West Contra Costa Unified School District
Board of Education
Meeting Agenda
February 6, 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 **5:00 PM** in the Multi-Purpose Room to receive comments from anyone wishing to address the Board regarding closed session items (Exhibit A). The Board will then adjourn to closed session and reconvene in open session to address the regular agenda (Exhibits B-G) at 6:30 PM.

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:** January 23, 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 February 6, 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 February 6, 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 February 6, 2013.

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 February 6, 2013.

Recommendation:
Recommend Approval

Fiscal Impact:
As noted per contracts summary

***CI C.5 Community Budget Advisory Committee Amended Member Ratification**

Comment:
The Community Budget Advisory Committee (CBAC) met on January 24, 2013. This is an amendment to include Board member Todd Groves (non-voting) and to replace Sue Kahn with Paul Shatswell and replace Greg Whaling with Ken Ryan as voting members. The committee roster is subject to ratification by the School Board at a regular Board of Education meeting. Pending ratification, below is a complete list of the committee members and term dates.

COMMUNITY BUDGET ADVISORY COMMITTEE - MEMBERS			
MEMBER NAME	MEMBER TYPE	VOTING STATUS	TERM ENDING
Erwin Reeves	Business Leader	Voting	June 30, 2013
Robert Studdiford, Vice-Chair	Parent	Voting	June 30, 2013
Tammy Campbell	Community Member	Voting	June 30, 2014
Ken Ryan	Teacher	Voting	June 30, 2014
Charles Johnson	Classified	Voting	December 31, 2014
Paul Shatswell	Principal	Voting	December 31, 2014
Eduardo Martinez, Chair	Community Member	Voting	December 31, 2014
Antonio Medrano	Community Member Alternate	Voting	December 31, 2014
Todd Groves	Board	Non-Voting	
Sheri Gamba	Business Services	Non-Voting	
Germaine Quiter	Business Services	Non-Voting	

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.6 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 February 6, 2013.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.7 Benefits Package for Unrepresented Management, Cabinet and Confidential Employees**

Comment:
The unrepresented management, cabinet and confidential employees will adhere to the benefits and retiree programs agreed upon with West Contra Costa Administrator's Association (WCCAA).

Recommendation:
Recommend Approval

Fiscal Impact:
To Be Determined

***CI C.8 Certification of Athletic Coaches – Winter Sports**

Comment:
Under California Education Code Section 5593, all athletic team coaches are required to be certified annually. Topics covered during the training include first aid, CPR, coaching techniques, adolescent psychology (as it relates to sports participation), and ethics. The lists of coaches from each of the high school for winter sports are provided.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.9 Resolution No. 65-1213: Disabilities Awareness Month – March 2013**

Comment:
This resolution proclaims the month of March 2013 as Disabilities Awareness Month and encourages all schools and educational communities to commemorate this occasion with meaningful student activities and programs that promote and demonstrate learning about and understanding individuals with disabilities.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.10 Resolution No. 67-2013: Read Across America - March 2, 2013**

Comment:
The West Contra Costa Unified School District and the Board of Education join with the United Teachers of Richmond in calling on the citizens of West Contra Costa to assure that every child is in a safe place reading with a caring adult on March 2, 2013.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.11 Approval of Board Members Travel**

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 members have expressed interest in attending the following:

- California Association for the Gifted 51st Annual Conference, Anaheim, CA, February 15-17, 2013
- Vanderbilt / Fisk University for Ivy League Connection related business, Nashville, TN, February 20 – 23, 2013

Expenses including registration, travel and food are budgeted and there is sufficient funding within that budget.

Recommendation:
Recommend Approval

Fiscal Impact:
General Fund

***CI C.12 Letter in Support of AB48**

Comment:
Assembly Member Nancy Skinner has introduced a bill, AB 48, which will require ammunition vendors to report all ammunition purchases to the Department of Justice, and ban possession of magazine conversion kits. AB 48 will require anyone selling or transferring ammunition to an individual in California to require proper identification, to be an authorized firearms dealer, and to report the sales to the Department of Justice.

Passage of this bill would help to make schools and the communities around them safer.

Recommendation:
That the Board approve a letter to Assembly Member Nancy Skinner supporting AB 48.

Fiscal Impact:
None

***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 Impact:
Total for this action: $243,574. 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: Kennedy HS ADA Upgrades and Elevator, Portola MS Demolition of Existing Campus, Ellerhorst ES Restroom Repairs, Lincoln ES Restroom Repairs, Harding ES Restroom Repairs, Tara Hills ES Restroom Repairs and King ES Security Raceway. 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 King ES Security Raceway project is required by the Board, with special findings as noted below, because this project is in excess of the Public Contract Code limit of 10% of the original contract value. In accordance with Public Contract Code 20118.4, the Board, by 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: ($79,355.78)

***CI C.15 Measures J and D 2010, Measure E 2012, Bond Program Budget Update**

Comment:
The District needs to update the Bond Program Budget to include the recently approved Measure E projects, as well as reconciling the actual expenditure for the recently contracted projects. The expenditure authorization worksheet includes these proposed adjustments.

Recommendation:
Approve Measure J and D 2010, Measure E 2012, Bond Program budget expenditure authorization.

Fiscal Impact:
Updated budgets for Measure J and D 2010, Measure E 2012 Bond Program**.**

***CI C.16 Adoption of Resolution 66-1213 for SAB "Applications Received Beyond Bond Authority"**

Comment:
It is recommended that the Board adopt Resolution 66-1213 acknowledging that the State's bond authority is exhausted for modernization and new construction funds being requested from the State School Facility Program. The State has received funding applications which exceed bond authority for the Modernization as well as the New Construction programs, and the State Allocation Board (SAB) has changed the method in which they process applications for these two programs.

The regulations, effective November 1, 2012, establish a SAB acknowledged list for projects that are received by OPSC after bond authority is exhausted. The new list is called the "Applications Received Beyond Bond Authority List." Applications placed on this list will undergo an intake review to ensure all of the required documents have been submitted, but will not be fully processed by OPSC to the SAB for approval.

Resolution 66-1213 is required in order for the District to continue to submit Modernization and New Construction applications to the State, and contains the language approved by the SAB. After adoption, this resolution will be submitted with future funding and eligibility applications.

Recommendation:
Approve Resolution for future funding and eligibility application.

Fiscal Impact:
No direct fiscal impact

***CI C.17 Approval of Additional Program Management General Conditions Reimbursable Expense**

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 expense ("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 include 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 Expense for Seville Group, Inc. for the remainder of the fiscal year.

Fiscal Impact:
Total for this action: $1,268,328. Funding sources is Measure D and J Bonds. Program Management General Conditions Reimbursable expense.

***CI C.18 Citizens' Bond Oversight Committee (CBOC) Appointments**

Comment:
The City of El Cerrito has forwarded a recommendation that Mr. Orlandus Waters be appointed as El Cerrito's representative to the West Contra Costa Unified School District Citizens' Bond Oversight Committee upon the term expiration of El Cerrito's current representative, Paul Gilbert-Snyder, in April 2013.

The City of San Pablo has forwarded a recommendation that Mr. Paul Morris be appointed as the San Pablo City Council representative to the West Contra Costa Unified School District Citizens' Bond Oversight Committee.

Recommendation:
Approve appointments as noted

Fiscal Impact:
None

D. AWARDS, RECOGNITIONS, AND REPORTS

*** D.1 African-American History Month School Presentations**

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.

Several WCCUSD schools will perform songs, speeches, and dances to celebrate African-American history, traditions, culture, contributions, and successes.

Recommendation:
For Information Only

Fiscal Impact:
None

*** D.2 Presentation on the Random Sample Survey**

Comment:
At the January 9, 2013 meeting, the Board authorized the Superintendent to enter into a contract with Godbe Research to conduct a random sample survey regarding a possible parcel tax measure. The Attorney General has determined that a school district may legally expend district funds to conduct surveys to assess the potential support and opposition to a measure, the public's awareness of the district's financial needs, and the overall feasibility of developing a measure that could win voter approval.

Bryan Godbe will describe the process for implementing the survey and provide the Board with the results of the survey. At the March 6, 2013 meeting, the Board will need to determine whether to place a measure on the June ballot.

Recommendation:
That the Board review the survey results and provide direction for a June ballot measure.

Fiscal Impact:
Up to $39,000 as authorized by the Board on January 9, 2013

*** D.3 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
Bayside Parent Teacher Association
Citizens' Bond Oversight Committee
Community Budget Advisory Committee
Facilities Subcommittee
Ivy League Connection
College and Career Readiness Academies
Public Employees Local 1
Safety Committee
School Supervisors Association
United Teachers of Richmond
Youth Commission

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.

F. ACTION ITEMS

* F.1 Distribution of School Resource Officers for 2013-14 school year

Comment:
Recommendations of distribution of School Resource Officers for the 2013-2014 school year as summarized in the list provided.

Recommendation:
Recommend Approval

Fiscal Impact:
None

* F.2 Modification to the Kennedy High School Attendance Boundaries

Comment:
The physical location for Kennedy High School is within the El Cerrito High School attendance area. Thus, students who live next to KHS are assigned to attend high school at ECHS. Currently approximately 110 students are in the area surrounding Kennedy High School and thus are assigned to ECHS. This change would expand the KHS boundaries to Wall Street on the North, the I-80 Freeway on the East, Potrero Avenue on the South and Carlson Blvd on the West. The change would become effective with the current 8th graders, Class of 2017, who live in that area.

Recommendation:
Staff recommends that the Board approve change to the Kennedy High attendance area that would expand the Kennedy High attendance to include Study Areas 333, 334, 335 and 336 beginning with the Class of 2017.

Fiscal Impact:
None

G. DISCUSSION ITEMS

*** G.1 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 – March 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 (*).

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 **6:30 PM.**

EXHIBIT A
(Government Code Section 54954.5)
CLOSED SESSION AGENDA

February 6, 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

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