

**West Contra Costa Unified School District
Minutes of the Board of Education Meeting
Lovonya DeJean Middle School
3400 Macdonald Avenue
Richmond, CA 94805**

August 19, 2009

A. CLOSED SESSION

B. OPENING PROCEDURES

President Audrey Miles called the meeting to order at 5:00 PM. The Board recessed into Closed Session. President Miles called the Public Session to order at 6:43 PM.

B.1 Pledge of Allegiance

President Miles led those in attendance in the pledge of allegiance.

B.2 Welcome and Meeting Procedures

President Miles offered welcome and instructions to the public regarding the meeting.

B.3 Roll Call

Board Members Present: Madeline Kronenberg, Antonio Medrano, Audrey Miles, Charles Ramsey, Tony Thurmond

Staff Present: Bill Benham, IT Operations Manager; Andre Bell, Senior Director Bond Finance; Pat Calvert, Director Certificated Personnel; Steve Collins, SELPA Director; Bill Fay, Associate Superintendent for Operations; Luis Freese, Executive Director Maintenance and Operations; Sheri Gamba, Associate Superintendent for Business Services; Wendell Greer, Associate Superintendent K-Adult; Bruce Harter, Superintendent; Debbie Haynie, Executive Assistant to the Superintendent; Ken McDaniel, Electronics Supervisor; Leticia Oregon, Interpreter; Nia Rashidchi, Assistant Superintendent Educational Services; Jason Reimann, Principal El Cerrito High; Reginald Richardson, Principal Nystrom Elementary, Jessica Romeo, Assistant Superintendent for Human Resources; Bill Savidge, Engineering Officer; Marin Trujillo, Coordinator Community Engagement; Matt Wayne, Principal Dover Elementary

B.4 Report/Ratification of Closed Session

Superintendent Harter asked the Board to ratify the vote taken in Closed Session to expel six (6) students and suspend those expulsions for placement in the West Contra Costa Unified School District.

Motion: Mr. Ramsey moved to ratify the vote taken in Closed Session to expel six (6) students, suspending those expulsions for placement in the West Contra Costa Unified School District. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, and Mr. Ramsey voted yes, President Miles abstained and Mr. Thurmond absent. Motion carried 3-0-1-1.

Superintendent Harter asked the Board to ratify the vote taken in Closed Session to expel five (5) students and suspend those expulsions for placement in the West Contra Costa Unified School District.

Motion: Mr. Medrano moved to ratify the vote taken in Closed Session to expel five (5) students, suspending those expulsions for placement in the West Contra Costa Unified School District. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey and President Miles voted yes with no abstentions and Mr. Thurmond absent. Motion carried 4-0-0-1.

Superintendent Harter asked the Board to ratify the vote taken in Closed Session to approve a special education settlement agreement.

Motion: Mr. Medrano moved to ratify the vote taken in Closed Session to approve a special education settlement agreement. Mr. Ramsey seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, and President Miles voted yes with no abstentions and Mr. Thurmond absent. Motion carried 4-0-0-1.

Superintendent Harter asked the Board to ratify the vote taken in Closed Session to deny three (3) Classified Grievances.

Motion: Mr. Medrano moved to ratify the vote taken in Closed Session to deny three (3) Classified Grievances. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond and President Miles voted yes with no abstentions and no absences. Motion carried 5-0-0-0.

B.5 Agenda Review and Adoption

Public Comment:

None

MOTION: Mr. Ramsey moved to approve the agenda and include tabling of item C.12. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond and President Miles voted yes with no abstentions and no absences. Motion carried 5-0-0-0.

B.6 Minutes: July 27, 2009

Public Comment:

None

MOTION: Mr. Medrano moved to approve the minutes of July 29, 2009. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond and President Miles voted yes with no abstentions and no absences. Motion carried 5-0-0-0.

C. BUSINESS ITEMS

C.1 Contracted Services

This item was pulled for discussion.

C.2 Approval of Fund-Raising Activities

C.3 Acceptance of Donation

C.4 Grants/Awards/Agreements

C.5 Certificated Personnel Changes

C.6 Certificated Provisional Internship Permit (PIP) Request(s)

C.7 Ratification and Approval of Engineering Services Contracts

C.8 Ratification and Approval of Negotiated Change Orders

C.9 2010 Facilities Master Plan: Contract for Asset Management Plan

C.10 Multi-Site Playstructures & Surfaces Project Award of Contract

C.11 Crespi Fire Reconstruction Project Award of Construction Contract

C.12 DeAnza High School Baseball Field Renovation Project Award of Contract

This item was tabled.

C.13 Coronado Elementary Doors & Hardware Replacement Emergency Repair Program Contract Award

C.14 State Approved Course List/A-22 Course Approval

C.15 Terence Martin Day – August 23, 2009

MOTION: Mr. Ramsey moved approval of the Consent Calendar items C.2 – C.11, C.13-C.15. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond and President Miles voted yes with no abstentions and no absences. Motion carried 5-0-0-0.

D. AWARDS, RECOGNITIONS, AND REPORTS

D.1 Standing Reports

Community Budget Advisory Committee: Robert Studdiford announced the next meeting with discussion of the committee's role in parcel tax oversight and budget issues. He welcomed the public to attend and participate in the meetings.

Facilities Subcommittee: Mr. Medrano provided a report on the August 18 meeting where discussion included the bond program, Richmond High School surveillance and gates, the DeAnza project review, and the Helms project update. Mr. Ramsey continued with information about the resolution for the qualified school construction bond on the agenda and efficient financial management resulting in better bond ratings.

Ivy League Connection: Ms. Kronenberg provided information regarding students who attended the Ivy scholars program at Yale University. Mr. Ramsey recognized staff and students at El Cerrito High and Pinole Valley High. He said that he recently met with Northwestern University's admissions director who will recruit in WCCUSD this fall. He also said that Amherst College and Stanford University will also host information nights in the District.

Safety Committee: Mr. Thurmond spoke about the formation of a Youth Commission and an upcoming meeting later this month. He continued to say that the Safety Committee will meet this month to review the District's cell phone policy and site supervisor program. Mr. Ramsey said he looked forward to the upcoming meeting.

D.2 In Memory of Members of the School Community

Dr. Harter recognized contributions of members of the community who have passed away.

Mr. Ramsey spoke about Connie Ludy who he knew well, expressing condolences to the family.

Ms. Miles remembered Joseph Coleman and spoke about the need for peace in our community as young people are lost to violence.

C.1 Contracted Services

Mr. Ramsey said that he could not support the contracts for legal services without representation by African American or Latino firms. He asked that the legal service contracts be separated from the other contracted services for a separate vote. Ms. Gamba addressed his concerns and said that the Request for Proposal process would be reviewed to include mention of minority owned businesses. She will bring results to the Board for approval.

MOTION: Mr. Ramsey moved approval item C.1 Contracted Services that do not pertain to legal services and that the contracts for legal services be tabled. Mr. Thurmond seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond and President Miles voted yes with no abstentions and no absences. Motion carried 5-0-0-0.

E. PUBLIC AND COMMITTEE COMMUNICATIONS

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

E.1 Superintendent's Report

Dr. Harter provided a report of events in District schools.

E.2 Request to Address the Board – Desmond Carson

Mr. Carson spoke about the Richmond Steelers football team use of Kennedy High field and facilities for their games.

Mr. Fay responded about construction plans for the facility as well as field lights.

Mr. Ramsey and Mr. Thurmond spoke about use of school restrooms with adequate supervision as a solution until the facilities can be built. Mr. Fay responded that this could be addressed by improving the quality of the temporary restroom facilities at the Kennedy field.

E.3 WCCUSD Public Comment

Mark Woo, Tammy Campbell, Steve Kirby, Sarah Creeley, Paul Gilbert-Snyder, Robert Studdiford, John Irminger, Diane Brown, Diane Egelston, Betsy Bashor, Margaret Browne, Al Kirkman

Mr. Thurmond asked questions about the model suggested by Mr. Woo regarding sharing healthcare costs. Dr. Harter responded that the district would be willing to consider any proposals and that the bargaining table is the place for discussion.

Ms. Gamba said that she has looked at Mr. Woo's suggestion and spoke about the current cash in lieu benefit for employees and looking more thoroughly at that program.

Mr. Thurmond responded that the community may not be aware of what the District offers employees and invited ideas giving the public a chance to suggest other tools that could be beneficial.

F. ACTION ITEMS

F.1 Resolution 23-0910, Authorizing the Completion and Submission of an Application for Qualified School Construction Bond Allocation (QSCB) from the California Department of Education

Mr. Andre Bell provided information regarding the school construction bond program and submission of an application to the Department of Education for the 2009 Qualified School Construction Bond Program which is part of the America Recovery and Reinvention Act of 2009.

Public Comment: None

Board Comment:

Mr. Ramsey asked about a secondary plan if the application is not selected in the lottery. Mr. Dave Olson of KNN provided clarification. Mr. Bell responded regarding the selection of schools currently under construction or ready projects which can be completed in next three years. Mr. Fay, Mr. Savidge and Mr. Olson offered further information for clarification.

Ms. Kronenberg said that she understood that funding is available for construction programs and for districts looking to become more energy efficient. She said that she thought that many districts throughout the state will be taking similar action, causing this to be a competitive application.

Mr. Ramsey spoke about the District's ability to borrow. Mr. Olson responded with information regarding the limitation of the percentage of outstanding bonds allowed.

Mr. Thurmond asked whether the application included provisions for solar construction and other energy efficient modifications. Mr. Bell responded affirmatively about energy efficiency components in each construction project. Further discussion was held regarding District staff preparing the application.

Ms. Kronenberg explained that a lottery is part of the selection process and is not determined by application.

Motion: Mr. Ramsey moved approval of Resolution 23-0910 Authorizing the Completion and Submission of an Application for Qualified School Construction Bond Allocation (QSCB) from the California Department of Education. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond and President Miles voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

F.2 BTSA Induction Program

Ms. Romeo offered background information regarding the professional learning experience and Beginning Teacher Support and Assessment program. Ms. Adi Lapin and Ms. Anita Lakey were in the audience to answer questions.

Public Comment: None

Motion: Mr. Ramsey moved approval of the BTSA Induction Program. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond and President Miles voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

F.3 Cooperative Agreement with the West Contra Costa Transportation Advisory Committee (WCCTAC) and WCCUSD For Measure J-West County Safe Transportation for Children Low Income Student Bus Pass Program (SBPP)

Dr. Harter spoke about the free bus pass program for eligible high school students which will go forward over the next 25 years. He publicly thanked County Supervisor John Gioia for his efforts in supporting Measure J and the provisions that provide assistance to low income students.

Public Comment: None

Board Comment:

Mr. Medrano asked clarification for use of bus passes. Dr. Harter provided information.

Motion: Mr. Ramsey moved approval of the Cooperative Agreement with the West Contra Costa Transportation Advisory Committee (WCCTAC) and WCCUSD For Measure J-West County Safe Transportation for Children Low Income Student Bus Pass Program (SBPP). Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond and President Miles voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

F.4 Reconsideration of Relocation of the Portola Middle School

Dr. Harter offered background on the decision for a temporary relocation of the Portola campus, the CEQA process and lengthy delays. He recommended rescinding the earlier decision of the Board and moving ahead with the El Cerrito fields' projects, removing the portable classrooms, and consider another temporary relocation at a future date.

Public Comment:

Diane Egelston, Joanna Pace

Board Comment:

Mr. Ramsey recalled that the Board had previously rejected a staff proposal to expand the CEQA to a full EIR (Environmental Impact Review) at the El Cerrito site. Mr. Fay responded that a mitigated negative declaration process is part of CEQA process, not full EIR study. Dr. Harter said that this recommendation is based on a point where the District is unable to move forward to achieve a mitigated negative declaration as the Board had not authorized an Environmental Impact Review and the El Cerrito community feeling that it is unfair to leave the portable classrooms on the El Cerrito campus. The District is at a stalemate point and cannot move the process forward to relocate the Portola students into modular buildings and recommends rescinding that decision. Mr. Ramsey continued to say that he supports waiting to receive the negative declaration report for the Board to consider. Mr. Medrano said that due to circumstances, he is willing to change his opinion and rescind his original motion. He said the safety of the students comes first.

Ms. Kronenberg said there is a need to wait to get the DAASSE seismic report on the current Portola campus and recommended tabling this item until it is received to make a decision.

Mr. Thurmond echoed Mr. Ramsey's concerns, saying that the Board needs to consider specific options at the same time an option to rescind is presented. He said he supports working with the city of El Cerrito to move forward with a plan and work as partner in alternative locations. Mr. Fay discussed the legal ramifications of moving forward and a timeline for moving students. Further discussion ensued. Dr. Harter said that if the Board rescinded its February 11 decision, there were only two options left; leaving the students on the Portola campus or move to lower yard. The thought around the timing was to begin to reject an option that was not going to work for the city of El Cerrito and then move forward once the DAASSE study is received. Mr. Fay responded.

Mr. Ramsey said that staff is not giving rationale other than a potential lawsuit and that the Board must act in the best interest of student safety.

President Miles suggested deferring action to another meeting.

Mr. Thurmond said he would like to see direction to staff for an expectation on providing the mitigated negative declaration report.

Mr. Ramsey said that direction has been given to staff and needs to be fully flushed out. He suggests this item should be tabled until the DAASSE study is received.

Mr. Savidge suggested that staff develop alternatives with cost estimates and timeframes for comparisons.

Mr. Thurmond questioned Mr. Savidge regarding timelines and the process regarding the mitigated negative declaration. Mr. Savidge responded. Mr. Fay added clarification.

Further discussion took place.

Motion: Mr. Thurmond moved to table this item until the next meeting to allow opportunity for consideration. This motion died for a lack of second.

Motion: Mr. Ramsey moved to table Reconsideration of Relocation of Portola Middle School until receipt of the DAASSE Design report on seismic stability. Ms. Kronenberg seconded. A roll call vote was taken with Ms. Kronenberg, Mr. Medrano, Mr. Ramsey and President Miles voting yes, Mr. Thurmond voting no, with no abstentions and no absences. Motion carried 4-1-0-0.

F.5 Resolution No. 24-0910 Equity Initiative

Ms. Rashidchi provided information with Principals Matt Wayne, Jason Reimann, Reginald Richardson who spoke on the equity focus at Dover, ECHS and Nystrom respectively.

Public Comment:

Nicole Williams, De'Lisha Fortson, Debanuj Dasgupta

Board Comment:

President Miles said that the District is looking at ways to enhance policies and processes for volunteers to be effective and an initiative for increasing volunteers at schools. She continued to say that the District is seeking funding to assist in enhancing volunteerism.

Mr. Thurmond thanked everyone for their work and commended their approach. He asked questions about how to make the process more systematic for all students. Ms. Rashidchi responded about the accountability structure, monitoring as part of the school plan, and sharing best practices at regular meetings.

Ms. Kronenberg applauded everyone involved for achievement gap solutions. She said that this is not just about equity and is enormously practical making for better teachers.

Mr. Medrano commented on the word “disproportionally”, and asked what is being done to bring in community volunteers as tutors who may not have necessary papers to be in this country. Ms. Rashidchi responded about engaging parents.

Mr. Ramsey thanked everyone for their efforts and said this is useful information. He is encouraged with the courage and commitment put forth to address gaps in incomes and other forces that groups face. He urged ongoing efforts to deal with the socioeconomic challenges of families.

President Miles commented that these are small steps in the building process as a strong piece of the District LEA plan. She acknowledged The Seville Group, Inc. for its recent contribution to assist District volunteers.

Mr. Thurmond asked Mr. Reimann about extra counselors and mentors at El Cerrito High School. Mr. Reimann spoke about the new position for an Equity Access Counselor to work with under-represented students.

Motion: Mr. Ramsey moved approval of the adoption of Resolution No. 24-0910 Equity Initiative. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond and President Miles voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

G. DISCUSSION ITEMS

G.1 Status Reports – Facilities Planning and Construction

Mr. Bill Savidge provided a report on various facilities projects throughout the District.

Public Comment:

Al Kirkman

Board Comment:

Mr. Ramsey asked about MRAD and Bond funding used for projects. Mr. Savidge responded with information. Mr. Ramsey continued with questions about the DeAnza project. Mr. Savidge offered clarification. Mr. Ramsey commented that the Coronado project is going well and asked to bring back a request to move from the preliminary stage to the master planning stage. Mr. Fay responded and Mr. Savidge elaborated on an October date for a master plan presentation to Board.

H. UNFINISHED REQUESTS TO ADDRESS THE BOARD (continued from Item E)

None

I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT

President Miles asked Al Kirkman to announce the details regarding the El Sobrante Stroll. He provided information regarding the event on Sunday, September 20, 11:00 a.m. at San Pablo Dam Road between El Portal Drive and Appian Way.

Mr. Thurmond announced the annual Terrence Kelly event on August 23 to support students in after school programs in Richmond.

J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING

Lovonya DeJean Middle School – September 2, 2009

K. ADJOURNMENT

President Miles adjourned the meeting at 10:32 PM.

Motion vote count order: Yes-No-Abstain-Absent

BH:dh

AAM Approved 9/2/09
