

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
MEETING AGENDA
MARCH 20, 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 Hercules High School

B.5 Report/Ratification of Closed Session

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

* **B.7 Minutes:** January 15, 2013; January 29, 2013; March 6, 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 Acceptance of Donations**

Comment:

The District has received donations as summarized, dated March 20, 2013. Staff recommends acceptance of these donations.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per donations summary

*CI **C.2 Approval of Fund-Raising Activities**

Comment:

The planned fund-raising events for the 2012-13 school year are summarized, dated March 20, 2013.

Recommendation:

Recommend Approval

Fiscal Impact:

Additional revenue for schools

*CI **C.3 Contracted Services**

Comment:

Permission is requested of the Board of Education to approve the following contracts for services as detailed, dated March 20, 2013.

Recommendation:
Recommend Approval

Fiscal Impact:
As noted per contracts summary

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

Comment:
The summaries of Payroll and Vendor Warrants issued during the month of February 2013 are provided:

Total of payroll warrants (February 2013): \$ 8,913,474
Total of vendor warrants (February 2013): \$ 20,331,363

Recommendation:
Recommend approval of the payroll and vendor warrant reports

Fiscal Impact:
As noted above

***CI C.5 Resolution No.73-1213: Directing Preparation of Annual Engineer's Report - MRAD**

Comment:
In order to make a determination of improvements and any substantial changes proposed to be made to the existing improvements of the district's public recreational facilities, a resolution directing preparation of an annual engineering report is required, including a list of schools for which the improvements will be made during the fiscal year 2013-2014.

Staff recommends approval of this resolution for purposes of the Maintenance Recreation and Assessment District in accordance with Sections 22565 et seq., of the Landscaping and Lighting Act of 1972, (Streets and Highways Code Section 22565 et seq.). Once the report has been completed, it will be presented to the Board for preliminary approval.

Recommendation:
Recommend approval of this resolution for MRAD

Fiscal Impact:
Revenue for MRAD Fund

***CI C.6 Notification of Claim Rejected**

Comment:
The District has received a claim requesting compensation for personal injury. 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 Approve the following New Job Description: Senior School Facilities Planning Specialist**

Comment:

This job classification is being created due to complex and detailed departmental needs in the Facilities Operation Center (FOC). There will be two positions to provide a high level and detailed support to the FOC specializing in school construction and facilities projects. The District and Local One had the required meetings on this and reached an agreement on this job description.

Recommendation:

Recommend Approval

Fiscal Impact:

\$190,000, annually

***CI C.8 Approve the following New Job Description: Preschool Cashier**

Comment:

This job classification is being created due to new requirements of the District to collect and process payments for the state preschool program. This position will provide all necessary recordkeeping, reconciliation and reporting for required by the state for the program. The District and Local One had the required meetings on this and reached an agreement on this job description.

Recommendation:

Recommend Approval

Fiscal Impact:

\$70,000, annually

***CI C.9 Approval of Sabbatical Leave Requests for 2013-2014**

Comment:

The District and UTR have a negotiated agreement for the District to provide ten Sabbatical Leaves each year. The leaves can be taken for purposes of formal study, travel, or independent study. Teachers on leave will receive 50% of their annual salary pursuant to contract. Details for each request for leave are provided.

Recommendation:

Recommend Approval

Fiscal Impact:

\$97,536 including salary and health benefits

***CI C.10 Certificated Board Authorization - Education Code 44258.3**

Comment:

Ed Code 44258.3 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.11 Single Plans for Student Achievement (SPSAs)**

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.

Recommendation:

Recommend Approval

Fiscal Impact:

Categorical Revenue

***CI C.12 Day of Recognition for César Chávez - March 31, 2013**

Comment:

This resolution is in recognition of César Chávez for his great leadership in bringing social justice to California's migrant farm workers, providing a model of solving problems through non-violent, democratic actions and a life of service to others.

Recommendation:

For Information Only

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: \$1,890,048. Funding sources Measure J Bond and Measure D-2010 Bond.

***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: Coronado ES Interim Campus; Dover ES Increment 2 New School; and Kennedy HS Quad Landscape Upgrades. 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 Coronado ES Interim Campus and Kennedy HS Quad Landscape Upgrades projects is required by the Board, with special findings as noted, 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: \$72,735.37

***CI C.15 Approval of Awards of De Anza High School Furniture Contract**

Comment:

The new construction of De Anza High 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 computer labs, special education, admin furnishings, offices and staff work areas.

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 March 14, 2013.

Recommendation:

Approve contract for De Anza High School furniture, setup and installation to the lowest responsive, responsible vendor, after the expiration of the protest period.

Fiscal Impact:

Total for this action: \$ _____. Funded by Measure J Bond, under the De Anza High School Furniture and Equipment Budget.

***CI C.16 Approval of Riverside Elementary School Master Plan Fees**

Comment:

Riverside Elementary School Campus Improvements is one of the listed projects in Measure E-2012 Bond. The scope of work includes coordinated site master planning, confirmation of architectural program and budget review.

Recommendation:

Approve proposed Riverside Elementary School Master Plan Fees

Fiscal Impact:

Total for this action: \$129,620.00. Funding sources as noted.

***CI C.17 Measure J and D 2010, Measure E 2012, Bond Program Budget Expenditure Authorization**

Comment:

The District needs to update the Bond Program Budget to accommodate updated anticipated project costs. The expenditure authorization worksheet provided includes these proposed adjustments.

Several current construction estimates exceed the approved project budgets at Kennedy High School, therefore a budget adjustment is needed for the science classroom and swim center modernization projects, as noted in the attached worksheet. An ongoing reconciliation will be needed as projects are bid, closed out, and/or additional expenditures are incurred.

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.18 Revised E-Rate Funding for Year 15 – Form 470 Technology Services**

Comment:

The Schools and Libraries Program of the Universal Service Fund, commonly known as "E-Rate," provides assistance to schools and libraries in the U.S. to obtain affordable telecommunications and internet access infrastructure. The level of funding from the E-Rate program depends on economic need and on the percentage of students participating in the Free and Reduced Lunch Program. The application window for FY2010 (known as E-Rate Year 13) is now open, and the District proposes to apply for full funding by the E-Rate Program for the following projects:

1. WAN END-TO-END MANAGED SOLUTION: Will provide comprehensive support for Wide Area Network (WAN) implementation and management, enabling the District to improve, expand and maintain a global WAN efficiently and cost-effectively including network design, implementation, installation and management of networking solutions.
2. WIRELESS ACCESS INFRASTRUCTURE: Will provide students, faculty and administrators with secured, easy and instant wireless access to applications and information at eligible locations. Instant wireless access to educational applications has resulted in enhanced learning environments, improved student achievement, reduced IT support calls and faculty training costs, and maximized teacher mobility

***Project was approved at the Board Meeting of 3/7/2012 # C.17- E-Rate was not able to approve our funding at that time. Site revisions have been made to satisfy e-rate for funding.**

In consideration of the need to comply with E-Rate submittal deadlines, the Superintendent's designee authorized award of contract to CDWG.

The Education Code requires the Board to ratify this award action by the Superintendent's designee.

Recommendation:

Approve E-Rate contract for revised Year 15 to: CDWG

Recommendation is based on CDWG possessing a National Joint Powers Alliance & CMAS Pricing Contracts.

Fiscal Impact:

District obtains 70%-90% from Rate funding for the above projects, equal to: \$1,238,840.95-\$1,592,795.51, in reimbursement. (Total Project Cost: \$1,769,772.79)

Cost to District would be: \$176,977.28- \$530,931.83

Project will provide wireless improvements to most of the district school sites.

***CI C.19 E-Rate Funding Year 16-Contract award to Vendor, Upon E-Rate Funding Approval for RFP# IT2012**

Comment:

The Schools and Libraries Program of the Universal Service Fund, commonly known as "E-Rate," provides assistance to schools and libraries in the U.S. to obtain affordable telecommunications and internet access infrastructure. The level of funding from the E-Rate program depends on economic need and on the percentage of students participating in the Free and Reduced Lunch Program. The application window for FY2013 (known as E-Rate Year 16) is now open, and the District proposes to apply for full funding by the E-Rate Program for the following projects:

Hosted Voice Over Internet Protocol & Unified Messaging Transition Project: Will be qualified and experienced to transition the District (WCCUSD) from its current Cisco Call Manager VOIP solution, to a hosted voice over internet protocol (VOIP) phone and unified messaging system. The vendors proposed solutions must represent current technology, with features and capabilities that are available at the time and outlined in the response to RFP#IR2012. The Hosted VoIP solution must be compatible with Cisco's 79xx series handsets.

In consideration of the need to comply with E-Rate submittal deadlines, the Superintendent's designee authorized award of contract to AT&T.

The Education Code requires the Board to ratify this award actin by the Superintendent's designee.

Recommendation:

Upon E-Rate Funding Approval, approve E-rate Contract for Year 16 to: AT&T (2 phases over 3 years)

Fiscal Impact:

The District obtains 80%-85% from E-Rate funding for the above projects, which equals: \$722,756.00 - \$680,241.00 in reimbursement (Total Project cost: \$850,301.00).

Cost to District: \$127,545.00- \$170,061.00

D. AWARDS, RECOGNITIONS, AND REPORTS

*** D.1 Richmond Association of School Administrators (RASA) Award Winners**

Comment:

Each year the Richmond Association of School Administrators acknowledges exemplary administrators and participates in the Association of California School Administrator (ACSA) Administrator of the Year awards.

RASA is a charter of ACSA Region VI. The RASA Board selects candidates based upon nominations by West Contra Costa Unified School District (WCCUSD) administrators and individual accomplishments within the District. The individuals selected from WCCUSD move on to the ACSA Region VI competition.

Administrator of the Year awards for WCCUSD 2012-13 are:

Judy Sanders, Elementary Principal
Matthew Burnham, Middle School Principal
Julio Franco, Secondary Principal
Sonja Neely-Johnson, Curriculum & Instruction Administrator
Emily Millar, Human Resources Administrator
Luis Freese, Classified Administrator
Martin Coyne, Fiscal Services Administrator
Steve Collins, Special Education Administrator
Nia Rashidchi, Cabinet Administrator
Pam Blake, Continuation Education Administrator
Haidee Foust, Adult School Administrator
Janice Thompson, Central Office Administrator
Dottie Holland, Retired Administrator

Recommendation:
For Information Only

Fiscal Impact:
None

* **D.2 Mock Trial Update**

Comment:

Nancy Schiff from the Center for the Development of Youth through Law will provide the Board with an update for this year's Mock Trial competition which included three WCCUSD High Schools.

Recommendation:
For Information Only

Fiscal Impact:
None

* **D.3 Extended Learning (Summer School) Program Update**

Comment:

Staff will give an update of summer learning opportunities for 2013.

Recommendation:
For Information Only

Fiscal Impact:
None

* **D.4 ARCC -- Academies Readiness for College & Career**

Comment:

Update the Board on the progress of the Academies Readiness for College & Career in the WCCUSD high schools for the 2012-13 school year.

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

F. ACTION ITEMS

* **F.1 Approval of Agreement with United Teachers of Richmond (UTR) / AB1200 Public Disclosure of Collective Bargaining Agreement with UTR**

Comment:

District and United Teachers of Richmond (UTR) have reached tentative agreement through collective bargaining for the 2012-15. A copy of the Tentative Agreement will be provided at the Board meeting. Once UTR has ratified the Agreement, it will be 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 financial implications associated with the agreement will be presented at the Board meeting. This summary will be 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 UTR for their time and effort in reaching this accord.

Recommendation:

Recommend that the Board of Education ratify the Tentative Agreement between the West Contra Costa Unified School District and the United Teachers of Richmond

Fiscal Impact:

Equivalent to 2% per year over three years – three year total \$6.3 million

* **F.2 Second Interim Report, 2012-13 / Financial Update**

Comment:

Provided is a summary of the District’s Second Interim Report for 2012-13, which covers the financial and budgetary status of the District for the period ending January 31, 2013. The entire report, including state forms, is provided under separate cover and on the District’s website at www.wccusd.net.

Education Code Section 42130 requires school districts to prepare interim financial reports each year. The First Interim Report covers the period ending October 31; the Second Interim Report covers the period ending January 31. These financial reports are subject to standards and criteria adopted by the State Board of Education to monitor the fiscal stability of local educational agencies.

The District shall certify whether it is able to meet its financial obligations for the current fiscal year and, based on current forecasts, for the two subsequent fiscal years. A positive certification shall be assigned when a district will meet its financial obligations for the current fiscal year and subsequent two fiscal years. A qualified certification shall be assigned when a district may not meet its financial obligations for the current fiscal year and subsequent two fiscal years. A negative certification shall be assigned when a district will be unable to meet its financial obligations for the remainder of the fiscal year.

Recommendation:

Recommend approval of the Second Interim Report for 2012-2013

Fiscal Impact:

Positive Budget Certification

G. DISCUSSION ITEMS

* **G.1 Charter Hearing for Caliber Schools**

Comment:

On Wednesday, March 6, 2013, Caliber Schools founding team member Allison Akhnoukh submitted a Charter Petition for a school that will serve Kindergarten through Eighth grades in the West Contra Costa Unified School District with a particular focus on students residing in Richmond, El Cerrito and San Pablo. The founding group plans to open in the fall of 2014, and “enroll 90 students in Kindergarten and 45 students each in grades 1, 2, 3, and 6 for a total of 270 students” (p.19, Caliber Schools Charter). By expanding to fill each grade level to 90 students, they plan to serve 810 students by the year 2018.

The proposed charter school’s mission statement says: “Our mission is to provide students with a challenging, engaging, and personalized education that equips them with the knowledge, character, and skills they will need to succeed in competitive colleges, careers, and communities.”

California Department of Education Code Section 47605(b) states:

No later than 30 days after receiving a petition, in accordance with subdivision (a), the governing board of the school district shall hold a public hearing on the provisions of the charter, at which time the governing board of the school district shall consider the level of support for the petition by teachers employed by the district, other employees of the district, and parents.

The Charter School Act (1992) also requires the Board to either grant or deny the Petition within 60 days of submission. Staff and legal counsel have received information related to the Petition. They will analyze the document, and will make a recommendation regarding the Petition at a subsequent board meeting.

Recommendation:

For Information Only

Fiscal Impact:

None at this time, yet will, if approved represent ongoing loss of student average daily attendance as a result of WCCUSD students attending the charter school.

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 – April 10, 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

March 20, 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