

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
MEETING AGENDA
OCTOBER 15, 2008**

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:

http://www.wccusd.net/board/APM_index.shtml

VIEWING AND LISTENING TO THE BOARD MEETINGS:

Radio: Regularly scheduled Board meetings are broadcast live over Radio Station KECG 88.1 and 97.7 FM.

Television: Regular Board meetings are also broadcast by the City of Pinole on PCTV Channel 26 and HCTV Channel 25, and the Hercules city cable channel 28.

Audio tapes of Board meetings are kept on file in the Communications Office, Room 215, 1108 Bissell Avenue, Richmond, CA 94801 (510-231-1132). The Board of Education would like to acknowledge the City of Pinole for their generosity in helping to televise WCCUSD Board of Education meetings.

ATTENDING BOARD MEETINGS:

The public is warmly invited to attend and participate in all WCCUSD Board of Education meetings.

Location: LOVONYA DEJEAN MIDDLE SCHOOL
3400 MACDONALD AVENUE
RICHMOND, CA 94805

Time: The **Board of Education's Open Session meeting will begin at 6:30 PM.** The Board will convene at **5:30 PM** in the Multi-Purpose Room to receive comments from anyone wishing to address the Board regarding closed session items (see Exhibit A). The Board will then adjourn to closed session in the Faculty Lounge and reconvene in open session to address the regular agenda (Exhibits B-G) at 6:30 PM.

“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 Cari Tam, Middle College High School**

Comment:

Student Board Representative Cari Tam will be representing Middle College High School at the Board of Education on October 15, 2008. We would like to recognize and commend her participation.

Recommendation: For Information Only

Fiscal Impact: None

B.5 Report/Ratification of Closed Session

* **B.6 Agenda Review and Adoption (Public Comment)**

* **B.7 Board Minutes: October 1, 2008**

C. AWARDS, RECOGNITIONS, AND REPORTS

* **C.1 Employee Service Anniversary Recognition**

Comment:

The West Contra Costa Unified School District employs 3,019 full and part-time staff members. Tonight the district honors its veteran employees who have reached milestone years for their service. It is with great honor and gratitude that we recognize these individuals by presenting them with service anniversary pins in the following categories:

- the 35-Year Service Pin Award to 31 staff;
- the 30-Year Service Pin Award to 35 staff;
- the 25-Year Service Pin Award to 32 staff;
- the 20-Year Service Pin Award to 74 staff.

It is ultimately the students who benefit from the relationships we have with our veteran staff members. Collectively this group represents more than 4,400 years of experience in serving the students.

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

Recommendation: Recognition; for board and public information

Fiscal Impact: None

* **C.2 Report on the Efforts by District Counselors to Promote a College-Going Culture at their Sites**

Comment:

Counselors are trying to make their high school a place where college is the next step for everyone by creating a College-Going Culture. Counselors are working with College Outreach Programs and admissions representatives to come to their school for college information sessions. They are maintaining a consistent focus on the variety of available options to their students by holding Career Days and providing resources within and outside the school to assist students.

Recommendation: Report Only

Fiscal Impact: None

* **C.3 Citizens' Bond Oversight Committee Report**

Comment:

The Citizens' Bond Oversight Committee Chairperson, Sue Pricco, will provide an update to the Board.

Recommendation: For Information Only

Fiscal Impact: None

* **C.4 In Memory of Members of the School Community**

Comment:

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

Rosemary Moses, retired teacher from Nystrom, passed away recently at age 77. Ms. Moses worked for the district from 1964 until she retired in 2001.

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

Recommendation: For Information Only

Fiscal Impact: None

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

* **D.1 Superintendent's Report**

* **D.2 Request to Address the Board on East Bay Regional Park District's Park'n It Summer Day Camp**

Comment:

Anne Kassebaum, Recreation Services Manager at the East Bay Regional Park District, has requested time to speak about the Park'n It Summer Day Camp program and its benefits.

The program is a collaborative partnership with Edward Downer Elementary School and the Park District, and was created to provide nearly 75 children with a week-long summer day camp experience at Point Pinole Regional Shoreline and various other Regional Parks.

Recommendation: For Information Only

Fiscal Impact: None

* **D.3 WCCUSD Public Comment**

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

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

E. ACTION ITEMS

* **E.1 Board Approval of Single Plans for Student Achievement (SPSAs)
October 2008 – November 2009**

Comment:

In 2006, the District adopted a new template for the Single School Plan for Student Achievement. The plans serve as a vehicle for communicating information about a school and efforts underway to improve academic achievement, as well as a description of how supplemental categorical funds from the Consolidated Application are used. School plans provide legally-mandated requirements and comprehensive information that includes:

- A description of how parents are involved in the school program;
- Adequate Yearly Progress (AYP) data analysis and assessment of student learning;
- An Action Plan for improving student achievement and closing the achievement gap;
- A plan to improve attendance; and
- A plan to promote a safe, welcoming and disciplined learning environment.

Training and support were provided to assist schools in using the template and in completing their plans. The plans were developed by and have been approved by the School Site Councils (SSCs). The plans are

available for review on the District website and at the State and Federal Programs department located at the Seaview Campus.

Recommendation: Board Approval

Fiscal Impact: Categorical Revenue

* **E.2 2008-09 Budget Revisions**

Comment:

Education Code Section (i) (4) states “Not later than 45 days after the Governor signs the annual Budget Act, the school district shall make available for public review any revisions in revenues and expenditures that it has made to its budget to reflect the funding made available by that Budget Act.”

Staff will provide a presentation that summarizes the 2008-09 budget revisions due to the impact of the state adopted budget.

Recommendation: Recommend approval of the 2008-09 Budget Revisions

Fiscal Impact: None

F. DISCUSSION ITEMS

None

G. 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.

*CI **G.1 Contracted Services**

Comment:

Permission is requested of the Board of Education to approve the contracts for services as detailed dated October 15, 2008.

Recommendation: Recommend Approval

Fiscal Impact: As noted per contracts summary

*CI **G.2 Grants/Awards/Agreements**

Comment:

Formal acceptance is requested from the Board of Education to accept the grants/awards/agreements, as detailed dated October 15, 2008.

Recommendation: Recommend Approval

Fiscal Impact: As noted per grants summary

***CI G.3 Acceptance of Donations**

Comment:

The District has received donations as summarized dated October 15, 2008. The estimated values for any non-cash donations are those provided by the donor. Staff recommends acceptance of these donations.

Recommendation: Recommend Approval

Fiscal Impact: As noted per donations summary

***CI G.4 Approval of Fund-Raising Activities**

Comment:

The planned fund-raising events for the 2008-09 school year are summarized dated October 15, 2008.

Recommendation: Recommend Approval

Fiscal Impact: Additional revenue for schools

***CI G.5 Summary of Payroll and Vendor Warrant Reports**

Comment:

Payroll and Vendor Warrants issued during the month of September 2008 are summarized.

Total of payroll warrants:	\$ 9,704,998
Total of vendor warrants:	\$37,820,271

Recommendation: Recommend approval of the payroll and vendor warrant reports

Fiscal Impact: As noted

***CI G.6 Adoption of Resolution No. 41-0809 Replacement of Outdated Warrants**

Comment:

Government Code Section 29802(c) allows the governing board, by resolution, to order a replacement check be issued for a warrant that is stale dated. This resolution authorizes the issuance of a check to replace the outdated warrant for Veronica Rideaux. Staff recommends replacement of the stale dated warrant.

Recommendation: Recommend approval to replace the outdated warrant.

Fiscal Impact: None

***CI G.7 Budget Development Calendar 2009-10**

Comment:

The budget development calendar for the 2009-2010 fiscal year is provided for review.

Recommendation: For Information Only

Fiscal Impact: None

***CI G.8 Contract with Employee Health and Welfare Providers - Resolution No. 42-0809:
Board of Education Members Retiring Prior to January 1, 2009**

Comment:

Permission is requested of the Board of Education to approve the following resolution fixing the employer's contributions for medical benefits effective January 1, 2009.

Recommendation: Recommend Approval

Fiscal Impact: As noted on resolution.

***CI G.9 Certificated Personnel Changes**

Comment:

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

Recommendation: Recommend Approval

Fiscal Impact: None

***CI G.10 Routine Personnel Changes - Certificated**

Comment:

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

Recommendation: For Information Only

Fiscal Impact: None

***CI G.11 Certificated Provisional Internship Permit (PIP) Request(s)**

Comment:

The Provisional Internship Permit (PIP) was created in response to the phasing out of emergency permits and became effective on July 1, 2005. It allows an employing agency to hire an individual who has not yet met the subject matter competence requirement needed to enter an internship program. Prior to requesting a PIP, the employing agency must verify that a diligent search has been made, and a fully credentialed

teacher cannot be found. The PIP is issued for one (1) year and is renewable one time only provided the teacher has taken all appropriate subject matter examinations, but has not yet passed those tests.

Recommendation: Recommend Approval

Fiscal Impact: None

***CI G.12 Notification of Claim Approval and Settlement Payment**

Comment:

The District received a claim regarding compensation for personal injury. The District's risk management firm has investigated the claim and is requesting the School Board to ratify authorized settlement payment.

Recommendation: Ratify the authorized approval of claim and payment for personal injury.

Fiscal Impact: Self-Insurance Program

***CI G.13 Notification of Claim Rejected**

Comment:

The District has received a claim requesting compensation for personal injury. The District's risk management firm has investigated the claim and is requesting the School Board to ratify the authorized claim rejection.

Recommendation: Ratify the rejection of claim

Fiscal Impact: None

***CI G.14 Ratification and Approval of Engineering Services Contracts**

Comment:

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

Recommendation: Ratify and approve contracts

Fiscal Impact: Total for this action: \$272,719. Funding sources as noted.

***CI G.15 Ratification and Approval of Negotiated Change Orders**

Comment:

Staff is seeking ratification of Change Orders on the following current District construction projects: Pinole Valley HS Restroom Renovations; DeAnza HS Demolition, Utilities, Sitework; DeAnza HS Fieldhouse; Downer Elementary New School. 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.

Recommendation: Ratify negotiated Change Orders as noted.

Fiscal Impact: Total ratification and approval by this action: \$200,774.75.

***CI G.16 Ratification of Previously Awarded Contract**

Comment:

The following construction contract was approved by the Board at its meeting of September 17, 2008. This action was taken prior to the expiration of the Bid Protest period in order to expedite the start of the work. In this case, the Board authorized staff to issue the Notice of Award. The Education Code requires the Board to ratify this award action by staff. The following contract was awarded by staff pursuant to Board authorization after successful completion of the Bid Protest period:

Bay Cities Paving and Grading. Leadership Public Schools Temporary Campus. Contract award: \$1,616,000. This project had a Bid Protest which was subsequently confirmed, the apparent low bidder was declared non-responsive.

Recommendation: Ratify previously awarded contract

Fiscal Impact: \$66,000. Additional fiscal impact is the difference between non-responsive apparent low bidder and awarded contract amount to lowest responsive, responsible bidder.

***CI G.17 Network Support Services RFP #0809-01**

Comment:

Proposals were sought from qualified service providers with certified technicians and engineers to assist when workload priorities increase or outside expertise is required. Three vendors submitted proposals: LAN LOGIC, AEKO Consulting, and USWired. Staff recommends LAN LOGIC, a local provider based in Livermore, with consistently high scores in pricing, unlimited Help Desk monthly support, past experience with school districts, and staff qualifications.

The Board's action will be to authorize staff to negotiate the contract provisions. The contract will then be brought back for ratification at a future meeting.

Recommendation: Recommend Approval

Fiscal Impact: \$35,000 General Fund

***CI G.18 Student Information System (SIS) & Services RFP #0809-02**

Comment:

The district has been using the application software SASI as its student information system (SIS) for many years. The company that developed and supported SASI over the years is discontinuing the product line and this has required the district to select another application. The application selection is just one step towards fully implementing a new SIS system district wide.

The information that sits within the SIS system generates much of the district's revenue stream. Countless reports to the state regarding attendance, proof of federal compliance related to grants and programs, tie-overs into multiple other local systems, in-district staffing models, and hundreds of other information needs depend on this system.

Proposals were sought from qualified firms or individuals to provide a Student Information System and associated project management services related to the implementation of the software. Two vendors submitted proposals: Sungard and Pearson School System. Staff recommends Pearson School System, the same SIS provider the District has used since 1991. Pearson's PowerSchool was rated with consistently high scores in pricing, CA state reporting requirements, and hardware OS versatility requirements (MAC, Windows, Windows CE).

The Board's action will be to authorize staff to negotiate the contract provisions. The contract will then be brought back for ratification at a future meeting.

Recommendation: Recommend Approval

Fiscal Impact: Approximately \$398,840. Microsoft Voucher Grant

***CI G.19 Williams Lawsuit Complaints Quarterly Report**

Comment:

The Williams Lawsuit requires that a quarterly report be brought before the Board of Education reflecting the number of complaints filed with any school in the district during a particular quarter. This report reflects the time period from July 1 – September 30, 2008.

Recommendation: For Approval

Fiscal Impact: None

***CI G.20 Red Ribbon Board Resolution No. 40-0809**

Comment:

Our District has been involved in Red Ribbon Week for the past twenty years. Congress officially proclaimed the first National Red Ribbon Week October 23 – 31, 1988. The Red Ribbon has now become a symbol for drug-free environments.

This resolution represents the West Contra Costa Unified School District's support of the Red Ribbon Campaign October 23 – 31, 2008. Red Ribbon Week may be celebrated one week during the year, but its effects last throughout the year.

This year, some of the school activities will include prevention curriculum lessons, poster/essay/decoration contests, wear-red days, letter writing, school assemblies, etc. The focus of this week is not only on drug-free youth but also on safe and healthy communities.

Recommendation: Formal recognition

Fiscal Impact: Cost of Red Ribbon materials to students and District staff approximately \$1500.00 (Funded under Title IV – Safe and Drug-Free Schools and Communities)

H. UNFINISHED REQUESTS TO ADDRESS THE BOARD (continued from Item D)

I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT

J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING
Lovonya DeJean Middle School – November 5, 2008

K. ADJOURNMENT

At 10:00 p.m., 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 p.m. The meeting may be extended by a majority vote of the Board of Education.

The public may address items which are marked with an asterisk (*).

A. CLOSED SESSION

A.1 CALL TO ORDER

A.2 DISCLOSURE OF ITEMS TO BE DISCUSSED IN CLOSED SESSION
(Government Code 54957.7)

A.3 RECESS TO CLOSED SESSION AS SCHEDULED

See Exhibit A

(Government Code Section 54954.5)

The **Open Session** will resume at the end of the **Closed Session** in the Multi-Purpose Room at approximately **6:30 PM**.

EXHIBIT A

(Government Code Section 54954.5)

CLOSED SESSION AGENDA

October 15, 2008

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

1. Negotiators: Associate Superintendent of Operations/Jeff Edmison
2. Property: 2600 Moraga Road, San Pablo, CA. Price and all terms of agreement.
3. Property: Land located on either side of Lexington Avenue between Stockton Avenue and Eureka Street in El Cerrito, CA. Price and all terms of agreement.
4. Property: 1021 Navellier Street, El Cerrito, CA. Price and all terms of agreement.
5. Property: 230 Harbour Way South, Richmond, CA. Price and all terms of agreement.

2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

[Government Code Section 54956.9(a)]

1. WCCUSD v. Charles T. Bryant & Associates (CTBA)
2. WCCUSD v. RDS Architects
3. Lumagbas et al. v. WCCUSD et al.
4. S.H. 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

The following administrative appointments will be reported for the 2008-2009 school year:

Middle School Vice Principal
K-12 Instructional Specialists
Executive Director of Business Services
Associate Superintendent for Operations

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

8. STUDENT DISCIPLINE (Education Code Section 35146)

- a. Expulsions

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

10. REPORT OF CLOSED SESSION ACTIONS