West Contra Costa Unified School District
Board of Education
Meeting Agenda
December 12, 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**.

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 Swearing In Of New Board Members
B.2 Pledge of Allegiance
B.3 Welcome and Meeting Procedures
B.4 Roll Call
B.5 Annual Organization Meeting

Comment:
Board Bylaw 9100 governs the dimensions of the annual organization meeting. At this meeting, the Board shall:

Elect a president and a clerk from its members.
Appoint a secretary to the Board.
Authorize signatures.
Develop a schedule of regular meetings for the year.
Develop a Board calendar for the year.
Designate Board representatives.

Board policy does not detail procedure for nomination and election of Officers. The Brown Act precludes board members from discussing their vote outside of board meetings with more than one other board member. Nominations for the office of President will be made by any board member without requiring a second after which a roll call vote will be taken. Tie votes will be resolved by a run-off vote. Following the election of the President, the same procedure will be repeated for the office of Clerk.

Recommendation:
That the Board:

1. Elect a president and clerk;

2. That the Board use a separate motion to approve the following routine matters:

   Appoint the Superintendent as Secretary to the Board as prescribed by law;

   Authorize the President of the Board to sign documents for the Board and for the Clerk to sign documents in the absence of the President;

   Affirm the previously adopted schedule of regular meetings in 2013 including: January 9, January 23, February 6, March 6, March 20, April 10, April 24, May 1, May 15, June 12, June 26, and affirm the following:
   July 10, July 24; August 14, September 4, September 18, October 2, October 16, November 6, November 20, December 11.

   Establish a Board calendar for 2013 that includes:
   Board Organizational Retreat, January 5
   Budget Hearing, June 12
   Budget Adoption, June 26

Superintendent Evaluation, October16
Annual Organization Meeting, December 11

Fiscal Impact:
None

B.6 Presentation of Student Board Representative from Pinole Valley High School
B.7 Report/Ratification of Closed Session
*** B.8 Agenda Review and Adoption** (Public Comment)
* **B.9 Minutes:** November 28, 2012; December 3, 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 Acceptance of Donations

Comment:
The District has received donations as summarized, dated December 12, 2012. Staff recommends acceptance of these donations.

Recommendation:
Recommend Approval

Fiscal Impact:
As noted per donations summary

*CI C.2 Approval of Fund-Raising Activities

Comment:
The planned fund-raising events for the 2012-13 school year are summarized, dated December 12, 2012.

Recommendation:
Recommend Approval

Fiscal Impact:
Additional revenue for schools

*CI C.3 Summary of Payroll and Vendor Warrant Reports

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

Total of payroll warrants (November 2012): $ 9,474,260
Total of vendor warrants (November 2012): $ 24,111,415

Recommendation:
Recommend approval of the payroll and vendor warrant reports

Fiscal Impact:
As noted above

***CI C.4 Contracted Services**

Comment:
Permission is requested of the Board of Education to approve contracts for services as detailed, dated December 12, 2012.

Recommendation:
Recommend Approval

Fiscal Impact:
As noted per contracts summary

***CI C.5 Notice of Completions: Bid 1551223-20/1421223-19/1391223-18 Sheldon Elementary School/Murphy Elementary School/Mira Vista Elementary School Restroom Renovations, Bid 1441205-09 Nystrom Elementary School Interim Campus**

Comment:
Substantial completion notices have been received for: Bid 1551223-20/1421223-19/1391223-18 and Bid 1441205-09.

Major construction projects are subject to acceptance by the governing board before a Notice of Completion can be processed, and final payment of the contract made. (BP 7470)

Staff recommends acceptance of the work completed by the following contractors:

AM Woo Bid 1551223-20/1421223-19/1391223-18 Sheldon Elementary School/Murphy Elementary School/Mira Vista Elementary School Restroom Renovations.
Alten Construction, Inc. Bid 1441205-09 Nystrom Elementary School Interim Campus.

Recommendation:
Recommend approval of these notices of completion

Fiscal Impact:
None

***CI C.6 Routine Personnel Changes - Certificated**

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

Recommendation:
For Information Only

Fiscal Impact:
None

***CI C.7 Certificated Board Authorization - Education Code 44258.3**

Comment:
Ed Code 44258.3 allows the Governing Board of a school district to authorize the holder of a multiple subject, standard elementary, single subject or standard secondary, credential with his or her consent, to teach departmental classes in grades K-12 provided the teacher has adequate knowledge of subject matter.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.8 Acceptance of Contracts for Placement of Student Teachers**

Comment:
Teachers in this District provide supervision and evaluation for student teachers seeking credentials to teach in California public school classrooms. These arrangements are made between the institution of higher education and the individual classroom teacher.

Staff requests approval from the Board of Education to accept Contracts for Placement of Student Teachers as detailed, dated December 12, 2012.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.9 Presentation of Joint Initial Bargaining Proposal from West Contra Costa Unified School District and West Contra Costa Administrators Association**

Comment:
Pursuant to the Educational Employment Relations Act, the initial proposal for negotiations by school districts and labor unions must be submitted at a public meeting of the governing board. The joint initial

proposal of the West Contra Costa Unified School District and West Contra Costa Administrators Association is presented tonight as an information item. At the next regularly scheduled board meeting this item will come back for public hearing and adoption by the Board of Education.

Recommendation:
The Board of Education accept the joint initial bargaining proposal with West Contra Costa Administrators Association as an information item.

Fiscal Impact:
To Be Determined

***CI C.10 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: $40,361.50. Funding sources as noted.

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

Comment:
Staff is seeking ratification of Change Orders on the following current District construction projects: Dover ES Increment 2 New School, De Anza HS Replacement Campus, Ohlone ES Phase I Campus Replacement. 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 accordance with Public Contract Code 20118.4, the Board, by 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: $606,280.00

***CI C.12 Designation of Citizen Bond Oversight for Measure E 2012**

Comment:
Proposition 39, approved by California voters in the November 6, 2000, general election, provides that the Governing Board of a school district may pursue the authorization and issuance of bonds by 55 percent vote of the electorate. As a result of the passage of Proposition 39, language was added to the Education Code requiring school districts passing a bond designated as a Proposition 39 bond election to establish a Citizens' Oversight Committee ("Committee") to actively review and report on the use of bond proceeds whenever the district passes a Proposition 39 bond.

When a Proposition 39 bond is passed, the Board shall establish a Committee to actively review and report on the use of bond proceeds to ensure they are spent only on school and classroom improvements and not for any other purpose. The Committee shall be established within sixty (60) days of the date that the Board enters the election results in its minutes.

At the December 5, 2012, regular meeting of the CBOC, unanimous action was taken to recommend the addition of the oversight for the Measure E 2012 bond program to the existing responsibilities of the CBOC. Staff recognizes the valuable service and commitment that the committee provides for the benefit of the community and the district and supports their recommendation.

Recommendation:
That the Board approve the designation of the Citizens Bond Oversight Committee to provide oversight for the Measure E 2012.

Fiscal Impact:
None

***CI C.13 Citizens' Bond Oversight Committee (CBOC) Appointments**

Comment:
Mr. Charley Cowen has served one term on the Citizens' Bond Oversight Committee (CBOC) as the appointee of Board member Elaine R. Merriweather. Ms. Merriweather has forwarded a recommendation that Mr. Cowen be reappointed for an additional two (2) year term.

Mr. Brant Fetter has served one term as the Parent Representative on the CBOC. Superintendent Bruce Harter has forwarded a recommendation that Mr. Fetter be reappointed for an additional two (2) year term.

Recommendation:
Approve appointments as noted

Fiscal Impact:
None

***CI C.14 Certification of Athletic Coaches – Fall Sports**

Comment:
Under California Education Code Section 5593, all athletic team coaches are required to be certified annually. Topics covered during the training include first aid, CPR, coaching techniques, adolescent

psychology (as it relates to sports participation), and ethics. Provided are the lists of coaches from each of the high school for fall sports.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.15 Certification of November 6, 2012 Election Results – Bond Measure E and Parcel Tax Measure G**

Comment:
Stephen L. Weir, County Clerk of Contra Costa County has certified the statements of votes cast for Bond Measure E and Parcel Tax Measure G. Included with this item are the official certificates of the County Clerk. Measure E gained a supporting vote from 64.4% of the electorate and Measure G received 75.0%.

Recommendation:
Recommend acceptance of the certifications for Bond Measure E and Parcel Tax Measure G

Fiscal Impact:
None

***CI C.16 Certification of November 6, 2012 Election Results – Election to the Office of the West Contra Costa Unified School District Board of Education**

Comment:
Stephen L. Weir, County Clerk of Contra Costa County has certified the statements of votes cast for the election of Todd Alan Groves and Randall (Randy) Enos to full terms of four years commencing on December 7, 2012 and ending on December 2, 2016.

Recommendation:
Recommend acceptance of the certifications for the election of the Board of Education

Fiscal Impact:
None

D. AWARDS, RECOGNITIONS, AND REPORTS

*** D.1 Religious/Cultural Celebration**

Comment:
In support of the histories of holiday celebrations, we demonstrate to all of our stakeholders that their beliefs and traditions play an important role in assisting our students to be global thinkers with international partners around the world.

This is a living document, meaning that as our populations of students increase and diversifies; their holiday customs and beliefs can be included as part of on-going and learning within West Contra Costa Unified School District.

Religious/Cultural Celebration Information
Below are links to pages that contain background information and ideas on some of the cultural and religious celebrations celebrated by families in our District. We have chosen to include those celebrations which may affect student attendance or performance, in the hopes that it will help faculty and staff to best serve all our students in keeping with our Equity Policy.

August/September/October	**November/December**	**January/February**
Rosh Hashanah and Yom Kippur	Christmas	Asian Lunar New Year
Ramadan	Hanukkah	Ash Wednesday
	Kwanzaa	
March/April		
Maundy or Holy Thursday and Good Friday	Easter	Passover

Recommendation:
For Information Only

Fiscal Impact:
None

*** D.2 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
College and Career Readiness Academies
Public Employees Local 1
Safety Committee
School Supervisors Association
United Teachers of Richmond
Youth Commission

*** D.3 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.

Clifton C. Erickson passed away recently. Mr. Erickson spent 42 years in the District as a teacher, counselor, vice principal and principal.

Elijah Collor recently passed assay. Mr. Collor was a custodian at Portola Middle School. He had worked at Richmond High and Pinole Valley High Schools as well.

Denice Staubus passed away recently. Ms. Staubus began working for the District in 1997. She held various classified positions including typist clerk and school cashier. Ms. Staubus retired in 2009 as school secretary at Washington Elementary.

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 Request to Address the Board – Robinson Weeks Scholarship Fund

Comment:
Ms. Roburta Burroughs will highlight the Robinson Weeks Scholarship Foundation's program and scholarships as a part of assisting college bound students in the District.

Recommendation:
For Information Only

Fiscal Impact:
None

* E.3 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 First Interim Report, 2012-2013

Comment:
The District's First Interim Report for 2012-2013 covers the financial and budgetary status of the district for the period ended October 31, 2012.

Education Code Section 4230 requires school districts to prepare interim financial reports each year. The First Interim Report covers the period ending October 31; the Second Interim Report covers the period ending January 31. These financial reports are subject to standards and criteria adopted by the State Board of Education to monitor the fiscal stability of local educational agencies.

The District shall certify whether it is able to meet its financial obligations for the current fiscal year and, based on current forecasts, for the two subsequent fiscal years. A positive certification shall be assigned when a district will meet its financial obligations for the current fiscal year and subsequent two fiscal years. A qualified certification shall be assigned when a district may not meet its financial obligations for the current fiscal year and subsequent two fiscal years. A negative certification shall be assigned when a district will be unable to meets its financial obligations for the remainder of the fiscal year.

Recommendation:
Recommend approval of the First Interim Report for 2012-2013

Fiscal Impact:
Positive Budget Certification

* F.2 Notice of Public Hearing Regarding Request for Bond Waiver

Comment:
Notice is Hereby given the Board of Education ("Board") of the West Contra Costa Unified School District ("District") at a Public Hearing to be held on December 12, 2012 at 6:30 p.m., or as soon thereafter as the matter may be heard, at Lovonya DeJean Middle School Multipurpose Room, 3400 Macdonald Avenue, Richmond, California 94805, on December 12, 2012 will review and consider adoption of a resolution of the Board to authorize a request for waiver from State Board of Education relative to statutory requirements on general obligation bond debt limitations, as applicable to the District, as provided by section 15106 of the Education code.

The purpose of the Public Hearing to be held on December 12, 2012, is to invite public testimony and comment on this matter. The draft of the request for waiver is on file and available for public review at the District's office located at West Contra Costa Unified School District, 1108 Bissell Avenue, Richmond, CA 94801, and is herein incorporated by reference. To receive a copy of the draft request for waiver, or if you have questions on this matter, please contact Ms. Sheri Gamba, Associate Superintendent for Business Services, at telephone (510) 231-1170.

The Public Hearing of the District will be held on December 12, 2012 at the location set forth above. This matter will be considered at such time as this agenda item is considered by the Board of the District.

Recommendation:
For Information Only

Fiscal Impact:
None

*** F.3 Resolution No. 55-1213: Intent to Seek Debt Limit Waiver from State Board of Education for Sale of remaining General Obligation Bonds as approved by voters under Measure E, 2012**

Comment:
In order to complete the Bond program school renovation and reconstruction projects which are allocated under Measure E 2012, the District will need to sell the bonds approved under that measure. The District does not currently have sufficient bonding capacity to issue any of the $360 million in voter-authorized Measure E 2012 Bonds. Based on the 2012-2013 assessed valuation, the District's current bonding capacity is $591 million. The District currently has $797 million in outstanding debt, with no remaining bonding capacity for Measure E 2012. In order to keep the bond program on track and finish current projects, staff is recommending that the District apply for a waiver of the bonding capacity limits from the State Board of Education. Approval of the District's request for a ten year increase in its bonding capacity from 2.5% of assessed valuation to 6.0% of assessed valuation will allow the District to issue the full $360 million of the voter authorized Measure E 2012 bonds. Because of tax rate limitations and other factors, the District plans to issue these bonds in series over time. The bond language for Measure E 2012 includes reference to the need for a potential waiver of the bonded indebtedness limit. Voters approved Measure E 2012 with 64.4% in favor of the bond measure.

The Department of Education requires that a request for waiver be filed by December 15, 2012, in order to be considered at the State Board of Education meeting March 13, and 14, 2013. In order to be considered by the State Board of Education, the West Contra Costa Unified School District Board of Education must hold a public hearing and approve the request. In addition, the District will meet and consult with, and seeks the support of, its bargaining units including: UTR, Local 1, SSA and WCCAA. The District will present the proposed waiver to the Facilities Subcommittee and has the support of the Citizens Bond Oversight Committees for their review. The District will also seek support for the debt limit waiver from each of the five City Councils including El Cerrito, Hercules, Pinole, Richmond and San Pablo. Staff will begin this process

Recommendation:
Seek debt Limit Waiver from State Board of Education for Sale of remaining General Obligations Bonds as approved by voters under Measure E 2012.

Fiscal Impact:
Direct costs limited to costs of preparation and presentation of waiver request.

*** F.4 Public Hearing and Adoption of Initial Bargaining Proposal from Local One to the West Contra Costa Unified School District**

Comment:
Pursuant to the Educational Employment Relations Act, the initial proposal for negotiations by school district and labor unions must be submitted at a public meeting of the governing board. The initial proposal of Public Employees Union, Local One will be presented, at which time the public is allowed

to comment on this proposal. A copy of the proposal is provided in the Board meeting packet which is available at the District's Administration Building, six high schools and online at the District's webpage.

Recommendation:
That the Board of Education hold a public hearing on the Public Employees Local One's initial bargaining proposal to West Contra Costa Unified School District for the 2012-2015 successor agreement.

Board Adoption of Initial Bargaining Proposal

Comment:
Following the public hearing on its initial bargaining proposal, the Board of Education will be asked to adopt the Public Employees Local One's proposal to West Contra Costa Unified School District for the 2012-2015 successor agreement.

Recommendation:
That the Board of Education adopt the initial bargaining proposal for labor negotiations with the Public Employees Local One.

Fiscal Impact:
To Be Determined

*** F.5 Public Hearing and Adoption of Initial Bargaining Proposal – School Supervisors Association**

Comment:
Pursuant to the Educational Employment Relations Act, the initial proposal for negotiations by school district and labor unions must be submitted at a public meeting of the governing board. The initial proposal of the School Supervisors Association will be presented, at which time the public is allowed to comment on this proposal. A copy of the proposal is provided in the Board meeting packet which is available at the District's Administration Building, six high schools and online at the District's webpage.

Recommendation:
That the Board of Education hold a public hearing on the School Supervisors Association's (SSA) initial bargaining proposal to the District for the 2012-2015 successor agreement.

Board Adoption of Initial Bargaining Proposal

Comment:
Following the public hearing on its initial bargaining proposal, the Board of Education will be asked to adopt the School Supervisors Association's proposal to the District for the 2012-2015 successor agreement.

Recommendation:
That the Board of Education adopt the initial bargaining proposal for labor negotiations with the School Supervisors Association.

Fiscal Impact:
To Be Determined

G. DISCUSSION ITEMS

* G.1 Modification to the Kennedy High School Attendance Boundaries

Comment:
The physical location for Kennedy High School is within the El Cerrito High School attendance area. Thus, students who live next to KHS are assigned to attend high school at ECHS. Currently approximately 110 students are in the area surrounding Kennedy High School and thus are assigned to ECHS. This change would expand the KHS boundaries to Wall Street on the North, the I-80 Freeway on the East, Potrero Avenue on the South and Carlson Blvd on the West. The change would become effective with the current 8th graders, Class of 2017, who live in that area.

Recommendation:
That the Board discuss a change to the Kennedy High attendance area that would expand the Kennedy High attendance to include Study Areas 333, 334, 335 and 336 beginning with the Class of 2017.

Fiscal Impact:
None

* G.2 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 – January 9, 2013

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 (*).