

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
MEETING AGENDA
NOVEMBER 6, 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 **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 the Youth Commission**
- B.5 Report/Ratification of Closed Session**
- * **B.6 Agenda Review and Adoption** (Public Comment)
- * **B.7 Minutes:** October 16, 2013
- * **B.8 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 November 6, 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 November 6, 2013.

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 November 6, 2013.

Recommendation:
Recommend Approval

Fiscal Impact:
Additional revenue for schools

***CI C.4 Contracted Services**

Comment:
Permission is requested of the Board of Education to approve contracts for services as detailed, dated November, 2013.

Recommendation:
Recommend Approval

Fiscal Impact:
As noted per contracts summary

***CI C.5 Notification of Claims Rejected**

Comment:
The District has received claims requesting compensation for personal injury. The District's risk management firm has investigated the claims and is requesting the School Board to ratify the authorized claims rejections.

Recommendation:
Ratify the rejection of claims

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 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:

Ratification and Approve Certificated Personnel Changes

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 November 6, 2013.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.9 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.

Recommendation:

Recommend approval of the modifications to Board Policy 1312.3

Fiscal Impact:

None

***CI C.10 Procurement Contract for Audio Visual Equipment to support Common Core Program in the Classroom**

Comment:

Under Public Contract Code Section 20118 (K-12) our District is able to utilize procurement contracts which have been publicly bid or negotiated for the use by other public entities. Through Troxell Communications we will be utilizing contract NCPA01-06 for the procurement of document cameras, projectors, speakers and carts to support the Common Core Program in the classroom.

Recommendation:

Approve the National Cooperative Purchasing Alliance contract NCPA01-06 for the procurement of document cameras, projectors, and carts to support the Common Core Program in the classroom through Troxell Communications.

Fiscal Impact:

\$797,960.00 from Measure E 2012

***CI C.11 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: \$214,535. Funding sources Measure J Bond, Measure D-2010 Bond, and Fund 40.

***CI C.12 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; Nystrom ES Interim Campus; Peres ES Modernization; Downer ES Restroom Repairs. 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 Order for the De Anza HS Replacement Campus; Nystrom ES Interim Campus; Peres ES Modernization project is required by the Board, with special findings as noted below, because this project is in excess of the Public Contract Code limit of 10% of the original contract value. In accordance with Public Contract Code 20118.4, the Board, by 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: \$745,431.15

***CI C.13 Ratification of Staff Awarded Contract (CUPCCAA)**

Comment:

The District solicited bids for two CUPCCAA projects and the Superintendent's designee has approved and executed a contract for the following projects:

- Portola Middle School Sidewalk Removal & Replacement McKim Company \$12,230
- Kennedy High School Football Field Lighting Controls W. Bradley Electric \$39,127

All contracts approved by District staff must be ratified or, in some cases, reviewed by the District's Board. (CUPCCAA Resolution # 90-0809 (2009); Educ. Code § 22034).

Recommendation:

Ratify staff award of the contract to McKim Company & W. Bradley Electric.

Fiscal Impact:

\$51,457. Project will be funded from the Measure J.

***CI C.14 Coronado Elementary School Campus Replacement Project Award of Contract**

Comment:

WLC has prepared plans and specifications for the project. Scope of work includes demolition of all existing hardscape, and on-site and off-site utilities. Work also includes paving and grading, construction of 64,738 square feet of new classroom, administrative, multipurpose and support facilities, covered walkways, landscaping, sod playfield, running track, paving, parking, striping, site lighting, city side walk improvements, the provision and installation of utilities, low voltage systems, and miscellaneous materials and equipment.

The District conducted a public bid process for the project. Bids were opened on October 22, 2013. Six Contractors submitted bids. They are as follows: Lathrop Construction Associates, Inc. \$27,059,000; Wright Contracting \$27,240,000; Alten Construction \$27,382,810; ARTNZ Builders \$28,270,484; Roebbelen Contracting \$28,684,770; MidState Construction \$28,714,670. The bid price includes the contract value, alternate and unit pricing, used for negotiating change orders only. The lowest responsive, responsible bidder is Lathrop Construction Associates, 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. 44-1314: Placing Oversight of Measure “E” Funds with the, Measure M, D, J, and D-2010 Citizens Bond Oversight Committee**

Comment:

Existing law provides that if a bond measure is authorized under the Constitutional provisions established by Proposition 39, the governing board of the school district must establish and appoint members to a Citizens’ Bond Oversight Committee (CBOC) to review and report on bond fund expenditures to ensure compliance with the purposes and accountability requirements. (Ed. Code section 15278).

Over the past decade, the District has passed four Proposition 39 bond measures, Measure “M” for \$150 million in 2000, Measure “D” for \$300 million in 2002, Measure “J” for \$400 million in 2005 and Measure “D-2010” in 2010, for which a CBOC was required by law and for which a CBOC is currently providing oversight. In November of 2012 the District passed another Proposition 39 bond measure, Measure “E” for \$360 million dollars for which a CBOC is also required by law.

The District’s Board desires to have the current CBOC provide oversight of Measure E funds in addition to its duties providing oversight of Measures M, D, J and D-2010 funds. Adoption of this resolution will achieve the Board’s objective.

Recommendation:

Recommend adoption of the Resolution No. 44-1314: Placing Oversight of Measure “E” Funds with the, Measure M, D, J, and D-2010 Citizens Bond Oversight Committee.

Fiscal Impact:

No fiscal impact or implications associated with the adoption of this resolution

***CI C.16 Citizens’ Bond Oversight Committee (CBOC) Appointment: Alex Aliferis**

Comment:

Contra Costa Taxpayers Association has forwarded a recommendation that Alex Aliferis be the Taxpayers’ Organization appointee on the West Contra Costa Unified School District Citizens Bond Oversight Committee.

Recommendation:

Approve appointment as noted

Fiscal Impact:

None

***CI C.17 Citizens' Bond Oversight Committee (CBOC) Reappointment: Julio Arroyo**

Comment:

Public Employees Union Local One has forwarded a recommendation that Julio Arroyo be reappointed on the West Contra Costa Unified School District Citizens Bond Oversight Committee.

Recommendation:

Approve appointment as noted

Fiscal Impact:

None

***CI C.18 Citizens' Bond Oversight Committee (CBOC) Appointment: Kelvin Love**

Comment:

Dr. Bruce Harter has forwarded a recommendation that Kelvin Love be the Parent/Guardian appointee on the West Contra Costa Unified School District Citizens Bond Oversight Committee.

Recommendation:

Approve appointment as noted

Fiscal Impact:

None

***CI C.19 Appointment to the Citizens Bond Oversight Committee: James Oakley**

Comment:

One of the five mandatory positions on the Citizens Bond Oversight Committee is the senior citizen position. James Oakley is recommended to fill the position vacated by Joe Fisher.

Recommendation:

That the Board appoint James Oakley as the senior citizen representative to the Citizens Bond Oversight Committee.

Fiscal Impact:

None

***CI C.20 Resolution No. 40-1314: Recognizing Contributions of Veterans to the Country**

Comment:

Resolution No. 40-1314 acknowledges the contributions of our veterans and encourages all citizens, staff, faculty, students and families to participate in the celebration of Veterans' Day.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.21 Resolution No. 41-1314: American Education Week: November 18 – 22, 2013**

Comment:

American Education Week - November 18-22, 2013 - presents all Americans with a wonderful opportunity to celebrate public education and honor individuals who are making a difference in ensuring that every child receives a quality education.

WCCUSD schools will celebrate this week with relevant classroom and schoolwide activities.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.22 Resolution No: 42-1314: California Sikh American Awareness and Appreciation Month**

Comment:

The State Board of Education has proclaimed November 2013 as California Sikh American Awareness and Appreciation Month. The West Contra Costa Unified School District recognizes the contributions of Sikh Americans and encourages schools to conduct appropriate commemorative exercises to promote awareness of the contributions of Sikh Americans to California's history.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.23 NCLB Supplemental Educational Services (SES) Tutoring Contracts**

Comment:

The No Child Left Behind (NCLB) Act of 2001 requires school districts to set aside an amount equivalent to 20% of the Title I entitlement for the purposes of providing Transportation for Choice and Supplemental Educational Services (SES). In WCCUSD 20% of the entitlement is \$1,404,000. Of this amount, \$70,000 is needed for Transportation for Choice leaving \$1,334,000 available for SES tutoring.

Federal guidance regarding Supplemental Educational Services was released on January 14, 2009. The guidance specifies the roles and responsibilities of the U.S. Department of Education, the State Board of Education and the Local Educational Agency. The guidance has been used to inform the implementation of this initiative in WCCUSD. Each year the Department of Education sets the official per pupil allotment (PPA) for each district, which represents the maximum amount to be expended per participant. The official rate for 2013-14 is \$881.00 per student; therefore, approximately 1,514 eligible students may be served.

Parent/guardians of all students participating in the free and reduced lunch program at the 20 Title I schools in year 2 and beyond of NCLB Program Improvement were informed of the opportunity to

receive these tutoring services. An informational catalog and application were created in English and Spanish with descriptions of the programs offered by the State-approved providers. These materials were mailed to all eligible families in August. In addition, catalogs are available in the front office of all participating schools. Furthermore, many of the participating schools hosted provider fairs for their school communities.

Permission is requested of the Board of Education to approve contracts between the District and named State-approved SES providers per parental choice for the period of November 26, 2013 through June 30, 2014.

Recommendation:
Recommend Approval

Fiscal Impact:
Appropriate expenditure of Title I SES reservation

***CI C.24 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 Todd Groves has expressed interest in attending the following:

- Silicon Valley Education Foundation: The Importance of Early Math, Santa Clara, November 12, 2013

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

Recommendation:
Recommend Approval

Fiscal Impact:
General Fund

***CI C.25 Out of State Travel for Administrators**

Comment:

Richmond High School administrators Sumerlyn Sigler and William McGee will travel to New York City to attend the educational event Teacher Apprenticeship Program (TAP). All expenses will be covered by Holy Names University. Travel dates are November 16-19, 2013.

Recommendation:
Recommend Approval

Fiscal Impact:
None

D. AWARDS, RECOGNITIONS, AND REPORTS

*** D.1 CSBA Names Peres Dental Project as Golden Bell Award Winner**

Comment:

The WCCUSD has been chosen as one recipient of the state’s leading educational honor, the Golden Bell Award. The Golden Bell Award, now in its 34th year, is sponsored by the California School Boards Association. The award recognizes public school programs that are innovative and sustainable, make a demonstrated difference for students, and focus on meeting the needs of all students. WCCUSD will receive its award at a recognition ceremony to be held on Saturday, December 7 at CSBA’s Annual Education Conference and Trade Show in San Diego.

Experts from school districts and county offices of education made up the 11-member judging panel that reviewed the written entries that made the initial recommendations for the award. On-site validators assessed the programs in action.

The Dr. Dan Tanita Dental Clinic was developed to respond to the fact that many of the students in our low income schools have limited access to dental health care. The goal of the Clinic is to provide on-site dental health care to the students of Peres Elementary School in San Pablo. The program provides free dental services to all the children of Peres Elementary – a school of 568 students – 90% of whom are economically disadvantaged.

Recommendation:

That the Board celebrate this accomplishment.

Fiscal Impact:

None

*** D.2 Budget Update**

Comment:

Associate Superintendent Business Services will provide an update on the budget.

Recommendation:

For Information Only

Fiscal Impact:

None

*** D.3 Public Hearing for Common Core State Standards Implementation Funds**

Comment:

As a condition of receiving and spending the CCSS implementation funds, a school district is required to develop and adopt a plan delineating how the CCSS implementation funds will be spent. The plan must be explained in a public meeting of the governing board of the school district before its adoption in a subsequent public meeting.

The funds can be used for professional development, supplemental instructional materials aligned to the common core, and technology.

Staff will present the elements of WCCUSD’s CCSS Implementation Funds Plan.

Recommendation:
Public Hearing

Fiscal Impact:
\$5,872,800 over two years

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 |
| Bayside Parent Teacher Association | Safety Committee |
| Citizens’ Bond Oversight Committee | School Supervisors Association |
| College and Career Readiness Academies | Technology Committee |
| Community Budget Advisory Committee | United Teachers of Richmond |
| Facilities Subcommittee | Youth Commission |
| Ivy League Connection | |

*** E.2 Superintendent’s Report**

F. ACTION ITEMS

*** F.1 Decision Concerning Charter Petition from Richmond Charter Elementary**

Comment:

On September 13, 2013 Mr. Jorge Lopez submitted a Charter Petition for a school intended to serve Kindergarten through fifth grades students in the West Contra Costa Unified School District.

On October 2, 2013 the West Contra Costa Unified School District board convened to hold a hearing to determine the level of community support for the Richmond Charter Elementary School.

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

Upon receipt of the petition, components of the petition were assigned to various staff members of the District for review and analysis based on individual areas of expertise. Review of the different components of the charter petition was allocated as follows: Educational Program, Lynn Potter, Director Educational Services, Sonja Neely-Johnson, Mimi Melodia, and Dr. Linda Delgado, Coordinators Educational Services; Special Education, Steve Collins, SELPA Director; Fiscal/Budget, Daniela Parasidis, Director of Business Services, and general oversight and evaluation were provided by attorneys Chad Graff and Shawn Olson Brown of Fagen Friedman & Fulfrost LLP.

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

The pages immediately following this précis contain the Resolution to Conditionally Approve the Petition pending fulfillment of the requirements described in the Resolution to remedy deficiencies identified in the Findings.

Recommendation:

To adopt the Resolution to conditionally approve the petition and provide a seventy-day time period to remedy the identified deficiencies through revision of the petition and development of memoranda of understanding between the petitioners and District on operations and special education services. As provided in the Resolution, if the deficiencies are not remedied in the seventy-day period, the petition shall be denied.

Fiscal Impact:

Loss of ADA due to students leaving District schools

* **F.2 Approval of Agreement with West Contra Costa Administrators Association (West Contra Costa Administrators Association / AB1200 Public Disclosure of Collective Bargaining Agreement with WCCAA)**

Comment:

District and West Contra Costa Administrators Association Collective bargaining proposals were sunshined for the 2013-2015 year. Tentative Agreement has been reached with representatives of West Contra Costa Administrators Association (WCCAA). A copy of the Tentative Agreement will be provided at the Board meeting. The West Contra Costa Administrators Association (WCCAA) has ratified the Agreement; it is now presented to the Board of Education for ratification.

School districts are required to publicly disclose the provisions of all collective bargaining agreements before they ratify an agreement. This ensures that the public is aware of the details associated with a tentative collective bargaining agreement before it becomes binding on the district. A summary of the savings associated with the agreement is provided. This summary has also been provided to the County Office of Education.

The Board will receive public comment on the proposed contract changes before the Board votes to ratify the Agreement.

We want to take this occasion to thank the representatives of both groups for their time and effort in reaching this accord.

Recommendation:

Recommend that the Board of Education ratify the Tentative Agreement between the West Contra Costa Unified School District and West Contra Costa Administrators Association (WCCAA).

Fiscal Impact: General Fund \$9, 250 for 2012-13
General Fund \$11,250 for 2013-14

* **F.3 Sexual Harassment Statement**

Comment:

The West Contra Costa Unified School District is committed to maintaining a working and learning environment that is free from sexual harassment. Sexual harassment of or by employees or students, or persons doing business with or for the District is a form of sex discrimination in that it constitutes differential treatment on the basis of sex, sexual orientation, or gender, and, for that reason, is a violation of state and federal laws and a violation of this policy.

The District considers sexual harassment to be a major offense which can result in disciplinary action to the offending employee or the suspension or expulsion of the offending student in grades four through twelve. Suspension or expulsion as a disciplinary consequence for sexual harassment shall not apply to students enrolled in Kindergarten and grades one through three. However, students enrolled in Kindergarten and grades one through three may be subject to other disciplinary actions.

Any student or employee of the District who believes that she or he has been a victim of sexual harassment shall bring the problem to the attention of the site administrator or Title IX Coordinator so that appropriate action may be taken to resolve the problem. The District prohibits retaliatory behavior against anyone who files a sexual harassment complaint or any participant in the complaint investigation process. Complaints will be promptly investigated in a way that respects the privacy of the parties concerned.

California Education Code Section 212.5 defines sexual harassment as any unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature made by someone from or in the work or educational setting, under any of the following conditions:

- **Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, academic status, or progress.**
- **Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.**
- **The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance. Or of creating an intimidating, hostile, or offensive work or educational environment.**

Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

Recommendation:

Recommend Approval of the District Sexual Harassment Statement

Fiscal Impact:

None

G. DISCUSSION ITEMS

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 20, 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

November 6, 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)

Superintendent's Evaluation

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