out Process

LPS does not intend to close LPS Richmond. However, in the interest of planning for contingencies, the following outlines a school close-out process that has been reviewed and approved by the Advisory Commission on Charter Schools and the State Board of Education in other LPS charters.

Documentation of Closure Action

The decision to close the School, for any reason, will be documented by an official action of the LPS Board. The action will identify the reason for the school's closure.

If it is feasible to do so while still maintaining a viable and appropriate educational program, charter school closures will occur at the end of an academic year. Mid-year school closures should be avoided if at all possible, and the charter school and charter authorizer should work together to ensure that an appropriate, viable, and legally compliant education program continues until the end of the school year.

LPS will provide notice to the charter authorizer, parents, teachers and community of any consideration for Board action of school closure of at least nine months unless unfeasible due to exigent circumstances.

Notification to the District, California Department of Education, County Office of Education and State Board of Education

LPS will send a notice of the school closure to the local District, County Office of Education, Charter Schools Unit at the California Department of Education, and the State Board of Education. The notification will include the following information:

- a) Charter school name, charter number, and CDS code
- b) Date of closure action
- c) Effective date of the closure, if different
- d) Reason for the closure (Specify revoked, not renewed or other reason)

Notification to Parents and Students

Parents and students of the School will be notified as soon as possible when it appears that school closure will be imminent. The notification will include information on assistance in transferring the student to another appropriate school and a process for the transfer of all student records.

Parents will be provided with a packet of student information that may include the closure notice, grade reports, discipline records, immunization records, completed courses and credits that meet graduation requirements and college entrance requirements, etc. This will facilitate transfer to another school.

Notification to Receiving Districts

LPS will notify any school district that may be responsible for providing education services to the former students of the School so that the receiving district(s) are prepared to assist in facilitating student transfers.

In addition, LPS will notify the charter school associations and the California Department of Education for assistance in placing the School's students.

Student and School Records Retention and Transfer

LPS will establish a process for the transfer of student records to the students' district of enrollment eligibility or other school to which the student will transfer. LPS will assist parents in the transfer of the students to other appropriate schools and facilitate the transfer of all student records. LPS believes that in a Memorandum of Understanding, the authorizing entity and the charter school will agree to a plan for the maintenance and transfer of student records which may allow the authorizing entity to accept charter school records in the event the charter school is unable to meet this responsibility. The plan will include provisions for the authorizing entity to maintain all school records, including financial and attendance records, for a period of time as required by law.

Financial Close-Out

LPS will commence an independent audit of the School as soon as practicable, or at least within 60 days after the end of the fiscal year when the school is closed. This may coincide with the regular required annual audit of the school. The purpose of the audit is to determine the net assets or net liabilities of the School. The assessment should include an accounting of all the school's assets, including cash and accounts receivable and an inventory of property, equipment and supplies. It will also include an accounting of the school's liabilities including any accounts receivable, which may include reduction in apportionments as a result of audit findings or other investigations, loans, and unpaid staff compensation. The audit will also assess the disposition of any restricted funds received by or due to the school. The cost of the audit may be considered a liability of the school.

In addition to a final audit, LPS will submit any required year-end financial reports to the CDE and the authorizing entity and the County Superintendent of Schools in the form and time frame required. These reports will be submitted as soon as possible after the closure action, but no later than the required deadline for reporting for the fiscal year.

Dissolution of Assets

Upon completion of the closeout audit, LPS will develop a plan for the repayment of any liabilities.

If needed, and to the extent feasible, any assets of the school will be liquidated to pay off any outstanding liabilities, and appropriate unearned state funds, if any, will be returned.

Any remaining school assets after satisfaction of liability and return of appropriate state funds shall remain the property of LPS. Upon closure of LPS, assets will be distributed as required by law and the LPS Articles of Incorporation.

CHARTER RELATED ISSUES

Term of Charter

The term of this charter shall commence on July 1, 2012 and expire five years later on June 30, 2017.

Material Revision

Any material revisions to the School's charter shall only be made by mutual agreement of the LPS Board of Directors and the charter authorizer. In accordance with Education Code Section 47607, LPS may present a petition for a material revision of the charter at any time, and LPS believes that the charter authorizer will agree to respond to such petitions pursuant to the applicable process, criteria and timelines specified in Education Code Section 47605 or its successors. The charter requirement for teacher and/or parent signatures is not required for renewal of a charter.

Severability and Interpretation of the Charter

If any clause of the Charter is found to be invalid for any reason, all other clauses remain in effect.

All terms of the Charter that can be interpreted as within the intent of the California Education Code shall be interpreted in such a manner.

Any element of the Charter that, through legislation or legal ruling, is deemed to be outside the language or intent of the California Education Code or other applicable law should be removed from the charter. Such a situation would not result in the revocation of the Charter. The remaining provisions of the Charter shall remain in place.

Notice

Unless changed by written notice to the charter authorizer, all notices to LPS shall be sent to:

Dr. Louise Bay Waters
Superintendent & CEO
Leadership Public Schools
344 Thomas L Berkley Way, Suite 340
Oakland, CA 94612

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:** April 25, 2012
From: Bill Fay **Agenda Item:** G.2
Associate Superintendent for Operations
Subject: Project Status Report – Facilities Planning and Construction

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 funded by the Measures D and J:

- Helms Middle School
- King Elementary School

Recommendation: For information only

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____