

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

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

**AUGUST 15, 2012**

**6:00 – 7:20 PM**

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

**AUGUST 15, 2012**

**7:30 PM**

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**BOARD AGENDA PACKETS AND INFORMATION:**

Complete Board meeting packets are available for review at the Administration Building, the District's six high schools, and at public libraries throughout West County.

Complete Board agendas and packets are available online at: <http://www.wccusd.net>

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**VIEWING AND LISTENING TO 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 meeting times for tonight are as follows:

- |         |   |
|---------|---|
| 5:30 PM | The Board will convene at 5:30 PM in the Multi-Purpose Room to receive comments from anyone wishing to address the Board regarding closed session items (see Exhibit A). The Board will then adjourn to closed session. |
| 6:00 PM | Joint Meeting of the Board of Education and Citizens' Bond Oversight Committee  |
| 7:20 PM | Break   |
| 7:30 PM | The Board will reconvene in open session to address the regular agenda.   |

**Order of Business:**   **ORDER OF BUSINESS MAY BE CHANGED WITHOUT NOTICE**

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

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

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
JOINT BOARD OF EDUCATION AND  
CITIZENS' BOND OVERSIGHT COMMITTEE MEETING  
MEETING AGENDA  
AUGUST 15, 2012  
6:00 – 7:20 PM**

**A. OPENING PROCEDURES**

- A.1 Welcome and Meeting Procedures
- A.2 Pledge of Allegiance
- A.3 Roll Call
- A.4 Approval of Agenda
- A.5 Approval of Minutes
- A.6 Chair's Report

**B. DISCUSSION ITEMS**

- \* B.1 Grand Jury Report No. 1208, "School Bond Oversight Committees, Raising the Bar"
- \* B.2 Facilities Program Update

**C. PUBLIC AND COMMITTEE COMMUNICATIONS**

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

**C.1 Public Comment**

Public Comment for items not on the agenda. Public comment on agenda items shall be at the time of consideration of the items.

**D. ADJOURNMENT**

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

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION MEETING  
MEETING AGENDA  
AUGUST 15, 2012  
7:30 PM**

**B. OPENING PROCEDURES**

- B.1 Pledge of Allegiance**
- B.2 Welcome and Meeting Procedures**
- B.3 Roll Call**
- B.4 Report/Ratification of Closed Session**
- \* **B.5 Agenda Review and Adoption** (Public Comment)
- \* **B.6 Board Minutes:** July 23, 2012; August 1, 2012

**C. BUSINESS ITEMS**

**CONSENT ITEMS** (Routine Matters)

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

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

Comment:

Formal action is requested from the Board of Education to accept the grants/awards/agreements, as detailed dated August 15, 2012.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per grants summary

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

Comment:

The District has received donations as summarized dated August 15, 2012. 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 2012-13 school year are summarized dated August 15, 2012.

Recommendation:  
Recommend Approval

Fiscal Impact:  
Additional revenue for schools

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

Comment:  
The summaries of Payroll and Vendor Warrants issued during the month of July 2012 are provided.

Total of payroll warrants (July 2012):	\$ 4,399,630
Total of vendor warrants (July 2012):	\$10,803,386
Total of vendor warrants (July 2012)	\$20,617,296 accrual (2011-2012)

Recommendation:  
Recommend approval of the payroll and vendor warrant reports

Fiscal Impact:  
As noted above

**\*CI C.5 Community Budget Advisory Committee Ratification of Roster**

Comment:  
The most up to date roster for the Community Budget Advisory Committee is provided. The roster is brought forward to the school board for ratification in order to keep the official record of the committee up to date. The CBAC is currently seeking nominations for the vacant position of teacher representative. The committee will also have five positions open for appointment in December of 2012.

Recommendation:  
Recommend Approval

Fiscal Impact:  
None

**\*CI C.6 Waiver – Allowance of Attendance at Chavez Elementary (Form J-13 A)**

Comment:

When one or more schools are closed due to an emergency a school district may request a waiver for the lost instructional minutes and day(s) of attendance. The waiver is submitted to the County Office of Education and if approved is submitted to the California Department of Education. On Friday, May 18, 2012 Chavez Elementary School was closed due to a gas leak. The school was evacuated and student attendance was not taken for the day. The waiver requests an authorization to obtain credit for the minutes and day of attendance lost due to the emergency. Instructional days and minutes are a component of the annual audit, without a waiver this day would be an audit exception. Penalties are assessed when schools do not meet the annual day and minute requirements.

Recommendation:

Approve the request for waiver

Fiscal Impact:

None

**\*CI C.7 Routine Personnel Changes - Certificated**

Comment:

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

Recommendation:

For Information Only

Fiscal Impact:

None

**\*CI C.8 Acceptance of Contracts for Placement of Student Teachers**

Comment:

Teachers in this district provide supervision and evaluation for student teachers seeking credentials to teach in California public school classrooms. These arrangements are made between the institution of higher education and the individual classroom teacher.

Staff requests approval from the Board of Education to accept Contracts for Placement of Student Teachers as detailed, dated August 15, 2012.

Recommendation:

Recommend Approval

Fiscal Impact:

None

**\*CI C.9 Certificated Board Authorization - Education Code 44285.3**

Comment:

Ed Code 44285.3 allows the Governing Board of a school district to authorize the holder of a multiple subject, standard elementary, single subject or standard secondary, credential with his or her consent, to teach departmental classes in grades K-12 provided the teacher has adequate knowledge of subject matter.

Recommendation:

Recommend Approval

Fiscal Impact:

None

**\*CI C.10 Approve New Job Description: After School Program Coordinator**

Comment:

The After School Program (ASP) has evolved from being a self-contained program into utilization of Community Based Organizations (CBO's), which profoundly impacts the job description of the job classification providing ASP oversight, management, reporting and coordination. The title change from After School Program Manager to After School Program Coordinator accurately reflects new duties and commensurate placement on the SSA salary schedule.

The District and School Supervisors Association (SSA) have met and approved the new After School Program Coordinator job description.

Recommendation:

Recommend Approval

Fiscal Impact:

\$22,671 (After School Program Funding)

**\*CI C.11 Ratification and Approval of Engineering Services Contracts**

Comment:

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

Recommendation:

Ratify and approve contracts as noted

Fiscal Impact:

Total for this action: \$ 290,250. Funding sources as noted.

**\*CI C.12 Ratification and Approval of Negotiated Change Orders**

Comment:

Staff is seeking ratification of change orders on the following current District construction projects: DeAnza High School Replacement Campus and Nystrom Elementary School Multi-Purpose Room. Change orders are fully executed by the District upon signature by the Superintendent's designee. Board ratification is the final step required under state law in order to complete payment and contract adjustment.

In addition to normal ratification, approval of the noted change order for the El Cerrito High School Sports Field project is required by the Board, with special findings as noted below, because these projects are in excess of the Public Contract Code limit of 10% of the original contract value. In accordance with Public Contract Code 20118.4, the Board, by approving and ratifying these change orders, finds that it would have been futile to publicly bid the work in question because of the tight time frames to complete this work without affecting the operations of the District, and that the public is best served by having this work completed by the contractor on the project.

Recommendation:

Ratify negotiated change orders as noted

Fiscal Impact:

Total ratification and approval by this action: \$202,843.68

**\*CI C.13 Approval of Additional Program Management General Conditions Reimbursable Expenses**

Comment:

The District has retained Seville Group (SGI) as the Program Manager for the Bond program. A portion of the Program Management contract for the firm is known as General Conditions Reimbursable expenses ("GCR's"). These are costs which the District has negotiated as a part of the contract for which the firm bills direct expense, plus markup. General Conditions Reimbursable expenses include computer software/hardware expenses, office equipment, legally required advertisements, postage, security, office supplies, and telephone/fax expense. These types of costs also include personnel such as the Facilities Operations Center Receptionists, Network Administrator, and Fiscal Controls Specialist. In addition, these costs include Cost Estimating, Scheduling, and Software Programming.

Recommendation:

Approve additional Program Management General Conditions Reimbursable expenses for Seville Group, Inc.

Fiscal Impact:

Total for this action: \$1,268,328. Funding source is Measures D and J Bonds. Program Management General Conditions Reimbursable expenses.



**\*CI C.14 Remembrance for Terence Martin Day – August 23, 2012**

Comment:

Terence Martin was a dedicated father, community member and school employee who gave his life while going to the assistance of a citizen of our community. In 2005 the Board of Education declared, in perpetuity, August 23<sup>rd</sup> as Terence Lionel Martin Day in honor of his dedication and commitment to our school district and community. August 23<sup>rd</sup> is a day to remember Terence and what he stood for and believed in: taking care of one another.

Recommendation:

For Information Only

Fiscal Impact:

None

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

**D.1 Standing Reports**

Representatives of the following committees and employee unions are invited to provide a brief update to the Board. Representatives from these groups should 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	Linked Learning – Multiple Pathways
Bayside Parent Teacher Association	Safety Committee
Citizens' Bond Oversight Committee	Special Education Citizens Advisory Committee
Community Budget Advisory Committee	Youth Commission
Facilities Subcommittee	Public Employees Local 1
Ivy League Connection	United Teachers of Richmond

**\* D.2 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.

Mr. Thad Johnson recently passed away. Mr. Johnson retired in 2009 as Head Custodian for Sheldon Elementary School with 32 years of service to the District.

Kennedy High School junior Ulises Grijalva was killed recently. The varsity offensive lineman on the Kennedy football team was respected by his coach and teammates. He always had a smile on his face.

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 Request to Address the Board – Diane Brown**

Comment:

Diane Brown, United Teachers of Richmond President, will address the Board regarding Common Core Standards.

Recommendation:

For Information Only

Fiscal Impact:

None

\* **E.3 WCCUSD Public Comment**

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

**F. ACTION ITEMS**

**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 – September 5, 2012

**K. ADJOURNMENT**

At 10:00 PM, any items remaining on the agenda that require immediate attention will be moved to this time. All other items will be tabled to another or the following Board meeting in order to make fair and

attentive decisions. The meeting will adjourn at 10:30 PM. The meeting may be extended by a majority vote of the Board of Education.

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

Agenda Item: A

**A. CLOSED SESSION**

**A.1 CALL TO ORDER**

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

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

**See Exhibit A**

(Government Code Section 54954.5)

The **Open Session** will resume at the end of the **Closed Session** in the Multi-Purpose Room at approximately **7:30 PM**.

**EXHIBIT A**

(Government Code Section 54954.5)

**CLOSED SESSION AGENDA**

**August 15, 2012**

**1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

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

1. WCCUD 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)**

Four cases

**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)

Certificated / Classified Employee Dismissal

**10. REPORT OF CLOSED SESSION ACTIONS**