

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
MEETING AGENDA
OCTOBER 24, 2012**

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.

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.

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.

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 **5:30 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.

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.

"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 El Cerrito High School

B.5 Report/Ratification of Closed Session

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

* **B.7 Minutes: October 10, 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 October 24, 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 October 24, 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 October 24, 2012.

Recommendation:
Recommend Approval

Fiscal Impact:
Additional revenue for schools

***CI C.4 Contracted Services**

Comment:
Permission is requested of the Board of Education to approve the following contracts for services as detailed dated October 24, 2012.

Recommendation:
Recommend Approval

Fiscal Impact:
As noted per contracts summary

***CI C.5 Resolution 23-1213: Authorizing Investment of Monies in the Local Agency Investment Fund (LAIF)**

Comment:
The Contra Costa County Treasurer's Office is requesting that all Local Agency Investment Fund (LAIF) participants update their accounts. The resolutions provided update the authorized signatures and authority for these accounts.

To comply with LAIF's policies, the Treasurer's Office is requesting that the board members approve a letter delegating the Treasurer's Office authority to conduct transactions on behalf of the district.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.6 Actuarial Valuation of Postemployment Health**

Comment:
The District commissioned an actuarial valuation of postemployment healthcare benefits which was completed by Nicolay Consulting Group. Staff will present the key components of the Actuarial Valuation of Post Retirement Health Benefits. The valuation date of this report is July 1, 2012, but takes into account retirement and employment activity through September 2012.

This report establishes the District's Other Post Employment Benefit (OPEB) liability in compliance with Governmental Standards Accounting Board (GASB) 45.

The Actuarial Valuation report is posted on the WCCUSD website and a copy is at the reception desk at 1108 Bissell Avenue, Richmond, CA.

Recommendation:

Accept Actuarial Valuation report

Fiscal Impact:

A reduction to the present value OPEB liability of future postemployment healthcare benefits of \$27,979,715. A reduction to present value OPEB liability attributable to past service GASB 45 liability of \$20,992,346.

***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 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: \$322,960. Funding sources as noted.

***CI C.9 Ratification and Approval of Negotiated Change Orders**

Comment:

Staff is seeking ratification of change orders on the following current District construction projects: Collins Elementary School Fire Alarm, Ohlone Elementary School Phase 1 Campus Replacement, Coronado Elementary School Interim Campus, Pinole Middle School MPR Audio-Visual, and Helms Middle School MPR Audio-Visual. 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 orders for the Helms Middle School MPR Audio-Visual 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: \$73,455.23

***CI C.10 Board Re-Approval of Single Plans for Student Achievement (SPSAs) from Federal Program Monitoring Visit Requirement**

Comment:

The Single Plan for Student Achievement serves as a vehicle for communicating information about a school's vision, initiatives to improve academic achievement, as well as a description of how supplemental categorical funds from the Consolidated Application are used to support these efforts. School plans describe legally-mandated requirements and comprehensive programmatic information that includes:

- a description of how parents are involved in the school program;
- Adequate Yearly Progress (AYP) data analysis and assessment of student learning;
- an action plan for improving student achievement and closing the achievement gap;
- a plan to improve attendance; and
- a plan to promote a safe, welcoming and disciplined learning environment.

Training and support are provided to assist schools in using the template, analyzing data and completing the SPSAs. The plans are developed and approved by the School Site Councils (SSCs). The plans are available for review on the District website and at the Educational Services Department located at the Vista Campus.

WCCUSD had a Federal Program Monitoring (FPM) visit and was mandated to re-submit the following 4 (Bayview, Helms, Kennedy, Richmond) SPSA plans with updated template language. They are being submitted tonight for the WCCUSD's board of education approval.

They are available for review at the receptionist's desk at 1108 Bissell Avenue Richmond, CA and also Vista High School, 2625 Barnard Road, Room 118 San Pablo, CA

Recommendation:

Recommend Approval

Fiscal Impact:

Categorical revenue

***CI C.11 Resolution No. 41-1213: Sikh American Awareness and Appreciation Month
November 2012**

Comment:

In recent action the California Legislature called attention to the important contributions made by Sikh Americans to the history of California. The Legislature has declared November 2012 to be California Sikh American Awareness and Appreciation Month.

The Sikh population in California includes large communities in the agricultural towns of the Central Valley. Members of the Sikh community have testified to the State Board of Education that Sikhs have been targets of hate crimes and that young Sikhs have been subjected to bullying because of the different styles of clothing that they wear. Sikh boys are often harassed because of their head coverings, Patka or Turban. Teachers can educate the students and help reduce the harassment of Sikh boys.

This resolution represents the West Contra Costa Unified School District's support to afford the opportunity to better understand, recognize, and appreciate the rich history and shared principles of Sikh Americans, their monotheistic religion and the tenets of their faith, and the important role that Sikh Americans play in furthering understanding and respect among all peoples.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.12 Notification of Claim Rejected**

Comment:

The District has received a claim requesting compensation for personal loss. The District's risk management firm has investigated the claim and is requesting the School Board to ratify the authorized claim rejection.

Recommendation:

Ratify the rejection of claim

Fiscal Impact:

None

D. AWARDS, RECOGNITIONS, AND REPORTS

*** D.1 2012 Academic Performance Index Growth (API) Targets – Report on and Recognition of Schools**

Comment:

API -The California Department of Education (CDE) sets API growth targets for all public schools annually and has computed Academic Performance Indices (APIs) for all public schools since 1999. California draws achievement information from state assessments to calculate one number called the API.

In order for a school to make its API, it must achieve its schoolwide target, as well as targets for all numerically significant subgroups. Any subgroup for which there are 100 valid scores or 50 valid scores comprising at least 15% of the valid scores for a school is identified by CDE as a numerically significant

subgroup. Possible numerically significant subgroups include: African American, American Indian, Asian, Filipino, Hispanic, Pacific Islander, White, Socioeconomically Disadvantaged, English Learners, and Students with Disabilities. Meeting the comparable improvement target means that each student subgroup in the school met its individual achievement goals.

Staff will summarize the districtwide data and then recognize WCCUSD schools for making API targets.

Recommendation:

School Board recognition of schools meeting all 2012 API criteria

Fiscal Impact:

None

* **D.2 Energy Balance 4 Kids**

Comment:

The Energy Balance 4 Kids (EB4K) w/ Play is a program being provided in five elementary schools in WCCUSD last year and this year including Ford, Washington, Sheldon, Montalvin and Wilson. It is a partnership between the Academy of Nutrition & Dietetics and Playworks, with Registered Dietician Nutrition coaches and Playworks recess coaches teaching students about Energy Balance through healthy eating and physical activity. The program is being evaluated by UC Berkeley's Center for Weight and Health. Last week these five schools were recognized by the U.S. Department of Agriculture Healthier US Schools Bronze Award.

Recommendation:

Information only

Fiscal Impact:

None

* **D.3 Preschool Program Update**

Comment:

Staff will give a brief update on the WCCUSD Preschool program and assessment materials, as well as share information about new preschool state law.

Recommendation:

Report

Fiscal Impact:

None

* **D.4 Budget Update**

Comment:

Associate Superintendent Business Services will provide an update on the budget and information on the Actuarial Study that is on the consent agenda.

Recommendation:
For Information Only

Fiscal Impact:
None

* **D.5 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	Safety Committee
Citizens’ Bond Oversight Committee	School Supervisors Association
Community Budget Advisory Committee	United Teachers of Richmond
Facilities Subcommittee	Youth Commission
Ivy League Connection	
Linked Learning – Multiple Pathways	

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

* **E.3 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.

Ms. Audrey Godfrey, Cook/Manager at Pinole Valley High School recently passed away. Ms. Godfrey worked for the Food Service department for twenty years, at Richmond High, the Nutrition Center and Adams Middle School.

Ms. Susie Ko recently passed away. She worked for the District as a substitute instructional classroom aid until 1997. Ms. Ko most recently taught school at St. Patrick School in Rodeo, where her children attended. Our thoughts go out to the family and friends in the loss of their loved one.

Recommendation:
For Information Only

Fiscal Impact:
None

F. ACTION ITEMS

* F.1 CalPERS Retiree Benefit Resolutions

Resolution No. 28-1213: Unrepresented Classified Confidential
Resolution No. 29-1213: Public Employees Union, Local 1
Resolution No. 30-1213: School Supervisors Association
Resolution No. 31-1213: Unrepresented Certificated Management
Resolution No. 32-1213: Unrepresented Classified Management
Resolution No. 33-1213: West Contra Costa Administrators Association

Comment:

Each year, since adopting CalPERS as the District's health benefits provider, the Board has been required to adopt resolutions acknowledging rates and contributions. Permission is requested of the Board of Education to approve the following resolutions setting the employer's contribution for retiree medical benefits for those who retired after December 31, 2006 and before July 1, 2010. These new rates will be effective January 1, 2013.

Recommendation:
Recommend Approval

Fiscal Impact:
As noted on resolutions

* F.2 CalPERS Retiree Benefit Resolutions

Resolution No. 34-1213: Unrepresented Classified Confidential
Resolution No. 35-1213: Public Employees Union, Local 1
Resolution No. 36-1213: School Supervisors Association
Resolution No. 37-1213: Unrepresented Certificated Management
Resolution No. 38-1213: Unrepresented Classified Management
Resolution No. 39-1213: United Teachers of Richmond
Resolution No. 40-1213: West Contra Costa Administrators Association

Comment:

Permission is requested of the Board of Education to approve the following resolutions fixing the employer's contribution for retiree medical benefits for those who retired after June 30, 2010. The minimum contribution resolution will be effective January 1, 2013.

Recommendation:
Recommend Approval

Fiscal Impact:
As noted on resolutions

G. DISCUSSION ITEMS

* **G.1 Reducing Suspensions for 2012-13**

Comment:

The Board’s Safety Committee reviewed the data for 2011-12 for student out-of-school suspensions at middle and high schools at the September meeting. The committee noted that the number of suspensions varied widely among the schools even after equating the numbers to student enrollment. More than half of all suspensions were for offences categorized under “defiance and/or disruption.”

At the October meeting, each school brought a report of how suspensions could be reduced and a goal for reduction of suspensions from the 2011-12 level. The Safety Committee determined that these individual goals should be compiled so that the Safety Committee could recommend an overall goal of suspension reductions for the District in 2012-13.

Recommendation:

That the Board consider a goal of reducing out-of-school suspensions in middle and high schools by 25%.

Fiscal Impact:

Positive in that students generate ADA only when in school

* **G.2 Project Status Report**

Comment:

The following are provided for review of Facilities Planning and Construction in the District’s Bond Program and for information regarding individual projects:

- Engineering Officer’s Report – Verbal Presentation
- Construction Status Reports – Current Construction Projects

Recommendation:

For Information Only

Fiscal Impact:

None

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

I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT

J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING

Lovonya DeJean Middle School – November 14, 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 (*).

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

October 24, 2012

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

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

- a. WCCUSD v. Orrick
- b. Srago v. WCCUSD

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

Four cases

4. LIABILITY CLAIMS (Government Code Section 54956.95)

5. CONFERENCE WITH LABOR NEGOTIATORS

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

- 6. PUBLIC EMPLOYEE APPOINTMENT**
- 7. PUBLIC EMPLOYEE PERFORMANCE EVALUATION** (Government Code Section 54957)
 - a. Superintendent Evaluation
- 8. STUDENT DISCIPLINE** (Education Code Section 35146)

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

Certificated / Classified Employee Dismissal
- 10. REPORT OF CLOSED SESSION ACTIONS**