

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

**BOARD OF EDUCATION
LOVONYA DEJEAN MIDDLE SCHOOL
3400 Macdonald Avenue
Richmond, CA 94805**

ADDENDUM

May 12, 2010

The following is a revision to the agenda of the May 12, 2010, Board of Education Meeting:

ACTION ITEMS

*** F.6 Honor Roll Recognition**

Comment:

The Board would like to host a recognition for honor roll students for the first three quarters of the year on Saturday, June 5, 2010. The cost for this picnic and recognition would be underwritten by private funding. The specifics, including the location and time, would need to be determined.

Recommendation:

Recommend Approval

Fiscal Impact:

To Be Determined

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
MEETING AGENDA
MAY 12, 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: www.wccusd.net/Documents/Board/boardinformation.aspx

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 **5:30 PM** in the Multi-Purpose Room to receive comments from anyone wishing to address the Board regarding closed session items (Exhibit A). The Board will then adjourn to closed session and reconvene in open session to address the regular agenda (Exhibits B-G) at 6:30 PM.

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**

Comment:

Student Board Representative Ramiah Davis will be representing Hercules High School at the Board of Education on May 12, 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: April 28, 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 detailed dated May 12, 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 May 12, 2010. 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 2009-10 school year are summarized as dated May 12, 2010.

Recommendation:
Recommend Approval

Fiscal Impact:
Additional revenue for schools

***CI C.4 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 12, 2010.

Recommendation:
Recommend Approval

Fiscal Impact:
None

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

Comment:
The summaries of Payroll and Vendor Warrants issued during the month of April, 2010:

Total of payroll warrants:	\$ 9,750,565
Total of vendor warrants:	23,119,563

Recommendation:
Approval of the payroll and vendor warrant reports

Fiscal Impact:
As noted above

***CI C.6 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.7 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 the authorized settlement payment.

Recommendation:

Ratify the authorized approval of claim and payment for personal injury

Fiscal Impact:

Self-Insurance Program

***CI C.8 Notification of Claim Approval and Settlement Payment**

Comment:

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

Recommendation:

Ratify the authorized approval of claim and payment for property damage

Fiscal Impact:

Self-Insurance Program

***CI C.9 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.10 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 C.11 Resolution No. 87-0910: Credential Assignment Options**

Comment:

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

***CI C.12 California Department of Education Grant Award: Carl Perkins Annual Allocation**

Comment:

The annual allocation of the Carl Perkins Funding for West Contra Costa Unified School District for the year 2010 – 2011 is \$264,506.

Recommendation:

Recommend Approval

Fiscal Impact:

Grant award for \$ 264,506. No matching dollars required.

***CI C.13 Hercules High School Music Students to Mexico for Festivals at Sea Aboard Carnival Cruises**

Comment:

Hercules High School Music students will be performing and participating in musical festivals. They will be given an opportunity to respond to, analyze and make judgments about various kinds of music. Students will be performing for adjudicators and receiving ratings and feedback on their performances. The cruise will take place from May 27 to May 31, 2010

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.14 Students from Stewart Middle School will go to Washington D.C. May 16-May 22, 2010**

Comment:
The seventh and eighth grade students in the History Club at Stewart will visit various historical sites in Washington D.C. to gain a further understanding of the foundations of the American political system.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI 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: \$311,932. Funding sources as noted.

***CI C.16 Ratification and Approval of Negotiated Change Orders**

Comment:
Staff is seeking ratification of Change Orders on the following current District construction projects: Kennedy High School Restroom Renovations. 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: \$12,349.

***CI C.17 Master Plan Contracts for Measure “D”**

Comment:

Measure “D,” a General Obligation Bond, is on the ballot for June, 2010. The District has made a conscience effort to bring quality facilities to the students, staff, local businesses and communities of West County.

In the recent past, the Board of Education has approved the awarding of architectural contracts to approved firms, for design services at Coronado Elementary and Pinole Valley High School. These schools will be constructed as a part of Measure “D” Bond, after its passage in June, and will maintain our schedule of providing state of the art facilities for the communities of West County and to leverage the favorable bidding climate that now exists.

As such, the Facilities Subcommittee has recommended that master planning contracts be awarded for five elementary schools:

- | | |
|-------------------------|-------------------------------|
| • HY Architects | Fairmont Elementary School |
| • Baker Vilar | Richmond High School |
| • Interactive Resources | Wilson Elementary School |
| • Powell & Partners | Stege Elementary School |
| • DLM | Valley View Elementary School |

Recommendation:

Recommend Approval

Fiscal Impact:

Not to exceed \$1,000,000.00, Measure J.

***CI C.18 Approval of Contract for Furniture, Setup and Installation at Crespi Administration Building**

Comment:

The reconstruction of the Crespi Administration Building from fire damage is proceeding for anticipated occupancy beginning in August 2010. An important next step for the District is to purchase new furniture for the school for use in the office areas, classrooms, library, and support spaces. We have completed work with the site staff on their needs in all of these areas. New furnishings will be comparable to those installed in our other completed secondary sites Helms, Pinole Middle and El Cerrito High.

The proposed contract is through Young Office Solutions. The pricing for the furniture is by a competitively bid bulk purchasing contract through TCPN Contracts MO7032 and MO739 and through the NJPA Umbrella Contract #102908-K11/KI Contract #OT53795. These are “piggyback” type contracts which meet the state’s procurement requirements for these furnishings. In addition, the contract includes installation labor provided through Young Office Solutions.

Recommendation:

Approve contract with Young Office Solutions for Crespi Admin furniture, setup and installation.

Fiscal Impact:

\$173,860.25. Funded by the Measure J Bond.

***CI C.19 Coronado Elementary School Multi-Purpose Building Demolition Contract Award**

Comment:

The Coronado Elementary Multi-Purpose Building was severely damaged by fire in 2008. The District has installed temporary facilities on the site including food service, multi-purpose modular, and restrooms. It is appropriate at this time to demolish the existing building and remove the derelict structure from the campus. The project includes basic paving, sidewalk repair, fence and gates to create usable playground space for the site at the location of the former building.

WLC Architects prepared bid documents for the demolition project. The District conducted a public bid process for the project. Bids were opened on April 29, 2010. Five contractors submitted bids. They are as follows: Pinguelo Construction \$222,188; PARC Services \$216,980; Carone and Company \$165,000; ERA Construction \$149,630; Evans Brothers \$144,420. The lowest responsive, responsible bidder is Evans Brothers at \$144,420.

Recommendation:

Award contract to lowest responsive, responsible bidder.

Fiscal Impact:

\$144,420. Funded from Fire Insurance Proceeds.

***CI C.20 Portola Middle School Temporary Campus Utilities and Sitework Award of Contract**

Comment:

The Board approved a Temporary Campus at the Portola Lower Pad at its meeting of February 10, 2010. Staff has been working to complete preliminary planning on the project with HY Architects. The next step in executing the project is to award a contract for utilities connections and sitework. This project includes sewer, storm sewer, electrical, low-voltage, fire water service connections. The work also includes interior connections and preparation of all buildings for occupancy.

The District has conducted a public bid for this project. Bids were opened on May 5, 2010. 10 Contractors submitted bids. They are as follows: Lamon Construction \$745,000; Dan Electric \$540,000; River View Construction \$525,000; Bruce Carone \$477,650; D R Lemmings \$457,630; Michael Paul Co. \$408,000; ERA Construction \$398,473; D&D Pipelines \$392,000; Evans Brothers \$389,000; and, Carone & Co. \$325,000. The lowest responsive, responsible bidder is Carone and Co. at \$325,000.

This item is being presented prior to the expiration of the 5 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 upon successful completion of the Bid Protest period, to the lowest responsive, responsible bidder.

Fiscal Impact:

\$325,000. Funded by the Measure J Bond, Portola Middle School project budget.

***CI C.21 Portola Middle School Temporary Campus Modularity Award of Contract**

Comment:

The Board approved a Temporary Campus at the Portola Lower Pad at its meeting of February 10, 2010. Staff has been working to complete preliminary planning on the project with HY Architects. The next step in executing the project is to award a contract for modular buildings to house the students. HY Architects has completed construction documents for the project incorporating educational program elements which are a part of the Portola Middle School program. These include standard classrooms, library/bookroom, science labs, drama room, administrative spaces, Special Education classrooms (SH & NSH), teacher workroom areas, shop/drafting, PE Locker rooms, art, band, multi-purpose/cafeteria spaces, food service buildings, and restrooms. These plans have been reviewed with the Portola staff and teachers. The project is for the vendor to supply and install all of the referenced buildings, either new or reconditioned, as a direct purchase by the District. It is anticipated that these buildings can be used after the construction of the new school to replace any remaining leased buildings at other sites in the District—reducing future costs to the General Fund.

The District has conducted a public bid for this project. Bids are to be opened on May 10, 2010. Staff will bring a recommendation for award to the meeting of May 12th.

This item is being presented prior to the expiration of the 5 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 upon successful completion of the Bid Protest period, to the lowest responsive, responsible bidder.

Fiscal Impact:

\$_____. Funded by the Measure J Bond, Portola Middle School project budget.

***CI C.22 Hercules Middle High School Field Lights 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 on the state project. This project is the next step in completing the campus site work and includes the installation of permanent field lights at the main stadium area in accordance with District standards. This project also includes a joint-use element with the City of Hercules to add field lighting for community night use at the baseball, softball, outdoor basketball courts, and the middle school field area. These areas are identified on the plans as Bid Alternate #1. The Alternate can be awarded upon review with the City of Hercules and confirmation that funding is available for these areas. The District has been working closely with City staff to coordinate this work and staff anticipates bringing a joint-use agreement to the Board which will incorporate the City's use, and maintenance, of these field areas as a part of the document.

WLC Architects completed plans and specifications for the project. The District conducted a public bid of the project. Bids were opened on May 5, 2010. Three Contractors submitted bids. The Total Base Bids (Main Stadium + Allowance) are as follows: Tennyson Electric \$598,000; WBE \$579,000; and, Bleyco \$572,000. The lowest responsive, responsible bidder is Bleyco at \$572,000. All bidders submitted pricing for the Bid Alternate #1 to light all of the remaining campus fields. It is recommended only to award the main stadium work in the Base Bid at this time. We can then coordinate with the City of Hercules for their approval of the Bid Alternate #1 work and award that portion at a future date.

This item is being presented prior to the expiration of the 5 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 upon successful completion of the Bid Protest period, to the lowest responsive, responsible bidder.

Fiscal Impact:

\$572,000. Funded from the Capital Facilities Fund, Fund 25.

***CI C.23 Richmond High School Emergency Repair Program HVAC Systems Repair Contract Award**

Comment:

The District has received funding from the state Emergency Repair Program ("ERP") to replace seriously deteriorated HVAC Systems at the Richmond High site. The work includes replacement of all main classroom building HVAC systems, new controls systems, repairs to the roof, and associated work.

HMR Architects prepared bid documents for the state-approved project. The District conducted a public bid process for the project. Bids were opened on April 20, 2010. Seven Contractors submitted bids. The bids included two Bid Alternates. Bid Alternate #1 is Roofing Repairs. Bid Alternate #2 is Ceiling replacements at the interior of the building. The bids received, including both Bid Alternates and a small-unforeseen conditions allowance are as follows: DL Falk \$5,469,000; Bell Products \$5,442,418; Alten Construction \$5,362,141; West Coast Contractors \$4,786,000; AJF/BHM \$4,778,790; and, KMS \$4,304,641. After receipt of the bids, and within the period allowed by Public Contract Code, the low bidder, KMS withdrew its bid citing mathematical error. The District has accepted this action. Therefore, the lowest responsive, responsible bidder is West Coast Contractors at \$4,786,000. Unfortunately, the overall price, with both Bid Alternates included is in well excess of the amount provided by the state under the ERP funding grant. The condition of the roof of the main building is such that the award of Bid Alternate #1: Roof Repairs is critical to the project. Therefore, it is recommended that the Board award the Base Bid and Bid Alternate #1. Even this award will require supplemental funding from the Measure J Bond using funds approved by the Board under the Deferred Capital Projects. Finally, the project is set to complete back check approval by the Division of State Architect ("DSA") on May 13th. This action by the Board will therefore be to authorize staff to award the contract pending approval of the documents by the DSA.

Recommendation:

Authorize staff to award contract to lowest responsive, responsible bidder after DSA approval is received.

Fiscal Impact:

\$4,166,000. Funded from the Emergency Repair Program (“ERP”) and the Measure J Bond under the Deferred Capital Projects.

***CI C.24 Resolution No. 91-0910: Limiting Travel to and Purchases from Arizona until the Arizona Legislature Repeals SB 1070**

Comment:

In April 2010, the Arizona Legislature passed and the Governor signed a bill that requires that law enforcement agencies detain people to check their immigration status. The law, which proponents and critics alike said was the broadest and strictest immigration measure in generations, would make the failure to carry immigration documents a crime and give the police broad power to detain anyone suspected of being in the country illegally. Opponents have called it an open invitation for harassment and discrimination against Latinos regardless of their citizenship status.

Many people who support civil and human rights are encouraging an economic boycott of the state of Arizona. In the past WCCUSD staff and Board members have traveled to Arizona for professional conferences. The District has also purchased materials and supplies from Arizona based firms. By limiting travel and purchases from Arizona, the Board could participate in the economic boycott of Arizona in an effort convince the Arizona Legislature of the need to rescind SB 1170.

Recommendation:

That the Board adopt Resolution No. 91-0910 restricting travel to and purchases from Arizona.

Fiscal Impact:

Unknown at this time

D. AWARDS, RECOGNITIONS, AND REPORTS

*** D.1 Ivy League Summer Programs: Students from El Cerrito High School, Pinole Valley High School, Hercules High School, DeAnza High School, Richmond High School and Middle College 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 five 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 twenty-nine 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 at large.

This evening we are proud to introduce the Ivy League 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; Deems, Lewis and McKinley Architects; WLC Architects; Baker/Vilar Architects; HY Architects; Interactive Resources; Seville Group; Quattrocchi Kwok Architects; Sally Swanson Architects; Davillier Sloan; Employer Advocates; Powell and Partners; Electrical Contractors Trust Alameda County; Mary Hernandez of Garcia, Calderón & Ruiz; Kinsell, Newcomb & De Dois; Piper Jaffray & Co.; De La Rosa & Company; KNN Public Finance.

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. A special thank you is also extended for scholarships provided from Brown University and Cornell University.

Recommendation:
For Information Only

Fiscal Impact:
Previously approved by Board April 14, 2010

* **D.2 Recognizing WCCUSD Teachers of the Year (TOY)**

Comment:

In 1972, California began recognizing outstanding teachers, establishing the Teachers of the Year Program. This program is open to all teachers in public and private schools who teach pre-kindergarten through twelfth grade. Contra Costa County has participated in the program since its beginning.

Ms. Susan Collins, Ms. Nicole Giusti, Ms. Michele Lamons, and Ms. Diane Sullivan have been selected as WCCUSD's 2010-2011 Teachers of the Year.

Middle School Teacher of the Year

Ms. Susan Collins is a science teacher at Pinole Middle School who is known for her enthusiastic approach to teaching. Her hands on lessons are presented in an incredibly engaging style that inspires all of her students to be actively involved in learning. She is respected by peers as a model teacher who assists others in developing their professional skills. Ms. Collin's middle school students respect her and thrive under her instruction. She understands the individual needs of her students and differentiates her instruction to ensure that all students succeed.

Primary Teacher of the Year

Ms. Nicole Giusti is a first grade teacher at Ford Elementary School who has repeatedly proven herself to be an educator of the highest caliber and an outstanding representative of the teaching profession. Ms. Giusti consistently provides her students with a strong and diverse education that focuses on moving all students to proficiency across the curriculum. Ms. Giusti is a model teacher who actively engages students in learning through dynamic lessons. She is known for her culturally responsive approach to instruction that guarantees each student is provided a learning environment that ensures success.

High School Teacher of the Year

Ms. Michele Lamons a teacher of English and Sign Language at Pinole Valley High School is widely recognized by peers, parents, and especially students, for consistently ensuring that all young people in her care achieve at the highest levels, and are fully prepared to be successful in college and later life. Her enthusiasm for teaching makes learning fun and exciting for her students who are eager to praise her classes. She consistently uses a variety of culturally responsive approaches to teaching and learning that ensure her students are provided full access to the content standards.

Intermediate Teacher of the Year

Ms. Sullivan is a 4th grade teacher at Washington Elementary who ensures learning occurs all day and extends into after school tutoring for those students who need additional support. She has high expectations for every student and uses a variety of culturally responsive techniques that lead all students to achieve at high levels. Her dynamic style results in a classroom where something exciting is always happening and students are fully engaged. She actively supports peers in developing and implementing culturally responsive strategies assisting all students at Washington in reaching high levels of achievement.

Congratulations to Ms. Collins, Ms Giusti and Ms. Lamons and Ms. Sullivan on attaining this recognition and their commitment to excellence in education.

Recommendation:

For Information Only

Fiscal Impact:

None

* **D.3 The Ed. Fund Excellence in Education Award Winner Recognition**

Comment:

For the 22nd year, the Ed. Fund will celebrate and honor the excellence of six WCCUSD teachers, 1 classified staff member, and one volunteer at its Annual Ed. Fund Excellence in Education banquet on Friday, May 14 at the Berkeley Doubletree Hotel.

The names of this year's teachers are: Kathy Clemons (Grant), Antonieta Franco (Downer), Lucy Giusto (Hercules Middle/High), Cynthia Taylor (Dover), Armando Torres (Richmond High), Claudia Velez (Olinda) and Megan Gardner (Peres).

These teachers of excellence share a profound passion for instilling a love of learning in our diverse students so that they can attain their goals and realize their dreams. By carefully and thoughtfully weaving creativity, adherence to high standards, profound knowledge of the subjects being taught, and appreciation of individual differences, needs, and strengths, these award winning teachers raise the quality of education to new heights.

Sharing the honors with the Teaching Excellence Awards winners are the 2010 Distinguished Non-Certificated Employee Award Winner Jan Etingoff and 2010 Distinguished Citizen Award Winner Margaret Morkowski.

Jan Etingoff has been an amazing asset to Murphy Elementary. Teachers, staff, students, and parents love her for her caring dedication to the students and her many contributions as a yard supervisor, traffic controller, and conflict mediation supervisor.

Margaret Morkowski is a volunteer at Washington who works with a special needs student on a regular basis. She also supports other classrooms, and dedicates her time to the PTA, Many Hands Program, and the community at large.

We want to recognize and congratulate our honorees for all the wonderful work they carry out with our students on a daily basis.

Recommendation:
For Information Only

Fiscal Impact:
None

* **D.4 Multilingual District Advisory Committee Report**

Comment:

The Multilingual District Advisory Committee (MDAC) is comprised of a representative from each of our schools' English Learner Advisory Committees (ELAC). Four meetings are held each year in different locations to facilitate attendance from members of the different school communities. The meetings are conducted on Thursday nights at 6:30 and repeated the following Friday morning as an additional strategy to promote participation. The topics covered include the legally required items, items requested by the parents and current issues impacting our English learner (EL) students.

The MDAC co-chairpersons, Raul Morales, ELAC representative from Richmond High School, and Maria Plascencia, from Downer Elementary School, will present the MDAC Report to the Board. The report will include highlights from the 2010 R-30 Language Census, an annual report to the California Department of Education that includes data on English learners and fluent-English-proficient students, as well as additional pertinent data on the trends in our EL population.

Recommendation:
For Information Only

Fiscal Impact:
None

* **D.5 Third Interim Report, 2009-10**

Comment:

When the Governing Board self-certified a qualified Second Interim at the March 3, 2010 Board meeting, the District fell under Education Code Section 42131(e) which states:

The governing board of each school district filing a qualified or negative certification for the second report required under Section 42130, or classified as qualified or negative by the county superintendent of schools, shall provide to the county superintendent of schools,

the Controller, and the Superintendent of Public Instruction no later than June 1, financial statement projections of the district's fund and cash balances through June 30 for the period ending April 30. The governing boards of all other school districts are encouraged to develop a similar financial statement for use in developing the beginning fund balances of the district for the ensuing fiscal year.

Staff will present statements required by the above Education Code along with a brief report.

Recommendation:
For Information Only

Fiscal Impact:
Balanced Budget

* **D.6 Presentation of Adult Education Course Offerings for 2010 - 2011**

Comment:

The West Contra Costa Adult Education program will present the proposed course offerings for the 2010 – 2011 academic year.

Recommendation:
For Information Only

Fiscal Impact:
None

* **D.7 Standing Reports**

Representatives of the following committees and employee unions are invited to provide a brief update to the Board. Representatives from these groups need to sign up to speak prior to the beginning of this item on the agenda by submitting a “Request to Address the Board” form. Five minutes may be allowed for each subcommittee or group listed below:

Academic Subcommittee	Public Employees Local 1
Bayside Parent Teacher Association	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	
Youth Commission	

* **D.8 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.

Hatziri Nieva, age 17 and Ramon Prado-Santamaria, age 18, were tragically killed on April 28, 2010. Ms. Nieva and Mr. Prado-Santamaria were Vista High School students. Both were model students who their teachers spoke of very highly.

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 Petition for Charter Renewal of Manzanita Charter School**

Comment:

On March 30, 2010, the petitioner submitted to West Contra Costa Unified School District a petition to renew the charter for the independent charter school known as Manzanita Charter School (“Charter School”) for an additional five years. The Charter School has been operating in the District for ten years. It serves students in grades six through eight in a parent cooperative program with a standards based curriculum that seeks to provide a well-rounded academic program that includes art, music, technology and physical education. Pursuant to the Charter Schools Act of 1992 (the “Act”), Education Code section 47600 *et seq.*, the Legislature has charged local school boards with the responsibility for reviewing and acting on petitions for renewal by charter schools.

Renewal of an existing 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 April 28, 2010.

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).) Renewal of a charter is also governed by the standards and criteria in Education Code section 47605 and “shall include, but not be limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed.” (Ed. Code, § 47607(a)(2).) Additionally, a charter school seeking renewal must meet one of the standards for academic achievement set forth in Education Code section 47607(b).

Staff and legal counsel have reviewed the Petition prepared the Staff Written Findings Regarding Manzanita Charter School Petition for Renewal (“Findings”), which are provided. Staff’s analysis of the petition includes a review of its educational program, fiscal and governance structure, student admissions and discipline, labor and personnel issues, facilities and legal issues.

Recommendation:

Staff’s recommendation is that the Board renews the charter under the following conditions and assurances to be provided by the Charter School to the District in writing:

- The Charter School shall make all requested modifications or clarifications to the Petition identified in the attached Findings.
- The Charter School shall agree to enter into a Special Education Memorandum of Understanding that is mutually acceptable to the Charter School and District and which adequately addresses each of the issues identified in the Findings.
- The Charter School shall confirm that the Board of Directors will adopt amendments to their Articles and Incorporation and Bylaws to assure compliance with all applicable State conflict of interest laws, including Government Code section 1090.
- The Charter School shall revise the Student Handbook for consistency with the Petition.
- The Charter School shall agree to enter into an Operational Memorandum of Understanding that is mutually acceptable to the Charter School and District.

Copies of the Manzanita Charter Middle School petition and the Staff’s analysis of the charter petition are provided.

Fiscal Impact:

To Be Determined

* **F.2 Revision of Board Policy 5141 Students – Health Care and Emergencies**

Comment:

The District would like to revise current policy to further clarify and provide guidelines for the existence and use of automated external defibrillators (AEDs).

Recommendation:

Recommend Approval

Fiscal Impact:

None

* **F.3 Resolution No. 88-0910: Declaration to Hire 30-Day Substitutes on CBEST Waivers**

Comment:

There is a statewide shortage of qualified substitutes. The requirement that 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). Instead, they will require a governing board to declare that the district has hired teachers from the substitute pool to implement the Class Size Reduction Program and is now experiencing difficulty in recruiting individuals who qualify for the 30-day Substitute Teaching Permit. This declaration need be approved only once for all CBEST waiver requested in 2010-2011. This item may not appear on the consent calendar for the governing board meeting. 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 Resolution No. 90-0910: Resolution to Terminate Certificated Employees**

Comment:

Pursuant to Education Code, the Board of Education must adopt a resolution to Terminate Certificated Employees as a result of a reduction of particular kinds of services so that those affected employees may be notified prior to May 15, 2010. This action is necessary for the District to make the needed budget cuts for the 2010-2011 school year.

Recommendation:

Recommend Approval

Fiscal Services:

To Be Determined

* **F.5 Resolution No. 81-0910: Authorization to Eliminate Classified Positions and Layoff Classified Employees**

Comment:

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

Recommendation:

Recommend Approval

Fiscal Impact:

To be determined

G. DISCUSSION ITEMS

* **G.1 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 – June 2, 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 (*).

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 12, 2010

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

[Government Code Section 54956.9(a)]

1. Srago v. WCCUSD
2. WCCUSD v. Orrick
3. Signature at Anchor Cove 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

- a. Administrative Appointments for the 2010-2011 School Year

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)**

Teacher
Custodian
Secondary Site Supervisor

10. REPORT OF CLOSED SESSION ACTIONS