

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
MEETING AGENDA
JANUARY 23, 2013**

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 Richmond High School

B.5 Report/Ratification of Closed Session

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

* **B.7 Minutes:** December 12, 2012; December 19, 2012; January 5, 2013; January 9, 2013

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 January 23, 2013.

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 January 23, 2013. 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 January 23, 2013.

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 December 2012 are provided.

Total of payroll warrants (December 2012): \$ 9,479,601
Total of vendor warrants (December 2012): \$ 25,519,096

Recommendation:
Recommend approval of the payroll and vendor warrant reports

Fiscal Impact:
As noted above

***CI C.5 Adoption of Resolution No. 62-1213: Replacement of Outdated Warrant**

Comment:
Government Code Section 298029(c) allows the governing board, by resolution, to order a replacement check be issued for a warrant that is stale dated. This resolution authorizes the issuance of a check to replace the outdated warrant for Matthew Sloan. Staff recommends replacement of the stale dated warrant.

Recommendation:
Recommend approval to replace the outdated warrant

Fiscal Impact:
None

***CI C.6 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

***CI C.7 Notice of Completion: Bid J068237 Gompers Demolition & Site Work**

Comment:

Substantial completion notice has been received for: Bid J068237.

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 contractor:

Evans Brothers, Inc. Bid J068237 Gompers Demolition and Site Work.

Recommendation:

Recommend approval of the notice of completion

Fiscal Impact:

None

***CI C.8 Routine Personnel Changes – Classified**

Comment:

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

Recommendation:

For Information Only

Fiscal Impact:

None

***CI C.9 Approval of School Calendars for 2013-2014 and 2014-2015**

Comment:

All four labor groups (Local One, SSA, UTR and WCCAA) met and conferred about the school calendars. The proposed school calendars for 2013-2014 and 2014-2015 are provided.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.10 Resolution No. 63-1213: African-American History Month - February 2013**

Comment:

The State Board of Education has proclaimed February 2013 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 2013

Fiscal Impact:

None

***CI C.11 Resolution No. 64-1213: Recognition of West Contra Costa Unified School District Job Shadow Day February 1, 2013 and Recognition of February 2013 as National Job Shadow Month**

Comment:

Resolution No. 64-1213 recognizes and acknowledges February 1, 2013 as WCCUSD Job Shadow Day and the month of February 2013 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, 2013, 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 2013 is led by the National Job Shadow Coalition.

Recommendation:

For Information Only

Fiscal Impact:

None

***CI C.12 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: \$337,612.00. Funding sources as noted.

***CI C.13 Ratification and Approval of Negotiated Change Orders**

Comment:

Staff is seeking ratification of Change Orders on the following current District construction projects: Coronado ES Reconstruction Demolition, Ohlone ES Phase I Campus Replacement, De Anza HS Campus Replacement, Tara Hill ES Restroom Repairs, Lincoln ES Restroom Repairs, Ellerhorst ES Restroom Repairs, Harding ES Restroom Repairs. 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 accordance with Public Contract Code 20118.4, the Board, by 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: \$643,746.00

D. AWARDS, RECOGNITIONS, AND REPORTS

*** D.1 Kensington Second Graders - “I Have A Dream”**

Comment:

Kensington students from Janet McKnight’s second grade class will recite the Martin Luther King, Jr. speech, “I Have A Dream.”

Recommendation:

For Information Only

Fiscal Impact:

None

*** D.2 National Boards Certification Recognition**

Comment:

The National Boards is a professional development program which seeks to elevate the status, voice and role of accomplished teachers in shaping a true profession. This advanced teaching credential compliments our teachers’ California teaching credential. This credential requires submission of extensive portfolio entries, including video recordings and examples of student work. In addition, teachers must demonstrate in-depth content knowledge in response to rigorous exercises for chosen certificate areas.

Tonight we celebrate the following teachers who have accomplished this significant achievement:

Laura Buffi, Valley View Elementary	Credential Area: History
Ann Tarabini, Helms Middle School	Credential Area: Math
Alesia Eutsler, Cameron School	Credential Area: Exceptional Needs

Recommendation:

For Recognition

Fiscal Impact:

None

* **D.3 REMS Update**

Comment:

Update on the district's strides on site and district safety plans in West Contra Costa Unified School District. Report on accomplishments and ongoing improvements for the implementation of the Readiness and Emergency Management for Schools (REMS) Grant.

Recommendation:

For Information Only

Fiscal Impact:

None

* **D.4 Mock Trial Overview**

Comment:

Nancy Schiff from the Center for the Development of Youth through Law will provide the Board with the background for this year's Mock Trial competition which will involve four WCCUSD High Schools. The competition dates are February 5, 7, 12 and 14, 5:30 p.m., at the Martinez courthouse.

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	
College and Career Readiness Academies	

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.

Mr. Robert A. Olson recently passed away. He spent a long career with the Richmond Unified School District as a P.E. teacher, counselor, boys dean, vice principal and principal at many junior and senior high schools until his retirement in 1980. He was very popular with his students.

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 Approval of Agreement with School Supervisors Association (SSA) / AB1200 Public Disclosure of Collective Bargaining Agreement with the SSA**

Comment:

District and SSA have reached tentative agreement through collective bargaining for the 2012-15. A copy of the Tentative Agreement is provided. SSA has ratified the Agreement. It is now presented to the Board of Education for ratification.

School districts are required to publicly disclose the provisions of all collective bargaining agreements before they ratify an agreement. This ensures that the public is aware of the details associated with a tentative collective bargaining agreement before it becomes binding on the district. A summary of the savings associated with the agreement is provided. This summary has also been provided to the County Office of Education.

The Board will receive public comment on the proposed contract changes and salary adjustments before the Board votes to ratify the Agreement.

We want to take this occasion to thank the representatives of both groups for their time and effort in reaching this accord.

Recommendation:

Recommend that the Board of Education

Fiscal Impact:

\$336,450 over three years

* **F.2 Approval of Strategic Planning Consultant**

Comment:

The West Contra Costa Unified School District is preparing to update and revitalize the District's strategic plan. While the goals of the current plan remain relevant and challenging, the conditions and strategies of the District have evolved since the initiation of the 2006 plan. The Common Core State Standards were adopted by the State Board of Education in 2010. The District is creating a more targeted focus for student learning in the science-technology-math and engineering fields. The work of the career academies has changed into the College and Career Readiness Academy initiative that is now the core strategy for secondary school transformation. Instructional strategies to promote culturally relevant teaching are being implemented throughout the District.

The District faces challenges in closing the achievement gap, ensuring that all students are college, career ready, attracting, developing and retaining the highest quality staff, effectively implementing the technology of the 21st century and finding the financial resources necessary to attain District goals. The plan will bring about a new vision for WCCUSD, establish goals, activities, timelines and deliverables.

With funding from an external source, the District has solicited proposals from consulting firms to assist in both the community outreach and the plan development over the next several months. At the December 12, 2012 meeting, Board President Madeline Kronenberg appointed two members to serve on a selection panel to review the ten responses to the District's request for qualifications. That group has interviewed the three firms that were most qualified and is now recommending that the Board approve the selection of the group from Capitol Impact/Th3rd Plateau.

Recommendation:

That the Board approve the selection of Capitol Impact/Th3rd Plateau as the consultant for the strategic plan and authorize the superintendent to sign the contract with the group.

Fiscal Impact:

Externally funded grant funds not to exceed \$90,000.

* **F.3 Resolution No. 61-1213: Appointment of Piper Jaffray & Co. and E.J. De La Rosa the investment bankers, Stradling Yocca Carlson & Rauth (Stradling) as bond counsel and GCR as disclosure counsel in connection with the issuance of 2012 Bond Measure E first series of bonds and issuance of 2010 Bond Measure D second series of bonds and any series of general obligation refunding bonds during 2013**

Comment:

The resolution names Piper Jaffray & Co. and De La Rosa & Co. as investment bankers for the District's upcoming bond sale, and establishes a not-to-exceed underwriting spread of \$5 per bond (or 0.50% of the principal amount of bonds sold) for bonds sold at that time. The District has worked with this team in the past. Piper and De La Rosa have served as underwriters for both of the District's two most recent bond sales – the \$100 million 2010 Measure D, Series A, new money bonds sold in November, 2011, and the \$98 million refunding bonds sold in July, 2012. Both firms were originally hired through an interview process (Piper in 2009 and De La Rosa in 2011), and both have been retained over time based on the quality of their work.

The rationale for this selection is that the District has been satisfied with its current team from both an underwriting perspective (the District carefully evaluates underwriter performance after each sale) and from an ongoing services perspective (including services related to investor outreach). Although the next bond sale is not expected until July (or later), the District is establishing a team now because of upcoming investor outreach activities among other reasons. Timing is also a factor in the establishment of underwriting spread. The \$5 per bond figure is used as a not-to-exceed amount with the understanding that the District will be negotiating a firm figure closer to date of the sale.

Similarly, the District is choosing to retain its legal team of Stradling and GCR. Stradling has served as the District's bond counsel and GCR as the District's disclosure counsel for the last four transactions, dating back to October 2009. Both firms have provided good service to the District during such tenure. Again, having a team in place today will be helpful both in planning for the upcoming bond sale and in implementing the District's planned investor outreach program.

Recommendation:

Approval of Resolution No. 61-1213 selecting Piper Jaffray & Co. and E.J. De La Rosa & Co. as the investment bankers, Stradling as bond counsel, and GCR as disclosure counsel.

Fiscal Impact:

No Fiscal Impact

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 6, 2013

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 23, 2013

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

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

a. 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

Instructional Specialist

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

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