

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
MEETING AGENDA
SEPTEMBER 3, 2014**

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 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.

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.

"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 DeAnza High School**
- B.5 Report/Ratification of Closed Session**
- * **B.6 Agenda Review and Adoption** (Public Comment)
- * **B.7 Minutes:** August 11, 2014; August 13, 2014
- * **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 September 3, 2014.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per grants summary

***CI C.2 Contracts**

Comment:

Permission is requested of the Board of Education to approve contracts as detailed, dated September 3, 2014.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per contracts summary

***CI C.3 Approval of District’s Response to Grand Jury Report on Capital Appreciation Bonds**

Comment:

According to California Penal Code §933(c), the District must respond to the presiding judge of the superior court on the findings and recommendations of the Report. California Penal Code §933.05(a) and (b) outline the responses expected from a responding entity to the Report’s findings and recommendations.

In response to the recommendations made in the Report, the District will consider avoiding the sale of Capital Appreciation Bonds prior to each bond issuance, and consider including “callable” provision in all future bond issues.

The Grand Jury Report and the District’s response are provided.

Recommendation:

Recommend approval of the District’s response to Grand Jury Report No. 1411.

Fiscal Impact:

None

***CI C.4 Mandated Cost Block Grant**

Comment:

As a part of the 2012-13 State Budget the legislature enacted an option for school districts regarding certain mandated activities and the financial claims that districts have traditionally filed for reimbursement. The optional mandated block grant (MBG) enables districts to access funding at the rate of an estimated \$28 per pupil for the 2014-15 fiscal year if the district is willing to forgo the traditional claim process. The MBG would provide an estimated \$1,000,878 in funding which would be received this year.

Opting for the Mandated Block G means the District has the advantage of the funding provided in real time, as opposed to funding sometime in the unforeseeable future. The District has opted in to the MBG since 2012-13.

Recommendation:

Opt in for the Mandated Block Grant program for 2014-15 and ongoing for subsequent fiscal year budgets.

Fiscal Impact:

Estimated revenue: \$1,000,878 (already in the budget for 2014-15)

***CI C.5 Certificated Board Authorization - Education Code 44258.3 – Waivers and Consent**

Comment:

Ed Code 44258.3 allows the Governing Board of a school district to authorize the holder of credentials in the following areas: multiple subject, standard elementary, single subject, and standard secondary, 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.6 Routine Personnel Changes - Certificated**

Comment:

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

Recommendation:

Ratification and Approve Certificated Personnel Changes

Fiscal Impact:

None

***CI C.7 Routine Personnel Changes – Classified**

Comment:

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

Recommendation:

Approve Classified Personnel Changes

Fiscal Impact:

None

***CI C.8 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: \$1,703,287. Funding sources are Bond Fund and Fund 40.

***CI C.9 Approval of Negotiated Change Orders**

Comment:

Staff is seeking approval of Change Orders on the following current District construction projects: Downer ES New Playfield; Pinole Valley HS Off-Site Parking; Verde ES Traffic/Parking Project; Kennedy HS Science Wing Renovation; Montalvin ES Classroom Bldg; Pinole Valley HS Interim Campus; Pinole Valley HS Interim Campus Portables Lease; Korematsu MS (Portola) New Bldg; Ohlone ES Ph 1 New Classrooms. Change Orders are fully executed by the District upon signature by the Superintendent's designee. Board approval 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 approving 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:

Approve negotiated Change Orders as noted

Fiscal Impact:

Total approval by this action: \$414,919.11

***CI C.10 Approval of Negotiated Change Orders – M&O**

Comment:

Staff is seeking approval of Change Orders on the following current District repair projects: Collins ES Restroom Repairs; Hercules HS Health Center; Olinda ES Miscellaneous Repairs and El Cerrito HVAC for the Dance Studio. Change Orders are fully executed by the District upon signature by the Superintendent's designee. Board approval 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 approving 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 to have this work completed by the contractor on the project.

Recommendation:

Approve negotiated Change Orders as noted.

Fiscal Impact:

Total approval by this action: \$25,323.26

***CI C.11 Resolution 16-1415: Proclamation of September as Attendance Awareness Month**

Comment:

Attendance Awareness Month is a nationwide event recognizing the connection between school attendance and academic achievement. The goal is to mobilize schools and communities not only to promote the value of good attendance but also to take concrete steps toward reducing chronic absence. More than 40 national organizations are working in partnership on the event.

Recommendation:

Recommend Approval

Fiscal Impact:

None

D. AWARDS, RECOGNITIONS, AND REPORTS

*** D.1 Report on Young Scholars Program**

Comment:

The mission of the Young Scholars Program is to educate our scholars (students who are under-represented on college campuses) for eligibility, admission, and success at four-year institutions of higher learning without remediation and to prepare them to be able to enter high-skilled career fields. Our scholars are encouraged to be reflective, independent, resourceful, responsible, and productive citizens, able to obtain future education, pursue high skill employment, to give back to their community, and to be dedicated to becoming the leaders of the 21st Century.

Students in the program are taught skills to learn how to overcome barriers and their perceived weaknesses. The ability to do both of these enables the students to face dilemmas, not to become overwhelmed, and to stay focused on achieving their goals.

By promoting a student's belief in their academic abilities and the importance of education, study skills training and mentoring, Young Scholars Program improves the odds for high school graduation and ensures steps toward post-secondary education – while increasing the likelihood for a life of increased personal choices and a productive career. It will also give these students a sense of cultural pride and confidence.

Staff and students will give an update on the progress and achievements of the program

Recommendation:

For Information Only

Fiscal Impact:

None

* **D.2 Sprint Project Connect Grant**

Comment:

The District was contacted March 20, 2014 by Luz Gomez, Deputy Chief of Staff from the office of Contra Costa Supervisor, John Gioia with an opportunity to take advantage of a \$100,000 Project Connect Grant sponsored through Sprint. Sprint will provide 65 Kennedy students with Dell laptops and internet connectivity for 2 years. These students have little or no technology at home and were selected based on this need. Students will not need to return these laptops and may use them beyond high school.

Kennedy administrators and technology teacher La Rue Moore have created a new class section which will provide these students the instruction needed to use technology successfully and develop life-long learning skills. An articulation agreement between Kennedy and Contra Costa College will allow students the ability to earn 12 CCC credits.

Recommendation:

For Information Only

Fiscal Impact:

None

* **D.3 2014 Summer School Programs, Data, and Learning**

Comment:

The West Contra Costa Unified School District provides a robust summer program. The program supports student academic growth and prevents summer learning loss. It also helps students gain credits and develop new learning.

Staff will provide a report on our summer school and other summer enrichment programs.

Recommendation:

For Information Only

Fiscal Impact:

None

Fiscal Impact:

Substantial from the State Seismic Funds

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
Bayside Parent Teacher Association
Citizens' Bond Oversight Committee
College and Career Readiness Academies
Community Budget Advisory Committee
Facilities Subcommittee
Ivy League Connection

Public Employees Local 1
Safety and School Climate Committee
School Supervisors Association
Technology Subcommittee
United Teachers of Richmond
West Contra Costa Administrators Association
Youth Commission

* **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.

Mary Margaret Glover passed away on July 19. Ms. Glover spent her 22 year teaching career at Woodrow Wilson Elementary School where she was loved by students and staff. She retired in 1991.

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 Selection of the Independent Performance Auditor for the Bond Program**

Comment:

Article XIII of the California State Constitution requires an annual independent performance audit of Prop 39 bond funds. The audit is required to ensure the District uses bond proceeds from each Prop 39 bond measure in conformance with the provisions listed in the ballot language. The audit will cover 2002 Measure D, 2005 Measure J, 2010 Measure D, and 2012 Measure E bond funds. In order to select an auditor the District issued a request for proposals for the Prop 39 Audit and formed a selection committee to review the proposals. The committee recommends that the District select Vavrinek, Trine, Day & Company, LLP for fiscal years 2013-2014, 2014-2015, and 2015-2016. The scope of the audit services was reviewed by the CBOC Audit Subcommittee and recommended by the Board's Facilities Subcommittee.

Recommendation:

Approval of Vavrinek, Trine, Day & Company, LLP to perform the Annual Independent Prop 39 Performance Audit and the additional scope of services requested.

Fiscal Impact:

\$142,000 for 2013-2014, \$146,000 for 2014-2015, and \$150,000 for 2015-2016. Funded by Bond Fund.

G. DISCUSSION ITEMS

* **G.1 Updates on Seismic Upgrades and Effort for Additional State Seismic Funding**

Comment:

The WCCUSD bond program has been essential in making seismic upgrades to schools and improving safety. The report will highlight the improvements at schools across the District including El Cerrito High School, the ECHS Stadium (under current construction), Korematsu Middle, Gompers/LPS, Helms Middle, DeAnza High, Lincoln, Downer, Pinole Valley High, Juan Crespi Middle and Valley View Elementary. The District has received a substantial portion of the State's Seismic funding for various projects and is actively pursuing additional State funding for seismic work.

Recommendation:

For Information Only

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 17, 2014

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

September 3, 2014

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

[Government Code Section 54956.9(d)(1)]

- a. Palmer and Pollack v. WCCUSD
- b. California Charter School Association v. WCCUSD

3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION/SIGNIFICANT EXPOSURE TO LITIGATION

[Government Code Section 54956.9(d)(2) or (d)(3)]

Six cases

4. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION/INITIATION OF LITIGATION

[Government Code Section 54956.9(d)(4)]

5. LIABILITY CLAIMS (Government Code Section 54956.95)

6. 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

7. PUBLIC EMPLOYEE APPOINTMENT

Elementary Vice Principal
Associate Superintendent Facilities, Maintenance, Operations and Bond Program

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

9. STUDENT DISCIPLINE (Education Code Section 35146)

Expulsions

**10. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/COMPLAINT
(Government Code Section 54957)**

11. REPORT OF CLOSED SESSION ACTIONS