

**WEST CONTRA COSTA
UNIFIED SCHOOL DISTRICT**

BOARD OF TRUSTEES



MISSION STATEMENT

We provide the highest quality education to enable all students to make positive life choices, strengthen our community, and successfully participate in a diverse and global society.

We provide excellent learning and teaching experiences; safe, student-centered learning environments; and support for all students and employees. We develop and maintain productive community partnerships and individual and collective accountability.

**MEETING OF
May 1, 2013**

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
MEETING AGENDA
MAY 1, 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 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 **6:00 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)**

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 Notice of Completion: Bid 3601211-12 Kennedy High School Quad Renovations**

Comment:

Substantial completion notice has been received for: Bid 3601211-12.

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 contractor:

CF Contracting, Bid 3601211-12 Kennedy High School Quad Renovations

Recommendation:

Recommend approval of this notice of completion

Fiscal Impact:

None

***CI C.2 Board Policy 6153.1 – School Sponsored Study Trips: College Going Culture**

Comment:

The Board has advocated for and supported efforts to create and improve upon a college going culture for the benefit of students in the West Contra Costa Unified School District.

The most prominent of these programs is the Ivy League Connection. The Ivy League Connection is an innovative and ground breaking program that benefits the students in the West Contra Costa Unified School District; it has been recognized nationally through the National School Boards Association with the Magna Award in 2010 and within the State of California with the Golden Bell Award from the California School Boards Association in 2011. It has been operating through a combination of support from donors, currently administered through the West Contra Costa Public Education Fund, and School District Funds.

As the program has grown in size and prominence it has become evident that the School District should provide policy level guidance as to the program and its operation. This Board Policy will guide the District toward recognizing and supporting the benefits of the program in the long term as well as framework for other programs involving study trips which support the college going culture. This policy will provide the parameters for compliance to related Board Policies, such as expense reimbursements and Education Code related to Student Study Trips and District expenses. Review of this new Board Policy occurred at the April 24th board meeting.

Recommendation:

Approval of BP 6153.1

Fiscal Impact:

None

***CI C.3 Presentation of Initial Bargaining Proposal from WCCUSD to Public Employees, Local One**

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 initial proposal of the West Contra Costa Unified School District to Public Employees, Local One 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 initial bargaining proposal with Public Employees, Local One as an information item.

Fiscal Impact:

To Be Determined

***CI C.4 Presentation 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 districts and labor unions must be submitted at a public meeting of the governing board. The initial proposal of Publics Employee, Local One to the West Contra Costa Unified School District 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 initial bargaining proposal with Publics Employee, Local One as an information item.

Fiscal Impact:

To Be Determined

***CI C.5 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: \$611,947. Funding sources Measure J Bond and Measure D-2010 Bond.

***CI C.6 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; Portola MS CCS @ Downer; Vista HS Portable Tech Labs 1 & 2. 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 Portola MS CCS @ Downer 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: \$607,870.16

***CI C.7 Approval of Program and Construction Management Contract**

Comment:

The District undertook a RFP/RFQ process for the Program and Construction Management of the WCCUSD Bond Program. This process was adjunct to the Education Code provisions on contract terms.

Six firms submitted proposals that were screened by a committee that consisted of facility management professionals employed by WCCUSD and other districts that have G.O. Bond Programs. Four firms proceeded to the interview phase by the panel that suggested an alternate approach for these services that was presented to the Facilities Sub Committee on April 9, 2013.

The FSC felt that a change in course was not warranted, as the program was already well managed and there was no basis to introduce an alternate management solution. As such, the committee recommends maintaining the continuity by awarding a new contract to the Seville Group, Inc., to provide both Program and Construction Management Services.

Staff will negotiate a new contract to be executed by the Superintendent of Schools.

Recommendation:

To ratify the Facilities Sub Committee's recommendation to award a new contract to the Seville Group, Inc.

Fiscal Impact:

To be negotiated. Funding sources Measure J, Measure D-2010 & Measure E-2012.

***CI C.8 Ratification of Staff Awarded Contract (CUPCCAA): JFK Park Restoration – Landscape Design Build**

Comment:

Plans and specifications provided by Facilities Staff to comply with restoration requirements of *Construction Access, Property Use and Restoration License Agreement* with City of Richmond dated July 31, 2008. Scope of work includes design build irrigation and planting for JFK park restoration, prepare, irrigate and landscape north side of play yard, prepare and sod south side of play yard, install mulch on southwest corner and west side of play yard and install Fibar Chips in play structure area.

The Superintendent's designee has approved and executed a contract for the project to Lemmings Irrigation, Inc., \$39,500. All contracts approved by District staff must be ratified or, in some cases, reviewed by the District's Board. (California Uniform Public Construction Cost Accounting Act Resolution # 90-0809 (2009); Educ. Code § 22034)

Recommendation:

Ratify staff award of the contract to Lemmings Irrigation, Inc.

Fiscal Impact:

\$39,500. Project will be funded from the Measure J.

***CI C.9 Ratification of Staff Awarded Contract (CUPCCAA): JFK Park Restoration - Paving and Fencing**

Comment:

Plans and specifications provided by Facilities Staff to comply with restoration requirements of *Construction Access, Property Use and Restoration License Agreement* with City of Richmond dated July 31, 2008. Scope of work includes removal of interim perimeter play yard fencing at JFK Park, installation of permanent fencing along 41st St. and on south side of Martin Luther King, Jr. Elementary School staff parking lot, asphalt removal required for fencing, and replacement of asphalt on perimeter of play yard.

The Superintendent's designee has approved and executed a contract for the project to Mark Raine Paving, \$34,800. All contracts approved by District staff must be ratified or, in some cases, reviewed by the District's Board. (California Uniform Public Construction Cost Accounting Act Resolution # 90-0809 (2009); Educ. Code § 22034)

Recommendation:

Ratify staff award of the contract to Mark Raine Paving

Fiscal Impact:

\$34,800. Project will be funded from Measure J.

***CI C.10 Ratification of Staff Awarded Contract (CUPCAA): Olinda Elementary School Roofing**

Comment:

The District prepared the drawing and specifications for the project. Scope of work includes cleaning roof, trace and patch existing roof leaks and re-coat entire roof.

The District received three bids for the project:

- The Lawson Roofing Co. Inc. \$78,433
- A-1 Roof Management & Construction, Inc. \$48,739
- Above All Roofing Solutions, Inc. \$45,460

The Superintendent's designee has approved and executed a contract for the project to Above All Roofing Solutions, Inc., \$45,460. All contracts approved by District staff must be ratified or, in some cases, reviewed by the District's Board. (California Uniform Public Construction Cost Accounting Act Resolution # 90-0809 (2009); Educ. Code § 22034)

Recommendation:

Ratify staff award of the contract to Above All Roofing Solutions, Inc.

Fiscal Impact:

\$45,460. Project will be funded from the Measure J.

***CI C.11 Oregon Shakespeare Festival**

Comment:

Students respond to historically or culturally significant works of drama that reflect and enhance their studies of history and social science.

Analyze: Structural features of literature, philosophical arguments, clarity and consistency of political assumptions in a selection of dramatic works on a topic.

Recommendation:

Recommend Approval

Fiscal Impact:

Hercules Education Foundation is paying for the students that are on free or reduced lunch. The other students are paying for themselves. This is a voluntary study request.

***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 members have expressed interest in attending the following:

- American Education Research Association Annual Conference, April 27-May 1, 2013, San Francisco
- EdSource Transforming Public Education Conference, May 4, 2013, San Jose

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 Recognition of Crespi Middle School Science Team Participation in the Morgan Garrett Sustainable Energy Project**

Comment:

Juan Crespi Middle School Science team participated in the Morgan Garrett Sustainable Energy Project. They presented their project, “Ethanol from Cellulosic Waste for America’s Future Energy Needs” in competition with nine other middle and high schools across the nation. The team won the competition and will receive a \$500.00 cash award. Their work was sponsored by Caltrans District 4. The team was under the direction of Ms. Pavlich.

We would like to recognize and congratulate the team of seven competitors; Kwame Baah-Ahrin, Molly Brannick, Xalli Gordan Chavez, Alice Johnson, Josh Manio, Ariel Tonesi-Barisi and Nezhiah Whitson.

Recommendation:

For Information Only

Fiscal Impact:

None

*** D.2 Report on Young Scholars Program**

Comment:

The Mission of the Young Scholars Program is to educate our scholars (students who are under-represented on college campuses) for eligibility, admission, and success at four-year institutions of

higher learning without remediation and to prepare them to be able to enter high-skilled career fields. Our scholars are encouraged to be reflective, independent, resourceful, responsible, and productive citizens, able to obtain future education, pursue high skill employment, to give back to their community, and to be dedicated to becoming the leaders of the 21st Century.

Students in the program are taught skills to learn how to overcome barriers and their perceived weaknesses. The ability to do both of these enables the students to face dilemmas, not to become overwhelmed, and to stay focused on achieving their goals.

By promoting a student's belief in their academic abilities and the importance of education, study skills training and mentoring, Young Scholars Program improves the odds for high school graduation and ensures steps toward post-secondary education – while increasing the likelihood for a life of increased personal choices and a productive career. It will also give these students a sense of cultural pride and confidence.

Staff and students will give an update on the progress and achievements of the program.

Recommendation:
For Information Only

Fiscal Impact:
None

* **D.3 Report on the District's Families in Transition**

Comment:
A report will be given on the services provided by the Families in Transition Office to the homeless and foster students in our District.

Recommendation:
Report Only

Fiscal Impact:
None

* **D.4 Report on Student Demographics**

Comment:
Davis Demographics has completed the Student Population Projection Report. The report provides projected student demographics for the District from school years 2013-14 through 2021-22 based on data collected during 2012-13.

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.5 Budget Update**

Comment:

Associate Superintendent Business Services will provide information on Budget Development for 2013-2014.

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

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 agendaized, but may refer these to staff for response and/or placement on future agendas.

F. ACTION ITEMS

*** F.1 CaliberSchools Charter Submission Staff Recommendation**

Comment:

The Caliber Charter was submitted on Wednesday, March 6, 2013 to the office of Wendell Greer, Associate Superintendent, K-12 Operations.

Staff has reviewed the charter petition (“Petition”) for the establishment (for five years) of the CaliberSchools Charter School (“Charter School”). A nonprofit public benefit corporation governs the Charter School, but the District would be responsible for oversight of the Charter School. The Charter School founding team offers the following Mission Statement: “Our mission is to provide students with a challenging, engaging, and personalized education that equips them with the knowledge, character, and skills they will need to succeed in competitive colleges, careers, and communities” (page 9 of the CaliberSchools Executive Summary).

Submission of a charter petition is governed by the requirements of Education Code section 47605 and 47607. Education Code section 47605(b) requires the Board, within 30 days of receiving a petition, to hold a public hearing to consider the level of support for the petition. The public hearing was held on Wednesday, March 20, 2013.

The 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, Lyn Potter, Director Educational Services, Sonja Neely-Johnson, Susan Dunlap, and Dr. Linda Delgado, Coordinators Educational Services; Special Education, Steve Collins, SELPA Director; Fiscal/Budget, Daniela Parasidis, Director of Business Services, Human Resources/Employee Issues, Cheryl Cotton; Legal/Operational, and general oversight and evaluation were provided by attorneys William F. Schuetz, Jr. and Shawn Olson Brown of Fagen Friedman & Fulfrost LLP.

Staff and legal counsel have reviewed the Petition and prepared the Staff Written Findings Regarding CaliberSchools Petition (“Findings”), which are provided. 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 describing concerns, and Staff’s ultimate recommendation regarding those areas.

Recommendation:

Staff recommends that the Board deny the charter petition on the following grounds pursuant to Education Code section 47605:

- (a) The Charter School presents an unsound educational program for the students to be enrolled in the Charter School. (Ed. Code § 47605(b)(1).)
- (b) The Petitioners are demonstrably unlikely to successfully implement the program set forth in the Petition. (Ed. Code § 47605(b)(2).)
- (c) The petition does not contain reasonably comprehensive descriptions of all 16 elements required in Education Code section 47605 subdivision (b)(5).

In order to deny the Petition on the grounds set forth above, Education Code section 47605, subdivision (b) requires the Governing Board to make “written factual findings, specific to the particular Petition, setting forth specific facts to support one or more” of the grounds for denying the charter. Staff recommends that the Board adopt the proposed findings of fact as its own.

Fiscal Impact:

Ongoing loss of student daily attendance as a result of WCCUSD students attending a new charter school.

* **F.2 Amended Resolution No. 89-1213: Credential Assignment Options**

Comment:

Pursuant to California Code of Regulations Section 80026 (e)(1) of Title 5, pertaining to Declaration of Need for Fully Qualified Educators by a school district shall be adopted by the governing board in a regularly-scheduled, public meeting of the board. The entire Declaration of Need for Fully Qualified Educators shall be included in the board agenda, and shall not be adopted by the board as a part of a consent calendar.

The Board and the public must have the opportunity to see the number of emergency permits that the District reasonable expects to request in each category and to understand the reasons for such requests. This resolution will provide the District with assignment options of a temporary nature when a teacher with an appropriate credential is not available to the District.

The options are only available to teachers who hold a current, non-emergency, basic credential.

Recommendation:

Recommend Approval

Fiscal Impact:

None

* **F.3 Amended Resolution No. 90-1213: Declaration to Hire 30-Day Substitutes on CBEST Waivers**

Comment:

There is a statewide shortage of qualified substitutes. The Commission on Teacher Credentialing require each 30-day substitute CBEST waiver request be approved by the Board of Education before the waiver

request is submitted has been relaxed by the Commission on Teacher Credentialing (CCTC). This declaration need be approved only once for all CBEST waiver requested in 2013-2014. This item shall be included in the board agenda, and shall not be adopted by the Board as a part of a consent calendar. Our District will continue to recruit and search for fully credentialed teachers while using this assignment option.

Recommendation:

Recommend Approval

Fiscal Impact:

None

* **F.4 Presentation and Public Hearing of Initial Bargaining Proposal from the West Contra Costa Unified School District to 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 West Contra Costa Unified School District 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 District's initial bargaining proposal to the School Supervisors Association (SSA) 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 District's proposal to the School Supervisors Association 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

* **F.5 Public Hearing and Adoption of Initial Bargaining Proposal from the School Supervisors Association to 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 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 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 15, 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

May 1, 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

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

Four cases

4. LIABILITY CLAIMS (Government Code Section 54956.95)

5. CONFERENCE WITH LABOR NEGOTIATORS

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

- Confidential and Management

6. PUBLIC EMPLOYEE APPOINTMENT

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

8. STUDENT DISCIPLINE (Education Code Section 35146)

Expulsions

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

Certificated / Classified Employee Dismissal

10. REPORT OF CLOSED SESSION ACTIONS

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

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: May 1, 2013

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

Agenda Item: B.4

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

Background Information:

A Student Board Representative from North Campus High School will attend the Board of Education on May 1, 2013. We would like to recognize and commend their participation.

Recommendation: For Information Only

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

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

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: May 1, 2013

From: Sheri Gamba 
Associate Superintendent Business Services

Agenda Item: CI C.1

Subject: Notice of Completion: Bid 3601211-12 Kennedy High School Quad Renovations.

Background Information:

Substantial completion notice has been received for: Bid 3601211-12.

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 contractor:

CF Contracting, Bid 3601211-12 Kennedy High School Quad Renovations

Recommendation: Recommend approval of these notices of completion.

Fiscal Impact: None.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO
NAME WEST CONTRA COSTA
UNIFIED SCHOOL DISTRICT
STREET
ADDRESS 1108 BISSELL AVENUE
CITY &
STATE RICHMOND, CALIF 94801

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE OF COMPLETION

Notice pursuant to Civil Code Section 3093, must be filed within 10 days after completion. The completion of work is deemed to be the date of such acceptance by the Governing Board of the District (civil code 3086)

Notice is hereby given that:

1. The undersigned is owner of the property hereinafter described:
2. The full name of the owner is: Governing Board, West Contra Costa Unified School District.
3. The full address of the owner is: 1108 Bissell Avenue, Richmond, Calif. 94801.
4. A work of improvement on the property hereinafter described was completed and accepted on May 1, 2013.
5. The work done was: Project 3601211-12 Kenned High School Quad Renovations.
6. The name and address of the contractor for such work of improvement was CF Contracting, 96 Forrest Avenue Fairfax, CA 94930 Date of Contract: November 17, 2011
7. The name of the Bonding Company that provided Surety for said contractor relative to work to be performed is: North American Specialty Insurance Company
8. The property on which said work of improvement was completed is located within the West Contra Costa Unified School District, County of Contra Costa, State of California, and is described and located as follows: Kennedy High School 4300 Cutting Blvd. Richmond, CA 94804.

Dated: May 1, 2013

Director, General Services
West Contra Costa USD

VERIFICATION

I, the undersigned, say: I am the Director, General Services the declarant of the foregoing notice of completion; I have read said notice of completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 1, 2013, at Richmond, California.

Director, General Services
West Contra Costa USD

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

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: May 1, 2013

From: Sheri Gamba *SG*
Associate Superintendent Business Services

Agenda Item: CI C.2

Subject: Board Policy #6153.1 – School Sponsored Study Trips: College Going Culture

Background Information:

The Board has advocated for and supported efforts to create and improve upon a college going culture for the benefit of students in the West Contra Costa Unified School District.

The most prominent of these programs is the Ivy League Connection. The Ivy League Connection is an innovative and ground breaking program that benefits the students in the West Contra Costa Unified School District; it has been recognized nationally through the National School Boards Association with the Magna Award in 2010 and within the State of California with the Golden Bell Award from the California School Boards Association in 2011. It has been operating through a combination of support from donors, currently administered through the West Contra Costa Public Education Fund, and School District Funds.

As the program has grown in size and prominence it has become evident that the School District should provide policy level guidance as to the program and its operation. This Board Policy will guide the District toward recognizing and supporting the benefits of the program in the long term as well as framework for other programs involving study trips which support the college going culture. This policy will provide the parameters for compliance to related Board Policies, such as expense reimbursements and Education Code related to Student Study Trips and District expenses. Review of this new Board Policy occurred at the April 24th board meeting.

Recommendation: Approval of B.P. 6153.1

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

West Contra Costa USD

Board Policy

District/School Sponsored Study Trips: College Going Culture/Ivy League Connection

BP 6153.1

Instruction

The Board supports the effort to create and improve upon a college going culture for the benefit of students in the West Contra Costa Unified School District. This policy shall be used and apply to all Study Trips for students for college programs or visits which may be co-sponsored by various organizations.

The Ivy League Connection Summer Scholarship Program is a jointly-sponsored project of the District and the Ivy League Connection, an unincorporated association. The purpose of the project is to promote a college going culture in the high schools of the District by providing an opportunity for students to participate in classes and educational programs at certain highly selective colleges and universities during the summer break. While enrolled in these summer programs, students tour other colleges, interact with college officials in formal and informal, and serve as ambassadors of the District so that college recruiters will continue consider District students as candidates for admission.

District-Sponsored Trip

The Ivy League Connection Summer Scholarship Program, or other Student Study Trips identified with the "College Going Culture" effort, is a field trip/excursion and shall be subject to the requirements of Education Code section 35330 and BP 6153 (School Sponsored and Study Trips).

Authorized Expenses

The Board authorizes the District to contract and pay for student transportation by air to and from the out-of-state destinations of the respective colleges where summer educational programs are offered. Other expenses of students participating in these out-of-state field trips shall not be paid with District funds. (Education Code section 35330(b)(3))

Adult chaperones, certificated employees, and other District personnel and officials (including members of the Governing Board) who participate in administering the project shall have their travel and other expenses reimbursed in accordance with BP/AR 3350.

The Board authorizes an exception to these expense reimbursement limits in regard to certain dinners and receptions which are an integral part of the project in that they serve the purpose of strengthening the bonds between the District's students, its adult representatives, and the college

officials. No District funds shall be used to purchase alcoholic beverages in connection with such dinners and receptions. (Education Code section 32435(a))

Annual Budget Approval

A budget for District expenses to support the Ivy League Connection Summer Scholarship Program, or other "College Going Culture" Student Study Trip shall be approved in advance by the Board on an annual basis.

Legal References:

Education Code section 35330

Education Code section 32435

Policy WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

adopted: April __, 2013, Richmond, California

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

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: May 1, 2013

From: Kenneth L. Whittemore,
Assistant Superintendent Human Resources

Agenda Item: CI C.3

Subject: Presentation of Initial Bargaining Proposal from WCCUSD to Public Employees, Local One

Background Information:

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 initial proposal of the West Contra Costa Unified School District to Public Employees, Local One 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 initial bargaining proposal with Public Employees, Local One as an information item.

Fiscal Impact: To be determined

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

**THE WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
INITIAL PROPOSAL TO PUBLIC EMPLOYEES, LOCAL ONE FOR
CONTRACT NEGOTIATIONS**

The District is presenting the following article reopeners and will make proposals in the following areas. Nothing in this initial proposal is intended to preclude the District from making additional proposals in any article that is opened by either the District or Local One.

Article 13 **Evaluation**

The District has an interest in working with Local One to assess and improve the current evaluation system.

Article 15 **Benefits**

The District has an interest in discussing modifications to the benefit plan.

Article 16 **Compensation**

The District has an interest in discussing this article with an emphasis on streamlining the process to allow for schools to be fully staffed when the school year begins.

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education **Meeting Date:** May 1, 2013
From: Kenneth L. Whittemore **Agenda Item:** CI C.4
Assistant Superintendent Human Resources
Subject: Presentation of Initial Bargaining Proposal from Local One to the West Contra Costa Unified School District

Background Information: 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 initial proposal of Publics Employee, Local One to the West Contra Costa Unified School District 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 initial bargaining proposal with Publics Employee, Local One as an information item.

Fiscal Impact: To be determined

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



Public Employees Union, Local One

THE UNION FOR PUBLIC EMPLOYEES
ORGANIZED 1941

Mailing Address: 4197 Lakeside Drive, Suite 170 Richmond, CA 94806
Phone: (510) 222-5012 ♦ Fax: (510) 222-8858
www.peu1.org ♦ info@peu1.org

Date: April 18, 2013

To: West Contra Costa Unified School District Board of Education

RE: Public notice of Local One Proposals for the Successor Contractual Agreement between Local One and WCCUSD Expiring on December 31, 2012

Noticed: WCCUSD Board of Education Meeting April 24, 2013

In accordance with Article 4, Section 2 of the contract between Public Employees Union, Local One (Local One) and EERA Section 3547, Public Employees Union, Local One, as the exclusive representative for non-supervisory classified employees in WCCUSD, is providing formal notice of our intent to negotiate the successor contractual agreement presently in force.

The following articles and proposed changes are presented by Local One for public review and comment to the Board of Education:

Article 10

Amend and clarify language in reference to breaks.

Article 15

Expand and improve wage agreement.

Add additional language for equity adjustments for various classifications.

Article 16

Expand and improve health benefits.

Supplement 1

Change language to reflect impact of all changes to contract

Supplement 2

Change language to reflect impact of all changes to contract

Supplement 3

Change language to reflect impact of all changes to contract

Supplement 4

Change language to reflect impact of all changes to contract

Supplement 5

Change language to reflect impact of all changes to contract

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

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education **Meeting Date:** May 1, 2013
From: Bill Fay **Agenda Item:** CI C.5
Associate Superintendent for Operations
Subject: Ratification and Approval of Engineering Services Contracts

Background Information:

Contracts have been initiated by staff using previously qualified consulting, engineering, architectural, or landscape architectural firms to assist in completion of the referenced projects. Many of the firms are already under contract and the staff-initiated work may be an extension of the firm's existing contract with the District. Public contracting laws have been followed in initially qualifying and selecting these professionals.

Recommendation: Ratify and approve contracts as noted.

Fiscal Impact: Total for this action: \$611,947. Funding sources Measure J Bond and Measure D-2010 Bond.

DISPOSITION BY BOARD OF EDUCATION

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

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

ENGINEERING & ARCHITECTURAL SERVICES CONTRACTS

Project/Funding	Dates	Firm	Contract Cost	Reference
Olinda Elementary School Fire Alarm Project Measure D-2010 Bond (PID: 1451612-04)	June 2013 through December 2013	Millennium	\$8,091	Hazmat and Industrial Hygiene construction phase services.
Lake Elementary School Fire Alarm Project Measure D-2010 Bond (PID: 1341612-04)	June 2013 through December 2013	Millennium	\$9,717	Hazmat and Industrial Hygiene construction phase services.
Shannon Elementary School Fire Alarm Project Measure D-2010 Bond (PID:1541223-00)	June 2013 through December 2013	Millennium	\$8,296	Hazmat and Industrial Hygiene construction phase services.
Grant Elementary School Restrooms Renovation Project Measure D-2010 Bond (PID:1251612-14)	April 2013 through May 2013	RGA Environmental, Inc.	\$6,193	Asbestos & Lead Survey, Specification, and mitigation oversight services.
Lake Elementary School Restrooms Renovation Project Measure D-2010 Bond (PID:1341612-08)	April 2013 through May 2013	RGA Environmental, Inc.	\$6,157	Asbestos & Lead Survey, Specification, and mitigation oversight services.
Shannon Elementary School Miscellaneous Repairs Project Measure D-2010 Bond (PID:1541223-03)	April 2013 through May 2013	RGA Environmental, Inc.	\$7,935	Asbestos & Lead Survey, Specification, and mitigation oversight services.
Olinda Elementary School Miscellaneous Repairs Project Measure D-2010 Bond (PID:1451612-15)	April 2013 through May 2013	RGA Environmental, Inc.	\$6,451	Asbestos & Lead Survey, Specification, and mitigation oversight services.

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

ENGINEERING & ARCHITECTURAL SERVICES CONTRACTS

Coronado Elementary School Replacement Campus Project Measure D-2010 Bond (PID:1121341-00)	April 2013 through June 2013	WLC Architects, Inc.	\$6,980	Additional design services to incorporate new District standards.
Grant Elementary School Fire Alarm Project Measure D-2010 Bond (PID: 1251612-04)	April 2013 through December 2013	Millennium	\$9,717	Asbestos & Lead Survey, Specification, and mitigation oversight services.
Richmond High School Bldg A Campus Improvements Project Measure J Bond (PID:3641380-08)	April 2013 through May 2013	Subtronic Corporation	\$2,560	Underground locating services
Coronado Elementary School Replacement Campus Project Measure D-2010 Bond (PID:1121341-00)	April 2013 through May 2013	Water Rock Restoration	\$40,500	Underground storage tank removal.
Gompers/LPS Campus Replacement Project Measure D-2010 Bond (PID:3581366-05)	April 2013 through June 2013	Ninyo & Moore	\$71,500	Geotechnical Observation & testing services.
Program Wide Measure D-2010 & J Bonds	July 2013 through June 2014	Davillier-Sloan, Inc.	\$360,000	Labor Compliance services.
Helms Middle School Sports Field Project Measure J Bond (PID:2101101-09)	January 2013 through June 2013	Consolidated Engineering Laboratories	\$40,000	Materials testing and construction inspection services.
Portola Middle School CCS @ Downer ES Measure J Bond (PID:2141103-08)	January 2013 through April 2013	Consolidated Engineering Laboratories	\$5,000	Materials testing and construction inspection services.

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

ENGINEERING & ARCHITECTURAL SERVICES CONTRACTS

Vista High School Tech Labs Project Measure D-2010 Bond (PID:37310019-00)	January 2013 through April 2013	Consolidated Engineering Laboratories	\$7,000	Materials testing and construction inspection services.
Hercules Middle/High School Bleachers Project Fund 40	April 2013	Consolidated Engineering Laboratories	\$5,000	Bleacher inspection for DSA certification.
Nystrom Elementary School Multi-Purpose Building Measure J Bond (PID:1441205-06)	May 2012 through August 2012	Interactive Resources	\$10,851	Design and construction administration services during vandalism repair work.

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION --- BOARD OF EDUCATION

To: Board of Education **Meeting Date:** May 1, 2013
From: Bill Fay **Agenda Item:** CI C.6
Associate Superintendent for Operations
Subject: Ratification and Approval of Negotiated Change Orders

Background information:

Staff is seeking ratification of Change Orders on the following current District construction projects: De Anza HS Replacement Campus; Portola MS CCS @ Downer; Vista HS Portable Tech Labs 1 & 2. 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 Portola MS CCS @ Downer 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: **\$607,870.16**

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

May 1, 2013 Change Order Ratification Summary

	Project	Company	Original Contract	Previously Approved CO's	Items Pending Board Action		Total CO's	CO Percent of Original Contract	Adjusted New Contract	Change Order Numbers
					CO's Pending Ratification	CO's Pending Approval				
1	De Anza HS - Replacement Campus	Wright Contracting, Inc.	\$62,508,000.00	\$4,700,438.00	\$580,004.00	\$0.00	\$5,280,442.00	8.45%	\$67,788,442.00	30 - 34
2	Portola MS - CCS @ Downer	Arthulia Inc.	\$83,600.00	\$0.00	\$8,360.00	\$17,593.96	\$25,953.96	31.05%	\$109,553.96	1 - 5
3	Vista HS - Portable Tech Labs 1 & 2	ERA Construction Inc.	\$89,000.00	\$0.00	\$1,912.20	\$0.00	\$1,912.20	2.15%	\$90,912.20	1

Pending Board Actions	Ratifications	\$590,276.20
	Approvals	\$17,593.96
	Total Board Action	\$607,870.16

Note: the proposed Board Action is to Ratify all Change Orders below ten percent (10%) of the Contract Value; the change order amounts pending Board Approval is the portion of the Change Order(s) above 10%.

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

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education **Meeting Date:** May 1, 2013
From: Bill Fay **Agenda Item:** CI C.7
Associate Superintendent for Operations
Subject: Approval of Program and Construction Management Contract

Background Information:

The District undertook a RFP/RFQ process for the Program and Construction Management of the WCCUSD Bond Program. This process was adjunct to the Education Code provisions on contract terms.

Six firms submitted proposals that were screened by a committee that consisted of facility management professionals employed by WCCUSD and other districts that have G.O. Bond Programs. Four firms proceeded to the interview phase by the panel that suggested an alternate approach for these services that was presented to the Facilities Sub Committee on April 9, 2013.

The FSC felt that a change in course was not warranted, as the program was already well managed and there was no basis to introduce an alternate management solution. As such, the committee recommends maintaining the continuity by awarding a new contract to the Seville Group, Inc., to provide both Program and Construction Management Services.

Staff will negotiate a new contract to be executed by the Superintendent of Schools.

Recommendation: To ratify the Facilities Sub Committee's recommendation to award a new contract to the Seville Group, Inc.

Fiscal Impact: To be negotiated. Funding sources Measure J, Measure D-2010 & Measure E-2012

DISPOSITION BY BOARD OF EDUCATION

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

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

ITEM REQUIRING ATTENTION --- BOARD OF EDUCATION

To: Board of Education **Meeting Date:** May 1, 2013
From: Bill Fay **Agenda Item:** CI C.8
Associate Superintendent for Operations
Subject: Ratification of Staff Awarded Contract (CUPCCAA): JFK Park Restoration –
Landscape Design Build

Background information:

Plans and specifications provided by Facilities Staff to comply with restoration requirements of *Construction Access, Property Use and Restoration License Agreement* with City of Richmond dated July 31, 2008. Scope of work includes design build irrigation and planting for JFK park restoration, prepare, irrigate and landscape north side of play yard, prepare and sod south side of play yard, install mulch on southwest corner and west side of play yard and install Fibar Chips in play structure area.

The Superintendent's designee has approved and executed a contract for the project to Lemmings Irrigation, Inc., \$39,500. All contracts approved by District staff must be ratified or, in some cases, reviewed by the District's Board. (California Uniform Public Construction Cost Accounting Act Resolution # 90-0809 (2009); Educ. Code § 22034)

Recommendation:

Ratify staff award of the contract to Lemmings Irrigation, Inc.

Fiscal Impact: \$39,500. Project will be funded from the Measure J.

DISPOSITION BY BOARD OF EDUCATION

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

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

ITEM REQUIRING ATTENTION --- BOARD OF EDUCATION

To: Board of Education **Meeting Date:** May 1, 2013
From: Bill Fay **Agenda Item:** CI C.9
Associate Superintendent for Operations
Subject: Ratification of Staff Awarded Contract (CUPCCAA): JFK Park Restoration - Paving and Fencing

Background information:

Plans and specifications provided by Facilities Staff to comply with restoration requirements of *Construction Access, Property Use and Restoration License Agreement* with City of Richmond dated July 31, 2008. Scope of work includes removal of interim perimeter play yard fencing at JFK Park, installation of permanent fencing along 41st St. and on south side of Martin Luther King, Jr. Elementary School staff parking lot, asphalt removal required for fencing, and replacement of asphalt on perimeter of play yard.

The Superintendent's designee has approved and executed a contract for the project to Mark Raine Paving, \$34,800. All contracts approved by District staff must be ratified or, in some cases, reviewed by the District's Board. (California Uniform Public Construction Cost Accounting Act Resolution # 90-0809 (2009); Educ. Code § 22034)

Recommendation:

Ratify staff award of the contract to Mark Raine Paving.

Fiscal Impact: \$34,800. Project will be funded from Measure J.

DISPOSITION BY BOARD OF EDUCATION

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

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

ITEM REQUIRING ATTENTION --- BOARD OF EDUCATION

To: Board of Education **Meeting Date:** May 1, 2013
From: Bill Fay **Agenda Item:** CI C.10
Associate Superintendent for Operations
Subject: Ratification of Staff Awarded Contract (CUPCCAA): Olinda Elementary School
Roofing

Background information:

The District prepared the drawing and specifications for the project. Scope of work includes cleaning roof, trace and patch existing roof leaks and re-coat entire roof.

The District received three bids for the project:

- The Lawson Roofing Co. Inc. \$78,433
- A-1 Roof Management & Construction, Inc. \$48,739
- Above All Roofing Solutions, Inc. \$45,460

The Superintendent's designee has approved and executed a contract for the project to Above All Roofing Solutions, Inc., \$45,460. All contracts approved by District staff must be ratified or, in some cases, reviewed by the District's Board. (California Uniform Public Construction Cost Accounting Act Resolution # 90-0809 (2009); Educ. Code § 22034)

Recommendation:

Ratify staff award of the contract to Above All Roofing Solutions, Inc.

Fiscal Impact: \$45,460. Project will be funded from the Measure J.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____


Approved _____ Not Approved _____ Tabled _____

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

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: May 1, 2013

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

Agenda Item: CI C.11

Subject: Oregon Shakespeare Festival

Background Information:

Students respond to historically or culturally significant works of drama that reflect and enhance their studies of history and social science.

Analyze: Structural features of literature, philosophical arguments, clarity and consistency of political assumptions in a selection of dramatic works on a topic.

Recommendation: Approval

Fiscal Impact: Hercules Education Foundation is paying for the students that are on free or reduced lunch. The other students are paying for themselves. This is a voluntary study request.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

WCCUSD STUDY TRIP REQUEST FORM (Form must be typed) Page 1

SCHOOL: Hercules Middle High School **Date of Submission:** March 27, 2013

TYPE OF TRIP: Please indicate the type of trip. **DAY TRIP** **OVERNIGHT TRIP**

Submissions must be received in the Executive Director's office by the following timeline:

<input type="checkbox"/> Chartered Transportation (Bus reservations via District Transportation Office)	25 school days prior to trip date
<input checked="" type="checkbox"/> Automobile (Driving to destination)	15 school days prior to trip date
<input type="checkbox"/> Public Transportation (BART, bus, Amtrak, etc.)	15 school days prior to trip date
<input type="checkbox"/> Walking	15 school days prior to trip date

TRIP AND CHAPERONE INFORMATION: **Adult to Student Ratio: K-3 (1:5) & 4-12 (1:10)**
Short Term Insurance: K-3 (1:4) & 4-12 (1:8)

Date of Trip: May 20-23, 2013	Time Leave: 5/20 Return: 5/23	Grade/Group: graduating 12th	Total number of students participating: 8
Trips Destination: (Include Address/phone) Oregon Shakespeare Festival, P.O Box 158, Ashland, OR 97520 800-219-8161	Teacher in Charge of Group: (Name, phone, e-mail) Igor Litvin, ilitvin@wccusd.net, (415) 994-1020		Other Teachers Accompanying Group: <i>Michelle Reddo</i>

Total Number of Chaperones accompanying the group 2	<input checked="" type="checkbox"/> Names of Chaperones and Position/Title form attached
Student Study Trip Insurance: The following study trips require insurance: <input type="checkbox"/> Trips around/near water (including trips near creeks, ponds, etc., trips on boats, to hatcheries, hiking, regional parks, etc.) <input type="checkbox"/> Trips where students will be swimming <input type="checkbox"/> Trips with an overnight stay	<input checked="" type="checkbox"/> Insurance form attached <input checked="" type="checkbox"/> Check attached/account code listed <input checked="" type="checkbox"/> List of student names attached

TRANSPORTATION ARRANGEMENTS:

Chartered Transportation	CHARTERED TRANSPORTATION REQUEST FORM. All requests using district funds must be booked through the Transportation Office. Completed Chartered Transportation request must be attached to study trip request.	<input type="checkbox"/> Completed form attached. (Funding Source Account Code indicated on form)
	FUNDING SOURCE Requests using other funding sources (i.e. PTA) must be booked by trip organizer and paid for at the site level. Funding source MUST be indicated.	FUNDING SOURCE/ACCOUNT CODE
	COMPANY Must be from District approved list as indicated on Bulletin. Attach confirmation from chartered transportation company.	COMPANY NAME AND CONTACT:
Automobile	AUTOMOBILE TRANSPORTATION FORM Form must be completed with driver's information attached. Valid California Driver's license and insurance requirements are mandatory.	<input checked="" type="checkbox"/> Completed form attached. <input type="checkbox"/> Valid driver's license and insurance attached
Public Transportation	TYPE OF PUBLIC TRANSPORTATION (BART, BUS, AMTRAK, FERRY) Funding source required if transportation tickets/arrangements are to be purchased using District funds. Funding source MUST be indicated even if using other funding, i.e., PTA, Approved Fundraiser, etc. PR's should be initiated at least four weeks in advance of the trip.	Funding Source Account Code: Bitech PR/PO #
Admission Fees	FEES TO DESTINATION, I.E., ZOO, THEATER, MUSEUM, ETC. Funding source required if tickets are to be purchased using District funds. Funding source MUST be indicated even if using other funding, i.e., PTA, Approved Fundraiser, etc. PR's should be initiated at least four weeks in advance of the trip.	Funding Source Account Code: Bitech PR/PO #

EDUCATIONAL VALUE

Must include standards reference number and a brief explanation of how the trip relates to the classroom activity. Attach additional sheet if necessary.

Standards Number(s):
see addendum

Substitute(s) Requested	FOR SECONDARY SITES ONLY: SUBSTITUTES NEEDED FOR TEACHERS ON STUDY TRIPS.	Funding Source Account Code: <i>personal days.</i>
		Substitutes Needed for <u> </u> paid periods

LAST DATE FOR SUBMISSION OF STUDY TRIP: **APRIL 19, 2013** (3RD Friday in April)
LAST DATE FOR STUDY TRIP TO BE TAKEN: **MAY 31, 2013** (5TH Friday in May)

* No late requests will be accepted. Study trips will not be scheduled during CST testing periods.

STUDY TRIP REQUEST FORM MUST HAVE PRINCIPAL SIGNATURE AND FUNDING SOURCE INDICATED BEFORE SENDING TO THE EXECUTIVE DIRECTOR'S OFFICE. INCOMPLETE STUDY TRIP REQUESTS WILL BE RETURNED AND MAY RESULT IN DELAY IN PROCESSING OR DENIAL OF REQUEST. APPROVALS WILL BE SENT BACK VIA EMAIL TO SECRETARY/OFFICE MANAGER AND PRINCIPAL.

APPROVALS: _____
 Principal Signature *[Signature]* Date *3/29/13*

EXECUTIVE DIRECTOR OFFICE USE ONLY:
 Received: *APR 05 2013*
 Approval Sent: _____
 By: *[Signature]* Date: _____
Parent permission form

Funding Authorization Dept.
[Signature]
 Executive Director

Signature _____ Date *18 April 2013*
missing school info

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

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: May 1, 2013

From: Bruce Harter
Superintendent

Agenda Item: CI C.12

Subject: Approval of Board Members Travel

Background Information:

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 members have expressed interest in attending the following:

- American Education Research Association Annual Conference, April 27-May 1, 2013, San Francisco
- EdSource Transforming Public Education Conference, May 4, 2013, San Jose

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

Recommendation:

Recommend Approval

Fiscal Impact:

General Fund

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

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

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: May 1, 2013

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

Agenda Item: D.1

Subject: Recognition of Crespi Middle School Science Team Participation in the Morgan Garrett Sustainable Energy Project

Background Information:

Juan Crespi Middle School Science team participated in the Morgan Garrett Sustainable Energy Project. They presented their project, "Ethanol from Cellulosic Waste for America's Future Energy Needs" in competition with nine other middle and high schools across the nation. The team won the competition and will receive a \$500.00 cash award. Their work was sponsored by Caltrans District 4. . The team was under the direction of Ms. Pavlich.

We would like to recognize and congratulate the team of seven competitors; Kwame Baah-Ahrin, Molly Brannick, Xalli Gordan Chavez, Alice Johnson, Josh Manio, Ariel Tonesi-Barisi and Neziah Whitson.

Recommendation: For Information Only

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

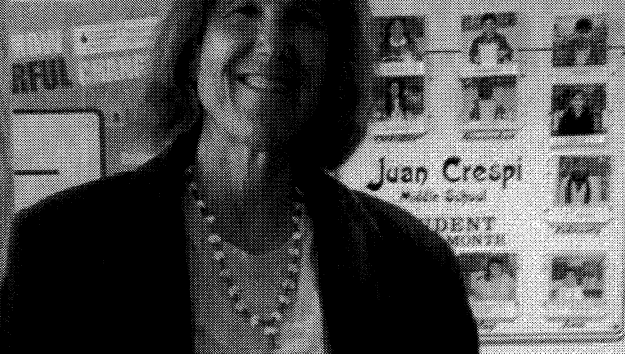
Seconded by: _____

Approved _____

Not Approved _____

Tabled _____





We will come to you!

WE
Combining
biomass resources & ethanol production facilities

Agricultural Residue

Wood/Forest Residue

Municipal Waste

Making Cellulosic Ethanol Cost Effective

Our company intends to cut the cost of transportation by locating our ethanol production plants near biomass sources.

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

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board Of Education

Meeting Date: May 1, 2013

From: Wendell Greer
Associate Superintendent, K-Adult Operations

Agenda Item: D.2

Subject: Report on Young Scholars Program

Background Information:

The Mission of the Young Scholars Program is to educate our scholars (students who are under-represented on college campuses) for eligibility, admission, and success at four-year institutions of higher learning without remediation and to prepare them to be able to enter high-skilled career fields. Our scholars are encouraged to be reflective, independent, resourceful, responsible, and productive citizens, able to obtain future education, pursue high skill employment, to give back to their community, and to be dedicated to becoming the leaders of the 21st Century.

Students in the program are taught skills to learn how to overcome barriers and their perceived weaknesses. The ability to do both of these enables the students to face dilemmas, not to become overwhelmed, and to stay focused on achieving their goals.

By promoting a student's belief in their academic abilities and the importance of education, study skills training and mentoring, Young Scholars Program improves the odds for high school graduation and ensures steps toward post-secondary education – while increasing the likelihood for a life of increased personal choices and a productive career. It will also give these students a sense of cultural pride and confidence.

Staff and students will give an update on the progress and achievements of the program

Recommendation: For information only

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

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

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: May 1, 2013

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

Agenda Item: D.3

Subject: Report on the District's Families in Transition

Background Information:

A report will be given on the services provided by the Families in Transition Office to the homeless and foster students in our district.

Recommendation: Report Only

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____


Tabled _____

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

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: May 1, 2013

From: Sheri Gamba 
Associate Superintendent Business Services

Agenda Item: D.4

Subject: Report on Student Demographics

Background Information: Davis Demographics has completed the Student Population Projection Report. The report provides projected student demographics for the District from school years 2013-14 through 2021-22 based on data collected during 2012-13.

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

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____


Approved _____ Not Approved _____ Tabled _____

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

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: May 1, 2013

From: Sheri Gamba 
Associate Superintendent Business Services

Agenda Item: D.5

Subject: Budget Update

Background Information: Associate Superintendent Business Services will provide information on Budget Development for 2013-2014.

Recommendation: For Information Only

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

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

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: May 1, 2013

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

Agenda Item: F.1

Subject: CaliberSchools Charter Submission Staff Recommendation

Background Information: The Caliber Charter was submitted on Wednesday, March 6, 2013 to the office of Wendell Greer, Associate Superintendent, K-12 Operations.

Staff has reviewed the charter petition ("Petition") for the establishment (for five years) of the CaliberSchools Charter School ("Charter School"). A nonprofit public benefit corporation governs the Charter School, but the District would be responsible for oversight of the Charter School. The Charter School founding team offers the following Mission Statement: "Our mission is to provide students with a challenging, engaging, and personalized education that equips them with the knowledge, character, and skills they will need to succeed in competitive colleges, careers, and communities" (page 9 of the CaliberSchools Executive Summary).

Submission of a charter petition is governed by the requirements of Education Code section 47605 and 47607. Education Code section 47605(b) requires the Board, within 30 days of receiving a petition, to hold a public hearing to consider the level of support for the petition. The public hearing was held on Wednesday, March 20, 2013.

The 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, Susan Dunlap, and Dr. Linda Delgado, Coordinators Educational Services; Special Education, Steve Collins, SELPA Director; Fiscal/Budget, Daniela Parasidis, Director of Business Services, Human Resources/Employee Issues, Cheryl Cotton; Legal/Operational, and general oversight and evaluation were provided by attorneys William F. Schuetz, Jr. and Shawn Olson Brown of Fagen Friedman & Fulfrost LLP.

Staff and legal counsel have reviewed the Petition and prepared the Staff Written Findings Regarding CaliberSchools 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 describing concerns, and Staff's ultimate recommendation regarding those areas.

Recommendation:

Staff recommends that the Board deny the charter petition on the following grounds pursuant to Education Code section 47605:

- (a) The Charter School presents an unsound educational program for the students to be enrolled in the Charter School. (Ed. Code § 47605(b)(1).)
- (b) The Petitioners are demonstrably unlikely to successfully implement the program set forth in the Petition. (Ed. Code § 47605(b)(2).)
- (c) The petition does not contain reasonably comprehensive descriptions of all 16 elements required in Education Code section 47605 subdivision (b)(5).

In order to deny the Petition on the grounds set forth above, Education Code section 47605, subdivision (b) requires the Governing Board to make "written factual findings, specific to the particular Petition, setting forth specific facts to support one or more" of the grounds for denying the charter. Staff recommends that the Board adopt the proposed findings of fact, attached, as its own.

Fiscal Impact: Ongoing loss of student daily attendance as a result of WCCUSD students attending a new charter school.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

West Contra Costa Unified School District
Resolution No. 91-1213

**RESOLUTION OF THE GOVERNING BOARD OF THE WEST CONTRA COSTA
UNIFIED SCHOOL DISTRICT DENYING THE CHARTER PETITION FOR THE
ESTABLISHMENT OF THE CALIBER SCHOOLS: K-8 CHARTER SCHOOL AND
WRITTEN FINDINGS IN SUPPORT THEREOF**

WHEREAS, the establishment of Charter Schools is governed by the Charter Schools Act of 1992, as subsequently amended, Education Code sections 47600 *et seq.* and implementing Title 5 of the California Code of Regulations;

WHEREAS, on or about March 6, 2013, the West Contra Costa Unified School District (“District”) received the charter petition (“Petition”) proposing the establishment of the Caliber Schools: K-8 Charter School (“Charter School”);

WHEREAS, consistent with Education Code section 47605 subdivision (b), at a regular meeting on March 20, 2013, the District’s Governing (“Board”) held a public hearing on the Petition, at which time the Board considered the level of support for the Petition by teachers employed by the District, other employees of the District, and parents/guardians;

WHEREAS, the Board has convened on May 1, 2013, to consider whether to grant or deny the Petition;

WHEREAS, approval of charter petitions is governed by the standards and criteria set forth in Education Code section 47605 and implementing Title 5 of the California Code of Regulations;

WHEREAS, Education Code section 47605 subdivision (b) prohibits the Board from denying a charter petition unless it makes written factual findings, specific to the particular charter school, setting forth facts to support one or more findings, which include:

1. The petition does not contain the number of signatures required by Education Code section 47605 subdivision (a);
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition;
3. The charter school presents an unsound educational program for the students to be enrolled in the charter school;
4. The petition does not contain an affirmation of each of the conditions described in Education Code section 47605 subdivision (d); or
5. The petition does not contain reasonably comprehensive descriptions of all 16 elements required in Education Code section 47605 subdivision (b)(5).

WHEREAS, the District's administration, with the assistance of legal counsel, has reviewed and analyzed the Petition and supporting documents for legal sufficiency, and has identified numerous deficiencies in and concerns related to the Petition, and therefore recommends that the Board adopt the Findings of Fact, attached hereto as Exhibit "A" and incorporated herein by this reference, and deny the Petition.

THEREFORE BE IT RESOLVED, that Governing Board of the West Contra Costa Unified School District hereby adopts the Findings of Fact, attached hereto as Exhibit "A," and denies the Petition to establish the Caliber Schools: K-8 Charter School.

PASSED AND ADOPTED by the Governing Board on May 1, 2013, at a duly noticed meeting by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

I, _____, Clerk of the Governing Board of the West Contra Costa Unified School District, HEREBY CERTIFY that the foregoing Resolution was duly introduced, passed and adopted by the Board at a meeting thereof held on May 1, 2013, by a vote of _____ to _____.

IN WITNESS THEREOF, I have hereto set my hand this 1st day of May, 2013.

[Print name here]
Clerk of the Governing Board

EXHIBIT "A"

FINDINGS OF FACT

I. THE PETITIONERS ARE DEMONSTRABLY UNLIKELY TO SUCCESSFULLY IMPLEMENT THE PROGRAM SET FORTH IN THE PETITION.

A. The Petitioners are demonstrably unlikely to successfully implement the program because the Petitioners have presented an unrealistic financial and operational plan for the proposed charter.

1. The Charter School's budget submitted with its Petition contains multiple fiscal problems including:
 - (a) The District believes that the enrollment projections stated in the Petition for the first five years of operation year is unrealistically inflated. Because the Charter School's budget is premised on these inflated enrollment projections, the entire projected budget will be impacted, likely resulting in a deficit budget.
 - (b) The Charter School's budget assumes receipt of the highest maximum Public Charter School Grant Program (PCSGP) planning and implementation grant award amount as a revenue source. The Charter School does not include an alternative funding plan in the event the Charter School is not awarded some/all of these monies. Since the assumed PCSGP revenues are a significant portion of the Charter School's budget, should the Charter School not receive the maximum amount of funds it assumes will be received, its ability to successfully implement its program will be impacted.
 - (c) The Charter School's budget does not adequately account for costs, including appropriate staffing and/or contracting, to provide special education services in the manner required by law. While the Charter School states that it intends to join the El Dorado County Office of Education (EDCOE) SELPA and be its own Local Educational Agency (LEA) for purposes of providing special education services, there is no line item in the budget for costs associated with special education services provided by EDCOE SELPA or other contracted providers.
 - (d) The proposed budget assumes receipt of private loans totaling \$975,000 (year 1), \$800,000 (year 2), \$1,275,000 (year 3), \$1,225,000 (year 4), and \$700,000 (year 5), without providing any information regarding the source(s) of such loans or any evidence to demonstrate that they will be able to secure allocation. Since the assumed revenue amounts represent a significant portion of the Charter School's budget (\$4,975,000 over five years), should the

Charter School not receive the amount of private loan revenue it assumes, its ability to successfully implement its program will be impacted.

- (e) The Charter School's proposed budget reflects receipt of "committed philanthropy" in the amount of \$73,795 as its only source of start-up revenue. However, the source of this apparent donation is unclear given that the amount budgeted is inconsistent with the pledge of support letter from the Beller/Moses Family Foundation, Inc. submitted with the Petition and no other donation sources have been identified by the Charter School. Further, the Foundation's pledge of support is an uncertain funding source given that the letter pledging support provides no guarantee of payment.
 - (f) The Charter School's budget submitted with the Petition does not budget a reserve amount for any of its first five years of operation as required by Title 5 of the California Code of Regulations section 15450(a).
 - (g) The Charter School's budget fails to sufficiently reflect how the Charter School will fund technology equipment needed for its proposed educational program. Specifically, the budgeted amount of \$200/student for computers is greatly understated, impacting the Charter School's operational budget.
 - (h) The budget includes New School Categorical Funding in the amount of \$57,785 for 2015-16, and \$88,318 in 2016-17. However, this funding is applicable only through 2014-15.
 - (i) The Educationally Disadvantaged funding amount of \$351 per eligible pupil reflected in the budget is overstated. The amount should be based on the amount of \$325 per eligible pupil.
 - (j) The Charter School's first year budget fails to include any costs for substitute teachers.
2. The Petition fails to sufficiently identify where the Charter School intends to locate within the geographic boundaries of the District. In addition, the Charter School does not sufficiently budget for facilities costs. For instance, while the Petition states that the Charter School intends to submit an application for use of District facilities under Proposition 39, or alternatively find a private facility for the School, the budget does not allocate any expenses for "Prop 39 Related Costs," "rent," or for "Capital Outlay" (sites and improvement to sites).

II. THE PETITION DOES NOT CONTAIN REASONABLY COMPREHENSIVE DESCRIPTIONS OF THE ELEMENTS REQUIRED IN EDUCATION CODE SECTION 47605(b)(5).

A. The Petition does not contain a reasonably comprehensive description of the Educational Program (Element 1).

1. The Petition does not sufficiently address how the Charter School will serve the needs of special education students for reasons including:
 - (a) According to the Petition, the Charter School intends to become its own LEA and apply to become a member of the EDCOE SELPA for purposes of providing special education and related services to its students. However, the Petition does not sufficiently address how the Charter School will meet the requirements of becoming its own LEA for special education purposes or how it will serve the needs of special education students in the event that it is not accepted by EDCOE SELPA.
 - (b) The Petition does not contain a description of how the Charter School will make the full continuum of special education program options available to special education students, other than the intention to procure services from EDCOE SELPA, when available, or hire staff.
 - (c) The Petition does not provide a detailed plan for service delivery of special education services.
 - (d) The Petition references a limited number of special education staff the Charter School intends to hire, none of whom would be qualified to serve students requiring placement in a special day class (SDC) or students with “severe” disabilities.
 - (e) The Petition references only one form of specialized academic instruction – resource specialist program (RSP) support. The Petition contains no information regarding how it will provide other forms of specialized academic instruction.
 - (f) The Petition does not provide evidence of an understanding of the referral and evaluation process for special education. Although the Petition states that the Charter School intends to join EDCOE SELPA, as well as hire a part-time school psychologist, the Petition also states that students not making adequate progress as a result of Response to Intervention (RTI) could be referred for a special education evaluation by “West Contra Costa County Mental Health Services.” Mental health agencies do not conduct assessments for learning disabilities and this statement contradicts other assurances that the Charter School will be responsible for referral and assessment of students for special education.

- (g) The Petition does not provide evidence of the Petitioners' understanding of, or detail regarding, how the Charter School will provide 30-day interim administrative placements for special education students transferring into the Charter School with an IEP.
 - (h) The Petition does not provide an adequate description of discipline procedures applicable to special education students.
 - (i) The Petition includes a home visit to the families of special education students prior to matriculation that is not also required of the families of general education students prior to matriculation.
 - (j) The Petition includes limited information regarding special education funding in the event the Charter School is admitted to the EDCOE SELPA, and no information regarding special education funding if it is not admitted to the EDCOE SELPA.
2. The Petition does not provide an adequate description of discipline procedures applicable to Section 504 students.
3. The Petition does not sufficiently address how the proposed education program will be tailored to meet the needs of English Language Learners.
- (a) The Petition provides insufficient information regarding identification and reclassification of English Language Learners. For instance, the petition states that the CELDT will be administered to all new enrollees with a language other than English on their home language survey, however, there is no indication of what CELDT score will be used for identifying a student as an English Learner or an Initially-Fluent English Proficient (I-FEP) student. Also, while the petition states that students are eligible for reclassification when they have a combined score of 8, there is no explanation of how the score is calculated.
 - (b) There is no mention of providing English language development (ELD) instruction, using the ELD Standards. ELD is not included in any of the sample schedules or in the curriculum/content sections. While there is sufficient description of specially-designed academic instruction in English (SDAIE), such as Project GLAD, this only addresses access to the core curriculum, not ELD instruction. The numerous intervention and individualization strategies do not fill the need for ELD.
 - (c) There is insufficient assessment information on language proficiency. For instance, there are no formative English language proficiency assessments mentioned in the petition. In the category of "English Language Learning" the CELDT is one of two

assessments listed. The other is the MAP in math, which does not appear appropriate for an English language assessment.

B. The Petition does not contain a reasonably comprehensive description of the Measureable Pupil Outcomes Identified for use by the Charter School (Element 2).

1. The Petition does not sufficiently describe the measurable pupil outcomes to be used by the Charter School in determining the extent to which pupils will demonstrate they have attained the skills, knowledge, and attitudes specified as goals in the Charter School's educational program. For instance the pupil outcomes do not address increases in pupil achievement both schoolwide and for all groups of pupils to be served by the Charter School.

C. The Petition does not contain a reasonably comprehensive description of the Charter School's Method for Measuring Student Progress (Element 3).

1. The Petition does not provide any alignment between curricula, methods to measure growth, and linkage to the Charter School's objectives.
2. Methods for measuring student progress is identified in the Petition, but not specifically described.
3. The Petition fails to describe how it will measure student progress of all student subgroups to be served by the Charter School.

D. The Petition does not contain a reasonably comprehensive description of the Charter School's Governance Structure (Element 4).

1. The Petition fails to provide a clear description of the Charter School's governance structure including leadership of the School. For instance, it is unclear which employee(s) are responsible for the Charter School's financial activities. There is reference in the Petition documents to financial operation function of the CEO, CFO, and Executive Director, yet the qualifications and responsibilities of these positions are not described in the Petition. There is also reference in the Petition to the Charter School's "Financial Team," but the composition of that team is not described.
2. The Petition does not include a reasonably comprehensive description of the process the Charter School will follow to ensure parental involvement in the operation of the School. One of the means for ensuring parental involvement described in the Petition includes "Family Commitment with each parent/guardian." The Petition also states that the Charter School will "encourage" at least 40 hours of volunteering by each family each year. If volunteering is a component of the Family Commitment, it is unclear whether compliance with this volunteering commitment is a condition of enrollment and/or continued enrollment. Although examples

of how the volunteer commitment can be satisfied are provided in the Petition, the Charter School does not specify whether parents have the ability to opt out of or reduce the commitment because of hardship. While a charter school may require parent volunteering/participation commitments, there is concern that the time commitment could prove to be an undue burden for some parents, and, as a result, may have an unfair effect/impact on those parents and their children.

3. The Caliber Schools corporate Bylaws include conflicting provisions regarding board of director compensation and allow the corporation to enter into transactions in which a board director is financially interested raising concerns about potential conflicts of interest.

E. The Petition does not present a reasonably comprehensive description of Employee Qualifications (Element 5).

1. While the Charter School identifies several leadership position employees in the Petition documents, including, Principal, CEO, CFO, and Executive Director, it does not describe the qualifications expected of the individuals assigned to these positions.
2. The Petition does not describe the educational qualifications or credential requirements for the School Leader position. Since the School Leader's "primary role" will be to serve as instructional leader, lack of an appropriate credential may prove problematic in regard to instructional leadership, evaluation of teaching staff, and familiarity with applicable California law.

F. The Petition does not present a reasonably comprehensive description of the Charter School's Health and Safety Procedures (Element 6).

1. The Petition does not sufficiently assure that the Charter School will provide for the screening of Charter School's students' vision and hearing and for scoliosis to the same extent as would be required if the students attended a non-charter public school. Also, there does not appear to be any allowance in the Charter School's budget to meet testing/screening requirement.
2. The Petition does not sufficiently assure that the Charter School will require immunization of its students as a condition of school attendance to the same extent as would apply if pupils attended a non-charter public school.
3. The Petition does not sufficiently describe the insurance coverage that will be maintained by the Charter School, preventing the District from being able to determine whether the Charter School will maintain sufficient coverage to protect the District from potential liability of the Charter School and the acts, errors, and omissions of the Charter School's governing board.

G. The Petition does not present a reasonably comprehensive description of Admission Requirements (Element 8).

1. The Petition includes inconsistent affirmations regarding the Charter School's obligation not to discriminate against any pupil as required under Education Code section 47605(d)(1).
2. The Petition does not include a reasonably comprehensive description of the manner in which the Charter School will implement a public random drawing process in the event that applications for enrollment exceed school capacity.

H. The Petition does not present a reasonably comprehensive description of Annual Independent Financial Audits (Element 9).

1. The Petition does not provide a reasonably comprehensive description of the manner in which annual independent audits will be conducted and the manner in which audit exceptions and deficiencies will be resolved to the satisfaction of the District. For instance, the Petition does not sufficiently describe the process the Charter School will follow to address any audit findings and/or resolve any audit exceptions, including a clear identification of the timelines in which audit exceptions will typically be addressed by the Charter School.
2. The Petition fails to provide an assurance that it will annually prepare and submit the preliminary budget and reports required by Education Code section 47604.33 to the District and to the West Contra Costa County Superintendent of Schools by the deadlines specified in that Section.

I. The Petition does not present a reasonably comprehensive description of Student Suspension and Expulsion Procedures (Element 10).

1. The Charter School fails to provide a reasonably comprehensive description of the Charter School's student discipline procedures necessary to afford the Charter School's students adequate due process. Clearly described/outlined procedures are necessary to avoid inconsistent, capricious, and unfair student disciplinary practices and necessary to afford students adequate due process. For instance, while the draft procedures submitted with the Petition specify that student expulsion hearings will be presided over by the Board of Directors or an administrative hearing panel appointed by the Board, it does not describe who sits on this administrative panel and how they are selected. Also, there is no description of expulsion hearing procedures.
2. The Petition fails to clearly identify/describe the offenses for which Charter School students may/will be suspended and recommended for expulsion.

3. The Charter School does not provide evidence that the proposed list of offenses and procedures for expulsion will provide adequate safety for students, staff, and visitors to the school.
4. The Petition fails to sufficiently describe the rights of Charter School students with disabilities in regard to suspension, expulsion, and other disciplinary removals resulting in a change of placement.

J. The Petition does not provide a comprehensive description of the retirement systems available to the employees (Element 11).

1. While the Charter School places the burden on the District to submit reports required by the State Teachers' Retirement System pursuant to Education Code section 47611.3, it does not acknowledge in the Petition, or appear to allocate for in its budget, the right of the District to charge the Charter School the actual costs of reporting services.

K. The Petition does not present a reasonably comprehensive description of employee return rights (Element 13).

1. The Petition's description of the rights of District employees regarding receipt of employee benefits upon leaving employment with the District to work at the Charter School is not accurate and may be misleading.

L. The Petition does not present a reasonably comprehensive description of Dispute Resolution Procedures (Element 14).

1. The Petition fails to sufficiently acknowledge the District's right to pursue revocation of the Charter despite the dispute resolution process potentially interfering with the District's right to revoke the Charter if necessary.
2. The Petition's description of the Charter School's dispute resolution procedures is not reasonably comprehensive. For instance, it does not specify the timeframes for completing the dispute resolution process which may lead to disputes going unresolved for an excessive amount of time potentially impacting the District's exercise of its oversight obligations. Additionally, the Petition does not describe who is responsible for the fees and costs of mediation, or specify whether the mediator's determination is binding upon the parties.

M. The Petition does not present a reasonably comprehensive description of Closure Procedures (Element 16).

1. The closure procedures described in the Petition do not fully conform with the California Department of Education's Charter School Closure Requirements and Recommendations and Title 5, California Code of Regulations, Section 11962 closures procedures.

- End -

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

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education **Meeting Date:** May 1, 2013
From: Kenneth L. Whittemore, **Agenda Item:** F.2
Assistant Superintendent Human Resources
Subject: Amended Resolution No.89-1213: Credential Assignment Options

Background Information:

Pursuant to California Code of Regulations Section 80026 (e)(1) of Title 5, pertaining to Declaration of Need for Fully Qualified Educators by a school district shall be adopted by the governing board in a regularly-scheduled, public meeting of the board. The entire Declaration of Need for Fully Qualified Educators shall be included in the board agenda, and shall not be adopted by the board as a part of a consent calendar.

The board and the public must have the opportunity to see the number of emergency permits that the district reasonable expects to request in each category and to understand the reasons for such requests. This resolution will provide the District with assignment options of a temporary nature when a teacher with an appropriate credential is not available to the district.

The options are only available to teachers who hold a current, non-emergency, basic credential.

Recommendation: Recommend Approval

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 89-1213

CREDENTIAL ASSIGNMENT OPTIONS

WHEREAS, the Commission on Teacher Credentialing provides employing districts with assignment options of a temporary nature in which a teacher with an appropriate credential is not available to the school district. Listed below are summaries of these options, which require the consent of the teacher and Board approval.

- **Ed Code 44263** allows the holder of a teaching credential to serve in a departmentalized class if the teacher has completed 18 semester hours of course work, or 9 semester hours of upper division of graduate course work, in the subject to be taught.
- **Title 5 Section 80027** allows for the issuance of a Limited Assignment Option to any teacher employed by the district who holds a credential based on a bachelor's degree and student teaching. Six semester hours of appropriate course work are required for renewal.
- **Ed Code 44256 (b)** allows the Governing Board of a school district to authorize the holder of a multiple subject teaching credential or a standard elementary credential to teach any subject in departmentalized classes to a given class or group of students below grade nine, provided that the teacher has completed 12 total semester units, or 6 upper division or graduate units of course work at an accredited institution in each subject to be taught.
- **Ed Code 44258.2** allows the Governing Board of a school district to assign the holder of a single subject or standard secondary teaching credential, with his or her consent, to teach classes in grades 5 through 8 in a middle school provided the teacher has a minimum of twelve semester units, or six upper division or graduate semester units of course work at an accredited institution in the subject to be taught.
- **Ed Code 44285.3** allows the Governing Board of a school district to authorize the holder of a multiple subject; standard elementary, single subject or standard secondary, with his or her consent, to teach departmental classes in grades K-12 provided the teacher has adequate knowledge of subject matter.
- **Ed Code 44258.7 (c)(d)** Allows the Committee on Assignments to authorize the holder of a multiple subject or single subject credential to teach a course outside of their credential area that is considered to be an elective in the grades K-12.
- **Ed Code 44328 (a)** Unless the commission determines that substantial evidence exists that a person is unqualified to teach, upon the completion of successful service as a district intern pursuant to subdivision **(b)** of Section 44325, and upon the recommendation of the school district governing board, the commission shall award preliminary credentials to district interns in the same manner as applicants recommended for credentials by institutions that operate approved programs of professional preparation.

BE IT THEREFORE RESOLVED that any other teacher assigned under one of the above options during the 2013-2014 school year will be identified on the certificated personnel changes at the appropriate board meeting as the assignments occur.

PASSED AND ADOPTED by the Governing Board of the West Contra Costa Unified School District of Contra Costa County, California, on May 1, 2013, by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

I HEREBY CERTIFY that the foregoing resolution was duly and regularly introduced, passed, and adopted by the members of the Governing Board of the West Contra Costa Unified School District at a public meeting of said Board held on May 1, 2013, and that the foregoing is an excerpt from the journal of said Governing Board for said meeting.

Bruce Harter
Secretary, Board of Education



DECLARATION OF NEED FOR FULLY QUALIFIED EDUCATORS

- Original Declaration of Need for year: _____
 Revised Declaration of Need for year: _____

FOR SERVICE IN A SCHOOL DISTRICT

Name of District: West Contra Costa Unified School District District CDS Code: 07
 Name of County: Contra Costa County CDS Code: 61796

By submitting this annual declaration, the district is certifying the following:

- A diligent search, as defined below, to recruit a fully prepared teacher for the assignment(s) was made
- If a suitable fully prepared teacher is not available to the school district, the district will make a reasonable effort to recruit based on the priority stated below

The governing board of the school district specified above adopted a declaration at a regularly scheduled public meeting held on 05 / 01 / 13 certifying that there is an insufficient number of certificated persons who meet the district's specified employment criteria for the position(s) listed on the attached form. The attached form was part of the agenda, and the declaration did NOT appear as part of a consent calendar.

► *Enclose a copy of the board agenda item*

With my signature below, I verify that the item was acted upon favorably by the board. The declaration shall remain in force until June 30, 2014.

Submitted by (Superintendent, Board Secretary, or Designee):

Name	Signature	Title
Fax Number	Telephone Number	Date
Mailing Address		
Email Address		

FOR SERVICE IN A COUNTY OFFICE OF EDUCATION, STATE AGENCY OR NONPUBLIC SCHOOL OR AGENCY

Name of County _____ County CDS Code _____
 Name of State Agency _____
 Name of NPS/NPA _____ County of Location _____

The Superintendent of the County Office of Education or the Director of the State Agency or the Director of the NPS/NPA specified above adopted a declaration on ____ / ____ / ____, at least 72 hours following his or her public announcement that such a declaration would be made, certifying that there is an insufficient number of certificated persons who meet the county's, agency's or school's specified employment criteria for the position(s) listed on the attached form.

The declaration shall remain in force until June 30, _____.

► *Enclose a copy of the public announcement*

Submitted by Superintendent, Director, or Designee:

Name	Signature	Title
Fax Number	Telephone Number	Date
Mailing Address		
E-Mail Address		

► This declaration must be on file with the Commission on Teacher Credentialing before any emergency permits will be issued for service with the employing agency

AREAS OF ANTICIPATED NEED FOR FULLY QUALIFIED EDUCATORS

Based on the previous year's actual needs and projections of enrollment, please indicate the number of emergency permits the employing agency estimates it will need in each of the identified areas during the valid period of this Declaration of Need for Fully Qualified Educators. This declaration shall be valid only for the type(s) and subjects(s) identified below.

This declaration must be revised by the employing agency when the total number of emergency permits applied for exceeds the estimate by ten percent. Board approval is required for a revision.

Type of Emergency Permit	Estimated Number Needed
<input checked="" type="checkbox"/> CLAD/English Learner Authorization (applicant already holds teaching credential)	20
<input checked="" type="checkbox"/> Bilingual Authorization (applicant already holds teaching credential)	10
List target language(s) for bilingual authorization: Spanish	
<input checked="" type="checkbox"/> Resource Specialist	5
<input checked="" type="checkbox"/> Teacher Librarian Services	5
<input type="checkbox"/> Visiting Faculty Permit	

LIMITED ASSIGNMENT PERMITS

Limited Assignment Permits may only be issued to applicants holding a valid California teaching credential based on a baccalaureate degree and a professional preparation program including student teaching.

Based on the previous year's actual needs and projections of enrollment, please indicate the number of Limited Assignment Permits the employing agency estimates it will need in the following areas:

TYPE OF LIMITED ASSIGNMENT PERMIT	ESTIMATED NUMBER NEEDED
Multiple Subject	5
Single Subject	10
Special Education	40
TOTAL	55

EFFORTS TO RECRUIT CERTIFIED PERSONNEL

The employing agency declares that it has implemented in policy and practices a process for conducting a diligent search that includes, but is not limited to, distributing job announcements, contacting college and university placement centers, advertising in local newspapers, exploring incentives included in the Teaching as a Priority Block Grant (refer to www.cde.ca.gov for details), participating in state and regional recruitment centers and participating in job fairs in California.

If a suitable fully prepared teacher is not available to the school district, the district made reasonable efforts to recruit an individual for the assignment, in the following order:

- A candidate who qualifies and agrees to participate in an approved intern program in the region of the school district
- An individual who is scheduled to complete initial preparation requirements within six months

EFFORTS TO CERTIFY, ASSIGN, AND DEVELOP FULLY QUALIFIED PERSONNEL

Has your agency established a District Intern program? Yes No

If no, explain _____

Does your agency participate in a Commission-approved college or university intern program? Yes No

If yes, how many interns do you expect to have this year? _____

If yes, list each college or university with which you participate in an intern program.

CSU East Bay, CSU Sacramento, St. Mary's College, Brandman University,

Fortune School of Education, Teach for America, SFSU, USF

If no, explain why you do not participate in an intern program.

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

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education **Meeting Date:** May 1, 2013
From: Kenneth L. Whittemore, **Agenda Item:** F.3
Assistant Superintendent Human Resources
Subject: Amended Resolution No. 90-1213: Declaration to Hire 30-Day Substitutes on CBEST Waivers

Background Information:

There is a statewide shortage of qualified substitutes. The Commission on Teacher Credentialing require each 30-day substitute CBEST waiver request be approved by the Board of Education before the waiver request is submitted has been relaxed by the Commission on Teacher Credentialing (CCTC). This declaration need be approved only once for all CBEST waiver requested in 2013-2014. This item shall be included in the board agenda, and shall not be adopted by the board as a part of a consent calendar. Our district will continue to recruit and search for fully credentialed teachers while using this assignment option.

Recommendation: Recommend Approval

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

RESOLUTION NO.90-1213

DECLARATION TO HIRE 30-DAY SUBSTITUTES ON CBEST WAIVERS

WHEREAS, the governing board of West Contra Costa Unified School District declares that teachers were hired from the district substitute pool to implement class size reduction and, as a consequence of this action, the district is unable to recruit substitutes who have had an opportunity to take and pass the California Basic Educational Skills Test (CBEST). The district anticipates employing 15-25 substitutes on variable term CBEST waivers.

PASSED and ADOPTED by the governing board of the West Contra Costa Unified School District of Contra Costa County, California, on May 1, 2013, by the following vote:

AYES: _____

NOYS: _____

ABSENT: _____

ABSTAIN: _____

I HEREBY CERTIFY that the foregoing resolution was duly and regularly introduced, passed, and adopted by the members of the governing board of the West Contra Costa Unified School District at a public meeting held on May 1, 2013, and that the foregoing is an excerpt from the journal of said governing board for said meeting.

Bruce Harter
Secretary, Board of Education

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

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: May 1, 2013

From: Kenneth L. Whittemore,
Assistant Superintendent Human Resources

Agenda Item: F.4

Subject: Presentation and Public Hearing of Initial Bargaining Proposal from the West Contra Costa Unified School District to School Supervisors Association

Background Information:

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 West Contra Costa Unified School District will be presented, at which time the public is allowed to comment on this proposal. A copy of the proposal is attached to this precis and 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 District's initial bargaining proposal to the School Supervisors Association (SSA) for the 2012-2015 successor agreement.

Board Adoption of Initial Bargaining Proposal

Background Information: Following the public hearing on its initial bargaining proposal, the Board of Education will be asked to adopt the District's proposal to the School Supervisors Association 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

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

**THE WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
INITIAL PROPOSAL TO THE SCHOOL SUPERVISORS ASSOCIATION FOR CONTRACT
NEGOTIATIONS**

The District is presenting the following article reopeners and will make proposals in the following areas. Nothing in this initial proposal is intended to preclude the District from making additional proposals in any article that is opened by either the District or SSA.

Article 3.1

Salary

The District has an interest in reviewing and making modification to this article.

Article 5

Benefits

The District has an interest in reviewing and making possible modifications to the benefits structure.

Article 5.5

Leaves

Update leave Language

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

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education **Meeting Date:** May 1, 2013
From: Kenneth L. Whittemore **Agenda Item:** F.5
Assistant Superintendent Human Resources
Subject: Public Hearing and Adoption of Initial Bargaining Proposal from the School Supervisors Association to West Contra Costa Unified School District

Background Information:

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 attached to this precis and 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

Background Information: 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

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

SCHOOL SUPERVISORS ASSOCIATION (SSA)

P.O. BOX 21264, El Sobrante, CA 94820

ssamail1977@yahoo.com

School Supervisors Association (SSA) is presenting the following proposals for contractual negotiations in accordance with our negotiated agreement with the District, Article 10, Reopeners. These are our initial proposals, subject to Good Faith Bargaining between the District and SSA in accordance with PERB regulations.

ARTICLE 3.1 SALARY

Effective July 1, 2013 The Salary schedule for each classification in the SSA unit shall be increased by the total of the CPI Cola Index for the period 2008 – 2012 plus 4 percent. In addition inequity range increase adjustments shall be made to specific job classifications which shall be identified during the negotiations process.

Section 3101.01 Supervisor/Subordinate Pay Ratio

Restore language providing the previous minimum pay range difference between supervisors covered by this contract and that of employee(s) supervised.

Section 3111 Longevity

The Longevity Pay shall be rounded to whole dollar amounts and increased at each interval, effective July 1, 2013.

ARTICLE 5, BENEFITS

5001 Medical Benefits: Modify to provide that effective July 1, 2013 the District shall pay ninety five percent (95%) of the premium cost for medical health insurance premiums for all unit members. For employees in the SSA bargaining unit who were hired into a permanent benefited position with the District on or before July 1, 1993, the premium contribution rate shall be ninety seven percent (97%).

5001.01 Cash In Lieu: Cash in Lieu Payments shall be increased effective January 1, 2014.

5004 Vision Plan: The District shall pay the full premium cost for the Vision Service Plan (VSP) for all unit members.

5007 Retiree Health Benefits: The District and SSA shall negotiate improvements to the District benefit amount contributions for Retirees, based upon hire date and years of service.

Include: The current policy regarding dental benefit eligibility for retirees, using the formula of seventy five "75" (age plus years of service) shall be included in the contract.

Add Section: **No Harassment /Discrimination**

The District and SSA will negotiate language that prohibits Harassment, Discrimination or Hostile Work Environment.

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

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education **Meeting Date:** May 1, 2013
From: Bill Fay **Agenda Item:** G.1
Associate Superintendent for Operations
Subject: Project Status Report

Background Information:

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

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

Recommendation: For information only

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

PROJECT STATUS REPORT

De Anza High School - Replacement Campus

Period Ending: 4/20/2013

Scope: Replacement Campus

Construction Status:

Architect: DLM Architects
 Project Manager: Jose Chapa, SGI Construction Management
 Project Engineer: Marc Alojegan, SGI Construction Management
 Contractor: Wright Contracting Inc.
 Inspector: Steve Cayson
 WCCUSD Mgr: Andrew Mixer

Contract Status:

Notice to Proceed:	05/17/2010		
		Original	Approved
Construction Schedule (days):	1,080	171	1,308
Original Completion Date:	05/01/2013		
Projected Completion:	12/15/2013		

Buildings:

Building 1	Administration & Library
Building 2 & 3	Theater & Arts/Delta School
Building 4	Special Education
Building 5	Science
Building 6 & 7	Classrooms
Building 8	Gymnasium
Building 9	Cafeteria
Building 11, 12, & 13...	Lobby, Breezeway, & Entrance Structure/Portico

Progress This Period:

- Building 1, 2, 3, 4, 5, 6, 7, 8, 9, & 11--Punch-list, Back-Check
- Building 1, 8, & 9--HVAC, EMS, & Lighting Controls Commissioning
- PV System--Install Racking System, & PV Panels
- All Buildings - Punch-list Back-Check
- Exterior Site Work - Punch-list Inspection, Back-Check
- Building 1, 2, 3, 4, 5, 7 - Computer Installation

Anticipated Progress Next Period:

- Site Work - Punch-list Inspection, Back-Check
- Building 1, 8, & 9--HVAC, EMS, & Lighting Controls Commissioning
- Doors - Exterior and Interior Back-Check
- HVAC Unit - Back-Check
- PV System - Back-Check
- PV System - Install Monitoring Kiosk Cover
- Building No. 9 - Health Department Inspection
- Installation of Data Drops and Wireless Access
- Building 1, 2, 3, 4, 5, 7, 8, 9 - Computer Installation
- All Buildings - Furniture Move-in

Schedule Assessment/Update:

Construction Duration (Calendar Days):	1,308
Construction Calendar Days Elapsed:	1,079
Construction Calendar Days Remaining:	229
Percent of Contract Calendar Days Elapsed:	82%
Percent of Construction Completed:	85%

Percentage of Work Done	85%	Total Project
Milestone 1: New Construction	100%	
Milestone 2: Commissioning	100%	
Milestone 3: Furniture & Move-In	25%	
Milestone 4: Demo of (E) School	0%	

Proposed Changes:

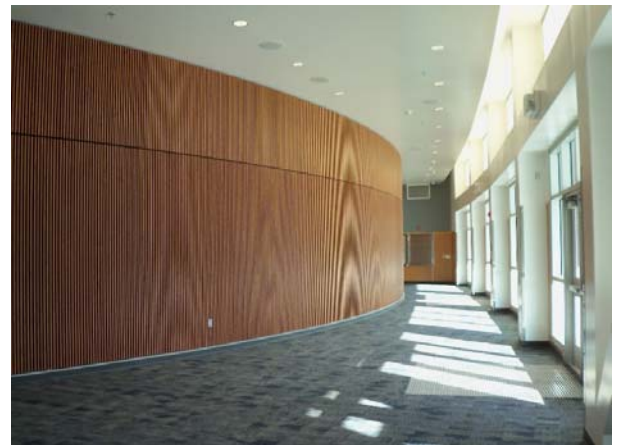
General Comment:

Notice of Completion of Milestone No. 1: New Campus, issued on April 11, 2013.
 Current Phase: Furniture Installation and Move-In of New School Campus
 Next Phase - Demolition and Abatement of Existing School Campus.

Progress Photos: 4/20/2013



Building No. 1 - Multimedia Center



Building No. 2 - Theater Lobby



Building No. 2 - Music Room

PROJECT STATUS REPORT

Dover Elementary School -

Period Ending: 4/17/2013

Scope: Increment 3 - Hazmat & demo of (E) kindergarten building, construction of new covered walkway, play area & site work.

Construction Status:

Architect: HY Architects, Inc.
 Project Manager: Eddie Law, SGI Construction Management
 Project Engineer:
 Contractor: Alten Construction, Inc.
 Inspector: Kris Gilbert
 WCCUSD Mgr: Eduardo Donoso

Contract Status:

Notice to Proceed: 06/15/2009
Original Approved Projected
 Construction Schedule (days): 1,110 280 1,390
 Original Completion Date: 06/29/2012
 Projected Completion: 4/5/2013

Buildings:

Building A Main Admin. Building & Classrooms - COMPLETED
 Building B Pre-School/Kindergarten - COMPLETED
 Building C Multi Purpose Room Building - COMPLETED
 Site Work Site Work and Covered Walkway - COMPLETED

Progress This Period:

- Main play area asphalt coloring and play equipment striping
- Close-out Documents

Anticipated Progress Next Period:

- Notice of Completion and retention release
- DSA closeout
- Landscaping maintenance turn-over

Schedule Assessment/Update:

Construction Duration (Calendar Days): 1,390
 Construction Calendar Days Elapsed: 1,381
 Construction Calendar Days Remaining: 9
 Percent of Contract Calendar Days Elapsed: 99%
 Percent of Construction Completed: 100%

Percentage of Work Done 100% Total Project

Phase 1 -- Demolition & Site Work	Increments 1 & 1A	100%
Phase 2 -- Building "A"	Increment 2	100%
Phase 3 -- Building "B" & "C"	Increment 3	100%
Phase 4 -- Site Work & Playground	Increment 3	100%

Proposed Changes:

- Board & DSA Approved Change Orders #'s 1-25, #26, #27 & #28 at DSA, #29 & #30 Board approved.

General Comment:

Progress Photos: 4/17/2013



Soccer Field



Main Play Area AC Coloring & Striping



Main Play Area AC Coloring & Striping

PROJECT STATUS REPORT

Downer Elementary School -

Period Ending: 4/17/2013

Scope: CCS @ Downer

Construction Status:

Architect: HY Architects
 Project Manager: Rod Sias, SGI Construction Management
 Project Engineer:
 Contractor: Arthulia Inc.
 Inspector: Kris Gilbert
 WCCUSD Mgr: Eduardo Donoso

Contract Status:

Notice to Proceed: 12/3/2012

	Original	Approved	Projected
Construction Schedule (days):	30	0	100
Original Completion Date:	1/2/2013		
Projected Completion:	4/15/2013		

Buildings:

CCS @ Downer Portable Installation

Progress This Period:

- Mobile Modular Punchlist Items – COMPLETE.
- CCS Staff Move – IN PROGRESS.

Anticipated Progress Next Period:

- DSA Closeout – IN PROGRESS

Schedule Assessment/Update:

Construction Duration (Calendar Days):	100
Construction Calendar Days Elapsed:	100
Construction Calendar Days Remaining:	0
Percent of Contract Calendar Days Elapsed:	100%
Percent of Construction Completed:	100%

Percentage of Work Done	100%	Total Project
Modular Unit	100%	30%
Fencing & ADA Parking	100%	10%
Plumbing & Elec. Infrastructure	100%	30%
Ramp Installation	100%	10%
Electrical Power (P G & E)	100%	10%
Telecommunications (AT & T)	100%	10%

Proposed Changes:

Change Order #001 Submitted for Board Approval.

General Comment:

Progress Photos: 4/17/2013



CCS @ Downer Portable, Fencing, & Container - COMPLETE



CCS @ Downer Portable, Fencing, & Container - COMPLETE



CCS @ Downer-Interior Punchlist Work - COMPLETE

PROJECT STATUS REPORT

Gompers and LPS Richmond Schools - New Construction

Period Ending: 4/17/2013

Scope: New Construction

Construction Status:

Architect: HMC Architects
 Project Manager: Tim Peel, SGI Construction Management
 Project Engineer: Gaile Suarez, SGI Construction Management
 Contractor: Lathrop Construction Associates
 Inspector: Roy Moreno
 WCCUSD Mgr: Andrew Mixer

Contract Status:

Notice to Proceed:	08/20/2012		
		Original	Approved
Construction Schedule (days):	1,090		
Original Completion Date:	08/15/2015		
Projected Completion:	08/15/2015		

Buildings:

Building A	Leadership Public Schools
Building B	Shared Gymnasium
Building C	Gompers High School

Progress This Period:

- Foundation concrete and under slab plumbing Building B.
- Foundation excavation and rebar in progress Building C.

Anticipated Progress Next Period:

- Steel Erection/Welding in progress Building A.
- Architectural concrete walls in progress Building B.
- Foundation construction Building C.

Schedule Assessment/Update:

Construction Duration (Calendar Days):	1,090
Construction Calendar Days Elapsed:	240
Construction Calendar Days Remaining:	850
Percent of Contract Calendar Days Elapsed:	22%
Percent of Construction Completed:	22%

Percentage of Work Done	22%	Total Project
--------------------------------	------------	----------------------

Proposed Changes:

General Comment:

Progress Photos: 4/17/2013



Building A - Progress of Structural Steel



Building B - Grade Beams Poured



Building C - Grade Beam Trenches & Rebar Being Installed

PROJECT STATUS REPORT

Helms Middle School - Sports Field and Landscaping

Period Ending: 4/18/2013

Scope: Sports Field and Landscaping Project

Construction Status:

Architect: Baker Vilar Architects
 Project Manager: Hector DeLeon, SGI Construction Management
 Project Engineer: Maria Zupo, SGI Construction Management
 Contractor: Robert A. Bothman Inc.
 Inspector: Brad Williamson
 WCCUSD Mgr: Eduardo Donoso

Contract Status:

Notice to Proceed:	1/7/2013		
	Original	Approved	Projected
Construction Schedule (days):	395	0	455
Original Completion Date:	02/06/2014		
Projected Completion:	5/12/2014		

Buildings:

Building 1	Boys & Girls Restrooms
Building 2	Storage Building
Building 2	Community Center Pad Prep.

Progress This Period:

- Resolution of the contamination issues on site are 80% complete.
- The contractor has remobilized and has completed 50% of the community center building pad.
- Re-clearing and grubbing of the site is 25% complete due to delay on resolution of contaminates.
- Our general contractor has been given awareness training on the handling of the low levels of lead, oil and diesel on site.
- Perimeter and personal air monitoring samples have been collected and all test results have come back clean.

Anticipated Progress Next Period:

- Completion of the Alternate #1.
- Community Center Pad with all Utilities installed and turned over to the City of San Pablo for construction of the new building.

Schedule Assessment/Update:

Construction Duration (Calendar Days):	455
Construction Calendar Days Elapsed:	100
Construction Calendar Days Remaining:	355
Percent of Contract Calendar Days Elapsed:	21%
Percent of Construction Completed:	6%

Percentage of Work Done

6% Total Project

Demolition	75%	5%
Clearing & Grubbing	90%	3%
Import Soil	0%	10%
Community Center Bldg. Pad	50%	15%

Proposed Changes:

Chlordane was discovered in the southern portion of the main field. Testing has been completed. Recommendations are forth coming to determine the remediation for the area. All other test areas have been resolved and the GC will off haul soil as Class 2 non hazardous material.

General Comment:

General Contractor is back on site and has completed approximately 50% of the Community Center Building Pad. The project team is working diligently to complete the area, Alternate #1, of our contract as soon as possible.

Progress Photos: 4/18/2013



Soil excavated by scraper at Community Center Pad



Concrete cap pour over storm drain pipe



Community Center Pad compacted with Geotech Fabric

PROJECT STATUS REPORT

Ohlone Elementary School - West Campus

Period Ending: 4/17/2013

Scope: Ground up Construction of 2 buildings, landscaping and play grounds.

Construction Status:

Architect: Powell & Partners
 Project Manager: Sonya Perkins, SGI Construction Management
 Project Engineer: Paul Orr, SGI Construction Management
 Contractor: Zovich & Sons Construction Company
 Inspector: Mark Eriksen
 WCCUSD Mgr: Eduardo Donoso

Contract Status:

Notice to Proceed:	08/01/2011		
	Original	Approved	Projected
Construction Schedule (days):	780		719
Original Completion Date:	7/20/2013		
Projected Completion:	3/20/2014		

Buildings:

Bldg. A	New Construction- 2 Story Bldg. / Admin & Classrooms
Bldg. B	Classrooms & Restrooms

Progress This Period:

- Building A:
- MEP/ Rough-in continues.
 - Installation of drywall, fire sprinklers, technology,
 - Install 2nd layer of underlayment.
 - Installation of brown coat stucco and metal framing.
 - HVAC units on rooftop.
 - Underground gas lines completed.
 - Relocation switchgear is completed.
- Building B:
- Electrical/Technology rough-in continues
 - Installation of fire sprinkler, fire alarm, pulling cables, final coat of stucco and painting.
 - HVAC units on rooftop.
 - Install 2nd layer of underlayment.
 - EBMUD completed.

Anticipated Progress Next Period:

- Complete finish coat of stucco on Buildings A & B.
- Drywall, tape & mudding in Buildings A & B.
- MEP rough in Building A continues.
- Pulling cables, metal roof installation, fire sprinklers and fire alarm installation.
- Cabinet & countertop mock up.
- Bitumen roofing to continue.
- Hardscape to continue.
- Install transformer pad.
- Make connection to water main, relocate trailers, and finalize card reader/camera system changes.

Schedule Assessment/Update:

Construction Duration (Calendar Days):	719
Construction Calendar Days Elapsed:	556
Construction Calendar Days Remaining:	163
Percent of Contract Calendar Days Elapsed:	77%
Percent of Construction Completed:	58%

Percentage of Work Done **58%** **Total Project**

Proposed Changes:

General Comment:

Overall the project is progressing.

Progress Photos: 4/17/2013



Siding Installation



Butterfly Roof 2nd Layer Underlayment



HAVC Units / Stucco at Rooftop

PROJECT STATUS REPORT

Peres Elementary School - Modernization

Period Ending: 4/17/2013

Scope: The modernization project consists of renovating nine (9) existing buildings to bring the entire school to current structural and architectural standards.

Construction Status:

Architect: HY Architects
 Project Manager: Rod Sias, SGI Construction Management
 Project Engineer:
 Contractor: Cal-Pacific Construction, Inc.
 Inspector: Kris Gilbert
 WCCUSD Mgr: Andrew Mixer

Contract Status:

Notice to Proceed: 8/2/2012
Original Approved Projected
 Construction Schedule (days): 78 615
 Original Completion Date: 10/19/2012
 Projected Completion: 7/15/2013

Buildings:

Renovation of existing buildings.

Progress This Period:

- Restroom Renovation-Bldg. I1(B & G) – IN PROGRESS.
- Repair and Paint Stucco Wall-Bldg. E – IN PROGRESS.
- Exterior Painting Bldg. D, F1, F2, F3, F4, H1, H2, – IN PROGRESS.
- Phase 2 Covered Canopy – COMPLETED.

Anticipated Progress Next Period:

- Pour Colored Concrete @ Canopy – IN PROGRESS.
- Site Work/Asphalt/Tree Removal - IN PROGRESS.
- Modernization Punch list/Closeout – IN PROGRESS.

Schedule Assessment/Update:

Construction Duration (Calendar Days): 615
 Construction Calendar Days Elapsed: 263
 Construction Calendar Days Remaining: 352
 Percent of Contract Calendar Days Elapsed: 42%
 Percent of Construction Completed: 95%

Percentage of Work Done 95% Total Project

Item	Percentage	Total Project
Building B - Administration	99%	5%
Building D -Multi-purpose room-	99%	5%
Restrooms - F1, F2, I1 (B & G)	99%	30%
New Canopy	99%	30%
Site Work/Asphalt/Tree Removal	15%	10%
Exterior Painting	99%	20%

Proposed Changes:

DSA- Field Change Directive 001- Concrete Strength in Bldg. D - Approved.
 DSA- Field Change Directive 002- Closet Framing in Bldg. D - Rejected.
 DSA- Field Change Directive 003- Cabinet Blocking - Approved.
 DSA- Field Change Directive 004- Canopy Column Spacing - Approved.
 DSA- Field Change Directive 005- Canopy Electrical Conduit - Approved.

General Comment:

Asphalt concrete sealer to be performed after school is out and expect to complete contract by 07/15/2013.

Progress Photos: 4/17/2013



Site Work & Asphalt - COMPLETE



Bldg. E - Installation of Stucco - IN PROGRESS



Phase 3 Covered Canopy - COMPLETE

PROJECT STATUS REPORT

Portola Middle School - BLDG Demo & Site Work

Period Ending: 4/18/2013

Scope: Demolition of the Original Portola Middle School with attending Environmental Waste Management and Materials Salvage.

Construction Status:

Architect: HY Architects
 Project Manager: Toby Black, SGI Construction Management
 Project Engineer:
 Contractor: Alten Construction
 Inspector:
 WCCUSD Mgr: Andrew Mixer

Contract Status:

Notice to Proceed:	5/9/2012		
		Original	Approved
Construction Schedule (days):	225		423
Original Completion Date:	12/20/2012		
Projected Completion:	7/6/2013		

Buildings:

Mobilization	Fencing, Trailers, Temporary Utilities & Facilities
Start-Up	Salvaging, 3rd Party Contractors/Vendors
Abatement	Buildings and Portables
Demolition	Site, Buildings and Portables
Completion	Grading, Hydroseeding, Fencing and Demobilization

Progress This Period:

- Project has been temporarily shut down due to weather.
- Contractor is projected to return on May 6th, 2013

Anticipated Progress Next Period:

- Site grading.
- Hydroseeding and SWPPP maintenance.
- Installation of new curb cuts for drive access per encroachment permit.
- Removal of AC paving at the bottom of the site.
- Installation of new concrete curbs at bottom of site at the temp campus.
- Removal of temporary fencing and installation of new fencing at South West corner of site.
- Removal of concrete retaining walls at top of site.

Schedule Assessment/Update:

Construction Duration (Calendar Days):	423
Construction Calendar Days Elapsed:	345
Construction Calendar Days Remaining:	78
Percent of Contract Calendar Days Elapsed:	81%
Percent of Construction Completed:	85%

Percentage of Work Done **85 %** **Total Project**

Mobilization	100%
Start-Up	100%
Abatement	100%
Demolition	99.9%
Completion	85%

Proposed Changes:

General Comment:

Time extension of 61 days currently under review. Due to weather, the grading portion of this project has not commenced. The District has chosen the option presented by the contractor to shut down the project until May 6th when weather conditions become optimal for grading. 31 non-compensable weather days have been granted. A non-compensable time extension to be submitted for the remainder of the days leading up to May 6th.

Progress Photos: 4/18/2013



SWPPP measures @ South West corner of site



Bottom of the hill at the AC paving



SWPPP measures between the two lower staircases