West Contra Costa Unified School District
Board of Education
Meeting Agenda
Tuesday, October 4, 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.

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.

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 Youth Commission
B.5 Report/Ratification of Closed Session
* **B.6 Agenda Review and Adoption** (Public Comment)
* **B.7 Minutes:** September 21, 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 Grants/Awards/Agreements

Comment:
Formal action is requested from the Board of Education to accept the grants/awards/agreements, as detailed, dated October 4, 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 October 4, 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 2011-12 school year are summarized, dated October 4, 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 the following contracts for services as detailed, dated October 4, 2011.

Recommendation:
Recommend Approval

Fiscal Impact:
As noted per contracts summary

***CI C.5 Master Contracts for Nonpublic, Nonsectarian School/Agency Services**

Comment:
On 6/28/11 the Board of Education approved for $7,500,000.00 Master Contracts for nonpublic, nonsectarian school/agency services for the 2011/2012 School Year. Permission is requested of the Board of Education to approve the Master Contracts with the additional named agencies for nonpublic, nonsectarian school/agency services for the period of October 5, 2011 through June 30, 2012.

Non Public School/Agency's
Sunbelt Staffing, LLC
12425 Race Track Road, Suite 100
Tampa, FL 33626

Recommendation:
Recommend Approval

Fiscal Impact:
$90,480.00 - Special Ed-Severely Disabled Health Services

***CI C.6 Notice of Completions: Bid J068283 Madera Elementary Kitchen & Restroom Resurfacing, Bid J068287 Stewart Elementary Kitchen & Restroom Resurfacing, Bid J068223 Chavez Elementary Window & Door Replacement, Bid J068262 Peres Elementary Roof Restoration**

Comment:
Substantial completion notices has been received for: Bid J068283, Bid J068287, Bid J068223, and Bid J068262.

Major construction projects are subject to acceptance by the governing board before a Notice of Completion can be processed, and final payment of the contract made. (BP 7470)

Staff recommends acceptance of the work completed by the following contractor:

Streamline Builders, Bid J068283 Madera Elementary Kitchen & Restroom Resurfacing
Streamline Builders, Bid J068287 Stewart Elementary Kitchen & Restroom Resurfacing
Pinguelo, Construction, Bid J068223 Chavez Elementary Window & Door Replacement
Solano County Roofing, Bid J068262 Peres Elementary Roof Restoration

Recommendation:
Recommend approval of these notices of completion

Fiscal Impact:
None

***CI C.7 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: $493,737. Funding sources as noted.

***CI C.8 Ratification and Approval of Negotiated Change Orders**

Comment:
Staff is seeking ratification of Change Orders on the following current District construction projects: Peres Elementary School Roof Repairs; Hanna Ranch Elementary Roof Repairs; Kennedy High School Concession Stand and Field Light, De Anza High School Replacement Campus, and Nystrom Elementary School Multipurpose Room. Change Orders are fully executed by the District upon signature by the Superintendent's designee. Board ratification is the final step required under state law in order to complete payment and contract adjustment.

In addition to normal ratification, approval of the noted Change Order for the Collins Elementary Portables, Stewart Elementary Restrooms, and Madera Elementary Restrooms projects is required by the Board, with special findings as noted below, because this is in excess of the Public Contract Code limit of 10% of the original contract value. In accordance with Public Contract Code 20118.4, the Board, by approving and ratifying these Change Orders, finds that it would have been futile to publicly bid the work in question because of the tight time frames to complete this work without affecting the operations of the School, and that the public is best served by having this work completed by the contractor on the project.

Recommendation:
Ratify negotiated Change Orders as noted

Fiscal Impact:
Total ratification and approval by this action: $528,594.14

***CI C.9 Measures J and D 2010 Bond Program Budget Update**

Comment:
The District needs to update the Bond Program budget to include the Restroom Wall Finishes Repairs project. The provided worksheet includes this proposed adjustment and ongoing reconciliations as projects are closed out, or additional expenses are incurred.

This material was presented to the Board's Facilities Subcommittee meeting of September 13, 2011. The Facilities Subcommittee recommends approval of the budget adjustments by the full Board.

Staff can provide a brief presentation to the Board.

Recommendation:
Approve Measure J and D 2010 Bond Program Budget Update

Fiscal Impact:
As noted. Updated budgets for Measure J and D 2010 Bond Program.

***CI C.10 Approval of updated District Standards for High School Renovations and Reconstructions**

Comment:
The District has completed one full high school reconstruction at El Cerrito High. DeAnza High School is currently under construction. Pinole Valley High School is in design phase for reconstruction. In addition, we will be designing major renovations at Richmond High. As a part of every District project, there are standards which cover basic spaces in every school, from administration to classrooms. These standards include lighting, finishes, cabinets/storage, presentation materials, and all other elements needed to design the spaces. The standards are the basis of each school that undergoes renovation or reconstruction and are provided to the Architects of Record for their use. The District Standards have continued to evolve over time and it is appropriate to update them at this time. The District retained WLC Architects and DLM Architects for this update. Their work reflects lessons learned over the course of construction of the first projects, including feedback from teachers, staff, and District Administrators. The updated standards also are appropriate as the Board has adopted the Collaborative for High Performance Schools ("CHPS") Standards. These are the "green building standards" for schools in California and reflect the District's commitment to sustainable design.

The standards were presented to the Facilities Subcommittee at their meeting of September 13, 2011. The Facilities Subcommittee recommends approval by the full Board.

Standards are provided for review under separate cover.

Recommendation:
Adopt updated District Standards for High School Renovations and Reconstructions

Fiscal Impact:
Project budgets include design to the referenced standards.

***CI C.11 Right of Entry Agreement with the City of Richmond for a Temporary Campus for Nystrom Elementary School at the MLK Rec Center**

Comment:
The District needs to begin renovations of the Nystrom Elementary Classroom Building upon completion of the new Multi-Purpose Building. In order to accomplish this, the District needs to construct a temporary campus to house the students at Nystrom during construction. There is no space available on the Nystrom site. The City of Richmond has agreed to allow the District to use a portion of the MLK Park adjacent to the school as a temporary campus during construction. The proposed agreement with the City of Richmond provides for a legal framework to allow construction, use, and restoration of the site. The agreement been prepared by District's legal counsel. It is being concurrently reviewed and approved by the City of Richmond. This agreement is similar to the agreement approved for the King Elementary project.

Recommendation:
Approve Right of Entry Agreement with City of Richmond

Fiscal Impact:
$2,400,000. For Temporary housing construction, lease, and restoration costs. Project will be funded from the Measure D 2010 Bond.

***CI C.12 Right of Entry Agreement between the West Contra Costa School District and the San Pablo Police Department for surveillance cameras on rooftops at Dover and Downer Elementary Schools**

Comment:
The West Contra Costa Unified School District ("District") owns and operates: Dover Elementary School at 1871-21st Street, San Pablo, California, 94806-4400, and Downer Elementary School at 1231-18th Street, San Pablo, California, 94806-4731 ("School Sites").

The San Pablo Police Department ("SPPD") has requested permission to enter the School Sites for the purpose of installing, operating and maintaining cameras and associated equipment ("Observation Cameras") to monitor the streets adjacent to the School Sites.

Through this Right of Entry Agreement, the District would grant to SPPD a limited right of access to perform the installation work necessary to place the Observation Cameras on the School Site roofs, and to operate, maintain and monitor the equipment after installation for a five (5) year term. A licensed contractor retained by SPPD will perform the installation work. All work will be coordinated in advance with the District's Maintenance and Operations / Facilities Departments and will take place during after school hours, on weekends and / or school holidays.

Recommendation:
Approve of Right of Entry Agreement

Fiscal Impact:
No fiscal impact or implications associated with the approval of this Right of Entry Agreement.

***CI C.13 Stewart Elementary School Site Renovation Project Award of Contract**

Comment:
The playing field and running track at Stewart Elementary was originally completed by the District as a part of the Measure M Phase 1A renovations. There have been ongoing issues related to track surface, drainage and site work elements which need to be repaired. The project includes track surface reconditioning, cutting and trimming to create a fire buffer zone at the adjacent trees, drainage repairs, and installation of a new mow strip.

Vallier Design Associates has prepared plans and specifications for the project. The District conducted a public bid process for the project. Bids were opened on September 15, 2011. Six Contractors submitted bids. One bid was declared non-responsive due to missing required documents. The remaining bids are as follows: Bruce Carone $57,275; Jedco Engineers $78,800 McKim Co. $87,800; Suarez Munoz $96,933; Sheeno Construction $145,250.

The apparent lowest responsive, responsible bidder is Bruce Carone, at $57,275.

Recommendation:
Award contract to lowest responsive, responsible bidder

Fiscal Impact:
$57, 275.00 Funded by the MRAD budget.

***CI C.14 Adoption of Resolution No. 25-1112 in support of Office of Public School Construction applications for Modernization and New Construction state funding**

Comment:
The District is proceeding with a number of applications for state funding from the Office of Public School Construction ("OPSC"). This resolution is in support of all of the District's applications for modernization or new construction funding. It is also updates the District staff who will be Authorized Representatives to complete and sign applications for submission to OPSC.

Recommendation:
Adopt Resolution No. 25-1112 in support of Office of Public School Construction applications for Modernization, New Construction, and updating Authorized Representatives for the District.

Fiscal Impact:
None at this time. Approval of this resolution will support OPSC funding applications which will provide state funding to the District's Bond Program.

***CI C.15 Revision for Policy 7214.2 – Citizens Bond Oversight Committee**

Comment:
Board Policy 7214.2 complies with intent of Proposition 39 which was approved in 2000 to establish a Citizens' Oversight Committee to "actively review and report on the use of bond proceeds" whenever the district passes a Proposition 39 bond.

A subcommittee of the Citizens Bond Oversight Committee has reviewed administrative regulation AR7214.2 and has made recommendations for modifications to that regulation. Because both current administrative regulations and the revisions recommended by the CBOC subcommittee include provisions and specifications that only the Board can approved, the proposed policy includes provisions that were formerly in the administrative regulations as well as changes recommended by the Committee.

Recommendation:
That the Board adopt the revision of BP7214.2

Fiscal Impact:
None

***CI C.16 Approval of Board Members to attend Conference**

Comment:
Board Bylaw 9250 stipulates members of the board shall be reimbursed for allowable expenses incurred in attending any meetings or in making any trips on official business of the school district when so authorized in advance by the Board of Education. (Education Code 35044). Board members Kronenberg and Medrano have expressed interest in attending the National Career Academy Annual Conference, November 2011 in Anaheim, CA. Funds for Board travel and conferences are budgeted and there is sufficient funding within the budget.

Recommendation:
Recommend Approval

Fiscal Impact:
Approximately $2000 from the General Fund

***CI C.17 Request to Rename a Facility**

Comment:
Board Policy 7310 establishes the criteria and processes for "renaming buildings, parts of buildings or athletic fields in honor of the contributions of students, staff members and community members." Members of the community have requested that the Board consider naming the Kennedy High School gym in recognition of the many accomplishments and contributions of long-time teacher, coach and athletic director, Dottie Felix, who passed away in June 2011. The policy stipulates that upon request that the Board will appoint a Board subcommittee to "review the nomination and make recommendations for the Board's final consideration."

Recommendation:
That the Board approve President Ramsey's appointment of a committee of two members, Elaine Merriweather and Antonio Medrano, to review the request to rename the Kennedy High School gym in recognition of Dottie Felix.

Fiscal Impact:
Unknown at this time

***CI C.18 Red Ribbon Board Resolution No. 24-1112**

Comment:
Our District has been involved in Red Ribbon Week for the past twenty years. Congress officially proclaimed the first National Red Ribbon Week October 23 – 31, 1988. The Red Ribbon has now become a symbol for drug-free environments.

This resolution represents the West Contra Costa Unified School District's support of the Red Ribbon Campaign October 24 – 28, 2011. Red Ribbon Week may be celebrated one week during the year, but its effects last throughout the year.

This year, some of the school activities will include prevention curriculum lessons, poster/essay/decoration contests, wear-red days, letter writing, school assemblies, etc. The focus of this week is not only on drug-free youth but also on safe and healthy communities.

Recommendation:
Recommend Approval

Fiscal Impact:
None

D. AWARDS, RECOGNITIONS, AND REPORTS

*** D.1 Celebrating Hispanic Heritage Month, September 14, 2011 – October 15, 2011 through WCCUSD student performances**

Comment:
The West Contra Costa Unified School District applauds the many contributions made by the Hispanic population and recognizes September 14 – October 15, 2011 as Hispanic Heritage Month.

A few of our schools will share presentations that showcase and celebrate Hispanic Heritage Month.

Recommendation:
For Information Only

Fiscal Impact:
None

*** D.2 Closing the Achievement Gap Conversation, Part II**
Report on and Recognition of Schools Meeting 2011 Academic Performance Index (API) growth Targets and/or Adequate Yearly Progress (AYP) targets

Comment:
Staff will:

- Summarize the districtwide state-level Academic Performance Index (API) and Adequate Yearly Progress (AYP) data
- Discuss major districtwide improvement strategies to close the achievement gap and continue to move all students to high levels of achievement, and
- Recognize WCCUSD schools for making API and/or AYP targets.

Recommendation:
School Board discusses closing of the achievement gap strategies and recognizes schools for meeting 2011 API and/or AYP criteria

Fiscal Impact:
None

*** D.3 Report on Volunteer Efforts in WCCUSD**

Comment:
Volunteer assistance in schools enriches the educational program, enhances supervision of students and contributes to school safety, while strengthening the schools' relationships with the community. The Governing Board encourages parents/guardians and other members of the community to share their time, knowledge and abilities with students.

Tonight, we will give a report on our volunteer plans for 2011-2012 school year, including an update on our efforts to make fingerprinting a seamless process in WCCUSD.

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
Youth Commission
Public Employees Local 1
United Teachers of Richmond

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 – Billy Alexander

Comment:
Mr. Alexander would like to address the Board about Kwanzaa.

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 Public Hearing: Grades K-12 Textbook and Instructional Materials Compliance for Fiscal Year 2011-2012

Comment:
California Education Code Section 60119 guidelines require the governing board of each California school district to hold a public hearing after which the Board will determine, through a resolution, as to whether each pupil in each school in the District has sufficient textbooks and instructional materials that are aligned with the academic content standards and are consistent with the content and cycles of the curriculum framework adopted by the State Board of Education in these subjects:

English/Language Arts, including English Language Development
Mathematics
Science
History/Social Science
Foreign Language (if the student is enrolled in a Foreign Language course)
Health (if the student is enrolled in a Health course)

The governing board shall also determine the availability of science laboratory equipment as applicable to science laboratory courses in Grades 9 through 12.

Immediately after this hearing, as a separate action item, the Board is requested to approve Resolution No. 23-1112: Grades K-12 Textbook and Instructional Materials Compliance for

Recommendation:
The Board conducts the hearing in compliance with the Education Code of the State of California

Fiscal Impact:
None

*** F.2 Adoption of Resolution No. 23-1112: Grades K-12 Textbook and Instructional Materials Compliance for Fiscal Year 2011-2012**

Comment:
The proposed resolution is required under Education Code Section 60119 in order for the District to allocate funding from any state sources for the purchase of instructional materials.

In addition to the proposed resolution, the Board is being asked to verify continued approval of the accompanying list of currently adopted texts for the District. Prior to adopting this resolution, the Board will hold a public hearing to discuss textbook sufficiency for all district schools.

Recommendation:
Approve Resolution No. 23-1112: Grades K-12 Textbook and Instructional Materials Compliance for Fiscal Year 2011-2012.

Fiscal Impact:
None

G. DISCUSSION ITEMS

*** G.1 Project Status Report – 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 – October 19, 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

October 4, 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)

Certificated / Classified Employee Dismissal

10. REPORT OF CLOSED SESSION ACTIONS