

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
MEETING AGENDA
MAY 18, 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 **6:00 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.

Order of Business: **ORDER OF BUSINESS MAY BE CHANGED WITHOUT NOTICE.**

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 Richmond High School**

Comment:

A Student Board Representative from Richmond High School will attend the Board of Education meeting on May 18, 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: May 4, 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 May 18, 2011.

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 18, 2011.

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 years are summarized, dated May 18, 2011.

Recommendation:

Recommend Approval

Fiscal Impact:

Additional revenue for schools

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

Comment:

The summaries of Payroll & Vendor Warrants issued during the month of April are provided.

Total of payroll warrants (April 2011):	\$ 9,489,852
Total of vendor warrants (April 2011):	\$20,620,631

Recommendation:

Recommend approval of the payroll and vendor warrant reports

Fiscal Impact:

As noted above

***CI C.5 Central Printing Lease Renewal**

Comment:

The District established a central printing facility, serving all school sites and departments, seven years ago in order to better serve the students and staff needs and save money for the District. The Central Printing Department averages over 20 million images annually for such jobs as Student Open Court Workbooks, Parent Student Handbooks, Student Assessments, District standard forms and more. The Central Printing Department operates with seven pieces of commercial equipment along with software to run the machines and web based work order system. The lease has expired on three of the machines with the remaining four to expire 2012. The District sought a proposal and has negotiated to upgrade to newer equipment along with extending the lease on some of the current equipment. The proposed 5-year plan for the Central Printing Facility includes the replacement of three machines, keeping four of the existing machines and adding another booklet maker. Maintenance costs are fixed for 5 years. This proposal saves the District \$66,077 during the 2011-12 fiscal year with no additional increases through 2015-16. This negotiated renewal increases the printing and output capacity for the large scale workbook jobs, improving the level of service offered while spending less money.

Recommendation:

Recommend Approval Lease Renewal

Fiscal Impact:

\$250,500 Fiscal Year 2011-2012, with a savings of \$66,077

***CI C.6 Community Budget Advisory Committee**

Comment:

On April 28, 2011 the Community Budget Advisory Committee approved a resolution concerning the 2010-2011 Parcel Tax Expenditures and Scope of Measure D 2008, finding that the expenditures budgeted for Fiscal Year 2010-2011 are within the stated purposes for Measure D 2008 funds. Committee Chair Erwin Reeves has requested the opportunity to submit this resolution to the Board.

Recommendation:

For Information Only

Fiscal Impact:

None

***CI C.7 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.8 Approval of Resolution No. 69-1011: Resolution to Enter into an Energy Service Contract, and approval of the Contract with selected vendor**

Comment:

As part of a legal settlement related to the expansion of the Conoco Phillips Refinery in Rodeo, the Bay Area Air Quality Management District (“BAAQMD”) initiated a program to fund grants for projects to achieve verifiable, quantifiable reductions in Greenhouse Gas emissions. Priority for the projects is that they be located in the vicinity of the refinery. The West Contra Costa Unified School District submitted a number of grant applications and was successful in receiving two grants for Hercules Middle High School. They are as follows:

- | | |
|---|-------------|
| 1. Installation of non-incandescent light fixtures, lamps, and ballasts | \$ 25,980 |
| 2. Installation of a renewable energy system (Photovoltaic panels) | \$1,302,682 |

The lighting efficiency grant will be used to replace incandescent fixtures throughout the campus with new, energy-efficient fixtures—work is already underway on this project. The second grant will fund a major portion of the installation of a Photovoltaic system for the site which must generate 445,373 kWh annually. The Board approved the Funding Agreement with BAAQMD at its meeting of October 20, 2010.

Staff has now taken the next steps and completed a public Request for Proposal (“RFP”) process requesting proposals for a “Design-Build Contract for Photovoltaic System Installation at Hercules Middle High School.” Six firms responded to the RFP. After reviewing and ranking the proposals, staff conducted final interviews and recommends Sunpower Corporation, based upon the best combination of pricing and performance (including installed cost per watt), appropriateness of system and components, experience of the firm and team, maintenance and service, warranties, schedule to complete, performance guarantee, and system monitoring.

The total installed cost for the system, including a 10 year maintenance contract and full performance guarantee is \$1,989,560. This represents an installed cost of \$6.39/watt with a 25-year cost per unit of output to the District of \$0.18/kWh. This project will be eligible for rebates under the California Solar Initiative (CSI) which will provide \$333,035 savings the project cost—based upon proposed system output and performance rebates in effect at the time the system begins operation. After subtracting the grant and CSI rebates from the total installed cost, the project will require District matching capital funds of \$353,853 for the base system.

The solar electric panels are proposed to be installed on parking lot shade structures which have been identified as appropriate for the system and the site. In addition, the District will request panel underside protection and has set aside an allowance of \$50,000 from the District’s matching funds.

Recommendation:

Approve Resolution No. 69-1011, and authorize staff to enter into an Energy Services Contract with Sunpower Corporation for design and construction of a photovoltaic system at Hercules Middle High School in accordance with the company’s proposal as noted above.

Fiscal Impact:

\$403,853, from the Capital Facilities Fund as the District’s project contribution. Lower operating utility costs from the General Fund for the site on a long-term basis.

***CI C.9 Kennedy High School ADA Compliance Project Award of Contract**

Comment:

The District is continuing with planned renovations at the Kennedy High School campus. One major area of work is access compliance work. The major element of this project is construction of a new elevator tower at the main classroom building to provide for full access to the second level. The project also includes lifts at the Multi-Purpose building and performing arts areas. The project includes the replacement of doors and upgrade to hardware systems throughout the campus.

Powell/HMC Architects has prepared plans and specifications for the project. The District conducted a public bid process for the project. Bids were opened on April 19, 2011. Four Contractors submitted bids. Two of the bidders submitted their bids after the time listed in the Notice to Bidders and these bids were rejected as non-responsive. In addition, the District received a bid protest related to the apparent low bidder, which raised serious questions regarding their subcontractor listings. Given this situation it is appropriate for the District to reject all bids and rebid the project.

Recommendation:

Reject all bids and direct staff to rebid the project

Fiscal Impact:

Not known at this time. Funded by the Measure J Bond, under the Kennedy High School Renovations Project budget.

***CI C.10 School Consolidation Modulares Award of Contract**

Comment:

The next step in the Board approved School Consolidation process is the closure of Shannon Elementary School. Students from Shannon will go to Collins, Montalvin Manor or Tara Hills Elementary Schools. In order to accommodate the additional students at those sites the District will need to purchase and place new modular buildings. In addition, Mira Vista Elementary School will be adding 8th grade and will need 2 additional classroom spaces. Finally, Madera Elementary will be adding 6th grade and will need 2 additional classroom spaces.

The District has conducted a public bid for this project. Bids were opened on May 13, 2011. Two modular vendors submitted bids. They are as follows: Mobile Modular \$509,270.74; and, Williams Scottsman \$498,586. The lowest responsive, responsible vendor is Williams Scottsman at \$498,586.

Recommendation:

Award contract to lowest responsive, responsible vendor

Fiscal Impact:

\$498,586. Funded by the Special Reserve for Capital Facilities, Collins Elementary Budget. Also funded by the Measure J Bond, Additional Bond Funded Projects under Madera, Mira Vista, Montalvin Manor and Tara Hills School project budgets.

***CI C.11 Approval of contract for furniture, setup and installation at Pinole Middle School main building**

Comment:

The renovation of the existing Main Building at Pinole Middle School is nearly complete. The next step for the District is to purchase new furniture for the school. The District has prepared preliminary furnishing criteria with classroom configurations, specialty spaces including computer labs, special education, admin furnishings, offices and staff work areas. New furnishings will be comparable to those installed in the new Classroom Building at the Pinole Middle site.

The District engaged in a public bid process, using its preliminary furnishing criteria, to select the vendor for this contract. Public bids were opened on May 10, 2011. Two vendors submitted proposals. They are as follows: Young Office Solutions \$317,578.43; and Contrax Furnishings \$311,041.80. The lowest responsive, responsible vendor is Contrax Furnishings at \$311,041.80.

Recommendation:

Approve contract for Pinole Middle Main Building furniture, setup and installation with the lowest responsive, responsible vendor

Fiscal Impact:

\$311,041.80. Funded by the Measure J Bond under the Pinole Middle Furniture and Equipment Budget

***CI C.12 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: \$350,770. Funding sources as noted

***CI C.13 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 School; Gompers High School Demolition; and, Kennedy HS Security Fencing. 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: \$251,942.34

***CI C.14 2011-2012 Designation of California Interscholastic Federation (CIF) Representatives to the League**

Comment:

The California Interscholastic Federation annually requires the governing board to appoint district representatives. Ed. Code 33353 (a) (1) gives the governing boards of school districts specific authority to select their athletic league representatives.

The District recommends the appointment of Executive Director Vincent Rhea to continue in the capacity as its designated CIF representative.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.15 Resolution No. 73-1011: Resolution in Support of Contra Costa College’s Capital Bond Initiative**

Comment:

Contra Costa College has served the west county for more than 60 years with programs that prepare students for jobs, transfer to four-year universities and successful basic skills. The College is proposing a bond initiative to go before voters in November 2011 for necessary capital improvements to the facilities located in San Pablo.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.16 Resolution No. 74-1011: In Support of Assembly Bill 402 (Skinner) Hunger Free Kids Act**

Comment:

In this legislative session, Assemblywoman Nancy Skinner has authored Assembly Bill 402 Hunger Free Kids Act, which would authorize school districts the option to provide CalFresh enrollment information to families of students who are applying for free meals and share a child’s National School Lunch Program (NSLP) Application with the county social services department for the purpose of CalFresh program outreach and enrollment. The Assemblywoman has asked the Board to support AB 402. It is the Assemblywoman’s intent that this legislation will alleviate hunger for children.

Recommendation:

Approval of Resolution No. 74-1011: In Support of Assembly Bill 402 (Skinner) Hunger Free Kids Act

Fiscal Impact:

None

D. AWARDS, RECOGNITIONS, AND REPORTS

*** D.1 WCCUSD Elementary Poet-Athlete Students from Grant Elementary Performed at the Apollo Theater in New York City on April 11, 2011 in Celebration of National Poetry Month**

Comment:

In celebration of April as National Poetry Month, America SCORES hosted the 5th Annual Poetry Slam on April 11, 2011 at the Apollo Theater in New York City. Representing West Contra Costa were Christian Suarez and Nayeli Cuiriz-Galvan from Grant Elementary School. America Scores will share the work they perform with District students. Christian Suarez and Nayeli Cuiriz-Galvan will share their hopes, dreams, and fears through their poetry with the Board and the audience.

Recommendation:

Celebrate students and their poetry

Fiscal Impact:

None

* **D.2 The Ed. Fund's 2010-2011 Scholarship Winners**

Comment:

For the 7th year, the Ed. Fund will be awarding scholarships to graduating seniors matriculating in institutions of higher learning. This year, the Ed. Fund awarded \$50,000 in scholarships to 20 students who will be the first generation in their families to attend college. Each of the \$2,500 scholarships was generously donated by: the Chevron Corporation, the Irvine Foundation and the Schroeder Family Fund.

The scholarship winners hail from six different high schools located within WCCUSD. The winners, along with their high schools, are as follows:

Living the Dream Scholarship Presented by Chevron: Hector Andrade (Kennedy High School), Alejandra Candelas (Richmond High School), Beatriz Dominguez (Richmond High School), Fabiola Gutierrez (Kennedy High School), Maria Martinez (Richmond High School), Lizbeth Moreno (Richmond High School), Jose Rosales (Leadership Public School-Richmond), Stacy Saechao (Richmond High School), Utsav Shrestha (Richmond High School), Janeth Velazquez (Richmond High School)

The Irvine Foundation Scholarship: Ashley Creswell (De Anza High School), Nelly Hernandez (Leadership Public School-Richmond), Edgar Jacinto (Leadership Public School-Richmond), Fabiola Ochoa (Leadership Public School-Richmond), Yadira Rodriguez (Leadership Public School-Richmond), Margarita Romo-Romo (Middle College High School), Michelle Saechao (Middle College High School), Zijun Tang (De Anza High School)

Norma and Arthur Schroeder Scholarship: Xue Xue He (El Cerrito High School), Lisa Yip (El Cerrito High School)

All of these scholars have overcome tremendous odds to succeed academically and were chosen for their dedication to community service. They are also involved in a wide range of extracurricular activities which have helped them prepare for college. The Ed. Fund is confident these students will return to our community to serve as the leaders and role models for West Contra Costa County.

Recommendation:

Congratulate the Ed Fund Scholarship Winners

Fiscal Impact:

None

* **D.3 Recognition of the Northern California MESA Day 2011 Competition Winners from WCCUSD**

Comment:

We would like to congratulate the following West Contra Costa Unified School District students who won or placed in their respective categories at the competition. This is a Northern California Regional Competition and this marks the third year that WCCUSD has entered this contest. We are excited about

the results that directly speak to all of the hard work and dedication that the students put forth for this competition.

<u>Category</u>	<u>School</u>	<u>Student</u>	<u>Place</u>
JH Solo Math at Large-Pre Algebra	Stewart	Julie Lum	1 st
JH Team Math Quest-General Math or Pre- Algebra	Stewart	Makana Ennis-Burn	2 nd
		Julie Lum	2 nd
		Emily Wong	2 nd
Algebra I or Geometry	Pinole MS	Thomas Johnston	3 rd
		Kevin Arias	3 rd
		Christiano Cayno	3 rd
JH Mousetrap Cars-Distance	Pinole MS	Christian Cuyno	1 st
		Kevin Arias	1 st
SH Solo Math At Large-Level II	Middle College HS	Jerry Sanchez	3 rd
SH Team Math Quest-Algebra 1 or Geometry	Middle College HS	Alma Lugo	3 rd
	Middle College HS	Liliana Bravo Lopez	3 rd
	Middle College HS	Gabriella Bravo Lopez	3 rd
SH EggXPress-Grades 9&10	Richmond HS	Jessica Castro	1 st
	Richmond HS	Maria Castillo	1 st
	Richmond HS	Abel Gallardo	2 nd
	Richmond HS	Abhijeet Kunmar	2 nd
SH Mousetrap Cars-Accuracy	Middle College HS	Jerry Sanchez	2 nd
	Middle College HS	Andres Parades	2 nd
SPIRIT AWARD:	CSU EAST BAY		

Recommendation:
 For Recognition

Fiscal Impact:
 None

*** D.4 Recognition by the Los Angeles County Office of Education for the Support Personnel Accountability Report Card (SPARC) completion and submission**

Comment:

The following schools in the West Contra Costa Unified School District have received a “California Certificate of Student Support Accountability” based on their completion and submission of a self and peer –reviewed Support Personnel Accountability Report Card (SPARC). Laminated copies of their SPARC’s will be sent to the Governor’s Office as well as the state legislators representing their district:

- | | |
|-----------------------------|---|
| DeAnza High School | Pinole Middle School |
| DeJean Middle School | Pinole Valley High School |
| El Cerrito High School | Portola Middle School |
| Hercules Middle High School | Richmond High School |
| John F. Kennedy High School | Samuel Gompers Continuation High School |
| Juan Crespi Middle School | Vista High School |

Middle College High School
North Campus Continuation High School

Walter T. Helms Middle School

Recommendation:
For Recognition

Fiscal Impact:
None

* **D.5 Contra Costa College Capital Bond Initiative**

Comment:
President McKinley Williams of Contra Costa College will provide a presentation regarding support of the community college’s capital bond initiative.

Recommendation:
For Information Only

Fiscal Impact:
None

* **D.6 Budget Update**

Comment:
Associate Superintendent Business Services will provide an update on the budget.

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
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

E. PUBLIC AND COMMITTEE COMMUNICATIONS

(Education Code 35145.5; Government Code 54950 et seq.)

* **E.1 Superintendent’s Report**

* **E.2 Request to Address the Board – Andrew Gooden, Gooden Family Scholarship Fund**

Comment:

The Gooden Family Scholarship Fund will present information about their program providing students with resources such as college fairs and scholarships.

Recommendation:

For Information Only

Fiscal Impact:

None

* **E.3 WCCUSD Public Comment**

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

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

F. ACTION ITEMS

* **F.1 Community Roots Academy Charter School Petition**

Comment:

On April 8, 2010, the petitioners (“Petitioners”) submitted to West Contra Costa Unified School District (“District”) a petition for a charter school known as Community Roots Academy (“Charter School”). Petitioners withdrew this original petition prior to the Governing Board’s consideration. At Petitioners’ request, Staff later provided a summary of the major concerns identified in the original petition. On March 14, 2011, Petitioners submitted to the District a new charter petition (“Petition”) for Charter Roots Academy. As submitted, the Petition indicates that Petitioners intend to commence operations at the beginning of the 2011-2012 school year; however, Petitioners recently submitted a request to postpone the Charter School’s opening date until the beginning of the 2012-2013 school year.

The Petition proposes a 3rd through 8th grade charter school. As presented in the Petition, the Charter School expects to serve 72 students in grades 3 through 5 in its first year of operation (2012-2013), 96 students in grades 3 through 6 in its second year of operation (2013-2014), 120 students in grades 3

through 7 in its third year of operation (2014-2015), and 144 students in grades 3 through 8 in its fourth year of operation (2015-2016) and beyond. (Petition, Appendix A.) Petitioners chose to “focus on the critical years of 3rd through 8th grade, allowing students to develop the skills they will need to excel in high school, college and life while attending middle school in their own community.” (Petition, p. 5.) Petitioners further note, “Community experience and research on the achievement gap have demonstrated that disparities in achievement between middle-class and economically disadvantaged students increase after the 3rd grade and continue to widen through high school.” (Petition, p. 5.) The Charter School’s stated mission is to “grow [] future citizens of personal and social responsibility by teaching to high academic standards and cultivating character values, critical thinking, and life skills.” (Petition, p. 5.) If approved, Community Roots Academy would be governed by a nonprofit public benefit corporation, but the District would be responsible for oversight of the Charter School.

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 by charter schools. Submission of a 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 regarding Community Roots Academy was held on April 13, 2011.

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).)

Upon receipt of the Petition, components of the Petition were assigned to various staff members of the District for review and analysis based on individual areas of expertise. Review of the different components of the charter petition was allocated as follows: **Educational Program**, Linda Jackson, Executive Director K-12 Schools, Lyn Potter, Director Educational Services, Sonja Neely-Johnson, Harlan Kerr, Sherry Bell, and Susan Dunlap, Coordinators Educational Services; **Special Education**, Steve Collins, SELPA Director; **Fiscal/Budget**, Martin Coyne, Executive Director, CPA; **Human Resources/Employee Issues**, Patricia Calvert, Director of Human Resources; **Legal/Operational**, Ed Sklar, Lozano Smith Attorneys at Law.

Staff and legal counsel have reviewed the Petition and prepared the Staff Written Findings Regarding Community Roots Academy Charter School Petition (“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.

The pages immediately following this précis contain proposed findings prepared by Staff and legal counsel identifying major areas of concern and Staff’s recommendations regarding those areas.

Recommendation:

Staff recommends that the Board deny the Petition on the following grounds pursuant to Education Code section 47605:

1. The Charter School presents an unsound educational program for the students to be enrolled in the Charter School. (Ed. Code § 47605(b)(1).)
2. Petitioners are demonstrably unlikely to successfully implement the program set forth in the Petition. (Ed. Code § 47605(b)(2).)
3. The Petition does not contain the number of signatures required by Education Code section 47605, subdivision (a)(1)(A) or (a)(1)(B).
4. The Petition does not contain the requisite affirmation for each of the conditions described in Education Code section 47605, subdivision (d).
5. The Petition does not contain reasonably comprehensive descriptions of certain required elements set forth in Education Code section 47605, subdivisions (b)(5)(A-P).

In order to deny the Petition on the grounds set forth above, Education Code section 47605, subdivision (b) requires the Governing Board to make “written factual findings, specific to the particular petition, setting forth specific facts to support one or more” of the grounds for denying the charter. Staff recommends that the Board adopt the proposed Findings, provided, as its own. Staff further recommends that the Board deny the Petition.

Fiscal Impact:

None

G. DISCUSSION ITEMS

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 1, 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 (*).

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 18, 2011

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

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

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)

Expulsions

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

10. REPORT OF CLOSED SESSION ACTIONS