

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION  
MEETING AGENDA  
NOVEMBER 20, 2013**

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**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](http://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.

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**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 recordings 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.

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**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 **5:45 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.

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"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 Kennedy High School**
- B.5 Report/Ratification of Closed Session**
- \* **B.6 Agenda Review and Adoption** (Public Comment)
- \* **B.7 Minutes:** October 23, 2013; November 6, 2013
- \* **B.8 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.

## **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 November 20, 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 November 20, 2013.

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 November 20, 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 November 2013 are provided.

Total of payroll warrants (October, 2013):	\$ 9,722,789
Total of vendor warrants (October, 2013):	\$ 28,563,311

Recommendation:  
Recommend approval of the payroll and vendor warrant reports

Fiscal Impact:  
As noted above

**\*CI C.5 Notice of Completions: Bids 1251612-04 Grant Elementary & 1341612-04 Lake Elementary School Fire Alarm Modernization**

Comment:  
Substantial completion notice has been received for: Bids 1251612-04 & 1341612-04.

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:

BBJ Electric, Bids 1251612-04 Grant Elementary & 1341612-04 Lake Elementary Fire Alarm Modernization.

Recommendation:

Recommend approval of these notices of completion

Fiscal Impact:

None

**\*CI C.6 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.7 Certification of Athletic Coaches – Fall 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. Provided are lists of coaches from each high school for fall sports.

Recommendation:

Recommend Approval

Fiscal Impact:

None

**\*CI C.8 Approval of Common Core State Standards (CCSS) Implementation Funds Plan**

Comment:

The CCSS implementation funds will be spent on professional development, supplemental instructional materials aligned to the common core, and technology. Staff presented the elements of the CCSS Implementation Funds Plan at the November 6 Board Meeting. A public hearing was also held at the November 6 Board Meeting.

The next step is for the Board to approve the plan.

Recommendation:

Recommend Approval

Fiscal Impact:

\$5,872,800 (for the 2013-14 and 2014-15 school years)

**\*CI C.9 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: \$255,099. Funding sources Measure J, D-2010 & E-2012 Bond.

**\*CI C.10 Ratification and Approval of Negotiated Change Orders**

Comment:

Staff is seeking ratification of Change Orders on the following current District construction projects: Kensington ES Moisture Abatement; Kensington ES Restroom Renovations; Kennedy HS Science Wing Renovation; Portola MS New Building; Helms MS Sports Field & Landscaping; De Anza HS Replacement Campus; Peres ES Modernization; New Gompers/LPS Schools. 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: \$279,451.44

**\*CI C.11 Approve 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, based on recently received bids. The expenditure authorization worksheet includes these proposed adjustments.

Several other current construction estimates exceed the approved project budgets; therefore 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.12 Acceptance of Contra Costa County Office of Education Annual Report for Williams Settlement Legislation**

Comment:

As a part by the compliance requirements for the Williams Settlement Legislation, the Contra Costa County Office of Education has submitted its annual report for fiscal year 2013-2014. This report presents the results of school site visits within the first four weeks of school.

Recommendation:

Recommend Acceptance of Report

Fiscal Impact:

None

**\*CI C.13 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 member Todd Groves has expressed interest in attending the following:

- Transforming EDU, Las Vegas, NV, January 9, 2014

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

Recommendation:

Recommend Approval

Fiscal Impact:

General Fund

**D. AWARDS, RECOGNITIONS, AND REPORTS**

**\* D.1 Ed Fund Grant Awardees for 2013**

Comment:

For the 30<sup>th</sup> year, the Ed Fund will be awarding mini-grants and school-wide grants to WCCUSD Schools. The Ed Fund Grants program was re-designed to support the District's strategic plan, with priority areas that reflected quality instruction, innovation, and an investment in the whole child. The education

community responded with imaginative grant projects that will transform our students' academic, social, and emotional growth by making learning come to life.

This year the Ed Fund awarded over \$30,000 in grant money to 40 amazing projects destined to ignite imagination and create change in our schools. The Ed Fund was able to award grants to 30 different schools throughout the District. This is by far the most diverse set of awardees we have had in terms of the distribution of grants to different schools.

We are proud of our continued support to WCCUSD and our teachers and students in the classroom. We will showcase the grant winners during the meeting.

Recommendation:

For Information Only

Fiscal Impact:

None

**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 and School Climate 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**

\* **E.3 In Memory of Members of the School Community**

Comment:

The District would like to take time to recognize the contributions of members of our school community who have passed away. The District requests the community to submit names to be reported as a regular part of each agenda.

Ms. Simontachi started in the District in 1969 as a teacher. She later moved to the positions of Literacy Coach, Instructional Support Reading and EID Coach before retiring in 2008.

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 West Contra Costa Administrators Association (West Contra Costa Administrators Association / AB1200 Public Disclosure of Collective Bargaining Agreement with WCCAA)**

Comment:

The contract before the Board of Education is a completion of total contract negotiations between the District and West Contra Costa Administrators Association (WCCAA) which began in 2012-2013. The District and WCCAA agreed to Salary and Benefits for 2012-13 at the January 23, 2013 Board meeting.

The contract has contractual language changes are in the following areas:

Article 3 – Salary provisions for Doctorate and Longevity

Article 5 – Agency dues are clarified

Article 8 – Extensive work to ensure all leaves are in compliance with current laws

Article 11 – Clarifying process for filling of bargaining unit vacancies

Article 12 – Benefits clarified to reflect January 23, 2013 agreement

Article 15 – Updating evaluation dates and timelines. Appeal process for evaluation process included

Article 17 – Job Sharing and Reduced Contracts was added to the contract

Article 18 – Reclassification Process was added to the contract

Article 21 – Safety provision was added to contract

Article 22 – Updated the number of exchange day allowed was added to contract

Article 23 – End of Year release was added to the contract. The language is a reflection of current law

Article 24 – Layoff procedure was added to contract to comply with current law

Appendix – Extended Learning daily rates were corrected to the accurate amount

The West Contra Costa Administrators Association (WCCAA) 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 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 through the interest based process.



Recommendation:

Recommend that the Board of Education ratify the Tentative Agreement between the West Contra Costa Unified School District and West Contra Costa Administrators Association (WCCAA).

Fiscal Impact:

General Fund \$9, 250 for 2013-2014

General Fund \$11,250 for 2014-2015

General Fund \$15,000 for 2015-2016

\* **F.2 Procurement Contract for Data Center and Wireless Infrastructure**

Comment:

Under Public Contract Code Section 20118 (K-12) our District is able to utilize procurement contracts which have been publicly bid or negotiated for the use by other public entities. Through CDWG we will be utilizing National Joint Powers Alliance, and CalSave contracts for the procurement of a wireless infrastructure for 13 sites and head-end equipment to be used for the District's video surveillance system, email servers, Voice over IP communications and storage.

In March 2013, the Board approved an ERATE contract to upgrade the wireless infrastructure for eleven of our ERATE eligible schools. These schools are: Downer, Ford, Nystrom, Peres, Verde, Harbour Way, Helms, King, Dover, Gompers and Kennedy. ERATE did not approve the funding and consequently these schools have not yet been upgraded. Coronado (temp campus), and Valley View were folded into the contract when it was determined that the equipment could be repurposed once Bond completes these sites. In addition, it was found that antiquated switches remain at DeJean, Grant, Lake, Lincoln and Richmond despite the recent wireless infrastructure upgrade as performed by AT&T earlier this year. Twelve switches are included in the Build of materials for this reason. The total cost of the project is \$2,144,461.56.

Competitive bids were sought for the data center piece of the project. The purpose of the data center is to serve as the "head-end" for our video surveillance system and to upgrade all older servers, to include our email servers and VOIP servers. Nine-hundred (900) VOIP phones are included for the purpose of standardizing all sites on the same communication (phone) system. The total cost for this part of the project is \$1,431,082.37.

Recommendation:

Approve the NJPA contract for the procurement of wireless infrastructure and CalSave contract for the data center for the purpose of upgrading remaining sites with new switching, wireless technology and establishing a "head-end" which will support the District's video surveillance system, email servers, VOIP communications and storage.

Fiscal Impact:

\$3,575,543.93 from Measure D 2010 and Measure E 2012

\* **F.3 Call for Nominations for California School Boards Association (CSBA) Delegate Assembly**

Comment:

The California School Boards Association is accepting nominations for its Delegate Assembly. Delegates will serve a two-year term beginning April 1, 2014 through March 31, 2016 and are required to attend two meetings each year. There are three delegates in Region 7, Sub-Region 7-A, whose terms expire in 2014.

Recommendation:

To discuss and ascertain whether the West Contra Costa Unified School District (WCCUSD) Board of Education will nominate delegates for the CSBA Delegate Assembly.

Fiscal Impact:

None

**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 – December 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**

**November 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
- 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**

**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**