

**WEST CONTRA COSTA
UNIFIED SCHOOL DISTRICT**

BOARD OF TRUSTEES



MISSION STATEMENT

We provide the highest quality education to enable all students to make positive life choices, strengthen our community, and successfully participate in a diverse and global society.

We provide excellent learning and teaching experiences; safe, student-centered learning environments; and support for all students and employees. We develop and maintain productive community partnerships and individual and collective accountability.

MEETING OF
September 17, 2008

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION MEETING**

**LOVONYA DEJEAN MIDDLE SCHOOL
MULTI-PURPOSE ROOM
3400 MACDONALD AVENUE
RICHMOND, CA 94805**

SEPTEMBER 17, 2008

6:30 – 7:30 PM

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
JOINT BOARD OF EDUCATION AND
CITIZENS' BOND OVERSIGHT COMMITTEE MEETING**

SEPTEMBER 17, 2008

7:30 – 9:00 PM

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:
<http://www.wccusd.k12.ca.us/board/packets/index.htm>

VIEWING AND LISTENING TO THE BOARD MEETINGS:

Radio: Regularly scheduled Board meetings are broadcast live over Radio Station KECG 88.1 and 97.7 FM.

Television: Regular Board meetings are also broadcast by the City of Pinole on PCTV Channel 26 and HCTV Channel 25, and the Hercules city cable channel 28.

Audio tapes of Board meetings are kept on file in the Communications Office, Room 215, 1108 Bissell Avenue, Richmond, CA 94801 (510-231-1132). The Board of Education would like to acknowledge the City of Pinole for their generosity 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 meeting times for tonight are as follows:

6:00 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 (see Exhibit A). The Board will then adjourn to closed session in the Faculty Lounge.
6:30 PM	The Board will reconvene in open session to address the regular agenda.
7:20 PM	Break
7:30–9:00 PM	Joint Meeting of the Board of Education and Citizens' Bond Oversight Committee

“of children be more careful than anything.”
e.e. cummings

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION MEETING
MEETING AGENDA
SEPTEMBER 17, 2008
6:30 – 7:30 PM**

B. OPENING PROCEDURES

- B.1 Pledge of Allegiance**
- B.2 Welcome and Meeting Procedures**
- B.3 Roll Call**
- B.4 Report/Ratification of Closed Session**
- * **B.5 Agenda Review and Adoption (Public Comment)**
- * **B.6 Board Minutes: September 3, 2008**

C. AWARDS, RECOGNITIONS, AND REPORTS

None

D. PUBLIC AND COMMITTEE COMMUNICATIONS
(Education Code 35145.5; Government Code 54950 et seq.)

- * **D.1 Superintendent's Report**
- D.2 WCCUSD Public Comment**
Public Comment will follow the Joint Meeting with the Citizens' Bond Oversight Committee.

E. ACTION ITEMS

- * **E.1 Approval of the 2007-08 Unaudited Actuals Financial Report and 2008-09 Operating Budget Updates**

Comment:

By September 15 of each year, the district must file the Unaudited Actuals Financial Report for the prior year with the Contra Costa County Office of Education and the California Department of Education. This report reflects the financial activities of the District by major object of revenue and expense for each fund operated in the district.

Staff will present an overview of the financial activity and its impact on the ending balance. Included with the Board Packet is the Unaudited Actuals Summary of the General Fund and all Funds. The complete Unaudited Actuals Financial Report will be delivered under separate cover.

Recommendation: Staff requests approval to file this report with the county superintendent.

Fiscal Impact: Balanced Budget

* **E.2 Resolution No. 38-0809, Adoption of Gann Limit, 2007-08 and 2008-09**

Comment:

Education Code Section 42132 specifies that school district governing boards shall adopt a resolution identifying their annual appropriations limit for the preceding fiscal year, known as the Gann Limit. It establishes limits on allowable growth in government spending.

Recommendation: Staff requests board adoption of the 2007-08 and 2008-09 annual appropriations.

Fiscal Impact: None

* **E.3 CIF-NCS School Board Representative Election Ballot**

Comment:

The NCS Board of Managers is the governing body for the 169 member schools of the North Coast Section, CIF. The Section's membership stretches from Southern Alameda County to the Oregon border – bordered on the east by coastal Mountains and the west by the Pacific Ocean.

Governance issues include promotion of the values of educational athletics, establishment and implementation of student eligibility standards, maintenance of standards for competition, development and conduct of post season playoffs, classification of schools, alignment of schools into leagues, development of standards for officiating games, developing recommendations for safety in sport, establishing policy for the operation of the NCS and contributing to the operation of the State CIF.

The Board of Managers has three regular meetings each year. The Schedule for the 2008-2009 school year follows:

- October 17, 2008 – Acalanes Center for Independent Study 1963 Trice Valley Blvd., Walnut Creek, CA
- January 23, 2009 – Acalanes Center for Independent Study 1963 Trice Valley Blvd., Walnut Creek, CA
- April 27, 2009 – Acalanes Center for Independent Study 1963 Trice Valley Blvd., Walnut Creek, CA

Successful members of the Board of Managers must: process a comprehensive vision of educational athletics, have a general knowledge of educational athletics, remain current on the issues affecting educational athletics, accurately represent their constituencies (even when the constituency's position is inconsistent with that of the representative), maintain a system of communications with their constituency, and most importantly, be committed to the comprehensive education of students. The representative must be in the current role of a school board member performing the daily responsibilities associated with this position. Additionally, it is preferred that the person sit on a board that oversees a student population that includes grades 9-12.

At this meeting, the WCCUSD Board of Education casts its vote for one of the following candidates as the 2008-2010 CIF-NCS Contra Costa County School Boards Representative:

- ☐ Steve Barr, Liberty Union High School District
- ☐ Percy McGee, Jr., Pittsburg Unified School District
- ☐ Tom Mulvaney, Acalanes Union High School District

Recommendation: Board Approval of One Candidate

Fiscal Impact: None

F. DISCUSSION ITEMS

None

G. BUSINESS ITEMS

CONSENT ITEMS (Routine Matters)

Consent Calendar Items designated by “CI” are considered routine and will be enacted, approved, 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.

***CI G.1 Contracted Services**

Comment:

Permission is requested of the Board of Education to approve the contracts for services as detailed dated September 17, 2008.

Recommendation: Recommend Approval

Fiscal Impact: As noted per contracts summary

***CI G.2 Grants/Awards/Agreements**

Comment:

Formal acceptance is requested from the Board of Education to accept the grants/awards/agreements, as detailed dated September 17, 2008.

Recommendation: Recommend Approval

Fiscal Impact: As noted per grants summary

***CI G.3 Acceptance of Donations**

Comment:

The District has received donations as summarized dated September 17, 2008. The estimated values for any non-cash donations are those provided by the donor. Staff recommends acceptance of these donations.

Recommendation: Recommend Approval

Fiscal Impact: As noted per donations summary

***CI G.4 Approval of Fund-Raising Activities**

Comment:

The planned fund-raising events for the 2008-09 school year are summarized dated September 17, 2008.

Recommendation: Recommend Approval

Fiscal Impact: Additional revenue for schools

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

Comment:

Payroll and Vendor Warrants issued during the month of August, 2008 are summarized:

Total of payroll warrants:	\$ 5,568,178
Total of vendor warrants:	\$16,516,535

Recommendation: Recommend approval of the payroll and vendor warrant reports

Fiscal Impact: As noted above

***CI G.6 Agreements for Nonpublic, Nonsectarian School/Agency Services**

Comment:

Permission is requested of the Board of Education to approve the Master Contracts between the District and the additional named agency for nonpublic, nonsectarian school/agency services for the period of June 13, 2008 through June 30, 2009.

Non Public Agency
Excelsior Youth Centers, Inc.

Recommendation: Recommend Approval

Fiscal Impact: \$16,368.00* - Non-LCI (*No budgetary impact, included in previously approved Master Contract for Services.)

***CI G.7 Acceptance of Contracts for Placement of Student Teachers**

Comment:

Teachers in this district provide supervision and evaluation for students seeking credentials to teach in California public school classrooms. These arrangements are made between the institution of higher education and the individual classroom teacher at no cost to the district.

Staff requests approval from the Board of Education to accept Contracts for Placement of Student Teachers as detailed dated September 17, 2008.

Recommendation: Recommend Approval

Fiscal Impact: None

***CI G.8 Contracts with Employee Health and Welfare Providers**

Resolution No. 21-0809: Public Employees Union, Local #1

Resolution No. 22-0809: School Supervisors Association

Resolution No. 23-0809: Unrepresented Management

Resolution No. 24-0809: Unrepresented Management Retiring Prior to January 1, 2009

Resolution No. 25-0809: United Teachers of Richmond

Resolution No. 26-0809: United Teachers of Richmond Retiring Prior to January 1, 2007

Resolution No. 27-0809: West Contra Costa Administrators Association

Resolution No. 28-0809: Board of Education Members

Resolution No. 29-0809: Confidential Employees

Comment:

Permission is requested of the Board of Education to approve the resolutions fixing the employer's contributions for medical benefits effective January 1, 2009.

Recommendation: Recommend Approval

Fiscal Impact: As noted on resolutions

***CI G.9 Modification to Board Bylaw 9250**

Comment:

In April, the Board acted to set benefits caps for Board members and non-represented management. These caps require that Bylaw 9250 be modified to align with the benefit cap established by the Board in April and affirmed when the Board adopted the 2008-09 budget.

Recommendation: That the Board approve the changes to Bylaw 9250.

Fiscal Impact: None

***CI G.10 Procurement Contracts for the School Year 2008-09**

Comment:

The following procurement contracts will be utilized during the school year 2008-09. The contracts will allow the District to procure classroom and teacher materials and supplies, along with computers, equipment, and services at a discounted rate.

(WSCA) Western States Contracting Alliance Master Agreement #A63307

Apple Computer, Inc.

Toshiba America Business Solutions, Inc. (TABS) Glendale USD Contract #P-12

California Multiple Award Schedules (CMAS)

School Specialty California Educational Resource Program Contract #V-4 2007-2008

US Communities Government Purchasing Alliance

The Cooperative Purchasing Network (TCPN)

Alameda County Corporate Purchasing Agreement
Alameda County Office of Education Cooperative Purchasing Program

Recommendation: Recommend approval to utilize the above contracts

Fiscal Impact: None

***CI G.11 Disposal of Obsolete and Damaged Equipment for the School Year 2008-09**

Comment:

During the school year, equipment (computers, monitors, TV's, furniture, vehicles, etc.) becomes obsolete, non-repairable, or damaged beyond economical repair. Because of limited storage space in the District, this equipment needs to be recycled or disposed of to a local recycler. Any equipment that can not be recycled will be disposed of in the most economical way.

Staff recommends approval to dispose of obsolete and or damaged equipment.

Recommendation: Recommend approval

Fiscal Impact: Minimal

***CI G.12 Certificated Personnel Changes**

Comment:

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

Recommendation: Recommend Approval

Fiscal Impact: None

***CI G.13 Certificated Provisional Internship Permit (PIP) Request(s)**

Comment:

The Provisional Internship Permit (PIP) was created in response to the phasing out of emergency permits and became effective on July 1, 2005. It allows an employing agency to hire an individual who has not yet met the subject matter competence requirement needed to enter an internship program. Prior to requesting a PIP, the employing agency must verify that a diligent search has been made, and a fully credentialed teacher cannot be found. The PIP is issued for one (1) year and is renewable one time only provided the teacher has taken all appropriate subject matter examinations, but has not yet passed those tests.

Recommendation: Recommend Approval

Fiscal Impact: None

***CI G.14 Ratification and Approval of Engineering Services Contracts**

Comment:

Contracts have been initiated by staff using previously qualified 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

Fiscal Impact: Total for this action: \$172,828. Funding sources as noted.

***CI G.15 Ratification and Approval of Negotiated Change Orders**

Comment:

Staff is seeking ratification of Change Orders on the following current District construction projects: Kay Road Extension/Montalvin Manor Entry Plaza, Downer Elementary New Campus, Pinole Valley HS Front Parking Lot Paving. In addition, staff is seeking ratification of Change Orders, with a deductive adjustment amount, for El Cerrito HS New Campus and El Cerrito HS Admin/Theater projects. Previous ratifications were in error, made for amounts above correct totals. 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 Pinole Valley HS ADA Ramps project is required by the Board, with special findings as noted below, because it 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 District, 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 by this action: \$30,008.70.

***CI G.16 Leadership Public Schools (LPS) Charter School Administrative Agreement**

Comment:

Leadership Public Schools, Inc. (LPS) is a private, non-profit public benefit corporation that currently operates a charter high school, Leadership Public Schools Richmond (hereinafter referred to as "Charter School"), a public charter school existing under the laws of the State of California and under the supervisory oversight of the District. The District is the sponsoring district of the Charter School operated by LPS. This Administrative Agreement establishes the agreement of Leadership and the District governing their respective fiscal and administrative responsibilities and their legal relationships, as well as the operation of the Charter School.

Recommendation: Approve the Administrative Agreement

Fiscal Impact: As noted by the agreement based on state law

***CI G.17 Leadership Public Schools (LPS) Charter School Facilities Agreement**

Comment:

Leadership Public Schools, Inc. (LPS) is a private, non-profit public benefit corporation that currently operates a charter high school, Leadership Public Schools Richmond (hereinafter referred to as “Charter School”), a public charter school existing under the laws of the State of California and under the supervisory oversight of the District. The District is the sponsoring district of the Charter School operated by LPS.

Pursuant to the requirements of California Education Code Section 47614 and its implementing regulations (also known as “Proposition 39”), LPS has made a written request for facilities for the 2008-2009 school year. This Facilities Agreement between LPS and the District will set forth the terms and conditions pursuant to which the Charter School will occupy classrooms and use facilities at the Gompers and Nystrom School sites commencing with the 2008-2009 school year.

Recommendation: Approve Facilities Agreement

Fiscal Impact: Approximately 2.3 million dollars

***CI G.18 Leadership Public Schools Temporary Campus Sitework Award of Contract**

Comment:

The Leadership Public Schools (“LPS”) Temporary Campus project is the first phase of work that the District is completing as part of meeting its long-term Charter School Facilities responsibilities to LPS under Proposition 39 requirements. The long-term plan includes the demolition of the existing Gompers buildings and the construction of new Charter Facilities at that site. The Board approved this project with the Facilities Master Plan Update of April 4, 2007, and reaffirmed the project in the 2008 Facilities Master Plan updates. While funding for the long-term project has not been secured, nonetheless, given the significant facilities issues at Gompers, it is appropriate to begin removing students from the buildings in order to prepare for demolition. The Temporary Campus at Nystrom Elementary will first house LPS students, then will also be used to house Nystrom Elementary students during the renovations of the existing Nystrom main building.

The Architects for the project, Interactive Resources, have prepared plans and specifications for the LPS Temporary Campus to be located at the rear of the Nystrom Elementary School campus. The Temporary Campus includes modular buildings and use of the existing older bungalow buildings.

The Architects have completed plans and specifications for the project, which have been approved by the Division of State Architect. The work of this contract includes limited grading, plumbing, electrical, fire alarm, data and other hookups to the buildings. Minor renovation of the existing bungalows is a part of the project, which also includes landscape, fencing, site furnishings, shade structures, and other associated work.

The District is currently conducting a public bid for the project. Bids will be received on September 16, 2008. Staff will bring a recommendation for award to the Board meeting of September 17, 2008.

Recommendation: Award contract to lowest responsive, responsible bidder.

Fiscal Impact: \$ _____. This project will be funded from the Measure J Bond funds.

***CI G.19 Ford Temporary Campus Modularity Award of Contract**

Comment:

The first step in the reconstruction of Ford Elementary School is the construction of a temporary campus to house the school during construction. Ford is the smallest District elementary school site, at 2.1 acres, and it will not be possible to construct the new school while maintaining the existing school on site. Therefore, the school is proposed to be relocated to the field area of the Downer Elementary campus for the duration of the main campus construction at the Ford site. Sally Swanson Architects has prepared plans and specifications for the Ford Temporary Campus project. The work includes site grading, asphalt placement, utility connections—water, sewer, fire alarm, electrical/data. The campus also includes play areas, fencing, trash enclosures, and site furnishings.

The District conducted a public bid process for the project. Bids were received on September 10, 2008. They are as follows: Terra Nova Engineering \$1,295,000; B Bros Construction \$993,750; Maguire Hester \$987,900; Ghilotti Brothers \$1,165,258; Bay Cities Paving and Grading \$914,000; Trinet Construction \$1,125,000; and, AJF Construction \$1,181,000. The lowest responsive, responsible bidder is Bay Cities Paving and Grading at \$914,000.

Recommendation: Award contract to the lowest responsive, responsible bidder.

Fiscal Impact: \$914,000. Funded from the Measure J Bond.

***CI G.20 Emergency Repair Program (ERP) – Fairmont ES Multipurpose Room Roofing - Award of Contract**

Comment:

The State Allocation Board has approved the multipurpose room roofing project at Fairmont ES under the Emergency Repair Program application. The scope of work is to repair and replace existing multipurpose room asphalt roof at the corner of the building and cut back existing roofing material to seal drains. Work will also include flashing and utility outlets to prevent water intrusion in the building. Specifications have been prepared by the Seville Group (SGI).

The District is currently conducting a public bidding process for the project. Bids are due on September 16, 2008. Staff will bring a recommendation for award to the meeting of September 17, 2008.

Recommendation: Award contract to the lowest responsive, responsible bidder.

Fiscal Impact: \$ _____. Emergency Repair Program Funds

***CI G.21 Emergency Repair Program (ERP) – Transition Learning Center - Paving Award of Contract**

Comment:

The State Allocation Board has approved the paving and drainage project at Transition Learning Center under the Emergency Repair Program application. The scope of work is installation of new drain inlet for proper drainage, removal of asphalt, compact sub-grade, and placement of new asphalt over prepared sub-grade. Plans and specifications have been prepared by the Seville Group (SGI).

The District is currently conducting a public bidding process for the project. Bids are due on September 16, 2008. Staff will bring a recommendation for award to the meeting of September 17, 2008.

Recommendation: Award contract to the lowest responsive, responsible bidder.

Fiscal Impact: \$ _____. Emergency Repair Program Funds

***CI G.22 Approval of Board Member Attending California School Boards Association, Masters in Governance Training Modules**

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 member Audrey Miles has expressed an interest in attending the California School Boards Association Masters in Governance training modules over the next two years. The first two training sessions will be held September 26 and 27 in Sacramento and October 24 and 25 in Garden Grove, California. Expenses including registration, travel, food and lodging are estimated to total approximately \$1,000 per weekend session. Funds for Board travel and conference are budgeted and there is sufficient funding within that budget.

Recommendation: That the Board authorize member Audrey Miles to attend the Masters in Governance training over the next two years.

Fiscal Impact: General Fund

***CI G.23 Approval of Superintendent and Board Members Attending California School Boards Association Annual Education 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). Superintendent Harter and Board members have expressed interest in attending the California School Boards Association (CSBA) Annual Education Conference, to be held in San Diego. The conference dates are December 4 through 6, 2008 at the San Diego Convention Center. Expenses including registration, travel, food and lodging are estimated to total approximately \$4,926.00. Funds for Board travel and conference are budgeted and there is sufficient funding within that budget.

Recommendation: That the Board authorizes attendance at the CSBA Annual Education Conference 2008.

Fiscal Impact: General Fund

I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT

J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING

Lovonya DeJean Middle School – October 1, 2008

K. ADJOURNMENT

Any items remaining on the agenda that require immediate attention will be moved to follow the Joint Meeting with the Citizens' Bond Oversight Committee – Agenda Item D.1. 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 no later than 10:30 PM. The meeting may be extended by a majority vote of the Board of Education.

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
JOINT BOARD OF EDUCATION AND
CITIZENS' BOND OVERSIGHT COMMITTEE MEETING
MEETING AGENDA**

**SEPTEMBER 17, 2008
7:30 – 9:00 PM**

A. OPENING PROCEDURES

- A.1 Welcome and Introductions**
- A.2 Welcome and Meeting Procedures**
- A.3 Roll Call**

B. AWARDS, RECOGNITIONS AND REPORTS

- * B.1 Local Hiring Program**
Review the effectiveness of the Local Hiring program and future outreach plans.
- * B.2 Bond Program Overview**
Review the status of the active projects and provide an overview of the current funding allocation and financial plan.

C. DISCUSSION

- * C.1 CBOC Membership Requirements and Attendance History**
Review the legal membership requirements, current membership categories, and attendance history to determine the best configuration for the CBOC committee.

D. PUBLIC AND COMMITTEE COMMUNICATIONS
(Education Code 35145.5; Government Code 54950 et seq.)

*** D.1 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. 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 agendaized, but may refer these to staff for response and/or placement on future agendas.

E. ADJOURNMENT

At 9:00 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 no later than 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

September 17, 2008

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

1. Negotiators: Associate Superintendent of Operations/Jeff Edmison
2. Property: 2600 Moraga Road, San Pablo, CA. Price and all terms of agreement.
3. Property: Land located on either side of Lexington Avenue between Stockton Avenue and Eureka Street in El Cerrito, CA. Price and all terms of agreement.
4. Property: 1021 Navellier Street, El Cerrito, CA. Price and all terms of agreement.
5. Property: 230 Harbour Way South, Richmond, CA. Price and all terms of agreement.

2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

[Government Code Section 54956.9(a)]

1. Lumagbas et al. v. WCCUSD et al.
2. S.H. v. WCCUSD

3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED/POTENTIAL LITIGATION

[Government Code Section 54956.9(b)]

Four cases

4. LIABILITY CLAIMS (Government Code Section 54956.95)

5. CONFERENCE WITH LABOR NEGOTIATORS

- a. Superintendent/Dr. Bruce Harter
- b. Employee Organizations
 - UTR
 - Local One
 - School Supervisors Association
 - WCCAA
- c. Unrepresented Employees
 - Confidential and Management

6. PUBLIC EMPLOYEE APPOINTMENT

Vice Principal-Adult Education
K-12 Instructional Specialists
Executive Director, Maintenance & Operations

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

8. STUDENT DISCIPLINE (Education Code Section 35146)

- a. Expulsions

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

Teacher Dismissal

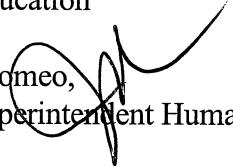
10. REPORT OF CLOSED SESSION ACTIONS

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: September 17, 2008

From: Jessica R. Romeo, 
Assistant Superintendent Human Resources

Agenda Item: A.6

Subject: Administrative Appointments for the 2008-2009 School Year

Background Information:

The following administrative appointments will be reported for the 2008-2009 school year:

Vice Principal-Adult Education
K-12 Instructional Specialists
Executive Director, Maintenance & Operations

Recommendation: Recommend Approval

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

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

Agenda Item B.6

September 3, 2008

A. CLOSED SESSION

B. OPENING PROCEDURES

President Karen Pfeifer called the meeting to order at 5:00 PM. The Board recessed into Closed Session. President Pfeifer called the Public Session to order at 6:30 PM.

B.1 Pledge of Allegiance

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

B.2 Welcome and Meeting Procedures

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

B.3 Roll Call

Board Members Present: Dave Brown, Madeline Kronenberg, Audrey Miles, Charles Ramsey, President Karen Pfeifer

Staff Present: Alejandro Alonso, Interpreter; Andre Bell, Senior Director Bond Services (Interim); Adrienne Blalock, Director of Bond Facilities; Jeff Edmison, Associate Superintendent for Operations; Sheri Gamba, Associate Superintendent for Business Services; Wendell Greer, Associate Superintendent K-Adult; Bruce Harter, Superintendent; Debbie Haynie, Executive Secretary to the Superintendent; Joe Mayes, Maintenance Manager; Ken McDaniel, Interim Electronics Supervisor; Nia Rashidchi, Assistant Superintendent Educational Services; Jessica Romeo, Assistant Superintendent for Human Resources; Bill Savidge, District Engineering Officer

B.4 Report/Ratification of Closed Session

Superintendent Harter reported that the Board unanimously approved a settlement agreement regarding WCCUSD v Charles T. Bryant & Associates, Inc. concerning the Harding Elementary School construction. The terms of this settlement in essence are: 1) Charles T. Bryant will pay the district \$550,000 and 2) Charles T. Bryant will waive all claims against the district.

MOTION: Mr. Ramsey moved to ratify the vote taken in Closed Session to approve the settlement agreement in the matter of WCCUSD v Charles T. Bryant & Associates, Inc. Ms. Kronenberg seconded. Mr. Brown, Ms. Kronenberg, Ms. Miles, Mr. Ramsey and President Pfeifer voted yes, with no abstentions. Motion carried 5-0-0-0.

B.5 Agenda Review and Adoption

MOTION: Ms. Miles moved to approve and adopt the agenda. Mr. Ramsey seconded. Mr. Brown, Ms. Kronenberg, Ms. Miles, Mr. Ramsey and President Pfeifer voted yes, with no abstentions. Motion carried 5-0-0-0.

B.6 Minutes: August 20, 2008

MOTION: Mr. Ramsey moved to approve the minutes of August 20, 2008. Ms. Kronenberg seconded. Mr. Brown, Ms. Kronenberg, Ms. Miles, Mr. Ramsey and President Pfeifer voted yes, with no abstentions. Motion carried 5-0-0-0.

C. AWARDS, RECOGNITIONS, AND REPORTS

C.1 Report from Kennedy High Students on WCCTAC Project

Ms. Miles introduced students from Kennedy High School and their work on a city planning internship program. Alissa Kronovet, Program Manager, spoke about the summer intern program for students from the Architect Construction Engineering Technology Academy (ACET) at Kennedy, partnering with the West Contra Costa Transportation Advisory Committee (WCCTAC). The ten interns and three returning mentors met during the summer

to learn about the field and practice of urban planning, professional opportunities, and applying what was learned to design a plan for the development of the Del Norte BART station. Students provided a presentation.

Board Comment:

Mr. Brown commended the students for their efforts and congratulated them for tackling tough issues.

Ms. Miles noted that a BART representative heard their original presentation, and liked many of the ideas, taking them back to her board. She said career ideas like this give students the opportunity to experience various fields of employment.

Mr. Ramsey thanked the students for their work, and acknowledged Elizabeth Hershfeld and Mark Moran who also work with the Kennedy students. Mr. Ramsey said he appreciated the students being thoughtful and analytical in their thinking about this project.

Ms. Kronenberg said she hopes the students will be able to present their plan to the El Cerrito City Council. She added she was especially happy the students recognized the issues for pedestrians crossing San Pablo Avenue.

Ms. Pfeifer urged the students to watch the rebroadcast of this meeting to see themselves on television and further commended them for thinking of public facilities and greenery in their planning.

C.2 In Memory of Members of the School Community

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

D. PUBLIC AND COMMITTEE COMMUNICATIONS

D.1 Superintendent's Report

Superintendent Harter provided a report of events in district schools.

D.1 WCCUSD Public Comment

Al Kirkman said he was impressed with things such as discipline and cleanliness happening in the school and commented that Pinole Valley has a brand new parking lot which is well organized. He said people are doing a great job. He announced that tennis as a competitive sport is back at schools and cross country meets will return to schools this year. He urged the Board to promote physical activity for kids.

Michael Wasilchin, Local One representative, asked about updates on monitor dispatchers, the current dispatch situation, as well as an update on the Sheriff's Office SRO at Pupil Services. He also asked about developments in the application for the County Day program and intentions for the coming school year. He commented about communications to employees, specifically classified staff. Mr. Wasilchin concluded by saying the upcoming parcel tax campaign needs volunteer participation for phone banking, precinct walking and in other capacities.

E. ACTION ITEMS

E.1 Compliance with the California Environmental Quality Act: Adopt Resolution 31-0809 Authorizing Adoption of the Final Environmental Impact Report for the Nystrom Elementary, Charter Schools, and City of Richmond Martin Luther King (MLK) Park Renovation Projects

Bill Savidge, District Engineering Officer, presented the environmental impact report for sites related to Nystrom, Gompers, and City of Richmond's project at Martin Luther King Park Center which will allow the district to proceed with projects under the Measure J program.

Public Comment: None

Board Comment: None

MOTION: Mr. Ramsey moved to approve Resolution 31-0809 Authorizing Adoption of the Final Environmental Impact Report for the Nystrom Elementary, Charter Schools, and City of Richmond Martin Luther King (MLK) Park Renovation Projects. Ms. Kronenberg seconded. Mr. Brown, Ms. Kronenberg, Ms. Miles, Mr. Ramsey and President Pfeifer voted yes, with no abstentions. Motion carried 5-0-0-0.

F. DISCUSSION ITEMS

F.1 Status Reports – Facilities Planning and Construction

Mr. Savidge provided an updated report of the bond program construction in the district.

G. BUSINESS ITEMS

Consent Items

- G.1 Contracted Services**
- G.2 Grants/Awards/Agreements**
- G.3 Acceptance of Donations**
- G.4 Approval of Fund-Raising Activities**
- G.5 Summary of Payroll and Vendor Warrant Reports**
- G.6 Adoption of Resolution No. 33-0809 Replacement of Outdated Warrants**
- G.7 Acceptance of Contracts for Placement of Student Teachers**
- G.8 Annual Resolutions: 34-0809 – Transmittal of Funds; 35-0809 – Deposits-Collections; 36-0809 – Revolving Cash Account; 37-0809 – Federal & State Projects-Authorized Agents**
- G.9 Certificated Personnel Changes**
- G.10 Certificated Provisional Internship Permit (PIP) Request(s)**
- G.11 Routine Personnel Changes - Certificated**
- G.12 Routine Personnel Changes - Classified**
- G.13 Notification of Claims Rejected**
- G.14 Notification of Claim Approval and Settlement Payment**
- G.15 Ratification and Approval of Negotiated Change Orders**
- G.16 Richmond College Prep Modular Campus Sitework Award of Contract**

Mr. Edmison read a revision to this item into the record as follows (*changes in italics*):

Subject: Richmond College Prep Modular Campus Sitework Award of Contract

Background Information:

The Richmond College Preparatory (“RCP”) Academy Modular Buildings project is the first phase of work that the District is completing as part of meeting its Charter School Facilities responsibilities under Proposition 39 requirements. The Board approved this project with the Facilities Master Plan Update of April 4, 2007, and reaffirmed the project in the 2008 Facilities Master Plan updates. The architects for the project, Interactive Resources, have prepared plans and specifications for the RCP Academy modular campus to be located adjacent to the existing Harbour Way Academy buildings and across So. 11th Street from the Maritime Center building and existing RCP Pre-School. This is the first phase of meeting RCP’s long-term facilities request.

The architects have completed plans and specifications for the modular campus, which have been approved by the Division of State Architect. The work of this contract includes limited grading, plumbing, electrical, fire alarm, data and other hookups to the buildings. It also includes landscape, fencing, and other associated work on the project.

The District conducted a public bid process for the projects. Bids were received on September 2, 2008. Five Contractors submitted bids. They are as follows: Bay Cities Paving \$888,000; Lamon Construction \$1,025,000; B Bros Construction \$898,370; Kin Woo Construction \$890,000; and, Cabar Electric \$997,800. The lowest responsive, responsible bidder is Bay Cities Paving at \$888,000.

This item is being presented prior to the expiration of the 5 working day Bid Protest period. In consideration of this timing, and in order to expedite the project, the Board’s action will be to authorize staff to issue the Notice of Award effective at the end of the Bid Protest period to the lowest responsive, responsible bidder. This award by staff will then be brought back for ratification at a future meeting.

Recommendation: Authorize staff to issue Notice of Award at the end of the bid protest period, to the lowest responsive, responsible bidder.

Fiscal Impact: *\$888,000. This project will be funded from the Measure J Bond funds. This amount is approximately \$260,000 over the District’s budget for the work. Staff will provide an updated Program Budget balancing previous projects which came in under budget, with funding through the Program Contingency.*

- G.17 Pinole Middle School Temporary Housing Modulares Award of Contract**
- G.18 DeAnza High School Fitness Equipment Award of Contract**

G.19 Citizens' Bond Oversight Committee Alternate Appointment

G.20 Resolution No. 32-0809: Hispanic Heritage Month, September 15, 2008 – October 15, 2008

Public Comment: None

Board Comment: None

MOTION: Mr. Ramsey moved approval of the Consent Calendar Items G.1 through G. 20. Ms. Miles seconded. Mr. Brown, Ms. Kronenberg, Ms. Miles, Mr. Ramsey and President Pfeifer voted yes, with no abstentions. Motion carried 5-0-0-0.

H. UNFINISHED REQUESTS TO ADDRESS THE BOARD

None

I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT

Mr. Brown commented about the parcel tax campaign for Measure D, announcing the website to get further information, childrenofwestcounty.com. He said that all interested parties are welcome to join in planning meetings at the Local One office on Saturday morning.

Mr. Ramsey reported that the Ivy League summer program students are involved in college fairs in the Bay Area. He hopes that a college fair calendar might be put on the district website for parents and family information. He added that Columbia University has shown interest in the district for their upcoming college night event.

Ms. Kronenberg welcomed everyone back to school, kindergarten through adult education students. She also urged the public to take advantage of parenting classes offered through adult education. She concluded by underscoring the need for volunteer help with the parcel tax campaign.

Ms. Pfeifer reminded the public that high school football season begins Friday. The City of Pinole is hosting a Carnival fundraiser as part of their arts program on September 13, 2008.

J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING

Lovonya DeJean Middle School – September 17, 2008

K. ADJOURNMENT

President Pfeifer adjourned the meeting at 7:29 PM.

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

BH:dh

Approved

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: September 17, 2008

From: Sheri Gamba, Assoc. Supt., Business Services  **Agenda Item:** E.1

Subject: Approval of the 2007-08 Unaudited Actuals Financial Report and 2008-09 Operating Budget Updates

Background Information: By September 15 of each year, the district must file the Unaudited Actuals Financial Report for the prior year with the Contra Costa County Office of Education and the California Department of Education. This report reflects the financial activities of the District by major object of revenue and expense for each fund operated in the district.

Staff will present an overview of the financial activity and its impact on the ending balance.

Included is the Unaudited Actuals Summary of the General Fund and all Funds. The complete Unaudited Actuals Financial Report will be delivered under separate cover.

Recommendation: Staff requests approval to file this report with the county superintendent.

Fiscal Impact: Balanced budget

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
2007 - 2008 UNAUDITED ACTUALS REPORT - DISTRICT SUMMARY
BALANCE SHEET AND COMPONENTS OF ENDING FUND BALANCE**

Schedule 1

ASSETS

	GENERAL FUND		SPECIAL REVENUE FUNDS Schedule 3	CAPITAL OUTLAY FUNDS Schedule 5	OTHER FUNDS Schedule 7	DISTRICT TOTALS
	UNRESTRICTED	RESTRICTED				
			Total			
Cash in County Treasury	\$ 4,377,713	\$ 21,412,610	\$ 25,790,323	\$ 74,263,292	\$ 27,656,845	\$ 135,387,910
Cash in Banks	481	71,018	71,499	-	-	104,106
Revolving Fund	70,000	-	70,000	-	-	70,000
Cash With Fiscal Agent	-	-	-	12,472,503	1,309,460	13,781,963
Cash Collections Awaiting Deposit	-	-	-	-	-	1,300
Investments	11,006,525	-	11,006,525	23,731,649	11,542,876	47,982,931
Accounts Receivable	11,855,759	11,217,556	23,073,315	833,734	2,113,862	29,282,760
Due From Other Funds	-	1,200,000	1,200,000	131,957,396	1,751,608	134,909,004
Stores Inventories	230,039	-	230,039	-	-	230,039
Prepaid Expense	-	-	-	410,272	-	410,272
Total Assets	\$ 27,540,517	\$ 33,901,185	\$ 61,441,701	\$ 243,258,574	\$ 44,374,652	\$ 362,160,284

LIABILITIES

Accounts Payable	4,221,830	7,480,396	11,702,227	1,195,869	1,022,017	43,821,981
Due to Other Funds	1,751,608	1,200,000	2,951,608	1,850,000	1	134,909,005
Temporary Loans	-	-	-	-	-	-
Deferred Revenue	-	948,098	948,098	204,866	-	3,945,761
Other Liabilities	-	-	-	-	500,000	500,000
Total Liabilities	5,973,438	9,628,495	15,601,933	3,250,735	1,522,017	183,176,746

FUND BALANCE

Reserved for Revolving Fund	70,000	-	70,000	-	-	70,000
Reserved for Stores Inventory	230,039	-	230,039	-	-	640,311
Prepaid Expenditures	-	-	-	-	-	-
Legally Restricted Balances	-	24,272,690	24,272,690	219,072	-	24,491,762
Designations of Fund Balance For:						
Economic Uncertainties	9,000,000	-	9,000,000	-	-	9,000,000
Other Program Carryovers	-	-	-	-	-	-
MRAD	-	-	-	-	-	-
Parcel Tax	907,216	-	907,216	-	-	907,216
Undesignated Amount	11,359,823	-	11,359,823	9,205,279	42,852,634	143,874,249
Total Fund Balance	21,567,078	24,272,690	45,839,768	9,834,623	42,852,634	178,983,538
Total Liabilities and Fund Balance	\$ 27,540,517	\$ 33,901,185	\$ 61,441,701	\$ 13,085,357	\$ 44,374,652	\$ 362,160,284

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
2007-08 UNAUDITED ACTUALS REPORT - DISTRICT SUMMARY
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE**

Schedule 2

	GENERAL FUND		SPECIAL REVENUE FUNDS Schedule 4	CAPITAL OUTLAY FUNDS Schedule 6	OTHER FUNDS Schedule 8	DISTRICT TOTALS
	UNRESTRICTED	RESTRICTED				
REVENUES						
Revenue Limit Sources	\$ 157,798,032	\$ 9,019,775	\$ 166,817,807	\$ -	\$ -	\$ 166,817,807
Federal Revenues	-	25,621,522	25,621,522	89,536	-	34,921,505
Other State Revenues	15,656,422	55,510,728	71,167,150	156,172	320,699	80,193,620
Other Local Revenues	13,019,110	8,308,591	21,327,701	11,164,900	50,908,245	85,754,526
Total Revenues	186,473,564	98,460,616	284,934,180	11,410,608	51,228,944	367,687,457
EXPENDITURES						
Certificated Salaries	85,833,162	35,227,024	121,060,187	-	-	124,574,296
Classified Salaries	23,386,861	21,205,314	44,592,174	867,436	6,718	51,209,929
Employee Benefits	44,419,807	21,669,627	66,089,435	326,728	732	69,590,880
Book and Supplies	1,527,784	10,812,847	12,340,630	2,167,974	31,994	19,309,427
Services and Other Operating Expenditures	8,159,613	33,265,736	41,425,349	4,318,042	19,634,479	66,727,540
Capital Outlay	13,146	876,557	889,703	129,182,025	-	131,843,679
Other Outgo	841,834	-	841,834	-	31,635,995	32,575,353
Direct/Indirect Support Costs	(3,465,989)	2,663,747	(802,242)	-	-	-
Total Expenditures	160,716,219	125,720,852	286,437,071	136,862,206	51,309,918	495,831,103
INCREASE OF (DECREASE) IN FUND BALANCE RESULTING FROM OPERATIONS	25,757,345	(27,260,236)	(1,502,891)	(125,451,599)	(80,975)	(128,143,645)
OTHER FINANCING SOURCES AND (USES)						
Interfund Transfers In	1,639,820	1,200,000	2,839,820	126,283,030	2,223,430	132,686,100
Interfund Transfers Out	(2,211,337)	(1,339,820)	(3,551,157)	(128,834,943)	-	(132,686,100)
Other Sources	-	-	-	-	-	-
Other Uses	-	-	-	-	-	-
Contributions To Restricted Programs	(29,197,894)	29,197,894	-	-	-	-
Total Other Financing Sources and Uses	(29,769,410)	29,058,074	(711,337)	(2,551,913)	2,223,430	-
NET CHANGE IN FUND BALANCE	(4,012,066)	1,797,837	(2,214,228)	(128,003,512)	2,142,455	(128,143,645)
BEGINNING FUND BALANCE JULY 1, 2007	28,936,749	19,117,248	48,053,996	208,460,025	40,710,179	307,127,183
Other Restatements - MRAD	(3,357,605)	3,357,605	-	-	-	-
ADJUSTED BEGINNING FUND BALANCE	25,579,144	22,474,853	48,053,996	208,460,025	40,710,179	307,058,823
ENDING FUND BALANCE JUNE 30, 2008	\$ 21,567,078	\$ 24,272,690	\$ 45,839,768	\$ 80,456,513	\$ 42,852,634	\$ 178,983,538

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
2007 - 2008 UNAUDITED ACTUALS REPORT - SPECIAL REVENUE FUNDS
BALANCE SHEET AND COMPONENTS OF ENDING FUND BALANCE**

Schedule 3

SPECIAL REVENUE FUNDS

	ADULT EDUCATION	CHILD DEVELOPMENT	CAFETERIA	DEFERRED MAINTENANCE	SPECIAL RESERVE	TOTAL SPECIAL REVENUE FUNDS
ASSETS						
Cash in County Treasury	\$ 2,016,654	\$ 324,904	\$ 62,888	\$ 4,983,914	\$ 289,090	\$ 7,677,450
Cash in Banks	19,025	-	13,582	-	-	32,607
Revolving Fund	-	-	-	-	-	-
Cash With Fiscal Agent	-	-	-	-	-	-
Cash Collections Awaiting Deposit	-	-	1,300	-	-	1,300
Investments	1,699,879	-	-	-	2,002	1,701,880
Accounts Receivable	504,344	15,327	2,718,867	22,601	710	3,261,848
Due From Other Funds	-	-	-	-	-	-
Prepaid Expenditures	-	-	-	-	-	-
Stores Inventories	-	-	410,272	-	-	410,272
Total Assets	\$ 4,239,901	\$ 340,231	\$ 3,206,909	\$ 5,006,515	\$ 291,802	\$ 13,085,357

LIABILITIES

Accounts Payable	297,858	121,159	294,925	481,927	-	1,195,869
Due to Other Funds	-	-	1,850,000	-	-	1,850,000
Temporary Loans	-	-	-	-	-	-
Deferred Revenue	204,866	-	-	-	-	204,866
Other Liabilities	-	-	-	-	-	-
Total Liabilities	502,724	121,159	2,144,925	481,927	-	3,250,735

FUND BALANCE

Reserved for Revolving Fund	-	-	-	-	-	-
Reserved for Stores Inventory	-	-	410,272	-	-	410,272
Prepaid Expenditures	-	-	-	-	-	-
Legally Restricted Balances	-	219,072	-	-	-	219,072
Designations of Fund Balance For:	-	-	-	-	-	-
Fund Specific Activities	-	-	-	-	-	-
Undesignated Amount	3,737,177	-	651,712	4,524,588	291,802	9,205,279
Total Fund Balance	3,737,177	219,072	1,061,984	4,524,588	291,802	9,834,623
Total Liabilities and Fund Balance	\$ 4,239,901	\$ 340,231	\$ 3,206,909	\$ 5,006,515	\$ 291,802	\$ 13,085,357

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
2007- 2008 UNAUDITED ACTUALS REPORT - SPECIAL REVENUE FUNDS
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE**

Schedule 4

SPECIAL REVENUE FUNDS

	ADULT EDUCATION	CHILD DEVELOPMENT	CAFETERIA	DEFERRED MAINTENANCE	SPECIAL RESERVE	TOTAL SPECIAL REVENUE FUNDS
REVENUES						
Revenue Limit Sources	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Federal Revenues	348,607	305,990	8,555,850	-	-	9,210,447
Other State Revenues	3,999,516	2,529,258	800,383	1,220,442	-	8,549,599
Other Local Revenues	448,490	167,484	1,520,435	197,913	19,359	2,353,680
Total Revenues	4,796,613	3,002,732	10,876,668	1,418,355	19,359	20,113,726

EXPENDITURES

Certificated Salaries	2,194,656	1,319,453	-	-	-	3,514,109
Classified Salaries	813,715	825,641	4,103,778	466	-	5,743,600
Employee Benefits	693,846	761,122	1,718,967	51	-	3,173,985
Book and Supplies	165,614	60,525	4,542,689	-	-	4,768,828
Services and Other Operating Expenditures	331,224	91,152	297,138	630,155	-	1,349,669
Capital Outlay	-	49,490	57,707	1,664,753	-	1,771,950
Other Outgo	-	97,524	-	-	-	97,524
Direct/Indirect Support Costs	158,046	149,869	494,327	-	-	802,242
Total Expenditures	4,357,100	3,354,777	11,214,605	2,295,424	-	21,221,907

**INCREASE OF (DECREASE) IN FUND BALANCE
RESULTING FROM OPERATIONS**

	439,513	(352,045)	(337,938)	(877,069)	19,359	(1,108,180)
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OTHER FINANCING SOURCES AND (USES)

Interfund Transfers In	-	-	-	1,339,820	-	1,339,820
Interfund Transfers Out	-	-	-	-	(300,000)	(300,000)
Other Sources	-	-	-	-	-	-
Other Uses	-	-	-	-	-	-
Contributions To Restricted Programs	-	-	-	-	-	-
Total Other Financing Sources and Uses	-	-	-	1,339,820	(300,000)	1,039,820

NET CHANGE IN FUND BALANCE

	439,513	(352,045)	(337,938)	462,751	(280,641)	(68,360)
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BEGINNING FUND BALANCE JULY 1, 2007

Other Restatements	3,297,665	571,117	1,399,922	4,061,837	572,443	9,902,983
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ADJUSTED BEGINNING FUND BALANCE

	3,297,665	571,117	1,399,922	4,061,837	572,443	9,834,623
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ENDING FUND BALANCE JUNE 30, 2008

\$	3,737,177	\$ 219,072	\$ 1,061,984	\$ 4,524,588	\$ 291,802	\$ 9,834,623
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WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

Schedule 5

2007 - 2008 UNAUDITED ACTUALS REPORT - CAPITAL PROJECTS FUND BALANCE SHEET AND COMPONENTS OF ENDING FUND BALANCE

CAPITAL OUTLAY FUNDS

	BUILDING	CAPITAL FACILITIES	COUNTY SCHOOL FACILITIES	SPECIAL RESERVE CAPITAL OUTLAY	TOTAL CAPITAL OUTLAY FUNDS
ASSETS					
Cash in County Treasury	\$ 59,741,398	\$ 3,037,617	\$ 5,041,840	\$ 6,442,437	\$ 74,263,292
Cash in Banks	-	-	-	-	-
Revolving Fund	-	-	-	-	-
Cash With Fiscal Agent	12,006,621	465,882	-	-	12,472,503
Cash Collections Awaiting Deposit	-	-	-	-	-
Investments	22,620,032	1,111,617	-	-	23,731,649
Accounts Receivable	741,321	56,005	22,346	14,062	833,734
Due From Other Funds	128,741,308	1,850,000	-	1,366,088	131,957,396
Prepaid Expenditures	-	-	-	-	-
Stores Inventories	-	-	-	-	-
Total Assets	\$ 223,850,681	\$ 6,521,121	\$ 5,064,185	\$ 7,822,586	\$ 243,258,574

LIABILITIES

Accounts Payable	28,259,236	1,611,523	-	31,111	29,901,869
Due to Other Funds	128,741,308	-	-	1,366,088	130,107,396
Temporary Loans	-	-	-	-	-
Deferred Revenue	-	-	-	2,792,796	2,792,796
Other Liabilities	-	-	-	-	-
Total Liabilities	157,000,544	1,611,523	-	4,189,995	162,802,061

FUND BALANCE

Reserved for Revolving Fund	-	-	-	-	-
Reserved for Stores Inventory	-	-	-	-	-
Prepaid Expenditures	-	-	-	-	-
Legally Restricted Balances	-	-	-	-	-
Designations of Fund Balance For:	-	-	-	-	-
Fund Specific Activities	-	-	-	-	-
Undesignated Amount	66,850,137	4,909,599	5,064,185	3,632,591	80,456,513
Total Fund Balance	66,850,137	4,909,599	5,064,185	3,632,591	80,456,513
Total Liabilities and Fund Balance	\$ 223,850,681	\$ 6,521,121	\$ 5,064,185	\$ 7,822,586	\$ 243,258,574

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

2007- 2008 UNAUDITED ACTUALS REPORT - CAPITAL PROJECT FUNDS

STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE

Schedule 6

CAPITAL OUTLAY FUNDS

	BUILDING	CAPITAL FACILITIES	COUNTY SCHOOL FACILITIES	SPECIAL RESERVE CAPITAL OUTLAY	TOTAL CAPITAL OUTLAY FUNDS
\$	- \$	- \$	- \$	- \$	- \$
Revenue Limit Sources	-	-	-	89,536	89,536
Federal Revenues	-	-	-	156,172	156,172
Other State Revenues	-	-	-	2,833,706	2,833,706
Other Local Revenues	5,764,675	2,373,523	192,995		11,164,900
Total Revenues	5,764,675	2,373,523	192,995	3,079,414	11,410,608

REVENUES

Revenue Limit Sources
Federal Revenues
Other State Revenues
Other Local Revenues
Total Revenues

EXPENDITURES

Certificated Salaries
Classified Salaries
Employee Benefits
Book and Supplies
Services and Other Operating Expenditures
Capital Outlay
Other Outgo
Direct/Indirect Support Costs
Total Expenditures

-	-	-	-	-	-
867,436	-	-	-	-	867,436
326,728	-	-	-	-	326,728
2,180,367	5,323	(17,716)	-	-	2,167,974
3,511,475	712,524	-	-	94,043	4,318,042
121,366,873	7,476,256	-	-	338,896	129,182,025
-	-	-	-	-	-
-	-	-	-	-	-
128,252,880	8,194,104	(17,716)	432,939		136,862,206

INCREASE OF (DECREASE) IN FUND BALANCE RESULTING FROM OPERATIONS

(122,488,205)	(5,820,580)	210,711	2,646,475	(125,451,599)
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OTHER FINANCING SOURCES AND (USES)

Interfund Transfers In
Interfund Transfers Out
Other Sources
Other Uses
Contributions To Restricted Programs
Total Other Financing Sources and Uses

126,283,030	-	-	-	126,283,030
(128,822,850)	-	-	(12,093)	(128,834,943)
-	-	-	-	-
-	-	-	-	-
-	-	-	-	-
(2,539,820)	-	-	(12,093)	(2,551,913)

NET CHANGE IN FUND BALANCE

(125,028,025)	(5,820,580)	210,711	2,634,382	(128,003,512)
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BEGINNING FUND BALANCE JULY 1, 2007

Other Restatements

ADJUSTED BEGINNING FUND BALANCE

191,878,162	10,730,179	4,853,474	998,210	208,460,025
-	-	-	-	-
191,878,162	10,730,179	4,853,474	998,210	208,460,025

ENDING FUND BALANCE JUNE 30, 2008

\$ 66,850,137	\$ 4,909,599	\$ 5,064,185	\$ 3,632,591	\$ 80,456,513
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**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
2007- 2008 UNAUDITED ACTUALS REPORT - OTHER FUNDS
BALANCE SHEET AND COMPONENTS OF ENDING FUND BALANCE**

Schedule 7

OTHER FUNDS									
	BOND INTEREST AND REDEMPTION	DEBT SERVICE UNIT (COPS)	DEBT SERVICE	SELF INSURANCE	RETIREE BENEFITS	TOTAL OTHER FUNDS			
ASSETS									
Cash in County Treasury	\$ 20,321,654	\$ -	\$ 3,703,932	\$ 993,521	\$ 2,637,738	\$ 27,656,845			
Cash in Banks	-	-	-	-	-	-			
Revolving Fund	-	-	-	-	-	-			
Cash With Fiscal Agent	-	1,289,460	-	20,000	-	1,309,460			
Cash Collections Awaiting Deposit	-	-	-	-	-	-			
Investments	-	-	4,676,324	-	6,866,552	11,542,876			
Accounts Receivable	62,007	-	54,337	1,937,500	60,019	2,113,862			
Due From Other Funds	-	-	1,751,608	-	-	1,751,608			
Stores Inventories	-	-	-	-	-	-			
Prepaid Expenditures	-	-	-	-	-	-			
Total Assets	\$ 20,383,661	\$ 1,289,460	\$ 10,186,201	\$ 2,951,021	\$ 9,564,309	\$ 44,374,652			
LIABILITIES									
Accounts Payable	-	-	-	1,021,996	21	1,022,017			
Due to Other Funds	1	-	-	-	-	1			
Temporary Loans	-	-	-	-	-	-			
Deferred Revenue	-	-	-	-	-	-			
Other Liabilities	-	-	-	500,000	-	500,000			
Total Liabilities	1	-	-	1,521,996	21	1,522,017			
FUND BALANCE									
Reserved for Revolving Fund	-	-	-	-	-	-			
Reserved for Stores Inventory	-	-	-	-	-	-			
Prepaid Expenditures	-	-	-	-	-	-			
Legally Restricted Balances	-	-	-	-	-	-			
Designations of Fund Balance For:	-	-	-	-	-	-			
Fund Specific Activities	-	-	-	-	-	-			
Undesignated Amount	20,383,661	1,289,460	10,186,201	1,429,025	9,564,288	42,852,634			
Total Fund Balance	20,383,661	1,289,460	10,186,201	1,429,025	9,564,288	42,852,634			
Total Liabilities and Fund Balance	\$ 20,383,661	\$ 1,289,460	\$ 10,186,201	\$ 2,951,021	\$ 9,564,309	\$ 44,374,652			

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
2007- 2008 UNAUDITED ACTUALS REPORT - OTHER FUNDS
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE**

Schedule 8

OTHER FUNDS		BOND INTEREST AND REDEMPTION	DEBT SERVICE COMPONENT UNIT (COPs)	DEBT SERVICE	SELF INSURANCE	RETIREE BENEFITS	TOTAL OTHER FUNDS
REVENUES							
Revenue Limit Sources	\$	-	\$	-	\$	-	\$
Federal Revenues		-	-	-	-	-	-
Other State Revenues		320,699	-	-	-	-	320,699
Other Local Revenues		29,224,805	30,823	419,080	5,357,768	15,875,768	50,908,245
Total Revenues		29,545,505	30,823	419,080	5,357,768	15,875,768	51,228,944
EXPENDITURES							
Certificated Salaries		-	-	-	-	-	-
Classified Salaries		-	-	-	6,718	-	6,718
Employee Benefits		-	-	-	732	-	732
Book and Supplies		-	-	-	31,994	-	31,994
Services and Other Operating Expenditures		-	-	-	4,825,162	14,809,318	19,634,479
Capital Outlay		-	-	-	-	-	-
Other Outgo		29,424,658	789,735	1,421,602	-	-	31,635,995
Direct/Indirect Support Costs		-	-	-	-	-	-
Total Expenditures		29,424,658	789,735	1,421,602	4,864,606	14,809,318	51,309,918
INCREASE OF (DECREASE) IN FUND BALANCE RESULTING FROM OPERATIONS		120,847	(758,911)	(1,002,522)	493,162	1,066,450	(80,975)
OTHER FINANCING SOURCES AND (USES)							
Interfund Transfers In		-	1,040,066	1,183,364	-	-	2,223,430
Interfund Transfers Out		-	-	-	-	-	-
Other Sources		-	-	-	-	-	-
Other Uses		-	-	-	-	-	-
Contributions To Restricted Programs		-	-	-	-	-	-
Total Other Financing Sources and Uses		-	1,040,066	1,183,364	-	-	2,223,430
NET CHANGE IN FUND BALANCE		120,847	281,154	180,842	493,162	1,066,450	2,142,455
BEGINNING FUND BALANCE JULY 1, 2007		20,262,814	1,008,305	10,005,360	935,863	8,497,837	40,710,179
Other Restatements		-	-	-	-	-	-
ADJUSTED BEGINNING FUND BALANCE		20,262,814	1,008,305	10,005,360	935,863	8,497,837	40,710,179
ENDING FUND BALANCE JUNE 30, 2008		\$ 20,383,661	\$ 1,289,460	\$ 10,186,201	\$ 1,429,025	\$ 9,564,288	\$ 42,852,634

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: September 17, 2008

From: Sheri Gamba, Assoc. Supt., Business Services

Agenda Item: E.2

Subject: Resolution No. 38-0809, Adoption of Gann Limit, 2007-08 and 2008-09

Background Information: Education Code Section 42132 specifies that school district governing boards shall adopt a resolution identifying their annual appropriations limit for the preceding fiscal year, known as the Gann Limit. It establishes limits on allowable growth in government spending.

Recommendation: Staff requests board adoption of the 2007-08 and 2008-09 annual appropriations.

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

BOARD OF EDUCATION
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 38-0809

RESOLUTION FOR ADOPTING THE "GANN" LIMIT

SEPTEMBER 17, 2008

WHEREAS, in November of 1979, the California electorate did adopt Proposition 4, commonly called the Gann Amendment, which added Article XIII-B to the California Constitution; and

WHEREAS, the provisions of that Article establish maximum appropriation limitations, commonly called "Gann Limits", for public agencies, including school districts; and

WHEREAS, the District must establish a revised Gann limit for the 2007-08 fiscal year and a projected Gann Limit for the 2008-09 fiscal year in accordance with the provisions of Article XIII-B and applicable statutory law;

NOW, THEREFORE, BE IT RESOLVED that this Board does provide public notice that the attached calculations and documentation of the Gann limits for the 2007-08 and 2008-09 fiscal years are made in accord with applicable constitutional and statutory law;

AND BE IT FURTHER RESOLVED that this Board does hereby declare that the appropriations in the Budget for the 2007-08 and 2008-09 fiscal years do not exceed the limitations imposed by Proposition 4;

AND BE IT FURTHER RESOLVED that the Superintendent provide copies of this resolution along with the appropriate attachments to interested citizens of this District.

PASSED AND ADOPTED on September 17, 2008, at a regular meeting of the Board of Education by the following vote:

AYES _____ NOES _____ ABSENT _____

I hereby certify that the foregoing is a full, true and correct copy of a resolution passed at a meeting of the Board of Education of the West Contra Costa Unified School District, in Richmond, California, held on September 17, 2008.

Dr. Bruce Harter, Secretary

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: September 17, 2008

From: Wendell Greer, Associate Superintendent K-Adult 

Agenda Item: E.3

Subject: CIF-NCS School Board Representative Election Ballot

Background Information:

The NCS Board of Managers is the governing body for the 169 member schools of the North Coast Section, CIF. The Section's membership stretches from Southern Alameda County to the Oregon border – bordered on the east by coastal Mountains and the west by the Pacific Ocean.

Governance issues include promotion of the values of educational athletics, establishment and implementation of student eligibility standards, maintenance of standards for competition, development and conduct of post season playoffs, classification of schools, alignment of schools into leagues, development of standards for officiating games, developing recommendations for safety in sport, establishing policy for the operation of the NCS and contributing to the operation of the State CIF.

The Board of Managers has three regular meetings each year. The Schedule for the 2008-2009 school year follows:

- October 17, 2008 – Acalanes Center for Independent Study 1963 Trice Valley Blvd., Walnut Creek, CA
- January 23, 2009 – Acalanes Center for Independent Study 1963 Trice Valley Blvd., Walnut Creek, CA
- April 27, 2009 – Acalanes Center for Independent Study 1963 Trice Valley Blvd., Walnut Creek, CA

Successful members of the Board of Managers must: process a comprehensive vision of educational athletics, have a general knowledge of educational athletics, remain current on the issues affecting educational athletics, accurately represent their constituencies (even when the constituency's position is inconsistent with that of the representative), maintain a system of communications with their constituency, and most importantly, be committed to the comprehensive education of students. The representative must be in the current role of a school board member performing the daily responsibilities associated with this position. Additionally, it is preferred that the person sit on a board that oversees a student population that includes grades 9-12.

At this meeting, the WCCUSD Board of Education casts its vote for one of the following candidates as the 2008-2010 CIF-NCS Contra Costa County School Boards Representative:

- ☐ Steve Barr, Liberty Union High School District
- ☐ Percy McGee, Jr., Pittsburg Unified School District
- ☐ Tom Mulvaney, Acalanes Union High School District

Recommendation: Board Approval of One Candidate

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

Contra Costa County School Boards Association

CIF-NCS School Board Representative Election Ballot
Completed Ballot Due by Friday, September 26, 2008

The governing board of the West Contra Costa Unified School District or
(Name of Voting School District/COE)

County Board of Education casts its vote for the following candidate as the 2008-2010 CIF-NCS Contra Costa County School Boards Representative:

(Candidate Statements and References Attached. Please vote for one candidate)

- ☐ Steve Barr, Liberty Union High School District
- ☐ Percy McGee, Jr., Pittsburgh Unified School District
- ☐ Tom Mulvaney, Acalanes Union High School District

Board Clerk or Board Secretary Signature

Date

PLEASE NOTE:

Following the vote at a regularly scheduled governing board meeting, please return the completed ballot no later than **Friday, September 26, 2008**. *Return the ballot to:*

Teresa Gerringer, Secretary
Contra Costa County School Boards Association
3433 Shangri-La Road, Lafayette, CA 94549; or
Fax: (925)943-7079

Contra Costa County School Boards Association

CIF-NCS School Board Representative Election Ballot CIF-NCS Board Representative Background and Criteria

The NCS Board of Managers is the governing body for the 169 member schools of the North Coast Section, CIF. The Section's membership stretches from Southern Alameda County to the Oregon border -- bordered on the east by the coastal Mountains and the west by the Pacific Ocean.

Governance issues include promotion of the values of educational athletics, establishment and implementation of student eligibility standards, maintenance of standards for competition, development and conduct of post season playoffs, classification of schools, alignment of schools into leagues, development of standards for officiating games, developing recommendations for safety in sport, establishing policy for the operation of the NCS and contributing to the operation of the State CIF.

The Board of Managers has three regular meetings each year. The schedule for the 2008-2009 school year follows:

October 17, 2008 – Acalanes Center for Independent Study 1963 Tice Valley Blvd. Walnut Creek, CA

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Successful members of the Board of Managers must: possess a comprehensive vision of educational athletics, have a general knowledge of educational athletics, remain current on the issues affecting educational athletics, accurately represent their constituencies (even when the constituency's position is inconsistent with that of the representative), maintain a system of communications with their constituency, and most importantly, be committed to the comprehensive education of students. The representative must be in the current role of a school board member performing the daily responsibilities associated with this position. Additionally, it is preferred that the person sit on a board that oversees a student population that includes grades 9-12.

**Contra Costa County School Boards Association
CIF-NCS School Board Representative Election
Steve Barr, Liberty Union High School District**

Candidate Statement

Before becoming a Trustee, my involvement with high school sports was as a parent of a two sport athlete and four years as Athletic Booster Club President at Liberty High School. I feel this background would be an asset and offer a fresh perspective to the North Coast Section. As a Board member our number one objective is the academic success of our students and for some of our students having the opportunity to compete in sports is the reason they continue to work hard in the classroom.

References

**Dan Smith, Superintendent
Liberty Union High School District**

As the superintendent of the Liberty Union High School District, I am very pleased to recommend **STEVE BARR** as the CCCSBA representative to CIF-North Coast Section. Steve's experience, knowledge, interest, enthusiasm, and leadership and communication skills would make him an excellent representative.

Currently, Steve is the President of the LUHSD Board of Trustees. His leadership has been instrumental in making significant positive changes.

Prior to joining the School Board, Steve served for a number of years as President of the Liberty High School Athletic Boosters Club. He always insisted that all sports were treated equally and that all students had equal opportunities.

He has a son and daughter, both graduates of Liberty High School, who were excellent athletes during their high school careers. He knows, first-hand, the joys and challenges of being a parent of a student-athlete.

Steve attends as many athletic events in our district as possible. He does so, not in his role as Board President, but rather to support our students and because he enjoys watching the competition and sportsmanship.

He is a very positive advocate for student-athletes. As Board President, he has regularly included student-athletes on Board meeting agendas for special recognition and celebration.

In short, Steve possesses all the qualities necessary to fill this position with great efficiency. He will be an outstanding representative for CCCSBA.

**Contra Costa County School Boards Association
CIF-NCS School Board Representative Election
Steve Barr, Liberty Union High School District**

References (Continued)

**Joyce Seelinger, Board Member
Antioch Unified School District**

It would be an honor to recommend Steve Barr as East County's representative to CIF-North Coast Section Contra Costa County Board Representative. I feel that having a representative from the East County is very important and Steve is interested and qualified. Before becoming a member of the LUHSD Board of Trustees, he was involved in the high school sports program as a parent and he served for four years as Liberty High School Athletic Booster President.

As you know, the academic success of students is a number one priority, but for some students, having the opportunity to compete in high school sports is the reason that they work hard to stay in school and succeed. It is important to have athletes who are high achievers and I believe that Steve Barr would be an excellent choice to promote this.

Please consider Steve Barr as Contra Costa County's Board Representative to CIF-North Coast Section.

**Contra Costa County School Boards Association
CIF-NCS School Board Representative Election
Percy McGee, Jr., Pittsburg Unified High School District**

Candidate Statement

Percy McGee, Jr., is the son of Percy and Doris McGee of Pittsburg, California. The youngest of five boys, he was born and raised in Pittsburg and attended public school all his life. At an early age, his interest of sports included soccer, track, baseball, and especially football. He participated in Pop Warner (football) in his elementary years and continued the sport as a running back while attending Pittsburg High School. After high school, he attended the California State University Humboldt, balancing playing football and successfully attaining his Bachelor of Science Degree in Business Administration in 1997. Percy was inducted in the Pittsburg High School Hall of Fame in 2002 and the California State University Humboldt Hall of Fame in 2005. After graduating, Percy returned to Pittsburg, where he currently resides. Over the years, he worked for various employers until he came across his current employer Merrill Lynch. As a financial advisor, Percy has clientele consisting of various businesses, individuals and associations. Working as part of a team, he reiterates his belief in individuals working together toward common goals.

Percy is currently a School Board Trustee of the Pittsburg Unified School District. He is an advocate for the sports program for the District. Percy believes and has shown athletics and education can coexist for individuals. Hard work and support is all that is needed.

References

**Barbara Wilson, Superintendent
Pittsburg Unified School Board**

It is my pleasure to recommend to you Pittsburg Unified School Board member, Percy McGee to represent Contra Costa County on the CIF NCS Board of Managers. Mr. McGee is serving his second term as a PUSD School Board member. Mr. McGee is also a former student athlete from Pittsburg High School and was selected to the Pittsburg Football Hall of Fame, several years ago. Community members that are chosen for this honor must have graduated at least 10 years prior, have been an outstanding athlete and have given back to their community in an ongoing manner since graduation.

Mr. McGee is an outspoken advocate for high standards for athletes. During this past year, he led the discussion and adoption of a superintendent goal to focus on tracking the academic success rate of our student athletes. He has visited and supported a program that Pittsburg High has adopted that creates opportunities for student athletes to make up credits and for their more academically able team mates to tutor them.

Mr. McGee's expertise in financial advising and economics has been valuable to the Board of Trustees as they adopt fiscally responsible budgets and make difficult decisions with limited resources. He is judicious about using staff time to research areas of interest or concern.

Mr. McGee's skills, background and values will serve him well as a member of the Board of Managers. It is my hope that you select this highly qualified candidate.

**Contra Costa County School Boards Association
CIF-NCS School Board Representative Election
Percy McGee, Jr., Pittsburg Unified School District**

References (Continued)

David Littleton, Retired Educator

It is an honor and a profound pleasure to be enabled to write this recommendation on behalf of Percy McGee.

I have known Mr. McGee since his embryonic stages of development as a freshman at Pittsburg High School. Before retirement, I taught him during his junior and senior years. At that point, he was so-so as a learner—my opinion is that it was not because he lacked cognitive ability, but rather because he drank the “Big Time Jock Kool-Aide.” I do not blame him as much as I blame the self-aggrandizing adults connected to the interscholastic athletic construct. I can speak directly to the illness, because I was a coach at both the scholastic and community college level. I can attest that it has become exponentially worse over time.

Fortunately, I was able to assist Mr. McGee with college admission. He had to sit out his freshman year, because he did not meet the letter of NCAA criteria to play his first year. He swallowed hard and made a decision to modify his world-view to the better. He was just as successful at Humboldt State University as an athlete; but more importantly, he excelled as a student. He managed, with astute and caring guidance, to meet the potential that was always there. He was a Business-Finance/Economics major. Initially, he got pounded a bit, but he persevered.

The experienced of his existence renders him ideal for this selection, because he lived what needs to be modified in interscholastic athletics. His point of view will not be based on conjecture, but rather a lifetime of observation and comparative analysis.

Percy is a consummate professional, which has served him well in his leadership as a member of the Board of Directors of the Pittsburg Unified School District. He will serve your organization and the scholar-athletes of the State of California with just as much aplomb, if not more.

I hereby recommend Percy McGee for this appointment without reservation.

My contact information is listed below should you need further input from me. I wish to thank you in advance for allowing me to advocate on behalf of this more than worth candidate.

**Contra Costa County School Boards Association
CIF-NCS School Board Representative Election
Tom Mulvaney, Acalanes Union High School District**

Candidate Statement

I am well suited to aid the NCS in its guidance and supervision of our student athletes. I was a student athlete. As a father and grandfather, I have continued to participate in many athletic endeavors both as a coach and spectator. My business background as a Silicon Valley executive has given me the experience to examine and resolve a wide variety of both everyday and unusual situations.

References

**Jim Negri, Superintendent
Acalanes Union High School District**

With great enthusiasm, I unequivocally recommend Tom Mulvaney of the Acalanes Union High School District Governing Board to represent the Contra Costa County School Boards Association (CCCSBA) on the CIF-North Coast Section Board of Managers. The logical, rational, and fair manner in which Tom approaches all issues, including inter-scholastic athletics, will be a great asset to the CIF-NCS Board of Managers.

In his two years on the Governing Board, Tom has actively been involved with issues regarding high school athletics, especially coaching issues. Tom consistently analyzes every situation from the perspective of the district, the school, the team, and, *most importantly*, the student-athlete. In dealing with several high-profile coaching situations, Tom provided significant input on the decisions as well as suggesting revisions to the contract that the district uses with its coaches. Tom is very familiar with high school athletics since both his son and daughter have played on Acalanes High School athletic teams.

Tom's legal background is a major asset without being overly legalese as the Board and district considers issues. His thought process helps the Board and district staff reach rational conclusions on difficult issues with no right or wrong answer. He would bring this problem-solving approach to the CIF-NCS Board of Managers. Three critical factors for anyone serving on the Board of Managers are (1) an understanding of high school athletics while *promoting* the concept of the student-athlete; (2) the ability to work collaboratively with others; and (3) approaching all issues in a fair and rational manner. Tom Mulvaney meets all three criteria with flying colors.

Having worked with high school athletics and the North Coast Section throughout my career, I cannot think of more qualified Board member to represent the Contra Costa County School Boards Association on the CIF-NCS Board of Managers. I encourage you to give Tom Mulvaney your strongest consideration for this appointment. I would be pleased to further discuss Tom's qualifications for this position.

**Contra Costa County School Boards Association
CIF-NCS School Board Representative Election
Tom Mulvaney, Acalanes Union High School District**

Mulvaney References (Continued)

**Ann Appert, Board Member
Lafayette School District**

It is my honor to write this letter recommending Tom Mulvaney for the position of Contra Costa County school board representative to the CIF-NCS board. In the 14 years I have known Tom I have found him to be exceptionally insightful and fair-minded. In our interactions as school board members in partner districts, I have found Tom to have a unique ability to distill a situation down to the core issue – what is best for the kids – and to take a stand based on that regardless of the popularity of that stand. This is an oft spoken justification in education – what is best for kids – but equally as often other considerations come into play. Tom truly walks the talk, acting in their best interests, unafraid of the ire of other adults he might incur. In our interactions as parent-coach for my daughter and as fellow volunteers for our high school teams, I have seen Tom exemplify and uphold the tenants of the Positive Coaching Alliance long before it had a name. His intelligence, insightfulness, and core value system will be tremendous assets for the CIF-NCS board.

Tom brings a broad understanding of the high school sports world to this position built on his experiences as a three sport high school athlete himself, a college athlete, a youth sports coach, and an avid fan of, and volunteer in, our own high school's programs, both in sports where his own children competed and in sports where he has been drawn simply by love of competition. As much as Tom loves "the game", his participation is driven by a commitment to the ideals of what athletic participation can bring to students – discipline, a sense of belonging, skills in working as a team, leadership development, and the ability to set goals and achieve them. This character building potential is at the center of Tom's interest in sports – it is never all about winning.

In his professional life Tom was at the top of his field as Corporate Counsel and his success brought him the opportunity to retire early. In his retirement Tom has become a tireless volunteer and advocate for children, bringing his business acumen to their causes. He has chaired both a successful bond election and a highly successful parcel tax campaign. He brings thoroughness, an ability to foresee the issues and forestall the naysayers, and keen strategic thinking to everything he does.

It is with the highest confidence that I recommend Tom Mulvaney to be the Contra Costa County school board representative to the CIF-NCS board. Please don't hesitate to contact me if you require further detail.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: September 17, 2008

From: Sheri Gamba, Assoc. Supt., Business Services

Agenda Item: CI G.1

Subject: Contracted Services

Background Information: Permission is requested of the Board of Education to approve the following contracts for services as detailed on the attached sheets dated September 17, 2008.

Recommendation: Recommend Approval

Fiscal Impact: As noted per contracts summary.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____
Approved _____ Not Approved _____ Tabled _____

CONTRACTED SERVICES

The following professional consultant services are recommended for approval.

<u>DEPARTMENT</u>	<u>DATE OF SERVICE</u>	<u>CONSULTANT NAME</u>	<u>COST & FUNDING</u>	<u>PURPOSE</u>
Associate Superintendent K-Adult	10/1/08 Thru 9/31/09	Lawrence Hall of Science – Access R08156	\$225,000 APIP Grant	Access will work in partnership with the WCCUSD to provide; high quality mathematics professional development, academic year follow-up teacher in-services and coaching support at APIP schools, classroom-based instruction and mentoring support to students, scientifically-based research to support project design. AP and pre-AP math teachers and their students will receive services at the following APIP schools: Crespi Middle School, DeJean Middle School, Helms Middle School, DeAnza High School, Richmond High School and Kennedy High School. Access will provide mathematics professional development activities to: strengthen teachers' mathematics content knowledge, increase the use of research-based classroom practices that foster the achievement for low-income students and English language learners, enhance and facilitate the vertical teams coordination efforts of the college preparatory mathematics program at the current APIP schools.
Fiscal Services	7/1/08 Thru 6/30/10	School Innovations and Advocacy R08264	\$104,400 General Fund	To assist the district in the preparation and filing of reimbursement and estimated claims for mandated costs. This will impact all students because of the additional revenue to support programs. All of the district programs will benefit from the added revenue generated by the filing of these claims. This contract amount is for 2 years of service.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: September 17, 2008

From: Sheri Gamba, Assoc. Supt., Business Services

Agenda Item: CI G.2

Subject: Grants/Awards/Agreements

Background Information: Formal acceptance is requested from the Board of Education to accept the grants/awards/agreements, as detailed on the attached sheets dated September 17, 2008.

Recommendation: Recommend Approval

Fiscal Impact: As noted per grants summary.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

GRANT / AWARD / AGREEMENT NOTIFICATIONS

Project Name	Project Amount for Budget Period	Funding Agency	Comments
DOR - Department of Rehabilitation - Workability	\$21,640 Amendment	Department of Rehabilitation	Alternative Ed Program - Increase for last two years of the agreement 08-10
Resource # 3412	7/1/07 - 6/30/10		Contract # 26668 CFDA # 84,126A
Early Head Start Program Enhancement	 Amendment	CCC Employment & Human Services	Early Head Start Program Enhancement
	1/1/08 - 12/31/08		Agreement # 38-865-3
Early Head Start Program Enhancement	\$50,400	CCC Employment & Human Services	Early Head Start Program Enhancement
	1/1/09 - 12/31/09		Agreement # 38-865-4
Bright Futures/City of San Pablo	\$40,000	City of San Pablo/Bright Futures	Support the after school programs at Bayview, Dover, Downer Lake and Riverside Elementary Schools
Resource # 9567	8/26/08 - 6/11/09		
Napa County Office of Education/CalSTAT Agreement for Services	\$2,800	Napa County Office of Education	WCCUSD Special Education to provide technical assistance & training identified in CalSTAT to include collaboration, family partnerships, literacy behavior, Individual with Disabilities Education Act, least restrictive environment and transition.
	9/15/08 - 6/30/08		

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: September 17, 2008

From: Sheri Gamba, Assoc. Supt., Business Services

Agenda Item: CI G.3

Subject: Acceptance of Donations

Background Information: The District has received donations as summarized on the attached sheet dated September 17, 2008. The estimated values for any non-cash donations (as indicated by an asterisk) are those provided by the donor. Staff recommends acceptance of these donations.

Recommendation: Recommend Approval

Fiscal Impact: As noted per donations summary.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

ACCEPTANCE OF DONATIONS

<u>Donor Name</u>	<u>Description or Purpose</u>	<u>Estimated Value</u>	<u>Receiving School or Department</u>
Michael Davenport, DP Security	21 bicycles for K/1 class	\$1067 *	Castro Elementary School
P.G.&E.	For school use	\$144	Ford Elementary School
Mrs. Elizabeth Hirshfeld	For Student Association	\$25	Kennedy High School
Allied Propane Service	For Class of 2009	\$1,000	Pinole Valley High School
Schoolpop	For Athletics	\$54	Pinole Valley High School
LeapFrog School Enterprises	For Equity Advance	\$1,000	Academic Intervention
Total School Solutions	For Equity Advance	\$1,000	Operations

* Estimated values for non-cash donations are provided by the donor.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: September 17, 2008

From: Sheri Gamba, Assoc. Supt., Business Services

Agenda Item: CI G.4

Subject: Approval of Fund-Raising Activities

Background Information: The planned fund-raising events for the 2008-09 school year are summarized on the attached sheet dated September 17, 2008.

Recommendation: Recommend Approval

Fiscal Impact: Additional revenue for schools.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

APPROVAL OF FUND-RAISERS

<u>School</u>	<u>Fund-raising Activity</u>	<u>Activity Sponsor</u>
Collins Elementary School	Gift/gift wrap sales, cookie dough sales, jump-for-heart, See's Candy sales, Box tops, eScrip, SHARES, Cold Stone, Spirit sales, Movie Nights, Santa's workshop, Chevy's, Barnes & Noble Book Club, Scholastic book fair, turkey trot, PTA membership drive, 6 th grade car wash	PTA, parents, faculty and students
Madera Elementary School	Ice cream sales, pizza in the park, Olympics, book fair, Carnival, Auction	PTA, parents faculty and students
Olinda Elementary School	Education Enrichment Fund Drive, fall fest, turkey trot	PTA, parents faculty and students
Valley View Elementary	Fall Festival, Cookie dough sales	Parents, staff and community members

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: September 17, 2008

From Sheri Gamba, Assoc. Supt., Business Services

Agenda Item: CI G.5

Subject: Summary of Payroll and Vendor Warrant Reports

Background Information: Attached are the summaries of Payroll and Vendor Warrants issued during the month of August, 2008.

Total of payroll warrants: \$ 5,568,178

Total of vendor warrants: \$16,516,535

Recommendation: Recommend approval of the payroll and vendor warrant reports.

Fiscal Impact: As noted above.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

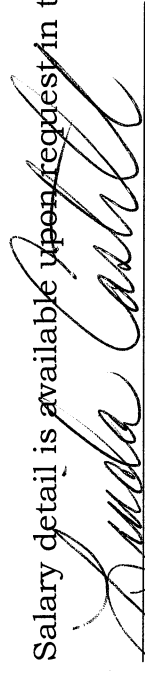
Approved _____ Not Approved _____ Tabled _____

West Contra Costa Unified School District

Month of : August 30, 2008

Payrolls	Warrant From	Numbers To	Total Warrants Current	Total Warrants Previous	Total Warrants To Date
Regular	551710	552369	1,310,418	520,961	1,831,379
Reg. EFT	203022	203901	2,461,225	1,095,048	3,556,273
Variable	551029	551674	668,924	1,331,485	2,000,409
Var. EFT	202260	203021	1,069,326	1,427,493	2,496,819
Special	551675	551709	51,809	190,304	242,113
Special EFT					0
Typed	296604	296619	24,495	17,994	42,489
Typed					0
Cancelled	Various	Various	(18,018)	(19,215)	(37,233)
Totals			5,568,178	4,564,070	10,132,248

Salary detail is available upon request in the Payroll office.


Linda Castellán, Supervisor

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
WEEKLY VENDOR WARRANT REPORT
2008-2009

PAYMENT

DATE: August 6, 2008

PAGE-1

FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	404178	404238	4,174,219	7,438,152	11,612,371
7706	CAFETERIA	404219	404219	6	5,610	5,616
7707	CHILD DEVELOPMENT					0
7710	BUILDING	404187	404217	5,145	26,201	31,346
7711	CAPITAL FACILITIES					0
7712	SELF INSURANCE					
7712	PROPERTY & LIABILITY				1,254,937	1,254,937
7713	STATE SCHOOL LEASE/PURCHASE					0
7714	COUNTY SCHOOL FACILITIES					0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				94,482	94,482
7719	CHARTER SCHOOL					0
7725	MRAD					0
7728	DEBT SERVICE					0
7744	RETIREE BENEFITS	404180	404233	3,296	3,295	6,591
7770	ADULT EDUCATION	404201	404235	11,409	1,282	12,691
7785	DEFERRED MAINTENANCE					0
7701	PAYROLL REVOLVING				2,373,017	2,373,017
	TOTALS			4,194,075	11,196,976	15,391,051

Christine E. [Signature]
Prepared By

Wt [Signature]
Accounting Supervisor

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
WEEKLY VENDOR WARRANT REPORT
2008-2009

PAYMENT

DATE: August 14, 2008

PAGE-2

FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	404402	404481	1,351,059	11,612,371	12,963,430
7706	CAFETERIA	404403	404470	47,035	5,616	52,651
7707	CHILD DEVELOPMENT	404440	404440	818	0	818
7710	BUILDING				31,346	31,346
7711	CAPITAL FACILITIES				0	0
	SELF INSURANCE					
7712	PROPERTY & LIABILITY	404438	404473	11,900	1,254,937	1,266,837
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
	SPECIAL RESERVE FOR					
7715	NON-CAPITAL OUTLAY				94,482	94,482
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS				6,591	6,591
7770	ADULT EDUCATION	404421	404475	2,922	12,691	15,613
7785	DEFERRED MAINTENANCE				0	0
7701	PAYROLL REVOLVING				2,373,017	2,373,017
	TOTALS			1,413,734	15,391,051	16,804,785

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
WEEKLY VENDOR WARRANT REPORT
2008-2009

PAYMENT
DATE: August 15, 2008

PAGE-3

FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL				12,963,430	12,963,430
7706	CAFETERIA				52,651	52,651
7707	CHILD DEVELOPMENT				818	818
7710	BUILDING				31,346	31,346
7711	CAPITAL FACILITIES				0	0
	SELF INSURANCE					
7712	PROPERTY & LIABILITY				1,266,837	1,266,837
	STATE SCHOOL					
7713	LEASE/PURCHASE				0	0
	COUNTY SCHOOL					
7714	FACILITIES				0	0
	SPECIAL RESERVE FOR					
7715	NON-CAPITAL OUTLAY				94,482	94,482
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS	404482	404720	99,798	6,591	106,389
7770	ADULT EDUCATION				15,613	15,613
7785	DEFERRED MAINTENANCE				0	0
7701	PAYROLL REVOLVING				2,373,017	2,373,017
	TOTALS			99,798	16,804,785	16,904,583

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
WEEKLY VENDOR WARRANT REPORT
2008-2009

PAYMENT
DATE: August 20, 2008

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FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	404721	404838	511,847	12,963,430	13,475,277
7706	CAFETERIA	404748	404828	106,704	52,651	159,355
7707	CHILD DEVELOPMENT				818	818
7710	BUILDING	404723	404842	2,959,806	31,346	2,991,152
7711	CAPITAL FACILITIES				0	0
	SELF INSURANCE					
7712	PROPERTY & LIABILITY	404792	404836	27,781	1,266,837	1,294,618
	STATE SCHOOL					
7713	LEASE/PURCHASE				0	0
	COUNTY SCHOOL					
7714	FACILITIES				0	0
	SPECIAL RESERVE FOR					
7715	NON-CAPITAL OUTLAY				94,482	94,482
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS				106,389	106,389
7770	ADULT EDUCATION	404725	404831	8,132	15,613	23,745
7785	DEFERRED MAINTENANCE	404774	404774	236,002	0	236,002
7701	PAYROLL REVOLVING				2,373,017	2,373,017
	TOTALS			3,850,272	16,904,583	20,754,855

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
WEEKLY VENDOR WARRANT REPORT
2008-2009

PAYMENT

DATE: August 27, 2008

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FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	404843	404894	964,165	13,475,277	14,439,442
7706	CAFETERIA	404847	404999	18,048	159,355	177,403
7707	CHILD DEVELOPMENT				818	818
7710	BUILDING	404851	405000	2,904,385	2,991,152	5,895,537
7711	CAPITAL FACILITIES				0	0
	SELF INSURANCE					
7712	PROPERTY & LIABILITY	404850	404850	113,515	1,294,618	1,408,133
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY	404939	404939	10,000	94,482	104,482
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS				106,389	106,389
7770	ADULT EDUCATION	404932	404980	8,650	23,745	32,395
7785	DEFERRED MAINTENANCE	404911	404911	4,268	236,002	240,270
7701	PAYROLL REVOLVING				2,373,017	2,373,017
	TOTALS			4,023,031	20,754,855	24,777,886

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
WEEKLY VENDOR WARRANT REPORT
2008-2009

PAYMENT

DATE: August 8, 2008

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FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL				14,439,442	14,439,442
7706	CAFETERIA				177,403	177,403
7707	CHILD DEVELOPMENT				818	818
7710	BUILDING				5,895,537	5,895,537
7711	CAPITAL FACILITIES				0	0
	SELF INSURANCE					
7712	PROPERTY & LIABILITY				1,408,133	1,408,133
	STATE SCHOOL					
7713	LEASE/PURCHASE				0	0
	COUNTY SCHOOL					
7714	FACILITIES				0	0
	SPECIAL RESERVE FOR					
7715	NON-CAPITAL OUTLAY				104,482	104,482
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS				106,389	106,389
7770	ADULT EDUCATION				32,395	32,395
7785	DEFERRED MAINTENANCE				240,270	240,270
7701	PAYROLL REVOLVING	404239	404261	869,681	2,373,017	3,242,698
	TOTALS			869,681	24,777,886	25,647,567

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
WEEKLY VENDOR WARRANT REPORT

2008-2009

PAYMENT

DATE: August 29, 2008

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FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL				14,439,442	14,439,442
7706	CAFETERIA				177,403	177,403
7707	CHILD DEVELOPMENT				818	818
7710	BUILDING				5,895,537	5,895,537
7711	CAPITAL FACILITIES				0	0
7712	SELF INSURANCE PROPERTY & LIABILITY				1,408,133	1,408,133
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				104,482	104,482
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS				106,389	106,389
7770	ADULT EDUCATION				32,395	32,395
7785	DEFERRED MAINTENANCE				240,270	240,270
7701	PAYROLL REVOLVING	405003	405038	2,065,944	3,242,698	5,308,642
	TOTALS			2,065,944	25,647,567	27,713,511

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: September 17, 2008

From: Sheri Gamba, Assoc. Supt., Business Services

Agenda Item: CI G.6

Subject: Agreements for Nonpublic, Nonsectarian School/Agency Services

Background Information: Permission is requested of the Board of Education to approve the Master Contracts between the District and the additional named agency for nonpublic, nonsectarian school/agency services for the period of June 13, 2008 through June 30, 2009.

Non Public Agency

Excelsior Youth Centers, Inc.

Recommendation: Recommend Approval

Fiscal Impact: \$16,368.00* - Non-LCI

* No budgetary impact, included in previously approved Master Contract for services.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: September 17, 2008

From: Sheri Gamba, Assoc. Supt., Business Services

Agenda Item: CI G.7

Subject: Acceptance of Contracts for Placement of Student Teachers

Background Information: Teachers in this district provide supervision and evaluation for students seeking credentials to teach in California public school classrooms. These arrangements are made between the institution of higher education and the individual classroom teacher at no cost to the district.

Staff requests approval from the Board of Education to accept Contracts for Placement of Student Teachers as detailed on the attached sheet dated September 17, 2008.

Recommendation: Recommend Approval

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

West Contra Costa Unified School District
September 17, 2008

ACCEPTANCE OF CONTRACTS FOR PLACEMENT OF STUDENT TEACHERS

The following institution of higher education has submitted a contract with West Contra Costa Unified School District. This institution intends to place student teachers in the West Contra Costa Unified School District schools.

California State University, East Bay, Hayward, CA

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: September 17, 2008

From: Sheri Gamba, Assoc. Supt., Business Services

Agenda Item: CI G.8

Subject: Contracts with Employee Health and Welfare Providers
Resolution No. 21-0809: Public Employees Union, Local #1
Resolution No. 22-0809: School Supervisors Association
Resolution No. 23-0809: Unrepresented Management
Resolution No. 24-0809: Unrepresented Management Retiring Prior to January 1, 2009
Resolution No. 25-0809: United Teachers of Richmond
Resolution No. 26-0809: United Teachers of Richmond Retiring Prior to January 1, 2007
Resolution No. 27-0809: West Contra Costa Administrators Association
Resolution No. 28-0809 Board of Education Members
Resolution No. 29-0809: Confidential Employees

Background Information: Permission is requested of the Board of Education to approve the following resolutions fixing the employer's contributions for medical benefits effective January 1, 2009.

Recommendation: Recommend Approval

Fiscal Impact: As noted on resolutions.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

**BOARD OF EDUCATION
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
RESOLUTION NO. 21-0809
RESOLUTION FIXING THE EMPLOYER'S CONTRIBUTION UNDER THE
PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT
PUBLIC EMPLOYEES UNION, LOCAL #1
September 17, 2008**

WHEREAS, Government Code Section 22892(a) provides that a contracting agency under the Public Employees' Medical and Hospital Care Act shall fix the amount of the employer's contribution at an amount not less than the amount required under Section 22892(b) of the Act, and

WHEREAS, West Contra Costa Unified School District hereinafter referred to as School Employer is contracting agency under the Act for participation by members of the Public Employees Union, Local #1 now, therefore be it

RESOLVED, That effective January 1, 2009, the employer's contribution for each employee or annuitant shall be the amount necessary to pay the cost of his/her enrollment, including the enrollment of his/her family members, in a health benefits plan or plans shall be in an amount up to a monthly maximum as indicated in the chart below, plus administrative fees and contingent reserve fund assessments.

MEMBERS	Coverage Type	Cap Amount
Single	B	\$ 560.57
Two Party	B+B	\$ 1,121.14
Family	B+B+B	\$ 1,457.48
Single	SM	\$ 341.44
Two Party	SM+SM	\$ 682.88
Family	SM+SM+SM	\$ 1,024.32
Two Party	SM+B	\$ 902.01
Family	SM+B+B	\$ 1,238.35
Family	SM+SM+B	\$ 1,019.22
Two Party	B+SM	\$ 902.01
Family	B+SM+SM	\$ 1,243.45
Family	B+B+SM	\$ 1,238.35
B = Basic Coverage		
SM = Supplement to Medicare		

Adopted at a regular meeting of the Board of Education at Richmond, CA, on this 17th day of September, 2008.

Ayes: _____ Nays: _____ Abstentions: _____ Absent: _____

Signed: _____
Karen Pfeifer, President

Attest: _____
Bruce Harter, Secretary to the Board

**BOARD OF EDUCATION
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
RESOLUTION NO. 22-0809
RESOLUTION FIXING THE EMPLOYER'S CONTRIBUTION UNDER THE
PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT
SCHOOL SUPERVISORS ASSOCIATION
September 17, 2008**

WHEREAS, Government Code Section 22892(a) provides that a contracting agency under the Public Employees' Medical and Hospital Care Act shall fix the amount of the employer's contribution at an amount not less than the amount required under Section 22892(b) of the Act, and

WHEREAS, West Contra Costa Unified School District hereinafter referred to as School Employer is contracting agency under the Act for participation by members of the School Supervisors Association now, therefore be it

RESOLVED, That effective January 1, 2009, the employer's contribution for each employee or annuitant shall be the amount necessary to pay the cost of his/her enrollment, including the enrollment of his/her family members, in a health benefits plan or plans shall be in an amount up to a monthly maximum as indicated in the chart below, plus administrative fees and contingent reserve fund assessments.

MEMBERS	Coverage Type	Cap Amount
Single	B	\$ 560.57
Two Party	B+B	\$ 1,121.14
Family	B+B+B	\$ 1,457.48
Single	SM	\$ 341.44
Two Party	SM+SM	\$ 682.88
Family	SM+SM+SM	\$ 1,024.32
Two Party	SM+B	\$ 902.01
Family	SM+B+B	\$ 1,238.35
Family	SM+SM+B	\$ 1,019.22
Two Party	B+SM	\$ 902.01
Family	B+SM+SM	\$ 1,243.45
Family	B+B+SM	\$ 1,238.35
B = Basic Coverage		
SM = Supplement to Medicare		

Adopted at a regular meeting of the Board of Education at Richmond, CA, on this 17th day of September, 2008.

Ayes: _____ Nays: _____ Abstentions: _____ Absent: _____

Signed: _____
Karen Pfeifer, President

Attest: _____
Bruce Harter, Secretary to the Board

**BOARD OF EDUCATION
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
RESOLUTION NO. 23-0809
RESOLUTION FIXING THE EMPLOYER'S CONTRIBUTION UNDER THE
PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT
UNREPRESENTED MANAGEMENT
September 17, 2008**

WHEREAS, Government Code Section 22892(a) provides that a contracting agency under the Public Employees' Medical and Hospital Care Act shall fix the amount of the employer's contribution at an amount not less than the amount required under Section 22892(b) of the Act, and

WHEREAS, West Contra Costa Unified School District hereinafter referred to as School Employer is contracting agency under the Act for participation by members of the Unrepresented Management now, therefore be it

RESOLVED, That effective January 1, 2009, the employer's contribution for each employee or annuitant shall be the amount necessary to pay the cost of his/her enrollment, including the enrollment of his/her family members, in a health benefits plan or plans shall be in an amount up to a monthly maximum as indicated in the chart below, plus administrative fees and contingent reserve fund assessments.

MEMBERS	Coverage Type	Cap Amount
Single	B	\$ 450.00
Two Party	B+B	\$ 920.00
Family	B+B+B	\$ 1,200.00
Single	SM	\$ 450.00
Two Party	SM+SM	\$ 920.00
Family	SM+SM+SM	\$ 1,200.00
Two Party	SM+B	\$ 920.00
Family	SM+B+B	\$ 1,200.00
Family	SM+SM+B	\$ 1,200.00
Two Party	B+SM	\$ 920.00
Family	B+SM+SM	\$ 1,200.00
Family	B+B+SM	\$ 1,200.00
B = Basic Coverage		
SM = Supplement to Medicare		

Adopted at a regular meeting of the Board of Education at Richmond, CA, on this 17th day of September, 2008.

Ayes: _____ Nays: _____ Abstentions: _____ Absent: _____

Signed: _____
Karen Pfeifer, President

Attest: _____
Bruce Harter, Secretary to the Board

**BOARD OF EDUCATION
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
RESOLUTION NO. 24-0809
RESOLUTION FIXING THE EMPLOYER'S CONTRIBUTION UNDER THE
PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT
UNREPRESENTED MANAGEMENT
Retiring Prior to January 1, 2009
September 17, 2008**

WHEREAS, Government Code Section 22892(a) provides that a contracting agency under the Public Employees' Medical and Hospital Care Act shall fix the amount of the employer's contribution at an amount not less than the amount required under Section 22892(b) of the Act, and

WHEREAS, West Contra Costa Unified School District hereinafter referred to as School Employer is contracting agency under the Act for participation by members of the Unrepresented Management now, therefore be it

RESOLVED, That effective January 1, 2009, the employer's contribution for each employee or annuitant shall be the amount necessary to pay the cost of his/her enrollment, including the enrollment of his/her family members, in a health benefits plan or plans shall be in an amount up to a monthly maximum as indicated in the chart below, plus administrative fees and contingent reserve fund assessments.

MEMBERS	Coverage Type	Cap Amount
Single	B	\$ 560.57
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Family	B+B+B	\$ 1,457.48
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Two Party	SM+SM	\$ 682.88
Family	SM+SM+SM	\$ 1,024.32
Two Party	SM+B	\$ 902.01
Family	SM+B+B	\$ 1,238.35
Family	SM+SM+B	\$ 1,019.22
Two Party	B+SM	\$ 902.01
Family	B+SM+SM	\$ 1,243.45
Family	B+B+SM	\$ 1,238.35
B = Basic Coverage		
SM = Supplement to Medicare		

Adopted at a regular meeting of the Board of Education at Richmond, CA, on this 17th day of September, 2008.

Ayes:_____ Nays:_____ Abstentions:_____ Absent:_____

Signed: _____
Karen Pfeifer, President

Attest: _____
Bruce Harter, Secretary to the Board

**BOARD OF EDUCATION
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
RESOLUTION NO. 25-0809
RESOLUTION FIXING THE EMPLOYER'S CONTRIBUTION UNDER THE
PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT
UNITED TEACHERS OF RICHMOND
September 17, 2008**

WHEREAS, Government Code Section 22892(a) provides that a contracting agency under the Public Employees' Medical and Hospital Care Act shall fix the amount of the employer's contribution at an amount not less than the amount required under Section 22892(b) of the Act, and

WHEREAS, West Contra Costa Unified School District hereinafter referred to as School Employer is contracting agency under the Act for participation by members of the United Teachers of Richmond now, therefore be it

RESOLVED, That effective January 1, 2009, the employer's contribution for each employee or annuitant retiring after December 31, 2006 shall be the amount necessary to pay the cost of his/her enrollment, including the enrollment of his/her family members, in a health benefits plan or plans shall be in an amount up to a monthly maximum as indicated in the chart below, plus administrative fees and contingent reserve fund assessments.

MEMBERS	Coverage Type	Cap Amount
Single	B	\$ 508.30
Two Party	B+B	\$1,016.60
Family	B+B+B	\$ 1,321.58
Single	SM	\$ 280.17
Two Party	SM+SM	\$ 560.34
Family	SM+SM+SM	\$ 840.51
Two Party	SM+B	\$ 788.47
Family	SM+B+B	\$ 1,093.45
Family	SM+SM+B	\$ 865.32
Two Party	B+SM	\$ 788.47
Family	B+SM+SM	\$ 1,068.64
Family	B+B+SM	\$ 1,093.45
B = Basic Coverage		
SM = Supplement to Medicare		

Adopted at a regular meeting of the Board of Education at Richmond, CA, on this 17th day of September, 2008.

Ayes:_____ Nays:_____ Abstentions:_____ Absent:_____

Signed: _____
Karen Pfeifer, President

Attest: _____
Bruce Harter, Secretary to the Board

**BOARD OF EDUCATION
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
RESOLUTION NO. 26-0809
RESOLUTION FIXING THE EMPLOYER'S CONTRIBUTION UNDER THE
PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT
UNITED TEACHERS OF RICHMOND
Retiring Prior to January 1, 2007
September 17, 2008**

WHEREAS, Government Code Section 22892(a) provides that a contracting agency under the Public Employees' Medical and Hospital Care Act shall fix the amount of the employer's contribution at an amount not less than the amount required under Section 22892(b) of the Act, and

WHEREAS, West Contra Costa Unified School District hereinafter referred to as School Employer is contracting agency under the Act for participation by members of the United Teachers of Richmond now, therefore be it

RESOLVED, That effective January 1, 2009, the employer's contribution for each annuitant retiring prior to January 1, 2007 shall be the amount necessary to pay the cost of his/her enrollment, including the enrollment of his/her family members, in a health benefits plan or plans shall be in an amount up to a monthly maximum as indicated in the chart below, plus administrative fees and contingent reserve fund assessments.

MEMBERS	Coverage Type	Cap Amount
Single	B	\$ 560.57
Two Party	B+B	\$ 1,121.14
Family	B+B+B	\$ 1,457.48
Single	SM	\$ 341.44
Two Party	SM+SM	\$ 682.88
Family	SM+SM+SM	\$ 1,024.32
Two Party	SM+B	\$ 902.01
Family	SM+B+B	\$ 1,238.35
Family	SM+SM+B	\$ 1,019.22
Two Party	B+SM	\$ 902.01
Family	B+SM+SM	\$ 1,243.45
Family	B+B+SM	\$ 1,238.35
B = Basic Coverage		
SM = Supplement to Medicare		

Adopted at a regular meeting of the Board of Education at Richmond, CA, on this 17th day of September, 2008.

Ayes:_____ Nays:_____ Abstentions:_____ Absent:_____

Signed: _____
Karen Pfeifer, President

Attest: _____
Bruce Harter, Secretary to the Board

**BOARD OF EDUCATION
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
RESOLUTION NO. 27-0809
RESOLUTION FIXING THE EMPLOYER'S CONTRIBUTION UNDER THE
PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT
WEST CONTRA COSTA ADMINISTRATORS ASSOCIATION
September 17, 2008**

WHEREAS, Government Code Section 22892(a) provides that a contracting agency under the Public Employees' Medical and Hospital Care Act shall fix the amount of the employer's contribution at an amount not less than the amount required under Section 22892(b) of the Act, and

WHEREAS, West Contra Costa Unified School District hereinafter referred to as School Employer is contracting agency under the Act for participation by members of the West Contra Costa Administrators Association now, therefore be it

RESOLVED, That effective January 1, 2009, the employer's contribution for each employee or annuitant shall be the amount necessary to pay the cost of his/her enrollment, including the enrollment of his/her family members, in a health benefits plan or plans shall be in an amount up to a monthly maximum as indicated in the chart below, plus administrative fees and contingent reserve fund assessments.

MEMBERS	Coverage Type	Cap Amount
Single	B	\$ 560.57
Two Party	B+B	\$ 1,121.14
Family	B+B+B	\$ 1,457.48
Single	SM	\$ 341.44
Two Party	SM+SM	\$ 682.88
Family	SM+SM+SM	\$ 1,024.32
Two Party	SM+B	\$ 902.01
Family	SM+B+B	\$ 1,238.35
Family	SM+SM+B	\$ 1,019.22
Two Party	B+SM	\$ 902.01
Family	B+SM+SM	\$ 1,243.45
Family	B+B+SM	\$ 1,238.35
B = Basic Coverage		
SM = Supplement to Medicare		

Adopted at a regular meeting of the Board of Education at Richmond, CA, on this 17th day of September, 2008.

Ayes:_____ Nays:_____ Abstentions:_____ Absent:_____

Signed: _____
Karen Pfeifer, President

Attest: _____
Bruce Harter, Secretary to the Board

**BOARD OF EDUCATION
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
RESOLUTION NO. 28-0809
RESOLUTION FIXING THE EMPLOYER'S CONTRIBUTION UNDER THE
PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT
BOARD OF EDUCATION MEMBERS
September 17, 2008**

WHEREAS, Government Code Section 22892(a) provides that a contracting agency under the Public Employees' Medical and Hospital Care Act shall fix the amount of the employer's contribution at an amount not less than the amount required under Section 22892(b) of the Act, and

WHEREAS, West Contra Costa Unified School District hereinafter referred to as School Employer is contracting agency under the Act for participation by members of the Board of Education now, therefore be it

RESOLVED, That effective January 1, 2009, the employer's contribution for each employee or annuitant shall be the amount necessary to pay the cost of his/her enrollment, including the enrollment of his/her family members, in a health benefits plan or plans shall be in an amount up to a monthly maximum as indicated in the chart below, plus administrative fees and contingent reserve fund assessments.

MEMBERS	Coverage Type	Cap Amount
Single	B	\$ 450.00
Two Party	B+B	\$ 920.00
Family	B+B+B	\$ 1,200.00
Single	SM	\$ 450.00
Two Party	SM+SM	\$ 920.00
Family	SM+SM+SM	\$ 1,200.00
Two Party	SM+B	\$ 920.00
Family	SM+B+B	\$ 1,200.00
Family	SM+SM+B	\$ 1,200.00
Two Party	B+SM	\$ 920.00
Family	B+SM+SM	\$ 1,200.00
Family	B+B+SM	\$ 1,200.00
B = Basic Coverage		
SM = Supplement to Medicare		

Adopted at a regular meeting of the Board of Education at Richmond, CA, on this 17th day of September, 2008.

Ayes:_____ Nays:_____ Abstentions:_____ Absent:_____

Signed: _____
Karen Pfeifer, President

Attest: _____
Bruce Harter, Secretary to the Board

**BOARD OF EDUCATION
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
RESOLUTION NO. 29-0809
RESOLUTION FIXING THE EMPLOYER'S CONTRIBUTION UNDER THE
PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT
CONFIDENTIAL EMPLOYEES
September 17, 2008**

WHEREAS, Government Code Section 22892(a) provides that a contracting agency under the Public Employees' Medical and Hospital Care Act shall fix the amount of the employer's contribution at an amount not less than the amount required under Section 22892(b) of the Act, and

WHEREAS, West Contra Costa Unified School District hereinafter referred to as School Employer is contracting agency under the Act for participation by members of the Confidential Employees now, therefore be it

RESOLVED, That effective January 1, 2009, the employer's contribution for each employee or annuitant shall be the amount necessary to pay the cost of his/her enrollment, including the enrollment of his/her family members, in a health benefits plan or plans shall be in an amount up to a monthly maximum as indicated in the chart below, plus administrative fees and contingent reserve fund assessments.

MEMBERS	Coverage Type	Cap Amount
Single	B	\$ 560.57
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Family	B+B+B	\$ 1,457.48
Single	SM	\$ 341.44
Two Party	SM+SM	\$ 682.88
Family	SM+SM+SM	\$ 1,024.32
Two Party	SM+B	\$ 902.01
Family	SM+B+B	\$ 1,238.35
Family	SM+SM+B	\$ 1,019.22
Two Party	B+SM	\$ 902.01
Family	B+SM+SM	\$ 1,243.45
Family	B+B+SM	\$ 1,238.35
B = Basic Coverage		
SM = Supplement to Medicare		

Adopted at a regular meeting of the Board of Education at Richmond, CA, on this 17th day of September, 2008.

Ayes: _____ Nays: _____ Abstentions: _____ Absent: _____

Signed: _____
Karen Pfeifer, President

Attest: _____
Bruce Harter, Secretary to the Board

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: September 17, 2008

From: Bruce Harter, Superintendent

Agenda Item: CI G.9

Subject: Modification to Board Bylaw 9250

Background Information:

In April, the Board acted to set benefits caps for Board members and non-represented management. These caps require that Bylaw 9250 be modified to align with the benefit cap established by the Board in April and affirmed when the Board adopted the 2008-09 budget.

Recommendation:

That the Board approve the changes to Bylaw 9250.

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

WCCUSD

Board Bylaw

BB 9250

Board Bylaws

Remuneration, Reimbursement And Other Benefits

Remuneration

The Governing Board hereby specifies that each member of the Board may receive a maximum of seven hundred fifty dollars (\$750) per month as compensation for services rendered. A periodic review should be held on all Board benefits. If a member does not attend all meetings of the Board during any month he/she shall receive an amount not greater than the maximum amount permissible divided by the number of meetings held and multiplied by the number of meetings actually attended. Should any member be absent performing designated duties of the school district, the Board may, by resolution, provide that said member be paid as if the member were present in the meeting. This is done with the understanding that it is not incumbent upon any member to accept payment. Student Board members shall not receive remuneration. (Education Code 35120)

On an annual basis, the Governing Board may increase the compensation of individual board members beyond the limits delineated in this section, in an amount not to exceed 5 percent based on the present monthly rate of compensation. Any increase made pursuant to this section shall be effective upon approval by the governing board.

Reimbursement of Expenses

Members of the Board shall be reimbursed for all 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. (Education Code 35044)

Board members shall receive \$100 per month for in-district expenses.

The rate of reimbursement shall not exceed any limitations specified for district personnel.

Health and Welfare Benefits

Board members may participate in the health and welfare benefits program provided for the employees of the district.

The district shall pay the cost of all premiums required for Board members electing to participate in the district health and welfare benefits program **at the capped amount approved by the Board.**

Retired Board Members

Any members retiring from the Board after at least one full term shall have the option to continue the health and welfare benefits program at their expense if coverage is in effect at time of retirement.

Board members who have served less than 12 years but at least one term shall pay the full cost of health and welfare benefit coverage.

Board members who have completed 12 years, three consecutive terms will qualify for benefits **at the level provided at the time of initial election.**

The insurance shall provide full benefits for retired Board members up to the age at which they become eligible for Medicare/Medicaid, and after that shall cover only those eligible expenses not covered by Medicare or Medicaid, or other health insurance programs.

The Superintendent is directed to negotiate the coverage indicated above with the insurance carrier.

Legal Reference:

EDUCATION CODE

1090 Compensation for members and mileage allowance

33050-33053 General waiver authority

33362-33363 Reimbursement of expenses (Department of Education and CSBA workshops)

35012 Board members; number, election and term

35044 Payment of traveling expenses of representatives of board

35120 Compensation (services as member of governing board)

35172 Promotional activities

44038 Cash deposits for transportation purchased on credit

GOVERNMENT CODE

20322 Elective officers; election to become member

53200-53209 Group insurance

UNITED STATES CODE, TITLE 26

403(b) Tax-sheltered annuities

COURT DECISIONS

Thorning v. Hollister School District, (1992) 11 Cal.App.4th 1598

Board of Education of the Palo Alto Unified School District v. Superior Court of Santa Clara County, (1979) 93 Cal.App.3d 578

ATTORNEY GENERAL OPINIONS

83 Ops.Cal.Atty.Gen. 124 (2000)

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>

Public Employees' Retirement System: <http://www.calpers.ca.gov>

Policy WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

adopted: October 23, 1991 Richmond, California

revised: February 26, 1997

revised: January 3, 2007

revised: May 2, 2007

revised: September 17, 2008

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: September 17, 2008

From: Sheri Gamba, Assoc. Supt., Business Services

Agenda Item: CI G.10

Subject: Procurement Contracts for the School Year 2008-09

Background Information: The following procurement contracts will be utilized during the school year 2008-09. The contracts will allow the District to procure classroom and teacher materials and supplies, along with computers, equipment, and services at a discounted rate.

(WSCA) Western States Contracting Alliance Master Agreement #A63307

Apple Computer, Inc

Toshiba America Business Solutions, Inc. (TABS) Glendale USD Contract #P-12

California Multiple Award Schedules (CMAS)

School Specialty California Educational Resource Program Contract #V-4 2007-2008

US Communities Government Purchasing Alliance

The Cooperative Purchasing Network (TCPN)

Alameda County Corporate Purchasing Agreement

Alameda County Office of Education Cooperative Purchasing Program

Recommendation: Recommend approval to utilize the above contracts.

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: September 17, 2008

From: Sheri Gamba, Assoc. Supt., Business Services

Agenda Item: CI G.11

Subject: Disposal of Obsolete and Damaged Equipment for the School Year 2008-09

Background Information: During the school year, equipment (computers, monitors, TV's, furniture, vehicles, etc.) becomes obsolete, non-repairable, or damaged beyond economical repair. Because of limited storage space in the District, this equipment needs to be recycled or disposed of to a local recycler. Any equipment that can not be recycled will be disposed of in the most economical way.

Staff recommends approval to dispose of obsolete and or damaged equipment.

Recommendation: Recommend approval.

Fiscal Impact: Minimal

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: September 17, 2008

From: Jessica R. Romeo,
Assistant Superintendent Human Resources

Agenda Item: CI G.12

Subject: Certificated Personnel Changes

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

Recommendation: Recommend Approval

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

September 17, 2008

<u>Waivers</u>	<u>SITE</u>	<u>ASSIGNMENT</u>
Constantin, Michael	Hercules MHS	Counselor
Vazquez, Yvette	Ford Elementary	BCLAD Waiver-2nd TBE (sub)

Definition: Variable term waivers provide applicants with additional time to complete the requirements for the credential that authorizes the service or provide employing agencies with time to fill the assignment with an individual who either holds an appropriate credential or qualifies under one of the assignment options. (Assignment pending fingerprint clearance when applicable)

Consent

Brammer, Dennis	Pinole Middle	Computer	44258.7 (cd)
Cohn, Michael	Pinole Middle	Journalism	"
Crane, Michael	DeAnza HS	Work Experience	"
Dornan, Patricia	Crespi Middle	Leadership	"
Fleischman, Guthrie	Kennedy HS	English CAHSEE	"
Hexom, Joanne	Kappa	Social Science	"
Kolb, Ryan	DeAnza HS	Avid/Leadership	"
Lama, LaTroya	Adams	Avid	"
Morabito, Salvatore	DeAnza HS	Work Experience	"
Myrick, Jamie	Adams	Avid	"
Nicol, Robert	Pinole Middle	Yearbook	"
Rene, Carol	Portola Middle	Leadership	"
Schultz, Faith	Portola Middle	Avid	"
Shaw, Ryan	Kennedy HS	English CAHSEE	"
Turner, Lillie	Kennedy HS	English CAHSEE	"
Turner, Jeremoah	Kennedy HS	English CAHSEE	"
White, Benita	Pinole Middle	Leadership	"
Williams, Marcus	DeJean Middle	Leadership	"

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: September 17, 2008

From: Jessica R. Romeo,
Assistant Superintendent Human Resources

Agenda Item: CI G.13

Subject: Certificated Provisional Internship Permit (PIP) Request(s)

Background Information: The Provisional Internship Permit (PIP) was created in response to the phasing out of emergency permits and became effective on July 1, 2005. It allows an employing agency to hire an individual who has not yet met the subject matter competence requirement needed to enter an internship program. Prior to requesting a PIP, the employing agency must verify that a diligent search has been made, and a fully credentialed teacher cannot be found. The PIP is issued for one (1) year and is renewable one time only provided the teacher has taken all appropriate subject matter examinations, but has not yet passed those tests.

Recommendation: Recommend Approval

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

September 17, 2008

Action Taken

<u>PIP</u>	<u>SITE</u>	<u>ASSIGNMENT</u>
Medina, Oscar	Richmond H.S.	Social Science
Olazabal, Aimara	Richmond H.S.	ELD
Peiler, Tayna	Richmond H.S.	Social Science
Vazquez, Yvette	Ford Elementary	2nd TBE (substitute)


District Intern - Project Pipeline

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: September 17, 2008

From: Jeff Edmison 
Associate Superintendent for Operations

Agenda Item: CI G.14

Subject: Ratification and Approval of Engineering Services Contracts

Background Information:

Contracts have been initiated by staff using previously qualified 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.

Fiscal Impact: Total for this action: \$172,828. Funding sources as noted.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____


**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
FACILITIES PLANNING AND CONSTRUCTION**

ENGINEERING & ARCHITECTURAL SERVICES CONTRACTS

Project/Funding	Dates	Firm	Contract Cost	Reference
Helms Middle School New Campus Measure D Bond	September 2008 thru August 2009	Consolidated Engineering Labs	\$100,000	Additional Services for increased scope of testing required.
Kennedy High School Painting Measure J Bond	September 2008 thru December 2008	Seville Group ("SGI")	\$26,000	Construction management services.
Dover Elementary School Phase I and Phase II Construction Measure J Bond	August 2008 thru completion of project.	Winzler & Kelley	\$34,828	Hazardous Materials Testing and Monitoring
DeAnza High School New Campus Measure J Bond	September 2008 thru November 2008	Fehr & Peers	\$12,000	Traffic volume studies, review site parking & drop-off design.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION --- BOARD OF EDUCATION

To: Board of Education **Meeting Date:** September 17, 2008
From: Jeff Edmison  **Agenda Item:** CI G.15
Associate Superintendent for Operations
Subject: Ratification and Approval of Negotiated Change Orders

Background information:

Staff is seeking ratification of Change Orders on the following current District construction projects: Kay Road Extension/Montalvin Manor Entry Plaza, Downer Elementary New Campus, Pinole Valley HS Front Parking Lot Paving. In addition, staff is seeking ratification of Change Orders, with a deductive adjustment amount, for El Cerrito HS New Campus and El Cerrito HS Admin/Theater projects. Previous ratifications were in error, made for amounts above correct totals. 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 Pinole Valley HS ADA Ramps project is required by the Board, with special findings as noted below, because it 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 District, 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: \$30,008.70.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____
Approved _____ Not Approved _____ Tabled _____

September 17, 2008 Change Order Ratification Summary

School Site	Company	Original Contract	Previously Approved CO's	Items Pending Board Action			Total CO's	CO Percent of Original Contract	Adjusted New Contract	Change Order Numbers
				CO's Pending Ratification	CO's Pending Approval					
1 Kay Road Extension / Plaza	Bay Cities Paving and Grading	\$1,570,000.00	\$108,580.74	\$24,760.24	\$0.00		\$133,340.98	8.49%	\$1,703,340.98	4
2 Downer ES New School	West Bay Builders	\$21,232,027.00	\$1,643,441.00	\$69,303.00	\$0.00		\$1,712,744.00	8.07%	\$22,944,771.00	18
3 Pinole Valley HS Paving	Galedrige Construction, Inc.	\$151,827.00	\$0.00	\$8,577.00	\$0.00		\$8,577.00	5.65%	\$160,404.00	1
4 Pinole Valley HS ADA Ramps	Bruce Carone Grading & Paving	\$51,344.00	\$0.00	\$5,134.40	\$1,157.06		\$6,291.46	12.25%	\$57,635.46	1
1 El Cerrito HS Theatre	Lathrop Construction	\$22,580,000.00	\$264,897.00	(\$10,944.00)	\$0.00		\$253,953.00	1.12%	\$22,833,953.00	Correction to 13
2 El Cerrito HS Theatre	Lathrop Construction	\$22,580,000.00	\$348,313.00	(\$67,979.00)	\$0.00		\$280,334.00	1.24%	\$22,860,334.00	Correction to 14

Pending Board Actions		
Ratifications	\$28,851.64	
Approvals	\$1,157.06	
Total Board Action	\$30,008.70	

Note: the proposed Board Action is to Ratify all Change Orders below ten percent (10%) of the Contract Value; the change order amounts pending Board Approval is the portion of the Change Order(s) above 10%.

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education **Meeting Date:** September 17, 2008
From: Jeff Edmison **Agenda Item:** CI G.16
Associate Superintendent for Operations
Subject: Leadership Public Schools (LPS) Charter School Administrative Agreement

Background Information:

Leadership Public Schools, Inc. (LPS) is a private, non-profit public benefit corporation that currently operates a charter high school, Leadership Public Schools Richmond (hereinafter referred to as "Charter School"), a public charter school existing under the laws of the State of California and under the supervisory oversight of the District. The District is the sponsoring district of the Charter School operated by LPS. This Administrative Agreement establishes the agreement of Leadership and the District governing their respective fiscal and administrative responsibilities and their legal relationships, as well as the operation of the Charter School.

Recommendation: Approve the Administrative Agreement

Fiscal Impact: As noted by the agreement based on state law

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____
Approved _____ Not Approved _____ Tabled _____

ADMINISTRATIVE SERVICES AGREEMENT
by and between
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
AND LEADERSHIP PUBLIC SCHOOLS, INC.

This Agreement is executed between the West Contra Costa Unified School District and Leadership Public Schools Inc., a California nonprofit public benefit corporation.

I. RECITALS:

- A. The West Contra Costa Unified School District is a school district existing under the laws of the State of California hereinafter referred to as the “District.”
- B. Leadership Public Schools, Inc. (hereinafter referred to as “Leadership”) is a private, non-profit public benefit corporation that currently operates a charter high school, Leadership Public Schools Richmond, (hereinafter referred to as “Charter School”), a public charter school existing under the laws of the State of California and under the supervisory oversight of the District.
- C. The District is the sponsoring district of the Charter School operated by Leadership. This Agreement is intended to outline the agreement of Leadership and the District governing their respective fiscal and administrative responsibilities and their legal relationships, as well as the operation of the Charter School.
- D. Written modifications of this Agreement may be made by mutual agreement as set forth below.
- E. If the terms of this Agreement conflict with the terms of the Charter, the Charter will control while the District and Leadership negotiate any necessary amendments to the Administrative Services Agreement to achieve consistency.

II. AGREEMENTS

A. Terms

- 1. This agreement will govern the relationship between the District and Leadership with regard to the Charter School.
- 2. Any modification of this Agreement must be in writing and executed by duly authorized representatives of both parties.
- 3. The duly authorized representative of Leadership is Dr. Louise Bay Waters, Superintendent and CEO.

4. The duly authorized representatives of the District are the District Board of Trustees as a group and the Superintendent of the District.
5. The terms of this Agreement shall be effective upon the last date executed below and will continue for the term of the Charter granted to Leadership. This entire agreement is subject to approval by the respective governing boards of the District and Leadership. Leadership and the District shall, however, review the terms of this Agreement annually and, by March 1 of each year, present proposed revisions of the Agreement. If the parties cannot agree to the proposed revisions by April 30 of that year, then the existing Agreement will continue in effect until mutually modified. In any event, the Agreement shall expire upon termination, nonrenewal or revocation of the Charter. Nothing in this Section shall prevent either party from suggesting, proposing or agreeing to a revision to the Agreement at any time during the year.
6. Termination. The District may terminate any services provided pursuant to this Agreement upon failure of the Leadership to pay any undisputed amount due under this Agreement within sixty (60) days after receipt by the Leadership of a written District demand for payment and notice of intent to terminate services.

Upon sixty (60) days written notice, either party may terminate this Agreement, or any service provided hereunder, upon any material default of the other party, unless the default specified in the notice has been cured or cure has been commenced within the sixty (60) day notice period. If notice is so given, neither party shall be relieved of its duty to perform its obligations under this Agreement up to the date of termination.

The Agreement, or any service provided hereunder, shall not be terminated until written notice has been received by the designated party pursuant herein to this Agreement and the period of time for the opportunity to cure has passed without resolution as noted above.

B. Funding

1. The Charter School operated by Leadership is entitled to state Block Grant Funding. In addition to a “general purpose entitlement,” this Block Grant Funding will include Leadership’s computed share of “categorical” programs listed in California Education Code section 47634. Block Grant Funding will be apportioned by Average Daily Attendance (ADA). Leadership will be responsible for providing the State Department of Education with all data required for funding. The Block Grant Funding will not include:

- a. Programs for which Leadership is required to apply separately such as summer school or class-size reduction.
 - b. Special Education programs -- these funds are allocated to the SELPA ("Special Education Local Plan Area") in which Leadership is affiliated.
2. Leadership shall be a direct funded charter school pursuant to Education Code section 47651.
3. In addition to the Block Grant Funding specified herein, the parties recognize the authority of Leadership to pursue additional sources of funding. The district may not apply for funding on behalf of the Charter School without written mutual consent.
4. In the event that the District receives additional sources of funding in the form of grants and/or categorical funding on behalf of the charter school, the District will receive a percentage of any funds allocated to the Charter School, if any. The District will pass through to the Charter School the full amount of the grant and/or categorical funding and may invoice the Charter School for the actual indirect cost up to the maximum as allowed under law. Funds shall be allocated to the Charter School on the basis of the terms of the grant or categorical fund award letter. The District may not delay payment or pass through of any grant funds and/or categorical funds due to the Charter School.
5. It shall be the responsibility of Leadership to apply for any funding beyond the base statutory entitlement.
6. The District shall transfer to Leadership funding in lieu of property taxes in monthly installments on the fifteenth (15th) of each month pursuant to Education Code section 47635.
7. Pursuant to Education Code section 47604, subdivision (c), Leadership agrees that all loans received by Leadership shall be the sole responsibility of Leadership, and the District shall have no obligation for repayment. The parties agree that it is their intent, consistent with Education Code section 47604, subdivision (c), that an authority that grants a charter to a charter school shall not be liable for the debts or obligations of the charter school.

The District agrees that all loans received by the District shall be the sole responsibility of the District, and Leadership shall have no obligation for repayment unless expressly agreed to in writing by Leadership.

8. Leadership agrees that all revenue obtained by Leadership in connection with

the Charter School shall only be used for the provision of educational services for school age children enrolled in and attending Leadership and other lawful administrative expenses, and shall not be used for purposes other than those set forth in the approved Charter, this Agreement or any authorized agreements.

9. These funding sections, as well as all other sections of this Agreement, shall be applied consistent with the statutes and regulations applicable to charter schools, which may from time to time be amended or modified by the Legislature or the State Board of Education. Nothing contained in this Agreement shall be deemed a waiver by either party of the rights and obligations under these laws.
10. Leadership and the District agree to follow the applicable provisions of the Education Code regarding the conditions necessary for apportionment of state funds.

C. Legal Relationship

1. The Parties recognize that Leadership is a separate legal entity that operates a Charter School under the supervisory oversight of the District as set forth in Education Code section 47600 *et seq.*
2. Leadership shall be fiscally responsible for its own operations and shall manage its operations efficiently and economically within the constraints of its annual budget. This Agreement shall not preclude Leadership from seeking loans or other financing mechanisms. Leadership shall provide notice to the District before securing debt financing of any kind for the Charter School.

Leadership shall not have the authority to enter into a contract that would bind the District, nor to extend the credit of the District to any third person or party. Leadership shall clearly indicate to vendors and other entities and individuals outside the District with which or with whom Leadership enters into an agreement or contract for goods or services that the obligations of Leadership under such agreement or contract are solely the responsibility of Leadership and are not the responsibility of the District.

The District shall not have the authority to enter into a contract that would bind Leadership, nor to extend the credit of the Leadership to any third person or party. The District shall clearly indicate to vendors and other entities and individuals outside the District with which or with whom the District enters into an agreement or contract for goods or services relating to the charter school that the obligations of the District under such agreement or contract are solely the responsibility of the District and are not the responsibility of

Leadership. Nothing in this provision shall be construed to abrogate the oversight responsibilities and powers accorded to the District under applicable law.

Leadership shall, to the fullest extent permitted by law, indemnify, defend, and hold harmless the District, its officers, directors, and employees, attorneys, agents, representatives, volunteers, successors and assigns (collectively hereinafter "District and District Personnel") from and against any and all actions, suits, claims, demands, losses, costs, penalties, obligations, errors, omissions, or liabilities, including legal costs, attorney's fees, and expert witness fees, whether or not suit is actually filed, and/or any judgment rendered against District and/or District Personnel, that may be asserted or claimed by any person, firm or entity arising out of, or in connection with, the performance under the Charter or any acts or errors or omissions by Leadership and/or Leadership Personnel. This indemnity and hold harmless provision shall exclude actions brought by third persons against the District arising out of acts of misconduct or the negligence of the District and/or District Personnel.

The District shall, to the fullest extent permitted by law, indemnify, defend, and hold harmless Leadership, its officers, directors, and employees, attorneys, agents, representatives, volunteers, successors and assigns (collectively hereinafter "Leadership and Leadership Personnel") from and against any and all actions, suits, claims, demands, losses, costs, penalties, obligations, errors, omissions, or liabilities, including legal costs, attorney's fees, and expert witness fees, whether or not suit is actually filed, and/or any judgment rendered against Leadership and/or Leadership Personnel, that may be asserted or claimed by any person, firm or entity arising out of, or in connection with, the performance under this Agreement or any other agreement between Leadership and the District or any acts or errors or omissions by the District and/or District Personnel. This indemnity and hold harmless provision shall exclude actions brought by third persons against Leadership arising out of acts of misconduct or the negligence of Leadership and/or Leadership Personnel.

Nothing in Education Code section 47604.32 shall have the effect of superseding, abrogating, pre-empting or overriding the indemnity provisions in this Agreement.

3. Leadership will comply with all applicable state and federal laws. Leadership will voluntarily comply with the Ralph M. Brown Act (Gov. Code, ' 54950 et seq.), the California Public Records Act (Gov. Code, ' 6250 et seq.), the Political Reform Act, applicable provisions of the Elementary and Secondary Education Act of 1965 (20 U.S.C.A. §6301, et seq. as amended by the No Child Left Behind Act of 2001(hereinafter the law, state and federal

regulations referred to herein as “NCLB”), and, all applicable federal and state laws concerning the maintenance and disclosure of student records, including, without limitation, the Family Education Rights and Privacy Act of 1974 (20 U.S.C.A. ' 1232g). Leadership agrees that notwithstanding any provisions in its corporation bylaws to the contrary, all meetings of its Board of Directors shall voluntarily comply with the Brown Act for that portion of its business that is attributable to operating the Charter School. Leadership shall have the right to amend its compliance with any of the above-referenced sections of law if any California Court of Appeal or the Attorney General concludes that these laws do not apply, or only apply in limited fashion.

D. Fiscal Relationship

1. *Oversight Obligations:* District oversight obligations include, but will not be necessarily limited to, the following:

- a. Review and revision of this Administrative Services Agreement and subsequent agreements to clarify and interpret the Charter and amendments to the Charter and the relationship between Leadership and the District.
- b. Monitoring performance and compliance with the Charter, including conducting site visits, reviewing performance reports, financial records and ongoing dialogue. Pursuant to Education Code section 47604.32(a), the District identifies the following person/s as contacts for the charter school: Associate Superintendent of Operations (510)-231-1105, Fax (510) 236-0190 or as an alternate the Controller/Internal Auditor, (510) 231-1148; Fax (510) 620-2268 1108 Bissell Ave., Room 219, Richmond, CA 94801, All requests for information will be made through one of the two contacts noted above

Furthermore, District representatives shall visit the Charter School at least once annually, at a date and time to be agreed upon by the parties, pursuant to Education Code section 47604.32(b).

- c. Charter renewal and revocation processes, including hearing/investigating alleged violations and monitoring efforts to cure.
- d. The District’s oversight responsibilities will include monitoring Leadership’s attendance accounting. Leadership shall provide the District with a copy of the Charter School’s attendance procedures and notify the District of any updates to these procedures.

Leadership shall submit quad-weekly attendance reports with

respect to the Charter School to the District. The District shall in turn submit such reports to the County Office of Education at the appropriate deadlines.

Leadership shall maintain contemporaneous written records of Average Daily Attendance and make these records available to the District for inspection and audit. Leadership shall provide all requested attendance accounting information to the District in a timely manner. Leadership shall provide information necessary for the P-1, P-2 and annual attendance accounting report in a timely manner. Leadership shall also submit, in a timely manner, all necessary information as required to be in compliance with the California state reporting requirements including but not limited to CBEDS, CSIS, CALPADS, and others as the state defines that are required of charter schools .

- e. Leadership shall file its Interim Reports and other financial reports in compliance with Education Code section 47604.33, as follows: Preliminary Budget by July 1; Interim Financial Report reflecting changes through October 31 by December 15; Interim Report reflecting changes through January 31 by March 15; Final Unaudited Report for the full prior year by September 15. As required by Education Code section 47604.33(a), the Charter School shall submit the reports to the county superintendent of schools, as well as to the District. Leadership shall also file a third interim report reflecting changes as of April 30, by May 31 if Leadership cannot meet its reserve requirements in the current or upcoming two fiscal years at either the first or second interim report.
- f. Leadership must maintain a minimum reserve requirement ending balance of not less than the amount required by the State criteria standards for Districts with similar A.D.A. For A.D.A from 0-300, Leadership shall maintain a reserve of the greater of \$50,000 or 5% of the combination of total expenses, transfers out and other uses; for A.D.A. from 301-1000 Leadership shall maintain a reserve of the greater of \$50,000 or 4% of the combination of total expenses, transfers out and other uses; for A.D.A. greater than 1000 Leadership shall maintain a reserve of the greater of \$50,000 or 3% of the combination of total expenses, transfers out and other uses.

Pursuant to Education Code section 47604.3, the Charter School agrees to respond to the District's reasonable requests for information, including but not limited to fiscal information, to allow the District to carry out its oversight duties under Education Code section 47604.32, consistent with Section II(K) of this Agreement.

2. Oversight Fee: Pursuant to Education Code section 47613, Leadership shall pay to the District actual costs of supervisorial oversight by the District of up to one percent (1%) of the Charter School revenues. "Revenue, pursuant to Education Code section 47613(f), shall be defined as "the general purpose entitlement and categorical block grant, as defined in subdivisions (a) and (b) of Section 47632" of the Education Code. District shall provide documentation of such oversight. This provision shall not prejudice the District's ability to collect up to the 3% oversight fee at any subsequent time provided that the conditons are met as outlined in Ed Code 47613.

The District shall not withhold the oversight fee on a monthly basis from the Charter School's in-lieu property tax disbursement. The District will invoice the Charter School for the oversight fee on a quarterly or annual basis.

The Charter School shall contribute a fair, equitable and proportionate share of its revenue toward repayment of the District's loan obligations specified in Education Code section 41471. The Charter School's contribution per District resident ADA of the Charter School shall be computed by dividing the District's annual loan payment by the total number of District ADA. In the event that the District's loan obligations are restructured, the District shall give the Charter School written notice thereof, an opportunity for comment, and the parties shall meet and confer to determine in what way the repayment obligations allocated to the Charter School are to be affected. The charter school's share of the loan obligation will not be deducted from its monthly in-lieu property tax disbursement. The District will invoice the Charter School for its share of the loan obligation on a quarterly or annual basis.

3. *Administrative Services*. In the event that Leadership and the District subsequently agree that Leadership shall purchase certain other administrative services from the District, Leadership and the District shall reach a separate written agreement memorializing the terms of such an agreement.

E. Special Education Services/Section 504

The Charter School shall be categorized as a "public school" within the District in conformity with Education Code section 47641, subdivision (b) for purposes of Special Education. The following provisions govern the application of Special Education services to Charter School students.

1. It is understood that all children will have access to the Charter School and no student shall be denied admission due to disability.
2. Leadership will comply with all applicable state and federal laws.

3. Leadership agrees to implement a Student Study Team Process (SST), a regular education function, to monitor and guide referrals for Section 504 and Special Education services. Leadership agrees that it is solely responsible for compliance with Section 504, unless otherwise agreed by the District and Leadership.
4. Pursuant to Education Code section 47641, Leadership has elected to participate as an independent Local Education Agency (LEA) for Special Education services. In recognition of the Charter School's use of El Dorado County for special education services, the District will not assess the Special Education Encroachment fee. Leadership will provide to the District a copy of the Agreement between Leadership and El Dorado County (or other third party SELPA).
5. Leadership must notify the District of any changes to or termination of its SELPA Agreement. Leadership must be part of a SELPA at all times. In the event Leadership elects not to participate as an independent LEA for Special Education services, pursuant to Ed Code section 47641, the Charter School is deemed a public school of the LEA granting the charter, here the District, and all Special Education requirements outlined in the original charter and specified in the original Administrative Services Agreement will be in effect unless otherwise mutually agreed upon in writing.

F. Insurance and Risk Management

Leadership, as applicable, will obtain its own insurance coverage and supply the District certificates of insurance, with proof of insurance of at least the types and amounts recommended by the District's insurer based upon the standard coverage for a school of similar size and location, as follows:

1. Comprehensive or commercial general liability insurance with limits not less than Two Million Dollars (\$2,000,000) each occurrence combined single limit for bodily injury and property damage.
2. Comprehensive or Business Automobile Liability Insurance with limits not less than One Million Dollars (\$1,000,000) each occurrence Combined Single Limit for Bodily Injury and Property Damage including coverage for Owned, Non-owned and Hired Vehicles, as applicable.
3. Workers' Compensation, with Employer's Liability limits not less than One Million Dollars (\$1,000,000) each.
4. Professional Liability (Errors and Omissions or Directors and Officers) Insurance with limits not less than One Million Dollars (\$1,000,000) each

occurrence.

5. If any policies are written on a claims-made form, Leadership agrees to maintain such insurance continuously in force for three years following termination or revocation of the Charter or extend the period for reporting claims for three years following the termination or revocation of the Charter to the effect that occurrences which take place during this shall be insured.
6. Leadership shall be responsible, at its sole expense, for separately insuring its personal property.
7. Leadership shall add the District as a named additional insured on all of its insurance policies and shall provide the District with certificates of insurance and endorsement page no later than 30 days prior to the commencement of instruction.

G. Human Resources Management

1. All staff of the Charter School are employees or contractors of Leadership. Leadership shall have sole responsibility for employment, management, salary, benefits, dismissal and discipline of its employees.
2. The District has no responsibility for collective bargaining on behalf of Leadership.
3. Pursuant to Education Code 47605, teachers in charter schools shall be required to hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold. These documents shall be maintained on file at the charter school and shall be subject to periodic inspection by the chartering authority. The Charter School will be provided flexibility with regard to non-core, non-college preparatory courses as permitted by Ed Code section 47605. The Charter School agrees to comply with applicable federal statutory and regulatory requirements for highly qualified teachers and paraprofessionals used for instructional support as set forth in NCLB.
4. Leadership shall obtain fingerprinting and criminal record summaries for each applicant for employment in a position requiring contact with minor children in accordance with the requirements of Education Code section 44237. In the event that the District procures such information for the benefit of Leadership, Leadership shall pay the District the established fingerprint processing and administrative fee for each fingerprint check and criminal record summary required in an amount sufficient to fully reimburse the District's out-of-pocket costs in connection therewith.

H. Transportation

1. The District shall have no responsibility to provide transportation for Charter School students unless required by law. Leadership may provide transportation services for Charter School students to and from school.
2. Leadership will be responsible for providing transportation for field trips, including using public transportation.

I. Nutritional Services

1. Leadership will be responsible for providing its own food services in accordance with state and federal law. In the event Leadership procures food service from the District, the District may keep the state and federal funding for Free and Reduced Lunches and/or other meals and provide these Free and Reduced Meals to Leadership as at other schools in the District.

J. Educational Program

1. Subject to District oversight and compliance with its Charter and applicable law, Leadership is autonomous for the purpose of deciding the Charter School's educational program, including but not limited to:
 - a. Designing its curriculum and programming;
 - b. Deciding its day schedule and calendar, providing that the annual commencement date for start of school shall meet the attendance reporting required under this Agreement.
 - i. The Charter School will remain in session for a minimum of the number of days required by law per school year and meet the required minutes of instructional time for extended year (64,800 minutes). The Charter School instructional calendar and bell schedules shall be submitted annually to the District for review. Any calendar changes will be provided by the District by August 1 prior to the beginning of the school year. The District may request the annual schedule and schedule of instructional minutes prior to commencement of classes. Leadership reserves the right to make changes to the calendar and bell schedule during the school year.
 - ii. Leadership must meet at least one of the criteria set forth in Education Code section 47607(b)(1)-(4) to obtain renewal of the charter. This provision shall not infringe upon the District's right

to deny renewal of the charter based on other lawful grounds.

- iii. It is understood that the Charter School is required to meet the Adequate Yearly Progress (AYP) requirements and comply with other applicable accountability provisions as required by Title I, Part A provisions of the NCLB. The Charter School's obligation to comply with these requirements shall be determined by the terms of the NCLB.
- iv. Leadership agrees to assume all responsibility and expense for conducting CELDT testing for its students.

- K. Response to Requests. Pursuant to Education Code section 47604.3, Leadership shall promptly respond to all reasonable requests of the District and/or the County Office of Education for information regarding the operation of the Charter School.
- L. Legal Counsel. Leadership shall retain the right to use its own legal counsel and will be responsible for procuring such counsel and bearing all associated costs.
- M. Enrollment of Expelled Students. Neither Leadership nor the District shall be obligated to accept enrollment of any student who has been expelled from the other entity during the term of the expulsion, unless required by law.
- N. Provision of Documents. Leadership will not be applying for funding through the District, but shall provide copies to the District of all federal, state and local government grants, upon request. With both parties understanding that some state, federal and county documents directed toward to Leadership may be mailed to the District, the District agrees to pass on such documents and forms to Leadership in a timely manner, so it may complete its legal obligations. Leadership has full responsibility for the forms and documents it receives directly and those which it must access on the Internet on its own. Leadership shall provide copies to the District of all restricted grant awards with respect to the charter school, regardless of source, upon request.
- O. Non Assignment. Neither party shall assign its rights, duties or privileges under this Agreement, nor shall either party attempt to confer any of its rights, duties or privileges under this Agreement on any third party, without the written consent of the other party. The replacement of Leadership with any other nonprofit corporation or other operating organization body or governance structure shall be treated as a material revision of the Charter, subject to the review and approval of the District pursuant to applicable provisions of the Education Code. A change in Board membership shall not constitute a change in the organizational body or governance structure.
- P. Severability. If any provision or any part of this Agreement is for any reason held to

be invalid or unenforceable or contrary to public policy, law or statute and/or ordinance, the remainder of this Agreement shall not be affected thereby and shall remain valid and fully enforceable.

- Q. Reimbursement of Mandated Costs. Leadership may seek reimbursements of its mandated costs, if any, directly from the State. If the Commission on State Mandates determines through a test claim or claiming instructions that a charter school must claim state mandated costs through the granting agency's mandate claim, the Charter School shall be allowed to file its claims through the District.

- R. Dispute Resolution Procedures

Leadership is committed to partnering with the District in the spirit of cooperation and mutual benefit. It is agreed that Leadership will have an opportunity to present its position before any action is taken regarding a dispute, and that every effort to resolve the issue amicably will be given before any conditions are given or potential actions are taken. Matters unable to be resolved by the District Superintendent or designee and Leadership will be referred to a mutually agreed upon legally licensed mediator at standard cost. Any costs and fees other than attorney fees associated with the mediation shall be shared equally by the parties.

The District and West Contra Costa Board of Education agree to inform the Director of Leadership and the Principal of the School if they are contacted regarding a complaint by a third party or community member against the School and to refer the involved parties to the Charter School's Community Complaint Procedures.

- S. Integration

This represents the full and final agreement between Leadership and the District and shall only be modified in writing by the mutual agreement of the parties indicating an intent to modify or amend this Agreement.

- T. Notices

All required notices under this Agreement shall be given in writing to the following addresses, unless changed in writing:

Attn: Dr. Louise Waters, Superintendent and CEO
2601 Mission Street, Suite 900
San Francisco, CA 94110

Dr. Bruce Harter, Superintendent
West Contra Costa Unified School District
1108 Bissell Avenue

Richmond, CA 94801

Dated: _____

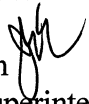
Dr. Bruce Harter, Superintendent
West Contra Costa Unified School District

Dated: _____

Dr. Louise Waters, Superintendent and CEO
Leadership Public Schools, Inc.

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education **Meeting Date:** September 17, 2008
From: Jeff Edmison  **Agenda Item:** CI G. 17
Associate Superintendent for Operations
Subject: Leadership Public Schools (LPS) Charter School Facilities Agreement

Background Information:

Leadership Public Schools, Inc. (LPS) is a private, non-profit public benefit corporation that currently operates a charter high school, Leadership Public Schools Richmond (hereinafter referred to as "Charter School"), a public charter school existing under the laws of the State of California and under the supervisory oversight of the District. The District is the sponsoring district of the Charter School operated by LPS.

Pursuant to the requirements of California Education Code Section 47614 and its implementing regulations (also know as "Proposition 39"), LPS has made a written request for facilities for the 2008-2009 school year. This Facilities Agreement between LPS and the District will set forth the terms and conditions pursuant to which the Charter School will occupy classrooms and use facilities at the Gompers and Nystrom School sites commencing with the 2008-2009 school year.

Recommendation: Approve Facilities Agreement

Fiscal Impact: Approximately 2.3 million dollars.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

**CHARTER FACILITIES AGREEMENT
BY AND BETWEEN
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT AND
CHARTER SCHOOL**

THIS AGREEMENT ("Agreement") is made this _ day of September, 2008, by and between the West Contra Costa School District, a public school district organized and existing under the laws of the State of California ("District") and Leadership Public Schools, Inc., Charter School, a California public charter school ("Charter School"). The District and the Charter School are collectively referred to as "the parties."

R E C I T A L S

WHEREAS, the parties have previously entered into an Administrative Services Agreement (the "Administrative Services Agreement"); and

WHEREAS, the Administrative Services Agreement describes certain operational relationships between the parties; and

WHEREAS, pursuant to the requirements of California Education Code section 47614 and its implementing regulations (also known as "Proposition 39"), the Charter School has made a written request for facilities for the 2008-2009 school year.

WHEREAS, pursuant to the requirements of Proposition 39 and its implementing regulations the District Board of Trustees has made a written offer to provide the Charter School with facilities for its in-district students.

WHEREAS, the parties desire to set forth the terms and conditions pursuant to which the Charter School will occupy classrooms and use facilities at the District's School Sites (the "Sites"), located at Samuel Gompers Alternative School ("Gompers"), located at 157 Ninth Street in Richmond, California and at 715 Chanslor Avenue, in Richmond, California and Nystrom Elementary School ("Nystrom"), located at 230 Harbour Way South, Richmond, CA 94804 commencing with the 2008-2009 school year.

NOW THEREFORE, in consideration of the covenants and agreements hereinafter set forth, the parties agree as follows:

Section 1. Use of Site. The Charter School's right to use of the Sites shall not extend to the use of facilities already in use by the District located on the Sites. Charter School's right to exclusive use of the Sites shall be coterminous with the term of this Agreement and shall be for the 2008-2009 school year only. Upon the termination of this Agreement, the right to exclusive use and occupation of the Sites and the facilities and equipment thereon shall revert to the District subject, to the parties' negotiation of a successor Agreement, if necessary, containing the terms of the District's provision of

facilities to the Charter School in accordance with the provisions of Proposition 39. As titleholder to the Sites and the facilities and equipment located thereon, the District reserves the right at the termination of this Agreement to recoup the full rights and benefits of such ownership, including but not limited to use of such Sites, facilities and equipment for District services upon expiration of this Agreement.

District agrees to allow Charter School use of the Sites as follows:

Section 1.A. Gompers. The District agrees to provide the Charter School with access to the following Exclusive and Shared Space for the purpose of operating the Leadership Public Schools, Inc. educational program, as approved by the District as charter granting agency on March 21, 2007 for the period beginning **July 1, 2008** and ending when the District makes the Nystrom facility available to the Charter School (“Gompers Tenure”):

Section 1.A.1. Exclusive access to the three portable classrooms located on the Southern most portion of the site adjacent to Chanslor Avenue between 8th and 9th Streets;

Section 1.A.2. Exclusive access to the following rooms on the first floor of Gompers: Rooms 106A, 106B, 108, 110, 112, and 117;

Section 1.A.3. Exclusive access to the following rooms on the second floor of Gompers: 206, 207, 208, 209, 210, 212, and 214;

Section 1.A.4. Exclusive access to the following rooms on the third floor of Gompers: 300, 301, 302, 303, 305, 307, 309, and 311;

Section 1.A.5. Exclusive access to the Southwest entrance of the first floor of Gompers for the purpose of ingress and egress to the facilities described herein;

Section 1.A.6. Primary use of the ADA accessible ramp and entrance in the middle of the west side of the Gompers building, provided that Gompers High School staff may use this entrance, and Gompers High School staff, students, and visitors may use this entrance when needed for disabled accessibility purposes. General Gompers High School student access to this entrance and ramp is prohibited;

Section 1.A.7. Exclusive access to the entrance in the middle of the east side of the Gompers building facing 9th Street;

Section 1.A.8. Exclusive access to the Gompers central staircase from 8:00 a.m, until the end of the school day;

Section 1.A.9. Access to reserved parking spots in the Gompers parking lot;

Section 1.A.10. Shared access to the Gompers gymnasium. The Charter School and Gompers shall coordinate the scheduling of the Gompers gymnasium, each school will make reasonable efforts to accommodate the needs of the other;

Section 1.A.11. Exclusive use of the boys' restroom on the first floor, the girls' restroom on the second floor, and the boys' and girls' bathrooms on the third floor;

Section 1.A.12. Primary control over the burglar alarm system. All rooms occupied by the Charter School have a functional burglar alarm system separately zoned for and controlled by the Charter School; and

Section 1.A.13. Nothing in this Agreement shall affect the right of the Charter School to its continued use and occupation of the land and portable classrooms located at 715 Chanslor Avenue during the Gompers Tenure.

Section 1.B. Nystrom. The District agrees to provide the Charter School with access to the following Exclusive and Shared facilities for the purpose of operating the Leadership Public Schools, Inc. educational program, as approved by the District as charter granting agency on March 21, 2007 for the period beginning when the District makes Nystrom available to the Charter School and ending on June 30, 2009 ("Nystrom Tenure"):

Section 1.B.1. Exclusive access to eighteen rooms for use as standard classrooms;

Section 1.B.2. Exclusive access to one room for use as a library;

Section 1.B.3. Exclusive access to three rooms for use as wet science labs;

Section 1.B.4. Exclusive access to two rooms for use as computer labs;

Section 1.B.5. Exclusive access to four rooms for use as student service and administration services rooms;

Section 1.B.6. Exclusive access to three sets of boys' and girls' restrooms;

Section 1.B.7. Exclusive access to one 1920 sq. ft. room for use as a cafeteria;

Section 1.B.8. Exclusive access to eighteen parking spaces;

Section 1.B.9. The District shall negotiate with the City of Richmond to provide access to the park adjacent to the Nystrom Site and to the gymnasium at the Martin Luther King Center to the Charter School. If the District is unable to reach an agreement with the City of Richmond for the Charter School's use of these athletic facilities, the District shall provide the Charter School access to Shared District athletic facilities and bus transportation. The Administrative Services Agreement regarding Transportation is hereby amended consistent with this paragraph; and

Section 1.B.10. Primary control over the burglar alarm system. All rooms occupied by the Charter School shall have a functional burglar alarm system separately zoned for and controlled by the Charter School.

Section 1.C. Gompers/ Nystrom Tenure Deadlines. Barring unavoidable construction delays, the District will end the Gompers Tenure in December 2008 and begin the Nystrom Tenure after Winter Break in January 2009.

Section 1.D. Compliance with the Civic Center Act. The Charter School agrees to comply with the provisions of the Civic Center Act (Education Code section 38131 *et seq.*) in making use of the facilities accessible to members of the community. For purposes of compliance with the Civic Center Act with respect to the Site only, the Charter School Governance Council shall hold the same powers and obligations applicable to School District Boards of Trustees under Education Code sections 38130-38139 and shall also follow District Board Policy and Administrative Regulations in making use of the facilities accessible to members of the community.

Section 1.E. ADA Assumptions. Pursuant to the requirements of Proposition 39, the allocation of space as set forth in these Sections 1.A and 1.B is based upon an assumption of 346 in-district ADA for the 2008-2009 school year. The charter school waives its right to future requests for additional facilities based on enrollment increases for the 2008-2009 school year as specified in Section 11969.9 of the Proposition 39 regulations (Cal. Code Regs., tit. 5, § 11969.9.)

Section 2. Furnishings and Equipment. The District shall provide, in accordance with the Proposition 39 regulations, furnishings and equipment at the Sites. These furnishings and equipment shall remain the property of the District. The furnishings and equipment provided shall be equivalent to those furnishings and equipment provided in the comparison group of schools in accordance with 5 C.C.R. Section 11969.3. The District and the Charter School shall develop a mutually agreeable inventory of the furnishings and equipment that will be located at the Sites.

Section 3. Over Allocation Fee Waiver: In recognition of the challenges posed by the mid-year move, the District shall waive its right to assess an over allocation fee in accordance with 5 C.C.R. Section 11969.8 for the 2008-2009 school year.

Section 4. Term. The term of this Agreement shall begin on its date of execution and shall end on June 30, 2009.

Notwithstanding the term of this Agreement, the Charter Schools' right to renew this Agreement shall be subject to compliance with the annual notification requirements of Education Code section 47614 and 5 C.C.R. sections 11969 *et seq.* and compliance with the terms of this Agreement. Upon timely notification of the Charter School's facilities needs in accordance with 5 C.C.R. sections 11969 *et seq.*, the parties shall amend the terms of this Agreement, if necessary, and the parties shall execute a new Agreement. The District reserves the right to provide alternative facilities at the end of the term of this Agreement that meet the requirements of Prop. 39.

Section 5. Renewal. This agreement will be reviewed annually and will either be renewed for successive terms or amended as necessary.

Section 6. Termination. This Agreement will automatically terminate upon the termination or revocation of Charter School's charter or the cessation of Charter School's operations for any reason.

Section 7. Rent. In consideration of the District's provision of facilities to the Charter School, the Charter School and the District agree to the following fee schedule:

Section 7.A. Fees during the Gompers Tenure.

Section 7.A.1. Pro Rata Share Amount Waiver. The District shall waive the pro rata share amount referred to in Education Code section 47614(b)(1) for the term of this Agreement only, without prejudice to its right to collect the fee at any future time.

Section 7.A.2. Relocation Costs. The District shall pay the costs to relocate the Charter School from the Gompers Site to the Nystrom Site at the end of the Gompers Tenure.

Section 7.B. Fees during the Nystrom Tenure. The facilities hereunder shall be provided to the Charter School rent-free. The District shall waive the pro rata share amount referred to in Education Code section 47614(b)(1) for the term of this Agreement only, without prejudice to its right to collect the fee at any future time.

Section 7.B.1. Pro Rata Share Amount Waiver. The District shall waive the pro rata share amount referred to in Education Code section 47614(b)(1) for the term of this Agreement only, without prejudice to its right to collect the fee at any future time.

Section 8. Utilities. Pursuant to Section 11969.4 of Title 5 of the *California Code of Regulations*, LPS shall pay the District for utility services that are provided by the District to the Exclusive Space listed above. Unless such expenses for the Exclusive Space can be separately metered or measured, campus-wide operational services costs

will be allocated based on the ratio of Exclusive Space square footage to total campus square footage. The District's current utilities cost per building sq.ft. is \$1.25.

With respect to internet connectivity, the Charter School shall assume use of the pre-existing T-1 line and the District shall transfer billing for the use of such line over to the Charter School. Charter School shall obtain its own internet service provider. The District shall provide all telephone systems, data lines, and related equipment, software and hardware, to the Charter School. However, the Charter School shall assume sole responsibility for upkeep and maintenance of all telephone systems, data lines, and related equipment, software and hardware.

Section 9. Maintenance. Facilities and furnishings and equipment provided to the Charter School shall remain the property of the District. The daily and minor operations and maintenance of the facilities and equipment is the responsibility of the Charter School. Projects eligible to be included in the District deferred maintenance plan established pursuant to Education Code section 17582 and the replacement of furnishings and equipment supplied by the District in accordance with District schedules and practices shall remain the responsibility of the District. The Charter School may purchase operations and maintenance services from the District as provided in a separate written agreement.

District shall be responsible for the major maintenance of the facilities used by School. For purposes of this section, "major maintenance" includes the major repair or replacement of plumbing, heating, ventilation, air conditioning, electrical, roofing, and floor systems, exterior and interior painting, and any other items considered deferred maintenance under Education Code section 17582. All other kinds of maintenance shall be considered routine maintenance.

Section 10. Installation of Improvements. Charter School shall not construct or install any improvements on the Sites or otherwise alter the Sites without the prior written consent of District, and if required, the Division of the State Architect. District's approval of any improvements, including the construction schedule, work hours, and modifications, shall be at District's sole and absolute discretion, and District may disapprove of such improvements without reason. Contractors retained by Charter School with respect to the construction or installation of improvements shall be fully licensed and bonded as required by law and must maintain levels of casualty, liability and workers' compensation insurance and performance and payment bonds consistent with District construction requirements. The construction or installation of improvements shall be performed in a sound and workmanlike manner, in compliance with all laws applicable to charter schools, including buildings codes and prevailing wage laws. District or District's agent shall have a continuing right at all times during the period that improvements are being constructed or installed to enter the premises and to inspect the work, provided that such entries and inspections do not unreasonably interfere with the progress of the construction or interrupt instruction to students.

Section 11. Condition of Property. Charter School, at its expense, shall comply with all applicable laws, regulations, rules and orders with respect to its use and occupancy of the Sites, including, without limitation, those relating to health, safety, noise, environmental protection, waste disposal, and water and air quality. The Charter School shall not be responsible for any and all environmental conditions that existed prior to the Charter School's occupancy of the Sites. The District shall remain responsible for compliance with the ADA, FEHA, and other applicable building code standards regarding access for any existing compliance issue prior to the date of execution of this Agreement.

Should any discharge, leakage, spillage, emission, or pollution of any type occur upon or from the Sites due to the Charter School's use and occupancy thereof, Charter School, at its expense, shall be obligated to clean all the property affected, to the satisfaction of District and any governmental agencies having jurisdiction over the Sites. Should any discharge, leakage, spillage, emission, or pollution of any type occur upon or from the District facilities due to the condition of the District's property, the District, at its expense, shall be obligated to clean all the property affected, to its satisfaction and the satisfaction of any governmental agency having jurisdiction over District facilities.

Section 12. Title to Property. The parties acknowledge that title to the Sites are held by the District and shall remain in the District at all times.

Section 13. Fingerprinting. Charter School shall be responsible for ensuring compliance with all applicable fingerprinting and criminal background investigation requirements described in Education Code section 45125.1. Verification of compliance with the aforementioned fingerprinting and criminal background investigation requirements shall be provided in writing to District prior to each individual's commencement of employment or participation in any activity of Charter School on the Site and prior to permitting contact with District pupils.

Section 14. Insurance. The District will continue to maintain its current levels of insurance on the structures on the Sites. To the extent that the District does not currently have insurance on the Sites, the District will obtain appropriate insurance coverage before the Charter School occupies the Sites. Charter School shall, during the term of this Agreement, maintain in force the required levels of insurance as stated in section II(F) of the Administrative Services Agreement between the parties.

Section 14.A. Insurance at Gompers Site. Charter School shall be responsible for obtaining its own liability insurance related to its use and occupation of the Gompers Site, and shall obtain its own personal articles insurance. Leadership shall not be responsible for obtaining fire or flood insurance for the structures at the Gompers Site.

Section 14.B. Insurance at Nystrom Site. Charter School shall be responsible for obtaining its own liability insurance related to its use and occupation of the Nystrom Site, and shall obtain its own personal articles insurance. Leadership shall

not be responsible for obtaining fire or flood insurance for the structures at the Nystrom Site.

Section 15. Indemnification.

Section 15.A. Charter School Indemnification. Charter School shall indemnify and hold harmless the District as provided in Section II(C)(2) of the Administrative Services Agreement, except that the indemnification and hold harmless provision shall exclude actions brought against the District arising out of the District's non-compliance with all applicable building, construction, maintenance, and safety laws, codes, ordinances, and regulations. The Administrative Services Agreement is hereby amended consistent with this paragraph.

Section 15.B. District Indemnification. District shall indemnify and hold harmless the Charter School as provided in Section II(C)(2) of the Administrative Services Agreement.

Section 16. Access. Charter School shall permit District, its agents, representatives or employees, to enter upon the Sites for the purpose of inspecting same or to make repairs, alterations, or additions to any portion of the Sites. District shall attempt to give reasonable notice where practicable but shall not be obligated to do so in the event of emergency or imminent threat to health or safety of occupants.

Section 17. Notice. Any notice required or permitted to be given under this Agreement shall be deemed to have been given, served and received if given in writing and personally delivered or either deposited in the United States mail, registered or certified mail, postage prepaid, return receipt required, or sent by overnight delivery service or facsimile transmission, addressed as follows:

If to the District: West Contra Costa Unified School District
 1108 Bissell Avenue
 Richmond, California 94801
 Attn: Superintendent

If to the School: Leadership Public Schools, Inc.
 2601 Mission Street, 9th Floor
 San Francisco, California 94110
 Attn: Chief Executive Officer

Any notice personally given or sent by facsimile transmission shall be effective upon receipt. Any notice sent by overnight delivery service shall be effective the business day next following delivery thereof to the overnight delivery service. Any notice given by mail shall be effective three (3) days after deposit in the United States mail.

Section 18. Subcontract and Assignment. Neither party shall assign its rights, duties or privileges under this Agreement, nor shall a party attempt to confer any of its rights, duties or privileges under this Agreement (including that of sublease) on any third party, without the written consent of the other party.

Section 19. Independent Status. This Agreement is by and between two independent entities and is not intended to and shall not be construed to create the relationship of agent, servant, employee, partnership, joint venture, or association.

Section 20. Entire Agreement of Parties. This Agreement and the Administrative Services Agreement constitute the entire agreement between the parties and supersede all prior discussions, negotiations and agreements, whether oral or written. This Agreement may be amended or modified only by a written instrument executed by the parties.

Section 21. California Law. This Agreement shall be governed by and the rights, duties and obligations of the parties shall be determined and enforced in accordance with the laws of the State of California. The parties further agree that any action or proceeding brought to enforce the terms and conditions of this Agreement shall be maintained in Contra Costa County, California.

Section 22. Attorneys' Fees. If either party files any action or brings any proceedings against the other arising out of this Agreement, the prevailing party shall be entitled to recover, in addition to its costs of suit and damages, reasonable attorneys' fees to be fixed by the court. The "prevailing party" shall be determined in accordance with Civil Code Section 1717. No sum for attorneys' fees shall be counted in calculating the amount of a judgment for purposes of determining whether a party is entitled to its costs or attorneys' fees.

Section 23. Waiver. The waiver by any party of any breach of any term, covenant, or condition herein contained shall not be deemed to be a waiver of such term, covenant, condition, or any subsequent breach of the same or any other term, covenant, or condition herein contained.

Section 24. Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, legal representatives, successors, and assigns.

Section 25. Counterparts. This Agreement and all amendments and supplements to it may be executed in counterparts, and all counterparts together shall be construed as one document.

Section 26. Captions. The captions contained in this Agreement are for convenience only and shall not in any way affect the meaning or interpretation hereof nor serve as evidence of the interpretation hereof, or of the intention of the parties hereto.

Section 27. Severability. Should any provision of this Agreement be determined to be invalid, illegal or unenforceable in any respect, such provision shall be severed and the remaining provisions shall continue as valid, legal and enforceable.

Section 28. Incorporation of Recitals. The Recitals are incorporated herein by reference.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date first above written.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

By: _____

Title: _____

CHARTER SCHOOL

By: _____

Title: _____

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education **Meeting Date:** September 17, 2008
From: Jeff Edmison *[Signature]* **Agenda Item:** CI G. 18
Associate Superintendent for Operations
Subject: Leadership Public Schools Temporary Campus Sitework Award of Contract

Background Information:

The Leadership Public Schools ("LPS") Temporary Campus project is the first phase of work that the District is completing as part of meeting its long-term Charter School Facilities responsibilities to LPS under Proposition 39 requirements. The long-term plan includes the demolition of the existing Gompers buildings and the construction of new Charter Facilities at that site. The Board approved this project with the Facilities Master Plan Update of April 4, 2007, and reaffirmed the project in the 2008 Facilities Master Plan updates. While funding for the long-term project has not been secured, nonetheless, given the significant facilities issues at Gompers, it is appropriate to begin removing students from the buildings in order to prepare for demolition. The Temporary Campus at Nystrom Elementary will first house LPS students, then will also be used to house Nystrom Elementary students during the renovations of the existing Nystrom main building.

The Architects for the project, Interactive Resources, have prepared plans and specifications for the LPS Temporary Campus to be located at the rear of the Nystrom Elementary School campus. The Temporary Campus includes modular buildings and use of the existing older bungalow buildings.

The Architects have completed plans and specifications for the project, which have been approved by the Division of State Architect. The work of this contract includes limited grading, plumbing, electrical, fire alarm, data and other hookups to the buildings. Minor renovation of the existing bungalows is a part of the project, which also includes landscape, fencing, site furnishings, shade structures, and other associated work.

The District is currently conducting a public bid for the project. Bids will be received on September 16, 2008. Staff will bring a recommendation for award to the Board meeting of September 17, 2008.

Recommendation: Award contract to lowest responsive, responsible bidder.

Fiscal Impact: \$ _____. This project will be funded from the Measure J Bond funds.


DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education **Meeting Date:** September 17, 2008
From: Jeff Edmison  **Agenda Item:** CI G.19
Associate Superintendent for Operations
Subject: Ford Temporary Campus Modulares Award of Contract

Background Information:

The first step in the reconstruction of Ford Elementary School is the construction of a temporary campus to house the school during construction. Ford is the smallest District elementary school site, at 2.1 acres, and it will not be possible to construct the new school while maintaining the existing school on site. Therefore, the school is proposed to be relocated to the field area of the Downer Elementary campus for the duration of the main campus construction at the Ford site. Sally Swanson Architects has prepared plans and specifications for the Ford Temporary Campus project. The work includes site grading, asphalt placement, utility connections—water, sewer, fire alarm, electrical/data. The campus also includes play areas, fencing, trash enclosures, and site furnishings.

The District conducted a public bid process for the project. Bids were received on September 10, 2008. They are as follows: Terra Nova Engineering \$1,295,000; B Bros Construction \$993,750; Maguire Hester \$987,900; Ghilotti Brothers \$1,165,258; Bay Cities Paving and Grading \$914,000; Trinet Construction \$1,125,000; and, AJF Construction \$1,181,000. The lowest responsive, responsible bidder is Bay Cities Paving and Grading at \$914,000.

Recommendation: Award contract to the lowest responsive, responsible bidder.

Fiscal Impact: \$914,000. Funded from the Measure J Bond.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____
Approved _____ Not Approved _____ Tabled _____

RWEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION --- BOARD OF EDUCATION

To: Board of Education **Meeting Date:** September 17, 2008
From: Jeff Edmison *JE* **Agenda Item:** CI G. 20
Associate Superintendent for Operations
Subject: Emergency Repair Program (ERP) – Fairmont ES Multipurpose Room Roofing -
Award of Contract

Background information:

The State Allocation Board has approved the multipurpose room roofing project at Fairmont ES under the Emergency Repair Program application. The scope of work is to repair and replace existing multipurpose room asphalt roof at the corner of the building and cut back existing roofing material to seal drains. Work will also include flashing and utility outlets to prevent water intrusion in the building. Specifications have been prepared by the Seville Group (SGI).

The District is currently conducting a public bidding process for the project. Bids are due on September 16, 2008. Staff will bring a recommendation for award to the meeting of September 17, 2008.

Recommendation: Award contract to the lowest responsive, responsible bidder.

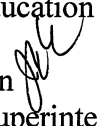
Fiscal Impact: \$_____. Emergency Repair Program Funds

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____
Approved _____ Not Approved _____ Tabled _____

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION --- BOARD OF EDUCATION

To: Board of Education **Meeting Date:** September 17, 2008
From: Jeff Edmison  **Agenda Item:** CI G.21
Associate Superintendent for Operations
Subject: Emergency Repair Program (ERP) – Transition Learning Center - Paving Award of Contract

Background information:

The State Allocation Board has approved the paving and drainage project at Transition Learning Center under the Emergency Repair Program application. The scope of work is installation of new drain inlet for proper drainage, removal of asphalt, compact sub-grade, and placement of new asphalt over prepared sub-grade. Plans and specifications have been prepared by the Seville Group (SGI).

The District is currently conducting a public bidding process for the project. Bids are due on September 16, 2008. Staff will bring a recommendation for award to the meeting of September 17, 2008.

Recommendation: Award contract to the lowest responsive, responsible bidder.

Fiscal Impact: \$_____. Emergency Repair Program Funds

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____
Approved _____ Not Approved _____ Tabled _____

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: September 17, 2008

From: Bruce Harter, Superintendent

Agenda Item: CI G. 22

Subject: Approval of Board Member Attending California School Boards Association, Masters in Governance Training Modules

Background Information:

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 member Audrey Miles has expressed an interest in attending the California School Boards Association Masters in Governance training modules over the next two years. The first two training sessions will be held September 26 and 27 in Sacramento and October 24 and 25 in Garden Grove, California. Expenses including registration, travel, food and lodging are estimated to total approximately \$1,000 per weekend session. Funds for Board travel and conference are budgeted and there is sufficient funding within that budget.

Recommendation:

That the Board authorize member Audrey Miles to attend the Masters in Governance training over the next two years.

Fiscal Impact: General Fund

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: September 17, 2008

From: Bruce Harter, Superintendent

Agenda Item: CI G. 23

Subject: Approval of Superintendent and Board Members Attending California School Boards Association Annual Education Conference

Background Information:

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). Superintendent Harter and Board members have expressed interest in attending the California School Boards Association (CSBA) Annual Education Conference, to be held in San Diego. The conference dates are December 4 through 6, 2008 at the San Diego Convention Center. Expenses including registration, travel, food and lodging are estimated to total approximately \$4,926.00. Funds for Board travel and conference are budgeted and there is sufficient funding within that budget.

Recommendation:

That the Board authorizes attendance at the CSBA Annual Education Conference 2008.

Fiscal Impact: General Fund

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____