West Contra Costa Unified School District
Board of Education
Meeting Agenda
February 10, 2010

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

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 and Listening to the Board Meetings:

Television:
Live television broadcast of regularly scheduled Board meetings is temporarily suspended pending infrastructure upgrades. 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 at the Administration Building, 1108 Bissell Avenue, Richmond, CA 94801 (510-231-1101). 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.

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.

"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 Carolyn Bradford, Gompers Continuation High School

Comment:
Student Board Representative Carolyn Bradford will be representing Gompers Continuation High School at the Board of Education meeting on February 10, 2010. We would like to recognize and commend her participation.

Recommendation:
For Information Only

Fiscal:
None

B.5 Report/Ratification of Closed Session
* **B.6 Agenda Review and Adoption** (Public Comment)
* **B.7 Minutes:** January 20, 2010; January 30, 2010

C. BUSINESS ITEMS

CONSENT ITEMS (Routine Matters)
Consent Calendar Items designated by "CI" are considered routine and will be enacted, approved and adopted by one motion, unless a request for removal, discussion or explanation is received from any Board member or member of the public in attendance. Items the Board pulls for discussion or explanation will be addressed following Section E.

***CI C.1 Grants/Awards/Agreements**

Comment:
Formal acceptance is requested from the Board of Education to accept the grants/awards/agreements, as dated February 10, 2010.

Recommendation:
Recommend Approval

Fiscal Impact:
As noted per grants summary

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

Comment:
The District has received donations as summarized dated February 10, 2010.

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 2009-10 school year are summarized as dated February 10, 2010.

Recommendation:
Recommend Approval

Fiscal Impact:
Additional revenue for schools

***CI C.4 Contracted Services**

Comment:
Permission is requested of the Board of Education to approve contracts for services as detailed dated February 10, 2010.

Recommendation:
Recommend Approval

Fiscal Impact:
As noted per contracts summary

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

Comment:
The summaries of Payroll and Vendor Warrants issued during the month of January, 2010 are presented for approval.

Total of payroll warrants: $ 9,573,450
Total of vendor warrants: $17,962,282

Recommendation:
Recommend approval of the payroll and vendor warrant reports

Fiscal Impact:
As noted

***CI C.6 Resolution No. 68-0910: Week of the School Administrator – March 1-5, 2010**

Comment:

Administrators of California's public school are commended for their support of, and contribution to, quality education in the state.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.7 Resolution No. 58-0910 - Disabilities Awareness Month – March 2010**

Comment:
This resolution proclaims the month of March 2010 as Disabilities Awareness Month and encourages all schools and educational communities to commemorate this occasion with meaningful student activities and programs that promote and demonstrate learning about and understanding individuals with disabilities.

Recommendation:
Recommend Approval

Fiscal Impact:
None

* **C.8 Resolution No. 66-0910: Read Across America - March 2, 2010**

Comment:
The West Contra Costa Unified School District and the Board of Education join with the United Teachers of Richmond in calling on the citizens of West Contra Costa to assure that every child is in a safe place reading with a caring adult on Tuesday, March 2, 2010.

Recommendation:
Recommend Approval

Fiscal Impact:
None

* **C.9 Resolution No. 69-0910: Determination of Tie-Breaking Criteria for 2010-2011**

Comment:
In the event the District must reduce certificated staff for the 2010-2011 school year, such reductions must be made on the basis of seniority. Whenever two or more employees have the same date of hire, it is necessary to have specific criteria upon which to base reduction decisions. The criteria for the same date of hire are listed on the attached resolution. Upon approval of the criteria the District seniority list can be finalized and posted at all sites where certificated staff is employed.

Recommendation:
Recommend Approval

Fiscal Impact:

To Be Determined

***CI C.10 Certification of Athletic Coaches – Winter 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 fall sports will be provided.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.11 Hercules Middle High Quad Landscape and Parking Project Award of Contract**

Comment:
Hercules Middle High School still has areas remaining to complete which were left unfinished at the time of the original construction due to funding constraints. This project is the next step in completing the campus site work and includes the construction of the student quad area on the middle school side of the campus east of the Admin/Library Building. The project also includes construction of additional parking for staff on the middle side of campus at an unfinished parking area along the rear of the campus.

WLC Architects and Vallier Design Associates have completed plans and specifications for the project. The District conducted a public bid of the project. Bids were opened on December 17, 2009. Fifteen contractors submitted bids. They are as follows:

Contractor	**McNabb Construction**	Bruce Carone Grading	Carone & Company	Bay Citie Paving	Hess Construction
Total Bid	**$247,450**	$279,000	$279,500	$324,800	$305,300
Contractor	Argonaut Constructors	OC Jones & Sons	Goldspring International	WR Forde	JA Gonsalves & Son
Total Bid	$317,897	$312,985	$358,776	$568,000	$446,530
Contractor	Grade Tech Inc.	EVRA Construction	Suarez & Munoz	RP Engineers	Sposeto Engineering
Total Bid	$284,000	$287,000	$316,898	$290,141	$356,300
Contractor	ERA Construction	Galeridge Construction	Evans Bros.		
Total Bid	$324,486	$367,950	$316,898		

Subsequent to the bid opening, and within the time allotted in the contract documents, a bid protest was received from the second low bidder, Bruce Carone Grading. The protest alleged non-responsiveness for failure to list a designated safety surfacing subcontractor. After review with both parties and District legal counsel, it has been confirmed that McNabb Construction self-performs this work, and will use the specified product. Therefore, the lowest responsive, responsible bidder is McNabb Construction at $247,450.

Recommendation:
Award contract to lowest responsive, responsible bidder

Fiscal Impact:
$247,450 Funded from the Capital Facilities Fund, Fund 25

***CI C.12 Rejection of Claim for Refund of Developer Fees by Castle Companies for Country Club Villas Project in Richmond, CA**

Comment:
On December 18, 2009, Castle Companies, on behalf of Castle Principles, LLC, notified the District that it would be paying current developer fees "under protest" for new permits at the Country Club Villas Project in Richmond, California. Castle claims that, since the District is closing schools and increasing class sizes, that no developer fees may be imposed because of lack of evidence of a nexus between its project and the need for classroom space. Castle seeks refund of $46,516.11, plus interest, for fees paid contemporaneously with the claim letter/fee protest.

Since the fees currently imposed are based on statutory authority and a fee study in place for two years, we are advised that this claim has no merit. Because of the possible application of the Government Code process required to reject claims on grounds other than the developer fee statute, which process may or may not apply to this type of claim, District legal counsel advises to reject the current claim as soon as possible.

Recommendation:
Reject the Claim of Castle Companies, on behalf of Castle Principles, LLC, of December 18, 2009, for any refund or reduction of Board-approved 2009 developer fees on the Country Club Villas Project in Richmond, California.

Fiscal Impact:
Full fiscal impact not known

***CI C.13 Appointment of Tim Bañuelos to the Citizens' Bond Oversight Committee**

Comment:
The Pinole City Council, at their meeting on December 19, 2009, appointed Timothy Bañuelos as Pinole's representative on the WCCUSD Citizens' Bond Oversight Committee. Mr. Bañuelos will serve on the CBOC from January, 2010 to December 31, 2012.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.14 Ratification and Approval of Negotiated Change Orders**

Comment:

Staff is seeking ratification of Change Orders on the following current District construction projects: DeAnza High School Baseball Field and Ford Elementary New Campus. 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: $27,336.84

* **C.15 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: $355,500. Funding sources as noted

* **C.16 E-Rate Funding Year 13 – Contract Award of Vendor Upon E-Rate Funding Approval**

Comment:
The Schools and Libraries Program of the Universal Service Fund, commonly known as "E-Rate," provides assistance to schools and libraries in the U.S. to obtain affordable telecommunications and internet access infrastructure. The level of funding from the E-Rate program depends on economic need and on the percentage of students participating in the Free and Reduced Lunch Program. The application window for FY2010 (known as E-Rate Year 13) is now open, and the District proposes to apply for full funding by the E-Rate Program for the following projects:

1. WAN END-TO-END MANAGED SOLUTION: Will provide comprehensive support for Wide Area Network (WAN) implementation and management, enabling the District to improve, expand and maintain a global WAN efficiently and cost-effectively including network design, implementation, installation and management of networking solutions.
2. WIRELESS ACCESS INFRASTRUCTURE: Will provide students, faculty and administrators with secured, easy and instant wireless access to applications and information at eligible locations. Instant wireless access to educational applications has resulted in enhanced learning environments, improved student achievement, reduced IT support calls and faculty training costs, and maximized teacher mobility.
3. SERVER CONSOLIDATION/VIRTUALIZATION: The average server workload falls far short of its potential, reducing data storage capacities and increasing associated costs, such as additional hardware and IT staffing. Server consolidation through virtualization provides the cure

to server sprawl and optimizes storage capacity. Data from different servers can be accessed from one server, and resources such as computing power and storage capacity are optimized and maintained through one central portal.

Two vendors submitted bids on January 19, 2010: AT&T and AMS.NET. AT&T met all the requirements. AMS.NET did not hold a valid CMAS (State of California Multiple Award Schedule) contract, thereby disqualifying themselves.

Recommendation:
Approve E-Rate Contract for Year 13 to AT&T

Fiscal Impact:
The District obtains 70%-90% from E-Rate funding for the above projects, equal to $1,543,339 - $1,984,293 in reimbursement. (Project Cost $220,477 - $661,431)

* **C.17 El Cerrito High Temporary Campus Removal Project Award of Contract**

Comment:
The next step in completing the reconstruction of El Cerrito High School is to remove the temporary campus modular buildings and prepare the site for the construction of the fields. This project includes utility removals, site fixture removals, preparations for modular dismantle and removal. The work includes demolition of the asphalt paving in most areas—leaving pathways and temporary fencing to allow access to the stadium area pending the construction of the fields.

WLC Architects has completed plans and specifications for the project. The District conducted a public bid of the project. Bids are set to be opened on February 9, 2010. In order to expedite the project staff will prepare a recommendation for award at the meeting of February 10, 2009.

This item will be presented prior to the expiration of the five working day Bid Protest period. In consideration of this timing, and in order to expedite the project, the Board's action will be to authorize staff to issue the Notice of Award effective at the end of the Bid Protest period to the lowest responsive, responsible bidder. This award by staff will then be brought back for ratification at a future meeting.

Recommendation:
Authorize staff to issue Notice of Award at the end of the bid protest period, to the lowest responsive, responsible bidder.

Fiscal Impact:
$_____**.** Funded from the Measure J Bond, Fund 21

* **C.18 Kennedy High School Intercom Upgrade Project Award of Contract**

Comment:
The District is currently completing Fire Alarm System upgrades to meet current codes for Kennedy High School. There are other low voltage systems at the site which need upgrade. The existing intercom system at Kennedy is seriously deteriorated and non-functional in many areas. This project includes a new "head end", some wiring and speakers to allow for a complete system overhaul.

District staff completed plans and specifications for the project based upon the current district standard. The District conducted a public bid of the project. Bids were opened on January 7, 2010. Two Contractors submitted bids. They are as follows: Sound and Signal $37,100; and, Pacific Power and Systems $38,400. Sound and Signal is the lowest responsive, responsible bidder at $37,100.

Recommendation:
Award contract to lowest responsive, responsible bidder

Fiscal Impact:
$37,100. Funded from the Measure J Bond, Fund 21

* **C.19 Richmond High School Fence and Gates Project Award of Contract**

Comment:
The District has two major security-related facilities initiatives underway at Richmond High School—new/replacement fencing and gates and a surveillance camera system. Construction is underway on the Security Camera system. This item is for the award of contract on the Fence and Gates project for the high school. Baker Vilar Architects prepared plans and specifications for the project, working closely with the school community, site administrators, site security, and the City of Richmond. The project includes upgrades to the perimeter fencing in most areas of the site. Most importantly, the project includes the installation of more secure gates at the many side entrances to the campus. This will restrict what is currently unimpeded pedestrian access to the site. In addition, the project includes a major reconfiguration of the front parking area of the school. This will include a new driveway, on-site drop-off route, better parking access, enclosure of the area around the classroom building directly adjacent to 23rd St., and replacement of deteriorated paving. Finally, the original project had envisioned fencing and gates directly in front of the main building, however, after further review it is considered now that this may not be the best approach. The bid documents include the fencing and gates in front of the main building entry as "Alternate #1."

The District conducted a public bid process for this project. Bids were opened on Thursday January 28, 2010. Four Contractors submitted bids. They are as follows: Bruce Carone Paving $1,326,847; Ghilotti Bros. $1,132,672; Riverview Construction $898,000; and CF Contracting $898,000. These bids are for the "Total Bid Price" including Alternate #1 and Unforeseen Conditions Contract Allowance. The advertisement to bid advises all bidders that the "Total Bid Price" shall be the basis of award of the contract. This bid resulted in a tie. In accordance with direction received from the Board on a previous tie bid, staff conducted a coin toss to determine "by lot" the resolution of the tie. The coin toss was held on February 2nd and was won by CF Contracting. Therefore, the lowest responsive, responsible bidder is CF Contracting at $898,000.

Notwithstanding the award of contract based upon "Total Bid Price," staff does not recommend award of the Alternate #1 for the fence and gates directly closing off the main building entry.

Recommendation:
Award contract to the lowest responsive, responsible bidder

Fiscal Impact:
$738,800 for award of Base Bid, plus Unforeseen Condition Allowance. Funded by the Measure J Bond.

* **C.20 Crespi Jr. High Windows and Doors Replacement Project Award of Contract**

Comment:
The District has received funding under the Emergency Repair Program ("ERP") for replacement of seriously deteriorated windows and doors at the Crespi site. The project includes replacements of existing windows and exterior doors throughout the campus.

HY Architects has completed plans and specifications for the project. The District conducted a public bid of the project. Bids were opened on February 2, 2010. Ten contractors submitted bids. They are as follows:

Contractor	Pinguelo Construction	Gold Spring Construc	Ionian Construction	Cailin Construction	Bay Construction
Base Bid: Window	$190,908	$156,590	$195,000	$138,746	$180,000
Base Bid Doors	$29,000	$53,588	$61,600	$24,654	$50,000
Base Bid: Haz Mat	$15,000	$52,516	$47,000	$38,794	$39,000
Allowances	$10,000	$10,000	$10,000	$10,000	$10,000
Total Base Bid	$244,908	$272,494	$316,600	$320,431	$279,000
Bid Alternate	$9,000	$1,700	$18,000	$6,700	$10,000
Contractor	NS Construction	CF Contracting	AHC Glass Inc	River View Construction	Parc Services
Base Bid: Window	$180,000	$220,000	$170,000	$179,400	$194,755
Base Bid Doors	$41,600	$56,000	$39,000	$57,000	$49,380
Base Bid: Haz Mat	$41,600	$56,000	$142,000	$40,600	$112,185
Allowances	$10,000	$10,000	$10,000	$10,000	$10,000
Total Base Bid	$273,700	$342,000	$361,000	$287,000	$366,320
Bid Alternate	$6,100	$25,000	$7,000	$8,600	$12,230

The advertisement for bid indicates that basis for award is the Base Bid Total. The lowest responsive, responsible bidder is Pinguelo Construction at $244,908. District staff also desires to award the Alternate #1 for reglazing of windows in the staff room.

Recommendation:
Award contract to the lowest responsive, responsible bidder

Fiscal Impact:
$253,908**.** Funded from the Emergency Repair Program, Fund 40

* **C.21 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:

* **C.22 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

* **C.23 Adoption of Resolution No. 73-0910 Replacement of Outdated Warrant**

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 Catherine Bein Tomutsa. Staff recommends replacement of the stale dated warrant.

Recommendation:
Recommend approval to replace the outdated warrant

Fiscal Impact:
No impact

* **C.24 Resolution No. 71-0910: Arts in Education Month – March 2010**

Comment:
This resolution proclaims the month of March as Arts Education Month and encourages all educational communities to celebrate the arts with meaningful student activities and programs that demonstrate learning and understanding in the visual and performing arts.

Recommendation:
Recommend Approval

Fiscal Services:
None

* **C.25 Resolution No. 70-0910: Womens' History Month – March 2010**

Comment:

This resolution proclaims the month of March as Womens' History Month and encourages all educational communities to commemorate this time with appropriate instructional activities.

Recommendation:
Recommend Approval

Fiscal Impact:
None

* **C.26 2009-2010 Consolidated Application for Funding Categorical Aid Programs, Part II**

Comment:
The Consolidated Application is the vehicle used by the California Department of Education to gather routine data regarding categorical programs and compliance with NCLB requirements.

Part I is submitted each June and serves as the District's application for categorical funding for the following academic year for both public and non-public schools. This report also includes a summary of participation in the NCLB Supplemental Educational Services (SES) program and the choice option. Expulsion, suspension and truancy data, as well as progress towards meeting the Highly Qualified Teacher and Highly Qualified Paraprofessional requirements are included.

Part II is submitted at the end of January. It contains information, in specified programs, related to entitlements, allocations, carryover, number of participants, and legal assurances of compliance, as required by State and Federal statute. A copy of the document is available for review at the Administration Building and at the State and Federal Programs office located at the Vista Campus.

Recommendation:
Recommend Approval

Fiscal Impact:
Categorical Review

* **C.27 Board Committee and Liaison Assignments**

Comment:
At the December reorganization meeting, the Board agreed to carry forward the 2009 committee assignments until the completion of the annual Board retreat. At the January 30, 2010 Board retreat, members discussed committees and assignments, providing President Kronenberg with input and requests for assignments. President Kronenberg's assignments and appointments follow.

High School Family Assignments
El Cerrito High School – Madeline Kronenberg
Hercules High School – Charles Ramsey
Kennedy High School – Audrey Miles
Pinole Valley High School – Charles Ramsey
Richmond High School – Antonio Medrano
DeAnza High School – Tony Thurmond

Other High School Liaisons
Middle College – Audrey Miles
Adult Education – Madeline Kronenberg
Gompers-North Campus – Antonio Medrano
Vista High – Audrey Miles

Committee Assignments
Facilities – Antonio Medrano, Chair; Charles Ramsey
Academic – Madeline Kronenberg, Chair; Audrey Miles
Safety – Tony Thurmond, Chair; Madeline Kronenberg
Youth Commission – Tony Thurmond Chair; Antonio Medrano
Partnership Committee – Madeline Kronenberg, Chair; Charles Ramsey

Liaison to Other Groups
Ivy League Connection – Charles Ramsey; Madeline Kronenberg
Citizens Bond Oversight – Charles Ramsey
Special Education CAC – Audrey Miles
Community Budget Advisory Committee – Antonio Medrano, Audrey Miles
Bayside Council PTA – Tony Thurmond
Multilingual District Advisory Committee – Antonio Medrano

Liaison to Five City Councils
El Cerrito – Madeline Kronenberg
Hercules – Audrey Miles
Pinole – Charles Ramsey
Richmond – Tony Thurmond
San Pablo – Antonio Medrano

Recommendation:
That the Board President make the subcommittee and liaison appointments

Fiscal Impact:
Unknown at this time

D. AWARDS, RECOGNITIONS, AND REPORTS

* D.1 School Presentations to Celebrate and Validate African American History Month-February 2010

Comment:
In January, the WCCUSD Board of Education approved a resolution in support of honoring African-American history month. Tonight we will showcase some of our schools special instructional activities and celebrations.

Recommendation:
For Information Only

Fiscal Impact:
None

* **D.2 Budget Report Update**

Comment:
The Governor's budget report issued in mid-January indicates that the District will have an estimated $10 Million shortfall in the 2010-11 school year. In an effort to provide information to the community as well as to gather input, staff has conducted a series of Community Budget Meetings from January 25 – February 4. Staff will provide a summary report of the community meetings and any new information available from the State regarding the 2010-11 budget. Staff will also prepare as a part of this report an outline of the decision-making timelines that are necessary to adopt a balanced 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. Five minutes may be allowed for each subcommittee or group listed below:

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

* **D.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.

North Campus student, Antonio Sanders, was recently killed. The 11th grade student was popular on campus even though he was a quiet young man.

Karen Shepherd recently passed away. In 1970, Ms. Shepherd began working with the District as a teacher. She worked the last five years as a kindergarten teacher at Stewart Elementary School until her retirement in 2009.

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

Recommendation:
For Information Only

Fiscal Impact:
None

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

F. ACTION ITEMS

* F.1 Resolution No. 67-0910: Authorization to Eliminate Classified Positions and Layoff Classified Employees

Comment:
A lack of work and/or funds necessitates the elimination of the attached classified positions.

Recommendation:
Recommend Approval

Fiscal Impact:
To be determined

* F.2 Special Education Annual Service Plan Special Education Annual Budget Plan

Comment:
Assembly Bill AB602, Chapter 654, Statutes of 1997 added new requirements to the Special Education Local Plan. AB602 requires SELPAs to submit Annual Budget and Service plans. These plans must be adopted at public hearings. As required in Education Code (EC) Section 56205, these plans must identify expected expenditures and include a description of services and the physical location of these services. The Local Budget and Service Plans must demonstrate that all individuals with exceptional

needs have access to services and instruction appropriate to meeting their needs as specified in their IEPs.

Annual Service Plan:
The Annual Service Plan must include a complete detailed description of special education services provided by each district and/or SELPA. This description must include:

A. The nature of the services, including Related Services
B. The physical location where the services are provided which may include:
    1. Alternative Schools
    2. Charter Schools
    3. Opportunity Day Schools operated by school districts
    4. Community Day Schools operated by the County Office of Education regardless of whether the district or County Office of Education participates in the Local Plan.
    5. Nonpublic Schools/agencies

The Service Plan description must demonstrate that all individuals with exceptional needs have access to services and instruction appropriate to meet their needs as specified in their individual education programs.

Annual Budget Plan:
The Annual Budget Plan identifies expected expenditures for all items listed below:

A. Funds received in accordance with Chapter 7.2 (Special Education Funds)
B. Administrative Costs of the Plan
C. Special Education Services to pupils with severe disabilities as defined by IDEA 2004 including 'Low Incidence' Disabilities (deaf, hard of hearing, blind, visually impaired, and orthopedically handicapped students)
D. Special Education services to pupils with non-severe disabilities as defined by IDEA 2004.
E. Supplemental aids and services to meet the individual needs of pupils placed in regular classrooms and environments.
F. Regionalized operations and services and direct instructional support by Program Specialists
G. The use of property taxes allocated to special education pursuant to Section 2572.

The Annual Budget Plan may be revised during any fiscal year according to the policymaking process. Accordingly, the West Contra Costa Unified School District SELPA's Annual Service Plan and Annual Budget Plan have been updated and reviewed, as is required by California Department of Education.

Complete copies of the Local Plan and Budget Plan are available at www.wccusd.k12.ca.us under the Special Education department website.

<u>Recommendation</u>:
Recommend Approval

Fiscal Impact:
None

*** F.3 Measure J Bond Program Budget Adjustments**

Comment:
The District needs to update budgets for all of its current and planned Bond Construction Program projects on a yearly basis. Provided worksheets include all proposed adjustments reflecting events during 2009 which have significantly impacted our program. To summarize, the proposed adjustments are a result of the impacts of the financial crisis on the program and include both positive aspects—significantly lower bids for construction—and significant impacts to anticipated revenue to the program—reductions in interest and Developer Fee income. The adjustments also include increases to current project budgets where the "Cost to Complete" is estimated to be in excess of our current budgets. District staff have completed updated cost estimates which form the basis for projected Cost to Complete changes. In addition, staff and the Program Managers have included a projected bid savings for DeAnza High School, the largest project in the District, based upon updated cost estimates and reflecting the current favorable bid climate. When the actual bid results are received for DeAnza, staff will bring another Program Budget Adjustment action for the Board.

The worksheets of Program Budget Adjustments were presented to the Board's Facilities Subcommittee at its January 2010 meeting and recommended for approval by the full Board.

Recommendation:
Approve Measure J Bond Program Budget Adjustments

Fiscal Impact:
As noted - adjusted budgets for current and future Measure J Bond projects

*** F.4 Portola Middle School Temporary Relocation for Safety**

Comment:
Based upon consideration of a variety of options for the temporary relocation of the Portola Middle School over the course of the last year by the Board, district staff and including extensive community input, there appears to be consensus for the relocation move to a temporary campus the lower pad area of the Portola campus. Staff will provide a summary report on the costs, timeline, and educational program elements of the temporary campus.

Recommendation:
Approve the relocation of the Portola Middle School to a temporary campus at the lower pad

Fiscal Impact:
$3,500,000. Funded from the Measure J Bond Program

*** F.5 Resolution No. 53-0910, Level II and Level III Developer Fees, Public Hearing and Adoption of Resolution**

Comment:

Government Code Sections 65995.5, 65995.6, 65995.7 regarding school facilities fees requires that a School Facilities Needs Analysis be conducted yearly to determine the amount to be charged for developer fees for Level II and Level III residential construction. Due to student generation factors, cost of construction and site acquisition costs, the Level II fee will decrease from $4.44 per square foot to $3.62 per square foot for new residential construction. The new fee will go into effect February 11, 2010, if approved by the Board. If not approved by the Board, the District would not be eligible to collect Level II fees, and the Level I fee of $2.97 per square foot would be charged for new residential construction as well as for construction of additions. This analysis was conducted according to state guidelines.

A copy of the School Facilities Analysis is available for review by the public in the Facilities Planning and Construction Department.

Recommendation:
Recommend approval of Resolution No. 53-0910

Fiscal Impact:
Decrease in Level II Developer Fees of $.82 cents per square foot

G. DISCUSSION ITEMS

* G.1 District Safety Initiatives

Comment:
An update of the following District Safety Initiatives as determined at the November 4, 2009 Board meeting will be presented:

1. County Office of Education Special Task Force review of nighttime safety provisions in place and recommendations for improved practices and protocols from the Task Force;
2. Improved practices that have been adopted by School Resource Officers for supervision at the high school and middle school campuses;
3. Character development initiatives and the recommendations for the Board by the Academic Subcommittee;
4. Recommendations from the November 14 joint meeting between WCCUSD, City Council members and representatives from the County and Legislature;
5. Community interventions currently in place at the middle and high schools in WCCUSD and plans for enhancing those services;
6. Status of lighting, surveillance cameras and security alarm systems at each secondary school;
7. Gang intervention programs in WCCUSD and next steps for enhancing those initiatives;
8. Collaboration with local law enforcement in enhancing neighborhood watch programs;
9. Development of a district-wide comprehensive safety program;
10. Involvement of School Leadership, Youth Together, RYSE and Youth Commission in the safety programs of WCCUSD;
11. Development of procedures for intermittent safety patrols for high school evening events.

Recommendation:
For Information Only

Fiscal Impact:
Unknown

*** G.2 Charter Facilities Assignments – Proposition 39 Preliminary Offers to Richmond College Prep Schools (RCPS) and Leadership Public Schools, Inc. (LPS)**

Comment:
The District has received Proposition 39 charter facility requests from RCPS and LPS. District responded with preliminary offers to RCPS and LPS by the deadline date of February 1, 2010. Attached are the preliminary facilities offers for review. A "final" offer will be identified and will be due to RCPS and LPS by April 1, 2010.

Recommendation:
For Information Only

Fiscal Impact:
Impact will be identified in the final offers to LPS and RCPS

* **G.3 Status Reports – Facilities Planning and Construction**

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 – March 3, 2010

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 (*).

Agenda Item: A

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

February 10, 2010

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

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

1. 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 Principals
Director of Facilities and Construction

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)

a. Non-Reelection of Probationary Certificated Employees

10. REPORT OF CLOSED SESSION ACTIONS