

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION  
MEETING AGENDA  
MAY 20, 2009**

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**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](http://www.wccusd.net/board/APM_index.shtml)

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.

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**VIEWING AND LISTENING TO THE BOARD MEETINGS:**

**Television:**

Live television broadcast of regularly scheduled Board meetings is temporarily suspended due to construction at the Richmond Civic Center. Board meetings will be rebroadcast 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 rebroadcast 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.

**Radio:**

Radio broadcast of regularly scheduled Board meetings is temporarily suspended.

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 cities of Pinole and Richmond for their generosity in helping to televise WCCUSD Board of Education meetings.

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**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 **5:00 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.

**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.

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"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 Stephanie Carillo, Gompers Continuation High School**

Comment:

Student Board Representative Stephanie Carillo will be representing Gompers Continuation High School at the Board of Education on May 20, 2009. 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:** May 6, 2009; May 11, 2009

**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 Contracted Services**

Comment:

Permission is requested of the Board of Education to approve contracts for services as detailed dated May 20, 2009.

Recommendation: Recommend Approval

Fiscal Impact: As noted per contracts summary

\*CI **C.2 Acceptance of Donations**

Comment:

The District has received donations as summarized dated May 20, 2009. 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 C.3 Approval of Fund-Raising Activities**

Comment:

The planned fund-raising events for the 2008-09 school year are summarized dated May 20, 2009.

Recommendation: Recommend Approval

Fiscal Impact: Additional revenue for schools

**\*CI C.4 Summary of Payroll and Vendor Warrant Reports**

Comment:

Attached are the summaries of Payroll and Vendor Warrants issued during the month of April, 2009.

Total of payroll warrants:	\$10,794,225
Total of vendor warrants:	\$23,778,272

Recommendation: Recommend approval of the payroll and vendor warrant reports.

Fiscal Impact: As noted above

**\*CI C.5 Acceptance of Contracts for Placement of Student Teachers**

Comment:

Teachers in this District provide supervision and evaluation for students seeking credentials to teach in California public school classrooms. These arrangements are made between the institution of higher education and the individual classroom teacher at no cost to the district.

Staff requests approval from the Board of Education to accept Contracts for Placement of Student Teachers as detailed dated May 20, 2009.

Recommendation: Recommend Approval

Fiscal Impact: None

**\*CI C.6 Agreements for Nonpublic, Nonsectarian School/Agency Services**

Comment:

Permission is requested of the Board of Education to approve the Master Contracts between the District and the additional named agencies for nonpublic, nonsectarian school/agency services for the period of May 21, 2009 through June 30, 2009.

Non Public Agency

Accentcare Home Health  
Lindamood-Bell Learning Processes

Recommendation: Recommend Approval

Fiscal Impact: \$75,000.00\* - Non-LCI. \*No budgetary impact, included in previously approved Master Contract for Services.

**\*CI C.7 Notification of Claims 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 C.8 Routine Personnel Changes - Certificated**

Comment:

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

Recommendation: For Information Only

Fiscal Impact: None

**\*CI C.9 Ratification and Approval of Engineering Services Contracts**

Comment:

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

Recommendation: Ratify and approve contracts

Fiscal Impact: Total for this action: \$368,718. Funding sources as noted

**\*CI C.10 Ratification and Approval of Negotiated Change Orders**

Comment:

Staff is seeking ratification of Change Orders on the following current District construction project: Dover Elementary School Ph. 1 Sitework. Change Orders are fully executed by the District upon signature by the Superintendent's designee. Board ratification is the final step required under state law in order to complete payment and contract adjustment.

In addition to normal ratification, approval of the noted Change Order for the Pinole Middle School New Gym Classroom Building project is required by the Board, with special findings as noted below, because it 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 approving and 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: \$40,877.17.

**\*CI C.11 Coronado Elementary Portables Replacement Utility Installation Contract Award**

Comment:

The District has received funding from the state Emergency Repair Program (“ERP”) to replace two seriously deteriorated modular buildings at the Coronado Elementary School site. WLC Architects is providing architectural and engineering services for the project. The Board authorized purchase of the two buildings at the meeting of May 6, 2009. This project includes the construction, utilities, and miscellaneous work needed to complete the replacement at the site.

The District conducted a public bid process for this project. Seven Contractors submitted bids. They are as follows: Bruce Carone Paving \$132,752; Rodan \$117,000; Bay Cities Paving \$105,000; A&E Emmar \$87,000; ERA Construction \$85,000; Cal Bay \$84,442; and WR Forde \$81,200. The lowest responsive, responsible bidder is WR Forde at \$81,200.

Recommendation: Award contract to the lowest responsive, responsible bidder

Fiscal Impact: \$81,200. Funded from the Emergency Repair Program (“ERP”)

**\*CI C.12 Resolution 90-0809, Governing Board of the WCCUSD to Become Subject to Uniform Public Construction Cost Accounting Act (UPCCAA or the “Act”)**

Comment:

The acceptance of this resolution would benefit the District in ways already reported to the State Controller’s Office by other districts and local public agencies. Benefits include: raised forced account limit, access to informal bidding procedures, greater leeway in execution of projects, streamlined awards process, improved timeliness of project completion and simplified administration. This is anticipated to further the Board of Education’s policy regarding local outreach by creating additional opportunities for the local small businesses and contracting community.

The District would be required to follow established procedures and accounting guidelines set forth by the UPCCAA, which is summarized in the resolution.

Recommendation: Recommends approval of Resolution 90-0809

Fiscal Impact: Unknown

**\*CI C.13 Resolution No. 88-0809: Recognition of May 2009 as California Physical Fitness Month**

Comment:

Resolution No. 88-0809 recognizes and acknowledges May 2009 as California Physical Fitness Month.

Recommendation: Recommend Approval

Fiscal Impact: None

**\*CI C.14 Certification of Athletic Coaches – Spring Sports**

Comment:

Under California Education Code Section 5593, all athletic team coaches are required to be certified annually. Topics covered during the training include first aid, CPR, coaching techniques, adolescent psychology (as it relates to sports participation), and ethics. The lists of coaches from each of the high school for spring sports is provided.

Recommendation: Approval

Fiscal Impact: None

**D. AWARDS, RECOGNITIONS, AND REPORTS**

**\* D.1 Ivy League Summer Programs: Students from El Cerrito High School, Pinole Valley High School, Hercules High School, and Richmond High School will participate in college readiness programs offered at respective Ivy League Colleges and Universities**

Comment:

The Ivy League Connection program has been an integral college awareness program in the West Contra Costa Unified School District for the last four years. Each year students at our respective high schools participate in a rigorous screening process in order to gain acceptance into a summer program at an Ivy League university. The Ivy League program has grown tremendously over the years through the contributions of benefactors and corporations vested in providing educational opportunities for our students. This summer, West Contra Costa Unified School District will be sending thirty-three students to various Ivy League universities including Cornell University, Columbia University, Brown University, and Yale University. We are proud to honor and recognize these outstanding students for their determination and willingness to accept this unique challenge and are confident they will serve as positive ambassadors representing their school and the district.

This evening we are proud to introduce the Ivy League Connection candidates who will be traveling this summer to respective college campuses. The students who will be representing our school district have demonstrated academic excellence and potential each year as a high school student. Further, all Ivy League students have participated in a rigorous application process prior to their acceptance into one of the college programs.

The District would like to thank the following sponsors for their contributions: IBEW/NECA LMCC Statewide, Contra Costa Chapter National Electrical Contractors Association(NECA), NorCal Chapter, NECA, Carpenters, Local 152, UA, Local 159, UA, Local 342, IBEW Local 332, Deems, Lewis and

McKinley Architects, WLC Architects, Baker/Vilar Architects, HY Architects, Interactive Resources, Seville Group, Quattrocchi Kwok Architects, Sally Swanson Architects, Joey Mariano, Davillier Sloan, DP Security, Employer Advocates, Powell and Partners, Electrical Contractors Trust Alameda County, Mary Hernandez of Garcia, Calderón & Ruíz.

Additionally, a special thank you is extended to Don Gosney who has helped with the entire program and the photos for the students and staff. Mr. Gosney is a Kennedy High School graduate and a Richmond resident.

Recommendation: For Recognition Only

Fiscal Impact: None

\* **D.2 Budget Report Updates**

Comment:

Staff will provide information for the 2008-09 and 2009-10 district budget.

Recommendation: For Information Only

Fiscal Impact: None

\* **D.3 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. Three minutes may be allowed for each subcommittee or group listed below:

Academic Subcommittee	Public Employees Local 1
Bayside Parent Teacher Association	School Supervisors Association
Citizens’ Bond Oversight Committee	United Teachers of Richmond
Community Budget Advisory Committee	West Contra Costa Administrators Association
Facilities Subcommittee	
Ivy League Connection	
Safety Committee	
Special Education Citizens Advisory Committee	

**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 Approval of Resolution No. 91-0809 Response to the Grand Jury Report No. 0907**

Comment:

Attached is Resolution No. 91-0809 Response to the Contra Costa County Grand Jury regarding Report No. 0907 - Retiree Healthcare Benefits Leave County Taxpayers on the Hook. The Grand Jury Report was provided to the Board of Education for review on April 22, 2009.

The District must respond to the Grand Jury by June 1, 2009.

Recommendation: Approval of Resolution 91-0809 Response to the Grand Jury Report No. 0907

Fiscal Impact: None

**\* F.2 Mentoring Program Support**

Comment:

**A Proposal to Develop and Implement a Mentoring Program for WCCUSD Youth**

The proposal outlines the formation of a formal mentoring program to support specific students at WCCUSD. In this program, WCCUSD would partner with local government agencies, businesses, parent groups, and community based organizations to connect WCCUSD students to caring adult mentors.

The City of Richmond is considering the development of a program that would encourage city employees to volunteer to serve as mentors to WCCUSD youth. In such a program WCCUSD would help with screening mentor applicants and connecting them to WCCUSD youth in need of a mentor. This collaboration if pursued could serve as a model for how employees of other government agencies could also encourage their employees to serve as mentors. In light of the fact that there are at least six government agencies serving in West Contra Costa County alone (County of Contra Costa and the Cities of Richmond, San Pablo, El Cerrito, Hercules, and Pinole), a school district/government agency collaboration to recruit and match mentors could yield high results.

By approving this proposal the WCCUSD agrees to work with the City of Richmond to develop a program that allows city employees to mentor WCCUSD youth and to partner with other entities that could provide adult mentors. By approving this proposal, WCCUSD also formally authorizes WCCUSD to serve as a co-applicant in funding applications being submitted by Be A Mentor Inc, to the U.S. Department of Health and Human Services to support mentoring efforts. Be a Mentor, Inc is a community based organization that develops and implements programs to help recruit, screen, and match mentors and mentees. Be A Mentor intends to submit an application to the Department of Health



Human Services to support youth of incarcerated family members, foster youth, and other youth who would benefit from mentoring. Be A Mentor, Inc is already engaged in a similar partnership with the County of Alameda. If funded, these grants would pay for many of the costs associated with recruiting, screening, training, matching, and supporting mentors and mentees.

The WCCUSD recognizes that having a connection to a caring adult is one of the key ways to help insure that all youth can have a bright future. As such the WCCUSD Board of Directors authorizes and directs its staff to work with the City of Richmond, Be A Mentor Inc, and other government agencies, businesses, parent groups, and community based organizations to develop and implement a formal mentoring program to benefit WCCUSD youth.

Recommendation: That the Board authorizes and directs its staff to work with the City of Richmond, Be A Mentor Inc, and other government agencies, businesses, parent groups, and community based organizations to develop and implement a formal mentoring program to benefit WCCUSD youth.

Fiscal Impact: Unknown

## **G. DISCUSSION ITEMS**

### **\* G.1 Possible Parcel Tax**

Comment:

With the deepening recession and the state budget crisis, school districts are facing staffing and program reductions that will have a devastating impact on the quality of education in California. Because of its structural deficit, debt going back to the early 1990's and health benefit contributions, WCCUSD faces an even worse situation from nearly all other districts. The only local option that districts have to raise funds is a parcel tax. In November 2008, voters renewed the 2004 parcel tax with more than 79% of voters in support. While that measure provides nearly \$10 million revenue the District may be facing a budget deficit for 2009-10 of at least three times that amount and perhaps more.

Recommendation: That the Board discuss the feasibility and possible timing of a parcel tax for WCCUSD.

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 – June 3, 2009

## **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 20, 2009**

**1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

1. Negotiator: Superintendent / Dr. Bruce Harter
2. 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.
3. Property: 1021 Navellier Street, El Cerrito, CA. Price and all terms of agreement.

**2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION**

[Government Code Section 54956.9(a)]

1. WCCUSD v. RDS Architects
2. Lumagbas et al. v. WCCUSD et al.
3. Srago 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 2009-2010 school year:

Elementary School Principal  
Middle School Principal  
Middle School Vice Principal  
High School Principal  
High School Assistant Principal  
Coordinator of State and Federal  
Coordinator of Educational Services

**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)**

Non-Reelection of Probationary Certificated Employees

**10. REPORT OF CLOSED SESSION ACTIONS**