

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
MEETING AGENDA
MONDAY, AUGUST 12, 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 Report/Ratification of Closed Session

* **B.5 Agenda Review and Adoption** (Public Comment)

B.6 Minutes: July 24, 2013

* **B.7 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.

* **B.8 Request to Address the Board – Billie Alexander**

Comment:

Mr. Billie Alexander has requested opportunity to address the Board regarding funding and children in Title I program schools.

Recommendation:

For Information Only

Fiscal Impact:

None

C. BUSINESS ITEMS

CONSENT ITEMS (Routine Matters)

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

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

Comment:

Formal action is requested from the Board of Education to accept the grants/awards/agreements as detailed, dated August 12, 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 August 12, 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 2013-2014 school year are summarized dated August 12, 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 July 2013 are:

Total of payroll warrants (July 2013):	\$ 3,742,479
Total of vendor warrants accrual (2012-2013):	\$ 13,789,722
Total of vendor warrants (July 2013):	\$ 11,066,341

Recommendation:
Recommend approval of the payroll and vendor warrant reports

Fiscal Impact:
As noted above

***CI C.5 Adoption of Resolution No. 28-1314: 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 Rachel Zemach-Silva. Staff recommends replacement of the stale dated warrant.

Recommendation:

Recommend approval to replace the outdated warrant

Fiscal Impact:

None

***CI C.6 Contracted Services**

Comment:

Permission is requested of the Board of Education to approve contracts for services as detailed, dated August 12, 2013.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per contracts summary

***CI C.7 Agreements for Nonpublic, Nonsectarian School/Agency Services**

Comment:

Permission is requested of the Board of Education to approve the Master Contracts between the District and named schools/agencies for nonpublic, nonsectarian school/agency services for the period of July 1, 2013 through June 30, 2014.

Recommendation:

Recommend Approval

Fiscal Impact:

\$7,500,000.00 Budget in Special Education

***CI C.8 Notice of Completions: Bid 1121341-05 Coronado & Stege Elementary School Storm Drain Extension, 2141103-08 Portola Middle School Demolition of Existing Campus, Bid 1471390-00 Peres Elementary School Modernization I, and Bid 3601364-06 Kennedy High School Kitchen Flooring Replacement**

Comment:

Substantial completion notices has been received for: Bid 1121341-05, Bid 2141103-08, Bid 1471390-00, and Bid 3601364-06.

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 contractors:

Trinet Construction, Inc. Bid 1121341-05 Coronado & Stege Elementary School Storm Drain Extension
 Alten Construction Bid 2141103-08 Portola Middle School Demolition of Existing Campus
 Cal-Pacific Construction, Inc. Bid 1471390-00 Peres Elementary School Modernization I.
 The Thompson Construction Group Bid 3601364-06 Kennedy High School Kitchen Flooring Replacement

Recommendation:

Recommend approval of these notices of completion

Fiscal Impact:

None

***CI C.9 Community Budget Advisory Committee Amended Member Ratification**

Comment:

The Community Budget Advisory Committee (CBAC) met on August 1, 2013. This is an amendment to reflect recent resignations and to add Mary Flanagan as a Teacher (voting member). 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
Vacant	Business Leader	Voting	June 30, 2015
Vacant	Parent	Voting	June 30, 2015
Ken Ryan	Community Member	Voting	June 30, 2014
Mary Flanagan	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.10 CalPERS Retiree Health Care Resolutions – for those retiring prior to January 1, 2007**
Resolution No. 17-1314 – Unrepresented Classified Confidential
Resolution No. 18-1314 – Public Employees Union (Local One)
Resolution No. 19-1314 – School Supervisors Association (SSA)
Resolution No. 20-1314 – Unrepresented Management
Resolution No. 21-1314 – United Teachers of Richmond (UTR)
Resolution No. 22-1314 – West Contra Costa Administrators’ Association (WCCAA)

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. Employees who retired prior to January 1, 2007 were offered “a fully paid HMO plan” which is based on the higher of the Blue Shield Bay Area or Kaiser Bay Area premium rates.

As of January 2014, the Blue Shield Bay Area premium exceeds the Kaiser premium for ALL plans, therefore the District’s 2014 cap for retirees who retired prior to January 1, 2007 will be based on the Blue Shield Bay Area premium rates by plan.

Recommendation:
Recommend Approval

Fiscal Impact:
None – Retiree benefits already budgeted

- *CI C.11 CalPERS Retiree Benefit Resolutions – for those retiring after December 31, 2006 and before July 1, 2010**
Resolution No. 23-1314: Unrepresented Classified Confidential
Resolution No. 24-1314: Public Employees Union (Local 1)
Resolution No. 25-1314: School Supervisors Association (SSA)
Resolution No. 26-1314: Unrepresented Management
Resolution No. 27-1314: West Contra Costa Administrators Association (WCCAA)

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, 2014.

Recommendation:
Recommend Approval

Fiscal Impact:

None - Retiree benefits already budgeted

***CI C.12 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.13 Certificated Provisional Internship Permit (PIP) Request(s)**

Comment:

The Provisional Internship Permit (PIP) was created in response to the phasing out of emergency permits and became effective on July 1, 2005. It allows an employing agency to hire an individual who has not yet met the subject matter competence requirement needed to enter an internship program. Prior to requesting a PIP, the employing agency must verify that a diligent search has been made, and a fully credentialed teacher cannot be found. The PIP is issued for one (1) year and is renewable one time only provided the teacher has taken all appropriate subject matter examinations, but has not yet passed those tests.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.14 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:

Ratification and Approve Certificated Personnel Changes

Fiscal Impact:

None

***CI C.15 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:

Approve Classified Personnel Changes

Fiscal Impact:

None

***CI C.16 Acceptance of Contracts for Placement of Student Teachers**

Comment:

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

Staff requests approval from the Board of Education to accept Contracts for Placement of Student Teachers as detailed, dated August 12, 2013.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.17 Approve the following New Salary Schedules: Helms Middle School, De Anza High School, Cameron School**

This new salary schedules are created to reflect the number of days teachers at Helms Middle School and DeAnza High School actually work. This salary schedule was developed and agreed upon by UTR and the District to meet SIG guidelines. This salary schedules are in effect as long as SIG funding is available.

Cameron School teachers currently work beyond the 184 work days and in years past have been time carded for the work. This is formalizing the current structure. The new salary schedule will be aligned to the number of days actually worked by Employee.

Both salary schedules will go into effect on July 1, 2013.

Recommendation:

Recommend Approval

Fiscal Impact:

None to the general fund. This will not change current practice.

***CI C.18 Approve the following Reclassifications and New Job Descriptions effective July 1, 2013**

Comment:

The Reclassification Process involves the impartial and in depth review of requests for a ‘desk audit’ of classified positions as outlined in Article 25 of our contract with Local One, Article 3.1 of our contract with SSA and the WCCAA classification and job description were part of a negotiated process. Recommendations regarding reclassification are based on a thorough investigation that may result in an upgrade of a position to a higher classification as a result of a gradual and complex increase tasks, duties and responsibilities being performed by the incumbent in such a position.

The District has met all Education Code and contractual requirements in negotiating all of the job classifications, job descriptions and commensurate salaries with the unions. The results of this process have concluded all outstanding desk audit requests and union negotiations for the past three to four years.

Recommendation:

Recommend Approval

Fiscal Impact:

General Fund:	\$36,025
Categorical:	\$62,500
Grant:	\$156,212
Food Service, non-General Fund:	\$145,345

***CI C.19 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

Fiscal Impact:

Total for this action: \$892,935. Funding sources Measure J Bond, Measure D-2010 Bond, and Measure E-2012.

***CI C.20 Ratification and Approval of Negotiated Change Orders**

Comment:

Staff is seeking ratification of Change Orders on the following current District construction projects: Nystrom ES Abatement & Selective Demolition; Ohlone ES Phase I West Campus; New Gompers CHS & LPS. 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: \$245,033.92

***CI C.21 Ratification of Staff Awarded Contract (CUPCCAA): Kennedy High School Temporary Science Classroom Fume Hood Installation**

Comment:

Plans and specifications provided by Powell & Partners Architects. Scope of work includes removal/demolition of duct enclosure above existing fume hood, relocation of fume hood unit from room 406 to room 605, demolition of casework, repairing and color match wall finishes, demolition of semi-recessed fire extinguisher cabinet, repairing wall with two new blocking gypsum board and paint to matching, new opening at roof for exhaust duct through from fume hood, and providing new duct work and repairs as indicated.

The Superintendent's designee has approved and executed a contract for the project to A & E Emaar, \$39,040. All contracts approved by District staff must be ratified or, in some cases, reviewed by the District's Board. (CUPCCAA Resolution # 90-0809 (2009); Educ. Code § 22034).

Recommendation:

Ratify staff award of the contract to A & E Emaar

Fiscal Impact:

\$39,040

***CI C.22 Ratification of Staff Awarded Contract (CUPCCAA): Kennedy High School Temporary Science Classroom Emergency Shower Installation**

Comment:

Plans and specifications provided by Powell & Partners Architects. Scope of work includes disconnection and capping of all utility lines and pipes, removing and salvaging the existing drinking fountain, installation of emergency eyewash and shower including all utilities and connecting new cold water to existing faucet.

The Superintendent's designee has approved and executed a contract for the project to ERA Construction, \$35,800. All contracts approved by District staff must be ratified or, in some cases, reviewed by the District's Board. (CUPCCAA Resolution # 90-0809 (2009); Educ. Code § 22034).

Recommendation:

Ratify staff award of the contract to ERA Construction

Fiscal Impact:
\$35,800

***CI C.23 Kennedy High School Science Building Renovation Award of Contract**

Comment:

Powell and Partners Architects prepared the drawing and specifications for the project. Scope of work includes removal of all hazardous material, removal of all interior finishes, interior walls, ceilings, saw cutting and removal of portions of the concrete floor, mechanical, plumbing and electrical systems. Work also includes installation of new interior finishes, new doors and frames, patching of concrete slab, new casework, new mechanical, plumbing, and electrical system and fixtures.

The District conducted a public bid process for the project. Bids were received on July 31, 2013. Eight contractors submitted bids. They are as follows: BHM Construction, \$4,142,779; Alten Construction, \$4,195,018.08; Vila Construction, \$4,207,999.50; D.L. Falk Construction, \$4,357,907; Roebblen Contracting \$4,381,476; Arntz Builders \$4,339,845; Cal Pacific Construction \$4,741,314; Pacific Mountain Contracting \$4,930,572.17. The apparent low bidder is BHM Construction.

Recommendation:

Award contract to BHM Construction.

Fiscal Impact:
\$4,142,779. Project will be funded from Measure J.

***CI C.24 Ratification of Staff Awarded Contract: Dover ES MPR Demolition**

Comment:

HY Architects, Inc. has prepared plans and specifications for the project. Scope of work includes removal of hazardous material and lead-based paint, demolition of the existing multi-purpose building, demolition of site utilities including domestic water and fire lines/meters, sanitary sewer and storm drain lines, demolition of existing power and low voltage systems including intrusion, data and fire alarm. Work also includes coordinating with PG&E for removal of utility services, providing erosion control measures and grading the site.

The District conducted a public bid process for the project. Bids were received on July 11, 2013. Six contractors submitted bids. They are as follows: Evans Brothers, Inc. \$109,600; V.E.M. General Engineering \$135,675; Unlimited Engineering, Inc. \$172,078; ERA Construction \$236,283.50; Arthulia, Inc. \$349,985; WR Forde Associates \$477,000. Evans Brothers withdrew their bid due to mathematical errors. The apparent low bidder is V.E.M. General Engineering.

Recommendation:

Ratify the award to V.E.M. General Engineering.

Fiscal Impact:
\$135,675

***CI C.25 Ratification of Staff Awarded Contract: Dover ES Building A Security Camera Upgrade**

Comment:

HY Architects, Inc. has prepared plans and specifications for the project. Scope of work includes complete removal of existing analog CCTV system including all cameras, cabling, recorder and other associated devices and supports; reuse of existing conduit, installation of new cameras for a digital security system at interior locations; installation of new cameras at exterior rooftop locations to include coverage of mechanical equipment; roof penetrations and patching of roof membrane for watertight performance, interior patching and painting as necessary for cabling within the building.

The District conducted a public bid process for the project. Bids were received on July 16, 2013. Two contractors submitted bids. They are as follows: Arthulia, Inc. \$198,000; VAS Security Systems, Inc. \$294,785. The apparent low bidder is Arthulia, Inc.

Recommendation:

Ratify the award to Arthulia, Inc.

Fiscal Impact:

\$198,000

***CI C.26 Citizens' Bond Oversight Committee (CBOC) Appointment: Dennis Hicks appointed by Building Trades Council**

Comment:

Mr. Feere, CEO, of the Contra Costa Building and Construction Trades Council has recommended Mr. Dennis Hicks be appointed to the Citizens' Bond Oversight Committee.

Recommendation:

Approve appointment as noted

Fiscal Impact:

None

***CI C.27 Travel to the 9th Annual International Fab Lab Conference August 20 – 27 in Japan**

Comment:

WCCUSD has been chosen by the Fab Foundation as the next public school system to develop a FabLab (to be known as FabLab Richmond). The FabLab will be housed at Kennedy High School. FabLab Richmond will serve the K-12 Kennedy community through during school, after school, evening and weekend classes, technical training, and open labs, further developing the ability of Kennedy High School to function as a full service community school.

In addition, the development of FabLab Richmond will greatly enhance our Linked Learning, Common Core, and overall STEM work with a focus on project-based learning and worldwide collaboration through the international FabLab Network. The development of FabLab Richmond will create completely new and unprecedented opportunities for our students, teachers, and broader community, and it is an honor to have been selected as a fab lab site.

FabLab Richmond is aligned with 5 of 6 WCCUSD Strategic Plan Key Priorities (#1 High Expectations, #2 Support Quality Instruction, #3 Embrace Collective Ownership, #4 Invest in the Whole Child, and #6 Innovate).

The Fab Foundation has invited Nia Rashidchi, Phil Gonsalves, and Drew Kravin to attend the International Fab Lab Conference in Japan from August 20 – August 27. The WCCUSD team will begin to develop our Fab lab capacity and bring back key learnings to the district, from the experts, for the implementation of FabLab Richmond.

Recommendation:

Recommend Approval

Fiscal Impact:

Funds for both the Fab Lab and the travel are provided by grants and the Fab Lab Foundation.

D. AWARDS, RECOGNITIONS, AND REPORTS

E. COMMITTEE COMMUNICATIONS

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

*** E.1 Standing Reports**

Representatives of the following committees and employee unions are invited to provide a brief update to the Board. Representatives from these groups 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
College and Career Readiness Academies	Technology Committee
Community Budget Advisory Committee	United Teachers of Richmond
Facilities Subcommittee	Youth Commission
Ivy League Connection	

*** E.2 Superintendent’s Report**

F. ACTION ITEMS

*** F.1 Staff Recommendation, Summit Schools**

Comment:

On Friday, June 14th, 2013, Summit Public Schools (“SPS”) submitted a charter petition (“Petition”) to the West Contra Costa Unified School District (“District”) for a school that will serve 6 grade levels from 7th through 12th to be located in the District and referred to as SPS: K2. At the Board’s regular meeting on July 10, 2013, SPS presented their Petition to the Board during a public hearing.

According to the Petition, the founding group, a charter management organization previously focused on Silicon Valley, plans to open in the fall of 2014 with 120 students in 7th grade. They plan to expand to 220

students in the 2015-2016 academic year, and then continue upward expansion to 355, 465, 563, 663, in each subsequent academic year, culminating with 677 students from 7th to 12th grades in the 2020-2021 academic year.

The proposed charter school's mission statement says: "SPS: K2's mission is to prepare a heterogeneous student population for success in college and to be thoughtful, contributing members of society. The school aims to provide a personalized learning experience that affords each and every student the opportunity to achieve their academic goals regardless of their previous preparation and background. To this end, SPS: K2 seeks to develop educators that are trained and skilled in best practices that enhance achievement for all students. The school aspires to serve as a model for middle and high schools endeavoring to prepare all students for post-secondary academic pursuits" (p. 18, SPS K2 Charter Petition, 2013).

The Petition states that they will educate the following students: "The students' primary interest should be preparing for acceptance to and success in college. The students' backgrounds should represent the heterogeneity found in the population of the West Contra Costa Unified School District, and in particular the area in which the school is eventually located" (p. 19, SPS K2 Charter Petition, 2013).

California Education Code Section 47605(b) requires the Board to either grant or deny the Petition within 60 days of submission. Staff and legal counsel for the District have received information related to the Petition, and submitted responses to the information provided. District staff identified some concerns, which were shared with the charter school's founding staff over two meetings with Dr. Linda Delgado. These included:

1. Inadequate information on structured language development for English Language Learners.
2. Inadequate descriptions concerning the process for student discipline.
3. Concern that only 20 signatures reflecting individual *student* interest in enrolling on the intended start date were submitted by SPS. In addition, most or all of these included addresses in the hills, posing concerns that the stated heterogeneous enrollment targets were unrepresented.

Toward answering the concerns, SPS offered the following responses:

1. The founders described their language support in greater detail, and showed sections of the petition that indicated methods are in place for Language Learners, such as tutoring after school and during intercessions. They also pointed to statistical means of measuring gains.
2. Assurances were offered that the SPS schools seek to avoid all unnecessary disciplinary actions, and seek always to help students stay enrolled, and in school. Assurances were offered that the SPS disciplinary statistics mirror those of the surrounding districts in which they are currently doing business.
3. They have significant financial backing, and they have hired an experienced principal who has initiated outreach, using strategies and methods suggested by other local charter schools.

Recommendation:

To grant the Petition pending execution of a Memorandum of Understanding that resolves the identified concerns and other operational issues.

Fiscal Impact:

If approved, this petition will represent ongoing loss of student average daily attendance of 677 students by the 2020-2021 academic year from 7th to 12th grades as a result of District students attending SPS: K2.

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 –September 11, 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

August 12, 2013

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

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

- a. WCCUSD v. Orrick
- b. Palmer and Pollack v. WCCUSD
- c. American Standards Properties 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

Assistant Principal
Elementary Principal
Coordinator Educational Services
Executive Director K-12

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