

# **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**  
January 19, 2011

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION  
MEETING AGENDA  
JANUARY 19, 2011**

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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: [www.wccusd.net/Documents/Board/boardinformation.aspx](http://www.wccusd.net/Documents/Board/boardinformation.aspx)

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

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**VIEWING THE BOARD MEETINGS:**

**Television:**

Live television broadcast of regularly scheduled Board meetings is available by the City of Pinole on PCTV Channel 26/28, the City of Richmond KCRT Channel 28 and the City of Hercules Cable Channel 28. Please check the city websites for local listings of broadcast schedules.

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

Audio tapes of Board meetings are kept on file at the Administration Building, 1108 Bissell Avenue, Richmond, CA 94801 (510-231-1101).

The Board of Education would like to acknowledge Comcast, the cities of Pinole and Richmond, and WCCUSD staff for their generosity and efforts in helping to televise WCCUSD Board of Education meetings.

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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 **5:45 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 from Vista High School**

Comment:

A Student Board Representative from Vista High School will attend the Board of Education on January 19, 2011. We would like to recognize and commend their participation.

Recommendation:

For Information Only

Fiscal Impact:

None

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

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

\* **B.7 Minutes:** January 5, 2011

**C. BUSINESS ITEMS**

**CONSENT ITEMS** (Routine Matters)

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

**\*CI C.1 Grants/Awards/Agreements**

Comment:

Formal acceptance is requested from the Board of Education to accept the grants/awards/agreements, as detailed, dated January 19, 2011.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per grants summary

**\*CI C.2 Acceptance of Donations**

Comment:

The District has received donations as detailed, dated January 19, 2011. Staff recommends acceptance of these donations.

Recommendation:  
Recommend Approval

Fiscal Impact:  
As noted per donations summary

**\*CI C.3 Approval of Fund-Raising Activities**

Comment:  
The planned fund-raising events for the 2010-11 school year are detailed, dated January 19, 2011.

Recommendation:  
Recommend Approval

Fiscal Impact:  
Additional revenue for schools

**\*CI C.4 Summary of Vendor Warrant Reports**

Comment:  
The summaries of Vendor Warrants issued during the month of December, 2010 are provided.

Total of vendor warrants (December 2010): \$28,025,344.00

Recommendation:  
Recommend approval of the vendor warrant reports

Fiscal Impact:  
As noted above

**\*CI C.5 Notices of Completion: Bid J068257 El Cerrito HS Field Irrigation, J068248 Ohlone Elementary Re-Roofing Project, W068204 Hercules MHS Quad Landscape & Teachers Parking Lot Improvements, W068226 Hercules MHS Playfield Lighting, J068184 DeAnza HS Baseball Field Improvements, J068191 Kennedy HS Restroom Improvements, J068190 Kennedy HS Fire Alarm Replacement, J068199 Richmond HS Security Fencing and Gates, E068234 Grant Elementary General Building Improvements ERP, E068235 Stege Elementary General Building Improvements ERP, W068183 Crespi Fire Reconstruction**

Comment:  
Substantial completion notices have been received for: Bid J068257, J068248, W068204, W068226, J068184, J068191, J068190, J068199, E068234, E068234, E068235, and Bid W068183.

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:



Suarez & Munoz Construction Bid J068257 El Cerrito HS Field Irrigation, Western Roofing Service J068248 Ohlone Elementary Re-Roofing Project, McNabb Construction Inc. W068204 Hercules MHS Quad Landscape & Teachers Parking Lot Improvements, Bleyco Inc. W068226 Hercules MHS Playfield Lighting, Bay Cities Paving & Grading J068184 DeAnza HS Baseball Field Improvements, JDS Builders Group Inc. J068191 Kennedy HS Restroom Improvements, Emard Electric J068190 Kennedy HS Fire Alarm Replacement, CF Contracting J068199 Richmond HS Security Fencing and Gates, JMA Construction E068234 Grant Elementary General Building Improvements ERP, ERA Construction E068235 Stege Elementary General Building Improvements ERP, Bollo Construction W068183 Crespi Fire Reconstruction.

Recommendation:

Recommend approval of these notices of completion

Fiscal Impact:

None

**\*CI C.6 Acceptance of Contracts for Placement of Student Teachers**

Comment:

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

Staff requests approval from the Board of Education to accept Contracts for Placement of Student Teachers as detailed, dated January 19, 2011.

Recommendation:

Recommend Approval

Fiscal Impact:

None

**\*CI C.7 Certificated Provisional Internship Permit (PIP) Request(s)**

Comment:

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

Recommendation:

Recommend Approval

Fiscal Impact:

None

**\*CI C.8 Resolution No. 43-1011: African-American History Month - February 2011**

Comment:

The State Board of Education has proclaimed February 2011 as African-American History Month. The West Contra Costa Unified School District recognizes the contributions of African Americans and encourages schools to develop special instructional activities and celebrations.

Recommendation:

Recommend Approval

Fiscal Impact:

None

**\*CI C.9 Resolution No. 44-1011: Recognition of West Contra Costa Unified School District Job Shadow Days February 1 - 4, 2011 and Recognition of February 2011 as National Job Shadow Month**

Comment:

Resolution No. 44-1011 recognizes and acknowledges February 1 – 4, 2011 as WCCUSD Job Shadow Days and the month of February 2011 as National Job Shadow Month. Job Shadow is an academically motivating activity designed to give kids the unique opportunity of an up-close look at the world of work. Beginning with a nationwide kickoff on February 1, 2011 and continuing throughout the school year, students across America will “shadow” workplace mentors as they go through a normal day on the job. The program invites students to see firsthand how the skills learned in school relate to the workplace. Job Shadow 2011 is led by the National Job Shadow Coalition.

Recommendation:

Recommend Approval

Fiscal Impact:

None

**\*CI C.10 Students from Cesar Chavez will go to the JAMZ Nationals in Las Vegas, Nevada, January 27-29, 2011**

Comment:

Eleven students on the Cesar Chavez Eaglettes afterschool program cheer squad have qualified for a cheer competition at the Emerald Suites Hotel in Las Vegas, Nevada. These Eaglettes are primarily from low-income families and the afterschool program at Chavez firmly believes that they are helping to create a group of positive, productive, confident, responsible leaders. These students will compete as a team and are building skills that will benefit them in their ongoing education.

Recommendation:

Recommend Approval

Fiscal Impact:

Not on General Fund: school site fund-raiser

**\*CI C.11 Approval of Contract for Furniture, Setup and Installation at Dover Elementary School Phase I**

Comment:

The construction of the first phase of the reconstruction of Dover Elementary School is nearly complete. The next step for the District is to purchase new furniture for the school. The District has prepared preliminary furnishing criteria with classroom configurations, specialty spaces including pre-school, special education, administration furnishings, library, offices and staff work areas. New furnishings will be comparable to those installed in our other completed elementary sites, most recently for Downer Elementary.

The District engaged in a public bid process, using its preliminary furnishing criteria, to select the vendor for this contract. Public bids were opened on January 6, 2011. Three vendors submitted proposals. They are as follows: Sierra School \$290,282; Young Office \$278,664; and, Contrax Furnishings \$223,986. The lowest responsive, responsible vendor is Contrax Furnishings at \$223,986.

Recommendation:

Approve contract for Dover Elementary furniture, setup and installation with the lowest responsive, responsible vendor.

Fiscal Impact:

\$223,986. Funded by the Measure J Bond under the Dover Elementary Furniture and Equipment Budget.

**\*CI C.12 Kennedy High School Field Building and Field Lighting Project Award of Contract**

Comment:

The next step in completing the master plan for limited renovations at Kennedy High School is to finalize work at the main sports field area and bring this facility up to current District standards. This project will provide for field lighting for athletic events and team practices at the George Harris Field at Kennedy High School. In addition, this project includes a permanent building for restrooms, concessions, equipment storage and support spaces for the field area. This project will also provide high quality facilities for community use and joint use with the City of Richmond.

Powell and Partners Architects completed plans and specifications for the project. The District conducted a public bid of the project. There were two bid alternates included in the project for different lighting manufacturers. Bids were opened on January 11, 2011. Thirteen contractors submitted bids. They are included in the table provided.

The lowest responsive, responsible bidder, the sum of the base bid and the lowest bid alternate, is B-Side, Inc. at \$990,000.

Recommendation:

Award contract to the lowest responsive, responsible bidder. It is also recommended that this project be included under the District's Project Labor Agreement (PLA) given that even minimal contract changes will push the construction cost over the PLA threshold of \$1,000,000.

Fiscal Impact:

\$990,000. Funded from the Measure J Bond using the Kennedy High School Renovations project budget.

**\*CI C.13 Ratification and Approval of Engineering Services Contracts**

Comment:

Contracts have been initiated by staff using previously qualified consulting, engineering, architectural, or landscape architectural firms to assist in completion of the referenced projects. Many of the firms are already under contract and the staff-initiated work may be an extension of the firm's existing contract with the District. Public contracting laws have been followed in initially qualifying and selecting these professionals.

Recommendation:

Ratify and approve contracts as noted

Fiscal Services:

Total for this action: \$348,518. 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: Hercules Middle High Playfield Lighting; Helms Middle School New Construction; Ford Elementary New School; Kennedy High School Fire Alarm Upgrade; and, Pinole Middle School Building a Modernization. Change Orders are fully executed by the District upon signature by the Superintendent's designee. Board ratification is the final step required under state law in order to complete payment and contract adjustment.

Recommendation:

Ratify negotiated change orders as noted

Fiscal Impact:

Total ratification and approval by this action: \$399,443.02.

**\*CI C.15 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 October 1, 2010 through December 31, 2010.

Recommendation:

Recommend Approval

Fiscal Impact:

None

**\*CI C.16 California School Board Association (CSBA) Appointment for Delegate Assembly**

Comment:

According to the California School Board Association (CSBA) Bylaws and Standing Rules, the West Contra Costa Unified School District is entitled to appoint one representative to CSBA's Delegate Assembly for a two-year term beginning April 1, 2011 through March 31, 2013. This position for the District is currently held by Charles T. Ramsey whose appointed term will expire March 31, 2011.

Recommendation:

That the Board appoints Charles T. Ramsey to continue to serve as CSBA Delegate through March 2013.

Fiscal Impact:

None

**\*CI C.17 Approval of Board Member Attending Conferences:  
National School Boards Association Annual Conference, San Francisco  
National Council on Educating Black Children Convention, Las Vegas**

Comment:

Board Bylaw 9250 stipulates members of the board shall be reimbursed for allowable expenses incurred in attending any meetings or in making any trips on official business of the school district when so authorized in advance by the Board of Education. (Education Code 35044) Board member Elaine Merriweather has expressed interest in attending the National School Boards Association (NSBA) Annual Conference, to be held in San Francisco, April 9 – 11, 2011 and the National Council on Educating Black Children Convention, to be held in Las Vegas, April 28 – 30, 2011. Expenses including registration, travel, food and lodging are estimated to total approximately \$2,300.00. Funds for Board travel and conference are budgeted and there is sufficient funding within that budget.

Recommendation:

That the Board authorizes attendance to the NSBA Annual Conference and the National Council on Education of Black Children Convention.

Fiscal Impact:

General Fund

**\*CI C.18 Ivy League Summer Programs: Students from WCCUSD high schools will participate in College Courses and Readiness Programs offered at Ivy League Colleges and Universities**

Comment:

The Ivy League connection program has been an integral college awareness program in the West Contra Costa Unified School District for the last four years. Students from DeAnza, El Cerrito, Hercules, Kennedy, Pinole Valley, Richmond and Middle College high schools participate in a rigorous screening process in order to gain acceptance into a summer program at an Ivy League university. The Ivy League program has grown tremendously through the contributions of benefactors and corporations vested in providing educational opportunities for our students. This summer, West Contra Costa Unified School District will be sending thirty-five students to various Ivy League universities including Brown University, Cornell University, Columbia University, University of Pennsylvania, Vanderbilt University, and Yale

University. The District pays the travel costs and also provides chaperones, for an estimated cost of \$60,000 for 2011. Private contributions fund the program costs at each school. The Ivy League Connection promotes the college going culture in WCCUSD as participants in the program share their experiences with elementary and middle school students throughout the year and participate with alumni from the Ivy League schools.

Board members Madeline Kronenberg and Charles Ramsey have acted as the fund raisers and program administrators for the Ivy League Connection since its inception in 2006. The District has paid for travel for Ms. Kronenberg and Mr. Ramsey so that all the funds raised from private contributions can be used for direct program expenses. Their presence at these institutions has resulted in securing scholarships for WCCUSD students.

Additionally, their presence at the universities has resulted in the waiving of application fees (Yale, Brown, and Cornell) – a savings of more than \$2000. Since the program began in 2006, Ms. Kronenberg and Mr. Ramsey have raised well over \$700,000 for the program. The cost for Ms. Kronenberg and Mr. Ramsey to travel to the east coast this summer is just over \$7,000.

Mr. Ramsey's and Ms. Kronenberg's presence at these schools has also brought about new opportunities for WCCUSD students. WCCUSD students would not be going to Yale this summer if they had not set up meetings with the Deans of the summer programs.

Recommendation:

That the Board approve both the travel for Board Members Kronenberg and Ramsey and the costs for the 2010 Ivy League Connection program.

Fiscal Impact:

\$67,000

**\*CI C.19 Lake School Operation for 2011-12**

Comment:

In February 2009 and after an extensive process, the Board approved the closure of eight schools over the three year period of time. Lake Elementary school was one of the schools that was to be closed at the end of the 2008-09 school year. At the February 17, 2009 meeting, the San Pablo City Council approved a resolution that provided the funding to keep Lake Elementary open for 2009-10 and 2010-2011. At the January 10, 2011 meeting, the San Pablo City Council approved a resolution that will provide funding to keep Lake Elementary open for 2011-12 school year while the City and the District develop a long-term plan for extending the partnership between the City and District to keep Lake beyond the 2011-12 school year.

Recommendation:

That the Board accept the commitment of funding from the City of San Pablo to keep Lake open for the 2011-12 school year and direct the Superintendent to continue the work on the longer-term agreement between the City and the District.

Fiscal Impact:

Unknown at this time

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

**\* D.1 Lincoln School – Turnaround Model Mid-Year Report**

Comment:

Federal and state laws and guidance associated with the American Recovery and Reinvestment Act of 2009 (AARA), the School Improvement Grant (SIG) program, and the state statute require California to identify the state's persistently lowest-achieving schools and require the lowest 5% to implement one of four school intervention models beginning in the 2010-11 school year.

On March 8, 2010, the California Department of Education designated Lincoln Elementary School on its list of the 5% persistently lowest-achieving schools in the state of California.

District and Lincoln staff applied for and were awarded a School Improvement Grant to implement the Turnaround Intervention model at Lincoln School.

The Lincoln staff will present a mid-year progress report.

Recommendation:

For Information Only

Fiscal Impact:

None

**\* D.2 Annual Update of Highly Qualified Teachers Status**

Comment:

The Human Resources staff will provide a presentation of the NCLB LEA Plan of action progress made and support given to new teachers working toward a preliminary or clear credentials.

Recommendation:

For Information Only

Fiscal Impact:

None

**\* D.3 Budget Update for Governor's Proposed Budget**

Comment:

Associate Superintendent Business Services will provide an update on the 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. Five minutes may be allowed for each subcommittee or group listed below:

Academic Subcommittee	Public Employees Local 1
Bayside Parent Teacher Association	School Supervisors Association
Citizens’ Bond Oversight Committee	United Teachers of Richmond
Community Budget Advisory Committee	West Contra Costa Administrators Association
Facilities Subcommittee	
Ivy League Connection	
Linked Learning – Multiple Pathways	
Safety Committee	
Special Education Citizens Advisory Committee	
Youth Commission	

\* **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.

Nelda Reser passed away December 9, 2010. Ms. Reser began working in the District in April 1977 as a Special Education Assistant at Pinole Middle School and retired in June 2003 as an Elementary Library Assistant.

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

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

## **F. ACTION ITEMS**

### **\* F.1 Helms Middle School and DeAnza High School: Persistently Lowest-Achieving Schools and the School Improvement Process**

#### Comment:

Federal and state laws and guidance associated with the American Recovery and Reinvestment Act of 2009 (AARA), the School Improvement Grant (SIG) program, and state statute require California to identify the state's persistently lowest-achieving schools and require the lowest 5% to implement one of four school intervention models: turnaround, transformation, restart, and school closure.

In March 2010, the California Department of Education designated Helm's Middle School and DeAnza High School on its list of the 5% persistently lowest-achieving schools in the state of California.

There is SIG funding available for schools who implement one of the designated intervention models. Each school is eligible to apply for \$50,000 - \$2 million.

Staff is recommending that the Turnaround model be implemented at both Helms Middle School and DeAnza High School for the 2011-12 school year. SIG applications will be submitted to the California Department of Education for Helms and DeAnza.

Staff will provide background information for the recommendation.

#### Recommendation:

Recommend Approval

#### Fiscal Impact:

District will apply for \$2 million per year/per school for 3 years

### **\* F.2 El Cerrito High School Fields Phase I Construction Award of Contract**

#### Comment:

The next step in completing the full reconstruction of El Cerrito High School is to build the fields and courts at the area which has been used as the campus temporary housing since 2005. The area has been cleared and is ready for reconstruction of the fields and courts. The scope of work includes full-size baseball, softball, and soccer fields. The project also includes construction of 5 tennis courts, and would replace the courts originally constructed by the City of El Cerrito. The work includes associated site work, utilities, grading, site paving, fencing, gates, dugouts, batting cage, lighting, and site furnishings.

In order to accommodate the intensive use of the fields at this site, the project construction documents have been updated to include a bid alternate which would substitute artificial turf for the grass fields included in the base bid. The bid alternate costs are included in the summary of bids below. The bid alternate cost is the net increase in cost to install artificial turf fields.

WLC Architects has prepared plans and specifications for the project. The District conducted a public bid process for the project. Bids were opened on January 11, 2011. Eleven contractors submitted bids. They are included in the table provided.

The lowest responsive, responsible bidder with the base bid and alternate is Michael Paul Corporation, at \$3,749,000.

Recommendation:

Award contract to lowest responsive, responsible bidder with Base Bid and Alternate.

Fiscal Impact:

\$3,749,000 . Funded by the Measure J Bond, under the El Cerrito HS Project budget.

\* **F.3 Shining Crescent Charter School Petition**

Comment:

On November 18, 2010, the petitioner submitted to West Contra Costa Unified School District a petition for a charter school known as Shining Crescent Charter School (“Charter School”). Pursuant to the Charter Schools Act of 1992 (the “Act”), Education Code section 47600 *et seq.*, the Legislature has charged local school boards with the responsibility for reviewing and acting on petitions by charter schools.

Staff has reviewed the charter petition (“Petition”) for the establishment (for five years) of the Shining Crescent Charter School (“Charter School”). The Charter School is governed by a nonprofit public benefit corporation, but the District would be responsible for oversight of the Charter School. As presented in the Petition, the Charter School expects to serve approximately 302 students in grades K through 8 in its first year of operation (2011-2012), increasing to 312 students in the second year of operation (2012-2013) and 345 students at full implementation, in year five (2015-2016). (Petition, Appendix N: Budget Assumptions.) Petitioners intend the Charter School to provide “a rigorous standards-based education” in a setting that will attract “children from Africa, the Middle East and South Asia: India-Pakistan-Afghanistan-Bangladesh and surrounding areas.” (Petition, p. 13.) The Charter School’s stated mission is “to contribute to building a diverse, virtuous and moral America by helping children to understand their stewardship role in the world, embedding in them a sense of care, responsibility, love, tolerance, and cooperation.” (Petition, p. 5.) Petitioners further identify a need to “help students especially from South Asia, Africa and the Middle East, integrate into American society, while retaining their identity.” (Petition, p. 5.)

Submission of a charter petition is governed by the requirements of Education Code section 47605 and 47607. Education Code section § 47605(b) requires the Board, within 30 days of receiving a petition, to hold a public hearing to consider the level of support for the petition. The public hearing was held on December 8, 2010. “After review of the petition and the public hearing, the governing board of the school district shall either grant or deny the charter within 60 days of receipt of the petition, provided, however, that the date may be extended by an additional 30 days if both parties agree to the extension.” Education Code section § 47605(b) A written agreement was made between Shining Crescent Charter School and West Contra Costa Unified School District to defer the public hearing until January 19, 2011.

The Act states that a school district governing board considering whether to grant a charter petition “shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that establishment of charter schools should be encouraged.” (Ed. Code, § 47605(b).) With this legislative intent in mind, the governing board must grant a charter “if it is satisfied that granting the charter is consistent with sound educational practice.” (Ed. Code, § 47605(b).)

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

Staff and legal counsel have reviewed the Petition and prepared the Staff Written Findings Regarding Shining Crescent Charter School Petition (“Findings”), which are attached. Staff’s analysis of the petition includes a review of its educational program, fiscal and governance structure, student admissions and discipline, labor and personnel issues, facilities and legal issues.

The pages immediately following the précis contain proposed findings prepared by District staff and legal counsel condensing the remaining areas of concern, the resolution of those concerns, and Staff’s ultimate recommendation regarding those areas.

Recommendation:

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

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

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

Fiscal Impact:  
None

**G. DISCUSSION ITEMS**

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

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

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

Lovonya DeJean Middle School – February 2, 2011

**K. ADJOURNMENT**

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

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

**A. CLOSED SESSION**

**A.1 CALL TO ORDER**

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

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

**See Exhibit A**

(Government Code Section 54954.5)

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

**EXHIBIT A**

(Government Code Section 54954.5)  
CLOSED SESSION AGENDA

**January 19, 2011**

**1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

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

1. Srago v. WCCUSD
2. WCCUSD v. Orrick

**3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED/POTENTIAL LITIGATION**  
[Government Code Section 54956.9(b)]

Four cases

**4. LIABILITY CLAIMS** (Government Code Section 54956.95)

**5. CONFERENCE WITH LABOR NEGOTIATORS**

- a. Superintendent/Dr. Bruce Harter
- b. Employee Organizations
  - UTR
  - Local One
  - School Supervisors Association
  - WCCAA

- c. Unrepresented Employees
  - Confidential and Management

**6. PUBLIC EMPLOYEE APPOINTMENT**

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

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

- 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**

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**To:** Board of Education

**Meeting Date:** January 19, 2011

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

**Agenda Item:** B.4

**Subject:** Presentation of Student Board Representative from Vista High School

**Background Information:**

A Student Board Representative from Vista High School will attend the Board of Education on January 19, 2011. We would like to recognize and commend their 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

January 5, 2011

**A. CLOSED SESSION**

**B. OPENING PROCEDURES**

President Charles Ramsey called the meeting to order at 5:30 PM. The Board recessed into Closed Session. President Ramsey called the Public Session to order at 6:36 PM.

**B.1 Pledge of Allegiance**

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

**B.2 Welcome and Meeting Procedures**

President Ramsey offered welcome to the public regarding the meeting.

**B.3 Roll Call**

**Board Members Present:** Madeline Kronenberg, Antonio Medrano, Elaine Merriweather, Charles Ramsey, Tony Thurmond

**Staff Present:** Mike Aaronian, Coordinator Linked Learning; Steve Collins, SELPA Director; Martin Coyne, Director Internal Audits; Otilia Espinoza, Interpreter; Bob Evans, DeAnza Principal; Bill Fay, Associate Superintendent Operations; Luis Freese, Executive Director Maintenance and Operations; Sheri Gamba, Associate Superintendent for Business Services; Wendell Greer, Associate Superintendent K-Adult Schools; Rhonda Haney, Coordinator Youth Development; Bruce Harter, Superintendent; Debbie Haynie, Executive Secretary; Joshua Herrera, Electronics Technician; Nicole Joyner, Grant Writer; Joe Mayes, Maintenance Manager; Lyn Potter, Director Categorical & Instructional Support Services; Nia Rashidchi, Assistant Superintendent Educational Services; Ann Reinhausen, Assistant Superintendent Human Resources; Vince Rhea, Executive Director; Bill Savidge, District Engineering Officer

**B.4 Report/Ratification of Closed Session**

Superintendent Harter asked the Board to ratify the vote taken in Closed Session regarding the recommendations of January 5, 2011 for expulsion cases #001, #002 and #003.

**Motion:** Mr. Medrano moved approval to ratify the vote taken in Closed Session regarding the recommendations of January 5, 2011 for expulsion cases #001, #002 and #003. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, and President Ramsey voted yes, with Mr. Thurmond abstaining, and no absences. Motion carried 4-0-1-0.

Superintendent Harter asked the Board to ratify the vote taken in Closed Session regarding the denial of a Local One employee grievance.

**Motion:** Ms. Kronenberg moved approval to ratify the vote taken to deny a Local One employee grievance. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, and President Ramsey voted yes, with Mr. Thurmond abstaining, and no absences. Motion carried 4-0-1-0.

**B.5 Agenda Review and Adoption**

**MOTION:** Mr. Medrano moved approval of the agenda with the moving of item F.2, Student Reassignment for Shannon Elementary, to follow item B.6 in order to accommodate members of the audience. Mr. Thurmond seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond, and President Ramsey voted yes with no abstentions and no absences. Motion carried 5-0-0-0.

**B.6 Minutes:** December 8, 2010



**MOTION: Ms. Kronenberg moved approval the Minutes of December 8, 2010. Mr. Thurmond seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond, and President Ramsey voted yes with no abstentions and no absences Motion carried 5-0-0-0.**

**F.2 Student Reassignment for Shannon Elementary**

Superintendent Harter presented information regarding the recommendation for attendance areas for Shannon Elementary School, a review of the timeline of activities, community input and Board recommendations for reassignment to Collins, Montalvin and Tara Hills Elementary Schools. He asked the Board to approve student attendance areas for Shannon beginning with the 2011-12 school year.

**Public Comment:**

None

**Board Comment:**

Mr. Thurmond asked questions about the community meeting held for Shannon parents and interested community members. Superintendent Harter responded that written notice was sent to all students' families resulting in 100-150 people attending and providing opportunity for feedback. Mr. Thurmond asked for a highlight of the changes that came out of the meeting. Superintendent Harter provided clarification.

Mr. Medrano asked about the current enrollment of Montalvin, Collins, and Tara Hills schools. Superintendent Harter responded with the enrollment figures and noted that 150 students would be added to Collins and fewer than 100 to each of the other schools. Mr. Medrano asked about transfer policies. Superintendent Harter stated that as part of the recommendation, preference would be given to displaced students from Shannon. Mr. Medrano asked about the use of portables buildings on each campus to accommodate the additional students. Superintendent Harter responded that facilities needs and staffing at each of the schools will be determined by capacity during the spring. He further said that principals at the three schools made a presentation at the recent Shannon meeting so that families could begin to make connections with them.

Mr. Thurmond asked about travel time added for families being redistricted to a new school. Superintendent Harter responded that in some cases travel time will be moderately changed with an average of one half mile farther distance.

**MOTION: Mr. Medrano moved approval of the Student Reassignment for Shannon Elementary. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond, Student Representative Jacob Barnett (advisory vote only) and President Ramsey voted yes with no abstentions and no absences. Motion carried 5-0-0-0.**

**C. BUSINESS ITEMS**

**C.1 Grants/Awards/Agreements**

**C.2 Acceptance of Donations**

**C.3 Approval of Fund-Raising Activities**

**C.4 Contracted Services**

**C.5 Summary of Vendor Warrant Reports**

**C.6 Adoption of Resolution No. 42-1011: Replacement of Outdated Warrant**

**C.7 Notices of Completion: Bid J068247 Helms Middle School Road 20 Street Improvements**

**C.8 Certificated Board Authorization - Education Code 44285.3**

**C.9 Certificated Provisional Internship Permit (PIP) Request(s)**

**C.10 Routine Personnel Changes – Classified**

**C.11 Citizens' Bond Oversight Committee (CBOC) Appointments**

Mr. Fay read the revised précis into the record:

*Eduardo Martinez has been appointed by Richmond Mayor Gayle McLaughlin as her new representative to the Citizens' Bond Oversight Committee, and LaShonda Wilson as the alternate.*

*Norma Martinez-Rubin has been appointed by Contra Costa County Supervisor Gayle Ulkema, District 2, as her representative for the CBOC, with Russ Tolman as the alternate.*

*Joanne Ward, Vice Mayor, has been appointed by Hercules Mayor Ed Balico as his representative for the CBOC.*

*Charles Cowens, community member, has been appointed by Board of Education member Elaine Merriweather as her representative to the CBOC.*

- C.12 Lupine Hills Elementary School Window, Exterior Wall, and Roof Repairs Project Contract Award**  
Mr. Fay read a correction into the record regarding Lupine Hills Elementary School.
- C.13 Approval of Contract for De Anza High School Interim Warming Kitchen**
- C.14 Ratification and Approval of Engineering Services Contracts**
- C.15 Ratification and Approval of Negotiated Change Orders**
- C.16 Resolution No. 41-1011: Fred Korematsu Day of Civil Liberties and the Constitution**
- C.17 Approval of Board Member Attending California Association for Bilingual Education Annual Conference**
- C.18 Affirmation of 2010 – 2011 Board of Education Meeting Schedule**
- C.19 Adding 6<sup>th</sup> Grade at Madera Elementary**
- C.20 Richmond College Prep Operational Memorandum of Understanding**
- C.21 Richmond College Prep Special Education Memorandum of Understanding**
- C.22 Second List of Single Plans for Student Achievement (SPSAs)**

**MOTION:** Mr. Thurmond moved approval of Consent Items C.1 – C22. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond, Student Representative Jacob Barnett (advisory vote only) and President Ramsey voted yes with no abstentions and no absences. Motion carried 5-0-0-0.

**MOTION:** President Ramsey motioned to move Request to Address the Board and Public Comment to follow Consent Items. Mr. Thurmond seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond, Student Representative Jacob Barnett (advisory vote only) and President Ramsey voted yes with no abstentions and no absences. Motion carried 5-0-0-0.

- E.2 Request to Address the Board: Nicole Williams**  
Ms. Williams spoke about a problem of discrimination, harassment, and verbal abuse at Downer Elementary School.
- E.3 Public Comment**  
Billy Alexander, Toni Favila, Reyna Flores, Luz Elena Hernandez, Antonio Cisneros, Oscar Cisneros, Salvador Maeana, Arrolodo Rodas, Patricia Ponce, Eric Swabeck, June Kenyon, Shelby Chapel, Karen Vanwinkle, Sarah Creeley, Margaret Browne, Mel Collins, Helen Couture

Mr. Medrano addressed the audience regarding Lake School, inviting them to attend the upcoming San Pablo City Council meeting and the Facilities Subcommittee meetings.

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

### **D.1 Standing Reports**

**Citizens' Bond Oversight Committee.** Robert Studdiford welcomed new members of the committee which now totals 20 members. He reminded committee members that attendance at meetings is important and asked that they consider other subcommittee appointments. He said the next meeting is scheduled for January 26, 2011, 6:00 p.m. at the Facilities Operations Center.

**Facilities Subcommittee.** Mr. Medrano reported on the meeting of December 14, 2010. He said that presentations included concern over incidents at Pinole Valley High, progress of construction at King and Dover Elementary Schools, discussion about the Helms Community Center and Coronado dental clinic. The next meeting is planned for January 11, 2011, 4:00 at the Facilities Operations Center.

**Youth Commission.** Mr. Thurmond announced the next meeting on January 10, 2011, 6:30 p.m. at the RYSE Center in Richmond.

**Safety Committee.** Mr. Thurmond announced the next meeting on January 26, 2011, 6:00 p.m. at Hercules High to hear a representative from the County District Attorney's office to address establishment of a graffiti diversion program.

**Linked Learning.** Mr. Medrano spoke about Board member participation on the committee and an upcoming community meeting to address future progress of academies on January 20, 2011 at Maple Hall in San Pablo, 7:30 a.m.

**Ivy League Connection.** Ms. Kronenberg said that student nominations are being sought from schools sites to select a cohort of students for upcoming summer programs. Interviews are planned for January. Mr. Ramsey spoke about additional interviews for Yale's Ivy Scholars program. This year there could be up to 40 students participating in the Ivy League Connection this summer.

**D.2 In Memory of Members of the School Community**

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

**E. PUBLIC AND COMMITTEE COMMUNICATIONS**

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

**E.1 Superintendent's Report**

Superintendent Harter offered some of his time to allow Student Board Representative Jacob Barnett to address the Board.

**Student Representative from DeAnza High School**

Mr. Barnett provided a report of activities at DeAnza High School.

Superintendent Harter reported on activities in the District.

**E.2 Request to Address the Board: Nicole Williams**

This item was moved to follow Consent Items.

**E.3 WCCUSD Public Comment**

This item was moved to follow Consent Items.

**F. ACTION ITEMS**

**F.1 Presentation of the 2009-10 Audit Report by Perry-Smith, LLP**

Ms. Gamba introduced Matthew Nethaway of Perry-Smith LLP, who presented information regarding the 2009-2010 audit report. He provided detailed information to the Board.

**Public Comment:**

None

**Board Comment:**

None

**Motion:** Mr. Medrano moved approval of the 2009-10 Audit Report. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond, Student Representative Jacob Barnett (advisory vote only) and President Ramsey voted yes, with no abstentions and no absences. Motion carried 5-0-0.

**F.2 Student Reassignment for Shannon Elementary**

This item was moved to follow item B.6.

**F.3 Public Hearing – Notice of the West Contra Costa Unified School District's intent to apply to the California Department of Education for a 60-day extension to the 2010 School Accountability Report Card (SARC) reporting deadline of February 1, 2011**

President Ramsey opened the public hearing.

**Public Comment:**

None

President Ramsey closed the public hearing.

**F.3 Approval of West Contra Costa Unified School District's application to the California Department of Education for a 60-day extension to the 2010 School Accountability Report Card (SARC) reporting deadline of February 1, 2011**

**Public Comment:**

None

**Board Comment:**

None

**MOTION:** Mr. Medrano moved approval of West Contra Costa Unified School District's application to the California Department of Education for a 60-day extension to the 2010 School Accountability Report Card (SARC) reporting deadline of February 1, 2011. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond, Student Representative Jacob Barnett (advisory vote only) and President Ramsey voted yes with no abstentions and no absences. Motion carried 5-0-0-0.

**G. DISCUSSION ITEMS**

**G.1 Project Status Report – Facilities Planning and Construction**

Mr. Savidge gave updates on District construction projects.

**Public Comment:**

None

**Board Comment:**

President Ramsey asked about the timeline for Nystrom Phase II. Mr. Savidge provided information about the estimated beginning of construction in the Spring of 2012. President Ramsey asked about the DeAnza industrial arts building. Mr. Savidge responded with information about Linked Learning Academies, meetings with staff about ideas for the District's educational focus and next phases of design. President Ramsey asked about the Pinole Middle School fields' project. Mr. Savidge responded with information about a scoping session with the District and City of Pinole staff. He said a timeline for the design process will begin in the next few months. President Ramsey asked about the outcome of a recent State Allocation Board meeting. Mr. Savidge responded that funding was awarded for six District projects and an additional allocation \$700,000 was received beyond what was anticipated. He also spoke about another meeting scheduled for January where funding for DeAnza will be considered for an anticipated \$12,900,000.

Mr. Ramsey spoke about the surplus of funds and spending on other necessary projects including Highland Elementary and selection of an architect for the project.

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

None

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

Ms. Kronenberg wished the audience a Happy New Year and asked people to pay attention to the Governor's budget revisions announcement next week.

President Ramsey reminded the audience of next week's San Pablo City Council meeting to support Lake School. He also urged parents to volunteer and participate at their child's school.

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

Lovonya DeJean Middle School – January 19, 2011

**K. ADJOURNMENT**

President Ramsey adjourned the meeting at 8:13 PM.

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

BH:dh


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:** January 19, 2011

**From:** Sheri Gamba   
Associate Superintendent Business Services

**Agenda Item:** CI C.1

**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 sheet dated January 19, 2011.

**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
2010-2011 Part C, Early Intervention Grant	\$83,664	California Department of Education - Special Education Division, Grants	Special Ed, Early Intervention
Resource # 3385	7/1/10 - 6/30/11		PCA # 23761-01
Child Development Programs	(\$63,534) Amendment	California Department of Education - Child Development Services	Reduce 10-11 award due to excess in reserve account
Resource # 61055	7/1/10 - 6/30/11		Contract # CSPP-0055
CPA Environmental Studies Academy at Pinole Valley	\$70,740	California Department of Education - Secondary, Career, and Adult Learning Division	Support of the Environmental Studies Academy at Pinole Valley High School
Resource # 7220	7/1/10 - 6/30/12		PCA # 23181-01
CPA Health Science Academy at Richmond	\$23,181	California Department of Education - Secondary, Career, and Adult Learning Division	Support of the Health Science Academy at Richmond High School
Resource # 7220	7/1/10 - 6/30/12		PCA # 23181-02
CPA Multimedia Communications Academy at Richmond	\$70,740	California Department of Education - Secondary, Career, and Adult Learning Division	Support of the Multimedia Communications Academy at Richmond High School
Resource # 7220	7/1/10 - 6/30/12		PCA # 23181-03
CPA Engineering Partnership Academy at Richmond	\$70,740	California Department of Education - Secondary, Career, and Adult Learning Division	Support the Engineering Partnership Academy at Richmond High School
Resource # 7220	7/1/10 - 6/30/12		PCA # 23181-04
CPA Information Technology and New Media Academy at El Cerrito	\$81,000	California Department of Education - High School Transformation Unit	Support the Information Technology and New Media Academy at El Cerrito High School
Resource # 6385	7/1/10 - 6/30/12		PCA # 24960-00

CPA ACET - Architect Constr/Engineering Academy at Kennedy	\$81,000	California Department of Education - High School Transformation Unit	Support the Architecture/ Construction/Engineering Academy at Kennedy High School
Resource # 6385	7/1/10 - 6/30/12		PCA # 24960-01
CPA Information Technology Academy at Kennedy	\$81,000	California Department of Education - High School Transformation Unit	Support the Information Technology Academy at Kennedy High School
Resource # 6385	7/1/10 - 6/30/12		PCA # 24960-02
CPA Law and Justice Academy at Pinole Valley	\$81,000	California Department of Education - High School Transformation Unit	Support the Law and Justice Academy at Pinole Valley High School
Resource # 6385	7/1/10 - 6/30/12		PCA # 24960-03
CPA Richmond High School Law Academy	\$81,000	California Department of Education - High School Transformation Unit	Support the Richmond High School Law Academy
Resource # 6385	7/1/10 - 6/30/12		PCA # 24960-04
CPA Health Sports Medecine Academy at De Anza	\$72,000	California Department of Education - High School Transformation Unit	Support the Health Sports Medicine Academy at De Anza High School
Resource # 6385	7/1/10 - 6/30/12		PCA # 24960-05
CPA Information Tech and Communications Academy at De Anza	\$72,000	California Department of Education - High School Transformation Unit	Support the Information Technology and Communications Academy at De Anza High School
Resource # 6385	7/1/10 - 6/30/12		PCA # 24960-06
CPA Communications Academy at El Cerrito	\$72,000	California Department of Education - High School  Transformation Unit	Support the Communications Academy at El Cerrito High School
Resource # 6385	7/1/10 - 6/30/12		PCA # 24960-07
CPA Health Academy at Pinole Valley	\$72,000	California Department of Education - High School Transformation Unit	Support the Health Academy at Pinole Valley High School
Resource # 6385	7/1/10 - 6/30/12		PCA # 54960-08

Scully Foundation  
at Verde

\$350,000

Irene S. Scully Family  
Foundation

To improve scores at Verde

Resource 9595

7/1/10 - 6/30/11



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:** January 19, 2011

**From:** Sheri Gamba   
Associate Superintendent Business Services

**Agenda Item:** CI C.2

**Subject:** Acceptance of Donations

**Background Information:** The District has received donations as summarized on the attached sheet dated January 19, 2011. The estimated values for any non-cash donations (as indicated by an asterisk) are those provided by the donor. Staff recommends acceptance of these donations.

**Recommendation:** Recommend Approval

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

DISPOSITION BY BOARD OF EDUCATION

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

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

West Contra Costa Unified School District  
January 19, 2011 Board Meeting

<u>Donor Name</u>	<u>Description or Purpose</u>	<u>Estimated Value</u>	<u>Receiving School or Department</u>
Wells Fargo Community Support	Supplies Student Body Fund	\$100.00	Pinole Valley High
Washington PTA	Study Trip for 1st Grade	\$345.00	Washington Elementary
Ms. Marcella Mckillican	Close-Up Going to Washington	\$40.00	Kennedy High
Ms. Carolyn A. Stroltzizius	Close-Up Going to Washington	\$100.00	Kennedy High
Ms. Vilma H. Garrett	Close-Up Going to Washington	\$50.00	Kennedy High
Ms. Martha Pearsall	Close-Up Going to Washington	\$100.00	Kennedy High
Heather Nault	Dance	\$425.00	Pinole Valley High
Thomas & Katherine Marsden	Supplies for Faculty & Classroom	\$2,000.00	El Cerrito High
Ying Lee Pines	SAF, Forensics, Math & Science	\$2,000.00	El Cerrito High
Angela Tompkins	Supplies Class of 2011	\$400.00	El Cerrito High
Good Shepherd UMW	Close-Up Going to Washington	\$50.00	Kennedy High
Mr. Raymond E. Miles	Close-Up Going to Washington	\$250.00	Kennedy High
Ms. Ruth N. Guthartz	Close-Up Going to Washington	\$25.00	Kennedy High
PG&E Corporation Foundation	Materials and Supplies	\$936.00	Downer Elementary

\*Estimated values for the non-cash donations are provided by the donor  
Donation Précis 011911

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:** January 19, 2011

**From:** Sheri Gamba  
Associate Superintendent Business Services

**Agenda Item:** CI C.3

**Subject:** Approval of Fund-Raising Activities

**Background Information:** The planned fund-raising events for the 2010-11 school year are summarized on the attached sheet dated January 19, 2011.

**Recommendation:** Recommend Approval

**Fiscal Impact:** Additional revenue for schools

DISPOSITION BY BOARD OF EDUCATION

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

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

West Contra Costa Unified School District  
January 19, 2011 Board Meeting

APPROVAL OF FUND-RAISERS

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School	Fund-Raising Activity	Activity Sponsor
El Cerrito High	Crab Feed	Mr. George Austin
El Cerrito High	Movie Night	Kate Bloomer
El Cerrito High	Spaghetti Dinner	ECHS Forensics Team
El Cerrito High	Movie Night	Kate Bloomer
El Cerrito High	Canned Food Drive	Community Committee
Pinole Valley High	Selling World's Finest Chocolate	Dayna Dibble PVHS
Pinole Valley High	Karaoke Night in PVHS Cafeteria	Ms. Hazelwood & Mr. Martin
Pinole Valley High	Selling Hershey's Chocolate Bars	Mr. Lucas Bodwin
Pinole Valley High	Selling Chocolate roses	Ms. Hazelwood & Mr. Martin
Portola Middle School	Portola Hoodie's	Portola PTSA
Stewart Elementary	Jungle Fun-Raiser	Stewart PTA
Stewart Elementary	Applebee's Fundraising Night	Stewart PTA

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:** January 19, 2011

**From:** Sheri Gamba, *SG*  
Associate Superintendent, Business Services

**Agenda Item:** CI C.4

**Subject:** Summary of Vendor Warrant Reports

**Background Information:** Attached are the summaries of Vendor Warrants issued during the month of December, 2010.

Total of vendor warrants (December 2010): \$28,025,344.00

**Recommendation:** Recommend approval of the 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  
WEEKLY VENDOR WARRANT REPORT  
2010-2011

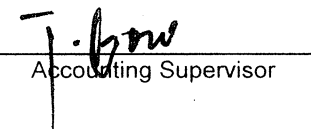
PAYMENT

DATE: December 2, 2010

PAGE-1

FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	432506	432762	4,427,106	32,843,287	37,270,393
7706	CAFETERIA	532524	432747	87,223	1,835,112	1,922,335
7707	CHILD DEVELOPMENT	432573	432740	566	79,537	80,103
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY	432626	432626	33,440	3,940,502	3,973,942
7710	BUILDING	532511	432758	333,585	31,022,176	31,355,761
7711	CAPITAL FACILITIES	432651	432686	28,881	1,035,158	1,064,039
7712	SELF INSURANCE PROPERTY & LIABILITY	432590	432590	22	2,072,626	2,072,648
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				0	0
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS	432533	432751	1,738	93,451	95,189
7770	ADULT EDUCATION	432547	432756	13,926	112,418	126,344
7785	DEFERRED MAINTENANCE				2,497	2,497
7701	PAYROLL REVOLVING				20,570,971	20,570,971
	TOTALS			4,926,487	93,607,735	98,534,222

  
Prepared by

  
Accounting Supervisor

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
WEEKLY VENDOR WARRANT REPORT  
2010-2011

PAYMENT

DATE: December 8, 2010

PAGE-2

FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	432766	432943	551,155	37,270,393	37,821,548
7706	CAFETERIA	432776	732942	85,228	1,922,335	2,007,563
7707	CHILD DEVELOPMENT	432866	432912	2,827	80,103	82,930
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY	432764	432927	148,848	3,973,942	4,122,790
7710	BUILDING	432763	432944	596,222	31,355,761	31,951,983
7711	CAPITAL FACILITIES	432772	432941	10,254	1,064,039	1,074,293
7712	SELF INSURANCE PROPERTY & LIABILITY	432821	432938	82,691	2,072,648	2,155,339
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				0	0
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS				95,189	95,189
7770	ADULT EDUCATION	432836	432925	2,441	126,344	128,785
7785	DEFERRED MAINTENANCE				2,497	2,497
7701	PAYROLL REVOLVING				20,570,971	20,570,971
	TOTALS			1,479,666	98,534,222	100,013,888

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
WEEKLY VENDOR WARRANT REPORT  
2010-2011

PAYMENT

PAGE-3

DATE: December 15, 2010

FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	432973	433238	2,805,158	37,821,548	40,626,706
7706	CAFETERIA	432986	433216	203,749	2,007,563	2,211,312
7707	CHILD DEVELOPMENT	433004	433184	1,200	82,930	84,130
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY	433007	433164	41,293	4,122,790	4,164,083
7710	BUILDING	432979	433233	7,619,220	31,951,983	39,571,203
7711	CAPITAL FACILITIES	433037	433230	19,320	1,074,293	1,093,613
7712	SELF INSURANCE PROPERTY & LIABILITY	433034	433180	11,565	2,155,339	2,166,904
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				0	0
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS				95,189	95,189
7770	ADULT EDUCATION	433045	433227	6,823	128,785	135,608
7785	DEFERRED MAINTENANCE				2,497	2,497
7701	PAYROLL REVOLVING				20,570,971	20,570,971
	TOTALS			10,708,328	100,013,888	110,722,216



WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
WEEKLY VENDOR WARRANT REPORT  
2010-2011

PAYMENT

PAGE-4

DATE: December 20, 2010

FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	433296	433370	766,639	40,626,706	41,393,345
7706	CAFETERIA	433311	433499	54,588	2,211,312	2,265,900
7707	CHILD DEVELOPMENT	433445	433445	123	84,130	84,253
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY	433461	433461	2,757	4,164,083	4,166,840
7710	BUILDING	433304	433518	4,010,574	39,571,203	43,581,777
7711	CAPITAL FACILITIES	433376	433376	2,490	1,093,613	1,096,103
7712	SELF INSURANCE PROPERTY & LIABILITY	433396	433396	280	2,166,904	2,167,184
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				0	0
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS				95,189	95,189
7770	ADULT EDUCATION	433433	433451	1,470	135,608	137,078
7785	DEFERRED MAINTENANCE				2,497	2,497
7701	PAYROLL REVOLVING				20,570,971	20,570,971
	TOTALS			4,838,921	110,722,216	115,561,137

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
WEEKLY VENDOR WARRANT REPORT  
2010-2011

PAYMENT

PAGE-5

DATE: December 28, 2010

FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	433524	433549	127,305	41,393,345	41,520,650
7706	CAFETERIA				2,265,900	2,265,900
7707	CHILD DEVELOPMENT	433526	433526	14,572	84,253	98,825
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY				4,166,840	4,166,840
7710	BUILDING				43,581,777	43,581,777
7711	CAPITAL FACILITIES				1,096,103	1,096,103
7712	SELF INSURANCE PROPERTY & LIABILITY				2,167,184	2,167,184
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				0	0
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS				95,189	95,189
7770	ADULT EDUCATION	433550	433550	7,664	137,078	144,742
7785	DEFERRED MAINTENANCE				2,497	2,497
7701	PAYROLL REVOLVING				20,570,971	20,570,971
	TOTALS			149,541	115,561,137	115,710,678

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
WEEKLY VENDOR WARRANT REPORT  
2010-2011

PAYMENT

PAGE-6

DATE: December 29, 2010

FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	433551	433594	419,143	41,520,650	41,939,793
7706	CAFETERIA	433557	433580	27,869	2,265,900	2,293,769
7707	CHILD DEVELOPMENT	433574	433574	1,066	98,825	99,891
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY				4,166,840	4,166,840
7710	BUILDING				43,581,777	43,581,777
7711	CAPITAL FACILITIES				1,096,103	1,096,103
7712	SELF INSURANCE PROPERTY & LIABILITY	433593	433593	298	2,167,184	2,167,482
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				0	0
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS				95,189	95,189
7770	ADULT EDUCATION	433573	433573	1,114	144,742	145,856
7785	DEFERRED MAINTENANCE				2,497	2,497
7701	PAYROLL REVOLVING				20,570,971	20,570,971
	TOTALS			449,490	115,710,678	116,160,168

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
WEEKLY VENDOR WARRANT REPORT  
2010-2011

PAYMENT

PAGE-7

DATE: December 10, 2010

FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL				41,939,793	41,939,793
7706	CAFETERIA				2,293,769	2,293,769
7707	CHILD DEVELOPMENT				99,891	99,891
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY				4,166,840	4,166,840
7710	BUILDING				43,581,777	43,581,777
7711	CAPITAL FACILITIES				1,096,103	1,096,103
7712	SELF INSURANCE PROPERTY & LIABILITY				2,167,482	2,167,482
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				0	0
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS				95,189	95,189
7770	ADULT EDUCATION				145,856	145,856
7785	DEFERRED MAINTENANCE				2,497	2,497
7701	PAYROLL REVOLVING	432945	432970	899,305	20,570,971	21,470,276
	TOTALS			899,305	116,160,168	117,059,473

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
WEEKLY VENDOR WARRANT REPORT  
2010-2011

PAYMENT

DATE: December 17, 2010

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FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL				41,939,793	41,939,793
7706	CAFETERIA				2,293,769	2,293,769
7707	CHILD DEVELOPMENT				99,891	99,891
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY				4,166,840	4,166,840
7710	BUILDING				43,581,777	43,581,777
7711	CAPITAL FACILITIES				1,096,103	1,096,103
7712	SELF INSURANCE PROPERTY & LIABILITY				2,167,482	2,167,482
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				0	0
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS				95,189	95,189
7770	ADULT EDUCATION				145,856	145,856
7785	DEFERRED MAINTENANCE				2,497	2,497
7701	PAYROLL REVOLVING	433240	433295	4,573,606	21,470,276	26,043,882
	TOTALS			4,573,606	117,059,473	121,633,079

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:** January 19, 2011

**From:** Sheri Gamba, *SG*  
Associate Superintendent, Business Services

**Agenda Item:** CI C.5

**Subject:** Notices of Completion: Bid J068257 El Cerrito HS Field Irrigation, J068248 Ohlone Elementary Re-Roofing Project, W068204 Hercules MHS Quad landscape & Teachers Parking Lot Improvements, W068226 Hercules MHS Playfield Lighting, J068184 DeAnza HS Baseball Field Improvements, J068191 Kennedy HS Restroom Improvements, J068190 Kennedy HS Fire Alarm Replacement, J068199 Richmond HS Security Fencing and Gates, E068234 Grant Elementary General Building Improvements ERP, E068235 Stege Elementary General Building Improvements ERP, W068183 Crespi Fire Reconstruction.

**Background Information:**

Substantial completion notices have been received for: Bid J068257, J068248, W068204, W068226, J068184, J068191, J068190, J068199, E068234, E068235, and Bid W068183.

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:

Suarez & Munoz Construction Bid J068257 El Cerrito HS Field Irrigation, Western Roofing Service J068248 Ohlone Elementary Re-Roofing Project, McNabb Construction Inc. W068204 Hercules MHS Quad landscape & Teachers Parking Lot Improvements, Bleyco Inc. W068226 Hercules MHS Playfield Lighting, Bay Cities Paving & Grading J068184 DeAnza HS Baseball Field Improvements, JDS Builders Group Inc. J068191 Kennedy HS Restroom Improvements, Emard Electric J068190 Kennedy HS Fire Alarm Replacement, CF Contracting J068199 Richmond HS Security Fencing and Gates, JMA Construction E068234 Grant Elementary General Building Improvements ERP, ERA Construction E068235 Stege Elementary General Building Improvements ERP, Bollo Construction W068183 Crespi Fire Reconstruction.

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

**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 1/19/11.
5. The work done was: Project J068257 El Cerrito High School Field Irrigation
6. The name and address of the contractor for such work of improvement was Suarez & Munoz Construction 20975 Cabot Blvd Hayward, CA 94545 Date of Contract: 10/27/10
7. The name of the Bonding Company that provided Surety for said contractor relative to work to be performed is: Contractors Bonding & Insurance Co.
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: El Cerrito HS 540 Ashbury Ave El Cerrito, CA 94530.

Dated: January 19, 2011

\_\_\_\_\_  
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 January 19, 2011, at Richmond, California.

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

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Notice is hereby given that:

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2. The full name of the owner is: Governing Board, West Contra Costa Unified School District.
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4. A work of improvement on the property hereinafter described was completed and accepted on 1/19/11.
5. The work done was: Project J068248 Ohlone Elementary Re-Roofing Project
6. The name and address of the contractor for such work of improvement was Western Roofing Services 15002 Wicks Blvd San Leandro, CA 94577 Date of Contract: 8/18/10
7. The name of the Bonding Company that provided Surety for said contractor relative to work to be performed is: Safeco Insurance Company 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: Ohlone Elementary 1616 Pheasant Drive Hercules, CA 94547.

Dated: January 19, 2011

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

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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 1/19/11.
5. The work done was: Project W068204 Hercules MHS Quad Landscape & Teachers Parking Lot
6. The name and address of the contractor for such work of improvement was McNabb Construction Inc. 3286 Gloria Terrace Lafayette, CA 94549 Date of Contract: 2/12/10
7. The name of the Bonding Company that provided Surety for said contractor relative to work to be performed is: American Contractors Indemnity Company
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: Hercules MHS 1900 Refugio Valley Rd Hercules, CA 94547.

Dated: January 19, 2011

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

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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.

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West Contra Costa USD

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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 1/19/11.
5. The work done was: Project W068226 Hercules MHS Playfield Lighting
6. The name and address of the contractor for such work of improvement was Bleyco Inc. 11425 Cull Canyon Road Castro Valley, CA 94522 Date of Contract: 5/14/10
7. The name of the Bonding Company that provided Surety for said contractor relative to work to be performed is: Hartford Fire Insurance Company
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: Hercules MHS 1900 Refugio Valley Rd Hercules, CA 94547.

Dated: January 19, 2011

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West Contra Costa USD

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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 1/19/11.
5. The work done was: Project J068184 DeAnza High School Baseball Field Improvements
6. The name and address of the contractor for such work of improvement was Bay Cities Paving & Grading, Inc. 5029 Forni Dr Concord, CA 94520 Date of Contract: 10/9/09
7. The name of the Bonding Company that provided Surety for said contractor relative to work to be performed is: Safeco Insurance Company 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: DeAnza HS 5000 Valley View Rd Richmond, CA 94803.

Dated: January 19, 2011

\_\_\_\_\_  
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West Contra Costa USD

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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 1/19/11.
5. The work done was: Project J068191 Kennedy HS Restroom Improvements
6. The name and address of the contractor for such work of improvement was JDS Builders Group Inc. 7-D East main Street, Winters, CA 95694 Date of Contract: 9/18/09
7. The name of the Bonding Company that provided Surety for said contractor relative to work to be performed is: Travelers Casualty and Surety 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: Kennedy HS 4300 Cutting Blvd Richmond, CA 94804.

Dated: January 19, 2011

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Director, General Services  
West Contra Costa USD

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Notice is hereby given that:

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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 1/19/11.
5. The work done was: Project J068190 Kennedy HS Fire Alarm Replacement
6. The name and address of the contractor for such work of improvement was Emard Electric 5930 Key Ct Suite A Loomis, CA 95650 Date of Contract: 9/18/09
7. The name of the Bonding Company that provided Surety for said contractor relative to work to be performed is: Travelers Casualty and Surety 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: Kennedy HS 4300 Cutting Blvd Richmond, CA 94804.

Dated: January 19, 2011

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

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Director, General Services  
West Contra Costa USD

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AND WHEN RECORDED MAIL TO  
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STREET  
ADDRESS 1108 BISSELL AVENUE  
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STATE RICHMOND, CALIF 94801

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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 1/19/11.
5. The work done was: Project J068199 Richmond HS Security Fencing & Gates
6. The name and address of the contractor for such work of improvement was CF Contracting 96 Forrest Avenue Fairfax, CA 94930 Date of Contract: 2/12/10
7. The name of the Bonding Company that provided Surety for said contractor relative to work to be performed is: American Contractors Indemnity Company
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: Richmond High School 1250 – 23<sup>rd</sup> Street Richmond, CA 94804.

Dated: January 19, 2011

\_\_\_\_\_  
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 January 19, 2011, 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:

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 1/19/11.
5. The work done was: Project E068234 Grant Elementary General Bldg. Improvements ERP
6. The name and address of the contractor for such work of improvement was JMA Construction 33 Dorman Avenue San Francisco, CA 94124 Date of Contract: 6/23/10
7. The name of the Bonding Company that provided Surety for said contractor relative to work to be performed is: The Ohio Casualty Insurance Company
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: Grant Elementary 2400 Downer Avenue Richmond, CA 94804.

Dated: January 19, 2011

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

## VERIFICATION

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Executed on January 19, 2011, 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

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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 1/19/11.
5. The work done was: Project E068235 Stege Elementary General Bldg. Improvements ERP
6. The name and address of the contractor for such work of improvement was ERA Construction  
319 Willard Avenue Richmond, CA 94801 Date of Contract: 7/8/10
7. The name of the Bonding Company that provided Surety for said contractor relative to work to be performed is: Financial Pacific Insurance Company
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: Stege Elementary 4949 Cypress Avenue Richmond, CA 94804.

Dated: January 19, 2011

\_\_\_\_\_  
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 January 19, 2011, 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:

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 1/19/11.
5. The work done was: Project W068183 Crespi Middle Fire Reconstruction
6. The name and address of the contractor for such work of improvement was Bollo Construction  
852 Northport Dr Suite 105 West Sacramento, CA 95691 Date of Contract: 8/19/09
7. The name of the Bonding Company that provided Surety for said contractor relative to work to be performed is: Travelers Casualty and Surety 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: Crespi Middle School 1121 Allview Avenue El Sobrante, CA 94803.

Dated: January 19, 2011

\_\_\_\_\_  
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 January 19, 2011, at Richmond, California.

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

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

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

---

**To:** Board of Education

**Date:** January 19, 2011

**From:** Sheri Gamba   
Associate Superintendent Business Services

**Agenda Item:** CI C.6

**Subject:** Acceptance of Contracts for Placement of Student Teachers

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

Staff requests approval from the Board of Education to accept Contracts for Placement of Student Teachers as detailed on the attached sheet dated January 19, 2011.

**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  
January 19, 2011

ACCEPTANCE OF CONTRACTS FOR PLACEMENT OF STUDENT TEACHERS

The following institutions of higher education have submitted a contract with West Contra Costa Unified School District. These institutions intend to place student teachers in the West Contra Costa Unified School District schools.

Mills College, Practice Teaching Agreement

University of Idaho, Agreement for Cooperation-Clinical Experience Program (approved October 6, 2010)

Univ. of San Francisco, Memorandum of Understanding and Agreement (approved September 15, 2010)

Bethany University-Student Teacher/Field Experience Agreement (approved September 15, 2010)

University of Phoenix Internship Contract Agreement (approved September 15, 2010)

Loyola Marymount University Intern Partnership (approved August 18, 2010)

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:** January 19, 2011

**From:** Ann Reinhausen,  
Assistant Superintendent Human Resources

**Agenda Item:** CI C.7

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

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

**Recommendation:** Recommend Approval

**Fiscal Impact:** None

**DISPOSITION BY BOARD OF EDUCATION**

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

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

Approved \_\_\_\_\_

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

Tabled \_\_\_\_\_

**January 19, 2011**

**Action Taken**

**PIP**

Jacobi, Marianne  
Creps, Kevin

**SITE**

Lincoln Elementary School  
Pinole Valley High School

**ASSIGNMENT**

5th Grade  
Social Science

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:** January 19, 2011

**From:** Nia Rashidchi, Assistant Superintendent  
Educational Services

**Agenda Item:** CI C.8

**Subject:** Resolution No. 43-1011: African-American History Month - February 2011

**Background Information:**

The State Board of Education has proclaimed February 2011 as African-American History Month. The West Contra Costa Unified School District recognizes the contributions of African Americans and encourages schools to develop special instructional activities and celebrations.

**Recommendation:** Approve this Resolution honoring African-American History Month, February 2011

**Fiscal Impact:** None

**DISPOSITION BY BOARD OF EDUCATION**

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

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

Approved \_\_\_\_\_

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

Tabled \_\_\_\_\_

**West Contra Costa Unified School District**

**Resolution No. 43-1011**

**Honoring African-American History Month  
February 2011**

**WHEREAS**, Americans of African descent helped develop our nation in countless ways, those recognized, unrecognized, and unrecorded;

**WHEREAS**, African-American citizens have participated in every American effort to secure, protect, and maintain the essence and substance of American democracy, as reflected by California Education Code Section 37221(d) which established March 5 as Black American Day to commemorate the anniversary of the death of Crispus Attucks, the first African-American martyr of the Boston Massacre;

**WHEREAS**, The California State Board of Education recognizes in its Multicultural Education Policy that each student needs an opportunity to understand the common humanity underlying all people;

**WHEREAS**, The history and contributions of African-American citizens have been consistently overlooked, misinterpreted and undervalued in the curriculum of public education institutions prior to the Civil Rights Act of 1964; and

**WHEREAS**, The History-Social Science Framework of California Public Schools, Kindergarten through Grade Twelve, states that the history curriculum of community, state, region, nation, and world must reflect the experiences of men and women and of different racial, religious, and ethnic groups throughout the K-12 educational program.

**NOW THEREFORE BE IT RESOLVED THAT**, the State Board of Education, as does the West Contra Costa Unified School District Board of Education proclaim the month of February 2011 as African-American History Month, and encourages all educational communities to commemorate this occasion with appropriate instructional activities.

**PASSED AND ADOPTED** this nineteenth day of January 2011 at a regular meeting of the Board of Education by the following vote:

AYE's \_\_\_\_\_ NO's \_\_\_\_\_ 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 January 19, 2011.

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President of the Board of Education

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Secretary of the 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:** January 19, 2011

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

**Agenda Item:** CI C.9

**Subject:** Resolution No. 44-1011: Recognition of West Contra Costa Unified School District  
Job Shadow Days February 1 - 4, 2011 and Recognition of February, 2011 as National  
Job Shadow Month

**Background Information:**

Resolution No. 44-1011 recognizes and acknowledges February 1 – 4, 2011 as WCCUSD Job Shadow Days and the month of February, 2011 as National Job Shadow Month. Job Shadow is an academically motivating activity designed to give kids the unique opportunity of an up-close look at the world of work. Beginning with a nationwide kickoff on February 1, 2011, and continuing throughout the school year, students across America will “shadow” workplace mentors as they go through a normal day on the job. The program invites students to see firsthand how the skills learned in school relate to the workplace. Job Shadow 2011 is led by the National Job Shadow Coalition.

**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. 44-1011**

**Resolution to Recognize February 1 – 4, 2011 as WCCUSD Job Shadow Days AND also the month of February, 2011 as Job Shadow Month**

**WHEREAS**, the Board of Education of the West Contra Costa Unified School District wishes to acknowledge and support the National Job Shadow Days on February 1 – 4, 2011 and the month of February, 2011 as Job Shadow Month.

**NOW THEREFORE, BE IT RESOLVED**, that Dr. Bruce Harter, Superintendent, is hereby authorized to declare the following days, February 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup>, 2011 as WCCUSD Job Shadow Day and the month of February, 2011 as Job Shadow Month in the West Contra Costa Unified School District.

**PASSED AND ADOPTED** on the nineteenth day of January, 2011, at a regular meeting of the Board of Education by the following vote:

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

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

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

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

**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 held on January 19, 2011.

---

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:** January 19, 2011

**From:** Wendell Greer  
Associate Superintendent, K-Adult Operations

**Agenda Item:** CI C.10

**Subject:** Students from Cesar Chavez will go to the JAMZ Nationals in Las Vegas, Nevada,  
January 27-29, 2011

**Background Information:** Eleven students on the Cesar Chavez Eaglettes afterschool program cheer squad have qualified for a cheer competition at the Emerald Suites Hotel in Las Vegas, Nevada. These Eaglettes are primarily from low-income families and the afterschool program at Chavez firmly believes that they are helping to create a group of positive, productive, confident, responsible leaders. These students will compete as a team and are building skills that will benefit them in their ongoing education.

**Recommendation:** Recommend Approval

**Fiscal Impact:** Not on General Fund: school site fund-raiser

**DISPOSITION BY BOARD OF EDUCATION**

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

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

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

**WCCUSD STUDY TRIP REQUEST FORM (Form must be typed)**

<b>SCHOOL:</b> <u>Cesar Chavez Elementary School</u>	<b>Date of Submission:</b> <u>1/6/2011</u>
--	--

**TYPE OF TRIP: Please indicate the type of trip.**

☐ DAY TRIP

☒ OVERNIGHT TRIP

Submissions must be received in the Executive Director's office by the following timeline:

<input type="checkbox"/> Chartered Transportation (Bus reservations via district Transportation Office)	25 school days prior to trip date
<input type="checkbox"/> Automobile (Driving to destination)	15 school days prior to trip date
<input checked="" type="checkbox"/> Public Transportation (BART, bus, Amtrak, etc) <u>PARENTS TAKING PARENTS TO BART, BUT TO AIRPORT</u>	15 school days prior to trip date
<input type="checkbox"/> Walking	15 school days prior to trip date

**TRIP AND CHAPERONE INFORMATION: Adult to Student Ratio: K-3 1:5 & 4-12 1:10 Short Term Insurance: K-3 1:4 & 4-12 1:8**

Date of Trip: <u>January 27 - 29</u>	Time Leave: <u>2:40 PM</u> Return: <u>9:45 AM</u>	Grade/Group: <u>4, 5, 6</u>	Total number of students participating: <u>11</u>
Trip Destination: (Include Address/phone) <u>4777 CAMERON STREET, LV, NV 89103 (702) 3655894</u>	Teacher in Charge of Group: (Name, phone, e-mail) <u>Jeanette Ramirez OR Carlene Pinkston</u>	Other Teachers Accompanying Group:	
<input checked="" type="checkbox"/> Names of Chaperones and Position/Title form attached <u>(7)</u>			
Student Study Trip Insurance: The following study trips require insurance. <input type="checkbox"/> Trips around/near water (including trips near creeks, ponds, etc, trips on boats, to hatcheries, hiking, etc) <input type="checkbox"/> Trips where students will be swimming <input checked="" type="checkbox"/> Trips with an overnight stay		<input checked="" type="checkbox"/> Insurance form attached <input checked="" type="checkbox"/> Check attached/account code listed <input checked="" type="checkbox"/> List of student names attached	

**TRANSPORTATION ARRANGEMENTS:**

<b>Chartered Transportation</b>	<b>CHARTERED TRANSPORTATION REQUEST FORM.</b> All requests using district funds must be booked through the Transportation Office. Completed Chartered Transportation request must be attached to study trip request.  <b>FUNDING SOURCE</b> Requests using other funding sources (i.e. PTA) must be booked by trip organizer and paid for at the site level. Funding source MUST be indicated.  <b>COMPANY</b> Must be from District approved list as indicated on Bulletin. Attach confirmation from chartered transportation company.	<input type="checkbox"/> Completed form attached. (Funding Source Account Code indicated on form)  FUNDING SOURCE ACCOUNT CODE  COMPANY NAME AND CONTACT:
<b>Automobile</b>	<b>AUTOMOBILE TRANSPORTATION FORM</b> Form must be completed with driver's information attached. Valid California Drivers license and insurance requirements are mandatory.	<input type="checkbox"/> Completed form attached. <input type="checkbox"/> Valid driver's license and insurance attached
<b>Public Transportation</b>	<b>TYPE OF PUBLIC TRANSPORTATION (BART, BUS, AMTRAK, FERRY)</b> Funding source required if transportation tickets/arrangements are to be purchased using District funds. Funding source MUST be indicated if applicable.	Funding Source Account Code:  Bitech Purchase Order #
<b>Admission Fees</b>	<b>FEES TO DESTINATION, I.E., ZOO, THEATER, MUSEUM, ETC.</b> Funding source required if tickets are to be purchased using District funds. Funding source MUST be indicated if applicable. Purchase requisitions should be initiated three weeks in advance of the trip.	Funding Source Account Code:  Bitech Purchase Order #

**EDUCATIONAL VALUE**

Must include standards reference number and a brief explanation of how the trip relates to the classroom activity. Standards Number(s): <u>1.1.8, 4.9, 1.3, 1.10, 1.4, 2.3, 3.1, 3.2, 1.6</u>		
Substitute(s) Requested	FOR SECONDARY SITES ONLY, SUBSTITUTES NEEDED FOR TEACHERS ON STUDY TRIPS.	Funding Source Account Code:  Substitutes Needed for _____ paid periods

**LAST DATE FOR SUBMISSION OF STUDY TRIP:** APRIL 15, 2011 (3<sup>RD</sup> Friday in April)  
**LAST DATE FOR STUDY TRIP TO BE TAKEN:** JUNE 3, 2011 (1<sup>ST</sup> Friday in June)

\* No late requests will be accepted. Study trips should not be scheduled during testing periods.

STUDY TRIP REQUEST FORM MUST HAVE PRINCIPAL SIGNATURE AND FUNDING SOURCE INDICATED BEFORE SENDING TO THE EXECUTIVE DIRECTOR'S OFFICE. INCOMPLETE STUDY TRIP REQUESTS WILL BE RETURNED AND MAY RESULT IN DELAY IN PROCESSING OR DENIAL OF REQUEST. APPROVALS WILL BE SENT BACK VIA EMAIL TO SECRETARY/OFFICE MANAGER AND PRINCIPAL.

Principal Signature: [Signature] Date: 1/6/11

Funding Authorization Dept.

Executive Director: [Signature]

Signature

Date: 1/7/11

**APPROVED**

EXECUTIVE DIRECTOR OFFICE USE ONLY:  
Received: JAN 07 2011

West Contra Costa USD  
Executive Director

Approval Sent:

By: \_\_\_\_\_ Date: \_\_\_\_\_



Dear Johanna Arroliga,

Your video/score sheet qualification submission has been received. Please see your team information below:

<b>Team</b>	Cesar Chavez Eaglettes
<b>Division + Level</b>	Youth I
<b>Category</b>	Youth Pom/Dance Performance

**Congratulations – your team has qualified for JAMZ Nationals 2011!!**

See the following links to download your Nationals Invitation Packet:

[Nationals Invite](#)

VIDEO SUBMISSIONS: Your video has been reviewed for routine guideline and scoring purposes, which are the basis for your qualification. At this time, your video will be viewed for legality purposes, based on the division/category/level that you have selected on your entry form. If there are any rule infractions, you will be contacted by our office.

Here is a link to the 2010-2011 JAMZ Championship Guide. Our guide provides scoring information, category descriptions, and over all information that might help you become better familiar with our judging prior to the event! <http://www.jamz.com/championships/guide/>

Good Luck!  
**Championship Staff**

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:** January 19, 2011  
**From:** Bill Fay **Agenda Item:** CI C.11  
Associate Superintendent for Operations  
**Subject:** Approval of contract for Furniture, setup and installation at Dover Elementary School Phase I

**Background Information:**

The construction of the first phase of the reconstruction of Dover Elementary School is nearly complete. The next step for the District is to purchase new furniture for the school. The District has prepared preliminary furnishing criteria with classroom configurations, specialty spaces including pre-school, special education, admin furnishings, library, offices and staff work areas. New furnishings will be comparable to those installed in our other completed elementary sites, most recently for Downer Elementary.

The District engaged in a public bid process, using its preliminary furnishing criteria, to select the vendor for this contract. Public bids were opened on January 6, 2011. Three vendors submitted proposals. They are as follows: Sierra School \$290,282; Young Office \$278,664; and, Contrax Furnishings \$223,986. The lowest responsive, responsible vendor is Contrax Furnishings at \$223,986.

**Recommendation:** Approve contract for Dover Elementary furniture, setup and installation with the lowest responsive, responsible vendor.

**Fiscal Impact:** \$223,986. Funded by the Measure J Bond under the Dover Elementary Furniture and Equipment Budget.

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:** January 19, 2011  
**From:** Bill Fay **Agenda Item:** CI C.12  
Associate Superintendent for Operations  
**Subject:** Kennedy High School Field Building and Field Lighting Project Award of Contract

**Background Information:**

The next step in completing the master plan for limited renovations at Kennedy High School is to finalize work at the main sports field area and bring this facility up to current District standards. This project will provide for field lighting for athletic events and team practices at the George Harris Field at Kennedy High School. In addition, this project includes a permanent building for restrooms, concessions, equipment storage and support spaces for the field area. This project will also provide high quality facilities for community use and joint use with the City of Richmond.

Powell and Partners Architects completed plans and specifications for the project. The District conducted a public bid of the project. There were two bid alternates included in the project for different lighting manufacturers. Bids were opened on January 11, 2011. Thirteen contractors submitted bids. They are included in the table below.

The lowest responsive, responsible bidder, the sum of the base bid and the lowest bid alternate, is B-Side, Inc. at \$990,000.

**Recommendation:**

Award contract to the lowest responsive, responsible bidder. It is also recommended that this project be included under the District's Project Labor Agreement (PLA) given that even minimal contract changes will push the construction cost over the PLA threshold of \$1,000,000.

**Fiscal Impact:** \$990,000. Funded from the Measure J Bond using the Kennedy High School Renovations project budget.

DISPOSITION BY BOARD OF EDUCATION

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

WCCUSD

Kennedy High School Restroom Building and Field Lighting

BID DATE

1/11/2011

BID # J068266

Contractor	B-Side Inc	S&H Construction	KMS Inc	Eternal Const	River View Const	JH Fitzmaurice	Bay Construction
Base Bid	\$890,000	\$850,000	\$1,176,770	\$1,246,000	\$1,237,000	\$1,320,000	\$1,540,000
Alternate #1	\$100,000	\$230,000	\$254,150	\$293,600	\$245,000	\$204,000	\$237,000
Alternate #2	\$150,000	\$200,000	\$190,160	\$239,600	\$220,000	\$165,000	\$203,000
Total Bid	\$990,000	\$1,050,000	\$1,366,930	\$1,485,600	\$1,457,000	\$1,485,000	\$1,743,000

Contractor	John Plane Const	Rodan Builders	DL Faulk	Robert L Brown	BHM Const	B Bros Const	
Base Bid	\$1,480,792	\$1,365,000	\$1,446,000	\$1,360,000	\$1,512,737	\$1,344,500	
Alternate #1	\$223,462	\$284,000	\$256,000	\$300,000	\$225,000	\$204,000	
Alternate #2	\$175,361	\$230,000	\$193,000	\$275,000	\$176,000	\$172,000	
Total Bid	\$1,656,153	\$1,595,000	\$1,639,000	\$1,635,000	\$1,688,737	\$1,516,500	

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:** January 19, 2011  
**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 consulting, engineering, architectural, or landscape architectural firms to assist in completion of the referenced projects. Many of the firms are already under contract and the staff-initiated work may be an extension of the firm's existing contract with the District. Public contracting laws have been followed in initially qualifying and selecting these professionals.

**Recommendation:** Ratify and approve contracts as noted.

**Fiscal Impact:** Total for this action: **\$348,518**. 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>
Lupine Hills Exterior Waterproofing Repairs  Measure J Bond	January 2011 thru March 2011	WJ Robinson & Associates	\$10,048	Construction Management Services
District-wide Facilities Planning Support  Measure J Bond	January 2011 thru June 2011	Jack Shreder Associates	\$88,000	Facility capacity updates, master plan support, updated enrollment support, student generation studies, state enrollment eligibility updates.
Pinole Valley High School Reconstruction  Measure D 2010 Bond	January 2011 thru	Fehr and Peers	\$137,900	Transportation planning & traffic engineering services from design through construction. Including on-site and Pinole Valley road reconfiguration. Coordination with City of Pinole.
Gompers High School Demolition  Measure J Bond	December 2010 thru March 2011	RGA Environmental	\$62,570	Hazardous materials abatement monitoring, air sampling and air quality monitoring during demolition.
State School Facility Program project support and funding assistance.  Measure J Bond	January 2011 thru July 2011	School Facility Consultants	Hourly services, not to exceed \$50,000	File, monitor, support State school funding applications for all bond program projects.

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:** January 19, 2011

**From:** Bill Fay  
Associate Superintendent for Operations

**Agenda Item:** CI C.14

**Subject:** Ratification and Approval of Negotiated Change Orders

**Background information:**

Staff is seeking ratification of change orders on the following current District construction projects: Hercules Middle High Playfield Lighting; Helms Middle School New Construction; Ford Elementary New School; Kennedy High School Fire Alarm Upgrade; and, Pinole Middle School Building a Modernization. Change Orders are fully executed by the District upon signature by the Superintendent's designee. Board ratification is the final step required under state law in order to complete payment and contract adjustment.

**Recommendation:** Ratify negotiated change orders as noted.

**Fiscal Impact:** Total ratification and approval by this action: **\$399,443.02.**

**DISPOSITION BY BOARD OF EDUCATION**

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

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

Approved \_\_\_\_\_

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

Tabled \_\_\_\_\_

**January 19, 2011 Change Order Ratification Summary**

	Project	Company	Original Contract	Previously Approved CO's	Items Pending Board Action		Total CO's	CO Percent of Original Contract	Adjusted New Contract	Change Order Numbers
					CO's Pending Ratification	CO's Pending Approval				
1	Hercules MS/HS Playfield Lighting	Bleyco, Inc.	\$572,000.00	\$0.00	-\$15,495.00	\$0.00	-\$15,495.00	-2.71%	\$556,505.00	1
2	Helms MS New Construction	West Bay Builders	\$50,890,000.00	\$2,238,027.14	\$160,599.29	\$0.00	\$2,398,626.43	4.71%	\$53,288,626.43	11
3	Ford ES New School	Alten Construction, Inc.	\$16,734,206.00	\$353,879.00	\$180,232.00	\$0.00	\$534,111.00	3.19%	\$17,268,317.00	13
4	Kennedy HS Fire Alarm	Emard Electric	\$516,500.00	\$0.00	-\$12,986.00	\$0.00	-\$12,986.00	-2.51%	\$503,514.00	1
5	Pinole MS Modernization	Alpha Bay Builders, Inc.	\$9,570,735.00	\$619,118.92	\$64,914.48	\$0.00	\$684,033.40	7.15%	\$10,254,768.40	6
6	Crespi ERP Roofing Repairs	Albay Construction	\$521,000.00	\$0.00	\$22,178.25	\$0.00	\$22,178.25	4.26%	\$543,178.25	1

Pending Board Actions	Ratifications	\$399,443.02
	Approvals	\$0.00
	Total Board Action	\$399,443.02

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**

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**To:** Board of Education **Meeting Date:** January 19, 2011  
**From:** Bill Fay **Agenda Item:** CI C.15  
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 October 1, 2010 through December 31, 2010.

**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  
1108 Bissell Avenue  
Richmond, California 94801-3135  
Office of Superintendent of Schools

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

---

**To:** Board of Education **Meeting Date:** January 19, 2011  
**From:** Bruce Harter **Agenda Item:** CI C.16  
Superintendent  
**Subject:** California School Board Association (CSBA) Appointment for Delegate Assembly

**Background Information:** According to the California School Board Association (CSBA) Bylaws and Standing Rules, the West Contra Costa Unified School District is entitled to appoint one representative to CSBA's Delegate Assembly for a two-year term beginning April 1, 2011 through March 31, 2013. This position for the District is currently held by Charles T. Ramsey whose appointed term will expire March 31, 2011.

**Recommendation:** That the Board appoint Charles T. Ramsey to continue to serve as CSBA Delegate through March 2013.

**Fiscal Impact:** None

DISPOSITION BY BOARD OF EDUCATION

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



## 2011 Delegate Appointment Form

CSBA Region/subregion # 7 / A

The Board of Education of the West Contra Costa Unified School District  
(School District name)

wishes to appoint: Charles T. Ramsey  
(Name)

to the CSBA Delegate Assembly for a two-year term beginning April 1, 2011 through  
March 31, 2013.

- ☐ Attached is the nominee's required one-page, single-sided, candidate biographical sketch form and optional one-page, single-sided résumé.
- ☐ The nominee's required one-page, single-sided, candidate biographical sketch form and optional one-page, single-sided résumé will be submitted by the deadline date.

\_\_\_\_\_  
Board Clerk or Board Secretary (*signed*)

\_\_\_\_\_  
January 19, 2011

Date

\_\_\_\_\_  
Board Clerk or Board Secretary (*printed*)

### PLEASE NOTE:

The appointment and biographical sketch form must be faxed or U.S. postmarked no later than **Monday, February 28, 2011**. Any questions, please contact Michelle Neto at (800) 266-3382.

### Return nomination to:

California School Boards Association  
3100 Beacon Blvd., P.O. Box 1660 | West Sacramento, CA 95691-1660  
(916) 371-4691 (800) 266-3382 | Fax: (916) 371-3407 or (916) 669-3305 | [www.csba.org](http://www.csba.org)

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:** January 19, 2011

**From:** Bruce Harter, Superintendent

**Agenda Item:** CI C.17

**Subject:** Approval of Board Member Attending Conferences:  
National School Boards Association Annual Conference, San Francisco  
National Council on Educating Black Children Convention, Las Vegas

**Background Information:**

Board Bylaw 9250 stipulates members of the board shall be reimbursed for allowable expenses incurred in attending any meetings or in making any trips on official business of the school district when so authorized in advance by the Board of Education. (Education Code 35044) Board member Elaine Merriweather has expressed interest in attending the National School Boards Association (NSBA) Annual Conference, to be held in San Francisco, April 9 – 11, 2011 and the National Council on Educating Black Children Convention, to be held in Las Vegas, April 28 – 30, 2011. Expenses including registration, travel, food and lodging are estimated to total approximately \$2,300.00. Funds for Board travel and conference are budgeted and there is sufficient funding within that budget.

**Recommendation:**

That the Board authorizes attendance to the NSBA Annual Conference and the National Council on Education of Black Children Convention.

**Fiscal Impact:** General Fund

**DISPOSITION BY BOARD OF EDUCATION**

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

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

Approved \_\_\_\_\_

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

Tabled \_\_\_\_\_



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

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

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**To:** Board of Education **Meeting Date:** January 19, 2010

**From:** Bruce Harter **Agenda Item:** CI C.18  
Superintendent

**Subject:** Ivy League Summer Programs: Students from WCCUSD high schools will participate in College Courses and Readiness Programs offered at Ivy League Colleges and Universities

**Background Information:**

The Ivy League connection program has been an integral college awareness program in the West Contra Costa Unified School District for the last four years. Students from DeAnza, El Cerrito, Hercules, Kennedy, Pinole Valley, Richmond and Middle College high schools participate in a rigorous screening process in order to gain acceptance into a summer program at an Ivy League university. The Ivy League program has grown tremendously through the contributions of benefactors and corporations vested in providing educational opportunities for our students. This summer, West Contra Costa Unified School District will be sending thirty-five students to various Ivy League universities including Brown University, Cornell University, Columbia University, University of Pennsylvania, Vanderbilt University, and Yale University. The District pays the travel costs and also provides chaperones, for an estimated cost of \$60,000 for 2011. Private contributions fund the program costs at each school. The Ivy League Connection promotes the college going culture in WCCUSD as participants in the program share their experiences with elementary and middle school students throughout the year and participate with alumni from the Ivy League schools.

Board members Madeline Kronenberg and Charles Ramsey have acted as the fund raisers and program administrators for the Ivy League Connection since its inception in 2006. The District has paid for travel for Ms. Kronenberg and Mr. Ramsey so that all the funds raised from private contributions can be used for direct program expenses. Their presence at these institutions has resulted in securing scholarships for WCCUSD students.

Additionally, their presence at the universities has resulted in the waiving of application fees (Yale, Brown, and Cornell) – a savings of more than \$2000. Since the program began in 2006, Ms. Kronenberg and Mr. Ramsey have raised well over \$700,000 for the program. The cost for Ms. Kronenberg and Mr. Ramsey to travel to the east coast this summer is just over \$7,000.

Mr. Ramsey's and Ms. Kronenberg's presence at these schools has also brought about new opportunities for WCCUSD students. WCCUSD students would not be going to Yale this summer if they had not set up meetings with the Deans of the summer programs.

**Recommendation:**

That the Board approve both the travel for Board Members Kronenberg and Ramsey and the costs for the 2010 Ivy League Connection program.

**Fiscal Impact:**

\$67,000

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:** January 19, 2011  
**From:** Bruce Harter **Agenda Item:** CI C.19  
Superintendent  
**Subject:** Lake School Operation for 2011-12

**Background Information:**

In February 2009 and after an extensive process, the Board approved the closure of eight schools over the three year period of time. Lake Elementary school was one of the schools that was to be closed at the end of the 2008-09 school year. At the February 17, 2009 meeting, the San Pablo City Council approved a resolution that provided the funding to keep Lake Elementary open for 2009-10 and 2010-2011. At the January 10, 2011 meeting, the San Pablo City Council approved a resolution that will provide funding to keep Lake Elementary open for 2011-12 school year while the City and the District develop a long-term plan for extending the partnership between the City and District to keep Lake beyond the 2011-12 school year.

**Recommendation:**

That the Board accept the commitment of funding from the City of San Pablo to keep Lake open for the 2011-12 school year and direct the Superintendent to continue the work on the longer-term agreement between the City and the District.

**Fiscal Impact:** Unknown at this time

**DISPOSITION BY BOARD OF EDUCATION**

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

## RESOLUTION 2011-005

### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AUTHORIZING TO AMEND THE FY 2010-11 COUNCIL ADOPTED WORKPLAN WITH LAKE ELEMENTARY SCHOOL PARTNERSHIP - LONG-TERM FINANCIAL AND OPERATIONAL PLAN WITH WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT (WCCUSD)

WHEREAS, on February 17, 2009, the San Pablo City Council adopted Resolution No. 2009-014 which authorized expenditure of \$600,000 from general fund operating reserves to provide a two-year operational subsidy for FY 2009-10 and FY 2010-11 to the WCCUSD for services and use of facilities owned by the WCCUSD; and

WHEREAS, this City Council action included ongoing operational and maintenance of Lake Elementary School in San Pablo and was subsequently budgeted and allocated as part of the adoption of the FY 2009-10 and FY 2010-11 Annual General Fund Operating Budgets; and

WHEREAS, the annual two-year operational subsidy is set to expire on June 30, 2011 at the end of the FY 2010-11 school year; and

WHEREAS, in response to community concerns with regard to residents, families and student displacement with the forthcoming closure of Lake Elementary School, the City and WCCUSD met on December 21, 2010 to discuss a policy alternative in keeping Lake Elementary School operational beyond FY 2010-11; and

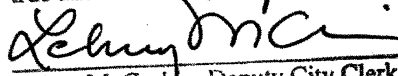
WHEREAS, the Mayor acting as a member of the Youth Services Ad-Hic SubCommittee (Mayor Garcia/Councilmember McNeil) transmitted a letter to WCCUSD Officials requesting to work on a mutually agreeable solution and a long-term financial and operational plan for keeping Lake Elementary School operational beyond FY 2010-11; and

WHEREAS, the City Council amends the FY 2010-11 Council Adopted Workplan to incorporate the *"Lake Elementary School Partnership – Long-Term Financial and Operational Plan"* as a new policy item.

NOW THEREFORE, BE IT RESOLVED the City Council of the City of San Pablo authorizes the following, as follows:

Upon recommendation by the Youth Services Ad-Hoc SubCommittee (Mayor Garcia/Councilmember McNeil), the City Manager further recommends the City Council authorize the following:

I hereby certify that the foregoing is a full,  
true and correct copy of Resolution 2011-005

  
Lehy M. Corbin, Deputy City Clerk  
Executive Secretary

- 1) Authorize ratification of the letter transmitted by Mayor Garcia on 12/27/10 to WCCUSD officials regarding the "*Lake School Partnership - Long-Term Financial and Operational Plan*" for Lake Elementary School; and
- 2) Amend the FY 2010-11 Council Adopted Workplan with this action as a new policy item; and
- 3) Authorize the City Manager to proceed with a mutual agreeable solution that provides a long-term financial and operational plan with WCCUSD to keep Lake Elementary School operational beyond the City's current two-year operational subsidy which expires at the end of FY 2010-11; and
- 4) Authorize the City Manager to develop a long-term financial mechanism as part of the forthcoming FY 2011-12 Annual General Fund Operating Budget process for future City Council review and adoption, and proceed with any existing agreements or subsequent amendments required between the City and WCCUSD.

BE IT FURTHER RESOLVED that the foregoing recitations are true and correct, and are included herein by reference as findings.

\*\*\*\*\*

ADOPTED this 10th of January, 2011, by the following vote to wit:


AYES: COUNCILMEMBERS:  
NOES: COUNCILMEMBERS:  
ABSENT: COUNCILMEMBERS:  
ABSTAIN: COUNCILMEMBERS:

McNeil, Morris, Valdez, Cruz and Calloway  
None  
None  
None

ATTEST:

APPROVED:

  
Ted J. Denney, City Clerk

  
Genoveva Garcia Calloway, Mayor

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:** January 19, 2011

**From:** Nia Rashidchi  
Assistant Superintendent, Educational Services

**Agenda Item:** D.1

**Subject:** Lincoln School – Turnaround Model Mid-Year Report

**Background Information:**

Federal and state laws and guidance associated with the American Recovery and Reinvestment Act of 2009 (AARA), the School Improvement Grant (SIG) program, and the state statute require California to identify the state's persistently lowest-achieving schools and require the lowest 5% to implement one of four school intervention models beginning in the 2010-11 school year.

On March 8, 2010, the California Department of Education designated Lincoln Elementary School on its list of the 5% persistently lowest-achieving schools in the state of California.

District and Lincoln staff applied for and were awarded a School Improvement Grant to implement the Turnaround Intervention model at Lincoln School.

The Lincoln staff will present a mid-year progress report.

**Recommendation:** Report

**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:** January 19, 2011

**From:** Ann Reinhagen,  
Assistant Superintendent Human Resources

**Agenda Item:** D.2

**Subject:** Annual update of Highly Qualified Teachers Status

**Background Information:**

The Human Resources staff will provide a presentation of the NCLB LEA Plan of action progress made and support given to new teachers working toward a preliminary or clear credentials.

**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**

---

**To:** Board of Education

**Meeting Date:** January 19, 2011

**From:** Sheri Gamba   
Associate Superintendent Business Services

**Agenda Item:** D.3

**Subject:** Budget Update for Governor's Proposed Budget

**Background Information:** Associate Superintendent Business Services will provide an update on the budget.

**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 **Meeting Date:** January 19, 2011  
**From:** Bruce Harter **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.

Nelda Reser passed away December 9, 2010. Ms. Reser began working in the District in April 1977 as a Special Education Assistant at Pinole Middle School and retired in June 2003 as an Elementary Library Assistant.

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

**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:** January 19, 2011

**From:** Nia Rashidchi **Agenda Item:** F.1  
Assistant Superintendent, Educational Services

**Subject:** Helms Middle School and DeAnza High School: Persistently Lowest-Achieving Schools and the School Improvement Process

**Background Information:**

Federal and state laws and guidance associated with the American Recovery and Reinvestment Act of 2009 (AARA), the School Improvement Grant (SIG) program, and the Race to the Top (RTTT) program require California to identify the state's persistently lowest-achieving schools and require the lowest 5% to implement one of four school intervention models: turnaround, transformation, restart, and school closure.

In March 2010, the California Department of Education designated Helm's Middle School and DeAnza High School on its list of the 5% persistently lowest-achieving schools in the state of California.

There is SIG funding available for schools who implement one of the designated intervention models. Each school is eligible to apply for \$50,000 - \$2 million.

Staff is recommending that the Turnaround model be implemented at both Helms Middle School and DeAnza High School for the 2011-12 school year. SIG applications will be submitted to the California Department of Education for Helms and DeAnza.

Staff will provide background information for the recommendation.

**Recommendation:** Approval of recommendation

**Fiscal Impact:** District will apply for \$2 million per year/per school for 3 years

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:** January 19, 2011  
**From:** Bill Fay **Agenda Item:** F.2  
Associate Superintendent for Operations  
**Subject:** El Cerrito High School Fields Phase I Construction Award of Contract

**Background Information:**

The next step in completing the full reconstruction of El Cerrito High School is to build the fields and courts at the area which has been used as the campus temporary housing since 2005. The area has been cleared and is ready for reconstruction of the fields and courts. The scope of work includes full-size baseball, softball, and soccer fields. The project also includes construction of 5 tennis courts, and would replace the courts originally constructed by the City of El Cerrito. The work includes associated site work, utilities, grading, site paving, fencing, gates, dugouts, batting cage, lighting, and site furnishings.

In order to accommodate the intensive use of the fields at this site, the project construction documents have been updated to include a bid alternate which would substitute artificial turf for the grass fields included in the base bid. The bid alternate costs are included in the summary of bids below. The bid alternate cost is the net increase in cost to install artificial turf fields.

WLC Architects has prepared plans and specifications for the project. The District conducted a public bid process for the project. Bids were opened on January 11, 2011. Eleven contractors submitted bids. They are included in the table below.

The lowest responsive, responsible bidder with the base bid and alternate is Michael Paul Corporation, at **\$3,749,000.**

**Recommendation:** Award contract to lowest responsive, responsible bidder with Base Bid and Alternate.

**Fiscal Impact:** **\$3,749,000 .** Funded by the Measure J Bond, under the El Cerrito HS Project budget.

**DISPOSITION BY BOARD OF EDUCATION**

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

WCCUSD

El Cerrito High School Multi-Use Sports Fields

BID DATE 1/12/2011

BID # J068267

Contractor	Michael Paul Co	OC Jones & Sons	Ghilotti Bros	Suarez & Munoz	Susal Corp	Park West	Roebbelen
Base Bid	2768000	\$3,203,700	\$2,946,000	\$3,298,000	\$2,908,000	\$3,380,936	\$3,315,000
Alternate #1	981000	\$585,000	\$851,000	\$940,000	\$904,335	\$919,894	\$930,000
Total Bid	\$3,749,000	\$3,788,700	\$3,797,000	\$4,238,000	\$3,812,335	\$4,300,830	\$4,245,000

Contractor	Interstate Grading	DL Falk Const	Mcguire Hester	Bay Cities Paving			
Base Bid	\$3,170,000	\$2,805,000	\$3,399,800	\$2,900,000			
Alternate #1	\$1,027,000	\$1,039,000	\$770,000	\$968,000			
Total Bid	\$4,197,000	\$3,844,000	\$4,169,800	\$3,868,000			

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:** January 19, 2011

**From:** Wendell Greer  
Associate Superintendent

**Agenda Item:** F.3

**Subject:** Shining Crescent Charter School Petition

**Background Information:**

On November 18, 2010, the petitioner submitted to West Contra Costa Unified School District a petition for a charter school known as Shining Crescent Charter School ("Charter School"). Pursuant to the Charter Schools Act of 1992 (the "Act"), Education Code section 47600 *et seq.*, the Legislature has charged local school boards with the responsibility for reviewing and acting on petitions by charter schools.

Staff has reviewed the charter petition ("Petition") for the establishment (for five years) of the Shining Crescent Charter School ("Charter School"). The Charter School is governed by a nonprofit public benefit corporation, but the District would be responsible for oversight of the Charter School. As presented in the Petition, the Charter School expects to serve approximately 302 students in grades K through 8 in its first year of operation (2011-2012), increasing to 312 students in the second year of operation (2012-2013) and 345 students at full implementation, in year five (2015-2016). (Petition, Appendix N: Budget Assumptions.) Petitioners intend the Charter School to provide "a rigorous standards-based education" in a setting that will attract "children from Africa, the Middle East and South Asia: India-Pakistan-Afghanistan-Bangladesh and surrounding areas." (Petition, p. 13.) The Charter School's stated mission is "to contribute to building a diverse, virtuous and moral America by helping children to understand their stewardship role in the world, embedding in them a sense of care, responsibility, love, tolerance, and cooperation." (Petition, p. 5.) Petitioners further identify a need to "help students especially from South Asia, Africa and the Middle East, integrate into American society, while retaining their identity." (Petition, p. 5.)

Submission of a charter petition is governed by the requirements of Education Code section 47605 and 47607. Education Code section § 47605(b) requires the Board, within 30 days of receiving a petition, to hold a public hearing to consider the level of support for the petition. The public hearing was held on December 8, 2010. "After review of the petition and the public hearing, the governing board of the school district shall either grant or deny the charter within 60 days of receipt of the petition, provided, however, that the date may be extended by an additional 30 days if both parties agree to the extension." Education Code section § 47605(b) A written

agreement was made between Shining Crescent Charter School and West Contra Costa Unified School District to defer the public hearing until January 19, 2011.

The Act states that a school district governing board considering whether to grant a charter petition “shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that establishment of charter schools should be encouraged.” (Ed. Code, § 47605(b).) With this legislative intent in mind, the governing board must grant a charter “if it is satisfied that granting the charter is consistent with sound educational practice.” (Ed. Code, § 47605(b).)

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

Staff and legal counsel have reviewed the Petition and prepared the Staff Written Findings Regarding Shining Crescent Charter School Petition (“Findings”), which are attached. Staff’s analysis of the petition includes a review of its educational program, fiscal and governance structure, student admissions and discipline, labor and personnel issues, facilities and legal issues.

The pages immediately following this précis contain proposed findings prepared by District staff and legal counsel condensing the remaining areas of concern, the resolution of those concerns, and Staff’s ultimate recommendation regarding those areas.

**Recommendation:**

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

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

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

**Fiscal Impact:** None

DISPOSITION BY BOARD OF EDUCATION

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

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

\_\_\_\_\_

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

## **STAFF REPORT AND PROPOSED FINDINGS OF FACT REGARDING SHINING CRESCENT CHARTER PETITION**

### **Introduction**

The West Contra Costa Unified School District (“District”) received a charter petition (“Petition”) on November 18, 2010, from the Shining Crescent Foundation, Inc., a California nonprofit public benefit corporation. The Petition proposes the creation of a charter school to be called the Shining Crescent Charter School (“Shining Crescent” or “Charter School”). The Petition proposes a Charter term of five (5) years.

As presented in the Petition, the Charter School expects to serve approximately 302 students in grades K through 8 in its first year of operation (2011-2012), increasing to 312 students in the second year of operation (2012-2013) and 345 students at full implementation, in year five (2015-2016). (Petition, Appendix N: Budget Assumptions.) Petitioners intend the Charter School to provide “a rigorous standards-based education” in a setting that will attract “children from Africa, the Middle East and South Asia: India-Pakistan-Afghanistan-Bangladesh and surrounding areas.” (Petition, p. 13.) The Charter School’s stated mission is “to contribute to building a diverse, virtuous and moral America by helping children to understand their stewardship role in the world, embedding in them a sense of care, responsibility, love, tolerance, and cooperation.” (Petition, p. 5.) Petitioners further identify a need to “help students especially from South Asia, Africa and the Middle East, integrate into American society, while retaining their identity.” (Petition, p. 5.)

Petitioners base their assertion that a school such as Shining Crescent is needed on the premise that students from Africa, South Asian and the Middle East “have unique social, cultural, moral, and religious values and are used to segregated societies.” (Petition, p. 9.) Other comments in the Petition make reference to the difficulties recent immigrants from the targeted populations have in adjusting to a society which permits “the free mixing of the sexes” and the particular problems faced by children transitioning “from segregated societies to integrated societies.” (Petition, p. 9.) According to Petitioners, “integration and the mixing of the genders is a great shock” to immigrants from Africa, South Asia, and the Middle East. (Petition, p. 9.) Although the Petition does not include any supporting documentation or research-based results to support their claims, Petitioners also assert that students from the targeted populations run the risk of religious fanaticism or gang involvement if they are not provided with a “rigorous” educational setting.

Review of the information included in the Petition which describes the backgrounds of the Charter School’s founders and proposed Board members reflects a group of parents and community members with an impressive array of expertise in business, science, and community affairs. Further, it is clear that Petitioners are excellent, caring parents; however, review of the Petition makes clear that they lack the breadth of educational experience necessary to successfully implement an undertaking of this scope. District



staff concludes that there are significant portions of the Petition that have not been adequately developed and that, based upon these omissions, the Petition should be denied. Time and cost preclude staff from discussing all of the Petition's defects in detail in this report. Instead, the report addresses only the most glaring deficiencies. In sum, Petitioners have not provided evidence of a feasible educational program that can be successfully implemented. The deficiencies on the face of the Petition are simply too significant to permit approval.

This report sets forth findings based upon a review of the Petition and its appendices by District staff and legal counsel. A number of significant concerns raised by staff are discussed in detail, below.

### **Overview of Charter Petitions Generally**

The Charter Schools Act of 1992 ("Act") governs the creation of charter schools in the State of California. The Act states that a school district governing board considering whether to grant a charter petition "shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that establishment of charter schools should be encouraged." (Ed. Code § 47605(b).) With this legislative intent in mind, the governing board must grant a charter "if it is satisfied that granting the charter is consistent with sound educational practice." (Ed. Code § 47605(b).) The governing board may not deny a petition unless it sets forth specific facts to support one, or more, of the following five findings:

1. The charter school presents an unsound educational program for the students to be enrolled in the charter school.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
3. The petition does not contain the number of signatures required by Education Code section 47605, subdivision (a)(1)(A) or (a)(1)(B).
4. The petition does not contain an affirmation of certain specific conditions set forth in Education Code section 47605, subdivision (d), including that the charter school: (1) will be nonsectarian in its admission policies, employment practices, and all other operations; (2) will not charge tuition; and (3) will not discriminate against any student on the basis of the characteristics set forth in Education Code section 220.
5. The petition does not contain reasonably comprehensive descriptions of certain elements in its program and operations as set forth in Education Code section 47605, subdivision (b)(5)(A-P), which describes the following sixteen separate elements that must be addressed in every charter petition:

- A. A description of the educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an “educated person” in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling students to become self-motivated, competent, and lifelong learners.
- B. The measurable student outcomes identified for use by the charter school. “Student outcomes” means the extent to which all students of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school’s educational program.
- C. The method by which student progress in meeting those student outcomes is to be measured.
- D. The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement.
- E. The qualifications to be met by individuals to be employed by the school.
- F. The procedures that the school will follow to ensure the health and safety of students and staff.
- G. The means by which the school will achieve a racial and ethnic balance among its students that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.
- H. Admission requirements, if applicable.
- I. The manner in which annual, independent, financial audits will be conducted, which will employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies will be resolved to the satisfaction of the chartering authority.
- J. The procedures by which students can be suspended or expelled.
- K. The manner by which staff members of the charter schools will be covered by the State Teachers’ Retirement System, the Public Employees’ Retirement System, or federal social security.
- L. The public school attendance alternatives for students residing within the school district who choose not to attend charter schools.
- M. A description of the rights of any employee of the school district upon leaving the employment of the school district to work in a charter school,

and of any rights of return to the school district after employment at a charter school.

- N. The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter.
- O. A declaration whether or not the charter school will be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act (“EERA” or “Rodda Act”).
- P. A description of the procedures to be used if the charter school closes. These procedures must ensure a final audit of the school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of student records.

Charter school petitions are also required to include discussion of the impact on the chartering district, including, the facilities to be utilized by the school, the manner in which administrative services will be provided, potential civil liabilities for the chartering school district, and a three year projected operational budget. (Ed. Code § 47605(g).)

#### **Recommended Grounds for Denying the Charter Petition**

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

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

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

findings of fact, set forth below, as its own findings. Staff further recommends that the Board deny the Petition.

Please note that these findings of fact have been grouped for convenience under the aforementioned grounds for denial of a charter petition however, certain findings of fact may support more than one ground for denial.

### **Proposed Findings of Fact**

#### **Finding 1: Shining Crescent Presents an Unsound Educational Program for Pupils to be Enrolled at the Charter School**

As noted above, Petitioners intend that the Charter School's "target population" will be "children from Africa, the Middle East and South Asia: India-Pakistan-Afghanistan-Bangladesh and surrounding areas." (Petition, p. 13.) Based upon the District's experience, the Charter School should expect that the student population that will be enrolled in the Charter School will present a wide range of learning abilities and skills, including low-achieving students, high-achieving students, special education students and English Language Learner ("ELL") students. However, as described below, the Petition fails to adequately describe or address the specific educational interests, backgrounds, or challenges of the diverse student population it proposes to educate. Specifically, the Charter School presents an unsound educational program for the students to be enrolled at the Charter School, for the following reasons:

- A. The Petition does not sufficiently describe the proposed curriculum or teaching methods to be employed at the Charter School.
  - B. The Petition does not include detailed plans for low achieving and at-risk students.
  - C. The Petition does not include a detailed plan for meeting the needs of its high-achieving students.
  - D. The Petition does not adequately address how the Charter School will modify its educational program to educate ELL students.
  - E. The Petition does not address how the Charter School's educational program will serve special education students.
- A. The Petition does not sufficiently describe the proposed curriculum or teaching methods to be employed at the Charter School.

The description of the educational program of the Charter School should include the instructional approach that the charter school will utilize including, but not limited to the curriculum and teaching methods. (Ed. Code § 47605(b)(5).) The Petition fails to

present an adequate educational program for both its general program and its programs for special groups such as special education students and ELL students, as described in detail below.

1. *Classrooms, Class Sizes, Number of Teaching Staff.* From the scant information presented in the Petition, it is not possible to determine how many classrooms the proposed Charter School will have, what the student-teacher ratio in each classroom will be, or how class assignments would be made for the 19 certificated teachers that Petitioners intend to hire in the first year of the Charter School's operation. (Petition, p.14) A table at page 14 appears to show 302 students distributed over nine grade levels, but fails to indicate how many classrooms at each grade level the Charter School is proposing to operate. For example, it is unclear whether Petitioners are proposing a single Kindergarten class of 48 students, or if Petitioners intend to have two or more classes at the K through 3 grade levels in order to comply with Class Size Reduction enrollment limits. If that is the case, the Charter School may be proposing a school with 13 classrooms (two each at grades K through 3, and a single classroom for grades 4 through 8.) This calculation still does not account for the need to hire 19 certificated teachers. Perhaps Petitioners intend to hire single-subject teachers for the upper grades? Without a clear description of the classrooms, student-teacher ratios, and the distribution of teaching assignments, it is not possible for the District to adequately evaluate the Charter School's proposed instructional program.

Further confusion is presented in the Petition with regard to the proposed bell schedule and instructional periods. At page 10, Petitioners state that "[e]ach subject matter will be taught in a two-hour time block. However, this contradicts the information regarding the bell schedule as described in Appendix O, which shows eight fifty-minute periods each day. Furthermore, there is no weekly schedule that provides information as to what subjects will be taught at each grade level for each school day.

2. *Instructional Program, Curriculum, Teaching Strategies.* The Petition appears to propose an educational program that blends "the teaching methodologies of eastern culture with modern, western teaching techniques." (Petition, p.11.) The Petition includes descriptions of various educational systems throughout the world emphasizing concepts such as respect, discipline, and self-control. (Petition, p. 11.) This discussion would perhaps have been more appropriately included in the "Educational Philosophy" portion of the Petition at page 13; unfortunately the narrative does little to shed light on the proposed instructional program at the Charter School or explain how teachers will implement the various pedagogical approaches described in the Petition.

Further the Petition does not explain how teaching staff will develop and implement specific lesson plans and curriculum. No sample lesson plans are included, and other than frequent references to Recommended Literature, Kindergarten through Twelfth Grade, no teaching materials are identified. (Petition, Appendix F) Petitioners state that "curriculums are and will be based on the California State Frameworks and Academic Content Standards of California Public Schools". (Petition, Appendix F.) However, a list of academic content standards by grade levels does not indicate how standards will be

linked to instructional practices in order to ensure mastery of each core curricular area. The Petition should, at a minimum, identify the proposed teaching materials and include an outline of the curriculum for each core academic subject area at one or more grade levels.

With regard to foreign language instruction, Petitioners propose to teach Arabic, Punjabi, and Urdu/Hindi. (Petition, p. 12.) Petitioners further assert that the Charter School “will be the first in the District, rather in the State to introduce new foreign languages **at an early stage.**” (Petition, p. 12.) However, other than citing from a series of studies supporting the early introduction of foreign language study, the Petition contains no description of its proposed language programs. Petitioners do not indicate at what grade level foreign language instruction will begin, how often foreign language will be taught during the regular school week, or what qualifications the Charter School will require of foreign language staff. Again, no teaching materials or instructional methodologies for teaching languages are identified in the Petition and no sample language lessons are provided.

In sum, the instructional and curricular components of the Charter School, as described in the Petition, present an unsound educational program for the students to be enrolled in the school.

B. The Petition does not include detailed plans for serving low-achieving or at-risk students.

The Petition notes that the Charter School intends to “maintain a culture of high expectations for all students” and will “work to ensure that no individual student falls behind.” (Petition, p. 18.) However, the Petition fails to adequately describe how the Charter School will identify and respond to the needs of pupils who are not achieving at expected levels.

The Petition provides that a student will be designated as “low-achieving” if the student “falls below the 50th percentile on the adopted standardized test and/or falls below learning behavior, language acquisition, and fine and gross motor skills in comparison with the peer group.” (Petition, p.19.) This approach for identifying low-achieving students is problematic. First, the Petition does not indicate which standardized test is the “adopted standardized test” that the Charter School intends to use. Additionally, there is no information provided as to when students will be designated as low-achieving on the basis of standardized tests as opposed to, or in addition to “learning behavior, language acquisition, and fine and gross motor skills in comparison with the peer group.” Likewise, the Petition indicates that the Charter School will identify “at-risk” students as those students “who achieve at or below the 40th percentile on adopted state tests, who may or may not qualify for special education, and whose achievement potential is not being realized.” (Petition, p. 19.) Again, the Petition does not identify the testing measures that will be used to identify at-risk students, and does not set out any method by which it intends to determine whether a student’s achievement potential is being realized. (Petition, p. 19.)

The Petition broadly states that the Charter School will use cooperative learning in flexible groups and will emphasize students of all abilities working closely together in group settings. (Petition, p. 19.) Despite its well-meaning intentions, the Petition only briefly references any other specific behavioral interventions or services that the Charter School plans to employ in order to assist low-achieving and at-risk students, and does not describe those interventions or services in any detail. Moreover, the Petition makes no reference to scaffold instruction, types of learning materials, pre-teaching, re-teaching, or any of the other standard learning strategies used to address the needs of low performing students.

Although Petitioners note that low-achieving or at-risk students will be served through a Student Study Team (“SST”) process, the Petition does not include any information regarding what specific assessments and observations will be conducted through that SST process, who will conduct them, what extra attention or intervention services identified students may receive, who will provide the services, how often the services will be provided, what curriculum will be used, or how it will be determined whether interventions are effective. (Petition, p. 19.)

In sum, the Petition fails to present a sound educational program for low-achieving and at-risk students.

C. The Petition does not include a detailed plan for meeting the needs of its high-achieving students.

While the Petition identifies broad intentions to provide opportunities for high-achieving students, it does not include any descriptions of particular services or programs that will be available to high-achieving students, or how such services or programs will be implemented. (Petition, p.19; Appendix E.) Specifically, the Petition refers to GATE-identified students; however, there is no information on how students will be so identified. (Petition, p.19; Appendix E.) Moreover, the Petition indicates that flexible groupings and after-school enrichment opportunities will be available to GATE-identified students, but does not describe those programs or opportunities in any depth. Moreover, the budget included in the Petition is so deficient, that it is not possible to determine whether it includes funding for GATE programs. The Petition does not include any sample lesson plans or examples of how the Charter School will modify its curriculum to meet the needs of high-achieving students. Based on the scant information provided, the District is left to guess at what Petitioners mean when they assert that teachers will provide gifted students with a “qualitatively differentiated curriculum that stresses higher-order thinking, concept learning, and cross-curricular study.” (Petition, p. 19.) Without further information, the District cannot adequately assess whether Petitioners will be able to meet the needs of high-achieving students.

D. The Petition does not adequately address how the Charter School will educate ELL students.

According to the California Department of Education, all federal requirements and some state requirements for English Language Learner (“ELL”) programs apply to charter schools. Reviews under the State’s Categorical Program Monitoring process are conducted in the same manner for charter schools as for other public schools. Overall, charter schools are not exempt from meeting the educational needs of ELL students. Moreover, Petitioners must have a plan for achieving “a racial and ethnic balance among its students that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.” (Ed. Code § 47605(b) (5)(G).)

A review of demographic data for the District shows that, for the 2009-2010 school year, 9,821, or 33% of District’s students were English Language Learners. Accordingly, Petitioners should reasonably expect a similar percentage of ELL students to be enrolled in the Charter School. Given their projected first year enrollment of 302 students, the Charter School should be prepared to meet the needs of approximately 100 ELL students. However, other than a general assertion that the Charter School “will meet all applicable legal requirements” for ELL students (Petition, p.19), the Petition lacks any substantive discussion of the programs and services that the Charter School intends to offer to its ELL students and how Petitioners intend to meet their legal obligations in educating those students. (Petition, pp.19-20.) Specifically, the information provided in the Petition raises the following areas of concern regarding the Charter School’s plan for educating its ELL students:

1. *Identification.* In identifying ELL students, the Petition indicates that the California English Language Development Test (“CELDT”) will be administered to students with a home language other than English, but does not indicate what score on that assessment identifies the student as an English Learner. Further, the Charter School’s plan for identification, placement, and reassessment of ELLs includes no formative assessment tools. Neither does the Petition describe the different levels of English Language placement or the services and/or programs that will be available to ELL students at each of the levels.
2. *Reclassification.* With regard to its proposed process for the reclassification of ELL students, the Petition provides that the Charter School will utilize “one or more” of the listed reclassification criteria; however, state regulations require that all listed criteria be used. Further, the reclassification criteria do not indicate which measurement of basic skills will be used. (Petition, p. 20.)

Additionally, it does not appear that the Charter School intends to conduct its ELL reclassification and annual reviews using a Language Review Team (“LRT”) process, which is required under state and federal Categorical Program Review, if the Charter School intends to apply for federal Title III-NCLB funding, or state Economic Impact Aid--Limited English Proficiency (“EIA-LEP”) funding.<sup>1</sup> Specifically, the LRT process

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<sup>1</sup> We note that the budget provided by Petitioners does not indicate whether the Charter School intends to apply for funding available through participation in federal programming, including Title I and Title III/LEP. (Petition, Appendix N)



is designed to ensure that each ELL student is making appropriate progress and is appropriately placed. Reclassified Fluent English Proficient (“RFEP”) students must also be evaluated twice each year, for two years following their RFEP designation, to ensure that they are receiving adequate support for transitioning into the mainstream classroom after termination of targeted ELD support. Finally, those elements of the Petition describing “Measurable Student Outcomes” and “Methods of Assessment of Student Outcomes” (Petition, p. 21-24) do not address how English Language Learners’ progress towards fluency or growth in academic subject areas will be measured.

3. *Curriculum and Instruction.* The Petition fails to describe any specialized curriculum, or other specialized materials that would be available to ELL. Moreover, there is no discussion in the Petition as to how ELD instruction will be delivered to students. With regard to staffing needs for ELLs, the Petition makes no mention of requiring special competency or certification, such as CLAD or BCLAD, to meet the needs of English Language Learners. It is not clear whether classroom teachers must be qualified to provide English Language Development (“ELD”) instruction, and if so, how ELD will be delivered in the classroom setting. Although the Petition states that classroom teachers will be required to have training in Specifically Designed Academic Instruction in English (“SDAIE”) strategies, it does not provide any specific examples of how SDAIE or other strategies will be implemented throughout the day by classroom teachers (Petition, p. 40.) Lastly, the Petition does not address how ELL students will be provided the necessary support in their core curriculum classes such as English Language Arts, Math, Science, and History.

Overall, Petitioners provide an insufficient description of how English Language Learners will be supported and do not have a sound and realistic plan for meeting their legal obligations to this subgroup of learners.

E. The Petition does not address how the Charter School’s educational program will serve special education students.

1. *Overview.* Other than broad statements that Petitioners intend to comply with all applicable laws regarding the provision of special education to Charter School students, the Petition does not describe the Charter School’s plan for ensuring that Charter School students receive all special education and related services to which they are entitled. (Petition, pp. 21.) The absence of any substantive plan for special education in the Petition is strong evidence that the Charter School’s founders do not have a sound and realistic plan for meeting their legal responsibilities under both the Individuals with Disabilities Education Improvement Act of 2004 (“IDEA”) and Section 504 of the Rehabilitation Act of 1973 (“Section 504”).

As an initial example of Petitioners’ misunderstanding of special education law, the Petition states that the Charter School has “become an independent LEA and joined the Contra Costa County SELPA pursuant to Education Code Section 47641(a).” (Petition, p. 21) This is not the case. SELPA administrators have indicated that they are

unacquainted with Petitioners and have never been approached by Charter School representatives concerning an application for SELPA membership. The Charter School's intentions with regard to the provision of special education services are further confused by language elsewhere in the Petition stating that "after becoming an independent LEA [the Charter School] will join the Contra Costa County SELPA pursuant to Education Code Section 47641(a)." (Petition, p. 20) These contradictory statements suggest that Petitioners are unaware of the distinction between a charter school that is deemed a public school of the district for the purposes of special education, and a charter school that operates as its own LEA pursuant to Education Code section 47641. This threshold determination is critical for establishing how responsibility for the provision of special education will be allocated between a charter school and its chartering agency. Petitioners' confusion regarding this fundamental distinction is troubling.

2. *Delineation of Duties; Funding; Staffing.* Of related concern, the Petition does not describe how it proposes to allocate the actual responsibility for the provision of special education and related services between the District and the Charter School and does not identify the specific funding mechanisms that it is proposing. There is no indication that Petitioners understand how funding will occur, or how the Charter School intends to work collaboratively with the District to ensure that all eligible pupils are provided with a free appropriate public education ("FAPE").

It is unclear whether Petitioners intend to take over responsibility for providing special education services to eligible pupils with its own staff. If that is the intention, the Petition does not describe how the Charter School would attract, recruit, and hire appropriately trained and credentialed personnel to provide special education to children with disabilities. Moreover, the Petition does not include job descriptions for special education teachers, special education aides, speech and language pathologists, school psychologists, occupational therapists, or any other special education staff.

3. *Identification; Referral; Assessment.* The Petition does not include any substantive discussion as to how students are referred for possible special education eligibility or any indication that Petitioners are cognizant of the requirements in state and federal law related to assessments for special education eligibility. Specifically, there is no mention of how, or if, Petitioners intend to ensure that appropriate special education assessments are timely conducted by qualified assessors, in accordance with state and federal law. Petitioners also fail to include any provision in the Petition describing the Charter School's obligations to timely refer students for mental health assessments. Petitioners do not describe any of the legal timelines mandated for referral, development of an assessment plan, and convening an IEP team meeting following assessment. The Petition's almost complete lack of discussion as to its duties and obligations with regard to the identification, referral, and assessment of students who may be eligible for special education and related services raises serious concern that Petitioners cannot ensure that Charter School pupils will receive the services to which they are legally entitled under federal and state special education law.

4. *Extended School Year.* Although the Petition indicates that the Charter School will operate an “extended school day, extended school year, and extended summer break” for students who do not meet grade level standards and requirements (Petition, p. 12), the Petition fails to discuss the Charter School’s obligation to provide extended school year (“ESY”) services for an eligible student as determined by the student’s IEP team. It is not clear if the Charter School intends the District to provide those services, and if so, where they are to be provided during the ESY period. The Charter School cannot rely on the District to provide these services unless an agreement is reached regarding same.

5. *Development of IEPs.* Further demonstrating Petitioners’ lack of familiarity with the IDEA, there is no indication in the Petition that they are aware of state and federal requirements regarding a properly noticed and convened IEP team meeting. Neither is there any language establishing that Petitioners are aware that an IEP requires programmatic decisions that are individualized to the student, and designed to meet the student’s unique needs, based on input from his/her IEP team. (Ed. Code §§ 56323, and 56329.) Further, there is no description of the Charter School’s duties and obligations with regard to development of an appropriate IEP for each eligible student, and no discussion of the relevant timelines set out in state and federal law concerning development of an initial IEP, or annual and triennial IEP team review meetings.

Additionally, the Petition fails to identify or discuss the Charter School’s responsibility to provide an interim placement and/or comparable services when a student with an IEP enters the Charter School during the academic school year. Petitioners appear to be unaware that under Education Code section 56325, the Charter School may be required to provide “comparable services” for up to thirty days.

6. *Additional Missing Special Education Program Elements.* The Petition also fails to describe the following special education program elements: the implementation of eligibility criteria; how the Charter School will respond to requests for Independent Educational Evaluations; how the Charter School will timely refer students with special needs for reevaluations and behavioral assessments; how the Charter School will comply with Least Restrictive Environment mandates; the method by which the Charter School’s special education program will comply with independent study law; or the method by which the Charter School will address filings for due process.

7. *Section 504.* Other than asserting an intent to comply with the law, the Petition otherwise fails to discuss the provision of services to Charter School students pursuant to Section 504 of the federal Rehabilitation Act of 1973 (“Section 504”) (Petition, p. 21) The Charter School’s duties and obligations for the provision of special education and related services pursuant to the IDEA are separate and distinct from its responsibilities under Section 504. Without a clear and complete description of the Charter School’s plan for the provision of Section 504 services and accommodations, the District cannot adequately assess Petitioners’ understanding of its obligations under the law.

In sum, the foregoing provisions do not demonstrate that Petitioners understand the scope and nature of their duties and responsibilities under state and federal special education law.

**Finding 2: The Petitioners are Demonstrably Unlikely to Successfully Implement the Program Set Forth in the Petition.**

In order to successfully implement the educational program described in the Petition, the Petition must demonstrate that its policies and procedures are consistent with the educational program. Based upon the information provided in the Petition, the Petitioners are demonstrably unlikely to successfully implement the educational program for the following reasons:

- A. The employee qualifications described in the Petition are inconsistent with the educational program.
  - B. The Petition presents an inadequate and unrealistic financial and operational plan for the proposed charter school.
  - C. The Petition fails to provide certain policies and procedures described in the Petition that are necessary to confirm that the program can be implemented.
- A. The employee qualifications described in the Petition are inconsistent with the educational program.

As noted above, Petitioners have not indicated how they intend to assure that ELLs are provided with sufficient ELD instruction in the classroom to enable them to progress to measurable fluency in English. Moreover, other than indicating that teachers must hold appropriate California teaching credentials, the job qualifications included in the Petition do not actually require teachers to have either a CLAD or BCLAD credential, despite the anticipated ELL student population. Because the Petition does not describe how classes will be assigned to teaching staff, it is not possible to determine how many teachers at each grade level Petitioners intend to hire, and if they propose to hire separate teachers for each subject area in the upper grades.

Additionally, the employment qualifications for teachers of non-core classes are vague as presented in the Petition. Specifically, the Petition states that the Charter School intends to hire instructors for non-core curriculum subjects including music, art, foreign languages, and physical education. (Petition, p. 33) Petitioners state that these non-credentialed instructors will have subject matter expertise, professional experience and the demonstrated ability to engage students “as determined by the School.” (Petition, p. 33) However, the Petition does not describe how the Charter School will determine what constitutes sufficient expertise or experience. While charter schools have “flexibility” for hiring instructors for non-core classes, the qualifications for these positions should be high and clearly articulated.

In light of the student population proposed to be served by the Charter School, the teacher qualifications described in the Petition are inconsistent with the educational program and therefore, Petitioners are unlikely to successfully implement the proposed educational program.

B. The Petition presents an inadequate and unrealistic financial and operational plan for the proposed charter school.

A review of the Charter School's proposed Budget and Budget Narrative and multi-year plan (Petition, Appendix N) raises several significant concerns, including the following:

1. As noted above, the Petition must include a three year projected operational budget. (Ed. Code § 47605(g).) However, no first year operational budget was submitted by Petitioners. Instead, the Petition includes only the budget narrative and a "multi-year planning budget." (Petition, Appendix N.)
2. Cash flow statements submitted by Petitioners for the first two years of the Charter School's operation did not meet generally accepted accounting principles ("GAAP"); the submitted documents did not detail revenue on a monthly basis and did not list any expenses.
3. The Charter School's multi-year planning budget lists no sources for: "other revenue" in the amount of \$30, 985; "start-up capital" in the amount of \$5,000, and "other verifiable fund raising" in the amount of \$100,000. No sources of supplemental working capital are provided.
4. Start-up revenues of \$510,985 is less than start-up costs of \$658,173—a difference of \$147,188.
5. The multi-year projection does not include special education expenses, resulting in miscalculation of the 3% reserve in the submitted multi-year projections. When special education expenses are added to expenditures, the Charter School's fund balance is negative in Years 1 and 2, and the ending balance in Years 3-5 will leave the charter school with little or no reserves. This projection is particularly worrisome in light of expected mid-year cuts.
6. The insurance calculation appears to be lower than would be expected for a charter school, and Petitioners have not provided any information as to how they have calculated this amount.
7. No expenditures are identified for legal expenses.

8. Petitioners have indicated that they expect 20% participation in federal Free and Reduced Lunch programs; however, the Petition does not indicate how Petitioners arrived at this calculation.
9. An average certificated salary for the Charter School's first year is listed as \$52,000. Again, there is no explanation as to how this figure was determined, or how it, or the administrative, clerical, maintenance, food service and classified salaries included in the Petition, compare to District salaries, or certificated salaries at other local charter schools.
10. The budget and multi-year plan do not include the costs of hiring a certificated school nurse or contracting with a private agency for health and nursing services.

In addition, the Petition does not provide a description of the annual budget development, implementation and review process, including the process by which the Charter School leadership will monitor and report regarding the continued financial solvency of the Charter School. As a result of the foregoing financial issues, Petitioners are demonstrably unlikely to successfully implement the proposed program.

C. The Petition fails to provide certain policies and procedures described in the Petition that are necessary to confirm that the program can be implemented.

1. *Health and Safety Policies and Procedures.* Education Code section 47605(b)(5)(F) requires the Petition to include "the procedures that the school will follow to ensure the health and safety of pupils and staff." Petitioners have indicated that they plan to "adopt and implement full health and safety procedures" for the Charter School and have included copies of draft health and safety policies at Appendix H. (Petition, p. 35-36, 70-78.) These draft policies appears to be boilerplate language lifted verbatim from several other charter petitions submitted around the state and provide little insight into how Petitioners actually plan to implement the policies.

Of particular concern is language assigning primary responsibility for the administration of medication to students during the school day to "the parent/guardian, student and medical profession." (Petition, p. 75.) The Petition further states that the school will "endeavor to provide for the administration of prescribed medication" only if the student is unable to self-administer his or her medication. (Petition, p. 75.) Petitioners misunderstand their obligations in this regard. In fact, pursuant to both the IDEA and Section 504, if a student requires health or nursing services while at school to access his or her education, the school must provide those services. (34 C.F.R. § 300.34(c)(13); 34 C.F.R. § 104.4.) A parent/guardian or a student cannot be required to administer necessary medication. Additionally, with the exception of emergency doses of glucagon and epinephrine, no provision in California law permits unlicensed school personnel to administer any medication to students at school. (Ed. Code §§ 49423; 5 C.C.R. §§ 601-610.) However, nowhere in the Petition is there any indication that Petitioners will hire a certificated school nurse or contract with an agency for nursing services, and the proposed budget submitted with the Petition does not include any description of funding

reserved for such expenses. Given that a single student with diabetes may need substantial nursing services, including the administration of insulin multiple times during the school day, these omissions suggests that Petitioners are not familiar with the legally-mandated requirements and costs for the provision of health and nursing services to students who require such services to access their educational program.

Of further concern, Petitioners have indicated that they intend to adopt a sexual harassment policy (Petition, p. 26), but no draft policy is included in the Petition.

In sum, without additional information, copies of the required policies and procedures, and a realistic assessment of staffing and budget projections needed to provide for the health and safety of its students, the District cannot evaluate whether those policies will sufficiently protect the health and safety of pupils and staff, thereby facilitating successful implementation of the Charter School program. Petitioners' failure to develop comprehensive health and safety policies again demonstrates that they are demonstrably unlikely to successfully implement the Charter School's program.

2. *Free Speech and Expression Rights.* Recently enacted Senate Bill ("SB") 438 amends Education Code section 48907 to require charter schools to give their students freedom of the press and expression in what they say, wear, and write in official school publications. Section 48907 further requires charter schools to adopt a written policy that includes reasonable restrictions for conducting such activities. The Petition does not include the required policy and its absence suggests that Petitioners may not be aware of current law related to charter schools.

### **Finding 3: The Petition Does Not Contain the Number of Signatures Required by Law.**

As noted above, a charter petition may be denied on the grounds that the petition does not contain the number of signatures required by Education Code section 47605, subdivision (a)(1)(A) or (a)(1)(B). In this case, Petitioners have submitted a petition from parents, which means that the petition must be signed by a number of parents or legal guardians of pupils that is equivalent to at least one-half of the number of pupils that the Charter School estimates will enroll in the school for its first year of operation. (Ed. Code § 47605(a)(1)(B).)

In this case, Petitioners anticipate an enrollment of 302 students in the Charter School for the 2011-2012 school year, thereby requiring a minimum of 151 signatures on the Petition. (Petition, p. 14) At Appendix P, the Petition includes a list of names of persons who "certify that they are meaningfully interested in having their children attend the Shining Crescent Charter School." However, the submitted list does not include sufficient signatures to meet the requirements of the law. Even assuming that each name or signature contained in the Petition is valid and can be counted toward the 151 required signatures, there are only 114 signatures included at Appendix P. Moreover, some signatures appear to be duplicates, or appear to be the signatures of members of the same family residing at the same address. Other signatures are not accompanied by any

contact information. In some cases, pages of the Petition include a list of names in the same handwriting, some of which do not include a signature. (Petition, Appendix P.) Moreover, none of the parties who have signed the petition have indicated how many children they have, or the ages or grade levels of those children. Without this information, the District cannot tell how many parents are truly “meaningfully interested” in having their children enrolled in the Charter School during its first year of operation.

**Finding 4: The Petition Does Not Contain Reasonably Comprehensive Descriptions of Certain Required Elements**

The Petition does not contain reasonably comprehensive descriptions of certain elements set forth in Education Code section 47605, subdivisions (b)(5)(A-P), as set forth below.

A. Governance Structure: Family Participation (Petition, p. 32.)

Pursuant to Education Code section 47605(b)(5)(D), a charter petition must include a reasonably comprehensive description of the governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement. The Charter School’s plan for ensuring parental participation does not meet this standard.

Petitioners first acknowledge that family involvement in the education process is an important factor in student success, but it fails to identify how the Charter School intends to promote parental involvement, or what specific opportunities parents will have to participate in the governance or activities of the school. (Petition, p. 32) There is no indication as to whether the Charter School anticipates that parents will serve as tutors or provide other classroom support, and if so, what qualifications for those positions will be required. No mention is made of the Charter School’s obligation, if it intends to apply for Title I funding, to develop an English Language Advisory Council (“ELAC”) or a School Site Council (“SSC”), both of which provide important opportunities for parental participation.

Additionally, the Petition indicates that the Charter School will utilize “family and community volunteers to enhance and extend all aspects of the School’s education program.” (Petition, p. 32) While this reflects a laudable goal, it is not apparent from the Petition the extent to which the Charter School will rely on these parent and community volunteers. The Petition does not indicate what program elements will benefit from parent participation, and how parents and other volunteers will be supervised. No information is provided as to whether parents serving in certain roles will be, like the employees described in the Petition, required to submit to criminal background checks and furnish criminal record summaries.

B. Governance Structure: Dispute Resolution Process.

A charter petition must include the procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to the provision of the charter.



(Ed. Code § 47605(b)(5)(N).) However, Petitioners appear to have received little guidance in this respect, as evidenced by the fact that they have included in the Petition a process for resolving disputes between a charter school and the State Board of Education, rather than a local chartering district. As with other major elements of the Petition, Petitioners appear to have lifted their dispute resolution plan from another charter petition. This sort of shortcut might be acceptable if it was clear from the body of the Petition that Petitioners truly understood the requirements under the law for a dispute resolution process. Without a complete and thorough description of a process for resolution of disputes between the charter school and the District, this element of the Petition is insufficient.

C. Governance Structure: Conflicts of Interest

As a “local government agency” for the purposes of compliance with the Political Reform Act (“PRA”), charter schools are required to adopt and maintain a conflict-of-interest code or comply with the chartering district’s code. (Gov. Code § 87300; FPPC Advice Letter A-02-223, 2002 WL 31299660 (Sept. 26, 2002).) However, nowhere in the Petition have Petitioners indicated that they intend to comply with the PRA. No Conflicts of Interest policy is included in the Petition, and Petitioners do not otherwise indicate their intent to comply with the District’s conflicts code.

D. Racial and Ethnic Balance (Petition, pp. 41.)

The Petition must include a reasonably comprehensive description of the means by which the Charter School will achieve a racial and ethnic balance among its students *that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted*. (Ed. Code § 47605(b)(5)(G).) However, Petitioners’ plan for achieving the required racial and ethnic balance at the Charter School as set out in the Petition is squarely at odds with their stated intention of targeting “children from Africa, the Middle East and South Asia: India-Pakistan-Afghanistan-Bangladesh and surrounding areas.” (Petition, p.13.) Elsewhere in the Petition, Petitioners further state that they intend to serve families residing within the District, “with a particular emphasis on the targeted community.” (Petition, p. 41.)

Review of demographic data for the District, shows that for the 2009-2010 school year, the District’s student population reflected the following percentages of student population groups:

Hispanic /Latino of any Race:	48%
American Indian/Alaska Native:	<1%
Asian:	11%
Pacific Islander:	1%
Filipino:	6%
African American:	23%
White:	12%
Multiple Races/No Response:	<1%

Accordingly, Petitioners must present a plan for achieving a racial/ethnic balance that reflects a student body that is almost half Hispanic/Latino students. However, no elements of the Charter School's outreach plans describe any specific efforts to recruit and enroll Hispanic/Latino students. (Petition, p. 41.) Specifically, Petitioners do not indicate whether fliers, brochures, and other recruitment materials will be in Spanish. Instead, Petitioners simply assert that recruitment materials will be distributed in English and other languages (the primary languages of the families in the surrounding neighborhood.) It is unclear what "surrounding neighborhood" Petitioners are referencing. (Petition, p. 41.) Moreover, although Petitioners anticipate a start-up date for the Charter School in August 2011, none of the proposed strategies for achieving a racial/ethnic balance among the Charter School's students have yet been developed or implemented. Coupled with Petitioners' repeated statements indicating that they intend to target "children from Africa, the Middle East and South Asia: India-Pakistan-Afghanistan-Bangladesh and surrounding areas." (Petition, p. 13.) Petitioners' skeletal description of its recruitment plan strongly suggests that they expect to forego any genuine efforts to achieve a racial/ethnic balance that reflects the District as a whole.

Lastly, it is important to note that targeting recruitment only to students of a particular race, ethnicity or nationality can potentially be challenged as discriminatory. The Charter School may not overtly or directly make students eligible for enrollment solely on the basis of race, ethnicity or nationality, or discriminate against other groups of students solely on the basis of not being "children from Africa, the Middle East and South Asia: India-Pakistan-Afghanistan-Bangladesh and surrounding areas." (Cal. Const., Art. I, §31(a); Ed. Code § 220; American Civil Rights Foundation v. Berkeley Unified School District (2009) 172 Cal.App.4th 207.) Petitioners' outreach plan should ensure that all children in the District are made aware of the Charter School. The more the Charter School appears to single out one group of students, the more likely it is that the Charter School will be susceptible to a successful legal challenge.

E. Suspension and Expulsion Procedures (Petition, pp.40, 76-86.)

The Petition does not sufficiently describe the procedures by which pupils can be suspended or expelled. (Petition, pp. 76-86.) In the body of the Petition, Petitioners state that the Charter School's Board will develop a suspension and expulsion policy and procedure, suggesting that no such policy exists at this time. (Petition, p. 40.) However, Appendix I describes "Pupil Suspension and Expulsion Procedures." As with other sections of the Petition and its appendices, it appears that Petitioners may have lifted this policy wholesale from another charter petition.

Charter Schools are not required to follow the Education Code when disciplining students, but they are required to comply with the due process rights of students assured under the federal and state constitutions. (Goss v. Lopez (1975) 419 U.S. 565; Wood v. Strickland (1975) 421 U.S. 921.) This includes providing students with prior notice of any disciplinary procedures that will be followed. Close examination of the Charter's School statements regarding student discipline and the attached policy and procedures

indicate that Petitioners lack a clear understanding of the due process rights that must be afforded to students facing disciplinary proceedings. Of particular concern, the proposed suspension and expulsion policy notes that the list of offenses supporting suspension and expulsion “is not exhaustive and depending on the offense, a pupil may be suspended or expelled for misconduct not specified above.” (Petition, p. 82.) That is not the case. Due process requires that students be notified of the specific offenses that may result in discipline.

In addition, the Petition makes broad, general statements regarding disciplinary procedures, but lacks specificity as to types of behavior warranting discipline, nor does it reference the degree of discipline appropriate for particular offenses. The Petition makes frequent reference to disciplinary action for failure to meet certain undefined “academic or behavioral expectations.” (Petition, p. 40.) Again, due process requires that students be notified as to what academic and behavioral standards they are expected to meet, if violation of such standards would result in disciplinary action.

The Petition states no standard upon which an expulsion panel may expel a student, as opposed to simply suspending the student or imposing a remediation agreement. It does not specify the number of violations that would require a meeting and/or remediation agreement. The Petition further does not clarify what constitutes an immediate threat to health and safety that would warrant immediate suspension and eventual expulsion. (Petition, p. 40.)

### **Additional Comments**

As noted in the Introduction to these findings, Petitioners make several references to the difficulty that families from the targeted populations (i.e., Africa, South Asia, and the Middle East) have in adjusting to an American society which permits “the free mixing of the sexes” and the particular problems faced by children transitioning “from segregated societies to integrated societies.” (Petition, p. 9) Petitioners note that “this is especially difficult for children when they become teenagers and hormones start creating problems.” (Petition, p.9) These comments, as well as Petitioners’ description of the use of student groupings defined by “such factors as skills, ability, age, gender, and interest” (Petition, p. 17), suggest that as a remedy to family concerns regarding the mixing of the sexes, Petitioners may be contemplating the establishment of single-sex classrooms at the Charter School. If that is Petitioners’ intent, the Petition must clearly describe its plan for meeting the legal requirements set out in Title IX and its implementing regulations regarding the provision of single-sex instruction. (See 34 C.F.R. § 106.34.) In sum, if Petitioners intent is to segregate the sexes, the Petition’s lack of specificity as to how Petitioners would structure such a program in compliance with the law, presents both an unsound educational program as well as one that Petitioners are demonstrably unlikely to successfully implement.

### **Recommendation of Denial of Petition**

Based on the foregoing, staff makes the following recommendations:

1. That the Petition be denied for reasons including, but not limited to, the failure of the Petitioners to present a sound educational program.
2. That the Petition be denied for reasons because it is demonstrably unlikely that the Petitioners will successfully implement the program set forth in the Petition.
3. That the Petition be denied because, as described above, it does not contain reasonably comprehensive descriptions of all of the items required by Education Code section 47605, subdivision (b)(5).
4. That the Petition be denied because it does not contain reasonably comprehensive descriptions of certain required elements set forth in Education Code section 47605, subdivisions (b)(5)(A-P).

In order to deny the Petition on the grounds set forth above, Education Code section 47605, subdivision (b), requires the Governing Board to make “written factual findings, specific to the particular petition, setting forth specific facts to support one or more” grounds for denying the Petition. District staff recommends that the Board adopt these final findings of fact as its own, should the Board decide to deny the Petition.