

**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**  
April 22, 2009

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION  
MEETING AGENDA  
APRIL 22, 2009**

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**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.net/board/APM\\_index.shtml](http://www.wccusd.net/board/APM_index.shtml)

Any writings or documents that are public records and are provided to a majority of the governing board regarding an open session item on this agenda will be made available for public inspection in the District office located at 1108 Bissell Avenue, Richmond, CA 94801 during normal business hours. In addition, such writings and documents may be posted on the District's website as noted above.

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**VIEWING AND LISTENING TO THE BOARD MEETINGS:**

**Television:**

Live television broadcast of regularly scheduled Board meetings is temporarily suspended due to construction at the Richmond Civic Center. Board meetings will be rebroadcast by the City of Pinole on PCTV Channel 26/28, the City of Richmond KCRT Channel 28 and the City of Hercules Cable Channel 28. Please check the city websites for local listings of rebroadcast schedules.

You may also find the complete meeting available on a tape-delay basis through the Richmond City Web Page at: <http://www.kcrt.com> within a few days of the recording date.

**Radio:**

Radio broadcast of regularly scheduled Board meetings is temporarily suspended.

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 cities of Pinole and Richmond for their generosity in helping to televise WCCUSD Board of Education meetings.

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**ATTENDING BOARD MEETINGS:**

The public is warmly invited to attend and participate in all WCCUSD Board of Education meetings.

**Location:**      **LOVONYA DEJEAN MIDDLE SCHOOL  
3400 MACDONALD AVENUE  
RICHMOND, CA 94805**

**Time:**            The **Board of Education's Open Session meeting will begin at 6:30 PM**. The Board will convene at **5:00 PM** in the Multi-Purpose Room to receive comments from anyone wishing to address the Board regarding closed session items (Exhibit A). The Board will then adjourn to closed session and reconvene in open session to address the regular agenda (Exhibits B-G) at 6:30 PM.

**Special Accommodations:** Upon written request to the District, disability-related modifications or accommodations, including auxiliary aids or services, will be provided. Please contact the Superintendent's Office at 510-231-1101 at least 48 hours in advance of meetings.

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"of children be more careful than anything."  
e.e. cummings

**B. OPENING PROCEDURES**

**B.1 Pledge of Allegiance**

**B.2 Welcome and Meeting Procedures**

**B.3 Roll Call**

\* **B.4 Presentation of Student Board Representative Cari Tam, Middle College High School**

Comment:

Student Board Representative Cari Tam will be representing Middle College High School at the Board of Education on April 22, 2009. We would like to recognize and commend her participation.

Recommendation: For Information Only

Fiscal Impact: None

**B.5 Report/Ratification of Closed Session**

\* **B.6 Agenda Review and Adoption (Public Comment)**

\* **B.7 Board Minutes: April 1, 2009; April 4, 2009; April 6, 2009.**

**C. BUSINESS ITEMS**

**CONSENT ITEMS (Routine Matters)**

Consent Calendar Items designated by “CI” are considered routine and will be enacted, approved and adopted by one motion, unless a request for removal, discussion or explanation is received from any Board member or member of the public in attendance. Items the Board pulls for discussion or explanation will be addressed following Section E.

\***CI C.1 Contracted Services**

Comment:

Permission is requested of the Board of Education to approve contracts for services as detailed dated April 22, 2009.

Recommendation: Recommend Approval

Fiscal Impact: As noted per contracts summary

\***CI C.2 Grants/Awards/Agreements**

Comment:

Formal acceptance is requested from the Board of Education to accept the grants/awards/agreements, as detailed dated April 22, 2009.

Recommendation: Recommend Approval

Fiscal Impact: As noted per grants summary

**\*CI C.3 Acceptance of Donations**

Comment:

The District has received donations as summarized dated April 22, 2009. 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 C.4 Approval of Fund-Raising Activities**

Comment:

The planned fund-raising events for the 2008-09 school year are summarized dated April 22, 2009.

Recommendation: Recommend Approval

Fiscal Impact: Additional revenue for schools

**\*CI C.5 Notification of Claim Approvals and Settlement Payments**

Comment:

The District has received claims regarding compensation for property damage. The District's risk management firm has investigated the claims and is requesting the School Board to ratify the authorized settlement payments.

Recommendation: Ratify the authorized approval of claims and payments for property damage.

Fiscal Impact: Self-Insurance Program

**\*CI C.6 Summary of Payroll and Vendor Warrant Reports**

Comment:

The summaries of Payroll and Vendor Warrants issued during the month of March, 2009 are provided.

Total of payroll warrants: \$10,897,107

Total of vendor warrants: \$21,238,423

Recommendation: Recommend approval of the payroll and vendor warrant reports

Fiscal Impact: As noted above

**\*CI C.7 Notice of Completions: Bid J068111 Dover Demolition and Site work, J068112 King Demolition Site work and Temporary Playground, E068142 Pinole Valley HS Exterior Lighting**

Comment:

A substantial Completion Notice has been received for:

Bid J068111 Dover Demolition and Site work  
Bid J068112 King Demolition Site work and Temporary Playground  
Bid E068142 Pinole Valley HS Exterior Lighting

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

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

Evans Brothers Bid J068111 Dover Demolition and Site work  
Bay Cities Paving and Grading Bid J068112 King Demolition Site work and Temporary Playground  
ERA Construction Bid E068142 Pinole Valley HS Exterior Lighting

Recommendation: Recommend approval of these notices of completions

Fiscal Impact: None

**\*CI C.8 Resolution No. 80-0809: Credential Assignment Options**

Comment:

This resolution will provide the District with assignment options of a temporary nature when a teacher with an appropriate credential is not available to the district.

The options are only available to teachers who hold a current, non-emergency, basic credential.

Recommendation: Recommend Approval

Fiscal Impact: None

**\*CI C.9 Resolution No. 79-0809: Declaration to Hire 30-Day Substitutes on CBEST Waivers**

Comment:

There is a statewide shortage of qualified substitutes. The requirement that each 30-day substitute CBEST waiver request be approved by the Board of Education before the waiver request is submitted has been relaxed by the Commission on Teacher Credentialing (CCTC). Instead, they will require a governing board to declare that the district has hired teachers from the substitute pool to implement the Class Size Reduction Program and is now experiencing difficulty in recruiting individuals who qualify for the 30-day Substitute Teaching Permit. This declaration need be approved only once for all CBEST waiver requested in 2009-2010. This item may not appear on the consent calendar for the governing board meeting. Our district will continue to recruit and search for fully credentialed teachers while using this assignment option.

Recommendation: Recommend Approval

Fiscal Impact: None

**\*CI C.10 Employment of Retired Administrator for 2008-2009**

Comment:

A waiver is required for the following retired administrator to supply emergency services and/or substitute to the district.

Richard Avalos – Assistant Principal

Recommendation: Recommend Approval

Fiscal Impact: None

**\*CI C.11 Approval of Sabbatical Leave Requests for 2009-2010**

Comment:

The District and UTR have a negotiated agreement for the district to provide 10 Sabbatical Leaves each year. The leaves can be taken for purposes of formal study, travel, or independent study. Teachers on leave will receive 50% of their annual salary and 100% health and welfare coverage. Each request for leave is set forth below.

**Susan Revier**

**Kensington Elementary School, 3<sup>rd</sup> grade**

**Purpose of Sabbatical: Travel, One Year**

The objectives of the proposed travel are as follows:

To improve her ability to teach expressive arts to children. She plans to visit elementary schools in New Mexico and in the four corner regions of the southwest to learn about programs that focus on Native American art traditions. Some of the reservations she plan to observe are the Mescalero Apache, Alamo Navajo and Zuni Pueblo reservations all located in New Mexico. She possesses an MA in Transformative Arts. The training will allow her to design, work and play with children using a variety of art materials and techniques that encourage reflection and problem solving bringing enjoyment to students, as well as using her findings and observations in writing curriculum for grades K-12.

**Emilie Sederholm-Wood**

**Ohlone Elementary, Kindergarten**

**Purpose of Sabbatical: Travel, One Year**

The objectives of the proposed travel are as follows:

To visit different states and schools and observe how different schools and teachers are handling the issue of differentiated instruction, particularly in the area of reading. Her main interest is to visit kindergarten to see how teachers are preparing kindergarteners for first grade as well as what they are doing to meet the needs of their different learners, what resources they have available to them to address

the different needs of their students, and how they take into account such issues as class size, culture, and the socio-economic status of the students and their families. She also plans to observe the Head Start and the pre-school program on how their classes are meeting the needs of young learners and how they are preparing their four and five year olds for school.

**Christine Riedell**  
**Lupine Hills Elementary, Kindergarten**  
**Purpose of Sabbatical: Travel, One Semester**

The objectives of the proposed travel are as follows:

To continue her photographic project that began in 2000, which is the documentation of the 17<sup>th</sup> century gardens of Andre Le Notre in and around Paris, France. She will be meeting with gallery managers, publishers and museum curators in Europe and will be exhibiting and publishing her photographs.

**Diana Ortega**  
**Downer Elementary School, 2<sup>nd</sup> grade APL**  
**Purpose of Sabbatical: Study/Travel, One Semester**

The objectives of the proposed travel/study are as follows:

In the summer she will study and take an internship in Cuernavaca, Mexico. To gain an understanding of Mexican culture, the pedagogical procedures used to teach elementary level Spanish and conduct a cross-cultural exchange with Mexican students once her internship is complete.

She will study at CSU Hayward extension and take 8 graduate semester units of college. The courses taken will be related to teaching English Language Learners (ELL's).

**Phyllis Buford**  
**Richmond High School, Special Education Teacher**  
**Purpose of Sabbatical: Formal Study, One Year**

The purpose of the Sabbatical is to take 8 graduate semester units at Sonoma State University.

Recommendation: Recommend Approval

Fiscal Impact: \$191,617.10 – including salary and health benefits

**\*CI C.12 Resolution No. 81-0809: National “Day of the School Nurse”**

Comment:

We wish to recognize all the school nurses who give their energy, their intellect, their commitment and their love to the students of West Contra Costa Unified School District with a resolution proclaiming May 6, 2009 as the “Day of the School Nurse.”

Recommendation: Recommend Approval

Fiscal Impact: None

**\*CI C.13 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: \$264,950. Funding sources as noted.

**\*CI C.14 Ratification and Approval of Negotiated Change Orders**

Comment:

Staff is seeking ratification of Change Orders on the following current District construction projects: TLC Paving, El Cerrito HS New Campus, El Cerrito HS Theater, Tara Hills Doors, Downer Elementary New Campus, and Ford Demolition Sitework projects. 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 Ford Elementary Temporary Campus 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: \$70,627.05.

**\*CI C.15 Montalvin Manor Elementary Trash Enclosure Project Award of Contract**

Comment:

In order to complete the work on the Kay Rd. Extension and the Montalvin Manor Elementary New Entry Plaza, the District needs to construct an appropriate trash enclosure area. This will be adjacent to the new plaza, with screening and a size adequate for bins and recycling containers. Baker Vilar Architects prepared construction documents for the project. The District conducted a public bid process for this project. Bids were opened on March 12, 2009. Eleven contractors submitted bids. One bid was non-responsive. The responsive bids were as follows: Trinet Construction \$43,280; Bruce Carone Grading \$39,644; Sonoma Engineering \$36,420; Azul Works \$35,999; Suarez and Munoz \$35,900; Fieldstone Construction \$34,669; WR Forde \$32,100; Blackshear Construction \$31,800; Coastside Concrete \$30,565; and, Rosas Brothers \$28,647.

The District received a bid protest on this project. After review with legal counsel it was determined that the lowest responsive, responsible bidder is Rosa Brothers at \$28,647.

Recommendation: Award contract to lowest responsive, responsible bidder

Fiscal Impact: \$28,647. Funded from the Capital Facilities Fund

**\*CI C.16 Pinole Middle School Building A Demolition Project Award of Contract**

Comment:

The next step in the completion of construction at the Pinole Middle School site is the renovation of the original main building, “Building A.” Prior to renovation work, the District must complete hazardous materials removal and demolition of interior and exterior finishes, roofing, and equipment on the building. This is being done as a separate package while the renovation drawings are being reviewed and coordinated prior to bid. Plans and specifications for this project were prepared by Powell and Partners Architects.

The District conducted a public bid for this project. Bids were opened on April 10, 2009. Six Contractors submitted bids. They are as follows: Parc Services \$890,490; Sterling Environmental \$890,000; CST Environmental \$852,800; Evans Brothers \$838,800; Demo Masters \$835,000; Asbestos Management \$773,070. Unfortunately, Asbestos Management’s bid form was submitted unsigned as required by the bid documents. The bid has been declared non-responsive. Therefore, the lowest responsive, responsible bidder is Demo Masters at \$835,000.

This bid price is \$65,000 below the District’s estimated cost for the project.

Recommendation: Award contract to the lowest responsive, responsible bidder

Fiscal Impact: \$835,000. Funded from the Measure J Bond.

**\*CI C.17 Dover Elementary New Campus Construction Project Award of Contract**

Comment:

The next step in the reconstruction of Dover Elementary School is to complete the main campus construction. This work includes three phases of construction for all new classroom buildings, support spaces, a new multi-purpose room, playgrounds, soccer field, parking and drop-off areas, and other site work and site furnishings. The work also includes demolition of existing campus buildings, including demolition and replacement of 23 portables.

HY Architects has prepared plans and specifications for the Dover project. The District conducted a public bid of the project. Bids were opened on Tuesday, April 14, 2009. Nine Contractors submitted bids. They are as follows: Overaa Construction \$25,615,000; Arntz Builders \$22,847,622; BRCO Constructors \$22,375,000; Wright Construction \$21,999,000; SJ Amoroso \$21,877,000; Lathrop Construction \$21,835,000; West Bay Builders \$21,691,000; Alten Construction \$21,491,000; and Zovich and Sons \$21,475,000. The lowest responsive, responsible bidder is Zovich and Sons at \$21,475,000.

District staff and SGI, Bond Program Managers, have confirmed that sufficient funds are available for the award of this project, even prior to completing future bond sales authorized under Measure J.

This bid is significantly below the District’s construction estimate and budget for the project. This appears to reflect unusual market conditions related to the financial crisis and recession. The bid savings will assist the District in balancing other impacts to the Bond Program budget. Staff will bring an updated program

budget forward at a future meeting of the Board and after review with the Board's Facilities Subcommittee.

Recommendation: Award contract to lowest responsive, responsible bidder.

Fiscal Impact: \$21,475,000. Funded from the Measure J Bond

**\*CI C.18 Citizens' Bond Oversight Committee Member Appointments**

Comment:

On April 14, 2009, the City of Hercules City Council approved the appointments of Joe Eddy McDonald and Donald Kuehne (alternate) to the District's Citizens' Bond Oversight Committee.

Recommendation: Recommend approval of appointments to the Citizens' Bond Oversight Committee

Fiscal Impact: None

**\*CI C.19 Williams Lawsuit Complaints Quarterly Report**

Comment:

The Williams Lawsuit requires that a quarterly report be brought before the Board of Education reflecting the number of complaints filed with any school in the district during a particular quarter. This report reflects the time period from January 1, 2009 through March 31, 2009.

Recommendation: For Approval

Fiscal Impact: None

**\*CI C.20 Resolution No. 83-0809, Child Nutrition Employee Appreciation Week, May 4-8, 2009**

Comment:

May 4-8, 2009 has been designated Child Nutrition Employee Appreciation week. This resolution recognizes the hard work and dedication put forth by our Child Nutrition personnel.

Recommendation: For Approval

Fiscal Impact: None

**\*CI C.21 Offering of Work Experience Education (WEE) Program in the West Contra Costa Unified School District**

Comment:

West Contra Costa Unified School District will continue to offer all students in the secondary schools Exploratory Work Experience and General Work Experience in accordance with the District plan for Work Experience and in compliance with appropriate federal and state laws, California Labor Code, California Code of Regulations and Title V.

Recommendation: For Information Only

Fiscal Impact: None

**\*CI C.22 Resolution No. 82-0809: SB 810 - California Universal Healthcare Act**

Comment:

West Contra Costa Unified School District strongly supports SB 810, the California Universal Healthcare Act, which will cover every Californian with comprehensive, affordable health insurance and allow every Californian to choose his or her own physician.

At some time each year, at least one in five Californians does not have health insurance. As health insurance costs continue to skyrocket, employers are reducing coverage and dropping benefits altogether. Half of all bankruptcies in the United States are now related to medical costs and  $\frac{3}{4}$  of those bankrupted families *had health insurance at the time they became ill or injured*. The simple truth is that average Californians can no longer rely on their health insurance when they become ill or injured.

The United States spends twice as much per person as every other industrialized country on health care, yet we are the only industrialized nation where people go bankrupt because of medical costs. We have fewer physicians per capita than many other industrialized countries, and fewer hospital visits. Most importantly, our health care system ranks at the bottom of industrialized nations, according to the World Health Organization.

SB 810 will affordably cover every Californian with comprehensive benefits. Every Californian will be covered by a single plan that provides medical, dental, vision and prescription drug coverage, as well as hospitalization, emergency room care and transportation, laboratory work, skilled nursing care, mental health care, drug addiction rehabilitation, and chiropractic care.

Recommendation: Approve Resolution No. 82-0809 in Support of SB 810

Fiscal Impact: Board resolution will have no fiscal impact. Passage of SB 810, however, will significantly reduce health care costs for the District. Exact impact on the cost of health benefits will need to be determined.

**\*CI C.23 Resolution No. 84-0809: In Support of May 19 Ballot Measures**

Comment:

A key aspect of the adopted state budget for 2009-10 is the passage of the May 19 ballot initiatives. Without these measures, West Contra Costa Unified School District will have to make even more reductions for 2009-10.

Recommendation: That the Board adopt Resolution 84-0809 in support of the May 19 ballot initiatives.

Fiscal Impact: None

**D. AWARDS, RECOGNITIONS, AND REPORTS**

\* **D.1 Recognition of Middle College High School as a 2009 California Distinguished School**

Comment:

State Superintendent of Public Instruction, Jack O’Connell, recently announced that Middle College High School was one of among 125 high schools selected to receive the prestigious 2009 California distinguished School award.

The selected middle and high schools represent about 10.9 percent of California’s nearly 2,400 middle and high schools. Of those, only 341 schools met the eligibility criteria based on their student achievement and were chosen from 170 school districts in 46 counties. An awards ceremony honoring the Distinguished Schools will be held Friday, May 29 at the Disneyland Hotel in Anaheim. The Disneyland Resort is a major corporate sponsor of the event.

Recommendation: For Information Only

Fiscal Impact: None

\* **D.2 Grand Jury Report No. 0907**

Comment:

A letter and a copy of Grand Jury Report No. 0907: “Retire Healthcare Benefits Leave County Taxpayers on the Hook – A New Approach is Required to Deal With Unsustainable Retiree Healthcare Benefits Provided to Most Contra Costa Governmental Employees,” by the 2008-09 Contra Costa Grand Jury is provided. Staff will provide a brief report on this matter.

The District must respond to the Grand Jury by June 1, 2009.

Recommendation: For Information Only

Fiscal Impact: None

\* **D.3 Budget Report Updates**

Comment:

Staff will provide information for the 2008-09 and 2009-10 district budget.

Recommendation: For Information Only

Fiscal Impact: None

\* **D.4 Standing Reports**

Representatives of the following committees and employee unions are invited to provide a brief update to the Board. Representatives from these groups need to sign up to speak prior to the beginning of this item on the agenda by submitting a “Request to Address the Board” form. Three minutes may be allowed for each subcommittee or group listed below:

Academic Subcommittee  
Bayside Parent Teacher Association  
Citizens' Bond Oversight Committee  
Community Budget Advisory Committee  
Facilities Subcommittee  
Ivy League Connection  
Safety Committee  
Special Education Citizens Advisory Committee

Public Employees Local 1  
School Supervisors Association  
United Teachers of Richmond  
West Contra Costa Administrators Association

\* **D.5 In Memory of Members of the School Community**

Comment:

The District would like to take time to recognize the contributions of members of our school community who have passed away. The District requests the community to submit names to be reported as a regular part of each agenda.

Mike Cornell, former Building Operations & Facilities Utilization Technician, passed away December 1, 2008. Mr. Cornell began working for the District in 1979 as an Electronics Repair Worker. He retired in 2004.

Nancy Scudder, passed away March 27, 2009. Ms. Scudder was a teacher at Fairmede, Vista and Hercules Elementary School. She retired in 1991.

William F. Young passed away March 26, 2009. Mr. Young's career included working for school districts as Director of Classified Personnel and Assistant Superintendent of Business and Personnel and as a labor negotiator with California School Employees Association. After retiring from school districts, he served as the Executive Director of the School Supervisors Association for 24 years.

Don Lewis, the husband of Madera Principal Dottie Holland, passed away April 10, 2009. Mr. Lewis was a Business Agent for Local One until 2006.

Ajaia Ruffen, former student at El Cerrito High School, passed away April 2. Ms. Ruffen had been ill and chronically absent for some time before she became a victim of a shooting incident.

Devin Johnson, former student at Pinole Valley High School (Class of 2008), died from a shooting incident on April 1. In remembrance, an anti-violence demonstration and silent memorial was held at Pinole Valley High School. An annual Peace and Remembrance event is planned for the students to promote non violence as a way to make a difference.

Our thoughts go out to family and friends in the loss of their loved ones.

Recommendation: For Information Only

Fiscal Impact: None

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

\* **E.1 Superintendent's Report**

\* **E.2 Request to Address the Board on Growing West County School Gardens**

Comment:

Joanna Pace, with Growing West County School Gardens, would like to present a brief update on the group's activities for 2009.

Recommendation: For Information Only

Fiscal Impact: None

\* **E.3 Request to Address the Board on the Gooden Family Scholarship Fund Scholar Project Recipients**

Comment:

Andrew Gooden, President of the Gooden Family Scholarship Fund, would like to present to the Board the eight students from the Class of 2009 who have completed the requirements for the GFSF Scholar Project and are now going to college.

Recommendation: For Information Only

Fiscal Impact: None

\* **E.4 WCCUSD Public Comment**

Members of the public are invited to speak to the Board about any matter that is not otherwise on the agenda and is related to issues affecting public education in the WCCUSD. **Approximately 30 minutes will be allocated for this item.** If there are more requests to speak than can be heard within this time limit, "WCCUSD Public Comment" will continue after Item G. Individuals wishing to speak must submit a "WCCUSD Public Comment" form prior to the beginning of this item on the agenda. Depending on the number of persons who wish to speak, from one to three minutes will be allocated to each speaker at the discretion of the President of the Board in order to accommodate as many speakers as possible. The Board cannot dialogue on any issues brought before it by the public that have not been previously agendized, but may refer these to staff for response and/or placement on future agendas.

**F. ACTION ITEMS**

\* **F.1 Resolution No. 78-0809: Authorization to Eliminate Classified Positions and Layoff Classified Employees**

Comment:

A lack of work and/or funds necessitates the elimination of the attached classified positions.

See Attachment "A" in the board packet.

Recommendation: Recommend Approval

Fiscal Impact: \$463,300 Related to school closure (included in savings already projected)  
\$155,300 Food Service Fund  
\$216,800 Tier III Flexibility (included in transfer)  
\$159,800 Adult Education Fund/Tier III Flexibility (included in transfer)  
\$282,500 General Fund & Maintenance  
\$258,680 Special Education – reduces contribution needed from General Fund  
**Grand Total \$1,536,380**

\* **F.2 K-3 Class Size Reduction Program (CSR)**

Comment:

The 2009-10 Budget which was adopted by the State Legislature includes a major change in the K-3 Class Size Reduction Program (CSR). The new implementation language provides a window for alternative implementation of Class Size Reduction that still provides smaller class sizes than required by the Education Code, yet can save substantial money for cash strapped districts.

The Second Interim Report, financial statements as of January 31, 2009, indicates the district will be facing an estimated \$25.7 million deficit. This would render the district unable to meet the required reserve. Technically, this fact would cause the district to certify the financial statements as “negative”. With the uncertainty surrounding the budget at that time we forged forward with a “qualified” statement. This was done with the knowledge that progress would need to be made to close the budget gap as we approached the Third Interim report and budget adoption for 2009-10.

A part of the solution for the severe revenue cuts imposed by the State has come imbedded in the same State budget. The State has made significant allowances for school boards to utilize restricted funding to backfill cuts (Tier III flexibility), and to modify the funding model of the K-3 Class Size Reduction program.

Due to the severity of fiscal issues facing the District, staff recommends the option with greatest savings.

Recommendation: Recommend Option Four

Fiscal Impact: Savings of \$4,000,000

\* **F.3 Contract for Commercial Real Estate and Consulting Services**

Comment:

The Purchasing Department prepared a request for proposal (RFP) for Commercial Real Estate and Consulting Services to provide alternative land use plans for the District. RFP #0809-04 was advertised on February 20th and 24th in our local newspaper, West County Times. During the advertising period, the District mailed out the RFP package to five real estate firms. On March 11, 2009, the District received two responses to the RFP. The responses were from Cushman & Wakefield and Dutra-Cerro-Garden, Inc.

Staff reviewed the submittals and determined that Dutra-Cerro-Garden, Inc. best matched the district stated requirements.

Recommendation: Recommend award of contract to Dutra-Cerro-Garden, Inc. to provide commercial real estate and consulting services to the district.

Fiscal Impact: \$26,250 from General Fund

**G. DISCUSSION ITEMS**

None

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

**I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT**

**J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING**

Lovonya DeJean Middle School - May 6, 2009

**K. ADJOURNMENT**

At 10:00 PM, any items remaining on the agenda that require immediate attention will be moved to this time. All other items will be tabled to another or the following Board meeting in order to make fair and attentive decisions. The meeting will adjourn at 10:30 PM. The meeting may be extended by a majority vote of the Board of Education.

The public may address items which are marked with an asterisk (\*).

**A. CLOSED SESSION**

**A.1 CALL TO ORDER**

**A.2 DISCLOSURE OF ITEMS TO BE DISCUSSED IN CLOSED SESSION**  
(Government Code 54957.7)

**A.3 RECESS TO CLOSED SESSION AS SCHEDULED**

**See Exhibit A**

(Government Code Section 54954.5)

The **Open Session** will resume at the end of the **Closed Session** in the Multi-Purpose Room at approximately **6:30 PM**.

**EXHIBIT A**

(Government Code Section 54954.5)

**CLOSED SESSION AGENDA**

**April 22, 2009**

**1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

1. Negotiator: Superintendent / Dr. Bruce Harter
2. 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.
3. Property: 1021 Navellier Street, El Cerrito, CA. Price and all terms of agreement.

**2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION**

[Government Code Section 54956.9(a)]

1. WCCUSD v. RDS Architects
2. Lumagbas et al. v. WCCUSD et al.
3. Srago 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**

The following extended learning administrative appointments will be reported for 2008-2009:

Elementary School Principal  
Middle School Principal  
Middle School Vice Principal  
High School Principal  
High School Assistant Principal  
Special Education Extended-Year, Elementary School Principal

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

**8. STUDENT DISCIPLINE (Education Code Section 35146)**

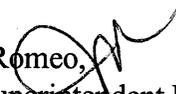
- a. Expulsions

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

**10. REPORT OF CLOSED SESSION ACTIONS**

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:** April 22, 2009  
**From:** Jessica R. Romeo,   
Assistant Superintendent Human Resources **Agenda Item:** A.6  
**Subject:** Administrative Appointments for Extended Learning 2008-2009

**Background Information:**

The following extended learning administrative appointments will be reported for 2008-2009.

Elementary School Principal  
Middle School Principal  
Middle School Vice Principal  
High School Principal  
High School Assistant Principal  
Special Education Extended-Year, Elementary School Principal

**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  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

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**To:** Board of Education

**Meeting Date:** April 22, 2009

**From:** Wendell C. Greer  
Associate Superintendent, K – Adult Operations

**Agenda Item:** B.4

**Subject:** Presentation of Student Board Representative Cari Tam, Middle College High School

**Background Information:**

Student Board Representative Cari Tam will be representing Middle College High School at the Board of Education on April 22, 2009. We would like to recognize and commend her participation.

**Recommendation:** For Information Only

**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 Macdonald Avenue  
Richmond, CA 94805

Agenda Item B.7

April 1, 2009

**A. CLOSED SESSION**

**B. OPENING PROCEDURES**

President Audrey Miles called the meeting to order at 5:30 PM. The Board recessed into Closed Session. President Miles called the Public Session to order at 6:32 PM.

**B.1 Pledge of Allegiance**

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

**B.2 Welcome and Meeting Procedures**

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

**B.3 Roll Call**

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

**Staff Present:** Alejandro Alonso, Interpreter; Andre Bell, Executive Director Business Services; Pat Calvert, Director Certificated Personnel; Martin Coyne, Director Accounting/Audits; Lisa Erwin, Executive Director Business Services; Bill Fay, Associate Superintendent for Operations; Erin Fleming, Director Human Resources, Luis Freese, Director Maintenance and Operations; Sheri Gamba, Associate Superintendent for Business Services; Wendell Greer, Associate Superintendent K-Adult; Bruce Harter, Superintendent; Debbie Haynie, Executive Assistant to the Superintendent; David Johnston, Director General Services; Joe Mayes, Maintenance Supervisor; Ken McDaniel, Electronics Supervisor; Nia Rashidchi, Assistant Superintendent Educational Services; Jessica Romeo, Assistant Superintendent for Human Resources; Bill Savidge, District Engineering Officer; Marin Trujillo, Coordinator Community Engagement.

**B.4 Presentation of Student Board Representative Monika Sanchez, Richmond High School**

Ms. Sanchez spoke about Richmond High's recent WASC accreditation review, the validation of the school's work and upcoming activities for students.

Mr. Ramsey said that Student Representative Blanca Zepeda was not in attendance due to accepting an award in Atlanta and that she was recently accepted to Brown University.

**B.5 Report/Ratification of Closed Session**

Superintendent Harter asked the Board to ratify the vote taken in Closed Session to expel ten (10) students and suspend those expulsions for placement within the West Contra Costa Unified School District.

**MOTION:** Mr. Ramsey moved to ratify the vote taken in Closed Session to expel ten (10) students and suspend those expulsions for placement within the West Contra Costa Unified School District. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Ramsey, and President Miles voted yes, with Mr. Medrano and Mr. Thurmond abstaining and no absences. Motion carried 3-0-2-0.

**B.6 Agenda Review and Adoption**

**Public Comment:**

Marcus Mitchell, Robert Studdiford, Michael Wasilchin

**MOTION:** Mr. Ramsey moved to approve the agenda with moving Items F.5 and F.6 to follow Consent Items. Mr. Thurmond seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond, Student Representative Sanchez (advisory vote only) and President Miles voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

**B.7 Minutes: March 18, 2009**

**MOTION: Mr. Ramsey moved approval of the minutes of March 18, 2009. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond, Student Representative Sanchez (advisory vote only) and President Miles voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.**

**C. BUSINESS ITEMS**

President Miles stated that Items C.9 and C. 12 would be moved to follow Section F - Action Items for separate discussion and vote.

**C.1 Contracted Services**

**C.2 Grants/Awards/Agreements**

**C.3 Acceptance of Donations**

**C.4 Approval of Fund-Raising Activities**

**C.5 Notification of Claims Rejected**

**C.6 Notice of Completions: Bid M05035 Downer New Campus, D06048 El Cerrito HS Main Campus, J068134 Ford Transitional Housing at Downer, J068107 DeAnza HS New Field House, J068108 Richmond College Prep Portables, J068129 Richmond College Prep Ph 1 Campus, J068130 Leadership Temporary Campus**

**C.7 Certificated Personnel Changes**

**C.8 Routine Personnel Changes - Classified**

**C.9 Ratification and Approval of Engineering Services Contracts**

Moved to follow Action Items

**C.10 Ratification and Approval of Negotiated Change Orders**

**C.11 Transition Learning Center "TLC" Fence and Gates Project Award of Contract**

**C.12 Ivy League Summer Programs: Students from El Cerrito High School, Pinole Valley High School, Hercules High School and Richmond High School will participate in College Readiness Programs offered at respective Ivy League Colleges and Universities**

Moved to follow Action Items

**C.13 Citizens' Bond Oversight Committee Appointments, City of Pinole Candidates**

**C.14 Citizens' Bond Oversight Committee Appointment**

**C.15 Citizens' Bond Oversight Committee Member Appointment**

**C.16 Revised – Board of Education Meetings Dates 2009 Calendar Year**

**MOTION: Mr. Ramsey moved approval of the Consent Items C.1-8, 10-11, and 13-16. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond, Student Representative Sanchez (advisory vote only) and President Miles voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.**

**F.5 K-3 Class Size Reduction Program (CSR)**

Ms. Gamba provided an overview of the K-3 Class Size Reduction flexibility, put in place by the State of California, for determination of the best option for students and the fiscal stability of the district.

**Public Comment:**

Charles Cowens, Rick Willis

**Board Comment:**

Mr. Medrano asked for clarification of what voters approved through the parcel tax. Ms. Gamba provided further information.

Ms. Kronenberg spoke about a discussion at a recent academic subcommittee meeting and what is best for students. Ms. Rashidchi provided details regarding costs and academics options. Ms. Kronenberg continued by discussing salaries and penalties. Ms. Gamba provided information about the different levels of penalties dependant upon implementation based on a classroom by classroom basis.

Mr. Thurmond asked questions about the programmatic impact from the options. Ms. Rashidchi responded with information about educational support including teacher summer intensive professional development.

Superintendent Harter said the recommendations are to determine what is fiscally best for the district while struggling overall to find a balance with being fiscally responsible and doing the least damage for students.

Ms. Miles asked about the impact on increase in class size, negotiations, and delaying a decision. Ms. Romeo said that arbitration is underway and that further discussion is recommended for Closed Session. Ms. Gamba responded that approval of this item is an important component for staffing and budget planning. She said it is also important for timing of the Third Interim Report to show progress toward multi-year projections and managing staffing. Ms. Romeo provided further clarification.

Mr. Medrano asked for clarification on class size reductions and possible contract negotiations. Ms. Romeo responded that further discussion is recommended for Closed Session.

Superintendent Harter responded that the recommendations coming to the Board involve class size reduction, classified layoffs, and Tier III flexibility, all necessary elements to maintain financial stability. He said he does not think that any of this is in the best interest of children but working with the legislature is needed in an effort to find the means to appropriately staff schools. He continued by saying that with the uncertainty of when federal stimulus funds will be available it would be better from a fiscal standpoint to add positions and programs back into the budget once the stimulus funds do come available and that the May 19 special election ballot initiatives also hold significant impact for the budget in planning and preparing for a June budget.

Mr. Thurmond said he worried about opportunity costs of making these decisions. He inquired about the history of class size reduction.

Mr. Ramsey recalled 1996 as the year class size reduction was first adopted by the district and spoke about the quality of education being multifaceted.

Ms. Miles asked questions regarding kindergarten class size. Ms. Gamba responded that all school districts are facing similar decisions due to changes in legislative language in the state budget and Education Code.

Mr. Medrano inquired about any evaluation of class size reductions over time. Ms. Rashidchi responded.

Superintendent Harter responded that the recommendation before the Board is an economic decision.

Ms. Kronenberg further discussed the options for implementation.

**MOTION: Mr. Ramsey moved approval of K-3 Class Size Reduction Program (CSR) Option 4 as recommended by staff. Ms. Kronenberg seconded. A roll call vote was taken with Mr. Ramsey voting yes, Ms. Kronenberg, Mr. Medrano, Mr. Thurmond, Student Representative Sanchez (advisory vote only) and President Miles voting no, with no abstentions and no absences. Motion failed 1-4-0-0.**

President Miles asked for Board availability next week to hold a special meeting to address this item and to determine a date for meeting during the Board comment item near the end of the agenda.

**MOTION: Mr. Ramsey moved to table item F.5, K-3 Class Size Reduction Program (CSR). Mr. Thurmond seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond, Student Representative Sanchez (advisory vote only) and President Miles voted yes, with no abstentions and no absences. Motion to table carried 5-0-0-0.**

**F.6 Resolution No 78-0809: Authorization to Eliminate Classified Positions and Layoff Classified Employees**

Mr. Ramsey asked the Board to consider tabling this item to bring back at a later meeting along with the Class Size Reduction Program item.

Ms. Romeo asked to provide an overview of the recommendation to the Board.

Mr. Ramsey asked about bringing this item back next week. Ms. Romeo responded that the overview would provide information about how the recommended layoffs are related.

Mr. Medrano asked about obtaining a dollar figure to associate with the FTE's listed.

Ms. Miles said that she would like to hear the presentation.

**MOTION:** Mr. Ramsey moved to table Item F.6 Resolution No 78-0809: Authorization to Eliminate Classified Positions and Layoff Classified Employees. Mr. Ramsey then withdrew the motion to allow the presentation to continue.

**MOTION:** Mr. Ramsey again moved to table Item F.6 Resolution No 78-0809: Authorization to Eliminate Classified Positions and Layoff Classified Employees. Mr. Thurmond seconded. Discussion ensued regarding the point of order that a motion and second to table required a decision before the presentation and public speakers could proceed. Mr. Thurmond withdrew his second to allow the overview presentation of the item. Mr. Ramsey also withdrew his motion to table, requesting that the Board deliberate and vote if this item was not brought back at a later meeting.

Ms. Romeo provided further point of order clarification.

**MOTION:** Ms. Kronenberg moved to table Item F.6 Resolution No 78-0809: Authorization to Eliminate Classified Positions and Layoff Classified Employees. Mr. Ramsey seconded. A roll call vote was taken with Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond, Student Representative Sanchez (advisory vote only) and President Miles voting yes, with no abstentions and no absences. Motion to table carried 5-0-0.

## **D. AWARDS, RECOGNITIONS, AND REPORTS**

### **D.1 Budget Updates – Summary of Community Input**

Superintendent Harter provided an overview of the fiscal situation. Ms. Gamba provided updates of community budget meetings, the state fiscal outlook, federal stimulus, and closing the deficit for 2009-2010.

#### **Public Comment:**

Al Kirkman, Charles Cowens

#### **Board Comment:**

Mr. Thurmond asked about fiscal stabilization and the Governor's application for funds for school issues.

Mr. Medrano said he will provide information regarding education and state stabilization funds in preparation for next week's meeting.

### **D.2 Standing Reports**

#### **Committee Reports:**

Charles Cowens, Community Budget Advisory Committee, announced the next meeting, April 23, 2009. He said that at a recent meeting three members were nominated and information regarding class size reduction was discussed, and that at upcoming meetings the committee will continue to discuss the budget crisis.

Barbara Mallon, Academic Subcommittee, gave a report on the recent meeting where a presentation was given regarding academic intervention as well as a presentation from the DAIT team.

Pixie Hayward Schikele, United Teachers of Richmond, spoke about class size prior to its 1996 implementation.

Mr. Medrano provided a report on a recent Facilities Subcommittee meeting and completion of projects and discussion of the facilities master plan.

Mr. Ramsey, Ivy League Connection, provided an update regarding Yale University, representatives from Youth Empowerment and Emancipation in Contra Costa County and mentoring district students.

President Miles asked for a time of recognition and remembrance of the Oakland Police Officers who were recently killed in the line of duty.

## **E. PUBLIC AND COMMITTEE COMMUNICATIONS**

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

### **E.1 Superintendent's Report**

Superintendent Harter provided a report of activities in the District.

**E.2 WCCUSD Public Comment**

Al Kirkman spoke about student equality and responsible decision making. He also spoke about the forming of charter schools.

Charles Cowens spoke about building the new Portola campus, closure of Adams Middle School, and guidelines for setting the enrollment size of a middle school.

Robert Studdiford spoke about the history of minutes for public comment.

**C. CONSENT ITEMS**

**C.9 Ratification and Approval of Engineering Services Contracts**

**Public Comment:** None

**Board Comment:** None

**MOTION:** Mr. Ramsey moved approval of the Ratification and Approval of Engineering Services Contracts. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond, Student Representative Sanchez (advisory vote only) and President Miles voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

**C.12 Ivy League Summer Programs: Students from El Cerrito High School, Pinole Valley High School, Hercules High School and Richmond High School will participate in College Readiness Programs offered at respective Ivy League Colleges and Universities**

**Public Comment:** Charles Cowens

**Board Comment:**

Mr. Thurmond asked questions about the funding recommendations.

Mr. Ramsey clarified that funds pay for teacher-chaperone travel and airfare.

Mr. Thurmond offered a procedural suggestion regarding the fund allocation notation. Mr. Ramsey accepted the recommendation.

**MOTION:** Mr. Ramsey moved approval of the Ivy League Summer Programs: Students from El Cerrito High School, Pinole Valley High School, Hercules High School and Richmond High School will participate in College Readiness Programs offered at respective Ivy League Colleges and Universities. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond, Student Representative Sanchez (advisory vote only) and President Miles voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

**F. ACTION ITEMS**

**F.1 NCLB District Corrective Action – Local Educational Agenda (LEA) Plan**

Ms. Rashidchi introduced Karen Dubrule and Matt Stowell from Educational Consultants who provided an overview of the revised LEA Plan for submission to the State of California.

**Public Comment:** None

**Board Comment:**

Mr. Medrano asked how Spanish speaking stakeholders were involved. Ms. Rashidchi spoke about the initial parent stakeholder meeting and how plan implementation will be carried forward to parents and other stakeholders once the plan is approved.

Ms. Kronenberg asked questions about incentivizing schools of need and plan funding. Ms. Rashidchi enumerated the funding resources that will be used for the work of the LEA plan.

Mr. Medrano asked about summer professional development for teachers. Ms. Rashidchi offered clarification.

Ms. Miles asked about additional funding for corrective action plans. Ms. Rashidchi explained that additional federal Title I funds will be available.

Mr. Thurmond spoke about the achievement gap and how the DAIT providers anticipate addressing it. Dr. Dubrule said her team would like to come back another time to share best practices from other districts.

Ms. Miles said this process will continue over the next thirty-six months and will include reports to the academic subcommittee.

**MOTION: Mr. Ramsey moved approval of Item F.1 NCLB District Corrective Action – Local Educational Agenda (LEA) Plan. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond, Student Representative Sanchez (advisory vote only) and President Miles voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.**

- F.2 Presentation of the Measure M, Measure D and Measure J 2007-08 Fiscal Audit by Perry Smith, LLP**  
Ms. Gamba introduced Matt Nethaway from Perry-Smith LLP, who shared information about the fiscal audit, procedures, and an unqualified opinion as part of the final report.

**Public Comment**

Don Gosney, member of Citizens' Bond Oversight Committee, asked the Board to defer approval of the financial audit in order to allow the committee an opportunity to review the report.

**Board Comment:**

President Miles asked about compliance. Ms. Gamba responded.

Mr. Ramsey said that he would like to delay acceptance of this report to allow time for CBOC review in order to be in compliance.

Mr. Thurmond agreed that this should come back at a future meeting.

Superintendent Harter agreed and withdrew the recommendation for approval of the audit report to a future date.

Ms. Kronenberg thanked Mr. Gosney for bringing this to the attention of the Board.

- F.3 Annual Performance Audit of District Bond Program**

Mr. Fay introduced Tahir Ahad, President of Total School Solutions, to present an overview of the 2008 Bond Performance Audit.

**Public Comment:** None

**Board Comment:**

Mr. Ramsey spoke about the success of the district's construction program and the level of community support.

Mr. Medrano asked questions about the report and local capacity contractors. Mr. Ahad responded.

Mr. Fay acknowledged the thirty day expectation threshold regarding payments to contractors.

Mr. Ramsey thanked staff for the quick turnaround in the payment process as it encourages contract bidders, including a large percentage of local contractors.

Ms. Kronenberg commented on the district's part of the economic support in West County and spoke about the process to review the percentage of change orders. Mr. Ahad responded.

Ms. Miles commented that consideration of change orders has become a priority in reviewing for validity.

**MOTION: Mr. Ramsey moved approval of Item F.3 Annual Performance Audit of the District Bond Program. Mr. Thurmond seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond, Student Representative Sanchez (advisory vote only) and President Miles voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.**

**F.4 Public Hearing and Adoption of Budget Flexibility for Tier III Programs**

Ms. Gamba provided a report regarding revenue reductions and seeking relief under the Tier III flexibility program to allow funding shifts to the general fund. Ms. Gamba requested a public hearing in order to consider the transfer of \$8,000,000 to the 2009-2010 budget and 2008-09 fund transfer determination.

President Miles opened the public hearing.

**Public Comment:** Charles Cowens, David Whitenack

President Miles closed the public hearing.

**Board Comment:**

Mr. Medrano spoke about the adult education program and asked for a future presentation regarding the program.

Ms. Kronenberg supported the request for a presentation and said she would like to see cost effectiveness of service delivery.

Mr. Thurmond asked how employee transfers and cuts will work. Superintendent Harter responded that all recommendations made at this meeting were recommendations of desperation due to the unprecedented financial forecast. Dr. Harter continued by detailing the recommendation to keep arts programs at secondary schools but sacrifice them at the elementary school level. Ms. Rashidchi explained further examples of maintaining critical services with limited discretionary funding to provide vital programs. Mr. Greer spoke about maintaining safety programs from the general fund and the GATE program minimum program level to meet needs in supporting students.

Mr. Thurmond asked further questions about programs that will not be funded. Ms. Rashidchi provided examples of high priority schools grant funding being withdrawn by the State. Mr. Greer spoke about reduced supplemental counseling at the middle school level as funding no longer exists, but more mental health and direct services are being provided to support students. Ms. Gamba provided further clarification.

Superintendent Harter explained that while the parcel tax funds thirty-four counselors, providing minimal programming will try to fill the \$27,000,000 budget gap.

Mr. Thurmond asked additional questions and Ms. Gamba and Ms. Rashidchi responded.

Mr. Medrano spoke about availability of information to the public.

Ms. Sanchez spoke about examining programs for effectiveness. Ms. Rashidchi responded that essentials strategies and services are determined by the State and LEA plan, and much evaluation has gone into making the proposed determinations.

**MOTION: Ms. Kronenberg moved approval of Item F.4 Public Hearing and Adoption of Budget Flexibility for Tier III Programs. Mr. Ramsey seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Student Representative Sanchez (advisory vote only) and President Miles voted yes, Mr. Thurmond voted no, with no abstentions and no absences. Motion carried 4-1-0-0.**

**G. DISCUSSION ITEMS**

**G.1 Status Reports – Facilities Planning and Construction**

Bill Savidge provided an update on bond program construction in the district.

**Board Comment:**

Mr. Ramsey spoke about the release of state funds for future construction projects. Mr. Savidge provided information regarding the Department of Finance and the State Allocation Board timeline for release of funds.

Mr. Thurmond asked questions about the timeline for DeAnza construction. Mr. Savidge responded.

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

None

**I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT**

President Miles asked for input from Board members to schedule a special meeting next week. Monday, April 6, 7:00 PM at DeJean Middle School was determined as the date, time and location for the next meeting.

Mr. Ramsey spoke about students in the district being special, wanting to identify with striving for the best and emulating good behavior. He also commented about an upcoming Hercules City Council recognition of Hercules students.

Ms. Sanchez said that her friends have worked hard and benefited from participation in the Ivy League program.

Mr. Medrano announced that he attended recent meetings of the county supervisors regarding maintaining medical benefits to undocumented adults. He praised San Pablo and Richmond City Councils for coming forward to support after school programs and commented on recently attending the Celebrating Education program in San Antonio, Texas.

Ms. Kronenberg acknowledged Mr. Medrano's advocacy of Advanced Placement classes for Spanish speaking students and how that will make a difference in the college going culture of the district. She reported that she visited the recent Middle College Critical Friends Review, similar to accreditation evaluator reviews.

Mr. Thurmond thanked Ms. Sanchez for her participation and thanked students from the El Cerrito High leadership program who invited him to hear their ideas and concerns, expressing interest in youth commission activities.

Ms. Miles announced the next meeting, a governance retreat, is scheduled for April 4, and that an additional special Board meeting will be held April 6 at 7:00 p.m.

**J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING**

Lovonya DeJean Middle School – April 4, 2009 (Special Meeting – Governance Retreat)

Lovonya DeJean Middle School – April 6, 2009 (Special Meeting)

Lovonya DeJean Middle School – April 22, 2009

**K. ADJOURNMENT**

President Miles adjourned the meeting at 10:10 PM.

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

BH:dh

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
Minutes of the Special Board of Education Meeting

Agenda Item B.7

GOVERNANCE WORKSHOP

Lovonya DeJean Middle School  
Band Room, G112  
3400 Macdonald Avenue  
Richmond, CA 94805  
April 4, 2009

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**I. CALL TO ORDER**

The meeting was called to order at 9:23 AM.

**Board Present:** Madeline Kronenberg, Antonio Medrano, Charles Ramsey, Tony Thurmond, and President Audrey Miles

**Staff Present:** Superintendent Bruce Harter

**Facilitator:** Kirk Berger

**II. Opportunity for Public Comment on Agenda Items**

No public comment.

**III. California School Boards Association facilitated discussion of Governance Issues**

Kirk Berger from the California School Boards association was introduced to the Board. Mr. Berger provided introductory comments regarding the governance process and how the CSBA goes about supporting the development of the governance team which includes the Board and the Superintendent. He outlined the major components of the governance system including: Unity of Purpose, Role of the Board, Culture of the Organization and the Structure and the Process.

Mr. Berger reminded the Board that the Board has responsibilities that include direction setting, establishing the structure for governance inside the district, providing support to the superintendent and sharing the accountability as well as acting as community leaders. Mr. Berger reminded the Board that two key Board Bylaws, Bylaw 9000 and 9005, provide the Board policy context for the operation of the school board.

Mr. Berger led the Board through discussion of four critical questions:

1. Why is the School Board job so important?
2. To whom is the Board responsible?
3. What legacy do we want as Board members?
4. How do we want the Board to be perceived?

The board completed the afternoon with a discussion led by Mr. Berger about Board meeting management.

**IV. Adjournment**

The meeting was adjourned at 3:00 PM.

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

Agenda Item B.7

April 6, 2009

**A. CLOSED SESSION**

**B. CALL TO ORDER**

President Audrey Miles called the meeting to order at 6:30 PM. The Board recessed into Closed Session. President Miles called the Public Session to order at 7:10 PM.

**Pledge of Allegiance**

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

**Welcome and Meeting Procedures**

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

**Roll Call**

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

**Staff Present:** Andre Bell, Executive Director Business Services; Pat Calvert, Director Certificated Personnel; Steve Collins, SELPA Director; Martin Coyne, Director Accounting/Audits; Lisa Erwin, Executive Director Business Services; Bill Fay, Associate Superintendent for Operations; Luis Freese, Director Maintenance and Operations; Sheri Gamba, Associate Superintendent for Business Services; Wendell Greer, Associate Superintendent K-Adult; Bruce Harter, Superintendent; Joe Mayes, Maintenance Supervisor; Ken McDaniel, Electronics Supervisor; Nia Rashidchi, Assistant Superintendent Educational Services; Jessica Romeo, Assistant Superintendent for Human Resources; Phyllis Rosen, Legal Assistant; Marin Trujillo, Coordinator Community Engagement.

**C. K-3 Class Size Reduction Program (CSR)**

Superintendent Harter spoke of the many factors that have led the district to its current budget crisis. He indicated there are still unknowns around the federal stabilization funds and possible additional cuts from state. He said that this item is brought to the Board with a sense of great sadness and remorse because the bottom line is that budget cuts hurt district students. He said the district is forced to take this action because of the position the state legislature and the national and international economies have placed us.

Ms. Gamba commented that this item was brought back by the Board for further information. She explained that K-3 class size reduction flexibility is one of two key pieces designed by the state legislature to assist school districts during this economic crisis. She said the dire economic circumstances bring this recommendation before the board and therefore she is recommending the maximum in terms of the \$4 million.

Ms. Rashidchi responded to the Board's request for information brought up at the last meeting, providing a one page summary of the class size research. She explained that the state's priority is around first and second grade with kindergarten or third grade next. She spoke about the current program in progress to build up the preschool to kindergarten transition, with increased family involvement and a rigorous professional development plan for those teachers who will be most impacted.

**Public Comment:** Tammy Campbell, Sara Russell, Pixie Hayward Schickele, Julie Maier, Al Kirkman, Lily Chang Wong, Rachel McLachlan, Susan Billings, Tova Halpern, Jim Rogers, Debbie Cruger-Hansen, Jean Carico, Sarah Creeley, Connie Caldwell-Granger, Eric Swabeck, Thomas Prather, Charles Cowens, Gladys Dodds, Chris Allen, Patti Shannon, Michelle Mula.

**Board Comment:**

Mr. Medrano spoke about the difficulty going back on promises made during the Measure D campaign regarding class size reduction.

Ms. Kronenberg spoke about her visits to K- 3 classes throughout the district and said that California is profoundly under-funding our education system as compared to other states. She said if the Board did not meet the district's budget shortfall, the board would be dismantled.

Mr. Thurmond said he favored all employees taking a cut in salary.

President Miles said she has empathy and understanding of the problems having additional students in the classroom, but that the Board has no other choice.

Ms. Kronenberg inquired about looking to bargaining members and whether there was time to implement a conversation around making global cuts.

Superintendent Harter said that staff is in negotiation with all bargaining units and would look to proposals that would help the district out.

Mr. Medrano asked whether the idea of furloughs has been discussed with bargaining units across the board.

Superintendent Harter responded that further discussion is recommended for Closed Session.

Mr. Ramsey spoke about the need to avoid insolvency and possibly being put deeper into a bind by not knowing where other money may be coming from. He said he is recommending Option Four, not as an end point but one which gives staff the opportunity to back fill or come back with ideas and suggestions.

President Miles asked Ms. Romeo for a point of order regarding the vote.

Ms. Romeo said that there would be a motion to either adopt this item as recommended or some other option.

Mr. Medrano spoke in favor of adopting Option Two. He spoke about the time spent campaigning for Measure D, and remaining loyal to promises made to the community.

Mr. Ramsey spoke about the future impact of decisions made today. He said the district needs to find 26.5 million dollars and restated that taking Option Four would keep the conversation open for the other options.

**MOTION: Mr. Medrano moved approval of implementing Class Size Reduction using Option Two. Ms. Kronenberg seconded. A roll call vote was taken. Ms. Kronenberg and Mr. Medrano voted yes, and Mr. Ramsey, Mr. Thurmond and President Miles voted no. Motion failed 2-3-0-0.**

**MOTION: Mr. Ramsey moved approval of Option 4. President Miles seconded. A roll call vote was taken. Mr. Ramsey and President Miles voted yes, and Ms. Kronenberg, Mr. Medrano and Mr. Thurmond voted no. Motion failed 2-3-0-0.**

Mr. Ramsey said he could not support any other motion and asked those who voted no to find an alternative source of funding.

President Miles asked Ms. Rashidchi to explain Option Three. Ms. Rashidchi spoke of the research which indicated the greatest impact of reduced class size was made in Kindergarten and First grade.

Mr. Ramsey said he did not see a real difference between Option Three or Option Four.

Mr. Ramsey moved to reconsider Option 4 in light of the new comments from staff not available at the time of the vote.

Ms. Romeo agreed with Mr. Ramsey that additional information had been provided, and said a motion would stand on better legal grounds if someone who voted 'no' on Option Four would move to reopen it.

Mr. Medrano asked to restate the additional information regarding Option Three.

Ms. Rashidchi explained the research that said focusing on Kindergarten and first grade would have the most academic impact. She clarified the difference between Options Three and Four.

**MOTION: Mr. Ramsey moved approval of Option Three. Motion failed for lack of a second.**

**D. Resolution No 78-0809: Authorization to Eliminate Classified Positions and Layoff Classified Employees**

Ms. Romeo asked the board to adopt this resolution to eliminate classified positions due to lack of funding and/or lack of work. She explained that the layoffs were in primarily four categories related to: school closures the board previously took action on; categorically funded positions which ties into Tiered III flexibility; some general fund reductions; and collapsing of classes related to special education.

Ms. Romeo provided a revised précis with changes as follows (*changes in italics*):

**Fiscal Impact:**

\$463,300 Related to school closure (included in savings already projected)

\$155,300 Food Service Fund

~~\$162,300~~ *216,800* Tier III Flexibility (included in transfer)

~~\$214,300~~ *159,800* Adult Education Fund/Tier III Flexibility (included in transfer)

~~\$206,576~~ *282,500* General Fund & Maintenance

~~\$205,400~~ *258,680* Special Education – reduces contribution needed from General Fund

*Grand Total \$1,536,380*

Additionally, Ms. Romeo provided the following revised Attachment A and pointed out the changes related to each section.

**Revised Attachment "A"**

<b>School Closure Positions</b>	<b>FTE</b>	<b>Estimated Savings</b>
Attendance Clerk	1	\$ 48,000
Custodial Supervisor/Jr. High	1	\$ 63,000
Information Literacy Asst.	1	\$ 52,000
Office Manager/Middle School	1	\$ 59,000
School Secretary I	2	\$ 101,000
Secondary Site Supervisor	.53	\$ 21,000
Student Supervisor	1	\$ 47,300
Typist Clerk I	.54	\$ 30,000
Typist Clerk II Bilingual	1	\$ 42,000
<b>Total</b>		<b>\$463,300.00</b>
	<b>9.07</b>	These savings are included in the net school closure estimates.
<b>Food Service Workers</b>		
Cafeteria Cook/Manager	1	\$ 44,800
School Lunch Cashier	.47	\$ 11,900
School Lunch Worker I	2.28	\$ 61,900
Food Service Aide/Clerk	.84	\$ 22,800
Food Service Aide	.40	\$ 13,900
		<b>\$155,300.00</b>
	<b>4.99</b>	Savings are in the Food Service Fund
<b>Tier III Reduction</b>		
<i>Administrative Office Manager</i>	<i>1</i>	<i>\$ 54,500</i>
School Community Outreach	4	\$162,300
		<b>\$216,800</b>
	<b>5</b>	Savings are in Tier III Flex Transfer
<b>Adult Ed. Program (Tier III)</b>		
Attendance Clerk	1	\$ 41,600
Typist Clerk I Bilingual	1	\$ 39,400
Typist Clerk II	2	\$ 78,800
		<b>\$159,800.00</b>
	<b>4</b>	Savings are in Tier III Flex Transfer
<b>Budget Reduction</b>		
Receptionist	1	\$ 52,600
Sr. Administrative Asst.	1	\$ 76,000
Typist Clerk III	.50	\$ 19,700
Electrical Supervisor	1	\$ 69,200
Asst. Supervisor Veh. Garage	1	\$ 65,000
		<b>\$282,500.00</b>
	<b>4.5</b>	Savings to General Fund
<b>Special Education</b>		
<i>Employment Sp. Ed. Specialists (workability)</i>	<i>1.20</i>	<i>\$ 53,280</i>
Instructional Aide	.40	\$ 9,300
Instructional Assistant SpEd	4.40	\$103,200
Special Education Asst.	2.66	\$ 92,900
		<b>\$258,680.00</b>
	<b>8.66</b>	Savings in Special Education
<b>Grand Total</b>	<b>36.22</b>	<b>\$1,536,380</b>

**Public Comment:** Dwaine Baker, Pat Thomas, Sylvia McClafflin, Michael Wasilchin, David Frazier, Richard Leung, Eric Swabeck, Tyrone Weems, Charles Rachliss, Charles Cowens, Eduardo Martinez.

**Board Comment:**

Mr. Medrano and Ms. Romeo discussed the inability to present this information to Local One prior to tonight's meeting. Ms. Romeo indicated the next scheduled meeting with Local One is April 9.

Mr. Ramsey spoke about the need to make consistent decisions and inquired about returning to Closed Session.

Mr. Thurmond said that given the financial situation, voluntary salary cuts and furloughs are the best way to preserve jobs.

Ms. Kronenberg spoke about having different options in the last item vote. She said she believed the Board members were consistent in their votes and that the problem in this case is there are no choices. She said she is concerned the Board did not come to a resolution of the other matter and this is going to create options that are not positive. She will vote to approve for that reason.

President Miles asked Ms. Gamba to state what the Board's obligation is and where the district is with the budget.

Ms. Gamba clarified stating that staff is requesting the Board to take action on layoffs so that the Human Resources department can set in place items for which the Board has already made decisions, for instance through previous action to enact school closures and Tier III programs. The exception being the budget reduction of central services staff members that are specified under the budget reduction section.

Ms. Miles asked for further clarification and Ms. Gamba responded.

Ms. Romeo clarified we would be negotiating impact on all of the layoffs and provided additional clarification on the proposed layoffs.

Mr. Medrano asked about giving Local One a chance to sit down and discuss this.

Mr. Romeo responded.

Mr. Medrano moved to postpone the vote until after Ms. Romeo and Local One meet on April 9.

Mr. Ramsey commented on the request for staff to meet with Local One prior to tonight's meeting.

Mr. Medrano said that now we have a more complete package that includes the financial data, and if no changes result from meeting with Local One, the Board will vote on it after April 9<sup>th</sup>.

Mr. Ramsey asked for a roll call vote.

Ms. Kronenberg asked if there was any consequence of tabling the item.

Ms. Romeo said that if the Board took action by April 22 she could probably meet procedural requirements.

**MOTION: Mr. Medrano moved to postpone this item until after staff discussion with Local One on April 9, and if there is no other agreement then go ahead with it. Mr. Thurmond seconded the motion. Ms. Kronenberg, Mr. Medrano and Mr. Thurmond voted yes, and Mr. Ramsey voted no, with President Miles abstaining. Motion carried 3-2-1-0.**

President Miles announced that the Board would proceed to Closed Session and that there would be no report out for closed session.

**E. ADJOURNMENT**

President Miles adjourned the public meeting at 9:06 PM. The Board adjourned to Closed Session.

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

BH:pr

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:** April 22, 2009

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

**Agenda Item:** CI C.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 April 22, 2009.

**Recommendation:** Recommend Approval

**Fiscal Impact:** As noted per contracts summary.

<b>DISPOSITION BY BOARD OF EDUCATION</b>		
Motion by: _____	Seconded by: _____	
Approved _____	Not Approved _____	Tabled _____

CONTRACTED SERVICES

The following professional consultant services are recommended for approval.

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<u>DEPARTMENT</u>	<u>DATE OF SERVICE</u>	<u>CONSULTANT NAME</u>	<u>COST &amp; FUNDING</u>	<u>PURPOSE</u>
Curriculum- Federal Project	4/2/09 thru 6/30/09	YMCA of the Eastbay	\$19,761 21 <sup>st</sup> Century	Increase existing contract of \$49,000 to cover program costs, first year program start up supplies, costs of student workers, a graduate tutor and administrative fees until the end of the school year. This is an extension of the original contract that was to provide coordination and supervision of the Kennedy High School after school program. This program offers academic and enrichment programs and serves 140 students a day. It also provides supplies, snacks and materials for program start-up and program costs for charm school at Kennedy High School.

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

**ITEM REQUIRING ATTENTION----BOARD OF EDUCATION**

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**To:** Board of Education

**Meeting Date:** April 22, 2009

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

**Agenda Item:** CI C.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 April 22, 2009.

**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
08-09 Special Education Preschool Grant - Pre-K Staff Development	\$2,066	California Department of Education - Special Education Division, Grants	Staff Development for the Special Education Preschool Program
Resource # 3345	7/1/08 - 9/30/09		PCA # 14341-01
CPA - Information Technology and New Media Academy ECHS	\$10,000 Amendment 1	California Department of Education - High School Initiative and Career Education Office	
Resource # 6385	7/1/08 - 6/30/10		PCA # 24960-26
CPA - Architec, Constr, Engineer, & Technology Academy KHS	\$10,000 Amendment 1	California Department of Education - High School Initiative and Career Education Office	
Resource # 6385	7/1/08 - 6/30/10		PCA # 24960-27
CPA - Information Technology Academy KHS	\$10,000 Amendment 1	California Department of Education - High School Initiative and Career Education Office	
Resource # 6385	7/1/08 - 6/30/10		PCA # 24960-28
CPA - Law and Justice Academy PVHS	\$10,000 Amendment 1	California Department of Education - High School Initiative and Career Education Office	
Resource # 6385	7/1/08 - 6/30/10		PCA # 24960-29
CPA - Environmental Studies Academy PVHS	\$25,000 Amendment 1	California Department of Education - High School Initiative and Career Education Office	
Resource # 6385	7/1/08 - 6/30/10		PCA # 24960-30
CPA - Law Academy RHS	\$10,000 Amendment 1	California Department of Education - High School Initiative and Career Education Office	
Resource # 6385	7/1/08 - 6/30/10		PCA # 24960-31
CPA - Technology and New Media Academy ECHS	\$72,000 Amendment 1	California Department of Education - High School Initiative and Career Education Office	
Resource # 6385	7/1/08 - 6/30/10		PCA # 24960-01
CPA - Artitec, Constr, Engineer & Technology Academy - KHS	\$72,000 Amendment 1	California Department of Education - High School Initiative and Career Education Office	
Resource # 6385	7/1/08 - 6/30/10		PCA # 24960-02

CPA - Information Technology Academy KHS	\$42,000 Amendment 1	California Department of Education - High School Initiative and Career Education Office
Resource # 6385	7/1/08 - 6/30/10	PCA # 24960-03
CPA - Law and Justice Academy - PVHS	\$42,000 Amendment 1	California Department of Education - High School Initiative and Career Education Office
Resource # 6385	7/1/08 - 6/30/10	PCA # 24960-04
CPA - Law Academy RHS	\$42,000 Amendment 1	California Department of Education - High School Initiative and Career Education Office
Resource # 6385	7/1/08 - 6/30/10	PCA # 24960-06

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

**ITEM REQUIRING ATTENTION----BOARD OF EDUCATION**

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**To:** Board of Education *sg* **Meeting Date:** April 22, 2009

**From:** Sheri Gamba, Assoc. Supt., Business Services **Agenda Item:** CI C.3

**Subject:** Acceptance of Donations

**Background Information:** The District has received donations as summarized on the attached sheet dated April 22, 2009. 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.

<b>DISPOSITION BY BOARD OF EDUCATION</b>		
Motion by: _____	Seconded by: _____	
Approved _____	Not Approved _____	Tabled _____

West Contra Costa Unified School District  
 April 22, 2009 Board Meeting

ACCEPTANCE OF DONATIONS

<u>Donor Name</u>	<u>Description or Purpose</u>	<u>Estimated Value</u>	<u>Receiving School or Department</u>
Gritra Kamin	For Library Fund	\$120	Chavez Elementary School
Alberto Ramon	TV and Gym equipment	\$500	De Anza High School
Craig Geldard, PG&E	For 5 <sup>th</sup> grade class use	\$300	Downer Elementary School
Gerald Gaintner	For Math Department	\$1,000	El Cerrito High School
PG&E Corp Campaign for the Community	For school use	\$144	Ford Elementary School
Wells Fargo Foundation Educational Matching Gift Program	For school use	\$25	Hanna Ranch Elementary School
Wells Fargo Community Support Campaign	For school use	\$269	Hanna Ranch Elementary School
Chevron Humankind	For school use	\$50	Hanna Ranch Elementary School
Chevron Humankind Matching Gift Program	For school use	\$500	Hanna Ranch Elementary School
Wells Fargo Foundation Educational Matching Gift Program	For school use	\$269	Hanna Ranch Elementary School
Chase	For school use	\$214	Hanna Ranch Elementary School
Target	For school use	\$66	Hanna Ranch Elementary School
Hanna Ranch PTA	For computer teacher	\$6,500	Hanna Ranch Elementary School
Matthew Collins	9 VCRs	\$1,000 *	Pinole Middle School
Richmond Lions Club	For Library board games	\$200	Pinole Middle School
Gene & Karen Vigil	For Football Account	\$500	Pinole Valley High School
PG&E Corporation	For Band Account	\$87	Pinole Valley High School
Wells Fargo Community Support	For Athletic Fund	\$1,250	Richmond High School

Aki Creelman	For study trip	\$652	Shannon Elementary School
Washington School PTA	For recess consultant	\$2,400	Washington Elementary School
Contra Costa Interfaith Sponsoring Committee	For consultant services for Nell-Soto home visits	\$2,000	Community Engagement
Sandre Swanson for Assembly 2010	For Band Music program at Middle College	\$400	Music Department

- 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**

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**To:** Board of Education

**Meeting Date:** April 22, 2009

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

**Agenda Item:** CI C.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 April 22, 2009.

**Recommendation:** Recommend Approval

**Fiscal Impact:** Additional revenue for schools

<b>DISPOSITION BY BOARD OF EDUCATION</b>	
Motion by: _____	Seconded by: _____
Approved _____	Not Approved _____ Tabled _____

APPROVAL OF FUND-RAISERS

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<u>School</u>	<u>Fund-raising Activity</u>	<u>Activity Sponsor</u>
Collins Elementary School	Student dance	Student Council and faculty
De Anza High School	Water and healthy snack sales	French Club and faculty
El Cerrito High School	Book sale, Restaurant nights	ELD students and faculty, freshman class
Kensington Elementary School	Carnival, Rubio's fundraiser	PTA and Dad's club, 6 <sup>th</sup> grade parents
Pinole Valley High School	Flower sale, talent show, Panda Express fundraiser	Faculty and students, vocal department, journalism class
Washington Elementary School	Family portraits, school logo items sale, car wash, book fair, catalog sale, family restaurant night	PTA

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

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

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**To:** Board of Education

**Date:** April 22, 2009

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

**Agenda Item:** C.5

**Subject:** Notification of Claim Approvals and Settlement Payments

**Background Information:** The District received claims regarding compensation for property damage. The District's risk management firm has investigated the claims and is requesting the School Board to ratify the authorized settlement payments.

**Recommendation:** Ratify the authorized approval of claims and payments for property damage.

**Fiscal Impact:** Self-Insurance Program

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_

Not Approved \_\_\_\_\_

Tabled \_\_\_\_\_

West Contra Costa Unified School District  
April 22, 2009

2008-2009 CLAIM SETTLEMENTS

<u>Plaintiff</u>	<u>Defendant</u>	<u>Settlement</u>
Neri Lopez and Farmers Insurance	WCCUSD	\$1,081.05
Franklin & Michal Zimring	WCCUSD	\$2,697.00

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

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

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**To:** Board of Education

**Meeting Date:** April 22, 2009

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

**Agenda Item:** CI C.6

**Subject:** Summary of Payroll and Vendor Warrant Reports

**Background Information:** Attached are the summaries of Payroll and Vendor Warrants issued during the month of March, 2009.

Total of payroll warrants: \$10,897,107

Total of vendor warrants: \$21,238,423

**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 : March 31, 2009

Payrolls	Warrant From	Numbers To	Total Warrants Current	Total Warrants Previous	Total Warrants To Date
Regular	568473	569509	2,712,500	18,288,207	21,000,707
Reg. EFT	223810	225839	6,474,769	40,922,573	47,397,342
Variable	567039	568444	994,781	7,781,812	8,776,593
Var. EFT	222713	223809	693,358	6,586,945	7,280,303
Special	568445	568472	23,699	364,401	388,100
Special EFT				0	0
Typed	296742	296751	12,931	202,725	215,656
Typed				0	0
Cancelled	Various	Various	(14,931)	(153,635)	(168,566)
Totals			10,897,107	73,993,028	84,890,135

Salary detail is available upon request in the Payroll office.

  
 Kaye Fresquez, Payroll Supervisor

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

PAYMENT DATE: March 4, 2009

PAGE-1

FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	411197	411401	5,010,389	62,001,004	67,011,393
7706	CAFETERIA	411208	411367	24,373	3,166,937	3,191,310
7707	CHILD DEVELOPMENT	411308	411337	1,076	130,488	131,564
7710	BUILDING	411201	411399	1,717,736	54,924,051	56,641,787
7711	CAPITAL FACILITIES	411397	411397	5,276	570,524	575,800
7712	SELF INSURANCE PROPERTY & LIABILITY	411394	411394	10,610	3,075,392	3,086,002
7713	STATE SCHOOL LEASE/PURCHASE					0
7714	COUNTY SCHOOL FACILITIES					0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY	411263	411368	15,716	764,610	780,326
7719	CHARTER SCHOOL					0
7725	MRAD					0
7728	DEBT SERVICE					0
7744	RETIREE BENEFITS	411217	411387	5,771	144,885	150,656
7770	ADULT EDUCATION	411220	411395	6,603	298,395	304,998
7785	DEFERRED MAINTENANCE				708,760	708,760
7701	PAYROLL REVOLVING				46,964,430	46,964,430
	TOTALS			6,797,550	172,749,476	179,547,026

*Christine S. [Signature]*  
Prepared By

*mt [Signature]*  
Accounting Supervisor

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

PAYMENT

DATE: March 11, 2009

PAGE-2

FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	411424	411701	1,640,054	67,011,393	68,651,447
7706	CAFETERIA	411431	411670	170,355	3,191,310	3,361,665
7707	CHILD DEVELOPMENT	411463	411690	1,295	131,564	132,859
7710	BUILDING	411437	411694	2,093,772	56,641,787	58,735,559
7711	CAPITAL FACILITIES	411543	411677	11,036	575,800	586,836
7712	SELF INSURANCE PROPERTY & LIABILITY	411536	411652	448	3,086,002	3,086,450
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY	411532	411643	23,941	780,326	804,267
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS				150,656	150,656
7770	ADULT EDUCATION	411451	411695	19,865	304,998	324,863
7785	DEFERRED MAINTENANCE	411444	411643	19,973	708,760	728,733
7701	PAYROLL REVOLVING				46,964,430	46,964,430
	TOTALS			3,980,739	179,547,026	183,527,765

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

PAYMENT DATE: March 18, 2009

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FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	411702	411962	1,466,356	68,551,447	70,017,803
7706	CAFETERIA	411707	411939	37,187	3,361,665	3,398,852
7707	CHILD DEVELOPMENT	411715	411873	305	132,859	133,164
7710	BUILDING	411710	411958	1,223,423	58,735,559	59,958,982
7711	CAPITAL FACILITIES	411722	711722	2,451	586,836	589,287
7712	SELF INSURANCE PROPERTY & LIABILITY	411752	411953	48,373	3,086,450	3,134,823
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY	411876	411913	27,679	804,267	831,946
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS				150,656	150,656
7770	ADULT EDUCATION	411715	411937	2,904	324,863	327,767
7785	DEFERRED MAINTENANCE				728,733	728,733
7701	PAYROLL REVOLVING				46,964,430	46,964,430
	TOTALS			2,808,678	183,427,765	186,236,443

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

PAYMENT

DATE: March 25, 2009

PAGE-4

FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	411963	412228	852,619	70,017,803	70,870,422
7706	CAFETERIA	411988	412208	194,696	3,398,852	3,593,548
7707	CHILD DEVELOPMENT	411982	412211	943	133,164	134,107
7710	BUILDING	411971	412229	419,010	59,958,982	60,377,992
7711	CAPITAL FACILITIES	412159	412178	3,447	589,287	592,734
7712	SELF INSURANCE PROPERTY & LIABILITY	412125	412224	17,754	3,134,823	3,152,577
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				831,946	831,946
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS				150,656	150,656
7770	ADULT EDUCATION	411982	412223	6,579	327,767	334,346
7785	DEFERRED MAINTENANCE				728,733	728,733
7701	PAYROLL REVOLVING				46,964,430	46,964,430
	TOTALS			1,495,048	186,236,443	187,731,491

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

PAYMENT DATE: March 10, 2009

PAGE-5

FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL				70,870,422	70,870,422
7706	CAFETERIA				3,593,548	3,593,548
7707	CHILD DEVELOPMENT				134,107	134,107
7710	BUILDING				60,377,992	60,377,992
7711	CAPITAL FACILITIES				592,734	592,734
7712	SELF INSURANCE					
7712	PROPERTY & LIABILITY				3,152,577	3,152,577
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				831,946	831,946
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS				150,656	150,656
7770	ADULT EDUCATION				334,346	334,346
7785	DEFERRED MAINTENANCE				728,733	728,733
7701	PAYROLL REVOLVING	411402	411423	930,595	46,964,430	47,895,025
	TOTALS			930,595	187,731,491	188,662,086

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

PAYMENT DATE: March 31, 2009

PAGE-6

FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL				70,970,422	70,970,422
7706	CAFETERIA				3,593,548	3,593,548
7707	CHILD DEVELOPMENT				134,107	134,107
7710	BUILDING				60,377,992	60,377,992
7711	CAPITAL FACILITIES				592,734	592,734
7712	SELF INSURANCE PROPERTY & LIABILITY				3,152,577	3,152,577
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				831,946	831,946
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS				150,656	150,656
7770	ADULT EDUCATION				334,346	334,346
7785	DEFERRED MAINTENANCE				728,733	728,733
7701	PAYROLL REVOLVING	412230	412287	5,225,813	47,895,025	53,120,838
	TOTALS			5,225,813	188,762,086	193,987,899

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:** April 22, 2009

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

**Agenda Item:** CI C.7

**Subject:** Notice of Completions: Bid J068111 Dover Demolition and Site work, J068112 King Demolition Site work and Temporary Playground, E068142 Pinole Valley HS Exterior Lighting.

**Background Information:** A substantial Completion Notice has been received for:

Bid J068111 Dover Demolition and Site work  
Bid J068112 King Demolition Site work and Temporary Playground  
Bid E068142 Pinole Valley HS Exterior Lighting

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

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

Evans Brothers Bid J068111 Dover Demolition and Site work  
Bay Cities Paving and Grading Bid J068112 King Demolition Site work and Temporary Playground  
ERA Construction Bid E068142 Pinole Valley HS Exterior Lighting

**Recommendation:** Recommend approval of these notices of completions.

**Fiscal Impact:** None.

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO  
NAME WEST CONTRA COSTA  
UNIFIED SCHOOL DISTRICT  
STREET  
ADDRESS 1108 BISSELL AVENUE  
CITY &  
STATE RICHMOND, CALIF 94801

SPACE ABOVE THIS LINE FOR RECORDER'S USE

### NOTICE OF COMPLETION

Notice pursuant to Civil Code Section 3093, must be filed within 10 days after completion. The completion of work is deemed to be the date of such acceptance by the Governing Board of the District (civil code 3086)

Notice is hereby given that:

1. The undersigned is owner of the property hereinafter described:
2. The full name of the owner is: Governing Board, West Contra Costa Unified School District.
3. The full address of the owner is: 1108 Bissell Avenue, Richmond, Calif. 94801.
4. A work of improvement on the property hereinafter described was completed and accepted on 04/22/09.
5. The work done was: Project J068111 Dover Elementary Demolition and Site work
6. The name and address of the contractor for such work of improvement was Evans Brothers Inc. 7589 National Drive, Livermore CA 94550 Date of Contract: 07/11/09
7. The name of the Bonding Company that provided Surety for said contractor relative to work to be performed is: Safeco Insurance Co. of America
8. The property on which said work of improvement was completed is located within the West Contra Costa Unified School District, County of Contra Costa, State of California, and is described and located as follows: Dover Elementary School 1871 21<sup>st</sup> Street San Pablo, CA 94806.

Dated: April 22, 2009

\_\_\_\_\_  
Director, General Services  
West Contra Costa USD

### VERIFICATION

I, the undersigned, say: I am the Director, General Services the declarant of the foregoing notice of completion; I have read said notice of completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 22, 2009, at Richmond, California.

\_\_\_\_\_  
Director, General Services  
West Contra Costa USD

RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO  
NAME WEST CONTRA COSTA  
UNIFIED SCHOOL DISTRICT  
STREET  
ADDRESS 1108 BISSELL AVENUE  
CITY &  
STATE RICHMOND, CALIF 94801

SPACE ABOVE THIS LINE FOR RECORDER'S USE

### NOTICE OF COMPLETION

Notice pursuant to Civil Code Section 3093, must be filed within 10 days after completion. The completion of work is deemed to be the date of such acceptance by the Governing Board of the District (civil code 3086)

Notice is hereby given that:

4. The undersigned is owner of the property hereinafter described:
  5. The full name of the owner is: Governing Board, West Contra Costa Unified School District.
  6. The full address of the owner is: 1108 Bissell Avenue, Richmond, Calif. 94801.
  6. A work of improvement on the property hereinafter described was completed and accepted on 04/22/09.
  7. The work done was: Project J068112 King Elementary School Demolition Site Work and Temporary Playground
  7. The name and address of the contractor for such work of improvement was Bay Cities Paving & Grading 5029 Forni Drive Concord, CA 94520 Date of Contract: 8/04/08
  7. The name of the Bonding Company that provided Surety for said contractor relative to work to be performed is: Safeco Insurance Co. of America
  8. The property on which said work of improvement was completed is located within the West Contra Costa Unified School District, County of Contra Costa, State of California, and is described and located as follows: King Elementary School 234 South 39<sup>th</sup> Street Richmond, CA 94804
- Dated: April 22, 2009

\_\_\_\_\_  
Director, General Services  
West Contra Costa USD

### VERIFICATION

I, the undersigned, say: I am the Director, General Services the declarant of the foregoing notice of completion; I have read said notice of completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 22, 2009, at Richmond, California.

\_\_\_\_\_  
Director, General Services  
West Contra Costa USD

RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO  
NAME WEST CONTRA COSTA  
UNIFIED SCHOOL DISTRICT  
STREET  
ADDRESS 1108 BISSELL AVENUE  
CITY &  
STATE RICHMOND, CALIF 94801

SPACE ABOVE THIS LINE FOR RECORDER'S USE

### NOTICE OF COMPLETION

Notice pursuant to Civil Code Section 3093, must be filed within 10 days after completion. The completion of work is deemed to be the date of such acceptance by the Governing Board of the District (civil code 3086)

Notice is hereby given that:

7. The undersigned is owner of the property hereinafter described:
8. The full name of the owner is: Governing Board, West Contra Costa Unified School District.
9. The full address of the owner is: 1108 Bissell Avenue, Richmond, Calif. 94801.
8. A work of improvement on the property hereinafter described was completed and accepted on 04/22/09.
9. The work done was: Project E068142 Pinole Valley High School Exterior Lighting
8. The name and address of the contractor for such work of improvement was ERA Construction 396 Cottonwood Street Vacaville, CA 95688 Date of Contract: 11/25/08
7. The name of the Bonding Company that provided Surety for said contractor relative to work to be performed is: Merchants Bonding Co. (Mutual)
8. The property on which said work of improvement was completed is located within the West Contra Costa Unified School District, County of Contra Costa, State of California, and is described and located as follows: Pinole Valley High School 2900 Pinole Valley Road Pinole, CA 94564

Dated: April 22, 2009

\_\_\_\_\_  
Director, General Services  
West Contra Costa USD

### VERIFICATION

I, the undersigned, say: I am the Director, General Services the declarant of the foregoing notice of completion; I have read said notice of completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 22, 2009, at Richmond, California.

\_\_\_\_\_  
Director, General Services  
West Contra Costa USD

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:** April 22, 2009

**From:** Jessica R. Romeo,  
Interim, Assistant Superintendent Human Resources

**Agenda Item:** CI C.8

**Subject:** Resolution No. 80-0809: Credential Assignment Options

**Background Information:**

This resolution will provide the District with assignment options of a temporary nature when a teacher with an appropriate credential is not available to the district.

The options are only available to teachers who hold a current, non-emergency, basic credential.

**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

## RESOLUTION NO. 80-0809

### CREDENTIAL ASSIGNMENT OPTIONS

WHEREAS, the Commission on Teacher Credentialing provides employing districts with assignment options of a temporary nature in which a teacher with an appropriate credential is not available to the school district. Listed below are summaries of these options, which require the consent of the teacher and Board approval.

- **Ed Code 44263** allows the holder of a teaching credential to serve in a departmentalized class if the teacher has completed 18 semester hours of course work, or 9 semester hours of upper division or graduate course work, in the subject to be taught.
- **Title 5 Section 80027** allows for the issuance of a Limited Assignment Option to any teacher employed by the district who holds a credential based on a bachelor's degree and student teaching. Six semester hours of appropriate course work are required for renewal.
- **Ed Code 44256 (b)** allows the Governing Board of a school district to authorize the holder of a multiple subject teaching credential or a standard elementary credential to teach any subject in departmentalized classes to a given class or group of students below grade nine, provided that the teacher has completed 12 total semester units, or 6 upper division or graduate units of course work at an accredited institution in each subject to be taught.
- **Ed Code 44258.2** allows the Governing Board of a school district to assign the holder of a single subject or standard secondary teaching credential, with his or her consent, to teach classes in grades 5 through 8 in a middle school provided the teacher has a minimum of twelve semester units, or six upper division or graduate semester units of course work at an accredited institution in the subject to be taught.
- **Ed Code 44285.3** allows the Governing Board of a school district to authorize the holder of a multiple subject, standard elementary, single subject or standard secondary, with his or her consent, to teach departmental classes in grades K-12 provided the teacher has adequate knowledge of subject matter.
- **Ed Code 44258.7 (c)(d)** Allows the Committee on Assignments to authorize the holder of a multiple subject or single subject credential to teach a course outside of their credential area that is considered to be an elective in the grades K-12.

BE IT THEREFORE RESOLVED that any other teacher assigned under one of the above options during the 2009-2010 school year will be identified on the certificated personnel changes at the appropriate board meeting as the assignments occur.

**PASSED AND ADOPTED** by the Governing Board of the West Contra Costa Unified School District of Contra Costa County, California, on April 22, 2009, by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**I HEREBY CERTIFY** that the foregoing resolution was duly and regularly introduced, passed, and adopted by the members of the Governing Board of the West Contra Costa Unified School District at a public meeting of said Board held on April 22, 2009, and that the foregoing is an excerpt from the journal of said Governing Board for said meeting.

---

Bruce Harter  
Secretary, Board of Education

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:** April 22, 2009  
**From:** Jessica R. Romeo, **Agenda Item:** CI C.9  
Assistant Superintendent Human Resources  
**Subject:** Resolution No. 79-0809: Declaration to Hire 30-Day Substitutes on CBEST Waivers

**Background Information:**

There is a statewide shortage of qualified substitutes. The requirement that each 30-day substitute CBEST waiver request be approved by the Board of Education before the waiver request is submitted has been relaxed by the Commission on Teacher Credentialing (CCTC). Instead, they will require a governing board to declare that the district has hired teachers from the substitute pool to implement the Class Size Reduction Program and is now experiencing difficulty in recruiting individuals who qualify for the 30-day Substitute Teaching Permit. This declaration need be approved only once for all CBEST waiver requested in 2009-2010. This item may not appear on the consent calendar for the governing board meeting. Our district will continue to recruit and search for fully credentialed teachers while using this assignment option.

**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**

RESOLUTION NO. 79-0809

**DECLARATION TO HIRE 30-DAY SUBSTITUTES ON CBEST WAIVERS**

**WHEREAS**, the governing board of West Contra Costa Unified School District declares that teachers were hired from the district substitute pool to implement class size reduction and, as a consequence of this action, the district is unable to recruit substitutes who have had an opportunity to take and pass the California Basic Educational Skills Test (CBEST). The district anticipates employing 15-25 substitutes on variable term CBEST waivers.

**PASSED and ADOPTED** by the governing board of the West Contra Costa Unified School District of Contra Costa County, California, on April 22, 2009, by the following vote:

AYES: \_\_\_\_\_

NOYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

I HEREBY CERTIFY that the foregoing resolution was duly and regularly introduced, passed, and adopted by the members of the governing board of the West Contra Costa Unified School District at a public meeting held on April 22, 2009, and that the foregoing is an excerpt from the journal of said governing board for said meeting.

\_\_\_\_\_  
BRUCE HARTER  
Secretary, Board of Education

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

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

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**To:** Board of Education

**Meeting Date:** April 22, 2009

**From:** Jessica R. Romeo,  
Assistant Superintendent Human Resources

**Agenda Item:** CI C.10

**Subject:** Employment of Retired Administrator for 2008-2009

**Background Information:**

A waiver is required for the following retired administrator to supply emergency services and/or substitute to the district.

Richard Avalos – Assistant Principal

**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  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

---

**To:** Board of Education

**Meeting Date:** April 22, 2009

**From:** Jessica R. Romeo,  
Assistant Superintendent Human Resources

**Agenda Item:** CI C.11

**Subject:** Approval of Sabbatical Leave Requests for 2009-2010

**Background Information:** The District and UTR have a negotiated agreement for the district to provide 10 Sabbatical Leaves each year. The leaves can be taken for purposes of formal study, travel, or independent study. Teachers on leave will receive 50% of their annual salary and 100% health and welfare coverage. Each request for leave is set forth below.

**Susan Revier**

**Kensington Elementary School, 3<sup>rd</sup> grade**

**Purpose of Sabbatical: Travel, One Year**

The objectives of the proposed travel are as follows:

To improve her ability to teach expressive arts to children. She plans to visit elementary schools in New Mexico and in the four corner regions of the southwest to learn about programs that focus on Native American art traditions. Some of the reservations she plan to observe are the Mescalero Apache, Alamo Navajo and Zuni Pueblo reservations all located in New Mexico. She possesses an MA in Transformative Arts. The training will allow her to design, work and play with children using a variety of art materials and techniques that encourage reflection and problem solving bringing enjoyment to students, as well as using her findings and observations in writing curriculum for grades K-12.

**Emilie Sederholm-Wood**

**Ohlone Elementary, Kindergarten**

**Purpose of Sabbatical: Travel, One Year**

The objectives of the proposed travel are as follows:

To visit different states and schools and observe how different schools and teachers are handling the issue of differentiated instruction, particularly in the area of reading. Her main interest is to visit kindergarten to see how teachers are preparing kindergarteners for first grade as well as what they are doing to meet the needs of their different learners, what resources they have available to them to address the different needs of their students, and how they take into account such issues as class size, culture, and the socio-economic status of the students and their families. She also plans to observe the Head Start and the pre-school program on how their classes are meeting the needs of young learners and how they are preparing their four and five year olds for school.

**Christine Riedell**  
**Lupine Hills Elementary, Kindergarten**  
**Purpose of Sabbatical: Travel, One Semester**

The objectives of the proposed travel are as follows:

To continue her photographic project that began in 2000, which is the documentation of the 17<sup>th</sup> century gardens of Andre Le Notre in and around Paris, France. She will be meeting with gallery managers, publishers and museum curators in Europe and will be exhibiting and publishing her photographs.

**Diana Ortega**  
**Downer Elementary School, 2<sup>nd</sup> grade APL**  
**Purpose of Sabbatical: Study/Travel, One Semester**

The objectives of the proposed travel/study are as follows:

In the summer she will study and take an internship in Cuernavaca, Mexico. To gain an understanding of Mexican culture, the pedagogical procedures used to teach elementary level Spanish and conduct a cross-cultural exchange with Mexican students once her internship is complete.

She will study at CSU Hayward extension and take 8 graduate semester units of college. The courses taken will be related to teaching English Language Learners (ELL's).

**Phyllis Buford**  
**Richmond High School, Special Education Teacher**  
**Purpose of Sabbatical: Formal Study, One Year**

The purpose of the Sabbatical is to take 8 graduate semester units at Sonoma State University.

**Recommendation:** Recommend Approval

**Fiscal Impact:** \$191,617.10 - including salary and health benefits

DISPOSITION BY BOARD OF EDUCATION

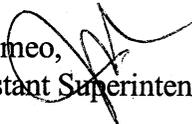
Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

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:** April 22, 2009  
**From:** Jessica R. Romeo,  **Agenda Item:** CI C.12  
Interim, Assistant Superintendent Human Resources  
**Subject:** Resolution No. 81-0809: National "Day of the School Nurse"

**Background Information:**

We wish to recognize all the school nurses who give their energy, their intellect, their commitment, and their love to the students of West Contra Costa Unified School District with a resolution proclaiming May 6, 2009 as the "Day of the School Nurse."

**Recommendation:** Recommend Approval

**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. 81-0809**

**May 6, 2009  
"Day of the School Nurse"**

***WHEREAS***, the State of California designates May 6 as the official Day of the School Nurse; and

***WHEREAS***, School Nurses promote the health and well-being of school children and families; and

***WHEREAS***, School Nurses provide for the optimal educational experience of children and families; and

***WHEREAS***, School Nurses educate students, families, and staff about health problems, health promotion and self-care; and

***WHEREAS***, School Nurses promote each student's attainment of optimal health in order to achieve their maximum learning potential; and

***NOW, THEREFORE, BE IT RESOLVED***, that the Board of Education of the West Contra Costa Unified School District proclaims May 6, 2009 as the Day of the School Nurse in West Contra Costa County, and

***BE IT FURTHER RESOLVED***, that the Board of Education urges all citizens to honor our school nurses on this and every other day of the year.

***PASSED AND ADOPTED*** on this 22<sup>nd</sup> day of April 2009 at a regular meeting of the Board of Education by the following vote:

AYES \_\_\_

NOES \_\_\_

ABSENT \_\_\_

ABSTAIN \_\_\_

***I HEREBY CERTIFY*** that the foregoing Resolution was duly and regularly introduced, passed, and adopted by the members of the Governing Board of the West Contra Costa Unified School District at a Regular Meeting held on April 22, 2009.

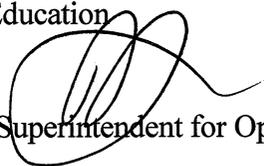
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Secretary, Board of Education

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:** April 22, 2009  
**From:** Bill Fay  **Agenda Item:** CI C.13  
Associate Superintendent for Operations  
**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: \$264,950. 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**

<b>Project/Funding</b>	<b>Dates</b>	<b>Firm</b>	<b>Contract Cost</b>	<b>Reference</b>
Ford Elementary School Increment 1 Demolition and Site Work  Measure J Bond	April 2009 thru July 2009	Kleinfelder	\$20,100	Geotechnical observation, inspection, reporting during grading, pad construction.
Riverside Elementary  Measure J Bond	April 2009 thru September 2009	Engeo, Inc.	Hourly services: \$12,500	Geotechnical & Geohazard Characterization Studies Peer Review.
Portola Middle School Temporary Relocation to El Cerrito HS  Measure J Bond	April 2009 thru July 2009	WLC Architects	\$22,400	Preliminary project definition and planning.
Richmond HS Bleachers Building  Measure J Bond	April 2009 thru October 2009	Smith Emery Co.	\$85,000	Testing and materials additional services.
Dover Elementary New Campus  Measure J Bond	April 2009 thru August 2011	Kleinfelder	\$77,250	Geotechnical observation, inspection, reporting during 3 phases of construction.
Fairmont Elementary Modular Buildings Installation  Special Reserve for Capital Facilities	April	WLC Architects	\$47,700	Design, engineering and Construction Administration for additional classrooms for School Consolidation

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801-3135  
Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION --- BOARD OF EDUCATION**

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**To:** Board of Education **Meeting Date:** April 22, 2009  
**From:** Bill Fay **Agenda Item:** CI C.14  
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: TLC Paving, El Cerrito HS New Campus, El Cerrito HS Theater, Tara Hills Doors, Downer Elementary New Campus, and Ford Demolition Sitework projects. 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 Ford Elementary Temporary Campus 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: \$70,627.05.

<b>DISPOSITION BY BOARD OF EDUCATION</b>		
Motion by: _____	Seconded by: _____	
Approved _____	Not Approved _____	Tabled _____

**April 22, 2009 Change Order Ratification Summary**

School Site	Company	Original Contract	Previously Approved CO's	Items Pending Board Action			CO Percent of Original Contract	Adjusted New Contract	Change Order Numbers
				CO's Pending Ratification	CO's Pending Approval	Total CO's			
1 Transitional Learning Center	OC Jones & Son	\$238,130.00	\$1,239.60	(\$71,129.99)	\$0.00	-\$69,890.39	\$168,239.61	2	
2 El Cerrito HS	Lathrop Construction As	\$54,264,000.00	\$2,940,983.00	\$79,843.00	\$0.00	\$3,020,826.00	\$57,284,826.00	36	
3 El Cerrito HS Theatre	Lathrop Construction As	\$22,580,000.00	\$896,768.00	\$30,264.00	\$0.00	\$927,032.00	\$23,507,032.00	22	
4 Tara Hills ES Doors	Kin Wo Construction	\$99,000.00	\$4,100.00	-\$12,465.25	\$0.00	-\$8,365.25	\$90,634.75	2	
5 Downer ES New School	West Bay Builders	\$21,232,027.00	\$1,906,687.00	\$21,556.00	\$0.00	\$1,928,243.00	\$23,160,270.00	23	
6 Ford ES Temp Housing	Bay Cities Paving & Gra	\$914,000.00	\$150,727.67	\$0.00	\$3,510.54	\$154,238.21	\$1,068,238.21	4	
7 Ford ES Demo/Site Work	Bay Cities Paving & Gra	\$697,000.00	\$0.00	\$19,048.75	\$0.00	\$19,048.75	\$716,048.75	1	

Pending Board Actions	
Ratifications	\$67,116.51
Approvals	\$3,510.54
<b>Total Board Action</b>	<b>\$70,627.05</b>

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:** April 22, 2009  
**From:** Bill Fay **Agenda Item:** CI C.15  
Associate Superintendent for Operations  
**Subject:** Montalvin Manor Elementary Trash Enclosure Project Award of Contract

**Background Information:**

In order to complete the work on the Kay Rd. Extension and the Montalvin Manor Elementary New Entry Plaza, the District needs to construct an appropriate trash enclosure area. This will be adjacent to the new plaza, with screening and a size adequate for bins and recycling containers. Baker Vilar Architects prepared construction documents for the project. The District conducted a public bid process for this project. Bids were opened on March 12, 2009. Eleven contractors submitted bids. One bid was non-responsive. The responsive bids were as follows: Trinet Construction \$43,280; Bruce Carone Grading \$39,644; Sonoma Engineering \$36,420; Azul Works \$35,999; Suarez and Munoz \$35,900; Fieldstone Construction \$34,669; WR Forde \$32,100; Blackshear Construction \$31,800; Coastside Concrete \$30,565; and, Rosas Brothers \$28,647.

The District received a bid protest on this project. After review with legal counsel it was determined that the lowest responsive, responsible bidder is Rosa Brothers at \$28,647.

**Recommendation:** Award contract to lowest responsive, responsible bidder

**Fiscal Impact:** \$28,647. Funded from the Capital Facilities Fund

<b>DISPOSITION BY BOARD OF EDUCATION</b>		
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:** April 22, 2009  
**From:** Bill Fay **Agenda Item:** CI C.16  
Associate Superintendent for Operations  
**Subject:** Pinole Middle School Building A Demolition Project Award of Contract

**Background Information:**

The next step in the completion of construction at the Pinole Middle School site is the renovation of the original main building, "Building A." Prior to renovation work, the District must complete hazardous materials removal and demolition of interior and exterior finishes, roofing, and equipment on the building. This is being done as a separate package while the renovation drawings are being reviewed and coordinated prior to bid. Plans and specifications for this project were prepared by Powell and Partners Architects.

The District conducted a public bid for this project. Bids were opened on April 10, 2009. Six Contractors submitted bids. They are as follows: Parc Services \$890,490; Sterling Environmental \$890,000; CST Environmental \$852,800; Evans Brothers \$838,800; Demo Masters \$835,000; Asbestos Management \$773,070. Unfortunately, Asbestos Management's bid form was submitted unsigned as required by the bid documents. The bid has been declared non-responsive. Therefore, the lowest responsive, responsible bidder is Demo Masters at \$835,000.

This bid price is \$65,000 below the District's estimated cost for the project.

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

**Fiscal Impact:** \$835,000. Funded from the Measure J Bond.

<b>DISPOSITION BY BOARD OF EDUCATION</b>		
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:** April 22, 2009  
**From:** Bill Fay **Agenda Item:** CI C.17  
Associate Superintendent for Operations  
**Subject:** Dover Elementary New Campus Construction Project Award of Contract

**Background Information:**

The next step in the reconstruction of Dover Elementary School is to complete the main campus construction. This work includes three phases of construction for all new classroom buildings, support spaces, a new multi-purpose room, playgrounds, soccer field, parking and drop-off areas, and other site work and site furnishings. The work also includes demolition of existing campus buildings, including demolition and replacement of 23 portables.

HY Architects has prepared plans and specifications for the Dover project. The District conducted a public bid of the project. Bids were opened on Tuesday, April 14, 2009. Nine Contractors submitted bids. They are as follows: Overaa Construction \$25,615,000; Arntz Builders \$22,847,622; BRCO Constructors \$22,375,000; Wright Construction \$21,999,000; SJ Amoroso \$21,877,000; Lathrop Construction \$21,835,000; West Bay Builders \$21,691,000; Alten Construction \$21,491,000; and Zovich and Sons \$21,475,000. The lowest responsive, responsible bidder is Zovich and Sons at \$21,475,000.

District staff and SGI, Bond Program Managers, have confirmed that sufficient funds are available for the award of this project, even prior to completing future bond sales authorized under Measure J.

This bid is significantly below the District's construction estimate and budget for the project. This appears to reflect unusual market conditions related to the financial crisis and recession. The bid savings will assist the District in balancing other impacts to the Bond Program budget. Staff will bring an updated program budget forward at a future meeting of the Board and after review with the Board's Facilities Subcommittee.

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

**Fiscal Impact:** \$21,475,000. Funded from the Measure J Bond.

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**

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**To:** Board of Education **Meeting Date:** April 22, 2009  
**From:** Bill Fay **Agenda Item:** CI C.18  
Associate Superintendent for Operations  
**Subject:** Citizens' Bond Oversight Committee Member Appointments

**Background information:**

On April 14, 2009, the City of Hercules City Council approved the appointments of Joe Eddy McDonald and Donald Kuehne (alternate) to the District's Citizens' Bond Oversight Committee.

**Recommendation:** Recommend approval of appointments to the Citizens' Bond Oversight Committee

**Fiscal Impact:** None

**DISPOSITION BY BOARD OF EDUCATION**

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_



**CITY OF HERCULES**

111 CIVIC DRIVE, HERCULES, CA 94547

PHONE: 510 • 799 • 8200

April 15, 2009

Audrey Miles, President and  
Members of the Board of Education  
West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, CA 94801-3135

RE: West Contra Costa Unified School District Bond Oversight Committee

Honorable President Miles and Members of the Board of Education:

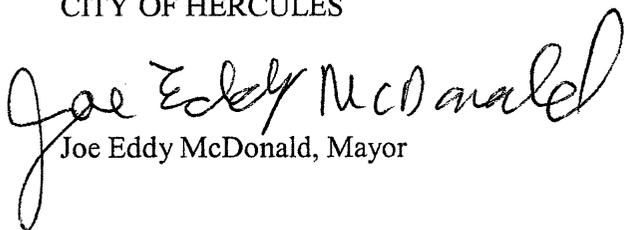
At the April 14, 2009 City Council meeting, by a unanimous voice vote of the Hercules City Council, I Joe Eddy McDonald, Mayor of the City of Hercules, was appointed to serve as the City's representative to the WCCUSD Bond Oversight Committee. Additionally, Council Member Donald Kuehne was unanimously appointed to serve as the City's alternate and will attend and participate in any and all meetings of the BOC that I am unable to attend.

On behalf of the Hercules City Council, I respectfully request that these appointments be scheduled for ratification by the members of the Board of Education on April 22, 2009.

If you should have any questions or need additional clarification, please do not hesitate to contact me at (510) 799-8206.

Sincerely,

CITY OF HERCULES

  
Joe Eddy McDonald, Mayor

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

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

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**To:** Board of Education **Meeting Date:** April 22, 2009  
**From:** Bill Fay **Agenda Item:** CI C.19  
Associate Superintendent of Operations  
**Subject:** Williams Lawsuit Complaints Quarterly Report

**Background Information**

The Williams Lawsuit requires that a quarterly report be brought before the Board of Education reflecting the number of complaints filed with any school in the district during a particular quarter. This report reflects the time period from January 1, 2009 through March 31, 2009.

**Recommendation:** For approval

**Fiscal Impact:** None

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_



## Quarterly Report on Williams Uniform Complaints

[Education Code 35186]

District: West Contra Costa Unified School District

Person completing this form: Bill Fay Title: Associate Superintendent of Operations

Quarterly Report Submission Date: April 1, 2009 (January – March 2009)

Date for information to be reported publicly at governing board meeting: April 22, 2009

√ Complaints were filed with schools in the district during the quarter indicated above.

Area of Complaint	Total # of Complaints	# Resolved	# Unresolved
<b>Textbooks and Instructional Materials</b>	0	0	0
<b>Teacher Vacancy or Misassignment</b>	1	1	0
<b>Facilities Conditions</b>	4	3	1 (work in progress)
<b>TOTALS</b>	5	4	1

\_\_\_\_\_  
Signature of District Superintendent, Dr. Bruce Harter

\_\_\_\_\_  
April 22, 2009  
Date

Please return completed form to Peggy Marshburn, Chief Communications Officer,  
CCCOE – 77 Santa Barbara Rd. Pleasant Hill, CA 94523  
FAX: (925) 942-3314 E-MAIL: [pmarshburn@cccoe.k12.ca.us](mailto:pmarshburn@cccoe.k12.ca.us)

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

**ITEM REQUIRING ATTENTION----BOARD OF EDUCATION**

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**To:** Board of Education **Meeting Date:** April 22, 2009

**From:** Bill Fay **Agenda Item:** CI C.20  
Associate Superintendent for Operations

**Subject:** Resolution No. 83-0809, Child Nutrition Employee Appreciation Week, May 4-8, 2009

**Background Information:**

May 4-8, 2009 has been designated Child Nutrition Employee Appreciation week. This resolution recognizes the hard work and dedication put forth by our Child Nutrition personnel.

**Recommendation:** For approval

**Fiscal Impact:** None

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**

**Resolution No. 83 - 0809**

**Child Nutrition Employee Appreciation Week – May 4-8, 2009**

**WHEREAS**, the School Child Nutrition Employee devotes immense time providing unbounded services to students, teachers, parents and administrators often without recognition; and

**WHEREAS**, recognition for contributions on the job increases an employee’s production, commitment and strengthens program loyalty; and

**WHEREAS**, all people appreciate recognition for excellence in job performance and the service industry is no exception; and

**WHEREAS**, various categories of employees in schools, i.e., teachers, principals, secretaries have special recognition days and appreciation;

**BE IT RESOLVED**, that district administrators, teachers and staff be encouraged to celebrate district wide with various exemplary activities for employee appreciation and recognition.

**PASSED AND ADOPTED** on April 22, 2009, at a regular meeting of the Board of Education by the following vote:

**AYES:** \_\_\_\_\_

**NOES:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

**ABSTAIN:** \_\_\_\_\_

**I HEREBY CERTIFY** that the foregoing resolution was duly and regularly introduced, passed and adopted by the members of the Governing Board of the West Contra Costa Unified School District at a public meeting of said Board held on April 22, 2009.

\_\_\_\_\_  
President of Board of Education

Attested to:

\_\_\_\_\_  
Clerk of Board of Education

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

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

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**To:** Board of Education

**Meeting Date:** April 22, 2009

**From:** Wendell C. Greer  
Associate Superintendent, K – Adult Operations

**Agenda Item:** CI C.21

**Subject:** Offering of Work Experience Education (WEE) Program in the West Contra Costa Unified School District

**Background Information:**

West Contra Costa Unified School District will continue to offer all students in the secondary schools Exploratory Work Experience and General Work Experience in accordance with the District plan for Work Experience and in compliance with appropriate federal and state laws, California Labor Code, California Code of Regulations and Title V.

**Recommendation:** For Information Only

**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, CA 94801-3135

**Bruce Harter, Ph.D.**  
*Superintendent*

**Telephone: (510) 231-1101**  
**FAX: (510) 236-6784**

Date: April 24, 2009

TO: Kimberly B. Born  
California Department of Education  
Post Secondary Adult Leadership Division  
Work Experience Education  
1430 N Street Suite 4503  
Sacramento, CA 95814

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

SUBJECT: Authorization to Issue Work Permits

This letter is officially authorizing the following personnel to issue work permits according to Education Code 49110:

NAME	TITLE
SUE KAHN	PRINCIPAL
DONALD WILSON	WK EXP. TEACHER
KEN GARDNER	PRINCIPAL
MICHAEL CRANE	WK EXP TEACHER
GUY ZAVRESKY	PRINCIPAL
LINDA CARTWRIGHT	WK EXP TEACHER
JULIO FRANCO	PRINCIPAL
ARLISS JANN	WK EXP TEACHER
LATOYA WILLIAMS	PRINCIPAL
JIM ELLIS	VICE PRINCIPAL
JASON REIMAN	PRINCIPAL
MARILYN O'BRIAN	WK EXP TEACHER
RANDY ENOS	PRINCIPAL
ROXANNE BROWN-GARCIA	PRINCIPAL
HAIDEE FOUST WHITMORE	PRINCIPAL
HATTI SMITH	PRINCIPAL
BRENDA KING-RANDLE	INTERIM COORDINATOR EDU.SERVICES
WENDELL GREER	ASSOC. SUPT. OF SCHOOLS

All personnel listed above have a working knowledge of California labor laws and regulations as they relate to minors. If there are any questions pertaining to the issuance of work permits, please call 510-231-1160

Sincerely,

Dr. Bruce Harter, Superintendent

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

**ITEM REQUIRING ATTENTION----BOARD OF EDUCATION**

---

**To:** Board of Education **Meeting Date:** April 22, 2009  
**From:** Bruce Harter **Agenda Item:** CI C.22  
**Subject:** Resolution No. 82-0809: SB 810 – California Universal Health Care Act

**Background Information:**

West Contra Costa Unified School District strongly supports SB 810, the California Universal Healthcare Act, which will cover every Californian with comprehensive, affordable health insurance and allow every Californian to choose his or her own physician.

At some time each year, at least one in five Californians does not have health insurance. As health insurance costs continue to skyrocket, employers are reducing coverage and dropping benefits altogether. Half of all bankruptcies in the United States are now related to medical costs and ¾ of those bankrupted families *had health insurance at the time they became ill or injured*. The simple truth is that average Californians can no longer rely on their health insurance when they become ill or injured.

The United States spends twice as much per person as every other industrialized country on health care, yet we are the only industrialized nation where people go bankrupt because of medical costs. We have fewer physicians per capita than many other industrialized countries, and fewer hospital visits. Most importantly, our health care system ranks at the bottom of industrialized nations, according to the World Health Organization.

SB 810 will affordably cover every Californian with comprehensive benefits. Every Californian will be covered by a single plan that provides medical, dental, vision and prescription drug coverage, as well as hospitalization, emergency room care and transportation, laboratory work, skilled nursing care, mental health care, drug addiction rehabilitation, and chiropractic care.

**Recommendation:** Approve Resolution No. 82-0809 in Support of SB 810

**Fiscal Impact:** Board resolution will have no fiscal impact. Passage of SB 810, however, will significantly reduce health care costs for the District. Exact impact on the cost of health benefits will need to be determined.

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
SB 810 - CALIFORNIA UNIVERSAL HEALTH CARE ACT  
RESOLUTION NO. 82-0809

**WHEREAS**, Senate Bill 810 (Leno), the California Universal Healthcare Act would provide fiscally sound, affordable healthcare to all Californians, provide every Californian the right to choose his or her own physician and control health cost inflation; and

**WHEREAS**, SB 810 is universal and provides healthcare to everyone. Eligibility is based on residency, rather than employment or income. No California resident will ever again lose his or her health insurance because of unaffordable insurance premiums, or because he or she changes or loses a job, or goes to or graduates from college or has a preexisting medical condition; and

**WHEREAS**, SB810 is a shared responsibility plan. Under the Act everyone – individuals, employers and government – pays something in and everyone gets healthcare.

**WHEREAS**, SB 810 is affordable. SB 810 requires no new spending on healthcare. The system will be paid for by federal, state and county monies already being spent on healthcare and by affordable insurance premiums that replace all premiums, deductibles, out-of-pocket payments and co-pays now paid by employers and consumers; and

**WHEREAS**, SB 810 provides total choice. Under SB 810, delivery of care remains as it is; a competitive mix of public and private providers. All consumers have complete freedom to choose their healthcare providers.

**WHEREAS**, SB 810 requires actuarially sound reimbursements for providers. Doctors, nurses, hospitals and other healthcare providers will receive fair and reasonable reimbursements for all covered services they provide.

**WHEREAS**, SB 810 is efficient. The Act eliminates waste by consolidating the functions of many insurance companies into one comprehensive insurance plan, saving the state and consumers billions of dollars each year. Currently about half of every dollar spent on healthcare is squandered on clinical and administrative waste, insurance company profits, and overpriced pharmaceuticals. The Act is based on a model that has been estimated to save California about \$20 billion through reduced administrative costs in the first year alone.

**NOW, THEREFORE, BE IT RESOLVED** by the District to authorize the support of SB 810 California Universal Healthcare.

**PASSED AND ADOPTED** on the 22nd day of April, 2009, at a regular meeting of the Board of Education by the following vote:

AYES: \_\_\_\_\_ NAYES: \_\_\_\_\_ ABSENT: \_\_\_\_\_ ABSTAINED: \_\_\_\_\_

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.

---

Audrey Miles, President

---

Antonio Medrano, Clerk

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:** April 22, 2009

**From:** Bruce Harter

**Agenda Item:** CI C.23

**Subject:** Resolution 84-0809: In Support of May 19 Ballot Measures

**Background Information:**

A key aspect of the adopted state budget for 2009-10 is the passage of the May 19 ballot initiatives. Without these measures, West Contra Costa Unified School District will have to make even more reductions for 2009-10.

**Recommendation:**

That the Board adopt the resolution in support of the May 19 ballot initiatives.

**Fiscal Impact:** None

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_

Not Approved \_\_\_\_\_

Tabled \_\_\_\_\_

**West Contra Costa Unified School District**  
**Resolution 84-0809 in Support of Propositions 1A to 1F**  
**May 19<sup>th</sup> Special Election**

**WHEREAS**, West Contra Costa Unified School District has cut over \$20 million or \$675 per child over the past six years; and

**WHEREAS**, the State of California has reduced the funding for West Contra Costa Unified School District's funding this year, including mid year cuts, by \$15.6 million or \$517 per child; and

**WHEREAS**, the State of California will cut another \$23.7 million or \$785 per child for the 2009-10 school year; and

**WHEREAS**, the state has cut the District's funding by over 20% for many important programs like textbooks, adult education, summer school, technical training programs, arts and music programs, counseling, school safety programs, the District's desegregation efforts, professional development programs, gifted and talented programs, physical education programs, advanced college credit courses, special training to pass the high school exit exam and with the possibility of even more future cuts; and

**WHEREAS**, these cuts are leading to the layoffs of teachers, counselors, librarians, principals, bus drivers, custodians, safety officers and other school personnel who provide essential services to students; and

**WHEREAS**, California ranks in the bottom three states nationally in per pupil funding; and

**WHEREAS**, School funding has been inadequate and unstable despite the "guarantee" of Proposition 98; and

**WHEREAS**, despite the drastic budget reductions, the District's students' academic achievement has increased significantly. Students in every group, including African American, Latino, Hmong, and English Learners have seen gains in their performance. The District has also seen increases in student graduation and college bound rates and decreases in dropout rates.

- ✓ The district's Academic Performance Index (API) has increased from 622 in 2004 to 682 in 2008. This is a 60 point gain.
- ✓ Six of the district's schools, Chavez, Coronado, Ford, Peres, Riverside and Washington, have made sufficient academic progress to move out of performance improvement status.
- ✓ Students graduating with UC/CSU required courses has increased from 37.5% in 2003-04 to 40.7% in 2006-07; and

**WHEREAS**, California must reform its dysfunctional budget system to provide stability and to protect funding for our schools; and

**WHEREAS**, the District's students cannot afford additional cuts to their educational program; and

**WHEREAS**, Propositions 1A, 1B, 1C, 1D, 1E and 1F on California's May 19 Special Election Ballot will generate short-term revenues to help us get out of this unprecedented fiscal crisis, establish long-term budget reforms to stabilize and lay out a responsible timeline for repaying school districts the massive cuts they have incurred; and

**WHEREAS**, Proposition 1A will stabilize future state spending and create an enhanced rainy day reserve fund that will help protect funding for vital programs like education, public safety and health care; and

**WHEREAS**, Proposition 1B starts the process of paying back to our schools and community colleges more than \$9 billion that they were cut and are owed under the minimum school funding law. The payments to schools would come out of the newly-created rainy day fund established by Proposition 1A and are dependent on the passage of Proposition 1A; and

**WHEREAS**, Proposition 1B will provide the District with an extra \$1,400 per student or \$35,000 per classroom. Starting in 2011-12, the District will receive an extra \$200 per child or \$5,000 per classroom for the next seven years. This is equivalent to an extra cost of living increase of 2% for each of the seven years. This funding is in addition to the regular Proposition 98 apportionment; and

**WHEREAS**, Proposition 1C will modernize the State Lottery and allow our state to immediately raise \$5 billion in new revenues to help with this year's budget deficit and billions more in future years. It also guarantees that public schools will receive the same amount of funds they currently receive from the lottery; and

**WHEREAS**, Proposition 1D temporarily redirects a portion of excess funds from the voter-approved tobacco tax to pay for children's health and social services over the next two years; and

**WHEREAS**, Proposition 1E would temporarily redirect a portion of the funds from the Mental Health Services Trust Fund, approved by voters in 2004, to fund children's health and other General Fund programs that are at risk of elimination due to the state budget crisis; and

**WHEREAS**, Proposition 1F prohibits legislators, the governor and other state politicians from getting pay raises whenever our state budget is running a deficit, saving California millions of dollars and bringing accountability to the Legislature and Governor's office; and

**WHEREAS**, If Propositions 1A-1F do not pass, California will lose more than \$22 billion in revenues over the next four years that will put tremendous pressure to make even deeper cuts to education and other important vital services.

**THEREFORE, BE IT RESOLVED** that West Contra Costa Unified School District formally endorses Propositions 1A-1F on the California May 2009 Special Election ballot.

**BE IT FURTHER RESOLVED** that we hereby authorize the listing of the West Contra Costa Unified School District in support of Propositions 1A, 1B, 1C, 1D, 1E and 1F and direct staff to fax this resolution to the Budget Reform Now Coalition at 916.442.3510.

**PASSED AND ADOPTED** this 22<sup>nd</sup> day of April, 2009 by the following vote:

AYES: \_\_\_\_\_ NAYES: \_\_\_\_\_ ABSENT: \_\_\_\_\_ ABSTAINED: \_\_\_\_\_

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.

\_\_\_\_\_  
Audrey Miles, President

\_\_\_\_\_  
Antonio Medrano, Clerk

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:** April 22, 2009

**From:** Wendell C. Greer  
Associate Superintendent, K – Adult Operations

*(WCG)*

**Agenda Item:** D.1

**Subject:** Recognition of Middle College High School as a 2009 California Distinguished School

**Background Information:**

State Superintendent of Public Instruction, Jack O'Connell, recently announced that Middle College High School was one of among 125 high schools selected to receive the prestigious 2009 California Distinguished School award.

The selected middle and high schools represent about 10.9 percent of California's nearly 2,400 middle and high schools. Of those, only 341 schools met the eligibility criteria based on their student achievement and were chosen from 170 school districts in 46 counties. An awards ceremony honoring the Distinguished Schools will be held Friday, May 29 at the Disneyland Hotel in Anaheim. The Disneyland Resort is a major corporate sponsor of the event.

**Recommendation:** For Information Only

**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**

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**To:** Board of Education *SG* **Meeting Date:** April 22, 2009

**From:** Sheri Gamba, Assoc. Supt., Business Services **Agenda Item:** D.2

**Subject:** Grand Jury Report No. 0907

**Background Information:** A letter and a copy of Grand Jury Report No. 0907: "Retire Healthcare Benefits Leave County Taxpayers on the Hook – A New Approach is Required to Deal With Unsustainable Retiree Healthcare Benefits Provided to Most Contra Costa Governmental Employees," by the 2008-09 Contra Costa Grand Jury is provided. Staff will provide a brief report on this matter.

The District must respond to the Grand Jury by June 1, 2009.

**Recommendation:** For information only

**Fiscal Impact:** None

<b>DISPOSITION BY BOARD OF EDUCATION</b>		
Motion by: _____	Seconded by: _____	
Approved _____	Not Approved _____	Tabled _____



April 2, 2009

School Board Members  
West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, CA 94801

RECEIVED  
APR 06 2009  
SUPERINTENDENT

Dear Board Members:

Attached is a copy of Grand Jury Report No. 0907, "Retiree Healthcare Benefits Leave County Taxpayers on the Hook – A New Approach is Required to Deal With Unsustainable Retiree Healthcare Benefits Provided to Most Contra Costa Governmental Employees" by the 2008-2009 Contra Costa Grand Jury.

In accordance with California Penal Code Section 933.05, this report is being provided to you at least two working days before it is released publicly.

Section 933.5(a) of the California Government Code requires that (the responding person or entity shall report one of the following actions) in respect to each finding:

- (1) The respondent agrees with the finding.
- (2) The respondent disagrees with the finding.
- (3) The respondent partially disagrees with the finding.

In the cases of both (2) and (3) above, the respondent shall specify the portion of the finding that is disputed, and shall include an explanation of the reasons therefor.

In addition, Section 933.05(b) requires that the respondent reply to each recommendation by stating one of the following actions:

1. The recommendation has been implemented, with a summary describing the implemented action.
2. The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
3. The recommendation requires further analysis. This response should explain the scope and parameters of the analysis or study, and a time frame for the matter to be prepared for discussion. This time frame shall not exceed six months from the date of the publication of the Grand Jury Report.

School Board Members  
West Contra Costa Unified School District  
April 2, 2009  
Page 2

4. The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation thereof.

Please be reminded that Section 933.05 specifies that no officer, agency, department or governing body of a public agency shall disclose any contents of the report prior to its public release. Please insure that your response to the above noted Grand Jury report includes the mandated items. We will expect your response, using the form described by the quoted Government Code, no later than **June 1, 2009**.

It would be greatly appreciated if you could send this response in hard copy to the Grand Jury as well as by e-mail to [jcuev@contracosta.courts.ca.gov](mailto:jcuev@contracosta.courts.ca.gov) (Word document).

Sincerely,



LESLIE LEA, Foreperson  
2008-2009 Contra Costa County Civil Grand Jury

**Contact: Leslie Lea  
Foreperson  
(925) 957-5638**

Contra Costa County 2008-2009 Grand Jury Report No 0907

## **Retiree Healthcare Benefits Leave County Taxpayers on the Hook**

**A New Approach is Required to Deal With Unsustainable Retiree  
Healthcare Benefits Provided to Most Contra Costa Governmental Employees**

**TO CONTRA COSTA COUNTY  
Board of Supervisors  
School Boards  
City Councils  
District Boards**

### **SUMMARY**

A fiscal disaster is looming on the horizon for Contra Costa County and other local governmental entities-school districts, cities and special districts. Retiree medical plans, by far the most costly of the Other Post-Employment Benefits (OPEB) now provided to retired employees, cannot be continued in their present form without requiring that potentially drastic reductions be made in the staffing of police, fire, education, health care, and social services. These enormous liabilities were approved by past government officials without a provision for future funding. The senior executives of Contra Costa County and other local governmental entities must recognize that these unfunded benefits could lead them into financial ruin. A significant reduction in public services is occurring now and there can be no alternative in the future but to anticipate further significant reductions in public services to those needing them the most: vulnerable children, the disabled, the frail elderly, and the needy.

The liabilities and required annual contribution totals represent only a reasonable accounting approximation of the amounts that will have to be borne by the County's taxpayers if the current plans continue without change. The estimated liability for these programs now exceeds \$3.1 billion. County governments are presently paying an average of only 34% of the Annual Required Contribution necessary to both amortize these OPEB liabilities and cover the current year's costs. Because 66% of those annual obligations are being deferred (approximately \$162 million or 8% of total County property tax revenues), they will have to be borne by future County taxpayers. Failure to address this shortfall is both irresponsible and indefensible.

## **GLOSSARY**

### **Accrual Accounting:**

*A method of accounting whereby income and expense items are recognized and recorded when income is earned and expense is incurred, regardless of when cash is actually received or paid.*

### **Actuarial Accrued Liability (AAL)**

*The portion of the actuarially determined present value of benefits allocated to the prior service already performed by the covered employees.*

### **Annual Required Contribution (ARC)**

*The actuarially determined amount of retiree healthcare expense that GASB 45 requires be recorded as a current year expense. It is comprised of the amount that should be set aside to fund retiree health benefits earned during the current year plus the amount necessary to amortize the unfunded AAL over not more than 30 years.*

### **Government Accounting Standards Board Statement No. 45 (GASB 45), "Accounting and Financial Reporting by Employers for Post-Employment Benefits other than Pensions"**

*GASB 45 now requires larger public employers to report OPEB expenses and related specific information in their financial statements.*

### **Other Post-Employment Benefits (OPEB)**

*OPEBs include the following benefits that are earned by employees during their active service but are paid to them by their employers after they retire: medical, prescription drugs, dental, vision care, hearing, life insurance, long-term care and long-term disability benefits. Healthcare benefits constitute the vast majority of OPEB liabilities.*

## **BACKGROUND**

Retiree healthcare benefits are a form of deferred compensation earned by employees during their active working career but paid to them after they retire. To properly account and pay for the costs of these plans, expenses should be recognized, and funding set aside, during each covered employee's years of active employment. Most larger Contra Costa County governmental entities providing retiree benefit plans have not done this. They have ignored the fact that there is a need to fund the benefit during the period that each employee is actually providing services.

Governmental entities providing these benefits have generally recognized that they have a retiree healthcare cost only when an employee actually retires and begins to receive the promised benefits. Previous accounting rules were shortsighted and technically allowed governmental employers to ignore the cost of these plans during the active service period in which the employees earned the benefits.

A new Government Accounting Standards Board Statement, called GASB 45, was recently adopted. This new standard now requires larger governmental entities to begin recognizing (but not necessarily funding) retiree healthcare benefit costs in their most recently completed fiscal year, and smaller governmental entities to begin accounting for them during the next two years.

OPEB liabilities incurred by County governments have generally been looked at on an individual governmental entity basis; few are looking at these debts from an overall county-wide

perspective. The payment source for substantially all of the retiree healthcare benefits promised by Contra Costa County's local governments will be borne by local taxpayers. The great majority of these County OPEB obligations have not been funded, and the Grand Jury determined that it would attempt to estimate their amount in total. To accomplish this, a survey was sent to substantially all school districts, cities and special districts that comprise County local governments and a significant majority of these surveys were completed and returned. Approximately 30% of these entities indicated that they did not offer OPEBs to their employees. The information submitted by the responding entities with OPEBs, supplemented by information drawn from recent studies and from other public documents, provided the basis for the facts, figures and statistics shown in this report.

## FINDINGS

1. Retiree health benefits have traditionally been a form of compensation earned by County and local government employees (e.g., pension income) over their working career, but paid to them over the years they spend in retirement. In prior years the cost of these benefits was usually recognized as an expense only when actual payments began following an employee's retirement (This method of recognizing an expense is commonly described as "pay-as-you-go" or "paygo".)
2. GASB 45 now requires that larger governmental entities commence accounting for (but not necessarily funding) these benefits on an Accrual basis – during the employees' period of active service when the benefits are actually earned.
3. GASB 45 requires the following expenses to be recognized:
  - the current year's cost to fund that year's earned benefits, plus
  - the amount necessary to fund the unfunded OPEB liability for benefits earned but not funded in prior years.

In most cases, these rules first became effective for public entities with revenues in excess of \$100 million for the fiscal year ended June 30, 2008. Smaller public entities will be required to comply during the following two fiscal years.
4. To date in Contra Costa County there has been little or no funding of the OPEB liabilities for most governmental entities offering retiree medical benefits, including County, school districts, cities, and special districts.
5. Most larger County governmental employers provide their employees with extraordinarily generous retiree health benefits.
6. Property taxes accounted for almost 93% of Contra Costa County tax revenues in the most recent fiscal year with sales and other taxes making up the balance of total tax revenues received. These locally derived taxes also represented a significant portion of the revenue of school districts, cities and special districts located in the County.
7. The Board of Supervisors of Contra Costa County has committed to a future OPEB liability funding schedule for the County, including a commitment to contribute \$20

million during the 2008-2009 fiscal year. Although no actual payments were made into the County's OPEB Irrevocable Trust as of January 31, 2009, \$10 million is held by the County Treasurer in a designated account.

8. As of January 1, 2008 the County's OPEB obligation was determined to be \$2.367 billion, or almost four times the County's covered payroll (annual payroll of active employees covered by the plan) of \$610 million. Its Annual Required Contribution for the fiscal year ended June 30, 2008 was \$195 million, or almost 32% of covered payroll.
9. The calculation to determine a liability for future payments is primarily dependent upon the interest rate assumption. If the interest rate assumption is higher then the liability is lower; if the interest rate assumption is lower, then the liability is higher. If no funding mechanism is in place, and there is no expectation of putting money aside, the rules under GASB 45 require that a lower interest rate assumption be used.

The interest rate assumption that was used for the calculation of the OPEB liability and ARC for the fiscal year 2007-2008 was 4.5%. The basis for allowing the use of a higher interest assumption rate is that the entity will earn a rate of return on investments that can be used to help pay for the future benefits. Because the funding commenced with the current fiscal year, the assumed interest rate was increased to 7.75% in 2008-2009.

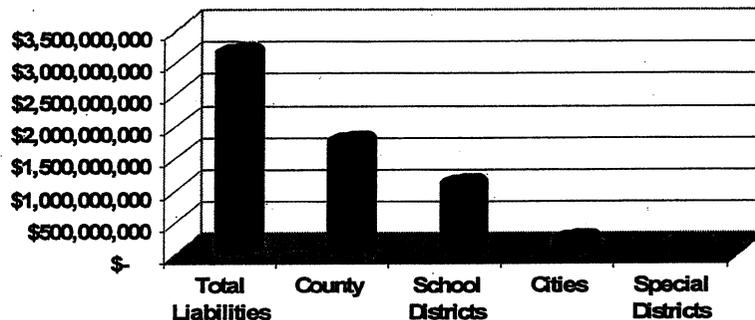
The result of the assumed interest rate increase was the OPEB liability dropped from \$2.3 billion to 1.7 billion, almost solely due to the interest rate assumption change.

10. Based on information available to the Grand Jury, the current Actuarial Accrued Liability for OPEB benefits due to employees of all larger Contra Costa County local governmental entities, including those promised by the County, school districts, cities and special districts, now exceeds \$3.1 billion. These liabilities are summarized and shown graphically as follows:

Liabilities of Contra Costa County and Local Government Entities

Contra Costa County	\$1,737,000,000
Contra Costa County School Districts	1,060,000,000
Contra Costa County Cities	199,000,000
Contra Costa County Special Districts	<u>124,000,000</u>
Actuarial accrued liability for OPEB benefits	<b>\$3,120,000,000</b>

Liabilities of CC County and Local Governments



11. Based on the same sources, the current Annual Required Contribution (ARC) and the actual expense recognized (generally the current year's payment of health, dental and vision insurance premiums for retirees receiving benefits) are summarized as follows:

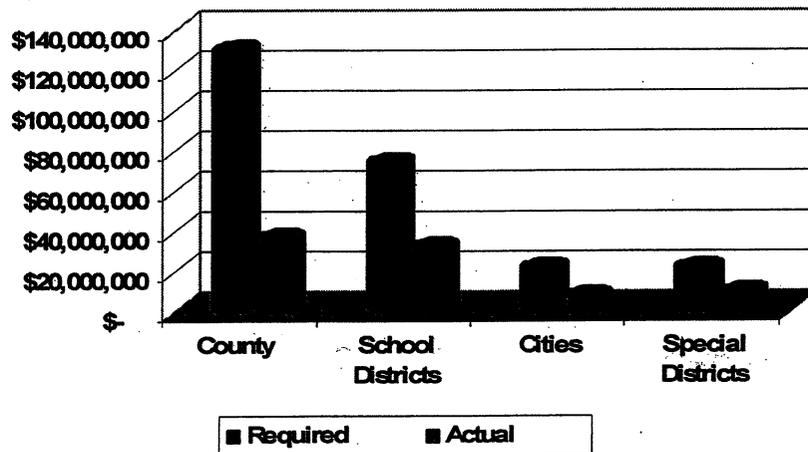
Annual Required Contribution

Contra Costa County	\$129,638,000
Contra Costa County School Districts	73,326,000
Contra Costa County Cities	21,199,000
Contra Costa County Special Districts	<u>21,161,000</u>
Total annual required contributions under GASB 45	<b>\$245,324,000</b>

Annual Actual Expense Recognized (Actual Contributions)

Contra Costa County	\$36,000,000
Contra Costa County School Districts	31,699,000
Contra Costa County Cities	6,986,000
Contra Costa County Special Districts	<u>8,663,000</u>
Total actual annual expenses paid for OPEBs	<b>\$83,348,000</b>

**Annual Required Contributions  
Versus Actual Contributions**



12. As the summary numbers shown in Finding 11 indicate, County local governments are currently only paying 34% (\$83,348,000 / \$245,324,000) of the Annual Required Contribution set forth in GASB 45. This means that the unpaid balance of the Annual Required Contribution, (\$245,324,000 - \$83,348,000) \$161,976,000, is being transferred to future taxpayers. This transfer to future taxpayers takes place every year.

13. The 2007-2008 property tax revenue for the entire County was \$2.077 billion. Projections are that this amount will decline significantly during the next several fiscal years because of the current widespread decline in property values.

14. Larger Contra Costa County governmental entities with identified retiree healthcare plans are:

- County: Contra Costa County
- School Districts: Lafayette Elementary, Acalanes Union, John Swett Unified, Mt. Diablo Unified, Pittsburg Unified, San Ramon Valley Unified, West Contra Costa Unified and Contra Costa Community College.
- Cities: Antioch, Brentwood, Concord, Martinez, Pittsburg and Richmond.
- Special Districts: Central Contra Costa Sanitary, Delta Diablo Sanitary and East Bay Regional Parks.

15. Recent information provided to the Contra Costa County Board of Supervisors makes clear that tax revenues and state support to the County are likely to decline for at least the next several years. This reduction in projected revenue has been currently offset by County Departments reducing their budgeted 2009-2010 full-time equivalent headcount by 191 public safety, health care and social services positions. If the County were to commence fully funding its ARC, its only practical source of near term future funding would be to further lower its staffing levels.

16. On May 6, 2008, the Contra Costa County Administrator presented the following challenge to the Board of Supervisors:

***“The ever growing health care expense demand on the general fund will consume our ability to provide public services. Given the size of our liability, we cannot responsibly eliminate enough programs to fund our current health care programs; we must contain and change the County’s cost of health care.”***

## CONCLUSIONS

A number of County governmental entities do not offer their employees retiree healthcare benefits. Moreover, in a few cases local governments have substantially funded those benefits. The conclusions and recommendations contained in this report do not pertain to them.

A significant number of the larger governmental entities in the County offer very generous retiree healthcare benefits, and most have provided little or no funding to pay for those benefits. These local governments must adopt a new paradigm – a new framework to deal with this issue. Given the present economic environment facing Contra Costa County government entities, funding the accumulated and accruing benefits under these plans is not a realistic option. The Grand Jury concurs with the inherent solution to the challenge made by the County Administrator to the Board of Supervisors on May 6, 2008 - the only practical solution for both the County, and other affected County governmental entities, is to reduce the benefits offered under these programs.

The plan documents, plan descriptions and underlying legal documents differ widely. Retiree healthcare benefits are frequently subject to collective bargaining. Consequently, each separate governmental entity will have to consult with its own counsel and advisors to determine what design changes should be made or negotiated for its various employee groups.

A "business-as-usual" position with respect to continuing to offer the same retiree health plans is not a sustainable strategy.

## RECOMMENDATION

**Contra Costa County government entities in most cases do not have the financial ability to prudently pay for the current retiree healthcare benefits that have been, and are continuing to be, earned by their employees. The Grand Jury recommends that these governmental entities implement sustainable strategies to reduce retiree healthcare benefits.**

Several alternatives are:

- Option 1. Implement a new defined contribution type retiree healthcare program for employees hired after July 1, 2009. Under this type of plan, the government employer would contribute annually an agreed upon amount into each covered employee's separate account. This contribution would grow with investment earnings until withdrawn. Each covered employee would be entitled, at retirement, to draw from this account. The amount withdrawn would be used to purchase a health insurance policy of choice. There would be no employer responsibility to make any payments to, or on behalf of, the retired employee following his/her actual retirement.
- Option 2. Freeze the employer-provided portion of the retiree health plan for currently covered active employees, regardless of age. Any future cost increases would be borne by employees when they commence to receive their retiree healthcare benefits. (With the concurrence of legal counsel, this action could also be adopted for current retirees by freezing the employer's payment at their current premium rate.)
- Option 3. Require greater benefit or premium cost sharing from retirees. This could take the form of increases in program deductibles, co-pays, co-insurance and out-of-pocket maximums paid for by retirees, and/or it could require that retirees commence paying a larger portion of the insurance premium amounts.
- Option 4. Require retirees to pay all, or a portion, of the cost of dependent coverage.

These options are not all inclusive and are intended to be illustrative only. Individual Contra Costa County governmental entities will arrive at different plan design solutions that they deem appropriate for their employee groups and financial situations. The important point is that benefits provided under retiree healthcare plans for most County governmental employees must be reduced.

## **REQUIRED RESPONSES**

### **Findings**

Contra Costa Board of Supervisors: 1 through 9 and 12 through 16

School Boards for: Lafayette Elementary, Acalanes Union, John Swett Unified, Mt. Diablo Unified, Pittsburg Unified, San Ramon Valley Unified, West Contra Costa Unified and Contra Costa Community College. 1 through 6, and 12 through 14

City Councils for: Antioch, Brentwood, Concord, Martinez, Pittsburg and Richmond. 1 through 6, and 12 through 14

Districts Boards for: Central Contra Costa Sanitary, Delta Diablo Sanitary and East Bay Regional Parks. 1 through 6, and 12 through 14

### **Recommendation**

Contra Costa Board of Supervisors

School Boards for: Lafayette Elementary, Acalanes Union, John Swett Unified, Mt. Diablo Unified, Pittsburg Unified, San Ramon Valley Unified, West Contra Costa Unified and Contra Costa Community College.

City Councils for: Antioch, Brentwood, Concord, Martinez, Pittsburg and Richmond.

Districts Boards for: Central Contra Costa Sanitary, Delta Diablo Sanitary and East Bay Regional Parks.

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

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

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**To:** Board of Education *kg* **Meeting Date:** April 22, 2009

**From:** Sheri Gamba, Assoc. Supt., Business Services **Agenda Item:** D.3

**Subject:** Budget Report Updates

**Background Information:** Staff will provide information for the 2008-09 and 2009-10 district budget.

**Recommendation:** For information only.

**Fiscal Impact:** None

<b>DISPOSITION BY BOARD OF EDUCATION</b>		
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**

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**To:** Board of Education

**Meeting Date:** April 22, 2009

**From:** Bruce Harter, Superintendent

**Agenda Item:** D.5

**Subject:** In Memory of Members of the School Community

**Background Information:**

The District would like to take time to recognize the contributions of members of our school community who have passed away. The District requests the community to submit names to be reported as a regular part of each agenda.

Mike Cornell, former Building Operations & Facilities Utilization Technician, passed away December 1, 2008. Mr. Cornell began working for the District in 1979 as an Electronics Repair Worker. He retired in 2004.

Nancy Scudder, passed away March 27, 2009. Ms. Scudder was a teacher at Fairmede, Vista and Hercules Elementary School. She retired in 1991.

William F. Young passed away March 26, 2009. Mr. Young's career included working for school districts as Director of Classified Personnel and Assistant Superintendent of Business and Personnel and as a labor negotiator with California School Employees Association. After retiring from school districts, he served as the Executive Director of the School Supervisors Association for 24 years.

Don Lewis, the husband of Madera Principal Dottie Holland, passed away April 10, 2009. Mr. Lewis was a Business Agent for Local One until 2006.

Ajaia Ruffen, former student at El Cerrito High School, passed away April 2. Ms. Ruffen had been ill and chronically absent for some time before she became a victim of a shooting incident.

Devin Johnson, former student at Pinole Valley High School (Class of 2008), died from a shooting incident on April 1. In remembrance, an anti-violence demonstration and silent memorial was held at Pinole Valley High School. An annual Peace and Remembrance event is planned for the students to promote non violence as a way to make a difference.

Our thoughts go out to family and friends in the loss of their loved ones.

**Recommendation:** For Information Only

**Fiscal Impact:** None

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

**ITEM REQUIRING ATTENTION----BOARD OF EDUCATION**

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**To:** Board of Education

**Meeting Date:** April 22, 2009

**From:** Bruce Harter

**Agenda Item:** E.2

**Subject:** Request to Address the Board on Growing West County School Gardens

**Background Information:**

Joanna Pace, with Growing West County School Gardens, would like to present a brief update on the group's activities for 2009.

**Recommendation:** For Information Only

**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  
Office of the Superintendent

**ITEM REQUIRING ATTENTION----BOARD OF EDUCATION**

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**To:** Board of Education

**Meeting Date:** April 22, 2009

**From:** Bruce Harter

**Agenda Item:** E.3

**Subject:** Request to Address the Board on the Gooden Family Scholarship Fund

**Background Information:**

Andrew Gooden, President of the Gooden Family Scholarship Fund, would like to present to the Board the eight students from the Class of 2009 who have completed the requirements for the GFSF Scholar Project and are now going to college.

**Recommendation:** For Information Only

**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  
Office of the Superintendent

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

**To:** Board of Education

**Meeting Date:** April 22, 2009

**From:** Jessica R. Romeo,  
Assistant Superintendent Human Resources

**Agenda Item:** F.1

**Subject:** Resolution No. 78-0809: Authorization to Eliminate Classified Positions and Layoff Classified Employees

**Background Information:**

A lack of work and/or funds necessitates the elimination of the attached classified positions.

See attachment "A"

**Recommendation:** Recommend Approval

**Fiscal Impact:**

\$463,300 Related to school closure (included in savings already projected)  
\$155,300 Food Service Fund  
\$216,800 Tier III Flexibility (included in transfer)  
\$159,800 Adult Education Fund/Tier III Flexibility (included in transfer)  
\$282,500 General Fund & Maintenance  
\$258,680 Special Education – reduces contribution needed from General Fund

**Grand Total \$ \$1,536,380**

**DISPOSITION BY BOARD OF EDUCATION**

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_

Not Approved \_\_\_\_\_

Tabled \_\_\_\_\_

**Attachment "A"**

<b>School Closure Positions</b>	<b>FTE</b>	<b>Estimated Savings</b>
Attendance Clerk	1	\$ 48,000
Custodial Supervisor/Jr. High	1	\$ 63,000
Information Literacy Asst.	1	\$ 52,000
Office Manager/Middle School	1	\$ 59,000
School Secretary I	2	\$ 101,000
Secondary Site Supervisor	.53	\$ 21,000
Student Supervisor	1	\$ 47,300
Typist Clerk I	.54	\$ 30,000
Typist Clerk II Bilingual	1	\$ 42,000
<b>Total</b>		<b>\$463,300.00</b>
	<b>9.07</b>	These savings are included in the net school closure estimates.
<b>Food Service Workers</b>		
Cafeteria Cook/Manager	1	\$ 44,800
School Lunch Cashier	.47	\$ 11,900
School Lunch Worker I	2.28	\$ 61,900
Food Service Aide/Clerk	.84	\$ 22,800
Food Service Aide	.40	\$ 13,900
		<b>\$155,300.00</b>
	<b>4.99</b>	Savings are in the Food Service Fund
<b>Tier III Reduction</b>		
Administrative Office Manager	<i>1</i>	<i>\$ 54,500</i>
School Community Outreach	4	\$162,300
		<b>\$216,800</b>
	<b>5</b>	Savings are in Tier III Flex Transfer
<b>Adult Ed. Program (Tier III)</b>		
Attendance Clerk	1	\$ 41,600
Typist Clerk I Bilingual	1	\$ 39,400
Typist Clerk II	2	\$ 78,800
		<b>\$159,800.00</b>
	<b>4</b>	Savings are in Tier III Flex Transfer
<b>Budget Reduction</b>		
Receptionist	1	\$ 52,600
Sr. Administrative Asst.	1	\$ 76,000
Typist Clerk III	.533	\$ 19,700
Electrical Supervisor	1	\$ 69,200
Asst. Supervisor Veh. Garage	1	\$ 65,000
		<b>\$282,500.00</b>
	<b>4.5</b>	<i>Savings to General Fund</i>
<b>Special Education</b>		
Employment Sp. Ed. Specialists (workability)	<i>1.20</i>	\$ 53,280
Instructional Aide	.40	\$ 9,300
Instructional Assistant SpEd	4.40	\$103,200
Special Education Asst.	2.66	\$ 92,900
		<b>\$258,680.00</b>
	<b>8.66</b>	<i>Savings in Special Education</i>
<b>Grand Total</b>	<b>36.22</b>	<b>\$1,536,380</b>

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
RESOLUTION NO. 78-0809  
AUTHORIZATION TO ELIMINATE CLASSIFIED POSITIONS  
AND LAY OFF CLASSIFIED EMPLOYEES**

WHEREAS, it is necessary, because of lack of work and/or funds, to eliminate certain classified positions of the District; and

WHEREAS, certain services performed by a classified employees are being eliminated;

NOW, THEREFORE, BE IT RESOLVED that the following positions should be eliminated as of June 30, 2009:

**Eliminate:**

Attendance Clerk	2.00 FTE
Cafeteria Cook/Manager	1.00 FTE
Information Literacy Assistant	1.00 FTE
Custodial Supervisor, Jr. High	1.00 FTE
Office Manager/Middle School	1.00 FTE
School Lunch Cashier	.47 FTE
School Lunch Worker I	2.28 FTE
School Secretary I	2.00 FTE
Secondary Site Supervisor	.53 FTE
Student Supervisor	1.00 FTE
Typist Clerk II Bilingual	1.00 FTE
Food Service Aide/Clerk	.84 FTE
Food Service Aide	.40 FTE
Typist Clerk I	.54 FTE
Employment Spe. Ed Specialist	1.20 FTE
Administrative Office Manager	1.00 FTE
School Community Outreach	4.00 FTE
Asst. Supervisor, Vehicle Garage	1.00 FTE
Electrical Supervisor	1.00 FTE
Communication System Operator/ Receptionist	1.00 FTE
Typist Clerk III	.53 FTE
Typist Clerk II	2.00 FTE
Typist Clerk I Bilingual	1.00 FTE
Instructional Aide	.40 FTE
Instructional Assistant Sp. Ed	4.40 FTE
Special Education Assistant	2.66 FTE

BE IT FURTHER RESOLVED that the Superintendent hereby authorizes a notice of lay off to affected employees as required by law.

BE IT ALSO RESOLVED that the positions enumerated above being eliminated effective June 30, 2009.

**AND**

WHEREAS, it is necessary, because of lack of work and/or funds, to eliminate certain classified positions of the District; and

WHEREAS, certain services performed by a classified employees are being eliminated;

NOW, THEREFORE, BE IT RESOLVED that the following position should be eliminated as of July 24, 2009:

**Eliminate:**

Senior Administrative Secretary                      1.00 FTE

BE IT FURTHER RESOLVED that the Superintendent hereby authorizes a notice of lay off to affected employees as required by law.

BE IT ALSO RESOLVED that the position enumerated above being eliminated effective July 24, 2009.

PASSED AND ADOPTED on this 22<sup>nd</sup> day of April 2009, by the Board of Education of the West Contra Costa Unified School District, County of Contra Costa, State of California, by the following vote:

AYES:

NOES:

ABSENT:

I HEREBY CERTIFY that the foregoing resolution was duly and regularly introduced, passed, and adopted by the members of the Governing Board of the West Contra Costa Unified School District at a public meeting of said Board held on April 22, 2009.

---

Bruce Harter, Ph.D.  
Secretary, Board of Education

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 *Ag* **Meeting Date:** April 22, 2009

**From:** Sheri Gamba, Assoc. Supt., Business Services **Agenda Item:** F.2

**Subject:** K-3 Class Size Reduction Program (CSR)

**Background Information:** The 2009-10 Budget which was adopted by the State Legislature includes a major change in the K-3 Class Size Reduction Program (CSR). The new implementation language provides a window for alternative implementation of Class Size Reduction that still provides smaller class sizes than required by the Education Code, yet can save substantial money for cash strapped districts.

The Second Interim Report, financial statements as of January 31, 2009, indicates the district will be facing an estimated \$25.7 million deficit. This would render the district unable to meet the required reserve. Technically, this fact would cause the district to certify the financial statements as "negative". With the uncertainty surrounding the budget at that time we forged forward with a "qualified" statement. This was done with the knowledge that progress would need to be made to close the budget gap as we approached the Third Interim report and budget adoption for 2009-10.

A part of the solution for the severe revenue cuts imposed by the State has come imbedded in the same State budget. The State has made significant allowances for school boards to utilize restricted funding to backfill cuts (Tier III flexibility), and to modify the funding model of the K-3 Class Size Reduction program.

Due to the severity of fiscal issues facing the District, staff recommends the option with greatest savings.

**Recommendation:** Recommend Option Four

**Fiscal Impact:** Savings of \$4,000,000

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

West Contra Costa Unified School District  
 K-3 Class Size Reduction Program  
 April 22, 2009

The 2009-10 Budget which was adopted by the State Legislature includes a major change in the K-3 Class Size Reduction Program (CSR). The new implementation language provides a window for alternative implementation of Class Size Reduction that still provides smaller class sizes than required by Education Code, yet can save substantial money for cash strapped districts.

The K-3 CSR program is considered a Tier I program, meaning that the funding is not scheduled to be reduced, nor can it be used for other purposes. The difference between it and the other programs in Tier I resides in the implementation language now in law. The enactment of this new K-3 CSR language is embedded in the budget act specifically because of the funding cuts that districts are facing. By taking advantage of the alternative implementation models, the District can save substantial funds which help to offset the deficit spending in 2009-10.

Under the previous program implementation language, penalties were applied as follows

<u>Class Size</u>	<u>Reduction (Penalty) %</u>
20.45 to 20.94	20%
20.95 to 21.44	40%
21.45 to 21.84	80%
21.85 and over	100%

The new program provides the following

<u>Class Size</u>	<u>Reduction (Penalty) %</u>
20.45 to 21.44	5%
21.45 to 22.44	10%
22.45 to 22.94	15%
22.95 to 24.94	20%
24.95 or more	30%

Based upon enrollment estimates for the 2009-10 school year, savings can be captured by implementing Class Size Reduction using the following options. Staff recommends implementing Class Size Reduction reflected in Option Four of the table below.

	Implementation Levels	Savings	FTE
Option One	Grades K through 3 at 24:1	\$1,840,000	84.0
Option Two	Grades K, 1 and 2 at 20:1, Grade 3 at 28:	\$2,200,000	43.0
Option Three	Grade K at 24:1, Grades 1 and 2 at 20:1, Grade 3 at 28:1	\$2,950,000	67.0
Option Four	Grades K and 3 at 28:1, Grades 1 and 2 at 20:1	\$4,000,000	94.0
<b>Alternative Option Five</b>	Grades K through 2 at 20:1, Grade 3 at 31:1	\$2,400,000	46.0

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:** April 22, 2009  
**From:** Bill Fay **Agenda Item:** F.3  
Associate Superintendent for Operations  
**Subject:** Contract Award for Commercial Real Estate and Consulting Services

**Background Information:**

The Purchasing Department prepared a request for proposal (RFP) for Commercial Real Estate and Consulting Services to provide alternative land use plans for the District. RFP #0809-04 was advertised on February 20th and 24th in our local newspaper, West County Times. During the advertising period, the District mailed out the RFP package to five real estate firms. On March 11, 2009, the District received two responses to the RFP. The responses were from Cushman & Wakefield and Dutra-Cerro-Garden, Inc.

Staff reviewed the submittals and determined that Dutra-Cerro-Garden, Inc. best matched the district stated requirements.

**Recommendation:** Recommend award of contract to Dutra-Cerro-Garden, Inc. to provide commercial real estate and consulting services to the district.

**Fiscal Impact:** \$26,250 from general fund.

**DISPOSITION BY BOARD OF EDUCATION**

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_