

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION  
MEETING AGENDA  
OCTOBER 15, 2014**

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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 Hercules High School**
- B.5 Report/Ratification of Closed Session**
- \* **B.6 Agenda Review and Adoption** (Public Comment)
- \* **B.7 Minutes:** September 24, 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 Acceptance of Donations**

Comment:

The District has received donations as summarized, dated October 15, 2014.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per grants summary

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

Comment:

The planned fund-raising events for the 2014-15 school year are summarized, dated October 15, 2014.

Recommendation:

Recommend Approval

Fiscal Impact:

Additional revenue for schools

**\*CI C.3 Summary of Payroll and Vendor Warrant Reports**

Comment:

The summaries of Payroll and Vendor Warrants issued during the month of September 2014 are provided.

Total of payroll warrants (September 2014):	\$ 11,683,953
Total of vendor warrants (September 2014):	\$ 28,778,708

Recommendation:

Recommend approval of the payroll and vendor warrant reports

Fiscal Impact:

As noted above

**\*CI C.4 Notice of Completion: Bid 1101612-06 Collins Elementary School Restrooms Renovations, Bid 1101612-03 Collins Elementary School Floor, Door & Hardware Replacement**

Comment:

Substantial completion notices have been received for: Bid 1101612-06 and Bid 1101612-03

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:

Streamline Builders, Bid 1101612-06 Collins Elementary Restrooms Renovation.

Hung Construction Builders, Bid 1101612-03 Collins Elementary Floor, Door & Hardware Replacement.

Recommendation:

Recommend approval of these notices of completion

Fiscal Impact:

None

**\*CI C.5 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:

Ratify and Approve Certificated Personnel Changes

Fiscal Impact:

None

**\*CI C.6 Suicide Prevention Policy BP 5141.52**

Comment:

The District recognizes that suicide is a major cause of death among youth. The District would like to have a policy in place to establish procedures to be followed when a suicide attempt, threat or disclosure is reported and to provide students, parents/guardians and staff with education that helps them recognize the warning signs of severe emotional distress and take preventive measures to help potentially suicidal students.

Recommendation:

Recommend Approval

Fiscal Impact:

None

**\*CI C.7 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: \$608,264. Funding sources are Bond Fund and Fund 40.

**\*CI C.8 Approval of Negotiated Change Orders**

Comment:

Staff is seeking approval of Change Orders on the following current District construction projects: Ohlone ES Phase 1 New Classroom, El Cerrito HS Stadium, Montalvin Manor Classroom Building, Gompers New CHS & LPS Richmond School, Pinole Valley HS Phase 2A Interim Campus, DeAnza HS Replacement Campus, Kennedy HS Richmond Swim Center, Pinole Valley HS Phase 1 Detention Basin, Pinole Valley HS Interim Campus Portable Lease. 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: \$75,393.35

**\*CI C.9 Williams Lawsuit Complaints Quarterly Report**

Comment:

The Williams Lawsuit requires that a quarterly report be brought before the Board of Education reflecting the number of complaints filed with any school in the District during a particular quarter. This report reflects the time period from July 1, 2014 through September 30, 2014.

Recommendation:

Recommend Approval

Fiscal Impact:

None

**\*CI C.10 Approval of Board Member 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:

- CAG Seminar for Gifted Students, Sacramento, CA November 8, 2014
- CAG Annual Conference, Palm Springs, CA February 27 – March 1, 2015
- SXSWedu 2015 Conference, Austin, TX, March 9-12, 2015

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

Recommendation:

Recommend Approval

Fiscal Impact:

General Fund

**\*CI C.11 Resolution No. 35-1415: Recognizing Contributions of Veterans to the Country**

Comment:

Resolution No. 35-1415 acknowledges the contributions of our veterans and encourages all citizens, staff, faculty, students and families to participate in the celebration of Veterans' Day.

Recommendation:  
Recommend Approval

Fiscal Impact:  
None

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

### **D.1 Employee Service Anniversary Recognition**

Comment:

The West Contra Costa Unified School District employs 3266 full and part-time staff members. Tonight the District honors its veteran employees who have reached milestone years for their service. It is with great honor and gratitude that we recognize these individuals by presenting them with service anniversary pins in the following categories:

- the 35-Year Service Pin Award to 13 staff;
- the 30-Year Service Pin Award to 12 staff;
- the 25-Year Service Pin Award to 59 staff;
- the 20-Year Service Pin Award to 30 staff.

It is ultimately the students who benefit from the relationships we have with our veteran staff members. Collectively this group represents more than 2890 years of experience in serving the students.

Our school communities and the District are indeed fortunate to benefit from our veteran employees' wisdom and accumulated experience which guide and inform our current and future work. Their dedication, caring, creativity, ingenuity, and resilience are an important part of what makes our District special.

Recommendation:  
Recognition; for Board and public information

Fiscal Impact:  
None

### **\* D.2 Update on Unaccompanied Immigrant Children**

Comment:

The Catholic Charities of the East Bay will be providing an update on Unaccompanied Immigrant Children in West Contra Costa Unified School District.

Recommendation:  
For Information Only

Fiscal Impact:  
None

\* **D.3 Public Hearing for Amethod Charter Management Organization: John Henry High School (9-12)**

Comment:

On Wednesday, September 3, 2014, the Amethod Charter Management Organization submitted a petition to open a Charter High School in West Contra Costa Unified School District in the fall of 2015. John Henry High School would begin with an enrollment of 190 students in 2015-16, expanding to 400 students by the 2018-2019 academic year.

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.

\* **D.4 Affordable Care Act District Study**

Comment:

A representative from Keenan & Associates will present information on the Affordable Care Act and how it impacts the school district.

Recommendation:

For Information Only

Fiscal Impact:

Dependent upon employee participation rates – estimate is \$300,000 for year one

**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
Citizens’ Bond Oversight Committee	Safety and School Climate Committee
College and Career Readiness Academies	Technology Subcommittee
Community Budget Advisory Committee	United Teachers of Richmond
Facilities Subcommittee	West Contra Costa Administrators Association
Ivy League Connection	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.

Theresa Powell began in 1968 and worked at both Verde Elementary and Martin Luther King Elementary Schools. Ms. Powell retired in 2000. She enjoyed teaching and loved her sixth grade students.

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 Naming Building 10 at De Anza High School**

Comment:

Board Policy 7310 establishes the criteria and processes for “renaming buildings, parts of buildings or athletic fields in honor of the contributions of students, staff members and community members.” With construction about to begin on Building 10 at De Anza High School, Mr. Charles Ramsey requested that Building 10 be named in honor of his late father, Judge Henry Ramsey, Jr. A portion of Building 10 will be used to house the Law Academy at DAHS which is currently named the Henry Ramsey, Jr. Law Academy. The policy stipulates that upon request that the Board will appoint a Board subcommittee to “review the nomination and make recommendations for the Board’s final consideration.” At the October 1, 2014 meeting, the Board approved the appointment of Board Clerk Todd Groves and member Randy Enos to serve as the committee to consider the proposal. That committee held a public hearing on October 6, 2014 and supports the recommendation that the DAHS Building 10 be named in honor of Judge Henry Ramsey, Jr.

Recommendation:

That the Board name the DeAnza High School Building 10 as the Judge Henry Ramsey, Jr. Building.



Fiscal Impact:

Minimal in providing lettering for the building

**G. DISCUSSION ITEMS**

- \* **G.1 Resolution No. 32-1415: Authorizing the Issuance and Sale of its General Obligation Refunding Bonds, 2014 Series A, in an Aggregate Principal Amount not to Exceed \$135,000,000, Including Bond Subject to the Compounding of Interest, and Approving Certain Other Matters Relating to Said Bonds**

Comment:

The District’s financing team, including KNN Public Finance, the District’s financial advisor, and Piper Jaffray & Co., Stifel Nicolaus and Backstrom McCarley Berry & Co. LLC (collectively, the “Underwriters”), and Nixon Peabody LLP, have prepared documentation for the purpose of permitting the District to issue its 2010 Series C Bonds and its 2012 Series B Bonds. The 2010 Series C Bonds will be issued pursuant to an authorization approved by 62.6% of the eligible voters of the District at an election on June 8, 2010, known as Measure D. The District has previously issued and sold \$140,000,000 in aggregate principal amount of bonds under Measure D, and the 2010 Series C Bonds will represent the fourth series of bonds issued under Measure D. The 2012 Series B Bonds will be issued pursuant to an authorization approved by 64.4% of the eligible voters of the District at an election on November 6, 2012, known as Measure E. The District has previously issued and sold \$85,000,000 in aggregate principal amount of bonds under Measure E, and the 2012 Series B Bonds will represent the second series of bonds issued under Measure E. The proceeds of the Bonds will be used for projects authorized under the measure.

The following documents are attached:

- Resolution authorizing issuance of the Bonds
- Contract of Purchase with underwriters
- Preliminary Official Statement (submitted under separate cover)

In order to accomplish the District’s present construction and modernization program without significant delays, it is necessary to preserve the District’s option to issue bonds with maturities longer than thirty years. Such a structure requires the Board, in turn, to comply with the provisions of Assembly Bill 182, comprising portions of Section 15146 of the Education Code (“A.B. 182”). A.B. 182 requires certain special disclosures, which are reflected in Exhibit D to this Resolution, and it also requires that the Resolution and those disclosures be submitted to the Board first as an information item at a regularly scheduled Board meeting, and acted upon at the next consecutive regularly scheduled Board meeting of November 12, 2014.

The finance team will present to the Board the financing plan, an explanation of the necessity for bonds with maturities longer than thirty years, the information covered by this Resolution in compliance with A.B. 182 and describe the function of each of the attached documents.

Recommendation:

First reading of the Resolution and accompanying documents

Fiscal Impact:

None

\* **G.2 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
- Construction Status Reports

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 – November 12, 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**

**October 15, 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**

Assistant Principal

**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**