

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
JOINT BOARD OF EDUCATION AND
CITIZENS' BOND OVERSIGHT COMMITTEE MEETING**

**LOVONYA DEJEAN MIDDLE SCHOOL
MULTI-PURPOSE ROOM
3400 MACDONALD AVENUE
RICHMOND, CA 94805**

OCTOBER 16, 2013

6:00 – 7:20 PM

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

OCTOBER 16, 2013

7:30 PM

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
MEETING AGENDA
OCTOBER 16, 2013**

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 recordings 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 meeting times for tonight are as follows:

- | | |
|---------|---|
| 5:30 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 (see Exhibit A). The Board will then adjourn to closed session. |
| 6:00 PM | Joint Meeting of the Board of Education and Citizens' Bond Oversight Committee |
| 7:20 PM | Break |
| 7:30 PM | The Board will reconvene in open session to address the regular agenda. |

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

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
JOINT BOARD OF EDUCATION AND
CITIZENS' BOND OVERSIGHT COMMITTEE MEETING
MEETING AGENDA**

OCTOBER 16, 2013

6:00 – 7:20 PM

A. OPENING PROCEDURES

- A.1 Welcome and Meeting Procedures**
- A.2 Pledge of Allegiance**
- A.3 Roll Call**
- A.4 Approval of Agenda**
- A.5 Approval of Minutes**
- A.6 Chair's Report**
- A.7 Future Joint Meetings**

B. DISCUSSION ITEMS

- * **B.1 Mid-Year Report Review**
- * **B.2 Performance Audit**
- * **B.3 Project Status Report**
- * **B.4 Membership: Current Status and Improvements**

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

- * **C.1 Public Comment**

Public Comment for items not on the agenda. Public comment on agenda items shall be at the time of consideration of the items.

D. ADJOURNMENT

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION MEETING
MEETING AGENDA
OCTOBER 16, 2013
7:30 PM**

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 El Cerrito High School**
- B.5 Report/Ratification of Closed Session**
- * **B.6 Agenda Review and Adoption (Public Comment)**
- B.7 Minutes: September 25, 2013; October 2, 2013**
- * **B.8 Request to Address the Board – Billie Alexander**
- * **B.9 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.

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 October 16, 2013.

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 October 16, 2013. 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 2013-2014 school year are summarized, dated October 16, 2013.

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 September 2013 are:

Total of payroll warrants (September 2013): \$ 10,982,243

Total of vendor warrants (September 2013): \$ 18,552,902

Recommendation:

Recommend approval of the payroll and vendor warrant reports

Fiscal Impact:

As noted above

***CI C.5 Adoption of Resolution No. 39-1314: 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 Verdell Simon-Tatum. Staff recommends replacement of the stale dated warrant.

Recommendation:

Recommend approval to replace the outdated warrant

Fiscal Impact:

None

***CI C.6 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.7 Approve the following New Job Description - Field and Facilities Use Worker**

Comment:

This job classification is being created to assist community groups and sites on evenings and weekends with facility use permits. Monitors facility use permits and is primary district point of contact to user groups on evenings. Evaluates fields and facilities after permit to monitor for damage. The District and Local One had the required meetings on this and reached an agreement on the job description.

Recommendation:

Recommend Approval

Fiscal Impact:

\$53, 000 – General Fund

***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

Fiscal Impact:

Total for this action: \$1,258,503. Funding sources Measure J Bond, and Measure D-2010 Bond.

***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: Grant ES Restroom Repairs; Lake ES Restroom Repairs; Ohlone ES Phase I New Classrooms. 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: \$52,668.61

***CI C.10 Ratification of Staff Awarded Contracts (CUPCCAA)**

Comment:

Staff solicited bids per the California Uniform Public Construction Cost Accounting Act (CUPCCAA) Resolution #90-0809 (2009); Educ. Code § 22034.

Recommendation:

Ratify staff awarded contracts as noted

Fiscal Impact:

Total ratification by this action: \$835,352.50

***CI C.11 Williams Lawsuit Complaints Quarterly Report**

Comment:

The Williams Lawsuit requires that a quarterly report be brought before the Board of Education reflecting the number of complaints filed with any school in the district during a particular quarter. This report reflects the time period from July 1, 2013 through September 30, 2013.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.12 Approval of Board Members Travel**

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 Elaine Merriweather has expressed interest in attending the following:

- Community Schools Leadership Network Convening, December 12-13, 2013, Providence, RI

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

Recommendation:
Recommend Approval

Fiscal Impact:
General Fund

D. AWARDS, RECOGNITIONS, AND REPORTS

*** D.1 Employee Service Anniversary Recognition**

Comment:

The West Contra Costa Unified School District employs 2,916 full and part-time staff members. Tonight the district honors its veteran employees who have reached milestone years for their service. It is with great honor and gratitude that we recognize these individuals by presenting them with service anniversary pins in the following categories:

- the 35-Year Service Pin Award to 6 staff;
- the 30-Year Service Pin Award to 17 staff;
- the 25-Year Service Pin Award to 22 staff;
- the 20-Year Service Pin Award to 34 staff.

It is ultimately the students who benefit from the relationships we have with our veteran staff members. Collectively this group represents more than 1,950 years of experience in serving the students.

Our school communities and the district are indeed fortunate to benefit from our veteran employees' wisdom and accumulated experience which guide and inform our current and future work. Their dedication, caring, creativity, ingenuity, and resilience are an important part of what makes our district special.

Recommendation:

Recognition; for board and public information

Fiscal Impact:

None

* **D.2 CBOC Resolution 13-1**

Comment:

At the September 25, 2013 meeting of the CBOC, staff prepared a response to Resolution 13-1, to improve communication/interaction between the committee and the staff.

This will serve as a formal response to address the committees concerns:

The staff values the volunteer participation of community members with their charge of oversight of the General Obligation Bond Expenditures on behalf of the citizens of West County.

Staff has developed a “CBOC communication process” that will satisfy the timeliness and response issues.

The plan of action for ensuring that information is readily available to the public at large is to enhance the current CBOC website by adding a FAQ section. It will include questions and responses from the committee and public information requests for the Bond Program.

The full resource of the Bond Program Team will be used to support the committee.

Staff will facilitate any requested tour of projects designated by the committee.

The staff will continue to follow the committee’s Bylaws regarding the Annual Performance and Financial Audits.

The staff has increased outreach efforts to fill open positions on the committee.

Staff will also work in concert with the Chair of the Committee to get concurrence on agenda and calendar items.

Recommendation:

For Information Only

Fiscal Impact:

None

E. COMMITTEE COMMUNICATIONS

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

* **E.1 Standing Reports**

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

Academic Subcommittee	Public Employees Local 1
Citizens’ Bond Oversight Committee	Safety Committee
College and Career Readiness Academies	School Supervisors Association
Community Budget Advisory Committee	Technology Committee
Facilities Subcommittee	United Teachers of Richmond
Ivy League Connection	Youth Commission

* **E.2 Superintendent’s Report**

* **E.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.

Linda Drake worked for the District as a clerical substitute employee from 1998 to 2000 when she became the Fiscal Fund Supervisor. Ms. Drake retired in 2006.

Susan Ashbaugh began in 1991 as a food service clerk and community worker at Wilson Elementary School.

Kathryn Jarrell worked from 1981 to 2008 as a yard supervisor for Hercules Elementary which became Lupine Elementary.

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

Recommendation:

For Information Only

Fiscal Impact:

None

F. ACTION ITEMS

* **F.1 Public Hearing: Grades K-12 Textbook and Instructional Materials Compliance for Fiscal Year 2013-2014**

Comment:

California Education Code Section 60119 guidelines require the governing board of each California school district to hold a public hearing after which the Board will determine, through a resolution, as to whether each pupil in each school in the District has sufficient textbooks and instructional materials that are aligned with the academic content standards and are consistent with the content and cycles of the curriculum framework adopted by the State Board of Education in these subjects:

English/Language Arts, including English Language Development
Mathematics
Science
History/Social Science
Foreign Language (if the student is enrolled in a Foreign Language course)
Health (if the student is enrolled in a Health course)

The governing board shall also determine the availability of science laboratory equipment as applicable to science laboratory courses in Grades 9 through 12.

Immediately after this hearing, as a separate action item, the Board is requested to approve Resolution No. 35-1314: Grades K-12 Textbook and Instructional Materials Compliance for Fiscal Year 2013-2014.

Recommendation:

The Board conducts the hearing in compliance with the Education Code of the State of California.

Fiscal Impact:

None

* **F.2 Report and Recommendation from Naming Committee**

Comment:

At the September 25, 2013 meeting, the Board appointed members Madeline Kronenberg and Randy Enos to serve on an ad hoc subcommittee to consider naming a portion of DeAnza High School in honor of one of its alumni who taught at the school for 36 years, Karen Mason. The subcommittee met on October 2 at DeAnza with Principal Bob Evans.

Recommendation:

That Building 7, the wing housing English classes in the school, be named “Mason Hall” in honor of Karen Mason and that a mural be designed and painted at the end of the hallway to display the many areas in which Ms. Mason contributed to the school including journalism, yearbooks, leadership, the arts and sports.

Fiscal Impact:

To Be Determined

G. DISCUSSION ITEMS

* **G.1 Board Policy 1312.3 – Community Relations**

Comment:

The Human Resources Department has worked to revise Board Policy 1312.3 – Community Relations; specifically the procedures in how the District addresses Uniform Complaints.

It is presented tonight as an information item and will be brought back at the next board meeting for final action.

Recommendation:

That the Board review modifications to Board Policy 1312.3

Fiscal Impact:

None

* **G.2 Project Update for Stege Elementary School Campus Replacement**

Comment:

The District has contracted with Powell & Partners Architects for the design of the Stege Elementary School Campus Replacement project. The Architect of Record will provide a brief presentation to the Board on the project's status.

Recommendation:

For Information Only

Fiscal Impact:

None

* **G.3 Project Update for Pinole Middle School Football and Soccer Field**

Comment:

The District has contracted with Powell & Partners Architects for the design of the Pinole Middle School Football and Soccer Field project. This represents the final phase of the work at this site. The Architect of Record will provide a brief presentation to the Board on the project's status.

Recommendation:

For Information Only

Fiscal Impact:

None

* **G.4 Project Update for Montalvin Manor Elementary School Classroom Building Addition**

Comment:

The District has contracted with Baker-Vilar Architects for the design of the Montalvin Manor Elementary School Classroom Building Addition project. The Architect of Record will provide a brief presentation to the Board on the project's status.

Recommendation:

For Information Only

Fiscal Impact:

None

* **G.5 Project Update for El Cerrito High School Stadium and Field Replacement**

Comment:

The District has contracted with WLC Architects for the design of the El Cerrito High School Stadium and Field Replacement project. This represents the final phase of the work at this site. The Architect of Record will provide a brief presentation to the Board on the project's status.

Recommendation:

For Information Only

Fiscal Impact:

None

* **G.6 Project Update for Downer Elementary School Playfield**

Comment:

The District has contracted with Bunton-Clifford Architects for the design of the Downer Elementary School Playfield project. This represents the final phase of the work at this site. The Architect of Record will provide a brief presentation to the Board on the project's status.

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 – November 6, 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 (*).

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

October 16, 2013

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

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

- a. WCCUSD v. Orrick
- b. Palmer and Pollack v. WCCUSD
- c. American Standards Properties 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