West Contra Costa Unified School District
Board of Education
Meeting Agenda
February 16, 2011

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 **5:45 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 from Gompers High School

Comment:
A Student Board Representative from Gompers High School will attend the Board of Education on February 16, 2011. We would like to recognize and commend their 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 Minutes:** February 2, 2011

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 Acceptance of Grants/Awards/Agreements**

Comment:
Formal acceptance is requested from the Board of Education to accept the grants/awards/agreements, as detailed, dated February 16, 2011.

Recommendation:
Recommend Approval

Fiscal Impact:
As noted per grants summary

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

Comment:
The District has received donations as detailed, dated February 16, 2011. 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 2010-11 school year are detailed, dated February 16, 2011.

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 16, 2011.

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 are detailed:

Total of payroll warrants (January 2011):	$ 9,606,869.00
Total of vendor warrants (January 2011):	$20,758,587.00

Recommendation:
Recommend 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 property loss. 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 36 Month Purchase Option lease of copiers for the following school sites: Bayview, Chavez, Coronado, Downer, Highland, Lincoln, Nystrom, Riverside, Stege, and DeJean**

Comment:
The District wishes to lease a total of fifteen Toshiba E-Studio 555 Digital Copiers which will be distributed to the school sites below.

One copier will be leased at the following sites:
Chavez
Downer
Highland
Lincoln
Nystrom

Two copiers will be leased at the following sites
Bayview
Coronado
Riverside
Stege
DeJean

The District will utilize the piggy-back bid of Glendale USD Contract #P-12 through AA Office Equipment & Office Interiors located in Hayward, California. The Lessor will be Government Leasing Company. At the end of the 36 month lease the District will exercise the purchase option and purchase the copiers for $1.00 each.

Recommendation:
Recommend approval to lease copiers

Fiscal Impact:
Total Lease costs $166,950.00 (3010 IASA-Title I)

***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 Routine Personnel Changes – Classified**

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

Recommendation:
For Information Only

Fiscal Impact:
None

***CI C.10 Resolution No. 50-1011: Determination of Tie-Breaking Criteria for 2011-2012**

Comment:
Pursuant to provisions of the Education Code section 44955, the Board of Education is required to determine the District's needs should it become necessary to determine the order of termination of employees who first rendered paid service to the District on the same day.

Recommendation:
Recommend Approval

Fiscal Impact:
To be determined

***CI C.11 Resolution No. 49-1011: Week of the School Administrator – March 6-12, 2011**

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.12 Resolution No. 45-1011: Disabilities Awareness Month – March 2011**

Comment:
This resolution proclaims the month of March 2011 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

***CI C.13 Resolution No. 46-1011: Arts in Education Month – March 2011**

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 Impact:
None

***CI C.14 Resolution No. 47-1011: Women's History Month – March 2011**

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

Recommendation:
Recommend Approval

Fiscal Services:
None

***CI C.15 Resolution 52-1011: Resolution to support the work of Healthy Richmond and Exploration to expand and develop community schools in WCCUSD**

Comment:
The California Endowment (TCE) a private, statewide health foundation has convened a resident driven process called Healthy Richmond to improve health access and outcomes for WCCUSD students and Richmond residents. TCE through Healthy Richmond has made a 10 year investment in helping to improve health outcomes for WCCUSD families living in Richmond. The Healthy Richmond Initiative

emphasizes creating community schools as hubs for promoting safety, health and overall wellness for students and families served by WCCUSD.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.16 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: $119,962. Funding sources as noted.

***CI C.17 Ratification and Approval of Negotiated Change Orders**

Comment:
Staff is seeking ratification of Change Orders on the following current District construction projects: Dover Elementary New Campus; King Elementary Construction & Demo; Kennedy High School Security Fencing; and Pinole Middle School Modernization Phase. 2. Change orders are fully executed by the District upon signature by the Superintendent's designee. Board ratification is the final step required under state law in order to complete payment and contract adjustment.

Recommendation:
Ratify negotiated change orders as noted.

Fiscal Impact:
Total ratification and approval by this action: $232,982.57.

***CI C.18 El Cerrito High School Fields Phase II Architectural Services Contract**

Comment:
The next step in completing the full reconstruction of El Cerrito High School is to re-build the main football/soccer field and track area which has been used as the primary home games field for school since its construction. The scope of work includes full-size football/soccer field in artificial turf and a new all-weather track. The main bleachers would be renovated and refurbished with new seating, access, and restrooms. The project also includes construction of new bleachers on the north side of the field with new

team rooms, concession stand, restrooms, and storage. The work includes associated site work, utilities, grading, site paving, fencing, gates, lighting upgrades, and site furnishings.

WLC Architects is the Architect of Record for El Cerrito High School. They have worked with District staff to prepare a preliminary scope of work for the project as noted above.

Recommendation:
Approve Architectural Services contract with WLC Architects

Fiscal Impact:
$648,000. Funded by the Measure J Bond, under the El Cerrito HS Project budget.

***CI C.19 Resolution No. 53-1011: Resolution In Support of Placing a Revenue Extension Measure on the Ballot**

Comment:
The West Contra Costa Unified School District believes it is important to support placing a measure on the June ballot for the extension of temporary revenues that are vitally needed in order to help prevent deeper cuts to schools and students. We encourage members of the public to contact their local legislators and urge them to approve the governor's proposal to place this measure on the ballot.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.20 2011 CSBA Delegate Assembly Election Ballot**

Comment:
The California School Boards Association (CSBA) has issued its ballot for candidates for Delegate Assembly, Subregion 7-A (Contra Costa County), to serve a two-year term beginning April 1, 2011 to March 31, 2013.

The Board of Education is recommending the election of Antonio Medrano as representative from Subregion 7-A (Contra Costa County) for the CSBA 2011 Delegate Assembly.

Recommendation:
Cast ballot for Antonio Medrano as Subregion 7-A representative to the CSBA 2011 Delegate Assembly.

Fiscal Impact:
None

D. AWARDS, RECOGNITIONS, AND REPORTS

*** D.1 School Presentations to celebrate and validate African American History Month - February 2011**

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 K to College Recognition**

Comment:
K to College is a California public benefit corporation (nonprofit) that promotes equal access to education by ensuring every student has the tools and resources they need to achieve from kindergarten to college. Beginning as a UC Berkeley student group in 2008, the organization continues to operate under the leadership of Executive Director Benito Delgado-Olson, one of the cofounders. The first major program in pursuit of their mission is the School Supply Initiative (SSI).

In 2010, the SSI distributed over 170,000 kits of school supplies collectively worth over $12 million dollars to low-income Bay Area students. K to College donated over 20,000 supply kits to WCCUSD students, making WCCUSD the largest recipient of funds from K to College with a total of $1.5 million dollars donated to WCCUSD students. WCCUSD was the *first* district in Contra Costa County to partner with K to College and received more kits than any other district in Contra Costa County.

Recommendation:
Recognize K to College for its contribution to WCCUSD schools.

Fiscal Impact:
None

*** D.3 Budget Report Update**

Comment:
The Governor's budget report issued in mid-January indicates that the District may have an estimated $11.6 Million deficit in the 2011-12 school year. This would occur if the Legislature fails to place the measure to extend existing taxes on the State Ballot in June or if the voters fail to pass that measure. 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 24 – January 27, 2011. Staff will provide a summary report of the community meetings and any new information available from the State regarding the 2011-12 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.4 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
Linked Learning – Multiple Pathways
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.5 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.

Tyree Brown, Kennedy High sophomore, recently passed away. He had a big heart and a brilliant mind. Tyree loved making music. He will be missed by the Kennedy Family.

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 Public Hearing - Quality Education Investment Act Waiver Request

Comment:
California Education Code 33050-33053 provides that school districts, seeking a waiver from State requirements, hold a public hearing to seek comments, questions, and input on the proposed waiver from parents/guardians, community stakeholders, and other interested parties prior to determining whether to submit such a waiver to the California State Board of Education.

The Board of the West Contra Costa Unified School District will conduct a hearing regarding the submission of requests for waivers of certain actions or requirements governing the Quality Education Investment Act (QEIA) of 2006.

Specifically the Board is requesting a wavier of Ed. Code Section 52055.740:

- Requirements related to Class Size Ratios (Helms Middle School and John F. Kennedy)
- Requirements related to Alternative Program Goals (De Anza High School)

The hearing will be held during a regularly scheduled Board of Education meeting.

Date:	Wednesday, February 16, 2011
Location:	Lovonya De Jean Middle 3400 MacDonald Ave Richmond, CA 94805
Time:	6:30 p.m.

Immediately following the hearing, the Board of Education will determine, through a publically heard vote, whether or not to submit the waiver request to the California State Board of Education.

Recommendation:
Public Hearing Only

Fiscal Impact:
$2,548,775.00

* **F.2 Quality Education Investment Act (QEIA) of 2006**

Comment:
The Quality Education Investment Act of 2006 (QEIA) was enacted as a result of the *CTA, et al. v. Schwarznegger, et al.* settlement. This settlement distributes the Proposition 98 funding of 2004-2006 in a targeted effort to increase the performance of schools with a 2005 Academic Performance Index (API) falling in the first and second deciles. These appropriations began in fiscal year 2007-08 and will continue through 2013-14 for schools that continue to meet all required targets.

The primary focus of funding for schools in the regular QEIA program is to reduce class sizes to a calculated target as determined by the class size in a specified base year. At both Kennedy and Helms the base year class sizes were unusually low due to short term additional categorical funding and adjustments to the master schedules. Due to the state-wide budget crisis, all WCCUSD schools have experienced decreases in staffing allocations for unrestricted, general funded teachers which have caused increased class sizes. This increase of class size, combined with the recent loss of the additional categorical funding and changes to the master schedule, has dramatically increased the number of teachers required to meet the QEIA mandated class size ratios. Current levels of QEIA funding are not sufficient for Kennedy and Helms to pay for the number of staff required to meet the targets established by the QEIA formula. The waiver requests permission to establish new class size ratios for both sites that are well within the parameters established by the California Department of Education (CDE).

The primary focus of schools in the alternate QEIA program is to meet a set of achievement goals established by the school at the outset of the grant funding period. De Anza failed to meet its 9th grade matriculation target for 2008-2009 and 2009-2010. The waiver request from De Anza focuses on the recent positive trends in student performance and major ongoing programmatic restructuring work.

Failure to meet any of these targets during future years of the grant will result in automatic termination from the QEIA program and consequential loss of funding. The impact of losing funding is $919,018 for Kennedy, $678,774 for Helms, and $950,983 for De Anza.

Upon approval by the WCCUSD Board of Education, requests will be submitted to the California State Board of Education asking for a waiver of requirements for the above-named schools.

Recommendation:
Recommend Approval

Fiscal Impact:
Loss of $ 2,548,775.00

* **F.3 Special Meeting / Modification of Board Calendar**

Comment:
As a result of the uncertainly of state funding and the complexity of the decisions facing the Board in developing the 2011-12 budget, the Board needs to hold a special meeting focused only on the development of alternative scenarios for funding on Wednesday, February 23, 2011 at 6:30 PM at Lovonya DeJean Middle School. In order to assure that the District can fulfill all statutory obligations for layoff notices, the Board will hold the second regular meeting in March on March 9 rather than March 16.

Recommendation:
That the Board add a special meeting on budget development for February 23, 2011 and change the date of the March 16, 2011 meeting to March 9, 2011.

Fiscal Impact:
Unknown at this time

G. DISCUSSION ITEMS

* G.1 Building Educated Leaders for Life (BELL) Summer Program

Comment:
Building Educated Leaders for Life (BELL) is a non-profit that exists to transform the academic achievements, self-confidence, and life trajectories of children living in under-resourced, urban communities.

The BELL K-8 Summer Program offers day-long literacy and math instruction as well as enrichment courses to under-performing elementary and middle school students. The program also works to engage parents and positive adult role models from the community in the educational process, while working closely with school administration and faculty. BELL has a proven record of effectiveness that results in 3 or more months of academic growth in literacy and math. The BELL Summer program is a six-week summer learning experience that operates from Monday through Friday for 6.5 hours per day.

BELL is also partnering with WCCUSD by providing $935,000 to support the summer learning program. Finally, BELL will carry out fundraising activities to raise additional funding so that we can serve our neediest students.

Recommendation:
For Discussion Only

Fiscal Impact:
$1,500,000.00 (Title I AARA categorical monies)

* G.2 Board Priority Strategy 2011

Comment:
During the annual Board retreat in January of this year, the Board focused on developing a 'unity of purpose' for 2011 and beyond. In that discussion the Board identified improving both the perception and performance of WCCUSD middle schools as a major priority along with improving the college going culture and initiating a focus on pre-school. From those discussions, the Board members contributed their ideas and suggestions for strategies in each area. The Board also directed the Superintendent to develop possible action steps that would be brought to the Board for discussion and refinement at the February 16, 2011 meeting.

Recommendation:
That the Board reviews the priorities, strategies and actions steps and provide direction to the Superintendent on implementation approaches, scope and timelines.

Fiscal Impact:
Unknown at this time

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 2, 2011

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 16, 2011

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

Four cases

4. LIABILITY CLAIMS (Government Code Section 54956.95)

5. CONFERENCE WITH LABOR NEGOTIATORS

a. Superintendent/Dr. Bruce Harter

b. Employee Organizations

- UTR
- Local One
- School Supervisors Association
- WCCAA

c. Unrepresented Employees

- Confidential and Management

6. PUBLIC EMPLOYEE APPOINTMENT

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

8. STUDENT DISCIPLINE (Education Code Section 35146)

a. Expulsions

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

10. REPORT OF CLOSED SESSION ACTIONS