West Contra Costa Unified School District
Board of Education
Meeting Agenda
May 9, 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 25, 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 May 9, 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 May 9, 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 Summary of Payroll and Vendor Warrant Reports

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

Total of payroll warrants (April 2012):	$ 9.522,169
Total of vendor warrants (April 2012):	$ 25,186,362

Recommendation:
Recommend approval of the payroll and vendor warrant reports

Fiscal Impact:
As noted above

***CI C.4 Adoption of Resolution No.104-1112: Replacement of Outdated Warrant**

Comment:
Government Code Section 298029(c) allows the governing board, by resolution, to order a replacement check be issued for a warrant that is stale dated. This resolution authorizes the issuance of a check to replace the outdated warrant for Sang Chow Saephan. Staff recommends replacement of the stale dated warrant.

Recommendation:
Recommend approval to replace the outdated warrant

Fiscal Impact:
None

***CI C.5 California School Board Association (CSBA) Updates to Board policies: 1330 (Use of School Facilities), 3280 (Sale, Lease, Rental of District-Owned Real Property) and 3290 (Gifts, Grants & Bequests)**

Comment:
CSBA provides periodic updates to Board policies.

Recommendation:
Approval of Board policy revisions

Fiscal Impact:
None

***CI C.6 Resolution No. 100-1112: Classified School Employee Week, May 20-26, 2012**

Comment:
The State of California has designated May 20-26, 2012 as Classified School Employee Week. We honor their time, their energy, and their commitment to the children of West Contra Costa Unified School District.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.7 Resolution No. 108-1112: School Nutrition Employee Appreciation Week – May 7-11, 2012**

Comment:
We wish to recognize all of the Child Nutrition personnel who give their energy, their commitment, and their love to the students of West Contra Costa Unified School District with a resolution proclaiming May 7-11, 2012 as School Nutrition Employee Appreciation Week.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.8 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: $870,654. Funding sources as noted.

***CI C.9 Ratification and Approval of Negotiated Change Orders**

Comment:
Staff is seeking ratification of Change Orders on the following current District construction projects: De Anza HS Replacement Campus. Change Orders are fully executed by the District upon signature by the Superintendent's designee. Board ratification is the final step required under state law in order to complete payment and contract adjustment.

In addition to normal ratification, approval of the noted Change Orders for the Kennedy HS Concession Stand and Lights project is required by the Board, with special findings as noted, 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: $436,197.33

***CI C.10 Leadership Public Schools Gompers New Campus Project - Approval of three agreements, conditional for funding under State's Charter School Facilities Program**

Comment:
1. Memorandum of Understanding By and Among Leadership Public Schools, Inc., West Contra Costa Unified School District, and the State of California (State Allocation Board and California School Finance Authority);
2. Facilities Use Agreement (by and between WCCUSD and LPS, Inc.); and,
3. Supplemental Agreement By and Between the West Contra Costa Unified School District and Leadership Public Schools, Inc.

Documents are available upon request from the Operations Office.

The District has received a Preliminary Apportionment under the Charter School Facilities Program for State funding of the new Leadership Public Schools ("LPS") Charter High School at the Gompers campus. In order for the Gompers project to receive funding under the Facilities Program, the District is required to complete a series of agreements with the State of California and LPS, Inc. The project has been approved for an advance release of funds for a portion of the total preliminary apportionment. The State Allocation Board has set aside proceeds from a recent state bond sale to fund this design phase apportionment which the District will use for current project costs. Each of the documents, provided under separate cover, were required to be executed and received by the state by May 2, 2012 in order to receive advance fund release. The Board is now asked to ratify these agreements to secure the funds.

Recommendation:
Approve the three agreements

Fiscal Impact:
$12,398,181 is the total State Funding Preliminary Allocation under the Charter School Facilities Program. ($9,398,181 match obligation of the District and $3,000,000 loan from the State by LPS, Inc.) This is budgeted revenue for the LPS/Gompers Project Budget.

***CI C.11 Resolution No. 107-1112: Resolution To Support City of San Pablo's Measure Q on June 2012 Election Ballot**

Comment:
The West Contra Costa Unified School District supports the City of San Pablo's Measure Q as placed on the June 2012 ballot calling for a temporary ten-year tiered sales tax increase to generate revenue to protect city services.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.12 Resolution No. 111-1112: Resolution to Support City of Hercules Measure N and Measure O on the June 2012 Election Ballot**

Comment:
The West Contra Costa Unified School Districts supports the City of Hercules' Measure N and Measure O as placed on the June 2012 ballot.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.13 Resolution No. 110-1112: Resolution in Recognition of Choose Civility Initiative**

Comment:
The West Contra Costa Unified School District supports the initiative launched by Dr. Joe Ovick, Superintendent of the Contra Costa County Office of Education entitled, "Choosing Civility." The initiative is inspired by the work of Dr. Forni, the author of "Choosing Civility: The 25 Rules of Considerate Conduct." Through a broad-based collaborative effort, it is Dr. Ovick's goal to transform Dr. Forni's concepts into a workable, meaningful plan that can be integrated into the culture of our schools, government, business, organizations, neighborhoods and families throughout Contra Cost County.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.14 Approval of Board Member Attending Conference**

Comment:
Board Bylaw 9250 stipulates members of the board shall be reimbursed for allowable expenses incurred in attending any meetings or in making any trips on official business of the school district when so authorized in advance by the Board of Education. (Education Code 35044). Board member Antonio Medrano has expressed interest in attending the National Association of Latino Elected and Appointed Officials (NALEO) Annual Conference, June 21-23, 2012, Orlando, FL.

Expenses including registration, travel, food and lodging are budgeted and there is sufficient funding within that budget.

Recommendation:
Recommend Approval

Fiscal Impact:
General Fund

D. AWARDS, RECOGNITIONS, AND REPORTS

* D.1 The Ed. Fund's 2012 Scholarship Finalists

Comment:
Between 2005 and 2011, The Ed. Fund awarded $524,000 to 151 scholarship winners from WCCUSD. In 2012, thanks to an outpouring of support from our donors, including the College Access Foundation of California, the Chevron Corporation, the Irvine Foundation, the Schroeder Family Fund and others, The Ed. Fund will be awarding nearly $200,000 in scholarships, almost four times the amount awarded in 2011. The growth of our program has allowed us to increase the number of scholarships finalists from 20 in 2011 to 76 in 2012.

The 76 finalists for our scholarships hail from 9 different public high schools located in West County. A list of high schools represented and the number of scholarship finalists from each school is as follows:

DeAnza High School: 8
El Cerrito High School: 9
Hercules High School: 3
Kennedy High School: 6
Leadership Public Schools-Richmond: 16
Middle College High School: 8
Pinole Valley High School: 4
Richmond High School: 21
West County Community High School: 1

Finalists will be declared winners in July 2012 following confirmation of their eligibility and a review of their financial need. Scholarships will range from $1,000 to $5,000 depending on the finalist's individual need.

All Ed. Fund scholars have overcome tremendous odds to graduate near the top of their class and were chosen for their vision to succeed in college and dedication to community service. They are also involved in a wide range of extracurricular activities which have made them well-rounded individuals. The Ed. Fund believes these students will return to our community to serve as leaders and role models in West Contra Costa County.

Recommendation:
For Information Only

Fiscal Impact:
None

* D.2 Community Budget Advisory Committee (CBAC Report)

Comment:
On April 26, 2012, the Community Budget Advisory Committee approved a resolution concerning the 2011-2012 Parcel Tax Expenditures and Scope of Measure D, finding that the expenditures budgeted for

Fiscal Year 2011-2012 are within the stated purposes for Measure D funds. The Committee has requested this resolution be presented to the Board.

Recommendation:
For Information Only

Fiscal Impact:
None

*** D.3 Report on Student Demographics**

Comment:
Davis Demographics has completed the 2012-13 Student Population Projection Report. The report provides projected student demographics for the District from school years 2012-13 to 2020-21.

The Board has been provided the full report under separate cover. The report is available on the District website at the Business Services page: www.wccusd.net.

Recommendation:
For Information Only

Fiscal Impact:
None

*** D.4 West Contra Costa Unified School District presents: "Classified Employee of the Year"**

Comment:
Our classified employees are an integral part of the West Contra Costa Unified School District. We are expanding our staff recognition program to pay tribute to the tireless efforts of our outstanding classified employees and focus attention on the positive accomplishments that these employees contribute to the services provided to our students.

For the 2011-2012 school year, the District would like to recognize and acknowledge the following classified employees:

Classified Supervisor
General Services M & O
Office & Technical
Paraprofessional
Confidential

Recommendation:
For Recognition

Fiscal Impact:
None

*** D.5 Recognition of Rhonda Haney**

Comment:
On April 26, 2012, Rhonda Haney, Coordinator of the Comprehensive School Health Program was honored as a Community Champion for National Sexual Assault Awareness. Ms. Haney has collaborated closely with Community Violence Solutions for the past five years to help provide prevention services and classroom workshops for elementary and secondary students.

Recommendation:
For Information Only

Fiscal Impact:
None

*** D.6 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
Bayside Parent Teacher Association
Citizens' Bond Oversight Committee
Community Budget Advisory Committee
Facilities Subcommittee
Ivy League Connection
Linked Learning – Multiple Pathways
Safety Committee
Select Committee on High Schools
Youth Commission
Public Employees Local 1
School Supervisors Association
United Teachers of Richmond

*** D.7 In Memory of Members of the School Community**

Comment:
The District would like to take time to recognize the contributions of members of our school community who have passed away. The District requests the community to submit names to be reported as a regular part of each agenda.

Lester Radke, retired teacher, recently passed away. Mr. Radke began working as a math tutor and teacher in the 1970's. While teaching at Richmond High he also taught ROP computer classes and helped many district students and adults to enter technology careers.

Joyce Greenebaum recently passed away. She began working with the District in 1969 as a typist clerk. Through the years, she advanced through the classified ranks becoming a Senior Administrative Secretary to Education Services in 1989. Ms. Greenebaum retired in 1997.

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

Recommendation:
For Information Only

Fiscal Impact:
None

E. PUBLIC AND COMMITTEE COMMUNICATIONS

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

* E.1 Superintendent's Report

* E.2 WCCUSD Public Comment

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

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

F. ACTION ITEMS

* F.1 Resolution No. 109-1112: Resolution to Adopt the Decision of the Administrative Law Judge and Termination of Certificated Employees

Comment:
Pursuant to Education Code, the Board of Education must adopt a resolution to Adopt the Decision of the Administrative Law Judge and Termination of Certificated Employees so that those affected employees may be notified prior to May 15, 2012. This action is necessary for the District to make the needed budget cuts for the 2012-2013 school year.

The decision of the Administrative Law Judge will be delivered under separate cover.
Recommendation:
Recommend Approval

Fiscal Impact:
Reduction of expenses to the general fund

G. DISCUSSION ITEMS

* G.1 Project Status Report

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

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

Recommendation:
For Information Only

Fiscal 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 23, 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 (*).

Agenda Item: A

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

May 9, 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