

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

BOARD OF TRUSTEES



MISSION STATEMENT

We provide the highest quality education to enable all students to make positive life choices, strengthen our community, and successfully participate in a diverse and global society.

We provide excellent learning and teaching experiences; safe, student-centered learning environments; and support for all students and employees. We develop and maintain productive community partnerships and individual and collective accountability.

MEETING OF
May 23, 2012

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
MEETING AGENDA
MAY 23, 2012**

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 **5:45 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: May 9, 2012**

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 May 23, 2012. The estimated values for any non-cash donations are provided by the donor. Staff recommends acceptance of these donations.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per donations summary

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

Comment:

The planned fund-raising events for the 2012-12 school year are summarized, dated May 23, 2012.

Recommendation:

Recommend Approval

Fiscal Impact:

Additional revenue for schools

***CI C.3 Contracted Services**

Comment:

Permission is requested of the Board of Education to approve the following contracts for services as detailed, dated May 23, 2012.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per contracts summary

***CI C.4 Adoption of Resolution No. 114-1112: 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 Victoria S. Izzo-Gutierrez. Staff recommend replacement of the stale dated warrant.

Recommendation:

Recommend approval to replace the outdated warrant

Fiscal Impact:

None

***CI C.5 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:

For Information Only

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:

For Information Only

Fiscal Impact:

None

***CI C.7 Resolution No.105-1112: Credential Assignment Options**

Comment:

This resolution will provide the District with assignment options of a temporary nature when a teacher with an appropriate credential is not available to the District.

The options are only available to teachers who hold a current, non-emergency, basic credential.

Recommendation:

Recommend Approval

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 as noted

Fiscal Impact:

Total for this action: \$900,974. Funding sources as noted.

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

Comment:

Approval of the noted change orders for the Ford Elementary School New School and El Cerrito High School Multi-Use Sport Fields project is required by the Board, with special findings as noted below, because these projects are in excess of the Public Contract Code limit of 10% of the original contract value. In accordance with Public Contract Code 20118.4, the Board, by approving and 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:

Approve negotiated Change Orders as noted

Fiscal Impact:

Total approval by this action: \$71,782.70

***CI C.10 Harding Elementary CR Wing Envelope and Foundation Ventilation Repairs Project Award of Contract**

Comment:

The District needs to complete flashing and roof issues at Harding Elementary School CR Wing Envelope, which were identified during final negotiation with the original contractor. Grossman Design Group has prepared plans and specifications for the project. Significant work includes the removal of existing exterior finishes, flashing assemblies, and aluminum windows; repairing of existing structurally sound components; and the installation of new metal flashing assemblies, exterior and interior finishing, and a vapor barrier and dehumidification system in the existing crawl space.

The District engaged in a public bid process for the project. Bids were opened on May 15, 2012. Three contractors submitted bids. They are as follows: Arthulia, Inc., \$163,000; B-Side, \$174,500; and S & H Construction, \$192,250.

Recommendation:

Award contract to the lowest responsive, responsible bidder after the expiration of the protest period.

Fiscal Impact:

Funded from the Measure D-2010 Bond

***CI C.11 Modification to Board Policies 5131 Conduct and 6163.4 Student Use of Technology**

Comment:

AB 1156 which was signed by the Governor on October 9, 2011 requires a policy school districts must have in place by July 1, 2012, relates to the E-rate program, which provides federally funded discounts on Internet and internal computer connections for schools. To implement congressional passage of the Protecting Children in the 21st Century Act, the Federal Communications Commission issued an order in August 2011 updating the certification requirements that districts must meet under the Children's Internet Protection Act (CIPA) to fully participate in the E-rate program.

The regulations now require districts to certify that their CIPA Internet safety policy includes provisions for educating students regarding appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response. Districts that fail to implement these cyberbullying and online behavior education requirements, or do not update their policies, will be unable to make the certifications required to receive Internet access and services, and internal computer connections through the E-rate program.

Recommendation:

That the Board adopt the modifications to Board Policies 5131 and 6163.4.

Fiscal Impact:

Unknown at this time

***CI C.12 2012-2013 Designation of California Interscholastic Federation (CIF) Representatives to the League**

Comment:

The California Interscholastic Federation annually requires the governing board to appoint district representatives. Ed. Code 33353 (a) (1) gives the governing boards of school districts specific authority to select their athletic league representatives.

The District recommends the appointment of Associate Superintendent Wendell Greer to continue in the capacity as the District's designated CIF representative. The names of the individual high school representatives are also provided for approval.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.13 Students from El Cerrito are attending the Heritage Music Festival-May 24-27, 2012**

Comment:

Thirty-nine students from El Cerrito High School's Jazz Band are attending the Heritage Music Festival from May 24 through May 27, 2012 in Vancouver, Canada. They will perform in the International Music Festival and Competition with students from the United States and Canada as well as opportunities to do exchange performances with local schools.

Recommendation:

Recommend Approval

Fiscal Impact:

No district or school funds. Partially paid by Friends of El Cerrito Music and fundraising with the remaining paid by family. Scholarships have been provided for students in need of financial assistance.

***CI C.14 Approval of Board Members Attending Conferences**

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 members Antonio Medrano and Tony Thurmond have expressed interest in attending the following conferences:

- National Association of Latino Elected and Appointed Officials (NALEO) Annual Conference, June 21-23, 2012, Orlando, FL
- Préparate: Educating Latinos for the Future of America, May 31-June 1, 2012, Miami FL

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

Recommendation:
Recommend Approval

Fiscal Impact:
General Fund

D. AWARDS, RECOGNITIONS, AND REPORTS

- * **D.1 Ivy League Summer Programs: Students from El Cerrito High School, Pinole Valley High School, Hercules High School, De Anza High School, John F. Kennedy High School, Richmond High School and Middle College High School will participate in college readiness programs offered at respective Ivy League Universities**

Comment:

The Ivy League Connection program has been an integral college awareness program in the West Contra Costa Unified School District for the last seven years. Each year students at our respective high schools participate in a rigorous screening process in order to gain acceptance into a summer program at an Ivy League university. The Ivy League Connection has grown tremendously over the years through the contributions of benefactors and corporations vested in providing educational opportunities for our students. This summer, West Contra Costa Unified School District will be sending forty-two students to various Ivy League universities including Cornell University, Columbia University, Brown University, University of Pennsylvania, Yale University and the “Ivy League of the South”: Vanderbilt University. The school district is proud to honor these outstanding students for their determination and willingness to accept this unique challenge, and we are confident they will serve as positive ambassadors representing the West County school community.

The District would like to thank the following sponsors for their contributions: IBEW/NECA LMCC Statewide; Contra Costa Chapter National Electrical Contractors Association (NECA); NorCal Chapter, NECA; Carpenters, Local 152; UA Local 342; AMANCO; Deems, Lewis and McKinley Architects; WLC Architects; Baker/Vilar Architects; HY Architects; Grossmann Design Group; Interactive Resources; Seville Group; Quattrocchi Kwok Architects; Sally Swanson Architects; Davillier Sloan; Employer Advocates; Powell and Partners; Electrical Contractors Trust Alameda County; GCR LLP; Piper Jaffray & Co.; De La Rosa & Company; KNN Public Finance.

The District also thanks this year’s chaperones Alfredo Chan-Law, John Crosby, Sewellyn Kaplan, Ian Lawrence, Cheryl Lilhanand, Igor Litvin, Michael Mannix, Jaclyn Timmes, and Katherine Williams. Their efforts to schedule college visits and meetings with admissions officers’ affords insight to the students and greater exposure for the District.

Additionally, appreciation is extended for scholarships provided from partner schools Brown, Cornell, Vanderbilt, Yale, and the University of Pennsylvania. A special thank you is also extended to Don Gosney for his help with the program and photographs.

Recommendation:
For Recognition Only

Fiscal Impact:
None

* **D.2 Budget Update**

Comment:

Associate Superintendent Business Services will provide an update on the budget.

Recommendation:

For Information Only

Fiscal Impact:

None

* **D.3 Standing Reports**

Representatives of the following committees and employee unions are invited to provide a brief update to the Board. Representatives from these groups need to sign up to speak prior to the beginning of this item on the agenda by submitting a “Request to Address the Board” form. Five minutes may be allowed for each subcommittee or group listed below:

Academic Subcommittee
Bayside Parent Teacher Association
Citizens’ Bond Oversight Committee
Community Budget Advisory Committee
Facilities Subcommittee
Ivy League Connection
Linked Learning – Multiple Pathways

Safety Committee
Select Committee on High Schools
Youth Commission
Public Employees Local 1
School Supervisors Association
United Teachers of Richmond

E. PUBLIC AND COMMITTEE COMMUNICATIONS

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

* **E.1 Superintendent’s Report**

* **E.2 WCCUSD Public Comment**

Members of the public are invited to speak to the Board about any matter that is not otherwise on the agenda and is related to issues affecting public education in the WCCUSD. **Approximately 30 minutes will be allocated for this item.** If there are more requests to speak than can be heard within this time limit, “WCCUSD Public Comment” will continue after Item G. Individuals wishing to speak must submit a “WCCUSD Public Comment” form prior to the beginning of this item on the agenda.

Depending on the number of persons who wish to speak, from one to three minutes will be allocated to each speaker at the discretion of the President of the Board in order to accommodate as many speakers as possible. The Board cannot dialogue on any issues brought before it by the public that have not been previously agendized, but may refer these to staff for response and/or placement on future agendas.

F. ACTION ITEMS

*** F.1 Resolution No. 112-1112: Intention to Levy Assessments for Fiscal Year 2012-13, Preliminarily Approving Engineer's Report and providing for Notice of a Public Hearing**

Comment:

This resolution will set the date and place of the public hearing, calls for the notice of the public hearing to be published ten days or more ahead of the meeting, and preliminarily accepts the engineer's report. The engineer's report contains the proposed budget for the 2012-13 year for the Maintenance and Recreation Assessment District (MRAD).

Should the Board adopt the resolution tonight, a public hearing will be held on the MRAD on June 28, 2011, at the hour of 6:30 p.m., a regular board meeting date, at Lovonya DeJean Middle School Multipurpose Room, 3400 Macdonald Ave., Richmond, CA 94805. At the conclusion of the public hearing on June 27, 2012, the Board may adopt a resolution that gives final approval to the engineer's report, levies the assessment and directs that the assessment diagram and individual assessments be filed with the County.

The Engineer's Report for MRAD is posted on the WCCUSD web site and a copy is at the front counter at 1108 Bissell Avenue, Richmond, CA.

Delivered under separate cover.

Recommendation:

Recommend approval of this resolution for MRAD

Fiscal Impact:

Revenue for MRAD Fund, \$5.5 million

*** F.2 Leadership Public Schools Charter Renewal Petition and Resolution No. 116-1112: Conditionally Approve the Renewal Charter School Petition for Leadership Public High Schools**

Comment:

The West Contra Costa Unified School District ("District") received a charter renewal petition ("Renewal Petition") on April 6, 2012, from Leadership Public Schools, Inc., a California nonprofit public benefit corporation ("LPS" or "Nonprofit"), requesting that the District's Board of Trustees renew the charter ("Charter") of LPS Richmond—a charter high school serving approximately 450 students in grades 9 through 12 ("LPS Richmond" or "Charter School"). The LPS Richmond Charter was last renewed by the District's Board of Trustees on March 21, 2007, for a five year term ending on June 30, 2012.

Pursuant to the Charter Schools Act of 1992 (the "Act"), Education Code section 47600 *et seq.*, the Legislature has charged local school boards with the responsibility for reviewing and acting on charter school petitions. The Act states that a school district governing board considering whether to grant a charter petition "shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that establishment of charter schools should be encouraged." (Ed. Code, § 47605(b).) With this legislative intent in mind, the governing

board must grant a charter “if it is satisfied that granting the charter is consistent with sound educational practice.” (Ed. Code, § 47605(b).)

Submission of a charter petition is governed by the requirements of Education Code section 47605 and 47607. Education Code section 47605(b) requires the Board, within 30 days of receiving a petition, to hold a public hearing to consider the level of support for the petition. The State Board of Education (“SBE”) recently adopted new regulations which add substantial detail to the procedure for renewing charter school petitions. These new regulation took effect on November 23, 2011. Among other things, the newly-adopted regulations allow for the automatic renewal of a charter school petition if a school district fails to make written factual findings to support a denial within 60 days of the district’s receipt of a petition. (Cal. Code Regs., tit. 5, § 11966.4 (c).)

Upon receipt, components of the Petition were assigned to various staff members of the District to review and analyze based on individual areas of expertise. Charter petition components were assigned as follows: Steve Collins, SELPA Director, Lyn Potter, Educational Director, Sonja Neely-Johnson, Coordinator Educational Services, Susan Dunlap, Coordinator EL Services, Nicole Joyner, Administrator, Linda Jackson, Executive Director Emeritus, Pat Calvert, Director Human Relations, Daniela Parasidis, Accounting Director and Legal/Operational, Ed Sklar and Claudia Weaver, Lozano Smith Attorneys at Law.

Staff and legal counsel have reviewed the Petition and prepared the “Staff Written Findings Regarding Leadership Public Schools Petition,” which is attached.

The Findings also include Staff’s recommendations to the Board regarding approval or denial of the Petition and approval or denial of Resolution 116-1112.

Recommendation:

Staff makes two recommendations relating to the Charter School's Renewal Petition.

- A. Staff recommends that the Board approve the Renewal Petition conditioned on: (1) concurrent execution of an Operational MOU between the Parties; (2) the Charter School’s express acknowledgement that the Board’s approval of the Charter renewal does not authorize the Charter School to proceed with the addition of middle school grades at LPS Richmond and that the addition of any new grade levels at LPS Richmond constitutes a material revision to the Charter, approval of which shall be subject to the Board’s determination of the sufficiency of educational, operational, and financial plans which shall be finalized by the Charter School and presented to the Board for its consideration at a later Board meeting; and (3) receipt from the Charter School, within thirty (30) days of Board action, of the following information:
1. A list of the textbooks, online resources, and primary instructional materials used in all course offerings, including courses for which College Access Readers have not yet been developed, and links to the College Access Readers currently in use.
 2. A copy of the Charter School’s current agreement for special education services with the El Dorado SELPA.

3. A copy of the Charter School's procedures for reclassifying EL students as Fluent English Proficient, exiting them from EL services after reclassification, and evaluating EL students following their reclassification.
4. A copy of the Charter School's plan for serving its high achieving students.
5. An updated list of Charter School courses approved by the University of California as creditable towards its a-g admissions criteria.
6. An updated copy of the Charter School's daily schedule for each grade level, as well as information regarding the total instructional minutes offered to each grade for each year of the Charter renewal period.
7. Copies of job descriptions and qualifications for all LPS Richmond employees.
8. A complete set of the Charter School's Board-adopted policies and procedures.

B. Staff recommends that after the Board of Education approves of the Charter School's Renewal Petition that the Board adopts the attached Resolution 116-1112 and all of the written Proposed Findings of Fact, contained within the attached Staff Findings, as its own.

Fiscal Impact:

None

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F.3 Resolution No. 113-1112: Tier III Categorical Flexibility – Public Hearing

Comment:

In January of 2012 a new Education Code became effective which requires a public hearing for the use of 2012/13 Tier III State Categorical Funds: Education Code §42605 grants districts flexibility in Tier III categorical programs and authorized district to use these funds for any educational purpose. For the 2008-09 fiscal year through the 2014-15 fiscal year, inclusive, local educational agencies that use the flexibility provision of this section shall be deemed to be in compliance with the program and funding requirements contained in statutory, regulatory and provisional language.

The public hearing is required to occur at a regularly scheduled open public hearing held prior to and independent of a meeting where the governing board of the district adopts the annual budget.

Recommendation:

Recommend approval of this resolution for Tier III Categorical Flexibility

Fiscal Impact:

\$14,560,575 estimated Tier III funding

*

F.4 State Loan Payoff – Resolution No. 115-1112

Comment:

In October of 2011 the School Board determined that the District would begin the processes necessary to pay off (an early pre-payment of the debt) the State Loan by passing Resolution 15-1112. The

Board received the results of the Fiscal Systems Assessment in January of 2012 and in March of 2012 the Board received a letter from the State Superintendent of Schools Tom Torlakson indicating that the conditions for removing the State Trustee were expected to be met.

The debt is to be prepaid into an escrow fund that will be established using State and District funds to pay the final debt in August of 2015.

Once the escrow is funded on May 29, 2012 the conditions for loan pay off are met.

This resolution permits the District to move forward with the State Loan Payoff and authorizes staff to complete the necessary wire transfers and paperwork to do so.

Recommendation:

Recommend Approval

Fiscal Impact:

Payoff of State Loan and release of State Trustee

* **F.5 Resolution No. 106-1112: Declaration to Hire 30-Day Substitutes on CBEST Waivers**

Comment:

There is a statewide shortage of qualified substitutes. The Commission on Teacher Credentialing require each 30-day substitute CBEST waiver request be approved by the Board of Education before the waiver request is submitted. This declaration need be approved only once for all CBEST waiver requested in 2012-2013. This item may not appear on the consent calendar for the governing board meeting. Our district will continue to recruit and search for fully credentialed teachers while using this assignment option.

Recommendation:

Recommend Approval

Fiscal Impact:

None

G. DISCUSSION ITEMS

* **G.1 West County Community High Charter Renewal Petition**

Comment:

West County Community High School submitted a renewal petition to West Contra Costa Unified School District [WCCUSD] on April 27, 2012 to continue a five year charter agreement in the district. Pursuant to the Charter School Act of 1992 (the "Act"), Education Code Section 47600 et seq., the Legislature has charged local school boards with the responsibility of reviewing and acting on petitions for charter schools.

Education Code section 47605(b) requires the Board, within 30 days of submission of the petition, to hold a public hearing to receive public comment on the Petition. That is the purpose of this agenda item.

The Act also requires the Board to either grant or deny the Petition within 60 days of submission.

Staff and legal counsel are analyzing information related to the Petition, as well as the operation and potential effects of the proposed charter school. A recommendation will be made regarding the Petition at a subsequent board meeting.

Recommendation:

Public hearing 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 – June 13, 2012

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

May 23, 2012

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

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

- a. WCCUSD v. Orrick
- b. Srago 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

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: May 23, 2012

From: Wendell C. Greer
Associate Superintendent, K – Adult Operations

Agenda Item: B.4

Subject: Presentation of Student Board Representative from DeAnza High School

Background Information:

A Student Board Representative from DeAnza High School will attend the Board of Education on May 23, 2012. We would like to recognize and commend their participation.

Recommendation: For Information Only

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

West Contra Costa Unified School District
Minutes of the Board of Education Meeting
Lovonya DeJean Middle School
3400 Macdonald Avenue
Richmond, CA 94805

Agenda Item B.7

May 9, 2012

A. CLOSED SESSION

B. OPENING PROCEDURES

President Ramsey called the meeting to order at 5:30 P.M. The Board recessed into Closed Session.
President Ramsey called the Public Session to order at 6:42 P.M.

B.1 Pledge of Allegiance

President Ramsey led the pledge of allegiance.

B.2 Welcome and Meeting Procedures

President Ramsey offered welcome and instructions to the public regarding the meeting.

B.3 Roll Call

Board Members Present: Madeline Kronenberg, Antonio Medrano, Elaine Merriweather, Charles Ramsey, Tony Thurmond.

Staff Present: Magdy Abdalla, Director Facilities Construction; Gary Aldridge, Electrician; Bill Fay, Associate Superintendent Operations; Luis Freese, Executive Director Maintenance and Operations; Sheri Gamba, Associate Superintendent for Business Services; Wendell Greer, Associate Superintendent K-Adult Schools; Rhonda Haney, Coordinator Disaster Preparedness & Safety; Bruce Harter, Superintendent; Joshua Herrera, Electronics Technician; Nicole Joyner, Administrator Grants/Special Projects; June Kalfsbeek, Senior Administrative Secretary Confidential; Keith Holtslander, Director of Facilities; Joe Mayes, Maintenance Manager; Ken McDaniel, Maintenance Supervisor; Emily Millar, Director Human Resources; Beatriz Ponce, Senior Administrative Secretary Confidential; Nia Rashidchi, Assistant Superintendent Education Services; Ann Reinlagen, Assistant Superintendent Human Resources; Reyna Ortiz de Tourel, Translator; Katie VonHusen, Coordinator Curriculum & Instruction

B.4 Presentation of Student Board Representative from North Campus High School

Reyes Everardo Castro provided a report of activities at North Campus High School.

B.5 Report/Ratification of Closed Session

Superintendent Harter asked the Board to ratify the action taken in Closed Session regarding the May 9, 2012 recommendation to approve expulsion case #001 and to suspend the expulsion for placement within the West Contra Costa Unified School District.

Motion: Mr. Medrano moved to ratify the action taken in Closed Session regarding the recommendation of May 9, 2012 for expulsion case #001. Mr. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond, and President Ramsey voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

B.6 Agenda Review and Adoption

President Ramsey asked the Board to consider moving items D.4 and D.5 up on the agenda before D.2.

MOTION: Mr. Medrano moved approval of the agenda with the recommended changes. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond, Student Representative Reyes Everardo Castro (advisory vote only), and President Ramsey voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

B.7 Minutes: April 25, 2012

MOTION: Ms. Merriweather moved approval of the Minutes of April 25, 2012. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond, Student Representative Reyes Everardo Castro (advisory vote only), and President Ramsey voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

C. BUSINESS ITEMS

C.1 Grants/Awards/Agreements

C.2 Acceptance of Donations

On behalf of Pinole Valley High School Mr. Al Kirkman accepted a \$1,500 donation from Mechanics Bank for a new score board.

C.3 Summary of Payroll and Vendor Warrant Reports

C.4 Adoption of Resolution No.104-1112: Replacement of Outdated Warrant

C.5 California School Board Association (CSBA) Updates to Board policies: 1330 (Use of School Facilities), 3280 (Sale, Lease, Rental of District-Owned Real Property) and 3290 (Gifts, Grants & Bequests)

C.6 Resolution No. 100-1112: Classified School Employee Week, May 20-26, 2012

C.7 Resolution No. 108-1112: School Nutrition Employee Appreciation Week – May 7-11, 2012

C.8 Ratification and Approval of Engineering Services Contracts

C.9 Ratification and Approval of Negotiated Change Orders

C.10 Leadership Public Schools Gompers New Campus Project - Approval of three agreements, conditional for funding under State's Charter School Facilities Program

C.13 Resolution No. 110-1112: Resolution in Recognition of Choose Civility Initiative

C.14 Approval of Board Member Attending Conference

MOTION: Ms. Kronenberg moved approval of Consent Items C.1 – C.10, C.13 and C.14. Ms. Merriweather seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond, Student Representative Reyes Everardo Castro (advisory vote only) and President Ramsey voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

C.11 Resolution No. 107-1112: Resolution to Support City of San Pablo's Measure Q on June 2012 Election Ballot

Public Comment:

None

Board Comment:

None

MOTION: Mr. Medrano moved approval of Consent Item C.11 Resolution No. 107-1112: Resolution to Support City of San Pablo's Measure Q on June 2012 Election Ballot. Ms. Merriweather seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond, Student Representative Reyes Everardo Castro (advisory vote only) and President Ramsey voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

C.12 Resolution No. 111-112: Resolution to Support City of Hercules Measure N and Measure O on the June 2012 Election Ballot

Public Comment:

None

Board Comment:

None

MOTION: Ms. Kronenberg moved approval of Consent Item C.12 Resolution No. 111-112: Resolution to Support City of Hercules Measure N and Measure O on the June 2012 Election Ballot. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond, Student Representative Reyes Everardo Castro (advisory vote only) and President Ramsey voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

D. AWARDS, RECOGNITIONS, AND REPORTS

D.1 The Ed. Fund's 2012 Scholarship Finalists

Ms. Rashidchi introduced Joel Mackey, Executive Director of the Ed. Fund, who presented the student scholars who have been awarded scholarships. Funding for a total of eighty scholarships was received from the Irvine Foundation, the Steve Schroeder Fund, and Chevron. Scholarships were awarded to students from the following schools:

De Anza High School
El Cerrito High School
Hercules High School
Leadership Public School
West County Community High School
Kennedy High School
Middle College High School
Pinole Valley High School
Richmond High School

Public Comment:

None

Board Comment:

None

D.4 West Contra Costa Unified School District presents: "Classified Employee of the Year"

Ms. Reinhausen introduced the Classified Employees of the Year:

Ken McDaniel, Classified Supervisor
Gary Aldridge, General Services M&O
Nelda Welton, Office & Technical
Latonya Jackson, Paraprofessional
Beatriz Ponce, Confidential

Public Comment:

None

Board Comment:

None

D.5 Recognition of Rhonda Haney

Mr. Greer introduced the recognition of Rhonda Haney. Ms. Bianca LaChaux, School Based Health Center Coordinator at Kennedy High School expressed appreciation of Ms. Haney's services.

Public Comment:

None

Board comment:

None

President Ramsey asked the Board to consider moving item F.1 up on the agenda.

MOTION: Ms. Kronenberg moved approval of moving item F.1 up on the agenda. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond, Student Representative Reyes Everardo Castro (advisory vote only) and President Ramsey voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

F. ACTION ITEMS

F.1 Resolution No. 109-1112: Resolution to Adopt the Decision of the Administrative Law Judge and Termination of Certificated Employees

Ms. Reinhausen offered information regarding the Certificate Lay-Off process and hearings held April 19 through 21, 2012, affording teachers due process rights for the designated lay-offs.

Legal counsel Laurie Juengert explained the layoff process. She said the Administrative Law Judge did not agree with the District's approach to skip over junior teachers of the Turn Around Model schools. She stated that lay-off notices were not given to the teachers in the Turn Around Schools.

President Ramsey clarified that staff has recommended that the Board approve the Administrative Law Judge decision.

Public Comment:

None

Board Comment:

Mr. Thurmond requested further explanation of the difference between attachments A –C.

Mr. Ramsey asked the Board to take a brief recess to allow opportunity for Mr. Thurmond to review the resolution.

Motion: Mr. Medrano moved approval of a brief recess. Ms. Merriweather seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond, Student Representative Reyes Everardo Castro (advisory vote only) and President Ramsey voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

President Ramsey called the meeting back to order at 7:25 P.M.

Motion: Mr. Medrano moved to approval to adopt the decision of the Administrative Law Judge. Ms. Merriweather seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Student Representative Reyes Everardo Castro (advisory vote only), and President Ramsey voted yes, Mr. Thurmond voted no; with no abstentions and no absences. Motion carried 4-1-0-0.

Motion: Ms. Kronenberg moved approve Resolution No. 109-1112: Resolution of Termination of Certificated Employees. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Student Representative Reyes Everardo Castro (advisory vote only), and President Ramsey voted yes, Ms. Merriweather and Mr. Thurmond voted no; with no abstentions and no absences. Motion carried 3-2-0-0.

Public Comment:

None

Board Comment:

None

D.2 Community Budget Advisory Committee (CBAC Report)

Ms. Gamba introduced Mr. Eduardo Martinez, the Chairman of the Community Budget Advisory Committee. Mr. Martinez spoke about the parcel tax and the committee's work as oversight for Measure D.

Public Comment:

None

Board Comment:

None

D.3 Report on Student Demographics

Ms. Gamba provided the annual report regarding the projected ten year demographics for the District.

Public Comment:

Al Kirkman

Board Comment:

None

D.6 Standing Reports

School Supervisors Association. Sandra Falk thanked the Board for recognizing the Classified Employees of the Year as they represent many of the people who perform similar work every day as classified employees.

Public Employees Union, Local One. Scott Brown thanked Ms. Gamba for working with him to rectify a CalPers problem for retirees. He commended the good relationship built with staff in making progress and facing the challenges of the next year. He spoke about the union's support of the parcel tax and concluded with remarks about the importance of recognizing classified employees for their hard work and dedication.

Academic Subcommittee. Ms. Rashidchi announced the next meeting would be the Academic Town Hall on May 22, 2012, 6:00 P.M. at DeJean Middle School. The focus of this meeting will be mathematics.

Safety Committee. Mr. Thurmond announced the next meeting for May 16, 2012, 6:30 P.M. at the DeJean Middle School. The topic will be Full Service Community Schools.

Youth Commission. Mr. Thurmond reported on the recent meeting and the recruiting of new members. Ms. Kronenberg shared that the commission is looking for active participants.

Community Budget Advisory Committee. Ms. Gamba said that three committee members will attend an upcoming budget workshop in Sacramento. The next meeting is scheduled for May 31, 2012.

Select Committee on High Schools. President Ramsey reported on the recent meeting at Richmond High School, where discussion included the loss of QEIA funding. The final meeting of the year will be held at El Cerrito High School on May 16, 2012.

Facilities Subcommittee. Mr. Medrano reported on the meeting held on May 8, 2012 which included discussion of the recommendation of the Peres Elementary School Modernization Project for the dental clinic. The next meeting will be held on June 12, 2012, Facilities Operations Center 4:00 P.M.

Ivy League Connection. President Ramsey reported on a recent meeting where Vanderbilt University was discussed and students gave excellent speeches. There will be a meeting with the Pinole City Council on May 15 and the Hercules City Council on May 22, 2012. Ms. Kronenberg shared a letter from a parent who was grateful for the program and opportunities for her daughter.

D.7 In Memory of Members of the School Community

Superintendent Harter recognized the contributions of members of the community who have passed away.

Public Comment:
None

Board Comment:
None

E. PUBLIC AND COMMITTEE COMMUNICATIONS
(Education Code 35145.5; Government Code 54950 et seq.)

E.1 Superintendent's Report
Superintendent Harter provided a report of activities in the District.

E.2 WCCUSD Public Comment
Kathryn Bressemer, Jamela Smith, Scottie Smith, Miya Woodhouse, Carol Robinson

G. DISCUSSION ITEMS

G.1 Project Status Report
Mr. Abdalla provided a report of construction projects in the District.

Public Comment:
None

Board Comment:

President Ramsey had questions about staffing for the construction projects. Mr. Fay provided clarification. He provided information about the Construction Manager positions for each school site.

President Ramsey commented on the solar project at Hercules Middle School.

H. UNFINISHED REQUESTS TO ADDRESS THE BOARD (continued from Item E)

None

I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT

Mr. Thurmond commended students on testing and wished everyone a Happy Mother's Day.

Ms. Merriweather congratulated the students who were recognized for their achievements and the classified employees of the year for their contributions.

Student Reyes Everardo Castro said he enjoyed serving on the Board.

Ms. Kronenberg thanked the teachers and classified staff, and reminded community members to vote.

Mr. Medrano wished everyone a Happy Mother's Day. He thanked the City of San Pablo for endorsing Measure K. He also commented on the recent Cinco de Mayo events in San Pablo and Richmond.

President Ramsey wished everyone a Happy Mother's Day and announced a bond finance forum to be held May 12, 2012 for school board members of the California School Boards Association.

J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING

Lovonya DeJean Middle School – May 23, 2012

K. ADJOURNMENT

President Ramsey adjourned the meeting at 8:41 P.M.

Motion vote count order: Yes-No-Abstain-Absent

BH:rjk

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: May 23, 2012

From: Sheri Gamba 
Associate Superintendent Business Services

Agenda Item: CI C.1

Subject: Acceptance of Donations

Background Information: The District has received donations as summarized on the attached sheet dated May 23, 2012. The estimated values for any non-cash donations (as indicated by an asterisk) are those provided by the donor. Staff recommends acceptance of these donations.

Recommendation: Recommend Approval

Fiscal Impact: As noted per donations summary.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

West Contra Costa Unified School District
May 23, 2012 Board Meeting

<u>Donor Name</u>	<u>Description or Purpose</u>	<u>Estimated Value</u>	<u>Receiving School or Department</u>
Mr. Doug Murdock	Television Set	*\$30.00	Fairmont Elementary
Murphy PTA	Dell Computers & Printers	\$5,361.63	Murphy Elementary
Mr. Bushra Noble	Forensics	\$15.00	Pinole Valley High
Ms. Madeline Crandall	Forensics	\$10.00	Pinole Valley High
Ohiopyle Prints, Inc	Materials and Supplies	\$28.22	Pinole Valley High
Chevron Humankind Matching Gift Program	Math/Science Program	\$500.00	Vista High

*Estimated values for the non-cash donations are provided by the donor
Donation Précis 052312

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: May 23, 2012

From: Sheri Gamba 
Associate Superintendent Business Services

Agenda Item: CI C.2

Subject: Approval of Fund-Raising Activities

Background Information: The planned fund-raising events for the 2011-12 school year are summarized on the attached sheet dated May 23, 2012.

Recommendation: Recommend Approval

Fiscal Impact: Additional revenue for schools

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

West Contra Costa Unified School District
May 23, 2012 Board Meeting

APPROVAL OF FUND-RAISERS

<u>School</u>	<u>Fund-Raising Activity</u>	<u>Activity Sponsor</u>
Chavez Elementary	First Aid Kit	Community Resources
Pinole Middle	Hoop-a-Thon	Pinole Middle & PTSA
Pinole Valley High	Car Wash @ State Farm Insurance Building	Teachers & Class of 2013
Pinole Valley High	Jamba Juice	Teachers & Class of 2015
Pinole Valley High	Sell World's Finest Chocolate	Show Choir and Women's Chorale
Pinole Valley High	Sell Items from Popcorn Palace	Show Choir and Women's Chorale

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: May 23, 2012

From: Sheri Gamba
Associate Superintendent Business Services

Agenda Item: CI C.3

Subject: Contracted Services

Background Information: Permission is requested of the Board of Education to approve the following contracts for services as detailed on the attached sheets dated May 23, 2012.

Recommendation: Recommend Approval

Fiscal Impact: As noted per contracts summary

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

West Contra Costa Unified School District
May 23, 2012 Board Meeting

CONTRACTED SERVICES

The following professional consultant services are recommended for approval.

<u>DEPARTMENT</u>	<u>DATE OF SERVICE</u>	<u>CONSULTANT NAME</u>	<u>COST & FUNDING</u>	<u>PURPOSE</u>
CISS	3/1/12 Thru 6/30/12	Contra Costa County Office of Education R35134	\$10,000 Title II-NCLB	Increase existing contract of \$49,550 to cover 40 additional participants who attended the SB 472-Everyday Math training at a cost of \$250.00 each, cost includes a binder containing the approved training materials for the SB 472- Everyday Math institute for each participating teacher and administrator, kindergarten through 6 th grade.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of the Superintendent

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Date: May 23, 2012

From: Sheri Gamba *sh*
Associate Superintendent Business Services

Agenda Item: CI C.4

Subject: Adoption of Resolution No.114-1112 Replacement of Outdated Warrant

Background Information: 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 Victoria S. Izzo-Gutierrez. Staff recommend replacement of the stale dated warrant.

Recommendation: Recommend approval to replace the outdated warrant

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

BOARD OF EDUCATION
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
RESOLUTION NO.114-1112
REPLACEMENT OF OUTDATED WARRANT
May 23, 2012

WHEREAS Government Code Section 29802(c) allows the governing board, by resolution, to order that a replacement check be issued for a warrant that is stale dated.

BE IT RESOLVED, by the Board of Education of the West Contra Costa Unified School District, that we issue a check to replace the following stale dated check:

Type:	Payroll Check
Payee:	Victoria S. Izzo-Gutierrez
Check No.:	157908
Amount:	\$63.41
Issue Date:	April 10, 2003

PASSED AND ADOPTED on the 23rd day of May, 2012, at a regular meeting of the Board of Education by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

I hereby certify that the foregoing is a full, true and correct copy of a resolution passed at a meeting of the Board of Education, of the West Contra Costa Unified School District.

Bruce Harter
Secretary, Board of Education

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: May 23, 2012

From: Ann Reinhausen,
Assistant Superintendent Human Resources

Agenda Item: CI C.5

Subject: Routine Personnel Changes - Certificated

Background Information:

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

Recommendation: For Information Only

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**May 23, 2012****FOR INFORMATION ONLY****CERTIFICATED BOARD CHANGES****TERMINATED/RETIRED**

<u>FIRST NAME</u>	<u>LAST NAME</u>	<u>SITE</u>	<u>POSITION</u>	<u>STATUS</u>	<u>TERM DATE</u>
Vaughns	Joy	Pupil Services	Nurse	Resigned	4/3/2012
Donna	Gutman	PSC	Speech	Retired	5/1/2012
Giana	Ramos	Richmond High	Biology	Resigned	6/9/2012
Justin	Smith	Helms Middle	English	Resigned	6/9/2012
Meaghan	Stern	Helms Middle	English	Resigned	6/9/2012
Folashade	Wolfe-Modupe	Kennedy High	Chemistry	Resigned	6/9/2012
Aneeta	Nayar	Bayview	4th	Resigned	6/9/2012
Caitlin	Duke	Bayview	K	Resigned	6/9/2012
Laura	Lee	Wilson	RSP	Resigned	6/9/2012
Brian	Fraim	Vista Staff Dev.	ELD Coach	Retired	6/9/2012
Mary	Schinnerer	Ellerhorst	K	Retired	6/9/2012
Renee	Edmonds	Richmond High	English	Resigned	6/9/2012
Teresa	Boardman	Richmond High	Computers	Resigned	6/9/2012
Roseanna	Mathers	Bayview	K	Retired	6/9/2012
Steven	Alameda	PVHS	PE	Retired	6/9/2012
Shannon	Elizondo	King	K	Resigned	6/9/2012
Craig	Hammack	Ohlone	4th	Retired	6/9/2012
Gayle	Bradley	DeJean	SH	Retired	6/9/2012
Emily	Davidson	Richmond High	Chemistry	Resigned	6/9/2012
Latoya	Williams	Gompers	Principal	Resigned	6/30/2012

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: May 23, 2012

From: Ann Reinhausen,
Assistant Superintendent Human Resources

Agenda Item: CI C.6

Subject: Routine Personnel Changes – Classified

Background Information:

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

Recommendation: For Information Only

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

May 23, 2012

FOR INFORMATION ONLY**Classified Personnel Changes**

PROMOTION			
HUNTER, SHEREE	FOOD SERVICE AIDE	GRANT	3/5/2012
SMITH COLLOR, NORINE	FOOD SERVICE AIDE	OHLONE	3/26/2012
FONG, SELEYN	INST ASSISTANT SP ED	SHANNON	3/27/2012
BARRON, ANABEL	INST ASSISTANT SP ED	STEGE	3/27/2012
VALERA RAMIREZ, MERILY	INST ASSISTANT SP ED	STEWART	3/6/2012
AVALOS, LUZ	STAFF SECRETARY BIL	ED SERVICES ELEMENTARY	3/13/2012
HERNANDEZ, LUZ	TYPIST CLERK I	PERES	3/13/2012
ACEVES, MARTHA ALICIA	FOOD SERVICE AIDE	PERES	4/19/2012
BUENVENIDA, ANDREA A	INST ASST SP ED HEARING IMPAIR	CRESPI JUNIOR	4/20/2012
CARRERA, ANTONIO	FIELD MAINT GROUNDS KPR	GROUNDS DISTRICTWIDE	4/16/2012
CASTRO, MERCEDES C.	ADMINISTRATIVE TECHNICIAN	STATE FEDERAL CENTRAL	4/16/2012
CORNEJO, NANCY A.	TYPIST CLERK I	HARDING	4/19/2012
DUPREE, KAYLYN AMANDA	FOOD SERVICE AIDE-BRKfst	PERES	4/20/2012
GALLEA, IRMA C.	STAFF SECRETARY	CURRICULUM/INSTRUCTION	4/16/2012
MENDOZA, NORMA	CUSTODIAN	RICHMOND HIGH	4/16/2012
VEGA PALOMINO, CELIA P.	CUSTODIAN	EL CERRITO HIGH	4/10/2012
WYATT, SHELLIE MARIE	TYPIST CLERK I	HANNA RANCH	4/4/2012
YOUNG, YOLANDA L.	CUSTODIAN	RICHMOND HIGH	4/10/2012

REHIRE			
CARROLL, DIANE MARY	TYPIST CLERK III	TRANSFER OFFICE	4/10/2012

RETURN FROM LEAVE			
WILLIAMS, MAURICE LAMOR	HEAD CUSTODIAN	LAKE	3/12/2012
JACKSON, SHAMEKA L.	FOOD SERVICE AIDE/CLERK	FAIRMONT	3/22/2012
PEREZ, NANCY	PAYROLL CLERK	FISCAL SERVICES	3/5/2012
MIKAO, FOU K	CAMPUS SECURITY OFFICER I	DE ANZA HIGH	4/17/2012
DOWNING, SITAPA	OCCUPATIONAL THERAPIST	SPECIAL ED	4/30/2012
PONCE, KARINA	SCHOOL SECRETARY I	DOWNER	4/2/2012

RESIGNATIONS			
CHAVEZ, ANGELA	TYPIST CLERK 1	HANNA RANCH	3/5/2012
ROBBINS, LORI	AFTER SCHOOL PROGRAM MGR	AFTER SCHOOL PROGRAM	4/6/2012
CASTRO, CARLOS	AFT SCHOOL PROGRAM SUPV	CAESAR CHAVEZ	4/30/2012
LEE, PAUL	TYPIST CLERK III	SPECIAL EDUCATION	4/19/2012

EXHAUSTION OF LEAVE			
TESS, MARTHA	CAMPUS SECURITY I	PORTOLA MIDDLE	3/2/2012
SINDICICH, MARSHA	SP. ED. ASST. VI	TARA HILLS	3/30/2012

TERMINATIONS			
VIDA, SERAFIN	CUSTODIAN	PINOLE MIDDLE	3/30/2012
ROCHA, LUIS	FOOD SVC AIDE	NYSTROM	3/29/2012

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: May 23, 2012

From: Ann Reinhausen,
Assistant Superintendent Human Resources

Agenda Item: CI C.7

Subject: Resolution No.105-1112: Credential Assignment Options

Background Information:

This resolution will provide the District with assignment options of a temporary nature when a teacher with an appropriate credential is not available to the district.

The options are only available to teachers who hold a current, non-emergency, basic credential.

Recommendation: Recommend Approval

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 105-1112

CREDENTIAL ASSIGNMENT OPTIONS

WHEREAS, the Commission on Teacher Credentialing provides employing districts with assignment options of a temporary nature in which a teacher with an appropriate credential is not available to the school district. Listed below are summaries of these options, which require the consent of the teacher and Board approval.

- **Ed Code 44263** allows the holder of a teaching credential to serve in a departmentalized class if the teacher has completed 18 semester hours of course work, or 9 semester hours of upper division of graduate course work, in the subject to be taught.
- **Title 5 Section 80027** allows for the issuance of a Limited Assignment Option to any teacher employed by the district who holds a credential based on a bachelor's degree and student teaching. Six semester hours of appropriate course work are required for renewal.
- **Ed Code 44256 (b)** allows the Governing Board of a school district to authorize the holder of a multiple subject teaching credential or a standard elementary credential to teach any subject in departmentalized classes to a given class or group of students below grade nine, provided that the teacher has completed 12 total semester units, or 6 upper division or graduate units of course work at an accredited institution in each subject to be taught.
- **Ed Code 44258.2** allows the Governing Board of a school district to assign the holder of a single subject or standard secondary teaching credential, with his or her consent, to teach classes in grades 5 through 8 in a middle school provided the teacher has a minimum of twelve semester units, or six upper division or graduate semester units of course work at an accredited institution in the subject to be taught.
- **Ed Code 44285.3** allows the Governing Board of a school district to authorize the holder of a multiple subject; standard elementary, single subject or standard secondary, with his or her consent, to teach departmental classes in grades K-12 provided the teacher has adequate knowledge of subject matter.
- **Ed Code 44258.7 (c)(d)** Allows the Committee on Assignments to authorize the holder of a multiple subject or single subject credential to teach a course outside of their credential area that is considered to be an elective in the grades K-12.
- **Ed Code 44328 (a)** Unless the commission determines that substantial evidence exists that a person is unqualified to teach, upon the completion of successful service as a district intern pursuant to subdivision **(b)** of Section 44325, and upon the recommendation of the school district governing board, the commission shall award preliminary credentials to district interns in the same manner as applicants recommended for credentials by institutions that operate approved programs of professional preparation.

BE IT THEREFORE RESOLVED that any other teacher assigned under one of the above options during the 2012-2013 school year will be identified on the certificated personnel changes at the appropriate board meeting as the assignments occur.

PASSED AND ADOPTED by the Governing Board of the West Contra Costa Unified School District of Contra Costa County, California, on May 23, 2012, by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

I HEREBY CERTIFY that the foregoing resolution was duly and regularly introduced, passed, and adopted by the members of the Governing Board of the West Contra Costa Unified School District at a public meeting of said Board held on May 23, 2012, and that the foregoing is an excerpt from the journal of said Governing Board for said meeting.

Bruce Harter
Secretary, Board of Education

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education **Meeting Date:** May 23, 2012
From: Bill Fay **Agenda Item:** CI C.8
Associate Superintendent for Operations
Subject: Ratification and Approval of Engineering Services Contracts

Background Information:

Contracts have been initiated by staff using previously qualified consulting, engineering, architectural, or landscape architectural firms to assist in completion of the referenced projects. Many of the firms are already under contract and the staff-initiated work may be an extension of the firm's existing contract with the District. Public contracting laws have been followed in initially qualifying and selecting these professionals.

Recommendation: Ratify and approve contracts as noted.

Fiscal Impact: Total for this action: \$900,974. Funding sources as noted.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____
Approved _____ Not Approved _____ Tabled _____

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
FACILITIES PLANNING AND CONSTRUCTION**

ENGINEERING & ARCHITECTURAL SERVICES CONTRACTS

Project/Funding	Dates	Firm	Contract Cost	Reference
Pinole Valley High School Hillside Stabilization Project Measure D-2010 Bond (PID: 3621377-09)	April 2012 through May 2012	Subtronic Corporation	\$13,440	Underground utility locating services.
Pinole Valley High School Main Campus Project Measure D-2010 Bond (PID: 3621377-05)	May 2012 through June 2012	Kleinfelder	Not to Exceed, \$5,000	Additional engineering services for site classification discussion with CGS.
Gompers/LPS Campus Replacement Project Measure D-2010 Bond (PID: 3581366-00)	July 2012 through June 2015	ABC Inspections, Inc.	\$197,600	Inspector of Record services.
Coronado Elementary School Interim Campus at Kennedy High School Project Measure D-2010 Bond (PID: 112134-01)	May 2012 through August 2012	Kleinfelder	\$18,300	Geotechnical construction observation and testing services.
Kensington Elementary School Multi-Purpose Building Project Measure J Bond (PID: 1301223-18)	May 2012 through June 2012	HY Architects, Inc.	\$14,574	Architectural design services to address water intrusion at the multi-purpose building.
Peres Elementary School Dental Clinic Renovation Project Measure J Bond (PID: 1471390-01)	May 2012 through August 2012	The Seville Group	\$78,809	Construction Management Services.
Nystrom Elementary School Modernization - Temporary Campus Project Measure J Bond (PID: 1441205-09)	May 2012 through August 2012	The Seville Group	\$80,031	Construction Management Services.

May 23, 2012

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
FACILITIES PLANNING AND CONSTRUCTION**

ENGINEERING & ARCHITECTURAL SERVICES CONTRACTS

Coronado Elementary School Campus Replacement - Temporary Campus Project Measure J Bond (PID: 112134-01)	May 2012 through August 2012	The Seville Group	\$92,860	Construction Management Services.
Murphy Elementary School, Mira Vista Elementary School and Sheldon Elementary School Restroom Renovations Project Measure J Bond (PID: 1421223-19, 1391223-18, 1551223-20)	May 2012 through August 2012	The Seville Group	\$84,912	Construction Management Services.
Ellerhorst Elementary School, Tara Hills Elementary School, Harding Elementary School and Lincoln Elementary School Restroom Finish Upgrades Project Measure J Bond (PID: 1171223-13, 1591223-01, 1271223-04, 1351223-01)	May 2012 through August 2012	The Seville Group	\$84,912	Construction Management Services.
Portola Middle School Demolition Project Measure J Bond (PID: 2141103-09)	April 2012 through November 2012	The Seville Group	\$230,536	Construction Management Services.

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION --- BOARD OF EDUCATION

To: Board of Education **Meeting Date:** May 23, 2012
From: Bill Fay **Agenda Item:** CI C.9
Associate Superintendent for Operations
Subject: Approval of Negotiated Change Orders

Background information:

Approval of the noted change orders for the Ford Elementary School New School and El Cerrito High School Multi-Use Sport Fields project is required by the Board, with special findings as noted below, because these projects are in excess of the Public Contract Code limit of 10% of the original contract value. In accordance with Public Contract Code 20118.4, the Board, by approving and 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: Approve negotiated Change Orders as noted.

Fiscal Impact: Total approval by this action: **\$71,782.70**

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____
Approved _____ Not Approved _____ Tabled _____

May 23, 2012 Change Order Ratification Summary

					Items Pending Board Action					
	Project	Company	Original Contract	Previously Approved CO's	CO's Pending Ratification	CO's Pending Approval	Total CO's	CO Percent of Original Contract	Adjusted New Contract	Change Order Numbers
1	Ford ES New School	Alten Construction, Inc.	\$16,734,206.00	\$2,210,102.00	\$0.00	\$45,739.00	\$2,255,841.00	13.48%	\$18,990,047.00	31
2	El Cerrito HS Multi-Use Sports Fields	Michael Paul Company, Inc.	\$3,749,000.00	\$412,031.63	\$0.00	\$26,043.70	\$438,075.33	11.69%	\$4,187,075.33	7

Pending Board Actions	Ratifications	\$0.00
	Approvals	\$71,782.70
	Total Board Action	\$71,782.70

Note: the proposed Board action is to ratify all change orders below ten percent (10%) of the contract value; the change order amounts pending Board approval is the portion of the change order(s) above 10%.

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education **Meeting Date:** May 23, 2012
From: Bill Fay **Agenda Item:** CI C.10
Associate Superintendent for Operations
Subject: Harding Elementary CR Wing Envelope and Foundation Ventilation Repairs Project Award of Contract

Background Information:

The District needs to complete flashing and roof issues at Harding Elementary School CR Wing Envelope, which were identified during final negotiation with the original contractor. Grossman Design Group has prepared plans and specifications for the project. Significant work includes the removal of existing exterior finishes, flashing assemblies, and aluminum windows; repairing of existing structurally sound components; and the installation of new metal flashing assemblies, exterior and interior finishing, and a vapor barrier and dehumidification system in the existing crawl space.

The District engaged in a public bid process for the project. Bids were opened on May 15, 2012. Three contractors submitted bids. They are as follows: Arthulia, Inc., \$163,000; B-Side, \$174,500; and S & H Construction, \$192,250.

Recommendation: Award contract to the lowest responsive, responsible bidder after the expiration of the protest period.

Fiscal Impact: Funded from the Measure D-2010 Bond.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: May 23, 2012

From: Wendell Greer
Associate Superintendent, K-Adult Operations

Agenda Item: CI C.11

Subject: Modification to Board Policies 5131 Conduct and 6163.4 Student Use of Technology

Background Information:

AB 1156 which was signed by the Governor on October 9, 2011 requires a policy school districts must have in place by July 1, 2012, relates to the E-rate program, which provides federally funded discounts on Internet and internal computer connections for schools. To implement congressional passage of the Protecting Children in the 21st Century Act, the Federal Communications Commission issued an order in August 2011 updating the certification requirements that districts must meet under the Children's Internet Protection Act (CIPA) to fully participate in the E-rate program.

The regulations now require districts to certify that their CIPA Internet safety policy includes provisions for educating students regarding appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response. Districts that fail to implement these cyberbullying and online behavior education requirements, or do not update their policies, will be unable to make the certifications required to receive Internet access and services, and internal computer connections through the E-rate program.

Recommendation:

That the Board adopt the modifications to Board Policies 5131 and 6163.4.

Fiscal Impact: Unknown at this time

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

West Contra Costa USD

Board Policy

Conduct

BP 5131

Students

The Governing Board believes that all students have the right to be educated in a positive learning environment free from disruptions. Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, while going to or coming from school, while at school activities, and while on district transportation.

Conduct is considered appropriate when students are diligent in study, careful with school property, courteous, and respectful toward their teachers, other staff, students, and volunteers.

The Superintendent or designee shall ensure that each school site develops standards of conduct and discipline consistent with district policies and administrative regulations. Students and parents/guardians shall be notified of district and school rules related to conduct.

Prohibited student conduct includes, but is not limited to:

1. Conduct that endangers students, staff, or others
2. Conduct that disrupts the orderly classroom or school environment
3. Harassment of students or staff, including bullying, intimidation, so-called "cyberbullying," hazing or initiation activity, ridicule, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause bodily harm or emotional suffering

Cyberbullying includes the posting of harassing messages, direct threats, social cruelty, or other harmful text or images on the Internet, social networking sites, or other digital technologies, as well as breaking into another person's account and assuming that person's identity in order to damage that person's reputation or friendships.

4. Damage to or theft of property belonging to students, staff, or the district
5. Possession or use of laser pointers on school premises, unless used for a valid instructional or other school-related purpose, including employment (Penal Code 417.27)

Prior to bringing a laser pointer on school premises, students shall first obtain permission from the principal or designee. The principal or designee shall determine whether the requested use of the laser pointer is for a valid instructional or other school-related purpose.

6. Use of profane, vulgar, or abusive language
7. Plagiarism or dishonesty in school work or on tests
8. Inappropriate attire
9. Tardiness or unexcused absence from school
10. Failure to remain on school premises in accordance with school rules

Employees are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or receive a report of a violation of these standards, to immediately intervene or call for assistance. If an employee believes a matter has not been resolved, he/she shall refer the matter to his/her supervisor or administrator for further investigation.

Students who violate district or school rules and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs in accordance with Board policy and administrative regulation, and contact with local law enforcement as appropriate.

Students also may be subject to discipline in accordance with law, Board policy, and administrative regulation for any off-campus conduct during non-school hours which poses a threat or danger to the safety of students, staff, or district property or disrupts the orderly delivery of the educational program.

Possession of Cellular Phones and Other Mobile Communications Devices

The Governing Board believes that the unauthorized use of electronic signaling devices adversely affects students' ability to achieve academic success, is disruptive to effective classroom discipline and management and can lead to an invasion of staff and students safety and privacy rights. The Board desires to keep district schools free of any classroom and/or school interference by unauthorized use of such signaling devices. However, the Board believes some of these devices can be used effectively in the instructional program. Staff shall take measures in order to properly regulate and restrict such use.

No student shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student's health. The use of which is limited to health-related purposes. (Education Code 48901.5)

During an emergency declared by the school, students may use their cell phones at the discretion of staff to contact parents/guardians.

The Superintendent or designee shall develop a comprehensive plan to regulate and restrict the use of electronic signaling devices that includes involvement of parents/guardians, with the coordination between staff and parents/guardians. A progressive consequence procedure will be established.

The Superintendent or designee shall clearly communicate to all students, staff and parents/guardians the district's policies, regulations and school rules related to the use of electronic signaling devices on school campuses during school hours. This policy shall be disseminated through the Student Handbook, Parent Rights Handbook, district's website, and every school's main office.

The Board expects staff to conduct themselves in accordance with the district's policy related to use of electronic signaling devices. Staff should help students see themselves as responsible partners in efforts to maintain a safe and positive learning environment.

Bullying/Cyberbullying

The Board desires to prevent bullying by establishing a positive, collaborative school climate and clear rules for student conduct.

The district may provide students instruction in the classroom or other school settings that promotes communication, social skills, and assertiveness skills and may involve parents/guardians, staff, and community members in the development of strategies to prevent and respond to bullying.

The Protecting Children in the 21st Century Act requires the district to provide students instruction in the classroom or other school settings that promotes communication, social skills, and assertiveness skills and may involve parents/guardians, staff, and community members in the development of strategies to prevent and respond to bullying.

~~School staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies. Parents/guardians and students also may be provided with similar information.~~

Students may submit a verbal or written complaint of conduct they consider to be bullying to a teacher or administrator and may also request that their name be kept in confidence. The Superintendent or designee may establish other processes whereby students may submit anonymous reports of bullying. Complaints of bullying or harassment shall be investigated and resolved in accordance with site-level grievance procedures specified in AR 5145.7 - Sexual Harassment.

When a student is suspected of or reported to be using electronic or digital communications to engage in cyberbullying against other students or staff or to threaten district property, the investigation shall include documentation of the activity, identification of the source, and a determination of the impact or potential impact on school activity or school attendance. Students shall be encouraged to save and print any messages sent to them that they feel constitutes cyberbullying and to notify a teacher, principal, or other employee so that the matter may be investigated.

Cyberbullying conducted using district-owned equipment or on school premises, as well as

off-campus cyberbullying that impacts school activity or school attendance, may be subject to discipline in accordance with district policies and regulations. If the student is using a social networking site or service that has terms of use that prohibit posting harmful material, the Superintendent or designee also may file a complaint with the Internet site or service to have the material removed.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32261 Bullying

35181 Governing board policy on responsibilities of students

35291-35291.5 Rules

44807 Duty concerning conduct of students

48900-48925 Suspension or expulsion, especially:

48908 Duties of students

51512 Prohibition against electronic listening or recording device in classroom without permission

CIVIL CODE

1714.1 Liability of parents and guardians for willful misconduct of minor

PENAL CODE

288.2 Harmful matter with intent to seduce

313 Harmful matter

417.25-417.27 Laser scope

647 Use of camera or other instrument to invade person's privacy; misdemeanor

647.7 Use of camera or other instrument to invade person's privacy; punishment

653.2 Electronic communication devices, threats to safety

VEHICLE CODE

23124 Use of cellular phones provisional license holders

CODE OF REGULATIONS, TITLE 5

300-307 Duties of pupils

UNITED STATES CODE, TITLE 42

2000h-2000h6 Title IX, 1972 Education Act Amendments

UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

COURT DECISIONS

J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094

LaVine v. Blaine School District, (2000, 9th Cir.) 257 F.3d 981

Emmett v. Kent School District No. 415, (2000) 92 F.Supp. 1088

Bethel School District No. 403 v. Fraser, (1986) 478 U.S. 675

Tinker v. Des Moines Independent Community School District, (1969) 393 U.S. 503

Management Resources:

CSBA PUBLICATIONS

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Bullying at School, 2003

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Digital Discipline: Off-Campus Student Conduct, the First Amendment and Web Sites, School Law in Review, 2001

NATIONAL SCHOOL SAFETY CENTER PUBLICATIONS

Bullying in School: Fighting the Bullying Battle, 2006

WEB SITES

CSBA: <http://www.csba.org>

California Cybersafety for Children: <http://www.cybersafety.ca.gov>

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/lr/ss>

Center for Safe and Responsible Internet Use: <http://cyberbully.org>

National School Boards Association: <http://www.nsba.org>

National School Safety Center: <http://www.schoolsafety.us>

U.S. Department of Education: <http://www.ed.gov>

Policy WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

adopted: August 20, 2008 Richmond, California

revised: July 8, 2009

West Contra Costa USD

Board Policy

Student Use Of Technology

BP 6163.4

Instruction

The Governing Board intends that technological resources provided by the district be used in a responsible and proper manner in support of the instructional program and for the advancement of student learning.

The Superintendent or designee shall notify students and parents/guardians about authorized uses of district computers, user obligations and responsibilities, as well as consequences for unauthorized use and/or unlawful activities.

On-Line Services/Internet Access

The Superintendent or designee shall provide age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services. Such instruction shall include, but not be limited to, the dangers of posting personal information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying.

~~The Superintendent or designee shall ensure that all district computers with Internet access have a technology protection measure that blocks or filters Internet access to visual depictions that are obscene, child pornography, or harmful to minors, and that the operation of such measures is enforced. (20 USC 6777, 47 USC 254)~~

The Board desires to protect students from access to inappropriate matter on the Internet or other on-line services. The Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet. He/she also shall establish regulations to address the safety and security of students and student information when using electronic mail, chat rooms, and other forms of direct electronic communication.

Staff shall supervise students while they are using on-line services and may ask teacher aides and student aides to assist in this supervision.

Before using the district's on-line resources, each student and his/her parent/guardian shall sign and return an Acceptable Use Agreement specifying user obligations and responsibilities. In that agreement, the student and his/her parent/guardian shall agree to not hold the district or any district staff responsible for the failure of any technology protection measures, violations of copyright restrictions, or users' mistakes or negligence. They shall also agree to indemnify and

hold harmless the district and district personnel for any damages or costs incurred.

In order to help ensure that the district adapts to changing technologies and circumstances, the Superintendent or designee shall regularly review this policy, the accompanying administrative regulation, and other relevant procedures. He/she shall also monitor the district's filtering software to help ensure its effectiveness.

Legal Reference:

EDUCATION CODE

51006 Computer education and resources

51007 Programs to strengthen technological skills

51870-51874 Education technology

60044 Prohibited instructional materials

PENAL CODE

313 Harmful matter

502 Computer crimes, remedies

632 Eavesdropping on or recording confidential communications

UNITED STATES CODE, TITLE 20

6751-6777 Enhancing Education Through Technology Act, No Child Left Behind Act, Title II, Part D, especially:

6777 Internet safety

UNITED STATES CODE, TITLE 47

254 Universal service discounts (E-rate)

CODE OF FEDERAL REGULATIONS, TITLE 16

312.1-312.12 Children's online privacy protection

CODE OF FEDERAL REGULATIONS, TITLE 47

54.520 Internet safety policy and technology protection measures, E-rate discounts

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

K-12 Network Technology Planning Guide: Building the Future, 1995

CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES

1223.94 Acceptable Use of Electronic Information Resources

WEB SITES

CSBA: <http://www.csba.org>

American Library Association: <http://www.ala.org>

California Department of Education: <http://www.cde.ca.gov>

Federal Communications Commission: <http://www.fcc.gov>

U.S. Department of Education: <http://www.ed.gov>

Policy WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

adopted: June 6, 2007 Richmond, California

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education **Meeting Date:** May 23, 2012
From: Wendell C. Greer **Agenda Item:** CI C.12
Assistant Superintendent K-Adult Operations
Subject: 2012-2013 Designation of California Interscholastic Federation (CIF) Representatives to the League

Background Information:

The California Interscholastic Federation annually requires the governing board to appoint district representatives. Ed. Code 33353 (a) (1) gives the governing boards of school districts specific authority to select their athletic league representatives.

The District recommends the appointment of Associate Superintendent Wendell Greer or designee to continue in the capacity as the District's designated CIF representative. The names of the individual high school representatives are also provided for approval.

Recommendation: Recommend Approval

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____
Approved _____ Not Approved _____ Tabled _____

California Interscholastic Federation

2012-2013 Designation of CIF Representatives to League

DeAnza High School	
Name of representative	Robert Evans, Principal
Name of representative	Phil Johnson, Asst. Principal
Name of representative	Jim Klaczak, Athletic Director
El Cerrito High	
Name of representative	David Luongo, Principal
Name of representative	George Austin, Athletic Director
Name of representative	Sharon Baltazar, Asst. Principal
Name of representative	Nancy Ivey, Asst. Principal
Hercules High School	
Name of representative	Guy Zakrevsky, Principal
Name of representative	Guthrie Fleischman, Asst. Principal
Name of representative	Jason Strickland, Athletic Director
Kennedy High School	
Name of representative	Miesha Gash, Athletic Director
Name of representative	Carl Sumler, Head Coach
Name of representative	Mattie Felder, Head Coach
Pinole Valley High School	
Name of representative	Sue Kahn, Principal
Name of representative	Tiffany Valdehueza, Athletic
Name of representative	Lucas Bodwin, Athletic Director
Richmond High School	
Name of representative	Julio Franco, Principal
Name of representative	Kibby Kleiman, Asst. Principal

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board Of Education

Meeting Date: May 23, 2012

From: Wendell Greer
Associate Superintendent, K-Adult Operations

Agenda Item: CI C.13

Subject: Students from El Cerrito are attending the Heritage Music Festival-May 24-27, 2012

Background Information: Thirty-nine students from El Cerrito High School's Jazz Band are attending the Heritage Music Festival from May 24 through May 27, 2012 in Vancouver, Canada. They will perform in the International Music Festival and Competition with students from the United States and Canada as well as opportunities to do exchange performances with local schools.

Recommendation: Recommend Approval

Fiscal Impact: No district or school funds. Partially paid by Friends of El Cerrito Music and fundraising and remaining paid by family. Scholarships have been provided for students in need of financial assistance.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

SCHOOL:	El Cerrito High School	Date of Submission:
----------------	-------------------------------	----------------------------

TYPE OF TRIP: Please indicate the type of trip. ☐ DAY TRIP ☒ OVERNIGHT TRIP

Submissions must be received in the Executive Director's office by the following timeline:

<input type="checkbox"/> Chartered Transportation (Bus reservations via district Transportation Office)	25 school days prior to trip date
<input type="checkbox"/> Automobile (Driving to destination)	15 school days prior to trip date
<input type="checkbox"/> Public Transportation (BART, bus, Amtrak, etc)	15 school days prior to trip date
<input type="checkbox"/> Walking	15 school days prior to trip date

TRIP AND CHAPERONE INFORMATION: Adult to Student Ratio: K-3 1:5 & 4-12 1:10 Short Term Insurance: K-3 1:4 & 4-12 1:8

Date of Trip: 5/24/12 - 5/27/12	Time <u>Flight</u> <u>UA567</u> <u>UA517</u> Leave: <u>10:46am</u> Return: <u>5:35p</u>	Grade/Group: <u>Vind Ensembl</u>	Total number of students participating: <u>45</u> <u>39</u>
Trip Destination: (Include Address/phone) Heritage Music Festival Vancouver, British Columbia	Teacher in Charge of Group: (Name, phone, e-mail) Keith Johnson 510-231-1437: keith@echsbands.com		Other Teachers Accompanying Group: Louise Zara, ECHS Math Teacher

Number of chaperones accompanying the group: 5 703-2794 ☒ **Names of Chaperones and Position/Title form attached**

Student Study Trip Insurance: The following study trips require insurance: <input type="checkbox"/> Trips around/near water (including trips near creeks, ponds, etc, trips on boats, to hatcheries, hiking, etc) <input type="checkbox"/> Trips where students will be swimming <input type="checkbox"/> Trips with an overnight stay	<input checked="" type="checkbox"/> Insurance form attached <input type="checkbox"/> Check attached/account code listed <input checked="" type="checkbox"/> List of student names attached
--	--

TRANSPORTATION ARRANGEMENTS:

Chartered Transportation	CHARTERED TRANSPORTATION REQUEST FORM. All requests using district funds must be booked through the Transportation Office. Completed Chartered Transportation request must be attached to study trip request. FUNDING SOURCE Requests using other funding sources (i.e. PTA) must be booked by trip organizer and paid for at the site level. Funding source MUST be indicated. COMPANY Must be from District approved list as indicated on Bulletin. Attach confirmation from chartered transportation company.	<input type="checkbox"/> Completed form attached. (Funding Source Account Code indicated on form) FUNDING SOURCE ACCOUNT CODE COMPANY NAME AND CONTACT:
Automobile	AUTOMOBILE TRANSPORTATION FORM Form must be completed with driver's information attached. Valid California Drivers license and insurance requirements are mandatory.	<input type="checkbox"/> Completed form attached. <input type="checkbox"/> Valid driver's license and insurance attached
Public Transportation	TYPE OF PUBLIC TRANSPORTATION (BART, BUS, AMTRAK, FERRY) Funding source required if transportation tickets/arrangements are to be purchased using District funds. Funding source MUST be indicated if applicable.	Funding Source Account Code: Bitech Purchase Order #
Admission Fees	FEES TO DESTINATION, I.E., ZOO, THEATER, MUSEUM, ETC. Funding source required if tickets are to be purchased using District funds. Funding source MUST be indicated if applicable. Purchase requisitions should be initiated three weeks in advance of the trip.	Funding Source Account Code: Bitech Purchase Order #

EDUCATIONAL VALUE

Must include standards reference number and a brief explanation of how the trip relates to the classroom activity. Standards Number(s):

Standard 2.0: 2.14 - Creative Expression: Performance

Substitute(s) Requested	FOR SECONDARY SITES ONLY, SUBSTITUTES NEEDED FOR TEACHERS ON STUDY TRIPS.	Funding Source Account Code: Substitutes Needed for _____ paid periods
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LAST DATE FOR SUBMISSION OF STUDY TRIP:

APRIL 15, 2011

(3RD Friday in April)

LAST DATE FOR STUDY TRIP TO BE TAKEN:

JUNE 3, 2011

(1ST Friday in June)

* No late requests will be accepted. Study trips should not be scheduled during testing periods.

STUDY TRIP REQUEST FORM MUST HAVE PRINCIPAL SIGNATURE AND FUNDING SOURCE INDICATED BEFORE SENDING TO THE EXECUTIVE DIRECTOR'S OFFICE. INCOMPLETE STUDY TRIP REQUESTS WILL BE RETURNED AND MAY RESULT IN DELAY IN PROCESSING OR DENIAL OF REQUEST. APPROVALS WILL BE SENT BACK VIA EMAIL TO SECRETARY/OFFICE MANAGER AND PRINCIPAL.

APPROVALS:

Principal Signature

2/25/12
Date

Funding Authorization Dept.

Signature

Date

Executive Director

5/1/12
Date

RECEIVED
EXECUTIVE DIRECTOR OFFICE USE ONLY:
Received:

Approval Feb 27 2012
By: West Contra Costa USD
Date: Executive Director



WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

EL CERRITO HIGH SCHOOL BANDS

Keith Johnson, *Director of Bands*

540 Ashbury Avenue • El Cerrito, CA 94530

Phone: (510) 231-1437 x 26418

www.echsbands.com

ECHS Wind Ensemble & Jazz Ensemble 2012 Vancouver Tour Overview

This packet includes:

- Study Trip Request
- Letter of Invitation from Festival
- Travel Agency Registration Packet and Initial Invoice
- Group Airfare Proposal
- Cost Overview
- List of Students and Chaperones Attending the Trip
- Hotel Room Assignments
- Student Behavior Contract Form
- Student Emergency Contact Info Form

Brief Description of Trip:

Students will have the opportunity to perform in an International Music Festival and Competition with students from around the United States and Canada as well opportunities to do exchange performances with local high schools. Students and the Friends of El Cerrito Music (booster organization) have raised to fund to bring the total cost of the trip down for each student. Scholarships have been provided for students in need of financial assistance in order to attend. The trip is 100% voluntary.

Tour Date: Thursday, May 24 – Sunday, May 27, 2012

Cost Per Student: \$400 (After fundraising)

* Detailed breakdown of total cost attached to this packet.

Sample Itinerary (A detailed itinerary will be provided after all accommodations are complete)

- Day 1 (Thursday): Arrive in Vancouver
 Visit Vancouver Aquarium/ Stanley Park
 Attend Vancouver Symphony concert
- Day 2 (Friday): Concert Exchange with local high schools (2)
 Skyride to top of Grouse Mountain
 Harbor Cruise
- Day 3 (Saturday): Perform at Music Festival
 Watch festival performances
 Attend Festival Awards Ceremony and Dinner
- Day 4 (Sunday) Capilano Bridge Tour
 Depart for San Francisco

Hotel Accommodations:

Hilton Vancouver Metrotown
6083 McKay Ave.
Burnaby, BC, V5H4L9
604-438-1200

*Hotel room assignments attached to this packet

Airline Accommodations:

Departure – 5/24/12: UA567 from SFO
Return – 5/27/12: UA887 from Vancouver

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: May 23, 2012

From: Bruce Harter
Superintendent

Agenda Item: CI C.14

Subject: Approval of Board Members Attending Conferences

Background Information:

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 members Antonio Medrano and Tony Thurmond have expressed interest in attending the following conferences:

- National Association of Latino Elected and Appointed Officials (NALEO) Annual Conference, June 21-23, 2012, Orlando, FL
- Prepárate: Educating Latinos for the Future of America, May 31-June 1, 2012, Miami FL

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

Recommendation:

Recommend Approval

Fiscal Impact:

General Fund

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education **Meeting Date:** May 23, 2012
From: Wendell C. Greer **Agenda Item:** D.1
Assistant Superintendent K-Adult Operations
Subject: Ivy League Summer Programs: Students from El Cerrito High School, Pinole Valley High School, Hercules High School, De Anza High School, John F. Kennedy High School, Richmond High School and Middle College High School will participate in college readiness programs offered at respective Ivy League Universities

Background Information:

The Ivy League Connection program has been an integral college awareness program in the West Contra Costa Unified School District for the last seven years. Each year students at our respective high schools participate in a rigorous screening process in order to gain acceptance into a summer program at an Ivy League university. The Ivy League Connection has grown tremendously over the years through the contributions of benefactors and corporations vested in providing educational opportunities for our students. This summer, West Contra Costa Unified School District will be sending forty-two students to various Ivy League universities including Cornell University, Columbia University, Brown University, University of Pennsylvania, Yale University and the "Ivy League of the South": Vanderbilt University. The school district is proud to honor these outstanding students for their determination and willingness to accept this unique challenge, and we are confident they will serve as positive ambassadors representing the West County school community.

The District would like to thank the following sponsors for their contributions: IBEW/NECA LMCC Statewide; Contra Costa Chapter National Electrical Contractors Association (NECA); NorCal Chapter, NECA; Carpenters, Local 152; UA Local 342; AMANCO; Deems, Lewis and McKinley Architects; WLC Architects; Baker/Vilar Architects; HY Architects; Grossmann Design Group; Interactive Resources; Seville Group; Quattrocchi Kwok Architects; Sally Swanson Architects; Davillier Sloan; Employer Advocates; Powell and Partners; Electrical Contractors Trust Alameda County; GCR LLP; Piper Jaffray & Co.; De La Rosa & Company; KNN Public Finance.

The District also thanks this year's chaperones Alfredo Chan-Law, John Crosby, Sewellyn Kaplan, Ian Lawrence, Cheryl Lilhanand, Igor Litvin, Michael Mannix, Jaclyn Timmes, and Katherine Williams. Their efforts to schedule college visits and meetings with admissions officers' affords insight to the students and greater exposure for the District.

Additionally, appreciation is extended for scholarships provided from partner schools Brown, Cornell, Vanderbilt, Yale, and the University of Pennsylvania. A special thank you is also extended to Don Gosney for his help with the program and photographs.

Recommendation:

For Recognition Only

Fiscal Impact:

None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

IVY LEAGUE CONNECTION 2012
SUMMER PROGRAM

Travel arrangements are made by the district. Students will be lodged on the respective campuses for the duration of the program and a certificated staff member will be accompanying the students. The appropriate study trip forms and insurance information will be completed prior to the trip and the district will retain a copy for its records.

BROWN UNIVERSITY

Dates: June 12, 2012 – July 8, 2012

Certificated Chaperones: Sewellyn Kaplan & John Crosby

Program: Macroeconomics

Dates: June 12, 2012 – July 8, 2012

Students:

Nick Shebek	El Cerrito High
Taylor Ward	Middle College High
David Fang	Pinole Valley High
Emily Groves	El Cerrito High

Program: DNA Based Biotechnology

Dates: June 12, 2012 – July 8, 2012

Certificated Chaperone: Sewellyn Kaplan & John Crosby

Students:

Kelly Xi	Hercules Middle High
Ying-An Wang	El Cerrito High

Program: Women & Leadership

Dates: July 2, 2012 – July 28, 2012

Certificated Chaperones: Jaclyn Timmes & Katherine Williams

Students:

Ynah Matue	De Anza High
Romina Pelaez	De Anza High
Iris Wong	De Anza High
Destiney Norsouvanh	Richmond High
Abigail Serrano	Kennedy High
Madelaine Pine	El Cerrito High
Molly Radosevich	El Cerrito High
Emily Cain	El Cerrito High

COLUMBIA UNIVERSITY

Dates: June 18, 2012 – July 14, 2012

Certificated Chaperone: Cheryl Lilhanand,

Program: Presidential Powers

Students:

Morvarid Mehdizadeh	Pinole Valley High
Aurea Riboroso	Pinole Valley High

Program: Constitutional Law

Students:

Adrianne Ramsey	El Cerrito High
Leonard Eisen	Pinole Valley High
Oluwatomi Balogun	Middle College High
Lucas Lochner Bravo	El Cerrito High

CORNELL UNIVERSITY

Dates: June 19, 2012 – July 14, 2012

Certificated Chaperone: Alfredo Chan-Law

Program: Hotel Management

Students:

Frank He	Hercules Middle High
Helen Naizghi	Hercules Middle High
Rachael Redlo	Hercules Middle High
Eric Wang	Hercules Middle High

Program: Freedom & Justice

Dates: June 19, 2012 – July 14, 2012

Certificated Chaperone: Alfredo Chan-Law

Students:

Calvin Kuang	El Cerrito High School
Eric Wilson	El Cerrito High School
Alex Wing	El Cerrito High School

UNIVERSITY of PENNSLYVANIA

June 26, 2012 – July 28, 2012

Certificated Chaperone: Ian Lawrence

Program: Academy of Physics**Students:**

David Barba	Middle College High
Alysa Butler	Middle College High
Mariko Whitenack	El Cerrito High
Clara Lengacher	El Cerrito High

Program: Academy of Social Justice**Students:**

Ivette Alejandre	Middle College High
Cameron Fulton	Pinole Valley High
Chloe Alston	El Cerrito High

VANDERBILT UNIVERSITY

Dates: July 2, 2012 – July 28, 2012

Certificated Chaperone: Michael Mannix

***Program: Lived Religion: The Abrahamic Faiths;
Pharmacology & Mystery Writing*****Students:**

Narges Sahibzadah	Pinole Valley High
Hannah Lee Pablo	Pinole Valley High
Yessenia Reyna	Pinole Valley High
Chris Han	Pinole Valley High

YALE UNIVERSITY

Dates: July 23, 2012 – August 12, 2012

Certificated Chaperone: Igor Litvin

Program: Grand Strategies**Students:**

Jobel Vecino	Hercules High
Tanya Krishnakumar	Hercules High
Julia Chang	Pinole Valley High
Roger Pharn	De Anza High

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: May 23, 2012

From: Sheri Gamba 
Associate Superintendent Business Services

Agenda Item: D.2

Subject: Budget Update

Background Information: Associate Superintendent Business Services will provide an update on the budget.

Recommendation: For Information Only

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: May 23, 2012

From: Sheri Gamba
Associate Superintendent Business Services

Agenda Item: F.1

Subject: Resolution No. 112-1112 Intention to Levy Assessments for Fiscal Year 2012-13, Preliminarily Approving Engineer's Report and providing for Notice of a Public Hearing

Background Information: This resolution will set the date and place of the public hearing, calls for the notice of the public hearing to be published ten days or more ahead of the meeting, and preliminarily accepts the engineer's report. The engineer's report contains the proposed budget for the 2012-13 year for the Maintenance and Recreation Assessment District (MRAD).

Should the Board adopt the resolution tonight, a public hearing will be held on the MRAD on June 28, 2011, at the hour of 6:30 p.m., a regular board meeting date, at Lovonya DeJean Middle School Multipurpose Room, 3400 Macdonald Ave., Richmond, CA 94805. At the conclusion of the public hearing on June 27, 2012, the Board may adopt a resolution that gives final approval to the engineer's report, levies the assessment and directs that the assessment diagram and individual assessments be filed with the County.

The Engineer's Report for MRAD is posted on the WCCUSD web site and a copy is at the front counter at 1108 Bissell Avenue, Richmond, CA.

Delivered under separate cover.

Recommendation: Recommend approval of this resolution for MRAD.

Fiscal Impact: Revenue for MRAD Fund, \$5.5 million

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

BOARD OF EDUCATION
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 112-1112

A RESOLUTION OF INTENTION TO LEVY ASSESSMENTS FOR FISCAL YEAR
2012-13, PRELIMINARILY APPROVING ENGINEER'S REPORT, AND PROVIDING FOR
NOTICE OF PUBLIC HEARING

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
Maintenance and Recreation Assessment District

May 23, 2012

RESOLVED, by the Board of Education (the "Board") of the West Contra Costa Unified School District, (the "District"), County of Contra Costa, State of California, that

1. On April 25, 2012, this Board adopted Resolution No. 97-1112, A Resolution Directing Preparation of Annual Report for the West Contra Costa Unified School District Maintenance and Recreation Assessment District (the "Maintenance District"). Pursuant to this resolution, the Engineer of Work prepared a report in accordance with Section 22565, et seq., of the California Streets and Highways Code (the "Report"). The Report has been made, filed with the Clerk of the Board and duly considered by this Board and is hereby deemed sufficient and preliminarily approved. The report shall stand as the Engineer's Report for all subsequent proceedings under and pursuant to the foregoing resolution.
2. It is the intention of this Board to levy and collect assessments within the Maintenance District for the fiscal year 2012-13. Within the Maintenance District, the existing and proposed improvements and any substantial changes proposed to be made to the existing improvements are generally as described on Exhibit "A" attached and by this reference made a part of this Resolution.
3. The Maintenance District consists of the lots and parcels shown on the boundary map of the Maintenance District on file with the Clerk of the Board, and reference is hereby made to such map for further particulars.
4. Reference is hereby made to the Report for a full and detailed description of the Improvements, the boundaries of the Maintenance District and the proposed assessments upon assessable lots and parcels of land within the Maintenance District. The assessment for fiscal year 2010-11 is proposed to be the same as for the previous year and does not exceed the formula or range of assessments previously specified in the formation of the Maintenance District.
5. Notice is hereby given that on June 27, 2012, at the hour of 6:30 p.m. in the Lovonya DeJean Middle School Cafeteria, 3400 Macdonald Ave., Richmond, CA 94805, a hearing by the Board will be held on the questions of ordering the improvements and the levy of the proposed assessments.

6. Prior to the conclusion of the hearing, any interested person may file a written protest with the Clerk of the Board, or, having previously filed a protest, may file a written withdrawal of that protest. A written protest shall state all grounds of objection. A protest by a property owner shall contain a description sufficient to identify the property owned by such owner.

7. The Clerk of the Board shall cause notice of the public hearing to be given by publishing a copy of this Resolution once, at least ten (10) days prior to the date of the hearing above specified, in the West County Times a newspaper published and circulated in the District.

PASSED AND ADOPTED this 23rd day of May, 2012.

AYES:

NOES:

ABSENT:

ABSTAIN:

I hereby certify that the foregoing resolution was duly and regularly introduced, passed, and adopted by the Board of the West Contra Costa Unified School District of Contra Costa County, at the meeting of said board on May 23, 2012.

Dr. Bruce Harter
Secretary, Board of Education

EXHIBIT A

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
Maintenance and Recreation Assessment District

The improvements consist of the installation, maintenance and servicing of public recreational facilities, including but not limited to landscaping, playgrounds, basketball courts, tennis courts, sprinkler systems, swimming pools, running tracks and turf areas, as applicable, at each of the following locations:

Bayview Elementary	3001 - 16 th St	San Pablo
Cameron	7140 Gladys Ave	El Cerrito
Cesar E Chavez Elementary	960 - 17 th St	Richmond
Collins Elementary	1224 Pinole Valley Rd	Pinole
Coronado Elementary	2001 Virginia Ave	Richmond
Dover Elementary	1870 19 th Street	San Pablo
Downer Elementary	1777 Sanford Ave	San Pablo
Ellerhorst Elementary	3501 Pinole Valley Rd	Pinole
Fairmont Elementary	724 Kearney St	El Cerrito
Ford Elementary	2711 Maricopa Ave	Richmond
Grant Elementary	2400 Downer Ave	Richmond
Hanna Ranch Elementary	2480 Refugio Valley Rd	Hercules
Harbour Way Elementary	214 So 11 th St	Richmond
Harding Elementary	7230 Fairmount Ave	El Cerrito
Lupine Hills Elementary	1919 Lupine Rd	Hercules
Highland Elementary	2829 Moyers Rd	Richmond
Kensington Elementary	90 Highland Blvd	Kensington
King Elementary	4022 Florida Avenue	Richmond
Lake Elementary	2700 - 11 th St	San Pablo
Lincoln Elementary	29 - 6 th St	Richmond
Madera Elementary	8500 Madera Dr	El Cerrito
Mira Vista Elementary	6397 Hazel Ave	Richmond
Montalvin Elementary	300 Christine Dr	San Pablo
Murphy Elementary	4350 Valley View Rd	Richmond
Nystrom Elementary	230 Harbour Way	Richmond
Ohlone Elementary	1616 Pheasant Dr	Hercules
Olinda Elementary	5855 Olinda Rd	El Sobrante
Peres Elementary	719 - 5 th St	Richmond
Riverside Elementary	1300 Amador St	San Pablo
Shannon Elementary	685 Marlesta Rd	Pinole
Sheldon Elementary	2601 May Rd	Richmond
Stege Elementary	4949 Cypress Ave	Richmond
Stewart Elementary	2040 Hoke Dr	Pinole
Tara Hills Elementary	2300 Dolan Way	San Pablo
Valley View Elementary	3416 Maywood Dr	Richmond

Verde Elementary	2000 Giaramita St	Richmond
Washington Elementary	565 Wine St	Richmond
Wilson Elementary	629 - 42 nd St	Richmond
Crespi Middle	1121 Allview Ave	El Sobrante
DeJean Middle	3400 Macdonald Ave	Richmond
Helms Middle	2500 Road 20	San Pablo
Pinole Middle	1575 Mann Dr	Pinole
Portola Middle	1021 Navellier St	El Cerrito
De Anza High	5000 Valley View Rd	Richmond
El Cerrito High	540 Ashbury Ave	El Cerrito
Hercules Middle/High	1900 Refugio Valley Rd	Hercules
Kennedy High	4300 Cutting Blvd	Richmond
Pinole Valley High	2900 Pinole Valley Rd	Pinole
Richmond High	1250 - 23 rd St	Richmond
Gompers Continuation	157 - 9 th St	Richmond
North Campus	2465 Dolan Way	San Pablo
Vista High	2600 Moraga Way	San Pablo
Adult Education	6028 Ralston Ave	Richmond
Alvarado	5625 Sutter Ave	Richmond
Adams	5000 Patterson Circle	Richmond
Castro	7125 Donal Ave	El Cerrito
El Sobrante	1060 Manor Rd	El Sobrante
Seaview	2000 Southwood Dr	San Pablo
Vista Hills	2625 Barnard Rd	Richmond
Harmon Center	2853 Groom Dr	Richmond
Knolls Center	2867 Groom Dr	Richmond
Central District	1108 Bissell Ave	Richmond
Nutrition Center	750 Bissell Ave	Richmond
Electronics & Glazier	2336 Welcome Ave	Richmond
Facilities Operations Center	1300 Potrero Ave	Richmond
Gardeners Warehouse	2550 Moraga Ave	San Pablo
Kerry Hills (PSC)	2465 Dolan Way	San Pablo
Maintenance & Operations	125 So 8 th St	Richmond
Paint	125 So 8 th St	Richmond
Vehicle Garage	260 So 23 rd St	Richmond
Warehouse-Furniture	600 So. 6 th St	Richmond
Warehouse-Stores	810 Ohio Ave	Richmond

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education **Meeting Date:** May 23, 2012

From: Wendell Greer **Agenda Item:** F.2
Associate Superintendent - K-Adult Operations

Subject: Leadership Public Schools Charter Renewal Petition and Resolution No. 116-1112:
Conditionally Approve the Renewal Charter School Petition for Leadership Public
High Schools

Background Information:

The West Contra Costa Unified School District ("District") received a charter renewal petition ("Renewal Petition") on April 6, 2012, from Leadership Public Schools, Inc., a California nonprofit public benefit corporation ("LPS" or "Nonprofit"), requesting that the District's Board of Trustees renew the charter ("Charter") of LPS Richmond—a charter high school serving approximately 450 students in grades 9 through 12 ("LPS Richmond" or "Charter School"). The LPS Richmond Charter was last renewed by the District's Board of Trustees on March 21, 2007, for a five year term ending on June 30, 2012.

Pursuant to the Charter Schools Act of 1992 (the "Act"), Education Code section 47600 *et seq.*, the Legislature has charged local school boards with the responsibility for reviewing and acting on charter school petitions. The Act states that a school district governing board considering whether to grant a charter petition "shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that establishment of charter schools should be encouraged." (Ed. Code, § 47605(b).) With this legislative intent in mind, the governing board must grant a charter "if it is satisfied that granting the charter is consistent with sound educational practice." (Ed. Code, § 47605(b).)

Submission of a charter petition is governed by the requirements of Education Code section 47605 and 47607. Education Code section 47605(b) requires the Board, within 30 days of receiving a petition, to hold a public hearing to consider the level of support for the petition. The State Board of Education ("SBE") recently adopted new regulations which add substantial detail to the procedure for renewing charter school petitions. These new regulation took effect on November 23, 2011. Among other things, the newly-adopted regulations allow for the automatic renewal of a charter school petition if a school district fails to make written factual findings to support a denial within 60 days of the district's receipt of a petition. (Cal. Code Regs., tit. 5, § 11966.4 (c).)

Upon receipt, components of the Petition were assigned to various staff members of the District to review and analyze based on individual areas of expertise. Charter petition components were assigned as follows: Steve Collins, SELPA Director, Lyn Potter, Educational Director, Sonja Neely-Johnson, Coordinator Educational Services, Susan Dunlap, Coordinator EL Services,

Nicole Joyner, Administrator, Linda Jackson, Executive Director Emeritus, Pat Calvert, Director Human Relations, Daniela Parasidis, Accounting Director and Legal/Operational, Ed Sklar and Claudia Weaver, Lozano Smith Attorneys at Law.

Staff and legal counsel have reviewed the Petition and prepared the "Staff Written Findings Regarding Leadership Public Schools Petition," which is attached.

The Findings also include Staff's recommendations to the Board regarding approval or denial of the Petition and approval or denial of Resolution 116-1112.

Recommendation:

Staff makes two recommendations relating to the Charter School's Renewal Petition.

A. Staff recommends that the Board approve the Renewal Petition conditioned on: (1) concurrent execution of an Operational MOU between the Parties; (2) the Charter School's express acknowledgement that the Board's approval of the Charter renewal does not authorize the Charter School to proceed with the addition of middle school grades at LPS Richmond and that the addition of any new grade levels at LPS Richmond constitutes a material revision to the Charter, approval of which shall be subject to the Board's determination of the sufficiency of educational, operational, and financial plans which shall be finalized by the Charter School and presented to the Board for its consideration at a later Board meeting; and (3) receipt from the Charter School, within thirty (30) days of Board action, of the following information:

1. A list of the textbooks, online resources, and primary instructional materials used in all course offerings, including courses for which College Access Readers have not yet been developed, and links to the College Access Readers currently in use.
2. A copy of the Charter School's current agreement for special education services with the El Dorado SELPA.
3. A copy of the Charter School's procedures for reclassifying EL students as Fluent English Proficient, exiting them from EL services after reclassification, and evaluating EL students following their reclassification.
4. A copy of the Charter School's plan for serving its high achieving students.
5. An updated list of Charter School courses approved by the University of California as creditable towards its a-g admissions criteria.
6. An updated copy of the Charter School's daily schedule for each grade level, as well as information regarding the total instructional minutes offered to each grade for each year of the Charter renewal period.
7. Copies of job descriptions and qualifications for all LPS Richmond employees.
8. A complete set of the Charter School's Board-adopted policies and procedures.

- B. Staff recommends that after the Board of Education approves of the Charter School's Renewal Petition that the Board adopts the attached Resolution 116-1112 and all of the written Proposed Findings of Fact, contained within the attached Staff Findings, as its own.

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____ Tabled _____

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 116-1112

Resolution to Approve, With Conditions, the Renewal Petition Received from Leadership Public Schools, Inc. on Behalf of LPS-Richmond Charter School

WHEREAS, the petitioner, Leadership Public Schools, Inc. ("Petitioners") submitted to West Contra Costa Unified School District ("District") a charter renewal petition ("Renewal Petition") on April 6, 2012, for the LPS-Richmond charter school ("Charter School"); and

WHEREAS, the District's Board of Education ("Board") last renewed the LPS-Richmond charter ("Charter") on March 21, 2007, for a five-year term ending on June 30, 2012; and

WHEREAS, the Board has considered the Charter School's past academic performance, finances, and operations during the term of the current Charter, and has reviewed the Renewal Petition and all information received with respect to the Renewal Petition, including all supporting documentation submitted to date; and

WHEREAS, in reviewing the Renewal Petition, the Board has been guided by the intent of the California Legislature that charter schools are and should become an integral part of the California educational system and that establishment of charter schools should be encouraged; and

WHEREAS, District staff and legal counsel have reviewed the Renewal Petition and prepared a Staff Report and Proposed Findings of Fact Regarding LPS-Richmond's Charter Renewal Petition ("Staff Findings"), attached hereto as Exhibit A, which provides several proposed findings and recommendations; and

WHEREAS, District staff has determined that petitioners' plans for the addition of middle school grades at LPS-Richmond as set forth in the Renewal Petition are incomplete and do not provide the Board with sufficient information necessary to adequately evaluate such plans pursuant to the District's oversight obligations; and

WHEREAS, despite the foregoing, the Superintendent and District staff have concluded that, subject to the recommendations set forth herein and in the attached Staff findings, the future addition of middle school grade levels at LPS-Richmond is sound; and

WHEREAS, after consideration of the Charter School's past academic performance, finances, and operations during the term of the current Charter and analysis of the Renewal Petition and the related supplemental materials, the Superintendent and District staff have recommended approval of the Petition, subject to certain conditions described below.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby adopts all of the written Proposed Findings of Fact, contained within the attached Staff Findings, as its own.

BE IT FURTHER RESOLVED that the Board hereby approves the LPS-Richmond Renewal Petition dated April 6, 2012, subject to the express limitation that such approval does not authorize the Charter School to proceed with the addition of middle school grades at LPS-Richmond, and that the addition of any new grade levels shall constitute a material revision to the Charter, approval of which is subject to the Board's determination of the sufficiency of petitioners' educational, operational, and financial plans for such additional grade levels, which plans must be finalized before being brought before the Board for its consideration at a later Board meeting.

BE IT FURTHER RESOLVED that the Board's approval of the Renewal Petition dated April 6, 2012, is further subject to fulfillment of the following conditions:

1. Concurrent with Board action to conditionally approve the LPS-Richmond Renewal Petition, the Charter School shall execute a Memorandum of Understanding (referred to as the "Operational MOU"), which is mutually acceptable to the Charter School and District; and
2. The Charter School shall, within thirty (30) days of Board action, provide to the District all of the requested documentation set forth in Article III of the attached Staff Findings.

BE IT FURTHER RESOLVED that the Board hereby authorizes the Superintendent, or his designee, to negotiate and finalize the Operational MOU with Charter School, and to bring such agreement before the Board for final approval or ratification.

BE IT FURTHER RESOLVED that the Renewal Petition shall be deemed denied by the Board without further Board action if the Charter School fails to fulfill the conditions stated herein within thirty (30) calendar days of the adoption of this resolution.

BE IT FURTHER RESOLVED the term of the Charter shall be for five (5) years, beginning on July 1, 2012 and expiring June 30, 2017.

PASSED, APPROVED, AND ADOPTED by the Board of Education of the West Contra Costa Unified School District at its meeting held on _____, 2012, as follows:

AYES:

NOES:

ABSENT:

ABSTAINED:

President, Board of Education
West Contra Costa Unified School District

ATTEST:

Clerk, Board of Education
West Contra Costa Unified School District

**STAFF REPORT AND PROPOSED FINDINGS OF FACT
REGARDING LEADERSHIP PUBLIC SCHOOLS, INC.'S
CHARTER PETITION RENEWAL ON BEHALF OF THE LPS-RICHMOND
CHARTER SCHOOL**

I. Introduction

A. Background

The West Contra Costa Unified School District (“District”) received a charter renewal petition (“Renewal Petition”) on April 6, 2012, from Leadership Public Schools, Inc., a California nonprofit public benefit corporation (“LPS” or “Nonprofit”), requesting that the District’s Board of Education renew the charter (“Charter”) of LPS-Richmond—a charter high school serving approximately 450 students in grades 9 through 12 (“LPS Richmond” or “Charter School”). The LPS-Richmond Charter was last renewed by the District’s Board of Education on March 21, 2007, for a five year term ending on June 30, 2012.

Petitioners originally submitted a petition for renewal on December 13, 2011; however it was withdrawn prior to consideration by the District’s Governing Board. Following withdrawal of the original renewal petition, District staff provided feedback to an LPS administrator regarding areas of concern that had been identified in a preliminary staff report.

The Renewal Petition, submitted on April 6, 2012, was accompanied by extensive appendices that had not been included with the original renewal petition. These additional materials provide clarification of some areas of concern originally identified by District staff and legal counsel. There are remaining issues—most particularly Petitioners’ plan to add middle school grades in the 2013-14 school year—that are inadequately addressed in the Renewal Petition, however. Those concerns, and additional input from District staff and legal counsel regarding the sufficiency of the Renewal Petition, are discussed in this Staff Report.

B. Timeline for Board Action

As discussed in greater detail below, the State Board of Education (“SBE”) recently adopted new regulations which add substantial detail to the procedure for renewing charter school petitions. These new regulation took effect on November 23, 2011. Among other things, the newly-adopted regulations allow for the automatic renewal of a charter school petition if a school district fails to make written factual findings to support a denial within 60 days of the district’s receipt of a petition. (Cal. Code Regs., tit. 5, § 11966.4 (c).) The Charter School’s current charter is effective until June 30, 2012. Petitioners submitted the Renewal Petition on April 6, 2012. Accordingly, the District’s Board will need to take action regarding the approval or denial of the Renewal Petition

on or before June 4, 2012, or the LPS-Richmond Charter will be automatically deemed renewed.

II. Summary

This Staff Report sets forth findings based upon a review of the Renewal Petition and its appendices by District staff and legal counsel. In their review, Staff and legal counsel identified certain concerns in the Renewal Petition, including, but not limited to the insufficiency of the Charter School's educational, operational, and financial plans for the addition of middle school grades in the 2013-2014 school year; failure to include copies of Board-adopted policies and procedures; and lack of information regarding courses approved as creditable for the University of California's a-g admissions criteria. District staff believes these deficiencies are sufficient to warrant a recommendation of denial of the Renewal Petition on the following grounds, pursuant to Education Code section 47605:

1. The Petitioners are demonstrably unlikely to successfully implement the program set forth in the Petition. (Ed. Code § 47605(b)(2).)
2. The Petition does not contain reasonably comprehensive descriptions of certain required elements set forth in Education Code section 47605, subdivisions (b)(5)(A-P).

Despite the foregoing, Staff believes that the deficiencies identified in this Report can be addressed or remedied through the execution of an Operational Memorandum of Understanding between the Parties; approval of the Charter renewal with the express limitation that the Board's approval does not authorize the Charter School to proceed with the addition of middle school grades at LPS-Richmond; and receipt from the Charter School of certain documentation and information identified by District staff as missing from the Renewal Petition.

III. Recommendation

Staff recommends that the Board approve the Renewal Petition with the express limitation that such approval does not authorize the Charter School to proceed with the addition of middle school grades at the Charter School, and that the addition of any new grade levels constitutes a material revision to the Charter, approval of which is subject to the Board's determination of the sufficiency of educational, operational, and financial plans for such additional grade levels, which plans must be finalized by the Charter School before being brought before the Board for its consideration at a later Board meeting.

Staff further recommends that Board approval of the Renewal Petition be conditioned on the following: (1) concurrent execution of an Operational MOU between the Parties; and (2) receipt from the Charter School, within thirty (30) days of Board action, of the following information:

1. A list of the textbooks, online resources, and primary instructional materials used in all course offerings, including courses for which College Access Readers have not yet been developed, and links to the College Access Readers currently in use.
2. A copy of the Charter School's current agreement for special education services with the El Dorado SELPA.
3. A copy of the Charter School's procedures for reclassifying EL students as Fluent English Proficient, exiting them from EL services after reclassification, and evaluating EL students following their reclassification.
4. A copy of the Charter School's plan for serving its high achieving students.
5. An updated list of Charter School courses approved by the University of California as creditable towards its a-g admissions criteria.
6. An updated copy of the Charter School's daily schedule for each grade level, as well as information regarding the total instructional minutes offered to each grade for each year of the Charter renewal period.
7. Copies of job descriptions and qualifications for all LPS Richmond employees.
8. A complete set of the Charter School's Board-adopted policies and procedures.

IV. Standard for Review of a Renewal Petition

The Charter Schools Act of 1992 ("Act") governs the creation of charter schools in the State of California. The Act includes Education Code section 47605, subdivision (b), which sets out the standards and criteria for petition review, and provides that a school district governing board considering whether to grant a charter petition "shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that establishment of charter schools should be encouraged."

The Act further provides that renewals and material revisions of charters are governed by the same standards and criteria set forth in Education Code section 47605 "and shall include but not be limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed." (Ed. Code § 47607, subd. (a)(2).)

A charter school must now also provide documentation with its petition for renewal showing that it has satisfied at least one of the following academic performance criteria specified in Education Code section 47607, subdivision (b) (5 Cal. Code Regs. § 11966.4(a)(1)):

1. Attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years, or in the aggregate for the prior three years.
2. Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years.
3. Ranked in deciles 4 to 10, inclusive, on the API for a demographically comparable school in the prior year or in two of the last three years.
4. The entity that granted the charter determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school. This determination shall be based upon all of the following: 1) Documented and clear and convincing data. 2) Pupil achievement data from assessments, including, but not limited to, the Standardized Testing and Reporting Program for demographically similar pupil populations in the comparison schools; and 3) information submitted by the charter school.

New regulations specifically state that when reviewing a charter renewal petition, chartering authorities “shall consider the past performance of the school’s academics, finances, and operation in evaluating the likelihood of future success, along with future plans for improvement if any.” (Cal. Code Regs., tit. 5, § 11966.4 (b)(1).)

The governing board may only deny a petition for renewal if the governing board makes written factual findings, specific to the particular petition, setting forth: (1) facts to support a failure to meet one of the academic criteria set forth above in Education Code section 47607, subdivision (b); and/or (2) specific facts to support one or more of the following grounds for denial as set out in Education Code section 47605, subdivision (b):

1. The charter school presents an unsound educational program for the students to be enrolled in the charter school.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
3. The petition does not contain an affirmation of certain specific conditions set forth in Education Code section 47605, subdivision (d).

4. The petition does not contain reasonably comprehensive descriptions of certain elements in its program and operations. (Ed. Code § 47605(b).)¹

V. LPS Richmond Renewal Petition Review

A. The Charter School Meets the Academic Criteria for Renewal under Education Code Section 47607(b)

As a preliminary issue, documentation included in the Renewal Petition indicates that the Charter School has met the academic performance requirements of Education Code section 47607(b). Among other data, the LPS Executive Data Dashboard at Appendix D, pages D47-D48, includes the following information:

1. The Charter School's API scores for the past five years and comparison to similar schools.
2. Passage rate for the California High School Exit Exam ("CAHSEE") for the past five years.
3. Distribution of letter grades in Semester 1 of the 2010-2011 and 2011-2012 school years.
4. Student enrollment and attendance comparison for the 2010-2011 and 2011-2012 school years.

As reported by the California Department of Education ("CDE"), the Charter School's API growth and targets since its petition was last renewed in 2007 are as follows:

Year	Base	Growth Target	Growth	API	Met Schoolwide?
2011	670	7	83	753	Yes
2010	668	7	5	673	No
2009	636	8	32	668	Yes
2008	624	9	12	636	Yes
2007	588	11	36	624	Yes

Although the Charter School did not meet its API growth target in 2010, it did meet its 2007, 2008, 2009, and 2011 growth targets. Thus, the Charter School meets the academic performance indicator set out at Education Code section 47607, in that it "[a]ttained its Academic Performance Index (API) growth target in the prior year or in two of the last three years, or in the aggregate for the prior three years." (Ed. Code § 47607(b)(1).)

¹ Petitions to initially establish a charter school require a threshold number of parents' or teachers' signatures. The new regulations provide that the signature requirement is not applicable to a petition for renewal. (Cal. Code Regs., tit. 5, § 11967.5 (d).)

B. LPS Richmond Performance during Term of Current Charter

As noted above, new regulations specifically state that when reviewing a charter renewal petition, chartering authorities “shall consider the past performance of the school’s academics, finances, and operation in evaluating the likelihood of future success, along with future plans for improvement if any.” (Cal. Code Regs., tit. 5, § 11966.4 (b)(1).)

The LPS Richmond Charter was last renewed by the District’s Board of Education on March 21, 2007. Throughout the term of the current Charter, District personnel have made regular site visits to the LPS-Richmond campus. During a site visit last April, the District Superintendent interviewed the Charter School’s principal and staff and reviewed documentation regarding the Charter School’s educational program, graduation rates, California High School Exit Exam (“CAHSEE”) passage rates, and the Charter School’s focus on the development of a College-ready culture. The Superintendent and other District staff regularly review the Charter School’s SARC and API results, and personnel the District’s Accounting Department visit the Charter School quarterly to review the financial status of the school and monitor its fiscal solvency.

District Facility personnel have made regular visits to the LPS-Richmond site during the term of the current Charter. In one of the most recent visits it was determined that LPS-Richmond will receive an additional portable at their site to accommodate its enrollment until construction on the Charter School’s new shared facility at the District’s Gompers campus is completed, as is anticipated in 2014.

In sum, pursuant to its oversight duties, District staff have considered the Charter School’s academic program, finances, and operations during the term of the current Charter, and have concluded that, *with the exception of the outstanding issues and concerns described in this Report*, the Charter School is likely to be successful in the event the Board moves forward to approve the Renewal Petition conditioned on execution of an Operational Memorandum of Understanding (“MOU”) and the Charter School’s compliance with the recommendations of Staff as set forth in this Report.

C. Educational Program

1. Addition of Middle School Grade Levels

The Renewal Petition indicates that Petitioners intend to add middle school grades to the LPS Richmond program as early as the beginning of the 2013-2014 school year. However, Petitioners provide little in the way of substantive information regarding the proposed educational program for middle grades or how the new grade levels will be rolled out. At page 6, the Renewal Petition states:

LPS [Richmond] currently enrolls approximately 450 students in grades 9-12 and plans to eventually enroll approximately 450-500 students. *LPS [Richmond] may, under the charter, add grades 6, 7, and 8 to the school*

and therefore add up to an additional 100 students per grade level. The high school could then be a 6-12 or 7-12 school. LPS would align to match the District's grade configuration for secondary school which is anticipated to be 7-12. (Emphasis added.)

This language appears to suggest that renewal of the LPS Richmond Charter will authorize the Charter School to go forward with its plan for adding middle school grade levels without additional review and consideration by the District's Governing Board. District staff has concluded that the future addition of middle school grade levels at LPS-Richmond is sound in concept; however, as described below, the limited information concerning the proposed middle school expansion included in the Renewal Petition and appendices is not sufficient for the Board to fully and fairly evaluate the proposed middle grades expansion and determine whether Petitioners will be able to successfully implement such a program. Moreover, the current Operational MOU entered into between the Charter School and the District provides that the addition or deletion of any grade level constitutes a material revision to the Charter that "may not be made without District consideration and written approval consistent with the requirements of the Education Code." (See Operational MOU at Section 19.)

It is not clear from the Renewal Petition and appendices whether Petitioners intend to offer a 6th grade program or whether the proposed expansion will be limited to 7th and 8th grades. Although Petitioners have included a draft Middle School Academic Plan at Appendix B, it is incomplete. Grades 6 through 8 are referenced in the draft plan, but the plan does not include any details regarding an educational program for 6th grade students. (Appendix B, pp. B209-211.)

The Renewal Petition and supporting documents contain brief course descriptions for 7th and 8th grade classes, but do not include descriptions of any instructional materials that will be used to support a middle school program. Also missing is any scope and sequencing for middle school courses and sample lesson plans. (Appendix B, p. B211.)

Enrollment projections for LPS Richmond show an anticipated total enrollment of approximately 168 7th and 8th graders by the 2015-16 school year, but do not include any enrollment figures for 6th grade students. (Appendix H, pp. H7-H8.) Moreover, the Gompers campus has facilities for housing 585 Charter School students. It is not clear how the facilities available to the Charter School will enable it to go forward with its plans for adding middle grades that would "add up to an additional 100 students per grade level." (Renewal Petition, p. 6.)

Petitioners do not indicate how many classes will be added at each middle school grade level or how many certificated and classified positions will need to be added to support the Charter School's proposed expansion, and there is no information in the Renewal Petition describing how teaching assignments will be made in the middle school grades. For example, will classroom teachers be

assigned to self-contained classes or will students rotate through classes based on subject area? Review of the staffing projections included at Appendix H show an increase in certificated teachers from 25 FTE in the 2011-2012 school year to only 27 FTE in the 2015-2016 school year, and an overall increase of less than three classified FTE over the five-year term of the Charter. (Appendix H at page H3.) This is puzzling given the anticipated increase in enrollment of approximately 168 middle school students in 2013-2014.

Lastly, the income statements and budget forecasts provided at Appendix H do not include any funds allocated for the purchase of equipment, computers, supplies, textbooks, and other materials necessary to support the roll-out of new grade levels.

In sum, while Staff may, in concept, approve the Charter School's plan for adding additional grade levels, the Renewal Petition and appendices do not include sufficient information to enable the Board to fully evaluate the quality and financial viability of the Charter's School's plans for the addition of middle school grades.

Recommendation: Staff recommends that the Board approve the LPS Richmond Charter with the express limitation that such approval does not authorize the Charter School to proceed with the addition of middle school grades at LPS Richmond and that the addition of any new grade levels at LPS Richmond constitutes a material revision to the Charter, approval of which shall be subject to the Board's determination of the sufficiency of educational, operational, and financial plans which shall be finalized by the Charter School and presented to the Board for its consideration at a later Board meeting.

2. Educational Program—Grades 9-12

Staff review indicates that the Charter School's overall educational program and curriculum for students in grades 9 through 12 is generally sound and appropriately addresses all necessary program components. Specifically, the Charter School's Common Spine instructional model—a "college ready curriculum and supports" appears to include the elements of an instructional program necessary to ensure student learning across all levels. (Renewal Petition, pp. 12-16.)

The Renewal Petition indicates that the Charter School is moving to a new "blended learning/blended technology" model that will utilize online open-source resources, including a series of College Access Readers developed in conjunction with the CK-12 Foundation, for use as the primary instructional materials in the Charter School's course offerings. College Access Readers developed thus far include Algebra 1, Geometry, and Biology. Segments of a separate "FlexMath" program have also been implemented. (Renewal Petition, pp. 13-16; Appendices A and B.) The College Access Readers

include literacy supports for below-grade level readers as well as access to the materials in text-to-speech and Spanish translation. (Renewal Petition, p. 13.)

Petitioners indicate that the development of additional College Access Readers is “in process” for a number of other courses, including Algebra 2, Environmental Science, Chemistry, and Physics. Additionally, Petitioners have “begun work tailoring the UC Hippocampus online resources for World History, US History and Government.” (Renewal Petition, p. 16.) Reference is also made to the Charter School’s planned implementation of instructional materials from Springboard for use in its English 1-4 classes. However, the Petition does not include information regarding textbooks or instructional materials for use in current courses for which College Access Readers or other online resources have not yet been developed, including Algebra 2, Spanish 1-2, Environmental Science, Chemistry, and Physics.

Recommendation: Because the instructional materials and programming being introduced at LPS Richmond are substantially different from that described in the current Charter, Staff recommend that approval of the LPS Richmond Charter renewal be conditioned on receipt from the Charter’s School of a listing of the primary textbooks, online resources, and instructional materials used in all course offerings, as well as links to the College Access Readers currently in use.

3. Special Education Students

Petitioners indicate that they operate as their own local educational agency (“LEA”) for the purposes of special education, pursuant to California Education Code section 47641, subdivision (a), having obtained membership as an independent LEA in the El Dorado County Special Education Local Plan Area (“SELPA”). As such, the Charter School is solely responsible, at its own expense, for insuring that all children with disabilities enrolled in the Charter School receive special education and designated instruction and services in conformity with their individualized education programs and in compliance with the IDEA (20 U.S.C. §§ 1400 et seq.), its implementing regulations and all applicable state and federal law. (34 C.F.R. § 300.209(c); Ed. Code, § 47646(a).)

The Renewal Petition states that the Charter School’s membership agreement with El Dorado SELPA is included at Appendix C. While Staff located a roster of SELPA staff and a list of trainings (Appendix C, pages C45-47), a copy of LPS’ agreement with the SELPA was not included.

The Renewal Petition indicates that Special Education students are using modified versions of the initial three College Access Readers that have been scaffolded to support those students’ unique learning needs. Special education students also have access to other interventions, including participation in the Read180 program.

Special education is generally offered in a “push-in” or “pull-out” model, as appropriate, with varying degrees of collaboration between the classroom teacher

and special education personnel. The Renewal Petition also indicates students with more intensive need receive services through a Resource Support Program, as indicated in the student's individualized education program ("IEP"). Speech and language services are provided by a Speech and Language teacher as well as through an online source, Presence Learning, Inc. (Renewal Petition, pp. 21-23.) It is not clear whether a special day class ("SDC") or other setting is available to special education students whose needs cannot be met in a "full inclusion" model.

Recommendation: Staff recommends that approval of the LPS Richmond Charter renewal be conditioned on the District's receipt of a copy of the Charter School's current agreement with the El Dorado SELPA.

4. English Learners

Overall, the Renewal Petition adequately addresses the needs of English Learner ("EL") students. Although 38% of the Charter School's current population is comprised of EL students, the Renewal Petition's description of its plan for the delivery of Direct English Language Development ("ELD") is not as robust as other subject areas. For example, the Renewal Petition does not describe the ELD standards and with the exception of the CELDT, no ELD benchmarks or formative assessments are discussed.

ELD is provided 2 to 3 times a week for 20-30 minutes per session during the regular Academic Leadership class period. The Charter School uses daily language objectives and provides other curricular materials specifically for students at CELDT English Learner Levels 1 and 2. The Renewal Petition also indicates that Spanish translations and versions of its College Access Readers with embedded literacy scaffolding are available to EL students. EL students also participate in the Read180 program. (Renewal Petition, pp. 18-21.) The Charter School apparently provides some instruction in an after-school component, though the specific details of this tutoring and the qualifications of the staff providing such afterschool services are not described. (Renewal Petition, pp. 18-21.) Professional development including strategies for accessing the core curriculum, such as SDAIE and the use of Sheltered Instruction Observation Protocol ("SIOP") appears to be adequate. (Renewal Petition, p. 15.)

Of concern, the sample Home Language Survey does not include the four questions mandated in state regulations (Appendix F, p. F17.) Additionally, the Charter School's procedures for the redesignation of English Learners are not clearly articulated. For example, what score constitutes "proficient" on the CELDT? It is not clear whether an EL student need to score as "proficient" in both English Language Arts ("ELA") and Math on the CST, and there is no indication how the teacher evaluation will be determined (e.g., SOLOM, grades). Lastly, the EL plan states that students may stay in the EL program as long as parents and teachers want; it is not clear that students are exited from EL services after reclassification. Reclassified Fluent English Proficient

("RFEP") students must be evaluated twice each year, for two years following their RFEP designation, to ensure that they are receiving adequate support for transitioning into the mainstream classroom after termination of targeted ELD support.

Recommendation: Staff recommends that approval of the Renewal Petition be conditioned on receipt of the Charter School's procedures for reclassifying EL students as Fluent English Proficient, exiting them from EL services after reclassification, and evaluating EL students following their reclassification.

5. Plan for High-Achieving Students

Notably absent from the Renewal Petition is a description of the Charter School's plan for serving its high-achieving students. Course descriptions do not include any Advanced Placement ("AP") classes and while the Renewal Petition and appendices describe how the College Access Readers developed in conjunction with the CK-12 Foundation, the FlexMath material, and Springboard English materials can be used to support the needs of students performing below grade level, there is no discussion of how those materials can be used to provide accelerated learning opportunities, or other specific resources for high-achieving students.

Recommendation: Staff recommends that approval of the Renewal Petition be conditioned on receipt of the Charter School's plan for serving high achieving students.

6. Transferability; Graduation and College Entrance Requirements

The Education Code requires the Charter School to include in its petition a description of how it will inform parents about the transferability of courses to other public high schools, including courses accredited by the Western Association of Schools and Colleges ("WASC"), and the eligibility of courses to meet college entrance requirements, including the University of California ("UC") A-G admissions criteria. (Ed. Code § 47605(b)(5)(A)(ii).)

The Renewal Petition states that "LPS" courses either have received approval or will be submitted for approval by the University of California." (Renewal Petition, p. 25.) However, the Renewal Petition does not include a listing of which courses have actually received approval from UC as creditable under its a-g admissions criteria. Without this information, the Board cannot determine whether the Charter School can meet its obligation to inform parents about the eligibility of courses to meet college entrance requirements.

Recommendation: Staff recommends that approval of the Renewal Petition be conditioned on receipt of an updated list of Charter School courses approved by the University of California as meeting its a-g admissions criteria.

7. Daily Schedule/Instructional Minutes

Staff was not able to locate a copy of the Charter School's daily schedule and information regarding the number of instructional minutes provided to Charter School students in the Renewal Petition and appendices. The Board requires such information in order to ensure the Charter School is operated in accordance with sound instructional practice and applicable state law.

Recommendation: Staff recommends that approval of the Renewal Petition be conditioned on receipt of an updated copy of the Charter School's daily schedule for each grade level, as well as information regarding the total instructional minutes offered to each grade for each year of the Charter renewal period.

D. Employee Qualifications

A list of current core and non-core teachers at LPS Richmond and their credentials is included at Appendix G, pages G74-75. The Renewal Petition also includes basic job descriptions for various school positions, including teacher, counselors, deans, principal and office manager; however, there are no job descriptions for other classified teaching and non-teaching positions listed in the Charter School's staffing projections and organizational chart, including resource specialists, lunch server, enrollment coordinator, academic support coordinator, special education aide, and campus supervisor/athletic director. (Appendix H, p. H3.) The Charter School's Employee Handbook indicates that the LPS Home Office provides some centralized services, but there is no mention in the Renewal Petition or the staffing/budget projections of classroom or instructional aides, clerical or maintenance personnel, or custodial and groundskeeping staff. As noted above, the budget projections for years 1 through 5 of the renewed Charter do not appear to include certificated or classified staffing needed to support the proposed middle school expansion.

Recommendation: Staff recommends that renewal of the Charter School's Charter be conditioned on receipt from Petitioners of job descriptions and qualifications for all LPS Richmond employees.

E. Health and Safety Procedures

The Education Code requires a petition to "include the procedures the school will follow to ensure the health and safety of pupils and staff." (Ed. Code § 47605(b)(5)(F).) Although an Emergency Response Handbook is included at Appendix I, the Renewal Petition does not include copies of the Charter School's health and safety policies and only briefly references Petitioners' intention to comply with state laws regarding mandated reporting of child abuse, tuberculosis testing, medication in school, and prohibitions against drug, alcohol, and tobacco use. (Renewal Petition pp. 47-49.) Elsewhere, Petitioners state that they have adopted the District's policies prohibiting

sexual harassment and discrimination at school, but copies of the policies are not included in the Renewal Petition and were not located on the Charter School's website.

Recommendation: See Recommendation at Section F, below.

F. Governance—Policies

The Renewal Petition and appendices include some, but not all, of the Charter School's relevant Board-adopted policies and procedures, requiring Staff to spend significant time looking for certain policies and procedures which were either dispersed throughout the Renewal Petition or missing. For example, Appendix F (Management, Enrollment, and Operations), includes the Charter School's policies and procedures related to suspension and expulsion (which incorporates a student free expression policy), anti-bullying, school visitation, and uniform complaint procedures. Policies governing Section 504, special education, attendance and grading were located in the Student and Family Handbook (Appendix F, pp. F53-F74), and personnel policies were found in the Employee Handbook (Appendix g, pp.G5-G73.) The Renewal Petition makes reference to the Charter School's "Community Complaint Procedures", but Staff did not locate a copy of those procedures. (Renewal Petition, p. 56.) A resolution included in the appendices references a "Standing Conflict of Interest Policy" (Appendix E, p. E30), but a copy of the policy itself is not included. As noted above, the Renewal Petition also did not include copies of the Charter's School's healthy and safety policies.

Without a complete set of the Charter School's Board-adopted policies available for its review, the Board cannot be assured that the Charter School is being governed and operated in accordance with all applicable provisions of law.

Recommendation: Staff recommends that Board approval of the Charter's renewal be made contingent on receipt of a complete set of the Charter School's Board-adopted policies and procedures.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: May 23, 2012

From: Sheri Gamba 
Associate Superintendent Business Services

Agenda Item: F.3

Subject: Resolution No. 113-1112 Tier III Categorical Flexibility – Public Hearing

Background Information: In January of 2012 a new Education Code became effective which requires a public hearing for the use of 2012/13 Tier III State Categorical Funds: Education Code §42605 grants districts flexibility in Tier III categorical programs and authorized district to use these funds for any educational purpose. For the 2008-09 fiscal year through the 2014-15 fiscal year, inclusive, local educational agencies that use the flexibility provision of this section shall be deemed to be in compliance with the program and funding requirements contained in statutory, regulatory and provisional language.

The public hearing is required to occur at a regularly scheduled open public hearing held prior to and independent of a meeting where the governing board of the district adopts the annual budget.

Recommendation: Recommend approval of this resolution for Tier III Categorical Flexibility

Fiscal Impact: \$14,560,575 estimated Tier III funding

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

BOARD OF EDUCATION
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
Resolution 113-1112

TIER III CATEGORICAL FLEXIBILITY

WHEREAS as added and amended by SBX3 4, ABX4 2, and SB 70, Education Code 42605 grants districts flexibility in "Tier III" categorical programs and authorizes districts to use these funds for "any educational purpose, to the extent permitted by federal law." For the 2008-09 fiscal year to the 2014-15 fiscal year, inclusive, local educational agencies that use the flexibility provision of this section shall be deemed to be in compliance with the program and funding requirements contained in statutory, regulatory, and provisional language.

WHEREAS as a condition of receipt of the funds, the governing board is required, at a regularly scheduled open public hearing, to take testimony from the public, discuss, and approve or disapprove the proposed use of funding and to make explicit the purposes for which the funding will be used.

WHEREAS Assembly Bill (AB) 189, became effective January 1, 2012, and requires the Tier III public hearing to be held prior to and independent of a meeting at which the budget is adopted. AB 189 also requires a governing board to identify in the notice of the public hearing, any Tier III program that is proposed to be closed.

WHEREAS attached to this resolution is a list of specific programs, the estimated funding amounts, and the proposed activities for which the funds are to be expended identified by SACS function code.

THEREFORE, BE IT RESOLVED that, following a public hearing in which public testimony was taken, discussion regarding the proposed uses of the funds took place, and programs proposed to be closed were identified, the West Contra Costa Unified School District adopts this Resolution approving the proposed uses of the funds as shown on the attached list.

PASSED AND ADOPTED this 23rd Day of May 2012 by the following vote:

Ayes:

Noes:

Abstained:

Absent:

ATTEST:

Secretary, Board of Trustees

NOTICE OF PUBLIC HEARING
West Contra Costa Unified School District

Date: May 23, 2012
Location: Lovonya DeJean Middle School

Purpose:

A public hearing will be held for the purpose of taking testimony from the public, discussing the proposed receipt and use of the Tier III categorical funds, identifying closed programs, and approve or disapprove the proposed use of funding from the 39 programs identified in E.C. 42605.

Budget Item	Resource Code	Program Description	Available Funding	Function Code - Use of Funding	Active	Partial	Closed
6110-144-0001	7325	Staff Development: Administrator Training	\$ 33,945.00	1000-2999 Instruction and Instruction-Related Services			X
6110-156-0001	6390	Adult Education Program	\$ 1,000,000.00	1000-2999 Instruction and Instruction-Related Services		X	
6110-240-0001	0000	Advanced Placement Fee Waiver Program	\$ 2,088.00	1000-2999 Instruction and Instruction-Related Services			X
6360-101-0001	6260/6262/6263	Alternative Credentialing	\$ 190,975.00	1000-2999 Instruction and Instruction-Related Services		X	
6110-265-0001	6760	Arts & Music Block Grant	\$ 420,824.00	1000-2999 Instruction and Instruction-Related Services			X
6110-204-0001	7055	California High School Exit Exam	\$ 271,761.00	1000-2999 Instruction and Instruction-Related Services	X		
6110-267-0001	7276	Certificated Staff Mentoring Program	\$ 147,779.00	1000-2999 Instruction and Instruction-Related Services			X
6110-190-0001	2430	Community Day Schools	\$ 96,343.00	1000-2999 Instruction and Instruction-Related Services	X		
6110-188-0001	6205	Deferred Maintenance Apportionment	\$ 1,000,000.00	8000-8999 Plant Services		X	
6110-124-0001	7140	Gifted and Talented Education	\$ 190,715.00	1000-2999 Instruction and Instruction-Related Services		X	
6110-189-0001	7156	Instructional Materials Realignment	\$ 1,664,783.00	1000-2999 Instruction and Instruction-Related Services	X		
6110-137-0001	7294/7296	Staff Development: Math & Reading/ English Learner	\$ 223,463.00	1000-2999 Instruction and Instruction-Related Services			X
6110-108-0001	7080	Supplemental School Counseling	\$ 779,939.00	1000-2999 Instruction and Instruction-Related Services			X
6110-195-0001	6267	Teaching Standards Certification Incentive Program	\$ 13,416.00	1000-2999 Instruction and Instruction-Related Services	X		
6110-268-0001	0000	Oral Health Assessment Program	\$ 18,568.00	1000-2999 Instruction and Instruction-Related Services	X		
6110-260-0001	6258	Physical Education Teacher Incentive Grants	\$ 410,910.00	1000-2999 Instruction and Instruction-Related Services			X
6110-193-0001	7271/7275/7295	Peer Assistance & Review/ Staff Development	\$ 122,949.00	1000-2999 Instruction and Instruction-Related Services		X	
6110-245-0001	7393	Professional Development Block Grant	\$ 1,297,889.00	1000-2999 Instruction and Instruction-Related Services			X
6110-243-0001	7390	Pupil Retention Block Grant	\$ 1,162,036.00	1000-2999 Instruction and Instruction-Related Services			X
6110-247-0001	7395	School & Library Improvement Block Grant	\$ 1,955,450.00	1000-2999 Instruction and Instruction-Related Services			X
6110-228-0001	6405	School Safety & Violence Prevention, Gr. 8-12	\$ 188,673.00	8000-8999 Plant Services	X		
6110-246-0001	7394	Targeted Instructional Improvement Block Grant	\$ 2,787,535.00	1000-2999 Instruction and Instruction-Related Services			X
6110-244-0001	7392	Teacher Credentialing Block Grant	\$ 580,534.00	1000-2999 Instruction and Instruction-Related Services		X	
Total Tier III Funding			\$ 14,560,575.00				

Active means that while the program is technically in the Tier III sweep category, the unrestricted general fund has continued to support the services required of the former grant funding.

Partial means that the program has been reduced, but that the unrestricted general fund or other funds continue to fund a portion of the services provided by the former grant funding.

Closed means that the program is effectively closed or, in some cases, certain services were absorbed into existing grant funds (requiring cut backs in those grants) in order to continue high stakes work.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: May 23, 2012

From: Sheri Gamba *sg*
Associate Superintendent Business Services

Agenda Item: F.4

Subject: State Loan Payoff –Resolution 115-1112

Background Information:

In October of 2011 the School Board determined that the District would begin the processes necessary to pay off (an early pre-payment of the debt) the State Loan by passing resolution 15-1112. The Board received the results of the Fiscal Systems Assessment in January of 2012 and in March of 2012 the Board received a letter from the State Superintendent of Schools, Tom Torlakson indicating that the conditions for removing the State Trustee were expected to be met.

The debt is to be prepaid into an escrow fund that will be established using State and District funds to pay the final debt in August of 2015.

Once the escrow is funded on May 29, 2012 the conditions for loan pay off are met.

This resolution permits the District to move forward with the State Loan Payoff and authorizes staff to complete the necessary wire transfers and paperwork to do so.

Recommendation: Approve resolution

Fiscal Impact: Payoff of State Loan and release of State Trustee

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

RESOLUTION NO. 115-1112

**RESOLUTION OF THE BOARD OF EDUCATION OF WEST CONTRA COSTA UNIFIED
SCHOOL DISTRICT APPROVING THE PREPAYMENT AGREEMENT IN CONNECTION
WITH THE CALIFORNIA INFRASTRUCTURE AND ECONOMIC DEVELOPMENT
BANK STATE SCHOOL FUND APPORTIONMENT LEASE REVENUE BONDS
(WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT FINANCING) SERIES 2005B**

WHEREAS, in order to provide funds for the District to reimburse an emergency apportionment made by the State of California (the "State") to the West Contra Costa Unified School District (the "District") pursuant to the State Education Code, the California Infrastructure and Economic Development Bank ("I-Bank") issued its State School Fund Apportionment Lease Revenue Bonds (West Contra Costa Unified School District Financing) Series 2005B (the "Bonds") pursuant to a Trust Agreement, dated as of December 1, 2005, between the I-Bank and the Trustee (the "Trust Agreement"); and

WHEREAS, the Bonds are payable from amounts pledged thereof pursuant to the Trust Agreement, including Base Rental Payments (as such term is defined in the Trust Agreement) required to be made by the District, as lessee, to the I-Bank, as lessor, pursuant to a Lease Agreement, dated as of December 1, 2005, between the I-Bank and the District (the "Lease Agreement"); and

WHEREAS, in order to satisfy certain requirements of State Education Code Section 41320.1(a)(3), the District has determined to provide for the prepayment of its Base Rental Payment obligations by depositing with the Trustee (together with amounts to be deposited with the Trustee by the State Controller), an amount sufficient to provide for the payment of scheduled principal and interest on the Bonds through August 17, 2015, and for the redemption of the then outstanding Bonds on August 17, 2015 (the "Redemption Date"); and

WHEREAS, to effectuate the prepayment of its Base Rental Payments, the District desires to enter into a Prepayment Agreement, among the I-Bank, U.S. Bank National Association, as trustee of the Bonds (the "Trustee"), and the District (the "Prepayment Agreement");

WHEREAS, the Board now wishes to approve the form of the Prepayment Agreement, in connection with the redemption of the Bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT, CONTRA COSTA COUNTY, CALIFORNIA, AS FOLLOWS:

SECTION 1. Prepayment Agreement. The Prepayment Agreement relating to the prepayment of the District's Base Rental Payment obligation with respect to the Bonds, substantially in the form on file with the Secretary of the Board, is hereby approved, and the Superintendent or the Associate Superintendent for Business Services of the District, or such other officers or employees of the District as the Superintendent may designate (each, an "Authorized Officer"), each alone, are hereby authorized and directed, for and in the name and on behalf of the District, to deliver such Prepayment Agreement to the I-Bank and Trustee to be used in connection with the prepayment of

the Bonds. Execution of the Prepayment Agreement shall conclusively evidence the District's approval of the Prepayment Agreement.

SECTION 2. Authorized Actions. The President and Clerk of the Board and the Authorized Officers are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to proceed with the preparation of the Prepayment Agreement, and otherwise carry out, give effect to and comply with the terms and intent of this Resolution. Such actions heretofore taken by such officers, officials and staff are hereby ratified, confirmed and approved.

SECTION 3. Effective Date. This Resolution shall take effect immediately upon its passage.

PASSED, ADOPTED AND APPROVED this ____th day of _____, 2012, by the following vote:

AYES:	MEMBERS	_____
NOES:	MEMBERS	_____
ABSTAIN:	MEMBERS	_____
ABSENT:	MEMBERS	_____

President of the Board of Education

ATTEST:

Secretary of the Board of Education

SECRETARY'S CERTIFICATE

I, _____, Secretary of the Board of Education of the West Contra Costa Unified School District, hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted at a regular meeting of the Board of Education of said District duly and regularly and legally held at the regular meeting place thereof on _____, 2012, of which meeting all of the members of the Board of Education of said District had due notice and at which a quorum was present.

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes.

Said resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

Dated: _____, 2012

By: _____
Secretary

May 23, 2012

To: Board of Education, West Contra Costa Unified School District

From: Sheri Gamba, Associate Superintendent

The following document is the prepayment agreement that will be in place if the Board chooses to pass Resolution 115-1112. The agreement is substantially in final form; the legal opinions as well as the signatures of the parties will be signed and inserted as a part of the final document production after the escrow is funded.

This prepayment agreement is necessary because when the I Bank (California Infrastructure and Economic Development Bank) took over the State Loan in 2005 bonds were issued that are not callable, or able to be paid off, until 2015. The result of this agreement is that the State of California and the West Contra Costa Unified School District will place the necessary funds in an escrow account held by US Bank. The escrow account will be used to make the payments and pay fees due on the bonds, and related transactions between now and 2015 and then in August of 2015 the final payment will be made to pay off the bonds. Exhibit C of the prepayment agreement sets forth the amounts going into escrow. The "Available Amounts under Trust Agreement" is the amount that the District and State have paid into a trust fund prior to the prepayment agreement for the purpose of making the August 15, 2012 payment.

The resolution you are being asked to approve allows staff to sign the final prepayment agreement. I can then make the prepayment as described in the document.

PREPAYMENT AGREEMENT

among

THE CALIFORNIA INFRASTRUCTURE AND ECONOMIC DEVELOPMENT BANK,

**U.S. BANK NATIONAL ASSOCIATION,
as Trustee, and**

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

Dated May 30, 2012

Relating to

\$15,735,000

**The California Infrastructure and Economic Development Bank
State School Fund Apportionment Lease Revenue Bonds
(West Contra Costa Unified School District Financing) Series 2005B**

PREPAYMENT AGREEMENT

This Prepayment Agreement, dated May 30, 2012 (the "Prepayment Agreement"), among the California Infrastructure And Economic Development Bank (the "I-Bank"), U.S. Bank National Association, acting in its capacity as trustee with respect to the Bonds described below (the "Trustee"), and the West Contra Costa Unified School District (the "District");

WITNESSETH:

WHEREAS, in order to provide funds for the District to reimburse an emergency apportionment made by the State of California (the "State") to the District pursuant to the State Education Code, the I-Bank issued its State School Fund Apportionment Lease Revenue Bonds (West Contra Costa Unified School District Financing) Series 2005B (the "Bonds") pursuant to a Trust Agreement, dated as of December 1, 2005, between the I-Bank and the Trustee (the "Trust Agreement"); and

WHEREAS, the Bonds are payable from amounts pledged thereof pursuant to the Trust Agreement, including Base Rental Payments (as such term is defined in the Trust Agreement) required to be made by the District, as lessee, to the I-Bank, as lessor, pursuant to a Lease Agreement, dated as of December 1, 2005, between the I-Bank and the District (the "Lease Agreement"); and

WHEREAS, in order to satisfy certain requirements of State Education Code Section 41320.1(a)(3), the District has determined to provide for the prepayment of its Base Rental Payment obligations by depositing with the Trustee (together with amounts to be deposited with the Trustee by the Controller, as described below), an amount sufficient to provide for the payment of scheduled principal and interest on the Bonds through August 17, 2015, and for the redemption of the then outstanding Bonds on August 17, 2015 (the "Redemption Date") at a redemption price of 100% of the principal amount thereof plus accrued interest thereon (the "Redemption Price"); and

WHEREAS, pursuant to State Education Code Section 41329.57, and an Implementation Agreement Relating to State School Fund Apportionment Lease Revenue Bonds, dated as of December 1, 2005 (the "Implementation Agreement") by and between the California Department of Education, the California State Controller's Office (the "State Controller") and the California Infrastructure and Economic Development Bank, certain amounts constituting the "Make-Whole Payment" (as determined pursuant to the Implementation Agreement) will be deposited with the Trustee by the State Controller;

WHEREAS, the amounts deposited with the Trustee pursuant to this Prepayment Agreement shall be deposited by the Trustee in the Revenue Fund and invested from time to time in "Permitted Tax-Exempt Bonds" (as such term is defined in Section 2 hereof), which Permitted Tax-Exempt Bonds, together with the income to accrue on such Permitted Tax-Exempt Bonds held in the Revenue Fund, will be sufficient in accordance with the Trust Agreement, to provide for the payment of scheduled principal and interest on the Bonds through the Redemption Date and the redemption of the then outstanding Bonds on the Redemption Date at the Redemption Price;

NOW, THEREFORE, the I-Bank, the District and the Trustee hereby agree as follows:

Section 1. Receipt and Deposit of Amounts. The District has taken action to cause to be delivered to the Trustee on the date hereof the sum of \$[11,601,403.83] (consisting of \$[8,130,607.58] paid directly by the District, representing the original loan amount outstanding and accrued interest on that amount through May 30, 2012 pursuant to the Implementation Agreement, \$[1,500,796.25] of other moneys available pursuant to the Trust Agreement, and \$[1,970,000.00] paid by the Controller pursuant to the Implementation Agreement). The Trustee agrees to apply such funds for deposit into the Revenue Fund or the Administrative Expense Fund in the amounts set forth in Exhibit C hereto. Amounts deposited in the Administrative Expense Fund shall be applied to the payment of Administrative Expenses (as defined in the Trust Agreement), including costs relating to the execution and delivery of this Prepayment Agreement as well as prepayment of certain Administrative Expenses, in accordance with the Trust Agreement.

Amounts on deposit in the Revenue Fund shall be used from time to time in accordance with the Trust Agreement for the payment of scheduled principal and interest on the Bonds through the Redemption Date, and for the redemption of the then outstanding Bonds on the Redemption Date at the Redemption Price.

Section 2. Investment of Moneys. Moneys deposited in the Revenue Fund under the Trust Agreement pursuant to this Prepayment Agreement as well as any funds currently on deposit in the Revenue Fund as of the date hereof shall initially be invested as set forth in Exhibit A hereto and reinvested in Permitted Tax-Exempt Bonds, as directed from time to time by the I-Bank in accordance with Section 4.05 of the Trust Agreement. "Permitted Tax-Exempt Bonds" are obligations which constitute "Tax-Exempt Bonds" as defined in the Tax Certificate, dated December 8, 2005) and which also fit within the definition of "Permitted Investments as set forth in the Trust Agreement. Pursuant to the Trust Agreement and this Prepayment Agreement, all money in the Revenue Fund is irrevocably pledged to secure the payment and redemption of the Bonds as provided in Section 2 hereof; provided, that any money held in the Revenue Fund that is not used for the payment and redemption of the Bonds shall be paid in accordance with the Trust Agreement.

Any moneys on deposit in the Administrative Expense Fund shall be invested in any Permitted Investments, and need not be invested in Tax-Exempt Bonds.

Section 3. Prepayment Does Not Constitute Defeasance. The parties acknowledge that the execution of this Prepayment Agreement, and prepayment of the Base Rental Payment obligations of the District: (i) does not satisfy the requirements of Article IX of the Trust Agreement relating to the defeasance of the Bonds, and (ii) does not result in the expiration, termination, or satisfaction of the Lease Agreement, Trust Agreement, Tax Certificate, Implementation Agreement or any of the other documents executed by the District in connection with the issuance of the Bonds, all of which shall remain in full force and effect. The District acknowledges that it is obligated to continue to comply with the requirements of the Lease Agreement and Tax Certificate, including but not limited to the obligation to maintain insurance on the property which is the subject of the Lease Agreement, and all of the obligations of the District pursuant to Article VIII of the Lease Agreement, including but not limited to those relating to continued use of the property which is the subject of the Lease Agreement, discharge of liens, and restrictions on subleases and assignments. The parties further acknowledge that the Bonds will continue to be outstanding until redemption of the Bonds.

Section 4. Amendments to Schedules. The parties hereto acknowledge that the Base Rental Payment Schedule and Additional Rentals Payment Schedule submitted by the I-Bank to the

State Controller pursuant to the Implementation Agreement will be amended to take into account the availability of moneys deposited with the Trustee pursuant to the Prepayment Agreement.

Section 5. Related Documents. The parties hereto acknowledge receipt of the following documents:

- (a) A certified resolution of the District approving the execution and delivery of this Prepayment Agreement, attached hereto as Exhibit D;
- (b) An executed opinion of counsel to the District, attached hereto as Exhibit E;
- (c) An executed opinion of Special Counsel to the I-Bank, attached hereto as Exhibit F;
- (d) A Certificate and Acknowledgment executed by authorized representatives of the State Controller's Office, I-Bank and the California Department of Education, attached hereto as Exhibit G; and
- (e) A form of a Voluntary Disclosure Notice to be filed within 10 days after the date of this Prepayment Agreement, substantially in the form set forth hereto as Exhibit H; and
- (f) A report of KNN Public Finance, a Division of Zions First National Bank, as to the sufficiency of the amounts on deposit in the Revenue Fund, attached hereto as Exhibit I.

Section 6. Notice of Redemption. The I-Bank hereby irrevocably instructs the Trustee, and the Trustee agrees, to give timely notice of the redemption of the Bonds on the Redemption Date in accordance with the Trust Agreement in substantially the form attached hereto as Exhibit B.

Section 7. Fees and Costs of the Trustee.

- (a) The rights, duties and obligations of the Trustee shall be governed by the Trust Agreement. The annual fees and costs of the Trustee for any other duties to be carried out by it under the Trust Agreement shall continue as previously agreed upon between the Trustee and the I-Bank.
- (b) The Trustee shall be entitled to payment by the I-Bank of reasonable fees and reimbursements for costs incurred in connection with the performance of its rights and duties hereunder, including but not limited to legal and accounting services.
- (c) The fees of and the costs incurred by the Trustee shall in no event be deducted or payable from or constitute a lien against the Revenue Fund.

Section 8. Resignation of the Trustee. The Trustee may resign and be discharged of its duties hereunder if and at such time as the Trustee shall resign or be discharged as trustee under the Trust Agreement in accordance with the provisions of the Trust Agreement. Any successor trustee under the Trust Agreement shall succeed to the duties of the Trustee hereunder.

Section 9. Merger or Consolidation of the Trustee. Any company into which the Trustee may be merged or converted or with which it may be consolidated or any company resulting from any merger, conversion or consolidation to which it shall be a party or any company to which the Trustee may sell or transfer all or substantially all of its corporate trust business, as long as such company shall be eligible under the Trustee, shall be the successor hereunder to the Trustee without the execution or filing of any paper or any further act.

Section 10. Severability. If any section, paragraph, sentence, clause or provision of the Prepayment Agreement shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, sentence, clause or provision shall not affect any of the remaining provisions of the Prepayment Agreement.

Section 11. Amendment. The parties hereto may, without the consent of or notice to the holders of the Bonds, enter into such agreements supplemental to this Prepayment Agreement as shall not adversely affect the rights of such holders hereunder and shall not be inconsistent with the terms and provisions of this Prepayment Agreement, for any one or both of the following purposes:

(a) to cure any ambiguity or formal defect or omission in this Prepayment Agreement; and

(b) to grant or confer upon the Trustee, for the benefit of the holders of the Bonds, any additional rights, remedies or powers that may lawfully be granted to or conferred upon the Trustee.

The Trustee shall enter into such agreements only upon receipt of, and shall be entitled to rely conclusively upon, an opinion of nationally recognized bond counsel to the effect that any such agreement complies with this section, and does not adversely affect the rights of the holders of the Bonds.

Section 12. Execution in Counterpart. The Prepayment Agreement may be executed in any number of counterparts, each of which shall for all purposes be deemed to be an original and all of which shall together constitute but one and the same instrument.

Section 13. Notices. Any notice to or demand upon the Trustee may be served or presented, and such demand may be made, at the corporate trust office of the Trustee at 1 California Street, Suite 1000, San Francisco, CA 94111, Attention: Corporate Trust Services, or as otherwise specified by the Trustee in accordance with the provisions of the Trust Agreement. Any notice to or demand upon the I-Bank shall be deemed to have been sufficiently given or served for all purposes by being mailed by first class mail, and deposited, postage prepaid, in a post office letter box, addressed to the I-Bank at 980 9th Street, Sacramento, California 95814, Attention: Bond Programs Manager. Any notice to or demand upon the District shall be deemed to have been sufficiently given or served for all purposes by being mailed by first class mail, and deposited, postage prepaid, in a post office letter box, addressed to the District at 1108 Bissell Avenue, Richmond, CA 94810-3135.

Section 14. Capitalized terms used in this Prepayment Agreement and not defined in this Prepayment Agreement shall have the meanings given to such terms in the Trust Agreement.

Section 15. The District and I-Bank, by their execution of this Prepayment Agreement request the Trustee to enter into this Prepayment Agreement. The Trustee is entering into this

Prepayment Agreement solely in its capacity as Trustee under the Trust Agreement and all provisions of the Trust Agreement relating to the rights, privileges, powers and protections of the Trustee shall apply with equal force and effect to all actions taken by the Trustee in connection with this Prepayment Agreement.

Section 16. Governing Law. The Prepayment Agreement shall be governed by and construed in accordance with the laws of the State of California.

IN WITNESS WHEREOF, the I-Bank, the Trustee and the District have each caused the Prepayment Agreement to be signed in its name by its duly authorized officer all as of the day and year first above written.

THE CALIFORNIA INFRASTRUCTURE AND
ECONOMIC DEVELOPMENT BANK

By _____
Stanton C. Hazelroth
Executive Director

WEST CONTRA COSTA UNIFIED SCHOOL
DISTRICT

By _____
Authorized Officer

U.S. BANK NATIONAL ASSOCIATION,
as Trustee

By _____
Authorized Officer

EXHIBIT A
INITIAL INVESTMENT

The Fidelity California AMT Tax-Free Money Market Fund Institutional Class.

EXHIBIT B
FORM OF REDEMPTION NOTICE

The California Infrastructure and Economic Development Bank
State School Fund Apportionment Lease Revenue Bonds
(West Contra Costa Unified School District Financing) Series 2005B

NOTICE IS HEREBY GIVEN to the registered owners of the above-referenced bonds identified in the table below (the "Bonds") issued under the Trust Agreement (the "Trust Agreement") dated as of December 1, 2005, between U.S. Bank National Association, as trustee (the "Trustee") and the California Infrastructure and Economic Development Bank (the "I-Bank"), that, pursuant to the Trust Agreement, the Bonds (which were originally executed and delivered on December 8, 2005) have been called for redemption on August 17, 2015 (the "Redemption Date") at a redemption price of 100% of the principal amount thereof (the "Redemption Price"), together with the accrued interest thereon to the Redemption Date.

Payment Date <u>(August 15)</u>	Principal <u>Amount</u>	Interest <u>Rate</u>	CUSIP <u>Number</u>[†]
2016	\$1,500,000	5.00%	13034JBZ3
2017	1,575,000	5.00	13034JCA7
2018	1,655,000	5.00	13034JCB5

Interest on the Bonds shall cease to accrue from and after the Redemption Date. Payment of the Redemption Price will become due and payable on the Redemption Date upon presentation and surrender of the Bonds, in person or by mail, at the office of the Trustee, as follows:

If by Mail:

U.S. Bank
Corporate Trust Services
P.O. Box 64111
St. Paul, MN 55164-0111

If by Hand or Overnight Mail:

U.S. Bank
Corporate Trust Services
60 Livingston Avenue
1st Fl – Bond Drop Window
St. Paul, MN 55107

1-800-934-6802

If the Bonds are mailed, the use of registered, insured mail is recommended.

Withholding of 28% of gross redemption proceeds of any payment made within the United States may be required by the Jobs and Growth Tax Relief Reconciliation Act of 2003 (the "Act"), unless the Trustee has the correct taxpayer identification number (social security or employer identification number) or exemption certificate of the payee. Please furnish a properly completed Form W-9 or exemption certificate or equivalent when presenting your securities.

Dated: July 15, 2015.

By U.S. Bank National Association, as
Trustee

[†] CUSIP is a registered trademark of The American Bankers Association. The CUSIP data herein are provided by CUSIP Global Services, managed by Standard & Poor's Financial Services LLC on behalf of The American Bankers Association. These data are not intended to create a database and do not serve in any way as a substitute for the CUSIP Services. CUSIP numbers are provided solely for convenience and reference. Neither the I-Bank nor the Trustee shall be responsible for correctness of the CUSIP numbers set forth herein.

EXHIBIT C
ALLOCATION OF FUNDS

The following tables set forth the specific amount of funds to be received by the Trustee, and the manner in which they are to be deposited:

Moneys to be received:

Payment by District	\$8,130,607.58
Payment by State Controller	1,970,000.00
Available Amounts under Trust Agreement	<u>1,500,796.25</u>
Total Sources	\$11,601,403.83

Uses

Deposit to the Revenue Fund	\$9,929,755.00
Available Amounts under Trust Agreement	1,500,796.25
Deposit to the Administrative Expense Fund	<u>170,852.58</u>
Total Uses	\$11,601,403.83

**EXHIBIT D
RESOLUTION OF THE DISTRICT**

RESOLUTION NO. 115-1112

1.

**RESOLUTION OF THE BOARD OF EDUCATION OF WEST CONTRA COSTA UNIFIED
SCHOOL DISTRICT APPROVING THE PREPAYMENT AGREEMENT IN CONNECTION
WITH THE CALIFORNIA INFRASTRUCTURE AND ECONOMIC DEVELOPMENT
BANK STATE SCHOOL FUND APPORTIONMENT LEASE REVENUE BONDS
(WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT FINANCING) SERIES 2005B**

WHEREAS, in order to provide funds for the District to reimburse an emergency apportionment made by the State of California (the "State") to the West Contra Costa Unified School District (the "District") pursuant to the State Education Code, the California Infrastructure and Economic Development Bank ("I-Bank") issued its State School Fund Apportionment Lease Revenue Bonds (West Contra Costa Unified School District Financing) Series 2005B (the "Bonds") pursuant to a Trust Agreement, dated as of December 1, 2005, between the I-Bank and the Trustee (the "Trust Agreement"); and

WHEREAS, the Bonds are payable from amounts pledged thereof pursuant to the Trust Agreement, including Base Rental Payments (as such term is defined in the Trust Agreement) required to be made by the District, as lessee, to the I-Bank, as lessor, pursuant to a Lease Agreement, dated as of December 1, 2005, between the I-Bank and the District (the "Lease Agreement"); and

WHEREAS, in order to satisfy certain requirements of State Education Code Section 41320.1(a)(3), the District has determined to provide for the prepayment of its Base Rental Payment obligations by depositing with the Trustee (together with amounts to be deposited with the Trustee by the State Controller), an amount sufficient to provide for the payment of scheduled principal and interest on the Bonds through August 17, 2015, and for the redemption of the then outstanding Bonds on August 17, 2015 (the "Redemption Date"); and

2. **WHEREAS**, to effectuate the prepayment of its Base Rental Payments, the District desires to enter into a Prepayment Agreement, among the I-Bank, U.S. Bank National Association, as trustee of the Bonds (the "Trustee"), and the District (the "Prepayment Agreement");

WHEREAS, the Board now wishes to approve the form of the Prepayment Agreement, in connection with the redemption of the Bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT, CONTRA COSTA COUNTY, CALIFORNIA, AS FOLLOWS:

SECTION 1. Prepayment Agreement. The Prepayment Agreement relating to the prepayment of the District's Base Rental Payment obligation with respect to the Bonds, substantially in the form on file with the Secretary of the Board, is hereby approved, and the Superintendent or the

Associate Superintendent for Business Services of the District, or such other officers or employees of the District as the Superintendent may designate (each, an "Authorized Officer"), each alone, are hereby authorized and directed, for and in the name and on behalf of the District, to deliver such Prepayment Agreement to the I-Bank and Trustee to be used in connection with the prepayment of the Bonds. Execution of the Prepayment Agreement shall conclusively evidence the District's approval of the Prepayment Agreement.

SECTION 2. Authorized Actions. The President and Clerk of the Board and the Authorized Officers are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to proceed with the preparation of the Prepayment Agreement, and otherwise carry out, give effect to and comply with the terms and intent of this Resolution. Such actions heretofore taken by such officers, officials and staff are hereby ratified, confirmed and approved.

SECTION 3. Effective Date. This Resolution shall take effect immediately upon its passage.

PASSED, ADOPTED AND APPROVED this ____th day of _____, 2012, by the following vote:

AYES:	MEMBERS	_____
NOES:	MEMBERS	_____
ABSTAIN:	MEMBERS	_____
ABSENT:	MEMBERS	_____

President of the Board of Education

ATTEST:

Secretary of the Board of Education

EXHIBIT E
FORM OF OPINION OF COUNSEL TO THE DISTRICT

May 29, 2012

California Infrastructure and
Economic Development Bank
980 9th Street, Suite 900
Sacramento, CA 95814

RE: Prepayment Agreement dated as of May 1, 2012, among the California Infrastructure And Economic Development Bank (the "I-Bank"), U.S. Bank National Association, acting in its capacity as trustee (the "Trustee") with respect to the I-Bank's State School Fund Apportionment Lease Revenue Bonds (West Contra Costa Unified School District Financing) Series 2005B (the "Bonds") and the West Contra Costa Unified School District.

Ladies and Gentlemen:

In our capacity as counsel to the West Contra Costa Unified School District (the "District") and in connection with the above described Prepayment Agreement (the "Agreement"), we have examined the laws pertaining to the District; a copy of the Agreement; the District's resolution adopted on May 23, 2012 (the "Resolution"); and such other information and documents as I considered necessary to render this opinion.

Based upon the foregoing, it is my opinion that:

(i) The Resolution and other actions of the District approving and authorizing the execution and delivery of the Agreement were duly adopted at a meeting of the governing body of the District which was called and held pursuant to law and with all public notice required by law and at which a quorum was present and acting throughout;

(ii) The District has full right and lawful authority to execute and deliver the Agreement and the Agreement has been duly authorized and executed on behalf of the District and the Agreement is the legal, valid and binding obligation of the District enforceable in accordance with its terms, except as enforcement may be limited by bankruptcy, insolvency, moratorium, or similar laws, or by legal or equitable principles relating to or limiting creditors' rights generally; and

(iii) To the best of our knowledge and belief, the execution and delivery of the Agreement and compliance with the provisions thereof, including, but not limited to, the use of District funds, under the circumstances contemplated thereby, do not and will not in any material respect conflict with or constitute on the part of the District a breach of or default under any agreement or other instrument to which the District is a party or by which it is bound or any existing law, regulation, court order or consent decree to which the District is subject.

The opinions expressed herein may be affected by actions taken or events occurring after the date hereof. The undersigned has not undertaken to determine or to inform any person whether any such subsequent actions or events are taken or occur.

Respectfully submitted,

David Casnocha

Stradling Yocca Carlson & Routh

EXHIBIT F
FORM OF OPINION OF SPECIAL COUNSEL TO THE I-BANK

May 30, 2012

California Infrastructure and Economic Development Bank
Sacramento, California

Ladies and Gentlemen:

We are acting as Special Counsel to the California Infrastructure And Economic Development Bank (the "I-Bank") in connection with the execution and delivery of a Prepayment Agreement dated as May 30, 2012 (the "Prepayment Agreement"), among the I-Bank, U.S. Bank National Association, acting in its capacity as trustee (the "Trustee") with respect to the I-Bank's State School Fund Apportionment Lease Revenue Bonds(West Contra Costa Unified School District Financing) Series 2005B (the "Bonds"), and the West Contra Costa Unified School District (the "District"). The Prepayment Agreement is being executed in connection with the prepayment by the District of certain amounts payable by the District pursuant to a Lease Agreement, dated as of December 1, 2005, between the I-Bank and the District (the "Lease Agreement"). As set forth in the Prepayment Agreement, execution of the Prepayment Agreement and performance by the parties of their obligations thereunder (i) does not satisfy the requirements of Article IX of the Trust Agreement relating to the defeasance of the Bonds, and (ii) does not result in the expiration, termination, or satisfaction of the Lease Agreement, Trust Agreement, Tax Certificate, Implementation Agreement (as such terms are defined in the Prepayment Agreement, or any of the other documents executed by the District in connection with the issuance of the Bonds, all of which shall remain in full force and effect.

In such connection, we have examined such documents and other matters deemed necessary to render the opinion set forth herein. The opinion expressed herein is based upon an analysis of existing laws, regulations, rulings and court decisions and cover certain matters not directly addressed by such authorities. We have assumed the genuineness of all documents and signatures presented to us (whether as originals or as copies) and the due and legal execution and delivery thereof by, and validity against, any parties other than the I-Bank. The opinions set forth herein are qualified to the extent that the enforceability of the Prepayment Agreement may be limited by bankruptcy, moratorium, insolvency or other laws affecting creditor's rights or remedies and is subject to general principles of equity (regardless of whether such enforceability is considered in equity or at law), to the exercise of judicial discretion in appropriate cases and to the limitations on legal remedies against governmental entities in the State of California.

Based on the foregoing, it is our opinion that the I-Bank has full right and lawful authority to execute and deliver the Agreement and the Agreement is the legal, valid and binding obligation of the I-Bank enforceable in accordance with its terms

Respectfully submitted,

EXHIBIT G
FORM OF CERTIFICATE AND ACKNOWLEDGMENT
OF THE STATE CONTROLLER'S OFFICE, I-BANK AND
THE CALIFORNIA DEPARTMENT OF EDUCATION

\$15,735,000

The California Infrastructure and Economic Development Bank
State School Fund Apportionment Lease Revenue Bonds
(West Contra Costa Unified School District Financing) Series 2005B

In connection with the execution of the Prepayment Agreement, dated as of May 1, 2012 (the "Prepayment Agreement"), among the California Infrastructure And Economic Development Bank (the "I-Bank"), U.S. Bank National Association, acting in its capacity as trustee (the "Trustee") with respect to the above-captioned Bonds (the "Bonds"), and the West Contra Costa Unified School District (the "District"), the State Department of Finance ("DOF"), the State's Controller's Office ("SCO"), the I-Bank and the State of California Department of Education ("CDE") hereby represent and acknowledge that:

1. Pursuant to the Prepayment Agreement, the District will deposit 8,130,607.58 with the Trustee, representing prepayment by the District of Base Rental payable by the District pursuant to the Lease Agreement, dated as of December 1, 2005, between the I-Bank and the District (the "Lease Agreement"), executed in connection with the issuance of the Bonds.

2. Pursuant to State Education Code Section 41329.57, and an Implementation Agreement Relating to State School Fund Apportionment Lease Revenue Bonds, dated as of December 1, 2005 (the "Implementation Agreement") by and between the CDE, SCO and the I-Bank, \$1,970,000.00 will be deposited with the Trustee by SCO. Such amount constitutes the "Make-Whole Payment" (as determined pursuant to the Implementation Agreement) with respect to the prepayment to be made by the District pursuant to the Prepayment Agreement.

3. Execution of this Prepayment Agreement, and prepayment of the Base Rental Payment obligations of the District: (i) does not satisfy the requirements of Article IX of the Trust Agreement relating to the defeasance of the Bonds, and (ii) does not result in the expiration, termination, or satisfaction of the Lease Agreement, Trust Agreement, Tax Certificate, Implementation Agreement or any of the other documents executed in connection with the issuance of the Bonds, all of which shall remain in full force and effect. The Bonds will continue to be outstanding until redemption of the Bonds.

4. The Base Rental Payment Schedule and Additional Rentals Payment Schedule submitted by the I-Bank to SCO pursuant to the Implementation Agreement will be amended to take into account the availability of moneys deposited with the Trustee pursuant to the Prepayment Agreement.

Dated: May 30, 2012

STATE OF CALIFORNIA DEPARTMENT OF EDUCATION By: _____ Jeannie Oropeza Deputy Superintendent of Public Instruction	CALIFORNIA INFRASTRUCTURE AND ECONOMIC DEVELOPMENT BANK By: _____ Stanton C. Hazelroth Executive Director
	STATE CONTROLLER'S OFFICE By: _____ Richard Chivaro General Counsel

EXHIBIT H
FORM OF VOLUNTARY DISCLOSURE NOTICE

S.E.C. RULE 15C2-12
NOTICE OF SPECIFIED EVENT

The California Infrastructure and Economic Development Bank (the "Issuer") hereby provides notice of the following event related to the bonds (the "Bonds"):

\$15,735,000

California Infrastructure and Economic Development Bank
State School Fund Apportionment Lease Revenue Bonds, Series 2005B
(West Contra Costa Unified School District Financing)

(CUSIPS: 13034JBV2,
13034JBW0, 13034JBX8, 13034JBY6, 13034JBZ3, 13034JCA7, 13034JCB5)

Note: The CUSIP numbers above are provided for the convenience of the Bondholders. The Issuer is not responsible for the accuracy or completeness of such numbers.

Notice of Specified Event:

On May 30, 2012, the Trustee for the Bonds received a prepayment in the amount of \$11,601,403.83 pursuant to Section 7.02 the Lease Agreement by and between the West Contra Costa Unified School District and the California Infrastructure and Economic Development Bank, dated December 1, 2005, in connection with the Bonds. The prepayment does not meet the defeasance requirements of the Trust Agreement relating to the Bonds and does not constitute a defeasance of any of the Bonds. It is the intent of the Issuer to retain the prepayment with the Trustee for use towards future Bond payments.

Other Matters:

This voluntary notice is provided solely for purposes of the Continuing Disclosure Agreement, dated December 8, 2005, among the Issuer, the California State Treasurer, the California Department of Education and U.S. Bank National Association, as Dissemination Agent, in connection with the issuance of the Bonds. The filing of this voluntary notice does not constitute or imply any representation regarding any other financial, operating or other information about the Issuer or the Bonds, or that no other circumstances or events have occurred or that no other information exists concerning the Issuer or the Bonds, which may have a bearing on the Issuer's financial condition, the security for the Bonds, or an investor's decision to buy, sell or hold the Bonds.

Dated: May 30, 2012.

CALIFORNIA INFRASTRUCTURE AND ECONOMIC
DEVELOPMENT BANK

Stanton C. Hazelroth
Authorized Official

As of May 30, 2012, the following is the Continuing Disclosure Filing Location:

Municipal Securities Rulemaking Board (MSRB):

<http://emma.msrb.org/>

EXHIBIT I
FORM OF REPORT OF KNN PUBLIC FINANCE,
A DIVISION OF ZIONS FIRST NATIONAL BANK

The following documents contain a description of the escrow requirements, escrow cost, sources and uses of funds and a summary of bonds refunded demonstrating the sufficiency of the escrow.

ESCROW REQUIREMENTS

West Contr Costa Unified School District
2012 Refunding of I Bank Emergency Loan
ASSUMING ESCROW IS INVESTED IN TAX-EXEMPT MONEY MARKET (EARNING 0%)

Period Ending	Principal	Interest	Principal Redeemed	Total
08/15/2012	1,265,000.00	235,796.25		1,500,796.25
02/15/2013		208,915.00		208,915.00
08/15/2013	1,315,000.00	208,915.00		1,523,915.00
02/15/2014		184,587.50		184,587.50
08/15/2014	1,365,000.00	184,587.50		1,549,587.50
02/15/2015		153,875.00		153,875.00
08/15/2015	1,425,000.00	153,875.00	4,730,000.00	6,308,875.00
	5,370,000.00	1,330,551.25	4,730,000.00	11,430,551.25

ESCROW COST

West Contr Costa Unified School District
2012 Refunding of I Bank Emergency Loan

ASSUMING ESCROW IS INVESTED IN TAX-EXEMPT MONEY MARKET (EARNING 0%)

Purchase Date	Cost of Securities	Cash Deposit	Total Escrow Cost
05/30/2012		11,430,551.25	11,430,551.25
	0	11,430,551.25	11,430,551.25

ESCROW SUFFICIENCY

West Contr Costa Unified School District
2012 Refunding of I Bank Emergency Loan
ASSUMING ESCROW IS INVESTED IN TAX-EXEMPT MONEY MARKET (EARNING 0%)

Date	Escrow Requirement	Net Escrow Receipts	Excess Receipts	Excess Balance
05/30/2012		11,430,551.25	11,430,551.25	11,430,551.25
08/15/2012	1,500,796.25		-1,500,796.25	9,929,755.00
02/15/2013	208,915.00		-208,915.00	9,720,840.00
08/15/2013	1,523,915.00		-1,523,915.00	8,196,925.00
02/15/2014	184,587.50		-184,587.50	8,012,337.50
08/15/2014	1,549,587.50		-1,549,587.50	6,462,750.00
02/15/2015	153,875.00		-153,875.00	6,308,875.00
08/15/2015	6,308,875.00		-6,308,875.00	
	11,430,551.25	11,430,551.25	0.00	

SOURCES AND USES OF FUNDS

West Contr Costa Unified School District
2012 Refunding of I Bank Emergency Loan
ASSUMING ESCROW IS INVESTED IN TAX-EXEMPT MONEY MARKET (EARNING 0%)

Dated Date 05/30/2012
Delivery Date 05/30/2012

Sources:

State Contribution:	
Intercept Reimbursement	1,970,000.00
District and Trustee Held Funds:	
District Payment of Accrued Interest to 5/30/2012	40,298.58
District Prepayment of Loan Balance	8,090,309.00
Funds On-Hand with Trustee	1,500,796.25
	<hr/>
	9,631,403.83
	<hr/>
	11,601,403.83
	<hr/>
	<hr/>

Uses:

Deposit to Revenue Fund for Prepayment:	
Cash Deposit	11,430,551.25
Deposit to Administrative Expense Fund:	
Contingency	14,632.58
Special Counsel (Stradling)	12,000.00
Financial Advisor (KNN)	10,000.00
Investment Broker	10,000.00
Trustee (US Bank)	1,500.00
Trustee Counsel (Dorsey)	5,000.00
District Counsel	10,000.00
I-Bank Fee	20,000.00
2 yrs of Bond Trustee Fee	2,220.00
3 yrs of I-Bank Fee	15,000.00
3 yrs of I-Bank Personnel Fee	60,000.00
Insurance Contingency	5,000.00
Final Year Arbitrage Report	5,500.00
	<hr/>
	170,852.58
	<hr/>
	11,601,403.83
	<hr/>
	<hr/>

SUMMARY OF BONDS REFUNDED

West Contr Costa Unified School District
 2012 Refunding of I Bank Emergency Loan
 ASSUMING ESCROW IS INVESTED IN TAX-EXEMPT MONEY MARKET (EARNING 0%)

Bond	Maturity Date	Interest Rate	Par Amount	Call Date	Call Price
I Bank Emergency Apportionment Loan, IBANK:					
BOND	08/15/2012	4.250%	1,265,000.00		
	08/15/2013	3.700%	1,315,000.00		
	08/15/2014	4.500%	1,365,000.00		
	08/15/2015	5.000%	1,425,000.00		
	08/15/2016	5.000%	1,500,000.00	08/15/2015	100.000
	08/15/2017	5.000%	1,575,000.00	08/15/2015	100.000
	08/15/2018	5.000%	1,655,000.00	08/15/2015	100.000
			10,100,000.00		

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: May 23, 2012

From: Ann Reinhausen,
Assistant Superintendent Human Resources

Agenda Item: F.5

Subject: Resolution No. 106-1112: Declaration to Hire 30-Day Substitutes on CBEST Waivers

Background Information:

There is a statewide shortage of qualified substitutes. The Commission on Teacher Credentialing require each 30-day substitute CBEST waiver request be approved by the Board of Education before the waiver request is submitted. This declaration need be approved only once for all CBEST waiver requested in 2012-2013. This item may not appear on the consent calendar for the governing board meeting. Our district will continue to recruit and search for fully credentialed teachers while using this assignment option.

Recommendation: Recommend Approval

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

RESOLUTION NO.106-1112

DECLARATION TO HIRE 30-DAY SUBSTITUTES ON CBEST WAIVERS

WHEREAS, the governing board of West Contra Costa Unified School District declares that teachers were hired from the district substitute pool to implement class size reduction and, as a consequence of this action, the district is unable to recruit substitutes who have had an opportunity to take and pass the California Basic Educational Skills Test (CBEST). The district anticipates employing 15-25 substitutes on variable term CBEST waivers.

PASSED and ADOPTED by the governing board of the West Contra Costa Unified School District of Contra Costa County, California, on May 23, 2012, by the following vote:

AYES: _____

NOYS: _____

ABSENT: _____

ABSTAIN: _____

I HEREBY CERTIFY that the foregoing resolution was duly and regularly introduced, passed, and adopted by the members of the governing board of the West Contra Costa Unified School District at a public meeting held on May 23, 2012, and that the foregoing is an excerpt from the journal of said governing board for said meeting.

BRUCE HARTER
Secretary, Board of Education

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: May 23, 2012

From: Wendell C. Greer
Associate Superintendent, K-Adult Operations

Agenda Item: G.1

Subject: West County Community High Charter Renewal Petition

Background Information: West County Community High School submitted a renewal petition to West Contra Costa Unified School District [WCCUSD] on April 27, 2012 to continue a five year charter agreement in the district. Pursuant to the Charter School Act of 1992 (the "Act"), Education Code Section 47600 et seq., the Legislature has charged local school boards with the responsibility of reviewing and acting on petitions for charter schools.

Education Code section 47605(b) requires the Board, within 30 days of submission of the petition, to hold a public hearing to receive public comment on the Petition. That is the purpose of this agenda item.

The Act also requires the Board to either grant or deny the Petition within 60 days of submission.

Staff and legal counsel are analyzing information related to the Petition, as well as the operation and potential effects of the proposed charter school. A recommendation will be made regarding the Petition at a subsequent board meeting.

Recommendation: Public hearing only

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

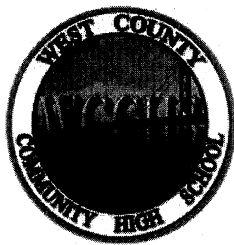
Not Approved _____

Tabled _____

Charter Renewal Petition for West County Community High School

**Submitted to the
West Contra Costa Unified School
District**

April 27, 2012



Created by the WCCHS Governing Board

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AFFIRMATIONS AND ASSURANCES

West County Community High School (“WCCHS” or the “Charter School”) will follow any and all federal, state, and local laws and regulations that apply to the Charter School, including but not limited to:

1. The Charter School will meet all statewide standards and conduct the student assessments required, pursuant to Education Code §§ 60605 and 60851, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. *[Ref. California Education Code §47605(c)(1)]*
2. The Charter School will be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Act. *[Ref. California Education Code §47605(b)(5)(O)]*
3. The Charter School will be nonsectarian in its programs, admissions policies, employment practices, and all other operations. *[Ref. California Education Code §47605(d)(1)]*
4. The Charter School will not charge tuition. *[Ref. California Education Code §47605(d)(1)]*
5. The Charter School will admit all students who wish to attend the Charter School, and who submit a timely application, unless the Charter School receives a greater number of applications than there are spaces for students, in which case each application will be given equal chance of admission through a public random drawing process. Except as required by Education Code Section 47605(d)(2), admission to the Charter School shall not be determined according to the place of residence of the student or his or her parents within the State. Preference in the public random drawing shall be given as required by Education Code Section 47605(d)(2)(B). In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the Charter School in accordance with Education Code Section 47605(d)(2)(C). *[Ref. California Education Code §47605(d)(2)(A)-(B)]*
6. The Charter School will not discriminate on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics). *[Ref. California Education Code §47605(d)(1)]*
7. The Charter School will adhere to all provisions of federal law relating to students with disabilities, including the IDEIA, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990.
8. The Charter School will meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. *[Ref. Title 5, California Code of Regulations, §11967.5.1(f)(5)(C)]*
9. The Charter School will ensure that teachers in the Charter School hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools are required to hold. As allowed by statute, flexibility will be given to noncore, noncollege preparatory teachers. *[Ref. California Education Code §47605(l)]*

10. The Charter School will at all times maintain all necessary and appropriate insurance coverage.
11. The Charter School shall, for each fiscal year, offer at a minimum, the number of minutes of instruction per grade level as required by Education Code Section 47612.5(a)(1)(A)-(D).
12. If a pupil is expelled or leaves the Charter School without graduating or completing the school year for any reason, the Charter School shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information. *[Ref. California Education Code § 47605(d)(3)]*
13. The Charter School shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. *[Ref. California Education Code § 47612.5(a)]*
14. The Charter School shall, on a regular basis, consult with its parents and teachers regarding the Charter School's education programs. *[Ref. California Education Code § 47605(c)]*
15. The Charter School shall comply with any jurisdictional limitations to locations of its facilities. *[Ref. California Education Code §§ 47605-47605.1]*
16. The Charter School shall comply with all laws establishing the minimum and maximum age for public school enrollment. *[Ref. California Education Code §§ 47612(b), 47610]*
17. The Charter School shall comply with all applicable portions of the No Child Left Behind Act.
18. The Charter School shall comply with the Public Records Act.
19. The Charter School shall comply with the Family Educational Rights and Privacy Act.
20. The Charter School shall comply with the Ralph M. Brown Act.
21. The Charter School shall meet or exceed the legally required minimum of school days. *[Ref. Title 5, California Code of Regulations § 11960]*

Authorized Representative's Signature

Date

1. EXECUTIVE SUMMARY

1.1. Introduction & History

“Like a river with many feeder streams, the strong current that is West County Community High School has been fed by many different sources. The vision, curricula, structure and techniques come from many sources: successful charter schools like Manzanita Charter in Richmond and Alameda Community Learning Center in Alameda, innovative private schools such as Holden in Orinda, the desire of West County parents who want a different kind of high school for their children, the experiences of many devoted teachers, and the practices of violence-prevention programs such as Challenge Day.”

From the WCCHS Charter Petition dated April, 2007

It has been almost five years since West County Community High School (WCCHS) was awarded its Charter from the West Contra Costa Unified School District (“WCCUSD” or the “District”) board to start operations. Five years that can be summarized as ***building a strong foundation***.

1.2. Key Accomplishments of First Charter Term

The WCCHS community, which includes teachers, staff, students and parents, has worked very hard to build a strong school, and we are proud of our accomplishments these past five years:

- Initiating school operations in the summer of 2007 at 1615 Carlson Boulevard in Richmond
- Establishing (2007) and maintaining (2008 through 2012) the educational curriculum
- As the Charter School grew in population, the need for a larger facility became apparent. In the summer of 2009 WCCHS obtained a Use Permit from the City of Richmond to occupy an existing church and school facility at 777 Sonoma Street. This facility provided WCCHS larger classrooms, a larger office area, and a church sanctuary that doubles as a gymnasium
- In the 2010-2011 school year WCCHS received re-accreditation from the Western Association of Schools and Colleges (WASC) for two additional years with an extension for an additional year
- Building a four year positive API trend

1.3. Student Enrollment (small but steady)

The following tables provide clear evidence that the WCCHS student enrollment is steady and there is a larger than usual percentage of special education enrollment.

	Grade 9	Grade 10	Grade 11	Grade 12	Total
2007/2008	40	25	1		66
2008/2009	45	43	12		100
2009/2010	42	37	37	12	129
2010/2011	42	24	29	34	129
2011/2012	35	38	26	24	123

Table 1-1 Student Enrollment

	Grade 9	Grade 10	Grade 11	Grade 12	Total (% of Total)
2007/2008	9	4			13 (20)
2008/2009	11	7	5		23 (23)
2009/2010	4	11	9	4	28 (22)
2010/2011	5	7	8	11	31 (24)
2011/2012	5	6	4	9	24 (20)

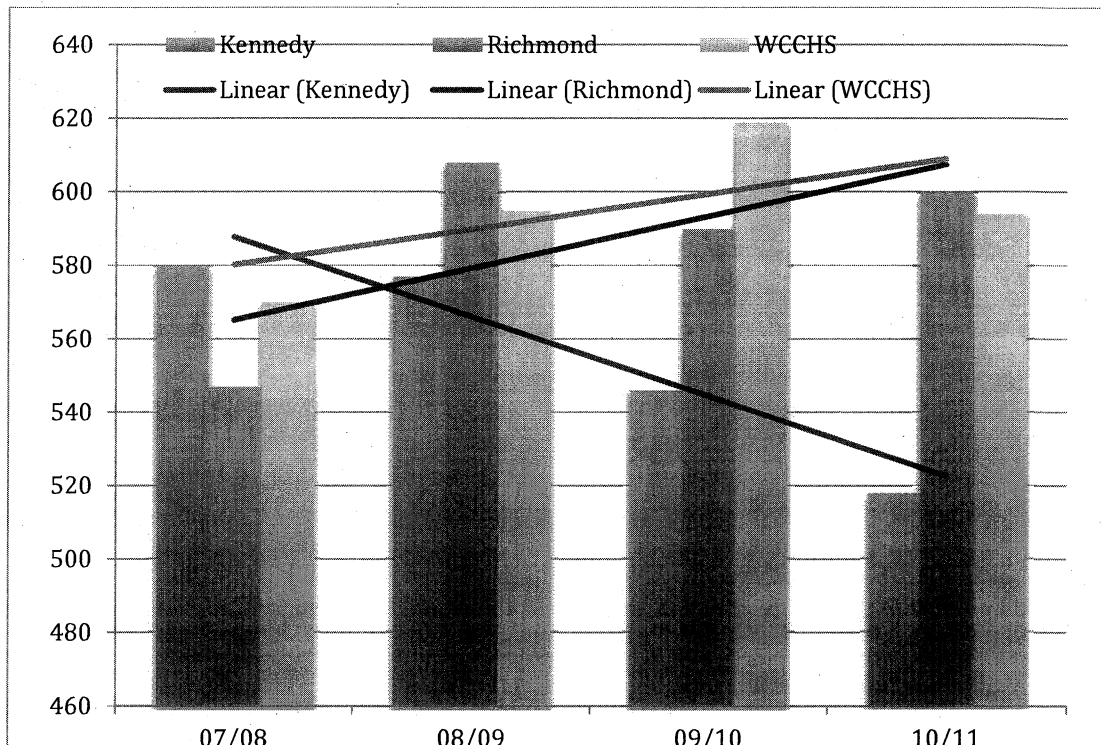
Table 1-2 Special Education Enrollment

1.4. Positive API Trend

WCCHS's overall Academic Performance Index, as illustrated by the table and graph below, shows a positive trend across the four schools years WCCHS has been in operation and for which the API is available (2007/2008 through 2010/2011-).

	07/08	08/09	09/10	10/11
Kennedy	580	577	546	518
Richmond	547	608	590	600
WCCHS	570	595	619	594

Table 1-3 2007-2011 API Trends



2007-2011 API Trends

The year-over-year API drop from 2009/2010 to 2010/2011, from 619 to 595, was caused by a significant drop in the CASHEE-English success rate (see following table.)

API	07/08	08/09	09/10	10/11
STAR-Overall		297	302	302
STAR-General Ed		298	305	309
STAR-Special Ed		290	286	263
CASHEE-Mathematics (10th grade)		55%	49%	52%
CASHEE-English (10th grade)		72%	68%	38%
Number of CASHEE tested		43	37	29
Number of CASHEE passed		31	25	11
API	570	595	619	594

Table 1-4 API Components (STAR & CASHEE)

We maintain that our API scores are not an accurate measure of the effectiveness of our program. There are three primary reasons for this: first, our small size, which renders the results statistically insignificant; second, our high ratio of Special Education students; and third the CASHEE English Results.

1.4.1. School Size and Statistical Significance

While the API did decline in the 2010/2011 school year, no adequate conclusions about the school's performance can be drawn from this. Fewer than 100 students were included in the API calculations for WCCHS, rendering the sample size statistically insignificant. In the words of the California Department of Education, "API's based on small numbers of students are less reliable and therefore should be carefully interpreted."

1.4.2. General Education vs. Special Education Performance

The API for those without disabilities has risen from 634 to 640.

The API for those with disabilities has dropped precipitously, from 517 to 399

According to these figures, the general education API has actually increased while the Special Education performance dropped for the 2010/2011 school year. Looking closer still, of the 88 tests that were counted, again a statistically insignificant number, 17 of those were Special Education students. Therefore, this drop really only shows the difference of a handful of individuals.

Data also supports that Special Education students in the RSP program at WCCHS perform better each subsequent year they are enrolled in the program.

1.5. The alignment of State, District and WCCHS

1.5.1. State Law and Intent

California Education Code 47601 states that, "It is the intent of the Legislature, in enacting this part, to provide opportunities for teachers, parents, pupils, and community members to establish and maintain schools that operate independently from the existing school district structure, as a method to accomplish all of the following:

- Improve student learning
- Increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving
- Encourage the use of different and innovative teaching methods
- Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site
- Provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system
- Hold the schools established under this part accountable for meeting measurable pupil outcomes, and provide the schools with a method to change from rule-based to performance-based accountability systems
- Provide vigorous competition within the public school system to stimulate continual improvements in all public schools"

1.5.2. District Intent

The stated mission of West Contra Costa Unified School District includes the statement “We develop and maintain productive community partnerships, and individual and collective accountability.”

1.5.3. WCCHS Intent

In keeping with the intention of state law and the District’s mission, WCCHS has been established as an independent charter school within West Contra Costa County. We seek to continue to develop and maintain a productive community partnership with the District for the benefit of all students in the West Contra Costa County area.

1.5.4. Benefits of Partnership with the District

It is our belief that different students require different learning environments, and that charter schools, through their flexibility and autonomy, can provide learning environments not better than but different from those provided by the District. With a partnership between WCCHS and the West Contra Costa Unified School District, we can help improve the District’s test scores and keep money within this District. An investment in WCCHS will prove to be a beneficial decision for the District. To further develop a working relationship with the District, we intend to provide information and services to the District, accept information and support from the District, and, above all else, work together to provide successful learning environments for all our students.

1.6. Relationship with Peacekey

Peacekey, a corporation dedicated to supporting community based schools that are built upon the principles of authenticity, connection, and engaged learning was instrumental in guiding and supporting WCCHS in the first few years of operations.(see Appendix A) Now that WCCHS has acquired educational and organizational strength WCCHS will maintain the partnership with Peacekey on an as-needed basis_(See Appendix B)

1.7. Expertise and Resources of the WCCHS Leadership team

The initial vision, educational program and organization for WCCHS was accomplished by Peacekey members, but the planning and development of WCCHS (including grant writing, fundraising, facilities development, and the writing of this Charter) was completed by parents of the District in partnership with Peacekey members. From its inception, it has been the intent that WCCHS be a self-sufficient entity responsible for its own success. Expertise has come from five sources: Paid consultants; Peacekey (the non-profit corporation described above); Peacekey Advisors, (education and organizational experts who have agreed to provide free consulting services to Peacekey and WCCHS); and the WCCHS Board of Directors.

The chart below shows where the WCCHS Board of Directors has experience and expertise, as required by the State, and the source of the expertise through Peacekey, and paid consultants.

Area of Expertise	WCCHS Board Members	WCCHS Staff Member	Peacekey Representatives	Paid Consultants
Curriculum, instruction and assessment		Nicole Jimenez	Gary Einhorn	Charter Association
Finance, facilities, and business management	Francis Spruit Suzanne Camp Tim Banuelos Carlos Casares	Kristin Kirkman		Lynden & Co., Accountant Petsas & Hill, Auditor Charter Association
Organization, governance, and administration	Francis Spruit Suzanne Camp Tim Banuelos Kathy Casares	Kristin Kirkman	Gary Einhorn	Charter Association Middleton, Young & Minney, LLP Law Firm

Table 1-5 Expertise from WCCHS Board, Staff members and Consultants

Complete biographies of all board members and consultants can be found in Appendix C

1.8. WCCHS' Key Differentiators

While WCCHS lacks the resources of the larger schools to provide such things as current technology, modern facilities, or sports programs which makes high school attractive to most students, it provides one thing that is hard to find elsewhere – emotional safety provided by a highly engaged high school community. For many of our students, WCCHS is the first school where they've felt able to make friends and to form healthy connections with other students, teachers and with parents. It is the first place they've felt that they have a voice and value and the first place where they've felt like they didn't need to "be tough".

In conflict-ridden Richmond, this is not a trivial point. Some WCCHS students were former gang-members and face the temptation to go back to gangs all the time, but they find a different way at WCCHS.

Although WCCHS doesn't have nearly the sort of funded and resource-rich program for Special Ed students as other schools, it serves a higher percentage of special education students than almost every other school. Why? Because special education students hate feeling singled out and often are picked on at other schools, but not at WCCHS where students are encouraged to take care of each other and to treat each other respectfully. This focus on social safety and care can sometimes detract from test scores, and the lack of current textbooks and modern equipment has, no doubt, impacted overall academic performance; however, our families believe that that trade-off is more than worth it. Ultimately, when they look back on their high school career, WCCHS graduates will not likely appreciate the score they got on their STAR test nearly as much as they will appreciate and benefit from the healthy, safe environment they experienced.

1.9. Outlook for the next five years

Currently, WCCHS' test scores are commensurate with those of other District schools. Generally speaking, a District student will do no better nor worse academically by attending WCCHS over another school. As stated above, we are proud of our safe atmosphere and the feelings of respect and compassion that permeate our hallways; however, our goal over the next five years is for WCCHS to become not just a place for emotional achievement, but academic achievement as well.

Specifically, we want to:

- Continue improving on the delivery of quality education
- Continue improving and strengthening educational performance
- Continue improving and strengthening organizational performance

1.10. WCCHS Founding Members

While the initial vision, educational program and organization for WCCHS was accomplished by Peacekey members, there was a dedicated group of committed parents that were instrumental to the formation of the original charter petition in April of 2007. West County Community High School, the staff and faculty which the school attracted, and the families that have joined the school community since are forever grateful for their vision.

The Founders and original Governing Board Members were:

Barbara Large
Linda Asher
Katie Hoekstra
Wendy Kerr
Carolyn Bartley
Barbara Luna
Jill Perry
Maria Torres
Michael Curran
Jeanette Cazarez
Roberto Torres

Student Founders were:

Danielle Asher
Julia Hoekstra
Melissa Torres

The original Peacekey members involved with formation of the charter were:

Gary Einhorn
Melissa Born Einhorn
Gretchen Wegner
Luis Frigo
Kristin Kirkman
Colleen Thomas

Jim Holley
Mandy Mauerman

Additional Peacekey advisors included the following:

Paul Bentz
Sally Clapper
Linda Delgado
Ron Veronda
Arma Stafford
Kym Kuzmic
Eduardo Cabera
Tisa Mendoza
Greg Ruiz
Andrew Dubin
Anita Long Mackfarland
Yvonne Dutra-St. John
Rich St. John-Dutra

1.11. Conclusion

As stated above, WCCHS has API scores that are comparable to other high schools in the West Contra Costa Unified School District. Our academic achievement is similar to that of Leadership High when it received re-approval of its charter after its first five years. WCCHS is certainly worthy of renewal on the basis that a typical district student would perform as well at WCCHS as at any other District high school and precedent has already been set to renew schools with performance records comparable to ours.

Additionally, WCCHS also provides a unique emotionally safe experience for students, and we believe that many of our students would be harmed by leaving WCCHS to go to a larger school. The small connected environment at WCCHS is of paramount import to our families and something that should not be denied. Furthermore:

1. We are meeting all legal minimum requirements for charter renewal
2. WCCHS has established a solid educational foundation
3. WCCHS has developed a strong organizational foundation
4. The WCCHS differentiators are important to the community (the students and families) we serve
5. WCCHS is WASC accredited

We therefore, respectfully, request you to endorse this petition to renew our charter.

2. EDUCATIONAL PHILOSOPHY AND PROGRAM

Governing Law: A description of the educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an “educated person” in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners. Education Code Section 47605(b)(5)(A)(i).

If the proposed school will serve high school pupils, a description of the manner in which the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the “A” to “G” admissions criteria may be considered to meet college entrance requirements. Education Code Section 47605(b)(5)(A)(ii).

2.1. Mission

WCCHS is a community-driven school that emphasizes student-directed learning, social and emotional well-being, and a rigorous and diverse curriculum serving the students of West Contra Costa County. Our goal is to empower students to be motivated, competent, and life-long autonomous students who are honest and engaged community members prepared to pursue all of their life’s goals.

To this end we develop courses and a school structure which promotes self-knowledge, teaches to the California Standards, develops effective work habits, and requires every student to be an active member of the school community.

2.2. Educational Philosophy

The WCCHS educational philosophy is based on Peacekey’s Blueprint (see Appendix A), which includes the following ideals: authenticity, connection and engaged learning. We believe that learning can be authentic, that students are entitled to a school environment that welcomes full expression, truth telling, honest feedback, and true accountability for all. We also believe in the power of connections to self and to others, and assert that knowing our feelings and knowing our passions supports us in reaching out to each other with openness and kindness. Finally, we believe that what is important to the individual is important to the School: every day, every lesson and every activity is engaging because it is meaningful and connected to students’ lives. WCCHS also upholds the following Peacekey principles: we include the whole student, we include the community, we believe in a small school, we are innovative, we plan well, and we are socially and environmentally active.

To advance this educational philosophy, our instructional method weaves together mixed grade levels and project-based, cooperative learning taught with increasing degrees of individualization and student autonomy. In the section that follows, we will outline in more detail how this educational philosophy translates into curriculum and instructional design.

We believe that curriculum content must be based solidly in the California Standards. Doing so ensures that all students have access to rigorous curriculum and are adequately prepared for college entrance examinations. Therefore, all courses are developed utilizing the California Standards as a framework and teachers are assessed on how well they incorporate the standards into their lessons. The ultimate goal is to connect the required content of the California Standards with the specific and changing interests of each child.

2.2.1. The Four WCCHS Goals

WCCHS teaches students to:

1. Successfully learn an academically rigorous curriculum based on the California Standards
2. Develop strong habits of work
3. Hone self-knowledge skills
4. Become an active member of a compassionate community

It is the objective of WCCHS to enable students to become self-motivated, competent, lifelong learners.

2.3. *Students to be Served*

WCCHS educates those students who:

- Desire the small community found in schools with 200 or fewer students
- Benefit from close connections with teachers and peers
- Want to learn how to learn in semi-autonomous environments
- Are in the 9th through 12th grade.

WCCHS is open to all high school-aged youth willing to contribute to a learning community that emphasizes engaged learning, authenticity, and connection in the context of student-directed learning. Admitted students must have graduated from middle school and may already have high school credits from another school. WCCHS will in the long term serve up to 200 high school students.

2.3.1. Demographics

The Richmond area is an economically and ethnically diverse community in the truest sense of the word. There are large populations of groups of every ethnicity and economic base. This cultural melting pot is one of the strengths of the Richmond community, as demonstrated by its many cuisines, arts, musical tastes, talents, and opportunities. Richmond is also a city in crisis where gang violence is common and many of its students go to sleep afraid.

It is in the shadow of this opportunity and strife that we operate the Charter School. We enter this prospect with our eyes wide open, knowing exactly what our community has to offer, and what it needs. The ethnicity and academic preparation of students at WCCHS is reasonably similar to that at the elementary schools near our school, and not too dissimilar from the

District as a whole. Table 2.1 shows the ethnic breakdown of the neighborhood elementary schools as well as a few district high schools.

	Murphy Elem	Wilson Elem	DeAnza H.S.	Richmond H.S.	Kennedy H.S.	Vista H.S.	District
Black or African American	17.0%	7.5%	20.4%	5.7%	20.6%	14.6%	21%
American Indian or Alaska Native	0%	0.2%	0.1%	0.2%	0.1%	1.2%	
Asian	9.8%	6.9%	13.5%	5.2%	5.2%	5.5%	12%
Filipino	5.4%	1.5%	7.2%	1.1%	0.8%	1.6%	6%
Hispanic or Latino	31.1%	54.4%	37.2%	81.1%	54.2%	48.2%	48%
Native Hawaiian/Pacific Islander	0.4%	0.5	0.6	0.5%	1.1%	0%	
White	12.6%	2.9%	9.7%	1.5%	1.9%	16.2%	13%

Table 2-1 Ethnic Breakdown select WCCUSD Schools

Source: 2010-2011 West Contra Costa Unified School District Published SARCs

As reflected in the following table 2-2 the WCCHS student population is ethnically diverse, with sizable populations of African-American, Latino and White students. The WCCHS racial and ethnic balance reflects those of District schools.

Black or African American	17.8%
American Indian or Alaska Native	0.8%
Asian	3.9%
Filipino	1.6%
Hispanic or Latino	60.4
Native Hawaiian/Pacific Islander	1.6%
White	14.0%

Table 2-2 WCCHS Ethnic Breakdown

It is also true that WCCHS students face the same academic and social challenges as those in the District's other high schools. These challenges include underperformance by most students and, in particular, English Learners and minority students. District high schools have high suspension rates and high dropout rates indicating the deep social problems facing our district's young adults. Some of the challenges current students in West Contra Costa Unified School District face are explained below in Table 2-3.

Underperformance by students in general	In the three high schools nearest our location (De Anza, Kennedy, and Richmond), the percent of students scoring proficient or above in Math and English on California Standards Tests range from 5% - 34%. This means that 66% - 95% of our students are under-proficient in Math and/or English.
Underperformance by students in the subject of English	These three high schools have an average of 68% of their students that score below proficiency in English.
Underperformance by Non-White minority students	At De Anza, 61% of White students are proficient or above in English versus 30% of African American and 36% of Hispanic/Latino.
High Suspension Rates	The suspension rate at De Anza is 23.83%. At Kennedy it is 23.83% and at Richmond it is 23.83%. These percentages have significantly gone down in the last five years but it is still apparent that there are discipline problems on these three campuses.
Low graduation rates in general, and low graduation rates for graduates enrolled in courses required for UC/CSU Admission	These three have an average of 82% of students that graduate. Of their graduating students, only 40% of them have completed the course requirement for UC/CSU admissions.
Social problems inherent in urban settings	Richmond students are not staying in school until 12 th grade. Combined, De Anza, Richmond, and Kennedy lose an average of 18% of their students from 9 th to 12 th grade.

Table 2-3 Challenges currently faced by WCCUSD High School Students

Source: 2011 – 2012 West Contra Costa Unified School Districts Published School Accountability Report Card (SARC)

2.3.2. What It Means to Be an Educated Person in the 21st Century

Educated people in the 21st Century must:

- Have academic proficiency in English, mathematics, science, and history
- Be willing to continually learn new skills in order to adapt to a world that is rapidly changing technologically and socially
- Know themselves well (their strengths, challenges and passions) and use that knowledge to be self-motivated and comfortable taking initiative
- Know how to create effective teams in which each person provides a different and essential strength
- Make choices that contribute to the greater good of self, community, nation, and world
- Express themselves articulately
- Maintain a calm, mindful state that allows them to approach life's challenges with equanimity.

2.3.3. How Learning Best Occurs

At WCCHS we believe that learning occurs best when the learning environment is grounded in three key pillars: authenticity, connection, and engaged learning.

Authenticity:

- Human beings have an innate propensity to learn. Educational best practices support and nurture this authentic love of learning.
- All members of the learning community are accountable for expressing themselves fully and honestly.
- Effective learning relies on assessment practices grounded in “real-time” experience.
- Knowledge and skills are best processed within the context of real-life and hands-on experiences.

Connection:

- Students form meaningful connections with new skills and knowledge by first forming meaningful connections with their own talents and passions.
- Collaboration and teamwork are the essential components of a successful learning community. Learning is grounded in caring relationships.
- Collaboration and teamwork create an environment for a successful organizational culture.
- Multi-age grouping supports students’ knowledge acquisition through natural scaffolding, allowing them to move quickly in areas of natural talent, and move slowly with increased support in areas that require development.

Engaged Learning:

- Students influence their learning environment in ways that either contribute to, or detract from their success at school.
- Effective learning emphasizes depth of thinking over breadth of coverage.
- Ownership of learning must reside with the student, not the teacher. Only when the student eagerly reaches forward for knowledge, insight, and wisdom does real learning occur.
- Active learning requires that students have the flexibility to move outside the “box” of the school facility (both physically and electronically), and engage in a balanced inquiry, one that is student-directed yet also subjected to critical evaluation by peers and adults who are highly proficient in their fields.

While not exhaustive, these tenets provide the philosophical roots of the learning program at WCCHS. Furthermore, studies have shown that among minority students in urban areas, small group learning in a supportive community is the most effective way to improve student performance. The following table (2-4) shows how we best address the needs of our student community.

Issue	WCCHS Provides
Underperformance by students in general	<ul style="list-style-type: none"> • Empowered teachers • Increased accountability • Reduced school size • Reduced class size
Underperformance by students in the Subject of English	<ul style="list-style-type: none"> • Peer-to-peer tutoring in class • Parent and greater community volunteers to create support programs when needed • “Social” learning over “lecture” learning favors English Language students • Integrate EL students into classroom • Small class size • Peer and teacher tutoring in the Community Space • SDAIE training for all teachers
Underperformance by minority students	<ul style="list-style-type: none"> • Inclusive curriculum with multi-cultural perspective • Self-designed curriculum • Unified school community—less cliques, bullying, racial divides
High suspension rates	<ul style="list-style-type: none"> • A more unified student body • Daily homeroom • Student ownership and governance • Parent involvement • Small school environment

Table 2-4 How we address the needs of our community

2.4. Curriculum and Instructional Design

2.4.1. Plan for School Calendar, Daily Schedule, and Instructional Minutes

WCCHS operates a minimum 170 days instructional calendar. All dates are subject to change but the total number of days will remain constant.

Staff Training Work Week	1 st Week in August
First Day of School – Begin 1 st Semester	2 nd Week in August
Staff Collaboration	1 st Wed. of each month (Min Day)
Labor Day	1 st Monday in September
Parent/Student/Teacher Conferences	October (3 Min Days)
Veteran’s Day Holiday	On or around November 11 th

Thanksgiving Week Holiday	4 th Week in November
Finals Week	Last Week of Semester in December
Winter Recess	December 22 – January 11 (3 Weeks)
Staff Training Work Week	1 st Week in January
Begin 2 nd Semester	2 nd Week in January
Martin Luther King Jr. Holiday	3 rd Monday in January
Staff Collaboration	1 st Wed of each month (Min Day)
Presidents Week Holiday	3 rd Week in Feb
Parent/Student/Teacher Conferences	March (3 Min Days)
Spring Week Holiday	March/April
Finals Week	Last Week of Semester in May (Min Days)
Staff Training Work Week	Week after 2 nd semester ends

Table 2-5 Academic Calendar

9:00 – 9:35	Homeroom
9:40 – 10:35	First Period
10:40 – 11:35	Second Period
11:40 – 12:35	Third Period
12:40 – 1:10	Lunch
1:15 – 2:10	Fourth Period
2:15 – 3:10	Fifth Period
3:15 – 4:10	Sixth Period
4:15 – 5:10	After School Tutoring

Table 2-6 Bell Schedule

WCCHS meets the state requirements for instructional minutes and instructional days for students in grades 9 – 12 as required by law.

2.4.2. Learning Environment

Following our philosophy of connection, engaged learning, and authenticity, WCCHS creates a learning environment that gives students an opportunity to connect with peers and teachers in a structured way every day. The learning environment encourages students to engage with their curriculum and to receive authentic feedback so that they are always accountable for their choices.

The distinguishing features of the WCCHS curriculum are:

- The school day start and finish times are later than in other District high schools.
- A mandatory homeroom period where students take time to prepare for their academic day and develop healthy relationships with their peers
- A required Learning to Learn class and Leadership class to teach students the essentials of being an engaged student and an active participant in a community (See Appendix F).

- A yearly “Be The Change” project teaches students to create their own projects that incorporate their studies and serve their community.
- A student-governed Community Space enables students to work together on assignments and projects. (Description of student government and how students earn course credit by participating in governance is located in Chapter 4.)
- A unique course description template (see Appendix G) requires teachers and course designers to articulate how it will meet the California Standards as well as WCCHS goals of self-knowledge, developing work habits, and community participation

These methods combined, as described in full in this document, satisfy our mission of empowering students to be self-motivated, competent, and life-long learners. As shown in Chapter 3, these methods also support our four school-wide goals:

- Provide an academically rigorous curriculum based on the California Standards
- Develop strong habits of work
- Hone self-knowledge skills
- Build a compassionate community

2.4.3. The Community Space

The cornerstone of this educational plan is the Community Space. The Community Space is large enough to fit the entire student population with tables, computers, books, chairs, and desks. The Community Space serves four main purposes:

- Study hall
- Community meeting place
- Locations for small-seminar classes and homeroom meetings
- Desk space for all teachers

Utilizing the Community Space allows for flexible scheduling, independent study, student-self reliance, and community-building activities.

Safety and order in the Community Space are supported by the presence of a teacher, additional available staff, and most importantly, the students participating in the Student Judicial Process. This system is explained below, and in full detail, in Section 4.3.

The Community Space is supervised at all times by at least one teacher who is available to students while they work

2.4.4. Incremental Approach to Self-Directed Learning

Students attending WCCHS move through three Divisions between their entrance year and graduation with each Division increasing the level of student autonomy. Each Division is named for one of the three phases of “Be The Change” as used in Challenge Day. In addition to being classed as a freshman, sophomore, junior, or senior, students at WCCHS qualify for one of the three Divisions of courses. The Divisions are designed to ease students into self-directed learning by focusing on three incremental skills necessary to accomplish any goal: the abilities to Notice, to Choose, and to Act.

- **Division I, “Notice”**, is centered on helping students transition into WCCHS from different schools. During this Division, there is a strong emphasis on instilling and strengthening the skills, habits, and behaviors required to achieve success within our school community. Students in “Notice” spend approximately 4 hours a week in the Community Space
- **Division II, “Choose”**, builds on integrating the strong sense of self developed in the Notice Division by focusing on being a productive and caring community member. Balancing teacher-facilitated and student-directed course work, students in “Choose” may elect to have a daily “study period” in the Community Space in which to work autonomously, as well as additional liberties as determined through school governance procedures.
- **Division III, “Act”**, serves as an intentional bridge between students’ experience in K-12 schooling and the post-secondary-education world. Students in this division direct their own course work by choosing Community College courses, internships, mentoring their classmates from lower Divisions, and by creating their own “Be the Change” graduation project. Act students can elect to skip one lecture a week to work in the community space, and have two scheduled daily study periods, as well as additional liberties determined by school governance procedures.

The following table (2-7) shows the WCCHS “a-g” approved course list.

a. History/Social Science US History Civics World History	d. Laboratory Science Biology Chemistry
b. English English 9 English 10 English 11 English 12	e. Language Other than English Spanish I Spanish II Spanish III
c. Mathematics Algebra I Algebra II Geometry Individualized Algebra Pre-Calculus	f. Visual and Performing Arts Art Introduction to Drama Introduction to Dance
	g. College Prep Elective Creative Writing Social Justice Journalism Economics

Table 2-7 WCCHS “a-g” approved Course List

2.4.5. Learning to Learn (9th or 10th Grade)

One of the key goals of WCCHS is to teach students to learn autonomously. Integral to this plan is the Learning to Learn course (see Appendix F for curriculum) . Every student in the Notice Division (Division I) takes the Learning to Learn class, acquiring skills crucial to becoming a successful, self-directed student in such areas as organization, time management, and planning. True to current research and the values of WCCHS, the Learning to Learn class also teaches the tool of self-awareness as the foundation for all learning. Below is a partial list of these embedded skills:

- Time and Task Management
- Reading to Learn
- Inquiry and Research
- Effective Presentations
- Individual and Team Project Planning
- Teaching Others
- Technology Skills

See Appendix F for a sample syllabus of the Learning to Learn class.

2.4.6. Leadership Class (10th or 11th Grade)

In order for students to learn how to fully realize their potential as leaders and community members, all students are required to take a Leadership class (see Appendix F for curriculum). The curriculum includes conflict resolution techniques and emotional intelligence. Like the Learning to Learn class, the Leadership class also teaches the techniques and importance of mindfulness. Overall, the philosophy of the Leadership class is that when students are focused on ways to improve the Charter School and empowered to make those changes, they do not have the time or the desire to work against the Charter School.

Each semester a Leadership class researches, plans, implements and critiques at least one project. The teacher of each Leadership class has the responsibility to challenge students to dream big and to teach the steps necessary to achieve their goals.

Academically, students read biographies of individuals who have created change in the world, learn about business and project management, and practice public speaking.

In addition to the curriculum, the students and instructor in the Leadership class utilize class time to discuss the community relationships on campus. They strive to improve and maintain relationships between members of the community in order to create an atmosphere on the campus of respect, mutual support and friendship. Students from the class are expected to mediate disputes and assist parties who are engaged in some type of conflict to find common ground so that they can move forward in a cooperative manner. This role is particularly important since, generally, after some form of dispute, the parties remain in the same learning community and interact regularly in some way. Students from this class, additionally, facilitate part of the school community meetings in order to address the well-being of the community relationships.

A sample syllabus for the Leadership class can be found in Appendix F.

2.4.7. “Be The Change” Leadership Projects

Every year students are required to complete at least one service learning project called “Be the Change”, named after the quotation by Mahatma Ghandi, “Be the change you wish to see in the world.” This project allows students to pursue their own interests in a hands-on format. A facilitator guides them in the planning, execution, and presentation of their projects. The “Be the Change” facilitator oversees the service learning projects and constitutes an additional academic prep for teachers.

Students choose their own projects, meeting the following criteria:

- Connects students to their passions,
- Serves the community, and
- Has components related to other academic subjects.

WCCHS has developed a “Be the Change Guidebook” that includes project templates, a planning guide, project resources, and samples of excellent “Be the Change” projects. The following table reflects on the phases associated with “Be The Change” Development.

Phase 1 Year 1 and 2	WCCHS forms a partnership with one local agency that can sponsor 50-75 students in grades 9, 10, and 11 with diverse volunteer opportunities in the evenings or weekends. During this phase, students and faculty will develop better ways to integrate the curriculum and student interest into the volunteer work, streamline parent volunteer assistance, work out issues around insurance and supervision, and develop rubrics and guidelines for final student reports.
Phase 2 Year 3 and 4	Two to three partnerships are developed to accommodate a total of 100 students. During this phase, we have experimented with allowing individual students to develop their own projects more closely aligned with their interests, continued to perfect methods for integrating the curriculum, and continued to improve the quality of final student reports. The “Be The Change” guidebook is completed.
Phase 3 Year 5 and 6	We begin to structure the “Be The Change” projects so that through a student’s tenure at WCCHS, he or she gains greater and greater autonomy and choice with regard to the project. Entering students participate in pre-existing Service Learning projects, while older students plan, organize, and carry out their own projects. During this phase, we would develop assessment used to determine when students are ready for more autonomy in their projects.
Phase 4 Year 7 and beyond	At this point, the “Be The Change” program is complete. Regular reflection and assessment of the program occurs every semester and changes are made to the guidebook, rubrics, and partnerships as needed to meet the program goals of: <ul style="list-style-type: none">• Connecting students to their interests• Connecting curriculum to the projects• Serving the community.

Table 2-8 Phases of “Be The Change” Development

The “Be the Change” projects are supported by activities, lessons, and assessments. Students are taught to:

- Develop meaningful, interesting projects

- Reflect upon, and critically analyze their project
- Plan and implement improvements to their project
- Integrate their curriculum into their project
- Research background information about their project
- Write an extensive report about their experience

For example, suppose WCCHS partners with the local Parks and Recreation Department. WCCHS negotiates 5 different service learning projects for the Charter School's first year: weekend soccer league assistant, parks improvement, creation of a community garden, trail maintenance, and office assistance. A student whose passion is sports may choose to assist in the soccer league. He would be required to develop a plan to become a better soccer assistant as well as integrate his current curriculum into his work (for example, a discussion of geometry in soccer strategy). Every week, he would spend time reflecting on his assignment, critically analyzing his experience and finding ways to make improvements. In the end, he would produce a comprehensive report describing his experiences and integrating it with his schoolwork and interests.

2.4.8. Moving Through the Divisions

It is the goal of WCCHS that students be guided into autonomous learning and not be placed into learning environments until they are ready. Students demonstrate their readiness to take higher Division courses by completing the Divisional rubric showing proficiency in the benchmarks as outlined in Section 3.1 for the WCCHS goals of meeting California Standards and developing self-knowledge, effective work habits, and building community.

Promotions are announced at student meetings and students are given a certificate of completion as well as being eligible for "perks" awarded to higher divisions as agreed upon by school governance.

The WCCHS Educational Director will be responsible for enrolling students in their courses before classes begin each semester and ensuring that students and parents are properly notified of their Division standing.

2.4.9. Proposed Program of Studies

In the Student Handbook, we present the WCCHS proposed Program of Studies.

Typical District schools require their teachers to teach 20 hours a week. At WCCHS, our teachers have 24 hours of commitments per week, but that includes supervising homeroom and attending weekly community meetings. Different teachers are assigned different amounts of time supervising Community Space and leading electives, and there is some flexibility as to which electives are assigned to teachers. WCCHS teachers will have, on average, two hours a day of preparation time.

All teachers assume one or more Administrative Duties (see Section 5.1.2 for a full description) that typically would be done by school administrative personnel (for example, coordinating state testing, developing staff training, coordinating emergency drills, etc.)

2.5. Transferability and Eligibility of Courses

WCCHS was accredited by the Western Association of Schools and Colleges (WASC) in April of 2011. WCCHS has “a-g” approval for all courses for the purposes of eligibility for admissions to the University of California and the California State University systems. Through the “Pathways to College” section and subsequent sections that describe the college requirements in the Student Handbook, Appendix K, WCCHS notifies parents regarding the eligibility of specific courses to meet college entrance requirements. The Educational Director is available by appointment to help families pick the eligible courses that meet college entrance requirements, and, at parents' request, advise the families about the transferability of WCCHS courses to other public high schools.

2.6. Academic Requirements

WCCHS meets graduation requirements of Education Code Section 51225.3, and offers the UC “a-g” minimum course requirements for Freshman admission.

The curriculum at WCCHS is aligned with UC admission standards. Every semester course is worth 5 credits. Graduating students must earn a minimum of 240 credits in subject matter, consistent with Education Code Section 51225.3, in the following manner:

Graduation Requirement	Credits
Three years of English at 9 th -grade level or above	30
Three years of Math (with 10 credits at Algebra I or higher)	30
Three years of History/Social Science, including one year of U.S. History or Geography; one year of World History, Culture or Geography; and one semester each of American Government and Economics	30
Two years of Laboratory Science, including one year of Biology and one year of Physical Science	20
Two years of a Foreign Language	20
One year of a Performing or Visual Art	10
Two years of Physical Education	20
One year of the Learning to Learn course (completed by end of 10th grade)	10
One semester of the Leadership course (completed by end of 11th grade) + one semester of an elective of student's choice	10
Four “Be The Change” semester-long projects, one completed each grade culminating in a senior graduation project	20
Two years (or four semesters of) academic electives (additional English, Math, Social Science, or Science)	20
Two years of free electives, taken from any class and may include internships, projects, and independent study courses	20

Table 2-9 WCCHS Graduation Requirements

WCCHS reserves the option to modify graduation requirements for students with Special Needs where prescribed by their IEP or Section 504 Plan; however, such modifications and accommodations will still be consistent with State Graduation Requirements.

2.7. *Homeroom*

The homeroom is a vital part of every day – meeting daily except for Fridays when there is a Community Meeting, grade group meetings or park day. Every homeroom class is run exactly the same way. The ritual and equality is essential for building a community:

- Check-ins
- Announcement
- Team-building games

Challenge Day has proven that providing students a safe place to simply talk and be heard – without feedback or judgment – can drastically reduce violence and depression. Every homeroom begins with students sitting in a circle and simply saying how they feel. Each student gets one minute to talk and no one else may interrupt. After the check-ins, the teacher can make announcements and meet with students who need extra attention. Students can focus and prepare for the ensuing school day.

2.8. *Arts, PE, and Electives*

2.8.1. *The Arts*

Visual and performing arts are an important component of the curriculum at WCCHS. Whenever possible, Arts electives are offered for all students during the latter part of the school day schedule in order to facilitate partnerships with Arts Educators and performers in the East Bay. WCCHS prefers to hire Art teachers with expertise in visual and performing arts and encourage development of art exhibitions, theatrical performances, and video making. WCCHS employs a full-time art teacher and offers a variety of art classes based upon the teacher's expertise and capabilities of the facility.

2.8.2. *Fitness*

WCCHS requires two years of Physical Education and offers gym classes every year. In the first few years, academic teachers taught PE classes. WCCHS believes in alternatives to the traditional gym class environment and develops non-traditional gym classes such as Yoga, boxing, weight training, and karate. The specifics of which gym courses are offered depend upon the talents of the teachers and the capabilities of the site; however, all courses are developed so that they meet the “course 1” and “course 2” outlines from the California PE standards. This includes having students participating in outside PE according to their own fitness goals and plans (something very much in line with WCCHS' philosophy.) Students who are already engaged in extracurricular sports outside of school have the option to be excused from one class period (replaced with an additional period in the Community Space), with parent permission, and can apply to receive school credit for those outside sports experiences.

2.8.3. Electives

In line with our philosophy of providing engaging curriculum, WCCHS plans for engaging, interesting, and non-traditional electives such as web design, social justice, and mural arts. WCCHS seeks UCOP approval for all course work, including electives. Upon receiving UCOP approval for electives, WCCHS is able to give the course credit as a "g" elective. WCCHS plans teachers' workloads so that some may teach, in addition to their core classes, electives fitting their expertise and credentials. Each elective, like all other courses, is developed according to WCCHS' strict course development guidelines to ensure that every course meets our goals to promote self-knowledge, teach to the California Standards, develop effective work habits, and require every student to be an active member of the school community.

2.9. WCCHS Course Development

All WCCHS courses are developed using the UCOP "a-g" course template as a guide, modified to address WCCHS goals, objectives and benchmarks. The WCCHS course template and guidelines are included as Appendix G. WCCHS encourages all teachers to develop their own courses using this template as a guide and to submit them for "a-g" approval.

All course descriptions will be reviewed by the entire faculty in a meeting scheduled by the Educational Director and submitted to the Governing Board for approval.

2.9.1. Challenge Day Across the Curriculum

Maintaining a safe, cooperative community for every student, WCCHS implements methods and principles of Challenge Day throughout the curriculum (see table 2.6). These elements include, but are not limited to, the following examples:

- Training Teachers in Challenge Day communication and conflict-resolution techniques.
- Regular daily opportunities, during Homeroom, for students to "check-in" about their feelings.
- Community-building events such as the ones Challenge Day has been incorporating into their program for years: student-led assemblies, the District Partnership Program, fundraisers, and field trips.
- Student outcomes that reflect our responsibility in seeing that all students develop healthy self-awareness and become members of a strong community.
- A community service philosophy that mirrors Challenge Day's commitment to "Be The Change" evidenced in the WCCHS division titles, and special courses such as Learning to Learn, Leadership, and "Be The Change" projects.

| Attached as Appendix E, please find a description of a Typical Day at WCCHS.

2.9.2. Plan for Students Who Are Academically Low-Achieving

Students who score below proficiency on the STAR tests, or are receiving grades of D or lower in their course work, need extra attention to be successful. All students at WCCHS are supported by small class size and the incremental school structure, but it is especially good for those students who would normally struggle. Weekly faculty meetings are devoted to student issues and identify those who are struggling. Once these students are identified, through grades and standardized test scores, strategies for support are discussed and implemented by the entire faculty. Continuous evaluations of the student's work and Student Study Teams are utilized to determine which strategies best assist the student in meeting the learning outcomes.

Struggling students can receive additional academic support during their scheduled Community Space time which includes, but is not limited to: volunteers from the community, mentoring from other students, peer-tutoring, modified curricula, additional teacher support, etc. Through monthly membership meetings and required volunteer hours, parents are informed as to any extra academic needs of the students and are recruited to help create additional support strategies and work with the students to ensure success.

The curricular program design of WCCHS and our philosophical belief that learning occurs at different rates for different individuals, also gives WCCHS students the option of repeating courses and/or pursuing courses through independent study in order to meet learning objectives.

Students are further served by their Homeroom teacher and the WCCHS Educational Director. Homeroom teachers are provided with copies of their students' accountability and progress reports. They are expected to check in with all students who are struggling and recommend tutoring, counseling, or other interventions.

2.9.3. Plan for Students Who Are Academically High-Achieving

WCCHS is an ideal environment for students at all achievement levels. High-achieving students are identified via the school-wide rubric and honor roll. Students are recognized and rewarded for their high achievement and given the flexibility and time to pursue their own interests and goals.

Students are welcome and encouraged to reach beyond the WCCHS curriculum to pursue their own interests and learn at their own pace. WCCHS explores partnerships with institutions of higher learning such as the partnership established with Contra Costa College for qualified students, and encourages students to take college-level courses whenever possible.

Within the WCCHS program, students are not constrained by grade level. With teacher and parent approval, students can take courses above their traditional grade level if they meet the prerequisites for the course.

Within the WCCHS curriculum, our self-directed, project-based approach allows exceptional flexibility for high-achieving students to approach learning according to their unique skills, abilities, and talents. Additionally, our staff is active in guiding students to extracurricular education and enrichment programs.

2.10. Plan for English Learner Students

The Charter School meets all applicable legal requirements for English Learners (“EL”) as it pertains to annual notification to parents, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, re-classification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirement. The Charter School will implement policies to assure proper placement, evaluation, and communication regarding ELs and the rights of students and parents.

2.10.1. Home Language Survey

The Charter School will administer the home language survey upon a student’s initial enrollment into the Charter School (on enrollment forms).

2.10.2. CELDT Testing

All students who indicate that their home language is other than English will be tested using the California English Language Development Test (“CELDT”) within thirty days of initial enrollment¹ and at least annually thereafter between July 1 and October 31st until re-designated as fluent English proficient.

The Charter School will notify all parents of its responsibility for CELDT testing and of CELDT results within thirty days of receiving results from publisher. The CELDT shall be used to fulfill the requirements under the No Child Left Behind Act for annual English proficiency testing.

2.10.3. Reclassification Procedures

Reclassification procedures utilize multiple criteria in determining whether to classify a pupil as proficient in English including, but not limited to, all of the following:

- Assessment of language proficiency using an objective assessment instrument including, but not limited to, the CELDT
- Participation of the pupil’s classroom teachers and any other certificated staff with direct responsibility for teaching or placement decisions of the pupil to evaluate the pupil’s curriculum mastery
- Parental opinion and consultation, achieved through notice to parents or guardians of the language reclassification and placement, including a description of the reclassification process and the parents’ opportunity to participate, and encouragement of the participation of parents or guardians in the reclassification procedure including seeking their opinion and consultation during the reclassification process

¹ The thirty-day requirement applies to students who are entering a California public school for the first time or for students who have not yet been CELDT tested. All other students who have indicated a home language other than English will continue with annual CELDT testing based upon the date last tested at the prior school of enrollment.

- Comparison of the pupil's performance in basic skills against an empirically established range of performance and basic skills based upon the performance of English proficient pupils of the same age that demonstrate to others that the pupil is sufficiently proficient in English to participate effectively in a curriculum designed for pupils of the same age whose native language is English
- The Student Oral Language Observation Matrix will be used by teachers to measure progress regarding comprehension, fluency, vocabulary, pronunciation, and grammar usage

2.10.4. Strategies for English Learner Instruction and Intervention

An inclusive environment, such as the one provided at WCCHS, gives the EL student an opportunity to learn from and with his/her English-speaking peers, rather than being segregated with others who are also struggling with the language. With small classroom size, the core academic subjects are able to be taught in such a manner that a student who does not have a strong grasp of the English language has various means of understanding the material. In addition, WCCHS teaches an EL student with necessary accommodations and a supportive environment.

WCCHS actively recruits and hires bilingual instructional and support staff. WCCHS has a goal of employing at least 30% of its instructional staff CLAD-certified. WCCHS provides appropriate classroom support services (e.g. pairing with bilingual peers, classroom assistance by bilingual instructors or instructional assistants, pull-out intensive English language development lessons, etc.) to EL Students, enabling them to access the core curriculum. WCCHS creates volunteer hour incentives for parents to provide bilingual tutoring for EL Students in our Community Space.

EL Students in the WCCHS community are supported not only by the availability of traditional language development classes, but also by the self-directed, hands-on approach of our program, which is accessible to students with varying learning styles. Whenever possible, "sheltered" sections of classes are a provision enabling every student to access information and formulate new knowledge based on prior learning and experience.

The needs of EL Students are identified by WCCHS, using the same methods used by the District. Upon enrollment in the District, parents of the student are given the Home Language Survey. If a language other than English is noted on the Home Language Survey or enrollment forms, the Charter School assesses the English and primary-language proficiency of the student using the CELDT. Language ability will be assessed at regular intervals, using informal and formal assessments, and the results will be made available to all teachers.

Content area classes at WCCHS are taught by instructors with CLAD credentials who use SDAIE strategies such as the use of more visuals, active/physical responses, graphic organizers, leveled reading materials, multi-media presentation and equipment, computer programs, peer tutors, and cooperative learning.

The goals of all programs is for the students to learn English and meet age-appropriate academic achievement standards for grade promotion and graduation.

2.10.5. Monitoring and Evaluation of Program Effectiveness

The evaluation for the program effectiveness for ELs in the Charter School will include:

- Adhering to Charter School-adopted academic benchmarks by language proficiency level and years in program to determine adequate yearly progress
- Monitoring of teacher qualifications and the use of appropriate instructional strategies based on program design
- Monitoring of student identification and placement
- Monitoring of parental program choice options
- Monitoring of availability of adequate resources

2.11. Plan for Students with Disabilities

2.11.1. The Means by Which the Charter School Will Comply with the Provisions of Education Code §47641

The Charter School shall comply with all applicable state and federal laws in serving students with disabilities, including, but not limited to, Section 504 of the Rehabilitation Act (“Section 504”), the Americans with Disabilities Act (“ADA”) and the Individuals with Disabilities in Education Improvement Act (“IDEIA”).

The Charter School shall be categorized as a public school of the District in accordance with Education Code Section 47641(b).

The Charter School shall comply with all state and federal laws related to the provision of special education instruction and related services and all SELPA policies and procedures; and shall utilize appropriate SELPA forms.

The facilities to be utilized by the Charter School shall be accessible for all students with disabilities.

2.11.2. The Process to be Used to Identify Students who Qualify for Special Education Programs & Services

WCCHS has the responsibility to make referrals of any students enrolled in WCCHS who are believed to be eligible for special education assessment and/or services. Prior to making such a referral, WCCHS convenes a Student Study Team, as needed, to determine if alternative interventions are appropriate. One WCCHS teacher, as part of his or her administrative responsibilities, will act as the Special Education Coordinator (referred to as the Designee). One of the Designee’s responsibilities is to conduct regular surveys of the entire faculty to find possible candidates for SST support. At the monthly SST meetings, parents, teachers, and the student are invited to share all information regarding the student’s strengths and challenges. Non-special-education accommodations are developed, and a follow-up meeting is scheduled. If the accommodations are not effective, the student is referred to the RSP teacher for testing. Prior to making the referral, WCCHS consults with the District. Qualified

District-referred specialists determine what assessments, if any, are necessary and arrange for such respective assessments for all referred students (initial, annual and tri-annual assessments). The District's special education service provider or specialist consults with the designated representative of WCCHS prior to offering assessments conducted by individuals outside of the District or the SELPA. WCCHS does not conduct unilateral independent assessments without prior written approval from the District.

2.11.3. How the Charter School Will Provide or Access Special Education Programs and Services

The WCCHS special education Designee is responsible for arranging the necessary meetings for Individualized Education Programs (hereinafter, an "IEP") in writing. WCCHS is responsible for having the designated representative of WCCHS in attendance at the IEP meetings (along with a primary teacher, parents, District representatives, etc.). District responsibility includes documentation of the IEP meeting and provision of parent rights.

Regarding eligibility, goals/objectives, program, placement, monitoring, and exit from special education, the IEP team makes decisions. Services and placements are provided to all eligible WCCHS students in accordance with the IDEIA, the policies, procedures and requirements of the District and of any SELPA Local Plan for Special Education. Services, whenever feasible, are provided at WCCHS in a manner consistent with the Charter School's program design.

For students who enroll in WCCHS from outside the District with a current IEP, it is the responsibility of WCCHS to implement the existing IEP to the extent possible and to notify the District immediately to schedule an IEP within 30 days. For students who were previously enrolled in the District, the District agrees to forward the student's cumulative file, including all special education files, to WCCHS within 10 days of notification. In addition, the District provides consultative assistance to WCCHS to help transition the student.

2.11.4. The Charter School's Understanding of its Legal Responsibilities for Special Education Students

In accordance with the proposed Memorandum of Understanding (see Appendix I) between the WCCHS and the District, Special Education services are provided by the District. A Resource Teacher coordinates the programs and makes referrals to other District-provided services as needed. The funding relationship is spelled out in the services agreement.

2.11.5. How WCCHS Intends to Meet Those Legal Obligations for Special Education Students

It is understood and agreed that all students have access to WCCHS and no student is denied admission nor counseled out of WCCHS due to disability. WCCHS has small classroom sizes, not to exceed 25 students in any given class, and includes a Social Skills Support Program designed to meet the needs of each student in the Charter School (general and special education students) and the community of the Charter School as a whole. The classes are designed to accommodate students with various learning styles and academic needs.

WCCHS offers a "Learning to Learn" class to all students (see Appendix F for curriculum). This class teaches organizational and study skills and other self-learning skills that are particularly beneficial to special education students, and prepares them for the requirements of higher education (college, trade school, etc.) and life goals (professional and personal). Therefore, WCCHS is a highly desirable and flexible setting for students whose academic, vocational, independent and social needs are best fostered in a full inclusive program where social support, small classrooms and learning opportunities based on the student's individual learning style exist.

To the extent that the agreed-upon IEP requires educational or related services to be delivered by staff other than WCCHS, the District provides and/or arranges for such services.

A Full Inclusion Program is offered at WCCHS, in conjunction with the requirements of the District and the Special Education Department of the District. The Full Inclusion Program includes a full or three-quarters part-time Resource Teacher or Full Inclusion Specialist, who is supplied by the District. In addition, a Special Day Class (SDC) is welcomed at WCCHS in conjunction with the Special Education Department, based on the needs of the District. The District supplies a Special Education Teacher and a Classroom Aide for the SDC. All students enrolled in a SDC have access to the core curriculum to meet the state standards as mandated by IDEIA. This SDC provides the students with social, organizational and tutorial support as needed. District services also include consultative services by District Special Education staff to WCCHS staff, a School Psychologist and a part-time Speech and Language Pathologist if indicated by a student's IEP. WCCHS does not unilaterally authorize any program or services to comply with the IDEIA without prior consent of the District. WCCHS staff members attend in-service training conducted by the District or SELPA on the referral system and criteria as well as other pertinent workshops, and in-service training regarding issues related to special education. Collaborative WCCHS staff meetings also include training, and discussions include sensitivity training, laws, and legislations.

Parent/guardian concerns regarding Special Education services, related services and rights are directed by the WCCHS staff to the designated Special Education Representative of the District. The District Representative, in consultation with the WCCHS Designee, responds to and addresses the parent/guardian's concerns. In consultation with WCCHS, the District addresses, responds to, investigates, and takes any and all necessary action to respond to all complaints received that involve special education and IDEIA compliance. In consultation with WCCHS, the District may initiate a Due Process Hearing on behalf of a student enrolled in WCCHS, as the District determines is legally necessary to meet the Charter School's responsibilities under Federal law. In the event that parents/guardians file for a Due Process Hearing, both WCCHS and the District are named respondents. The District and WCCHS work cooperatively to defend the case, and recommend to the parent/guardian a Facilitated IEP and/or an Alternative Dispute Resolution meeting prior to engaging in a Due Process Hearing. In the event that the District determines that legal counsel representation is needed, the District and WCCHS are jointly represented by legal counsel retained by and at the expense of the District. WCCHS may elect to retain separate counsel at its sole expense.

As part of the District representation duties at all County I-level SELPA meetings, the person designated as the District's Representative also represents WCCHS. Reports to WCCHS

regarding SELPA decisions, policies, and other items are communicated to the Charter School at the time and in the manner as these are communicated to all other schools within the District. To the extent that the District and/or SELPA provide training opportunities or information regarding Special Education to the Charter School and its staff, and to the extent that site staff has the opportunity to participate in committee meetings of the SELPA as representatives of their District, such opportunities are made available to WCCHS staff.

If the District provides Special Education services to WCCHS, then it retains all equitable revenue, which is generated by the WCCHS for the delivery of Special Education and related services and is solely responsible for the financial costs of these related services and responsibilities as required by law or otherwise set forth above. On an annual basis, the District determines what, if any, excess cost contribution is made by WCCHS to the District for the prior year's delivery of service.

2.11.6. 504 Services

Some students who have difficulties with learning are not eligible for Special Education services because they may not fit into one of the Special Education eligibility categories, and/or because the learning problems are not severe enough for the students to qualify for Special Education. These particular students may be eligible for special services and program accommodations under a Federal Anti-Discrimination Law designed to reasonably accommodate such a student's condition so that the student's needs are met as adequately as the needs of students without disabilities (Section 504 of the Rehabilitation Act of 1973 [29 U.S.C. Section 794] and its implementing regulations at 34 C.F.R. Section 104.1 and following). This Anti-Discrimination Law, Section 504 of the Rehabilitation Act of 1973, guarantees the civil right of equal access to Educational Services for students with disabilities, even if they do not qualify for Special Education under IDEIA. A disability under this law is defined as physical or mental impairment that substantially limits one or more major life activities. Students covered under Section 504 are educated in the regular education setting and are to be with their non-disabled peers to the maximum extent possible. In accordance with the proposed Administrative Services Agreement, WCCHS works with the District to provide 504 services. A WCCHS teacher (referred to as the Designee), the same individual who is designated to coordinate Special Education services, will be responsible for coordinating 504 services. The Designee will work with staff to identify possible 504 candidates and work with the District-appointed RSP teacher or another District-appointed personnel to develop a legal 504 plan. Within this setting, they receive all assistive devices, accommodations, and services necessary in order to meet their educational needs. Parents receive notification of any actions regarding their student's educational placement under Section 504, and they have the ability to influence or contest any decisions regarding their student. Should the District desire a different arrangement related to 504 services WCCHS is willing to negotiate that in a separately agreed upon MOU.

3. MEASURABLE STUDENT OUTCOMES, METHODS OF MEASUREMENT AND OTHER USES OF DATA

Governing Law: The measurable pupil outcomes identified for use by the charter school.

"Pupil outcomes," for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program. Education Code Section 47605(b)(5)(B).

WCCHS will set and keep four measurable student outcomes for which we will continuously monitor (see also Appendix H). Data collected from these assessments will be maintained in a computer database and be used to generate annual reports and to make regular adjustments to the educational and institutional programs as needed to achieve these outcomes. WCCHS shall continue to examine and refine student outcomes and performance goals over time to reflect WCCHS's mission, curriculum and assessments, and any changes to state standards.

3.1. Schoolwide Student Goals

3.1.1. Goal I: Academic Rigor and the California Standards

Students apply essential habits of learning – question-asking, evidence-finding, note-taking, skill practicing and applying, perspective-taking, risk-taking, and reflecting—towards mastering the content of the California standards, in conjunction with specific WCCHS graduation requirements.

Subject	Example Objectives
English (3 years)	<ul style="list-style-type: none">• Understand the main and subordinate ideas in written works, lectures, and discussions• Manipulate and create ideas about a topic and be able to organize them for presentation in both verbal and written forms• Write essays using the English language correctly and effectively
Mathematics (3 years)	<ul style="list-style-type: none">• Calculate and solve problems using ratios, proportions, percentages, roots and powers• Read and summarize the main ideas of economics, statistics and science texts• Explain and utilize the mathematical concepts and operations of algebra and geometry
Biological and Physical Sciences (2 years)	<ul style="list-style-type: none">• Intelligently discuss concepts of matter, energy, motion and force and the natural laws and processes of the physical world as well as the science of life and living matter, with special reference to evolution, growth, reproduction and structure• Use the scientific method to successfully complete an experiment that investigates a current scientific question, and

Subject	Example Objectives
	interpret and generalize the results • Use laboratory equipment effectively
Social Sciences/ History/Economics (3 years)	• Display understanding of the social systems, customs, communities, values, economies, governments, and politics of at least three cultures and societies • Explain how this understanding relates to the students' culture and society • Generate educated opinions and write pieces on current events, using historical references to the events and ideas that have shaped our nation, its place in the world, other nations, and the world at large • Explain our system of government, including the relationships between the branches, how laws are enacted, as well as the importance of an independent press and an educated citizenry
Foreign Languages (2 years)	• Demonstrate spoken and written proficiency in a foreign language
Fine Arts (1 years)	• Explain a work of art and criticize it • Create a work of art in the visual and plastic arts • Participate in performance art

Table 3-1 Examples of learning objectives based on the California standards (Goal I)

Specific Measurable Outcomes:

- Increase the number of students passing courses based upon the California Standards every year, until a minimum pass rate of 80-85% has been achieved.
- Exceed the District graduation rate by 10%.
- 50% or more of students at or above proficiency in English, Math, History, and Science.
- Increase the number of students taking and passing "a-g" required courses by 10% each year, until a minimum pass rate of 95% has been achieved.
- Exceed the District's percentage of students passing the California High School Exit Exam.
- Achieve an average test score (scaled score) of 350 for at-risk students in all subjects (proficiency level)
- WCCHS shall strive to meet its annual API growth target and AYP each year.

3.1.2. Goal II: Habits of Work

Students develop the work habits necessary to effectively learn subject matter, produce quality assignments, use time effectively, and be creative. WCCHS develops a schoolwide rubric (see appendix I) to measure students' habits of work as well as continuously monitor attendance and homework completion rates and class behavior. Through development of effective work habits, students gain greater autonomy and realize their potential.

Division I,	Students are able to correctly utilize a planner to schedule lessons and
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“Notice” 9th and 10th grade	assignments, manage time appropriately, identify what they already know, and what they need to know, in each lesson, and organize notes, assignments, and projects.
Division II, “Choose” 10th and 11th grade	Students design projects for individual classes that allow them to achieve the goals of their academic class while allowing for their strengths, challenges, and passions.
Division III, “Act” 11th and 12th grade	Students plan the majority of their learning and actualize this plan efficiently and with high quality, develop their own rubrics based upon goals, strengths, and weaknesses, and reflect upon and evaluate their learning process.

Table 3-2 Examples of scaffolding Goal II through the divisions

Specific Measurable Outcomes:

- School-wide rubric. All students will participate in the annual school-wide rubric with 50% proficient in 2 or more areas.
- Attendance. During the first year, WCCHS will achieve a 90% attendance rate, and increase this rate by 1% each year with the ultimate goal of achieving above a 95% rate at the end of five years.
- Tardiness. WCCHS will work to reduce number of tardies, calculated each month with a goal of 15% tardy rate.
- Classroom behavior. WCCHS continuously records incidents of teacher disciplinary actions that rise above the regular, continuous classroom management strategies so that they require a parent contact. Teacher disciplinary action rate is calculated by dividing the number of such incidents by the total attendance of all classes. WCCHS will have a goal teacher disciplinary action rate of less than 3% by the end of the fifth year.

3.1.3. Goal III: Self-Knowledge

Students will be able to identify their learning strengths, challenges, and passions. They will be able to evaluate this knowledge in terms of their short- and long-term goals and create a plan of action for their life-long learning based on this evaluation.

At the end of Division I, “Notice”	Students are able to identify their learning strengths, challenges, and interests.
As their tenure at WCCHS continues	Students are able to continuously assess how their strengths, challenges, and interests are changing as they learn more and gain more life experience.
During Division II, “Choose”	Students choose courses and electives based upon their strengths, challenges, and interests, and begin to take initiative to match the goals of the curriculum with their personal goals.
In Division III, “Act”	Students can summarize their changing and non-changing passions and interests over their tenure at WCCHS, and apply the process of reflection in creating a plan of action for life-long learning.

Table 3-3 Examples of scaffolding Goal III through the divisions

Specific Measurable Outcomes:

- Successful completion of Learning to Learn class by 85% of students within their first two years at WCCHS.
- School-wide rubric. At the end of the first school year, 50% of students will score proficient or higher on the Self-Knowledge section of the school-wide rubric. In subsequent years, this percentage will increase by 10%, with the ultimate goal of achieving 85% proficiency by the end of the fifth year.

3.1.4. Goal IV: Community-Building

Students will be able to know and accept the talents, unique characters, and needs of other members of their community. They understand the effect that they have upon the community and take the initiative to better themselves and the community as a whole. They work together in small and large groups on academic and community projects.

Division I, “Notice” 9th and 10th grade	Students are able to show respect for each other, recognize similarities and differences with others, and give authentic appreciations. Students begin to identify how their choices affect themselves, their local community, and the wider, more global, communities.
Division II, “Choose” 10th and 11th grade	Students are able to create a safer, closer environment by participating as student jurors, facilitating conflict resolution, and developing policies and rules that better the community. Students consciously choose behaviors that have a bettering effect upon themselves, their local community, and the wider, more global communities.
Division III, “Act” 11th and 12th grade	Students are able to create projects that have a positive effect on others, taking initiative for the good of the community, and assume leadership roles within the community. Students notice the state of their community, choose a proper course of action, and act accordingly.

Table 3-4 Examples of scaffolding Goal IV through the divisions

Specific Measurable Outcomes:

- During the first year, expulsions and suspensions (calculated by dividing the number of expulsions and suspensions by the Charter School’s enrollment) will be at or below the District’s rate, and by the end of five years will be half of the District’s rate.
- As students progress through the divisions, there will be, on average, 10% fewer disciplinary actions brought to the judicial consortium per division.
- Students and parents report an increasingly higher rate of satisfaction with the Charter School environment and climate.

3.2. Methods of Assessment

Governing Law: The method by which pupil progress in meeting those pupil outcomes is to be measured. Education Code Section 47605(b)(5)(C).

WCCHS is committed to continuously perfecting a series of performances and products that demonstrate student growth. Sometimes assessments are used to give feedback to the teacher as to what the student is learning and what needs to be done. Other times, assessments are used to make a determination of what the student has learned. Sometimes assessments are used to motivate and encourage students; sometimes to rank them.

WCCHS courses are based on all statewide standards and the Charter School conducts required student assessments, including the CST, the annual physical fitness tests, and administers other tests required by law. These data are monitored annually and disaggregated by race and ethnicity to determine whether WCCHS strategies eliminate or at least ameliorate the traditional achievement gaps among the District students.

While these standardized tests are important in demonstrating objectively that WCCHS students are learning required subject matter, we believe that the most important assessments are authentic assessments – ones that show students doing important work and before a real audience (students, peers, the wider community, etc). Within subject matter departments, teachers ensure that the WCCHS curriculum is optimally aligned to the state standards. Benchmarks for mastery are to be determined by the teaching team and assessments created and administered to provide data on student progress. In any given academic quarter and subject matter area, students are assessed using a variety of methods, including but not limited to: essay and other written assessments, oral presentations, performance of tasks, showcase portfolio pieces, in-class participation, diagnostic testing, and self and peer assessments.

WCCHS regularly uses assessment rubrics to analyze student performance in all subject areas. These rubrics are made available to students and their families prior to engagement in learning opportunities so that the requirements for mastery are apparent.

The WCCHS assessment structure, which utilizes standardized testing measures as well as assessments that are designed to thoroughly assess student progress in our school's interdisciplinary, project-based curriculum, provide a well-rounded picture of students' achievements. Students and their parents will receive regular communication on academic progress, including some or all of the following:

- Progress reports and report cards,
- Public performances/exhibitions,
- Instantaneous reporting via online "Gradebook Wizard" reports(see Appendix J)

Goal and Measurable Outcomes	Assessment Methods
Academic Rigor and the California Standards <ul style="list-style-type: none"> • Increase the number of students passing courses based upon the California Standards every year, until a minimum pass rate of 80-85% has been achieved. • Exceed the District graduation rate by 10%. • 50% or more of students at or above proficiency in English, Math, History, and Science. • Increase the number of students taking and passing "a-g" required courses by 10% each year, until a minimum pass rate of 95% has been achieved. 	<ul style="list-style-type: none"> • Teacher-made tests, quizzes, and assignments • Oral presentations • Class participation • STAR test • California High School Exit Exam • "Be The Change" Project Portfolio

Goal and Measurable Outcomes	Assessment Methods
<ul style="list-style-type: none"> • Exceed the District's percentage of students passing the California High School Exit Exam. • Achieve an average test score (scaled score) of 350 for at-risk students in all subjects (proficiency level) • WCCHS shall strive to meet its annual API growth target and AYP each year. 	
Habits of Work <ul style="list-style-type: none"> • School-wide rubric. All students will participate in the annual school-wide rubric with 50% proficient in 2 or more areas. • Attendance. During the first year, WCCHS will achieve a 90% attendance rate, and increase this rate by 1% each year with the ultimate goal of achieving above a 95% rate at the end of five years. • Tardiness. WCCHS will work to reduce number of tardies, calculated each month with a goal of 15% tardy rate. • Classroom behavior. WCCHS continuously records incidents of teacher disciplinary actions that rise above the regular, continuous classroom management strategies so that they require a parent contact. Teacher disciplinary action rate is calculated by dividing the number of such incidents by the total attendance of all classes. WCCHS will have a goal teacher disciplinary action rate of less than 3% by the end of the fifth year. 	<ul style="list-style-type: none"> • Regular planner-checks • School-wide rubric • Advisor interviews • Bi-weekly accountability report (see Appendix J) • Attendance statistics
Self-Knowledge <ul style="list-style-type: none"> • Successful completion of Learning to Learn class by 85% of students within their first two years at WCCHS. • School-wide rubric. At the end of the first school year, 50% of students will score proficient or higher on the Self-Knowledge section of the school-wide rubric. In subsequent years, this percentage will increase by 10%, with the ultimate goal of achieving 85% proficiency by the end of the fifth year. 	<ul style="list-style-type: none"> • Advisor interviews • Student Survey • Writing Assignments • "Be The Change" project portfolio • School-wide rubric • Comparison of self-assessments with teacher-assessments
Community-Building <ul style="list-style-type: none"> • During the first year, expulsions and suspensions (calculated by dividing the number of expulsions and suspensions by the Charter School's enrollment) will be at or below the District's rate, and by the end of five years will be half of the District's rate. • As students progress through the divisions, there will be, on average, 10% fewer disciplinary actions brought to the judicial consortium per division. • Students and parents report an increasingly higher rate of satisfaction with the Charter School environment and climate. 	<ul style="list-style-type: none"> • Observations by advisor and fellow students • Performance on student jury • "Be The Change" project portfolio • School-wide rubric • Expulsion/suspension statistics

Goal and Measurable Outcomes	Assessment Methods

Table 3-5 Summary of assessments for each WCCHS goal

3.2.1. Mandatory State Testing

As required by Education Code Section 47605(c)(1), WCCHS "conduct(s) the pupil assessments required pursuant to [Education eCode] Section 60605", including the California Standards Tests and the California High School Exit Exam. Data from standardized tests will be used to inform instruction, develop learning plans, and identify students in need of additional support.

WCCHS's academic curriculum prepares each student to pass the CAHSEE. Students at WCCHS will receive additional instruction, if needed, to ensure success on the CAHSEE and STAR tests.

The support that the students receive includes, but is not limited to:

- Peer tutoring in math, writing and reading.
- After school tutoring
- Additional support in preparation for tests in core classes

3.3. Use and Reporting of Data

On a regular basis, WCCHS collects and reports two different kinds of data: individual student data and school-wide data.

3.3.1. Individual Student Data

Accountability reports are posted online in real time, describing work and missed assignments (see Appendix J). Report cards will be mailed to students' homes twice a year, at the end of each semester. Progress reports will also be mailed every six weeks.

The office will maintain a file for each student registered at WCCHS, and in this file keep any records such as report cards, school-wide rubrics, disciplinary actions, health documentation, and special education documentation. Staff members may access a student's file at any time by requesting it from the administrator. Parents and students may access their own file at any time by requesting it from the administrator.

3.3.2. School-wide data

The most recent SARC report for WCCHS will be available on the Charter School's website and updated annually. The report, as well as a binder for each year's STAR results, will be located in the school office.

In addition, WCCHS annually collects and publishes data on the degree to which the four goals and corresponding measurable outcomes (see 3.1, above) are being met. A full report is

made to the WCCHS Governing Board and then to the entire school membership. The report will include, but is not limited to, the following statistics:

Statistic	Frequency	How data is used
Attendance rate	Quarterly	Judge effectiveness of homeroom and other Challenge Day techniques to improve attendance. Declining attendance results in further study of attendance problems (whether it is occurring for some groups or all groups) and the development of solutions.
Graduation rate	Annually	To assess the needs for additional tutoring programs or changes in the course schedule to better serve students.
Drop-out rate	Annually	Students who leave are interviewed to learn reason for exiting and, if trends are spotted, changes to school program are suggested.
Number of students taking college-level courses while at WCCHS	By Semester	Starting the third year, students are eligible to take classes at Contra Costa College. Statistics about which classes they are taking help shape WCCHS course offerings.
Community college and UC grades	Annually	As students matriculate into institutes of higher learning, WCCHS surveys its graduates to find out how well prepared they were for college. Information is used to improve course curriculum.
SAT scores	Annually	SAT scores are collected and analyzed to determine changes to be made to improve course curriculum.
College admissions	Annually	WCCHS does not have a goal to enroll all students into college; however, the Charter School tracks college admissions rates and uses data to assess whether changes need to be made to school structure.
Student and parent satisfaction.	Annually	A school-wide survey is used to analyze areas that need improvement so the board can better decide where to put its focus.
Every Fall, WCCHS publishes a School Accountability Report Card on its website and make the web address known to the District and State.	Annually	SARC tracks suspension rates, attendance rates, STAR test scores, and overall conditions at the Charter School. SARC results are used to determine where changes must be made in curriculum and school structure.

Table 3-6 Summary of statistics maintained at WCCHS

This information is used by the Educational Director and the Board to make changes to the Charter School structure in order to reach our school-wide goals.

4. Governance

Governing Law: The governance structure of the school, including, but not limited to, the process to be followed to ensure parental involvement. Education Code Section 47605(b)(5)(D).

4.1. Governance Structure

The Charter School will be a directly funded independent charter school and will be operated as a California Nonprofit Public Benefit Corporation, pursuant to California law upon approval of this charter.

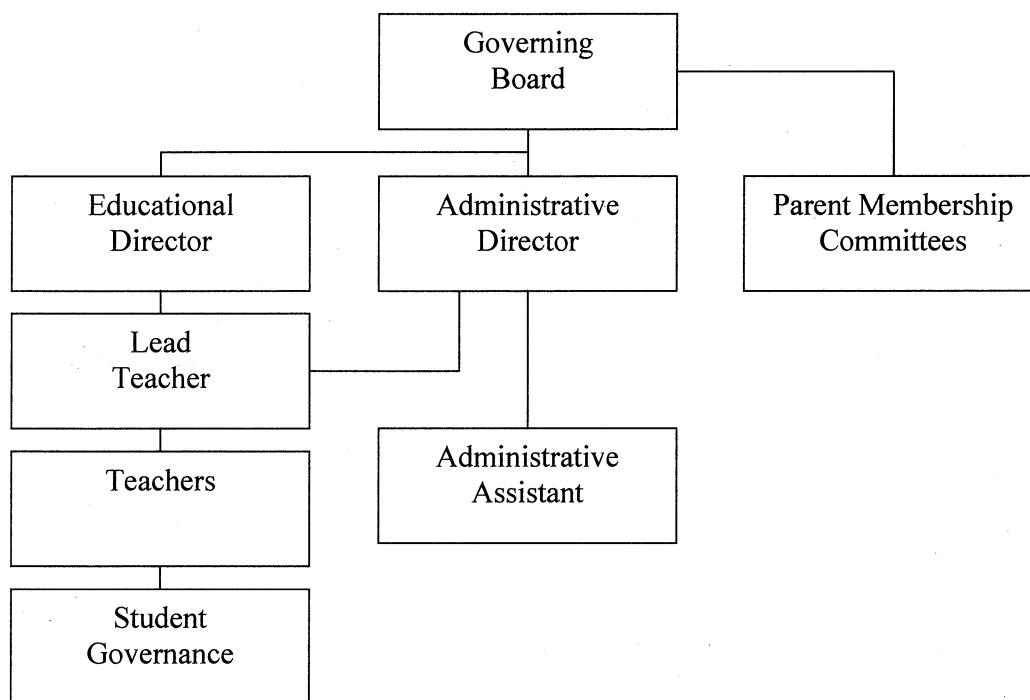
The Charter School will operate autonomously from the District, with the exception of the supervisory oversight as required by statute and other contracted services as negotiated between the District and the Charter School. Pursuant to California Education Code Section 47604(c), the District shall not be liable for the debts and obligations of the Charter School, operated by a California non-profit benefit corporation or for claims arising from the performance of acts, errors, or omissions by the Charter School as long as the District has complied with all oversight responsibilities required by law.

Attached, as Appendix U please find the Charter School Articles of Incorporation, Appendix D, the Corporate Bylaws, and Appendix W, Conflict of Interest Code.

WCCHS is committed to maintaining a governance structure that reflects the seriousness of purpose necessary to ensure the successful implementation of educational programs. This is achieved by empowering on-site teachers and staff to develop curriculum that is engaging in a manner that is authentic and builds connection. Teachers are supervised in this capacity by up to two (2) Lead Teachers. The Lead Teachers are supervised by the Educational Director and the Administrative Director.

In addition, the Governing Board is empowered to make changes to the governance structure, including but not limited to changes to administrative leadership positions when it is necessary to achieve a better educational environment and more structurally strong organization.

This section illustrates and describes the governance structure of the Charter School, respective roles of the governing body members and administration, the domains for which each will be responsible, and how their relationship will be managed. Below is a flowchart that outlines the governance structure of WCCHS:



Flowchart of the WCCHS Governance Structure

The Charter School will be governed by a corporate Board of Directors (“Board” or “Board of Directors”) in accordance with its adopted corporate bylaws, which shall be consistent with the terms of this charter. See Appendix C for biographies of current Governing Board members.

The WCCHS Governing Board is responsible for development and oversight of policy, budget, personnel, organizational development, strategic planning, and maintaining the vision of the WCCHS Charter. The Governing Board meets bi-monthly or more often as needed and is responsible for the overall policies affecting all areas of WCCHS. All decisions of the Governing Board shall be made by a majority vote of its members unless otherwise specified by this Charter or in WCCHS Bylaws adopted by the Governing Board. The duties of the Governing Board members shall include, but are not limited to:

- Personnel management including hiring of staff (requires 2/3 majority)
- Budget preparation and determination
- Budget monitoring
- Fundraising coordination
- Recruitment of staff and new students
- Volunteer coordination

The Governing Board acts as the primary governing body of WCCHS and is composed of fourteen members: (1) President, (1) Treasurer, (1) Secretary, (1) Educational Director, (1) Administrative Director, (1) Lead Teacher, (1) Student, (5) Parent Committee Chairs, and (1)

Peacekey Representative, and (1) WCCUSD District Representative. The Governing Board Executive officers (elected by the entire school community) are President, Secretary, and Treasurer. The President is also the CEO of the WCCHS non-profit corporation. The Secretary serves as Secretary of the corporation, and the Treasurer serves as CFO and Financial Management & Budget Committee Chair of the WCCHS Governing Board. There are five additional Parent Membership Committee Chairpersons that report to the Governing Board, as listed below:

- Personnel Committee Chair
- Admissions Chair
- Parent Volunteer Chair
- Facilities Chair
- Fundraising Chair

The nominations and election of the WCCHS Board Members are conducted annually as stated in the WCCHS bylaws (Appendix D).

Position	Details	Governing responsibilities include but are not limited to:
Governing Board	Total of 13 members. (1) President (1) Treasurer (Chairs Fiscal Management Committee) (1) Secretary (5) Additional Parent Committee chairs (1) A student representative (1) Administrative Director (1) Educational Director (1) Lead Teacher (1) Peacekey Representative (1) WCCUSD Representative	<ul style="list-style-type: none"> • Develop and oversee of policies, budget, personnel, organizational development, strategic planning, maintaining the vision of the WCCHS charter. <ul style="list-style-type: none"> - Personnel - Financial Management & Budget Committee (also serves as CFO and treasurer) - Parent Volunteers - Fundraising - Grant Writing - Admissions - Facilities Management - Sports and Extracurricular Activities - Program and Performance Evaluation
Educational Director	1 FTE position who manages the WCCHS education and curriculum. This position also teaches part time, class load as determined by the Governing Board.	<ul style="list-style-type: none"> • Assist Governing Board with Development and Oversight of Policies, Budget, Personnel, Organizational Development, Strategic Planning, Maintaining the Vision of the Charter • Set <u>Educational</u> Goals and Directions
Administrative Director	1 FTE position who manages the WCCHS office and oversees the fiscal, record-keeping, and facility needs of the Charter School Aided by Administrative Assistant.	<ul style="list-style-type: none"> • Assist Governing Board with Development and Oversight of Policies, Budget, Personnel, Organizational Development, Strategic Planning, Maintaining the Vision of the Charter • Finance and Administrative Operations • Talley official votes for Board membership.
Parent Membership Committees	Parents who are interested in creating committees that are not already in place, based on need or desire.	<ul style="list-style-type: none"> • Oversee the programs they initiate
Lead Teacher	Up to two teachers who are	<ul style="list-style-type: none"> • Oversee, evaluate, and mentor additional teachers

Position	Details	Governing responsibilities include but are not limited to:
	given additional supervisory duties.	<ul style="list-style-type: none"> Classroom governance, administrative duties, and oversight of operations in the community space
Student Governance	There are 15 students in the Leadership Consortium (LC) and 6 students in the Judicial Consortium (JC).	<ul style="list-style-type: none"> LC: Recommends changes in school handbook, promotes/creates rules in the community space, coordinates school activities and supports the smooth operation of day-to-day affairs of the community space, coordinates field trips, notifies about scheduling changes, and other facilitative and communicative roles JC: Enforces rules of the Charter School by hearing cases submitted, decides appropriate consequences for different actions.

Table 4-1 Summary of governing body members and responsibilities

4.2. Governing Board Operations

The WCCHS Governing Board shall conduct its business in compliance with the Brown Act, Public Records Act, a Conflict of Interest Code and its Bylaws. WCCHS will comply with all conflict of interest laws applicable to charter schools. No student Governing Board members will be in attendance at closed-session meetings where personal, confidential information or litigation is discussed relating to school personnel and/or other students. To help ensure that newly elected Board members are well-informed and prepared, outgoing Board members are required to train members-elect.

The Charter School has adopted a conflicts code which complies with the Political Reform Act, Corporations Code Conflicts of Interest rules, and which shall be updated with any charter school specific conflicts of interest laws or regulations². As noted above, the Conflicts Code is attached within Appendix W. As required, the Conflicts Code will be submitted to the County Board of Supervisors for approval.

The Board may execute any powers delegated by law to it and shall discharge any duty imposed by law upon it and may delegate to an employee of the Charter School any of those duties with the exception of budget approval or revision, approval of the fiscal audit and performance report, and the adoption of Board policies. The Board however, retains ultimate responsibility over the performance of those powers or duties so delegated. Such delegation will:

- Be in writing
- Specify the entity designated
- Describe in specific terms the authority of the Board of Directors being delegated, any conditions on the delegated authority or its exercise and the beginning and ending dates of the delegation
- Require an affirmative vote of a majority of Board members

² It is the understanding of Petitioners that recent legislation and regulatory action has been considered regarding the charter school specific conflicts of interest.

4.3. Educational Director

The Educational Director is the educational leader of the Charter School. The Educational Director will ensure that the curriculum is implemented in order to maximize student-learning experiences. The Educational Director must report directly to the Charter School Board of Directors, and s/he is responsible for the orderly operation of the Charter School and the supervision of all employees in the Charter School.

The Educational Director with direction from the Charter School Board of Directors is required to undertake some or all of the tasks detailed below. These tasks may include but are not limited to the following:

- Ensure the charter school enacts its mission;
- Supervise and evaluate teachers and staff;
- Communicate and report to the Charter School Board of Directors;
- Participate in and develop professional development workshops as needed;
- Interview and recommend employee hiring, promotion, discipline, and/or dismissal;
- Ensure compliance with all applicable state and federal laws
- Communicate with parents, recruit new families and students, and assure families of academic growth;
- Take responsible steps to secure full and regular attendance at school of the students enrolled in accordance with policies established by the Board of Directors;
- Complete and submit required documents as requested or required by the charter and/or Charter School Board of Directors and/or the District;
- Identify the staffing needs of the Charter School and offer staff development as needed
- Ensure that appropriate evaluation techniques are used for both students and staff;
- Ensure the security of the school building;
- Promote and publish the Charter Program in the community and promote positive public relations and interact effectively with media;
- Encourage and support teacher professional development ;
- Attend District Administrative meetings as requested by the District and stay in direct contact with the District regarding changes, progress, etc.;
- Develop the school annual performance report and the SARC;
- Manage student discipline, as necessary participate in the suspension and expulsion process;
- Participate in IEP meetings as necessary.

The above duties, with the exception of personnel matters, may be delegated or contracted as approved by the Board of Directors to a business administrator of the Charter School or other appropriate employee or third party provider.

4.4. Administrative Director

The Administrative Director oversees the fiscal, record-keeping, and facility needs of the charter school. The Administrative Director also manages Human Resources aspects for all staff. And oversees management of day to day operations.

The Administrative Director must report directly to the Charter School Board of Directors, and s/he is responsible for the orderly operation of the charter school and the supervision of all employees in the charter school. The Administrative Director is assigned to perform assigned tasks directed from the Charter School Board of Directors and is required to undertake some or all of the tasks detailed below. These tasks may include but are not limited to the following:

- Ensure the charter school enacts its mission;
- Supervise and evaluate teachers and staff;
- Communicate and report to the charter school board of directors;
- Oversee school finances to ensure financial stability;
- Serve or appoint a designee to serve on any committees of the charter school;
- Interview and recommend employee hiring, promotion, discipline, and/or dismissal;
- Ensure compliance with all applicable state and federal laws and help secure local grants;
- Communicate with parents, recruit new families and students, and assure families of academic growth;
- Take responsible steps to secure full and regular attendance at school of the students enrolled in accordance with policies established by the board of directors;
- Complete and submit required documents as requested or required by the charter and/or charter school board of directors and/or the district;
- Identify the staffing needs of the charter school and offer staff development as needed
- Maintain up-to-date financial records;
- Ensure that appropriate evaluation techniques are used for both students and staff;
- Establish and maintain a system to handle organizational tasks such as student records, teacher records, teacher credentialing information, contemporaneous attendance logs, purchasing, budgets, and timetables;
- Hire qualified substitute teachers as needed;
- Ensure the security of the school building;
- Promote and publish the charter program in the community and promote positive public relations and interact effectively with media;
- Attend district administrative meetings as requested by the district and stay in direct contact with the district regarding changes, progress, etc.;
- Attend meetings with the chief financial officer of the district on fiscal oversight issues as requested by the district;
- Provide all necessary financial reports as required for proper attendance reporting;
- Develop the school annual performance report and the sarc;
- Present independent fiscal audit to the charter school board of directors and after review by the board of directors present audit to the District Board of Education and the County Superintendent of Schools, the State Controller and the California Department of Education;
- Manage student discipline, as necessary participate in the suspension and expulsion process.

4.5. Ensuring Parent and Guardian Involvement

4.5.1. Mandatory Participation Hours

The WCCHS Bylaws, which are attached as Appendix D, specify the specific participation tasks and number of participation hours a family must complete to maintain good standing within the membership. Parental involvement is highly valued at WCCHS and parents are encouraged to be involved at every level from governance to school maintenance. Upon enrollment parents sign a Family Agreement (see Appendix T) that outlines the charter School's expectations and requirements of the school community.

. The Administrative Director and the Administrative Secretary are responsible for tracking completed participation hours by the membership (see Appendix J), assisting members in meeting their participation hours, and training new members or the community in participation procedures.

Parents receive a parent volunteer hours log every month from the Administrative Director and Administrative Secretary to use to better help parents fulfill their volunteer obligations.

4.5.2. Community Meetings

There are two types of Community Meetings that are held regularly, and include the parents/guardians as vital members. The two membership meetings are:

- **Community Meeting.** This is comprised of the entire community of parents/guardians, WCCHS Board, and staff. This group meets once a month to discuss ongoing issues of importance to the Charter School, including Governing Board and committee reports, and participation opportunities at WCCHS as well as in the District. WCCHS is committed to providing parent/guardian support not just to WCCHS, but to other schools and programs in the District, which will be considered part of our Educational Partnership Program with the community of WCCUSD How would this occur.
- **School Community Meeting.** This is comprised of the entire community of students and staff. The school community meets once a week. Under the direction of a teacher, the Legislative Consortium plans, organizes, and runs School Community Meetings. The group of students is provided an opportunity to discuss ongoing issues of importance to WCCHS from issues as mundane as noise levels and cleanliness to issues as complex and compelling as harassment and interpersonal relations. They will also discuss and make recommendations regarding special events, elective courses, extracurricular opportunities, other academic and social offerings at the Charter School, and how to support the larger community of District students and surrounding communities.

4.5.3. Student Leadership Opportunities

A unique aspect of WCCHS is its method of governance that incorporates the students and educators in a broad array of leadership functions. This approach is congruent with the

WCCHS philosophy to teach students to be accountable for their choices and actions while at the same time learning to work as a team member of a larger community. Following is a description of WCCHS's unique student leadership opportunities, Legislative Consortium and Judicial Consortium.

Legislative Consortium:

The Legislative Consortium ("LC") is made up of 15 students. Students enroll in the LC as they would in any other class, and they will earn Social Science credit by participating. The precise number of credits is to be determined by the faculty and board. WCCHS has obtained "a-g" approval for the course. From among those taking the class, students may run for school-wide offices of President, Vice President, Treasurer or Secretary, and they are voted in during the Student Membership Community Meeting in April of the previous year. Ballots will be given to each student and teacher with the potential nominees' names and potential positions. Each candidate will be given a chance to speak prior to voting. The Legislative Consortium and Judicial Consortium Teacher Advisors will tally the votes. In case of a tie, a run-off election will be held, and ballots will only have the names of the two tied candidates and positions.

The term of office will be one year, with approximately half the consortium beginning their term in the Fall, and half in the Spring. To help ensure that new consortium members are well-informed and prepared, existing members are required to train incoming members. This group meets three days a week and works very closely with a teacher appointed by the Governing Board.

The LC is primarily responsible for promoting and creating rules in the community, making recommendations for changes in the school handbook, coordinating school activities, and supporting the smooth operation of day-to-day affairs of the school community. Many functions such as coordinating field trips (in conjunction with the LC Teacher Advisor), notification of scheduling changes, and other facilitative and communication roles are best accomplished by the LC because they provide opportunities for students to engage in self-management and organization of their own learning community, which will also teach students life and business management skills.

Judicial Consortium:

The Judicial Consortium ("JC") is comprised of six clerks who are elected from among the students, according to criteria and procedures determined by the WCCHS Governing Board and staff, and one teacher selected by his/her teacher peers. JC members are elected for one-year terms that overlap by a semester so that experienced clerks can help train newer ones. The JC meets three times each week to consider issues related to infringement of rules codified in the WCCHS Parent-Student Handbook (See Appendix K) developed by the Legislative Consortium.

The JC is responsible for enforcing the rules of the Charter School by hearing cases submitted by students and teachers and then deciding on appropriate consequences to specific actions. In

this role, the findings of the JC are binding on all parties involved and may result in further action, including suspension or expulsion, if not followed.

The scope and jurisdiction of various offenses including those within, and outside of, the jurisdiction of the Judicial Consortium is described in table 4.3 below. The faculty and Governing Board reserve the right to re-categorize offenses and create rules to ensure the safety of the community.

Legislative Consortium and Judicial Consortium Teacher/Advisors:

In order to assist and advise the Legislative Consortium and Judicial Consortium in their duties, up to two (2) Legislative Consortium and Judicial Consortium Teacher Advisors are designated. This at certain times may be one teacher with both roles. The Legislative Consortium and Judicial Consortium Teacher Advisors report to the Administrative and Educational Directors in regards to the progress and development of the student government, and are responsible for coordination with current WCCHS Charter, by-Laws, and policy requirements.

The Legislative Consortium and Judicial Consortium Teacher Advisors have the option of extending student terms in order to initiate or preserve the practice of having existing members train newer members of each group.

The duties of the Legislative Consortium Teacher Advisor include, but are not limited to, the following:

- Meets with LC President, Vice President, and Secretary to prepare them for the class period
- Tallies votes for the JC/LC election
- Attends LC-sponsored school functions
- Assists the LC students with coordination of appropriate Board member with LC-sponsored student functions
- Assists students with classroom management
- Coordinates scheduling changes with staff for LC-sponsored student functions.
- Instructs students in basic governance
- Creates teamwork activities
- Maintains thorough knowledge of Student Handbook
- Demonstrates the ability to teach and facilitate conflict mediation

The duties of the Judicial Consortium Teacher Advisor include, but are not limited to, the following:

- Instructs students in basic governance
- Tallies votes for the JC/LC election
- Creates teamwork activities
- Maintains thorough knowledge of Student Handbook
- Demonstrates the ability to teach and facilitate conflict mediation

- Confirms level of disciplinary action and supervises level of action

Type of Offense	Under the Jurisdiction of	Type of Due Process
Violating student-made rules like those listed in Appendix L	<p>The student body, teacher, and parents.</p> <p>Any community member may cite another member for violation of rules listed in the community rule book. Those accused enter a plea to JC and receive a verdict and consequence.</p>	Judicial Consortium Appeal to JC Teacher Advisor
Violating classroom rules	The Teacher	Teacher decisions, for the most part, cannot be appealed.
Suspendable offenses, including violating JC consequences	<p>Educational Director and Administrative Director</p> <p>All suspensions require the approval of- the two staff members, assumed to be one or both directors, or staff member involved and available director, who must speak with the student and be able to see evidence and hear testimony</p>	Decisions regarding suspensions are under the authority of the Educational Director & Administrative Director who may, after the fact, remove a suspension from a student's record with approval from the WCCHS Board
Expellable offenses, including multiple suspensions	<p>Expulsion committee</p> <p>An expulsion committee, consisting of two teachers, the Administrative Director, and the Educational Director, will meet to hear all evidence and produce a written recommendation either for or against expulsion.</p>	<p>Within 7 days of a recommendation to expel, the WCCHS Board must convene a hearing. The parents are permitted to bring evidence, witnesses, and an attorney to this hearing.</p> <p>Decisions to expel may be appealed within 30 days to the entire school membership.</p>

Table 4-2 Summary of WCCHS disciplinary oversight

4.6. Educational Partners

WCCHS is committed to partnering with the District to promote a sense of shared goals and unity. Important ideals of the Charter School are to “Be The Change,” to have engaging opportunities, to promote authentic learning, and to facilitate connections. As such, community internships and volunteerism will be valuable opportunities in the student’s learning experiences. As part of the internship program, WCCHS students will strive to create relationships with other schools that may include a volunteer exchange project, cooperative community service projects, mentoring, tutoring, and sports or recess facilitation. Whenever

our students visit other schools, or other students attend our school, practical safety precautions will be taken in accordance with school policy and insurance requirements.

Community partnerships, including a partnership with the District, are planned carefully and phased in annually, as described in Sections 2.4.7 with regards to the “Be The Change” projects.

WCCHS is also able to support the WCCUSD community by sharing information about its specialized curriculum. Specifically, WCCHS will offer informative training programs to interested high schools in any of the following areas of curriculum (training may be provided in one or more of the following areas depending on the desire of the requesting high school): Learning to Learn Class, Leadership Class, Legislative Consortium, and Judicial Consortium. A training program in any of these areas will be given only once a year.

5. HUMAN RESOURCES

5.1. Qualifications of School Employees

Governing Law: The qualifications to be met by individuals to be employed by the school. Education Code Section 47605(b)(5)(E).

WCCHS will hire certificated teachers who meet all the State and Federal legal requirements for employment as a teacher.

5.1.1. Hiring Preferences

WCCHS prefers to hire teachers with multiple credentials (i.e., math and science credentials) who meet No Child Left Behind (NCLB) requirements. WCCHS awards preference in hiring teachers who share the values and educational philosophy of the WCCHS community, who are multi-lingual, experienced with diverse populations, and who have experience with Challenge Day or comparable programs.

The core, college preparatory curriculum of WCCHS for grades 9-12 shall be defined as courses in science, math, language arts, fine arts, and history/social science. All teachers for core or college preparatory classes will have a California teaching credential, as will all teachers of courses that fulfill “a-g” requirements. All other courses at WCCHS shall be deemed to be noncore and non-college preparatory.

Whenever possible, WCCHS will contract with other instructors for noncore, non-college preparatory classes who will work directly with students under the supervision of certificated personnel. Specifically, we expect to utilize community members drawn from local businesses, professional associations, colleges, and other organizations. These individuals will teach specific subjects, engage students in work-based learning, mentor students, and provide technical support related to technology, governance, evaluation, and program outcome measures. Although these instructors and adult participants will be required to possess qualifications to perform the duties for which they are responsible, they will not be required to hold teaching certificates. WCCHS shall allow up to the equivalent of two (2) full time teacher salaries for the provision of part time teachers as needed.

5.1.2. Evaluations

The full membership of the WCCHS community, which will be comprised of all families with students attending the Charter School, will evaluate all regular staff and volunteers on an annual basis. The results of these evaluations will be factored into the decision-making process when the Charter School considers the staffing for subsequent years of operations. While these data are advisory, the Board Personnel Committee and the Governing Board will consider this information seriously in making final employment recommendations.

All teachers will receive a copy of Appendix L “Assigning Administrative Duties to Faculty and the Employee Handbook (Appendix M). WCCHS follows the teacher evaluation process outlined below in Table 5.1.

Teachers set personal learning and development goals based upon the California State teaching standards. These are shared in a pre-academic-year collaborative meeting, including time to share resources to support development. Teachers will be observed periodically in order to assess the degree to which they have attained previously agreed-upon goals over the course of a year. They will be evaluated according to the WCCHS Teacher expectations rubric. Observation duties, as outlined in the observation menu below, will be shared by the Educational Director and lead teachers.

Teacher observation menu includes:

- I. Informal, unscheduled visits (suggest 2 times per year for a teacher's first year, with the option of more if necessary) will be held in order to observe classroom atmosphere and classroom management processes.
- II. Formal scheduled observations (once a year for all teachers). The process follows:
 - a. Meet before observation to discuss lesson objectives and areas of potential interest in the way of focused data from observation. The professional learning plan is shared and discussed, and the observation visit is scheduled at this time. Observed teacher provides a copy of the lesson plan, plus a seating chart and all supporting documents to the observer in preparation for the visit.
 - b. Observer takes notes on observations and compares findings to the California Teaching Standards.
 - c. Post-observation meeting includes review of all notes taken at observation. Observed teacher writes a brief reflection (no more than one page), sharing impressions, with focus on their impressions of both strengths and weaknesses of the lesson, plus areas of potential study for improvement.
 - d. Copies go into file, to be used by personnel committee.
- III. Clinical observations (optional). Teachers entering their third year can choose to supplement clinical observation in addition to Formal Scheduled Observation (II). The process follows:
 - a. Pre-observation meeting to establish teacher's goals for data gathering during observation. Teacher to be observed reflects upon and describes areas of challenge, and chooses specific question for observation. Teachers collaborate on the development of data-gathering method.
 - b. Observer visits during designated time, and collects specific, observational data.
 - c. Observer studies data, and plans several questions to encourage exploration and interpretation of data.
 - a. Observer and observee schedule time to meet. Observer's role is that of questioner, helping the observed teacher to find significance in data and understanding of results in order to establish a plan for reflection, research, and improvement.

Table 5-1 Teacher evaluation process

5.1.3. Job Responsibilities & Qualifications

Below in table 5-2, we outline the responsibilities and qualifications for all school employees.

Teachers
<p>Responsibilities:</p> <ul style="list-style-type: none">• Teach selective classes as per single-subject credential• Teach additional classes as per interests and skills that could be included in electives, clubs and workshops• Facilitate relationships with students on an individual basis, and within homeroom groups, to mentor, advise, support and to generally oversee their program• Work with the Lead Educators in identifying students that are struggling academically and/or socially and require additional support• Provide additional and reasonable modifications and/or adaptations in the classroom environment, as well as in the individualized curriculum• Participate in staff meetings, in-service training and IEPs• Participate in community meetings with students and in meetings with parents• Adhere to the principles, philosophy, mission, and ideals of WCCHS• Performed Administrative duties as assigned (see Appendix L)• Supervise Community Space• Homeroom classes <p>Skills and Qualifications:</p> <ul style="list-style-type: none">• Single-subject CLAD credential• Experience with Challenge Day, or similar community-building programs• Ability to create curricula• Willingness to be part of school governance/administration• Preferred experience with mindfulness and/or other self-reflective techniques• Multi-lingual preferred
Lead Educator
<p>Responsibilities are the same as those above (for “Teachers”), with the following additions:</p> <ul style="list-style-type: none">• Work in concert with the Administrative Director and Educational Director in maintaining the core philosophy of the Charter School and its education program• Participate as a member of the WCCHS Governing Board• Participate in all Staff Directors meetings• Meet regularly with teachers, observe their classes, and assist in their development as teachers• Supervise and evaluate teachers <p>Skills and Qualifications are the same as those above (for “Teachers”), with the following additions:</p> <ul style="list-style-type: none">• Experience in school management positions• MA degree
Educational Director
<p>Responsibilities are the same as those for “Teacher”, with the following additions:</p> <ul style="list-style-type: none">• Upholds the vision and develop goals and direction for the Charter School• To be the liaison between the teaching staff and the Charter School Governing Board

- To oversee the operations of the Charter School staff meetings
- To participate as a member of the WCCHS Governing Board
- Coordinates with Administrative Director for State Mandatory Testing
- Participate in all Staff Directors meetings
- Supervises and evaluates Lead Teachers
- Perform specific administrative duties as delineated in the By-Laws, Policies, Operations Manual, and/or Employee Contracts

Skills and Qualifications are the same as those for “Lead Teachers”, including the following:

- Administrative Credential

Administrative Director

Responsibilities:

- Uphold the vision and develop goals and direction for the Charter School
- Manages all financial operations of WCCHS
- Oversees facilities management
- Manages student admissions
- Oversees attendance collection and California Basic Educational Data System
- Oversees student record-keeping
- Coordinates with Educational Director for State Mandatory Testing
- Participate as a member of the WCCHS Governing Board.
- Participate in all Staff Directors Meetings.
- Management of Human Resources aspects for all staff.
- Management of day-to-day operations.
- Review and approve field trips
- Oversees parent volunteer hour tracking

Skills and Qualifications:

- BA in Business, and practical experience in business management
- Knowledge of Educational Law and policies

Responsibilities:

- Support Administrative Director
- Accountable to the Administrative Director

Skills and Qualifications:

- Experience and fluency with computer programs such as word processing and spreadsheet/database programs
- Multi-lingual preferred
- Good communication skills

Excellent writing skills

Counselor

Responsibilities:

- Meet with students individually, and in groups, to discuss personal problems, challenges
- Work with students to choose classes and develop “Be The Change” Projects
- Supervise Community Space

Skills and Qualifications:

- Possess a California Credential with a Specialization in School Counseling
- Experience with Challenge Day or other similar community-building program

Table 5-2 Summary of WCCHS employee responsibilities & qualifications

5.2. Compensation and Benefits

Governing Law: The manner by which staff members of the charter schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security. Education Code Section 47605(b)(5)(K).

WCCHS full time certificated teachers are covered under the provisions of the California State Teachers' Retirement System ("STRS"). Non-teaching employees are covered under the California Public Employees' Retirement System ("PERS") and federal social security.

WCCHS will contract with an independent accounting firm experienced with public school payroll to provide monthly payroll services in compliance with the California, IRS, STRS & PERS regulations. The Administrative Director will be responsible for ensuring that appropriate contributions and deductions are made.

To remain competitive in attracting the best-qualified instructors, WCCHS will provide full health benefits to all full-time employees.

We anticipate that many teachers will be inclined to work at WCCHS for the opportunity to work with small groups of students, play an active role in administration, and experience a different learning model; additionally, WCCHS will strive to provide competitive salaries.

5.3. Employee Representation

Governing Law: A declaration whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for purposes of the Educational Employment Relations Act (Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code). Education Code Section 47605(b)(5)(O).

WCCHS shall be deemed the exclusive public school employer of the employees of WCCHS for the purposes of the Educational Employee Relations Act ("EERA"). WCCHS shall comply with the EERA.

5.4. Health and Safety

Governing Law: The procedures that the school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the school furnish the school with a criminal record summary as described in Section 44237. Education Code Section 47605(b)(5)(F).

WCCHS has adopted and maintains policies in the following areas, which are on file at the Charter School:

- Behavioral rules, compliance and enforcement procedures.
- The role of staff as mandatory child abuse reporters.
- Facility safety including hygiene, fire safety, physical obstacles, and chemical, electrical or other risks due to the instructional program activities.
- Risks to students due to extensive community, workplace, and other off-site activities, pursuant to individual learning objectives.
- Immunization and medical screening requirements, such as TB testing, as a condition of enrollment.
- Safety precautions with regard to student medication in school.
- Enforcement of a drug free, alcohol free, smoke free environment
- Institution of universal precautions regarding blood-borne pathogens.
- Criminal record checks for all employees as per state law.

WCCHS's Earthquake Disaster Plan is attached as Appendix N.

By the nature of the educational program at WCCHS, students will be engaged in a wide array of activities outside the confines of the physical location of the Charter School. Throughout their time at WCCHS, students may attend community college, engage in work-based learning opportunities, meet with mentors, conduct action research projects in the community settings, and take field trips to museums, courts, governmental offices, and many other locations. In the course of this process, students may be exposed to risks that are not typically associated with school operations where students are largely contained on a school campus.

In order to minimize these risks, the following procedures will be strictly enforced: Anyone with student contact will undergo a formal screening process that includes fingerprinting prior to being authorized for student engagement. This procedure will be in compliance with District requirements. However, one-time, on-campus volunteers who are not alone with students at any time during such a process will be exempted from this screening process.

Work-based learning opportunities will also be carefully reviewed to ensure that students will be safe. Parent permission allowing students to participate in all off-site trips will be requested through a comprehensive permission slip signed by parents or guardians at the beginning of the school year.

Field trips will be reviewed by the WCCHS Lead Teacher, Administrative Director, and Educational Director to ensure that they meet learning objectives and do not constitute undue risks to students. WCCHS will follow the guidelines of state law, as well as the Charter School's insurance provider, regarding volunteer drivers (including specifying weight of front-seat passengers, amount of insurance the drivers carry, and availability of first aid kits).

5.4.1. Immunizations, Vision and Hearing Screenings, and Oral Health Checkups.

All WCCHS students are subjected to the health screening requirements of the State of California and of the District. In addition to these basic requirements, the student community will be provided health information that relates to issues of adolescent health such as drug and

alcohol use, tobacco use, sexuality and pregnancy prevention, sexually transmitted disease, exercise and nutrition, and a variety of other factors. The WCCHS facility will be non-smoking.

5.4.2. Criminal Background Checks and Tuberculosis Examination for School Personnel

All WCCHS Charter employees and other contracted instructors will be screened as specified in Education Code Section 44237.

Proof of an examination for tuberculosis will be required from all school personnel [Ref. California Education Code §47605(b)(5)(F) and Criteria for Review; CCR-5, §11967.5.1(f)(6)]

5.4.3. Unlawful Harassment and Discrimination Protection

WCCHS students and staff will be protected from harassment and discrimination as noted in the WCCHS Employee Handbook (Appendix M) and in Appendix O based on all protected classes.

5.5. Employee Return Rights

Governing Law: A description of the rights of any employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school. Education Code Section 47605(b)(5)(M).

No person shall be required to work at the Charter School. District employees who have left employment in the District to work at WCCHS shall not have any right to return to the District except as agreed upon by the District at its discretion in accordance with District Board Policy and applicable collective bargaining agreements. Such former District employees shall not continue to earn service credit in the District while employed by WCCHS unless the District provides otherwise.

All employees of the Charter School will be considered the exclusive employees of the Charter School and not of the District, unless otherwise mutually agreed in writing. Sick or vacation leave or years of service credit at the District or any other school district will not be transferred to the Charter School. Employment by the Charter School provides no rights of employment at any other entity, including any rights in the case of closure of the Charter School.

5.6. Dispute Resolution

Governing Law: The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter. Education Code Section 47605(b)(5)(N).

The Charter School and the District will be encouraged to attempt to resolve any disputes with the District amicably and reasonably without resorting to formal procedures.

In the event of a dispute between the Charter School and the District, Charter School staff, employees and Board members of the Charter School and the District agree to first frame the issue in written format ("dispute statement") and to refer the issue to the District Superintendent and Educational Director of the Charter School. In the event that the District Board of Trustees believes that the dispute relates to an issue that could lead to revocation of the charter in accordance with Education Code Section 47607, the Charter School requests that this shall be noted in the written dispute statement, although it recognizes it cannot legally bind the District to do so. However, participation in the dispute resolution procedures outlined in this section shall not be interpreted to impede or act as a pre-requisite to the District's ability to proceed with revocation in accordance with Education Code Section 47607.

The Administrative Director and/or Educational Director and Superintendent shall informally meet and confer in a timely fashion to attempt to resolve the dispute, not later than 5 business days from receipt of the dispute statement. In the event that this informal meeting fails to resolve the dispute, both parties shall participate in a Conflict Resolution Committee, consisting of two Board members from their respective boards, who shall jointly meet with the Superintendent and the Educational Director of the Charter School and attempt to resolve the dispute within 15 business days from receipt of the dispute statement.

If this joint meeting fails to resolve the dispute, the Superintendent and the Educational Director shall meet to jointly identify a neutral third party mediator to engage the Parties in a mediation session designed to facilitate resolution of the dispute. The format of the mediation session shall be developed jointly by the Superintendent and the Educational Director. Mediation shall be held within sixty business days of receipt of the dispute statement. The costs of the mediator shall be split equally between the District and the Charter School. If mediation does not resolve the dispute either party may pursue any other remedy available under the law. All timelines and procedures in this section may be revised upon mutual written agreement of the District and the Charter School.

6. STUDENT ADMISSIONS, ATTENDANCE, AND SUSPENSION/EXPULSION POLICIES

6.1. Student Admission Policies and Procedures

Governing Law: Admission requirements, if applicable. Education Code Section 47605(b)(5)(H).

Our goal is to ensure a fair enrollment policy and a demographically diverse student body. WCCHS develops and continuously improves an aggressive outreach system, targeting all West County residents, to achieve a racial and ethnic balance that is reflective of the general population.

WCCHS will be open to all students living in the state of California who are eligible to be enrolled in grades 9 through 12. No tuition will be charged to students by WCCHS.

WCCHS shall admit all students who wish to attend the Charter School. If the number of students who wish to attend the Charter School exceeds the Charter School's capacity, attendance, except for existing students, shall be determined by public random drawing. In the event of a public random drawing, admission preferences will be given in the following manner, from highest priority to lowest:

1. To continuing students (exempt from the public random drawing).
2. To children of staff comprising up to but not more than 10% of the student body.
3. To siblings of continuing students or of students who have graduated from WCCHS within the previous three years.
4. To students who reside within the District.
5. To students who reside outside the District.

Details of the lottery process are described in Appendix S.

Enrollment requirements include the following:

- Prior to the first day of instruction, students will have met the immunization requirements of state law, residency, and identity verifications.
- Applications for admission must be submitted within the time frames established by the Charter School.
- Students cannot be under current expulsion from any school district.
- Students must participate in school orientation.

6.2. Non-Discrimination

Governing Law: The means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the district to which the charter petition is submitted. Education Code Section 47605(b)(5)(G).

WCCHS does not discriminate on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics).

As a part of our recruiting strategy, we make clear our mission and philosophy as delineated in Section 2.3. WCCHS's plan for enrolling students in a racial and ethnic balance mirrors the community demographics and is similar to what is found in other District schools. Potential students are those who value WCCHS's mission and are committed to the Charter School's program and philosophy. Students must demonstrate a willingness to participate, do homework, respect others, be honest, and work cooperatively by signing a Student Agreement (see Appendix P).

6.3. Public School Attendance Alternatives

Governing Law: The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools. Education Code Section 47605(b)(5)(L).

No student will be required to attend WCCHS and all District students will have the alternative of attending their District school of residence or seeking an intra- or inter-district transfer pursuant to applicable laws, regulations, and District policies. Parents/guardians of applicants will be informed (on enrollment forms) that students have no right to admission in a particular school in the District as a consequence of enrollment in WCCHS.

6.4. Discipline

6.4.1. Discipline Philosophy

WCCHS's discipline philosophy flows from its principles and ideals of authentic learning, personal connections, and engaging opportunities.

The intention of all school rules and policies is to positively state what actions and behavior are desired and expected so that every student and teacher understands what is required of him or her in every situation. This philosophy should permeate every level of school operations, whereby students are more often informed of what to do, rather than what not to do (although, to have a safe environment, certain banned behaviors must be made explicit).

When a student falls out of step with the WCCHS community's ethics, rules, guidelines, or practices, the response will be commensurate with the severity of the action, with respectful consideration of the student's needs as well as the safety and needs of the school community.

When a student falls out of step with the WCCHS community, he/she loses sight of the relationships with others in the community and opportunities for personal and academic fulfillment. The intention of the discipline, when possible, will be to provide direction, create learning opportunities and, when needed, sponsor mediation in order to reunite the student back into the trust of the community. More severe consequences will be required for more serious offenses, as determined by the school leadership.

As has been mentioned in section 2.5.2, the WCCHS Community Space is a self-governing, student-operated community with respect to student behavior. In many ways this constitutes a strength that supports student safety, since the students establish the rules of the community (see Appendix K) and are therefore very conscious of the impact of their behavior on the WCCHS community. Certainly teachers, as the adults responsible for the overall safety of the program, take strong action as deemed necessary in the case of an event such as an emergency.

WCCHS strictly forbids a student's use of drugs and tobacco on campus or during school-authorized activities. Students who constitute a risk to themselves or others are referred to appropriate mental health or police jurisdictions according to their presenting problems and

may be removed from the WCCHS environment as necessary. Students who violate substantive rules of the WCCHS community may be removed from the Charter School, after receiving due process under the WCCHS expulsion policy, described below, and will be referred to the District for appropriate alternative placement.

6.4.2. Suspension/Expulsion Procedures

This section has been established in order to promote learning and protect the safety and well being of all students at the Charter School. In creating this section, the Charter School has reviewed Education Code Section 48900 *et seq.* which describes the non charter schools' list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 *et seq.* The Charter School is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion.

When this section is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This section shall serve as the Charter School's policy and procedures for student suspension and expulsion and will only be amended if any State legal requirements change. Charter School staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and Procedures document will be printed and distributed as part of the Student Handbook and will clearly describe discipline expectations. Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of the Policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

The Charter School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. The notice shall state that this Policy and Procedures document is available on request at the Administrative Director or Educational Director's office.

Suspended or expelled students shall be excluded from all school and school-related activities unless otherwise agreed during the period of suspension or expulsion.

A student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("IDEIA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law mandates additional or different procedures. The Charter School will follow all applicable federal and state laws including but not limited to the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

A. Grounds for Suspension and Expulsion of Students

A student may be suspended or expelled for prohibited misconduct if the act is related to school activity or school attendance occurring at anytime including but not limited to: a) while on school grounds; b) while going to or coming from school; c) during the lunch period, whether on or off the school campus; d) during, going to, or coming from a school-sponsored activity.

B. Enumerated Offenses

Discretionary Suspension Offenses.

Students may be suspended for any of the following acts when it is determined the pupil:

1. Caused, attempted to cause, or threatened to cause physical injury to another person.
2. Willfully used force of violence upon the person of another, except self-defense.
3. Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.
4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
5. Committed or attempted to commit robbery or extortion.
6. Caused or attempted to cause damage to school property or private property.
7. Stole or attempted to steal school property or private property.
8. Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
9. Committed an obscene act or engaged in habitual profanity or vulgarity.
10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
11. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
12. Knowingly received stolen school property or private property.
13. Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
14. Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
15. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

17. Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.
18. Made terrorist threats against school officials and/or school property. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.
19. Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
20. Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
21. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
22. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261 of the Education Code, directed specifically toward a pupil or school personnel.
23. A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aide and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1).
24. Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Educational Director or designee's concurrence.
25. Has received his or her fifth "purple slip" as defined in the Student handbook.

Non-Discretionary Suspension Offenses

Students must be suspended and recommended for expulsion for any of the following acts when it is determined the pupil:

1. Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Educational Director or designee's concurrence.

Discretionary Expellable Offenses

Students may be expelled for any of the following acts when it is determined the pupil:

1. Caused, attempted to cause, or threatened to cause physical injury to another person.
2. Willfully used force of violence upon the person of another, except self-defense.
3. Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
5. Committed or attempted to commit robbery or extortion.
6. Caused or attempted to cause damage to school property or private property.
7. Stole or attempted to steal school property or private property.
8. Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
9. Committed an obscene act or engaged in habitual profanity or vulgarity.
10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
11. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
12. Knowingly received stolen school property or private property.
13. Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
14. Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
15. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

17. Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.
18. Made terrorist threats against school officials and/or school property. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.
19. Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
20. Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
21. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
22. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261 of the Education Code, directed specifically toward a pupil or school personnel.
23. A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1).
24. Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Educational Director or designee's concurrence.
25. Has received his or her third suspension in one school year.

Non-Discretionary Expellable Offenses

Students must be expelled for any of the following acts when it is determined pursuant to the procedures below that the student:

1. Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Administrative Director, Educational Director or designee's concurrence.

If it is determined by the Governing Board that a student has brought a firearm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or dangerous device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994.

The term "firearm" means (A) any weapon (including a starter gun) which will, or is designed to, or may readily be converted to, expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.

The term "destructive device" means (A) any explosive, incendiary, or poison gas, including but not limited to: (i) bomb, (ii) grenade, (iii) rocket having a propellant charge of more than four ounces, (iv) missile having an explosive or incendiary charge of more than one-quarter ounce, (v) mine, or (vi) device similar to any of the devices described in the preceding clauses.

C. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

1. Conference

Suspension shall be preceded, if possible, by a conference conducted by the Administration Director, Educational Director, or the Educational Director's designee with the student and his or her parent and, whenever practical, the teacher, supervisor or Charter School employee who referred the student to the Educational Director or designee.

The conference may be omitted if the Administration Director, Educational Director, or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety, or health of students or Charter School personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference.

At the conference, the student shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense. This conference shall be held within two school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. No penalties may be

imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with Charter School officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil's parent or guardian at the conference.

2. Notice to Parents/Guardians

At the time of the suspension, an Administration Director, Educational Director or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing sent by certified mail with return receipt the suspension and the date of return following suspension. This notice shall state the specific offense committed by the student. In addition, the notice may also state the date and time when the student may return to school. If Charter School officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

3. Suspension Time Limits/Recommendation for Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. Upon a recommendation of Expulsion by the Administrative Director, Educational Director or Educational Director's designee, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. This determination will be made by the Educational Director or designee upon either of the following criteria: 1) the pupil's presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil's suspension will be extended pending the results of an expulsion hearing.

D. Authority to Expel

A student may be expelled either by the Charter School Governing Board following a hearing before it or by the Charter School Governing Board upon the recommendation of an Administrative Panel to be assigned by the Board as needed. The Administrative Panel should consist of at least three staff members. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense.

E. Expulsion Procedures

Students recommended for expulsion are entitled to a hearing to determine whether the student should be expelled. Unless postponed for good cause, the hearing shall be held within thirty (30) school days after the Administrative Director, Educational Director or designee determines that the Pupil has committed an expellable offense.

In the event an administrative panel hears the case, it will make a recommendation to the Board for a final decision whether to expel. The hearing shall be held in closed session (complying with all pupil confidentiality rules under FERPA) unless the Pupil makes a written request for a public hearing three (3) days prior to the hearing.

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten (10) calendar days before the date of the hearing. Upon mailing the notice, it shall be deemed served upon the pupil. The notice shall include:

1. The date and place of the expulsion hearing.
2. A statement of the specific facts, charges and offenses upon which the proposed expulsion is based.
3. A copy of the Charter School's disciplinary rules which relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation to provide information about the student's status at the Charter School to any other school district or school to which the student seeks enrollment.
5. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor.
6. The right to inspect and obtain copies of all documents to be used at the hearing.
7. The opportunity to confront and question all witnesses who testify at the hearing.
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

F. Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses

The Charter School may, upon a finding of good cause, determine that the disclosure of either the identity of the witness or the testimony of that witness at the hearing, or both, would subject the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations that shall be examined only by the Charter School or the hearing officer. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the pupil.

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the person or panel conducting the hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The person conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The person conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the person presiding over the hearing from removing a support person whom the presiding person finds is disrupting

- the hearing. The person conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both of the support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter School. The person presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.
 8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
 9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in the public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
 10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the person conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstance can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

G. Record of Hearing

A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made.

H. Presentation of Evidence

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the Administrative Panel to expel must be supported by substantial evidence that the student committed an expellable offense. Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay. Sworn declarations may be admitted as testimony from witnesses of whom the Board, Panel or designee determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

If, due to a written request by the expelled pupil, the hearing is held at a public meeting, and the charge is committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900, a complaining witness shall have the right to have his or her testimony heard in a session closed to the public.

The decision of the Administrative Panel shall be in the form of written findings of fact and a written recommendation to the Board who will make a final determination regarding the expulsion. The final decision by the Board shall be made within ten (10) school days following the conclusion of the hearing. The Decision of the Board is final.

If the Administrative Panel decides not to recommend expulsion, the pupil shall immediately be returned to his/her educational program.

I. Written Notice to Expel

The Administrative Director, Educational Director, or designee following a decision of the Board to expel shall send written notice of the decision to expel, including the Board's adopted findings of fact, to the student and parent/guardian. This notice shall also include the following: notice of the specific offense committed by the student and notice of the student's or parent/guardian's obligation to inform any new school in which the student seeks to enroll of the student's status with the Charter School.

The Administrative Director Educational, Director, or designee shall send a copy of the written notice of the decision to expel to the authorizer. This notice shall include the following: a) The student's name b) The specific expellable offense committed by the student.

J. Disciplinary Records

The Charter School shall maintain records of all student suspensions and expulsions at the Charter School. Such records shall be made available to the authorizer upon request.

K. No Right to Appeal

The pupil shall have no right of appeal from expulsion from the Charter School as the Charter School Governing Board's decision to expel shall be final.

L. Expelled Pupils/Alternative Education

Pupils who are expelled shall be responsible for seeking alternative education programs including, but not limited to, programs within the County or their school district of residence. The Charter School shall work cooperatively with parents/guardians as requested by parents/guardians or by the school district of residence to provide all necessary student's records for alternative placement.

M. Special Procedures for the Consideration of Suspension and Expulsion Students with Disabilities

1. Notification of District

The Charter School shall immediately notify the District and coordinate the procedures in this policy with the District of the discipline of any student with a

disability or student who the Charter School or District would be deemed to have knowledge that the student had a disability.

2. Services During Suspension

Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP/504 Plan; and receive, as appropriate, a functional behavioral assessment or functional analysis, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur. These services may be provided in an interim alternative educational setting.

3. Procedural Safeguards/Manifestation Determination

Within ten (10) school days of a recommendation for expulsion or any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the Charter School, the parent, and relevant members of the IEP/504 Team shall review all relevant information in the student's file, including the child's IEP/504 Plan, any teacher observations, and any relevant information provided by the parents to determine:

- a) If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
- b) If the conduct in question was the direct result of the local educational agency's failure to implement the IEP/504 Plan.

If the Charter School, the parent, and relevant members of the IEP/504 Team determine that either of the above is applicable for the child, the conduct shall be determined to be a manifestation of the child's disability.

If the Charter School, the parent, and relevant members of the IEP/504 Team make the determination that the conduct was a manifestation of the child's disability, the IEP/504 Team shall:

- a) Conduct a functional behavioral assessment or a functional analysis assessment, and implement a behavioral intervention plan for such child, provided that the Charter School had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;
- b) If a behavioral intervention plan has been developed, review the behavioral intervention plan if the child already has such a behavioral intervention plan, and modify it, as necessary, to address the behavior; and
- c) Return the child to the placement from which the child was removed, unless the parent and the Charter School agree to a change of placement as part of the modification of the behavioral intervention plan.

If the Charter School, the parent, and relevant members of the IEP/504 team determine that the behavior was not a manifestation of the student's disability and

that the conduct in question was not a result of the failure to implement the IEP/504 Plan, then the Charter School may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities.

4. Due Process Appeals

The parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or the Charter School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings or by utilizing the dispute provisions of the 504 Policy and Procedures.

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or the Charter School, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, whichever occurs first, unless the parent and the Charter School agree otherwise.

5. Special Circumstances

Charter School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a child with a disability who violates a code of student conduct.

The Educational Director or designee may remove a student to an interim alternative educational setting for not more than forty-five (45) days without regard to whether the behavior is determined to be a manifestation of the student's disability in cases where a student:

- a) Carries or possesses a weapon, as defined in 18 USC 930, to or at school, on school premises, or to or at a school function;
- b) Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function; or
- c) Has inflicted serious bodily injury, as defined by 20 USC 1415(k)(7)(D), upon a person while at school, on school premises, or at a school function.

6. Interim Alternative Educational Setting

The student's interim alternative educational setting shall be determined by the student's IEP/504 team.

7. Procedures for Students Not Yet Eligible for Special Education Services

A student who has not been identified as an individual with disabilities pursuant to IDEIA and who has violated the Charter School's disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if

the Charter School had knowledge that the student was disabled before the behavior occurred.

The Charter School shall be deemed to have knowledge that the student had a disability if one of the following conditions exists:

- a) The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, to Charter School supervisory or administrative personnel, or to one of the child's teachers, that the student is in need of special education or related services.
- b) The parent has requested an evaluation of the child.
- c) The child's teacher, or other Charter School personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other Charter School supervisory personnel.

If the Charter School knew or should have known the student had a disability under any of the three (3) circumstances described above, the student may assert any of the protections available to IDEIA-eligible children with disabilities, including the right to stay-put.

If the Charter School had no basis for knowledge of the student's disability, it shall proceed with the proposed discipline. The Charter School shall conduct an expedited evaluation if requested by the parents; however the student shall remain in the education placement determined by the Charter School pending the results of the evaluation.

The Charter School shall not be deemed to have knowledge of that the student had a disability if the parent has not allowed an evaluation, refused services, or if the student has been evaluated and determined to not be eligible.

7. FINANCIAL PLANNING, REPORTING, AND ACCOUNTABILITY

7.1. Budgets

Governing Law: The petitioner or petitioners shall also be required to provide financial statements that include a proposed first-year operational budget, including startup costs, and cashflow and financial projections for the first three years of operation. Education Code Section 47605(g).

Attached as Appendix Q, please find:

- A complete budget, narrative, and cash flow projection for the next three years

In accordance with Education Code § 47604.33, WCCHS annually prepares and submits the following auditing reports to the District and the county superintendent of schools:

1. On or before July 1, a preliminary budget.
2. On or before December 15, an interim financial report. This report shall reflect changes through October 31.
3. On or before March 15, a second interim financial report. This report shall reflect changes through January 31.
4. On or before September 15, a final unaudited report for the full prior year.

7.2. Financial Audit

Governing Law: The manner in which annual, independent, financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority. Education Code Section 47605(b)(5)(I).

An annual independent financial audit of the books and records of the Charter School will be conducted as required by Education Code Sections 47605(b)(5)(I) and 47605(m). The books and records of the Charter School will be kept in accordance with generally accepted accounting principles and as required by applicable law and the audit will employ generally accepted accounting procedures. The audit shall be conducted in accordance with applicable provisions within the California Code of Regulations governing audits of charter schools as published in the State Controller's K-12 Audit Guide.

The WCCHS Board will select and approve an independent CPA knowledgeable about education audits and approved by the State Controller on its published list as an educational audit provider to prepare and submit annual audit reports to all required entities. To the extent required under applicable federal law, the audit scope will be expanded to include items and processes specified in applicable Office of Management and Budget Circulars.

The WCCHS Governing Board shall form an audit committee each fiscal year (consisting of the Administrative Director, WCCHS Board Treasurer, and one or two parent volunteers who have accounting experience) to oversee the preparation and completion of an annual audit of the Charter School's financial affairs. The Administrative Director working with the WCCHS Treasurer, will be responsible for overseeing the independent audit.

The annual audit will be completed and forwarded to the District, the County Superintendent of Schools, the State Controller, and to the CDE by the 15th of December of each year. The Treasurer, along with the audit committee, will review any audit exceptions or deficiencies and report to the Charter School Board of Directors with recommendations on how to resolve them. The Board will submit a report to the District describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of the District along with an anticipated timeline for the same. Audit appeals or requests for summary review shall be submitted to the Education Audit Appeals Panel ("EAAP") in accordance with applicable law.

The independent financial audit of the Charter School is public record to be provided to the public upon request.

7.3. *Financial Reporting*

To ensure that WCCHS continues to be viable financially, a business plan (budget and cash-flow projections in Appendix Q) has been developed. This plan primarily rests on state revenue limit and categorical funding sources that are ensured through state laws and regulations governing charter school funding.

WCCHS and charter-granting agency will jointly develop the content, evaluation criteria, timelines, and process for the annual performance reports. The WCCHS financial report as part of the annual report shall be confirmed by the District financial representatives. WCCHS and granting agency will also jointly develop an annual site visitation process and protocol to enable the grantor to gather information needed to confirm the Charter School's performance and compliance with the terms of this charter.

The WCCHS Financial Committee monthly monitors the expenditures of WCCHS and reviews budget assumptions and makes adjustments as necessary. The WCCHS Financial Committee makes monthly reports to the WCCHS Governing Board. The WCCHS Financial Committee monitors State actuals to do financial planning. The WCCHS Financial Committee also works with the District to keep current on projected future indirect costs that will be charged to the WCCHS budget. The WCCHS Financial Committee yearly reports on its financial situation in its annual report to the community and the District Board of Education.

Annually, the WCCHS Finance Committee develops the budget for the next school year. This budget is reviewed and approved at a public Governing Board meeting no later than May 15th of each year. The final approved budget is submitted to the District Fiscal Services no later than July 1 of each year. The District reviews the budget, and if there are any questions or concerns, these concerns shall be addressed to the WCCHS Financial Committee prior to the end of May so that the Governing Board may make budget amendments at its June meeting and resend the budget back to the District.

Extra pay policies will be approved by the Governing Board. Extra pay is given under the terms of our agreement for extra responsibilities and hourly commitments outside the teacher's basic employment agreements. All stipends and FTE increases will be approved by the WCCHS Governing Board.

In the event WCCHS applies for, or is the direct beneficiary of an application for, a loan from the Charter School Revolving Loan Fund pursuant to Education Code section 41365, WCCHS shall provide prior written notice to the District of the loan application, together with a written business plan explaining how the loan is to be repaid without any financial loss to the District. In the event that the loan amount being applied for exceeds fifty thousand dollars, WCCHS will request prior written consent of the District, which consent shall not be unreasonably withheld or conditioned, and the District shall deliver a brief written statement of its decision regarding such consent and the rationale therefore within thirty days of receiving the proposed application and supporting business plan from WCCHS. Any dispute regarding District consent to such a loan application that cannot be promptly resolved through an informal "meet and confer" will be referred to the dispute resolution process contained in this Charter.

The District shall use any financial information it obtains from WCCHS, including, but not limited to, the reports required by this section, to assess the fiscal condition of the charter school pursuant to subdivision (d) of Section 47604.32. The cost of performing the duties by the District required by this section shall be funded with supervisorial oversight fees collected pursuant to Section 47613.

7.4. Insurance

WCCHS shall purchase and maintain, during the term of this Charter, such public liability and property damage insurance as shall protect the Charter School and the District, its officers, agents, servants, representatives and employees from all claims for personal injury, including accidental death, to any person, as well as from all claims for property damage arising from operations under this Charter, in minimum amounts as set forth as follows: (1) one million dollars (\$1,000,000) per occurrence; and (2) two million dollars (\$2,000,000) excess insurance.

The District will cooperate in the event that WCCHS elects to obtain insurance coverage through the Contra Costa County Schools Insurance Group ("CCCSIG"); provided, however, that WCCHS must bear all costs of such coverage. If WCCHS is not insured through CCCSIG, then each insurance company insuring WCCHS shall be an insurer with a rating equal to or better than that of CCCSIG.

7.5. Administrative Services

Governing Law: The manner in which administrative services of the school are to be provided. Education Code Section 47605(g).

WCCHS is in the process of establishing a Memorandum of Understanding with the District (a copy of which is included as Appendix J) that describes the structure for providing business/administrative services (including, at a minimum, personnel transactions, accounting, and payroll) and reflects an understanding of school business practices and expertise needed to carry out administrative services.

WCCHS, under the supervision of the Administrative Director, assumes responsibility for all day-to-day business/financial control of the Charter School and contracting with the District to provide financial and teacher credential oversight as well as fingerprinting, attendance reporting, CELDT training, and special education services.

In exchange for a mutually agreed Administrative Services Fee, the District provides fingerprinting services for all employees, reports attendance to the State, oversees proper credentials for all teachers, advances payroll to WCCHS in the event that State ADA funds lag, supervises audits, provides training for CELDT testing, and provides special education services as described in Appendix T below.

Appendix S describes in detail how administrative functions are carried out at WCCHS. WCCHS is a direct-funded charter school and works with an accountant and an auditing firm to manage payroll, purchasing, attendance reporting (submitting numbers to the District so the

District can report to the State), facilities management, insurance, human resources, STRS, PRS, record keeping, admissions, and standardized testing.

WCCHS is responsible for:	WCCUSD is responsible for:
<ul style="list-style-type: none"> • Payroll • Purchasing • Attendance Reporting to District • Payroll Advance • Supervise audits • Facilities Management • Insurance • Human Resources • STRS and PERS reporting • Financial Management • Record Keeping • Admissions • Health and Safety • State Testing 	<ul style="list-style-type: none"> • Fingerprinting • Submit ADA to State • Credential Supervision • Special Education Services • Send representative to WCCHS board

Table 7-1 Summary of WCCHS and WCCUSD Administrative Responsibilities

7.6. Facilities

Governing Law: The facilities to be utilized by the school. The description of the facilities to be used by the charter school shall specify where the school intends to locate. Education Code Section 47605(g).

The school facilities are centrally located at 777 Sonoma Street, Richmond, CA 94805 in an area that does not negatively impact the existing neighborhood. It is close to public transportation that runs during school hours, especially when school starts and lets out. Parking will be available for students, staff, visitors and parents. The Charter School itself has; 9 classrooms, (one multi use classroom / community space / library), 1 gym, 1 Special Education room, two restrooms and a separate office space. The Community Space is the cornerstone of the educational experience, serving as a study hall, community meeting place, location for small-seminar classes and desk space for all teachers. The Conditional Use Permit approved by the Richmond Planning Commission on May 9, 2009 is attached (see Appendix V).

7.7. Transportation

All families at WCCHS will be responsible for providing transportation to and from school for their own students. WCCHS will provide transportation to and from school for special education students in accordance with an IEP.

7.8. Closure Protocol

Governing Law: A description of the procedures to be used if the charter school closes. The procedures shall ensure a final audit of the school to determine the disposition of all assets

and liabilities of the school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records. Education Code Section 47605(b)(5)(P)

Closure of the Charter School will be documented by official action of the Governing Board. The action will identify the reason for closure. The official action will also identify an entity and person or persons responsible for closure-related activities.

The Governing Board will promptly notify parents and students of the Charter School, the District, the Contra Costa County Office of Education, the Charter School's SELPA, the retirement systems in which the Charter School's employees participate (e.g., Public Employees' Retirement System, State Teachers' Retirement System, and federal social security), and the California Department of Education of the closure as well as the effective date of the closure. This notice will also include the name(s) of and contact information for the person(s) to whom reasonable inquiries may be made regarding the closure; the pupils' school districts of residence; and the manner in which parents/guardians may obtain copies of pupil records, including specific information on completed courses and credits that meet graduation requirements.

The Governing Board will ensure that the notification to the parents and students of the Charter School of the closure provides information to assist parents and students in locating suitable alternative programs. This notice will be provided promptly following the Governing Board's decision to close the Charter School.

The Governing Board will also develop a list of students in each grade level and the classes they have completed, together with information on the pupils' districts of residence, which they will provide to the entity responsible for closure-related activities.

As applicable, the Charter School will provide parents, students and the District with copies of all appropriate student records and will otherwise assist students in transferring to their next school. All transfers of student records will be made in compliance with the Family Educational Rights and Privacy Act ("FERPA") 20 U.S.C. § 1232g. The Charter School will ask the District to store original records of Charter School students. All records of the Charter School shall be transferred to the District upon Charter School closure. If the District will not or cannot store the records, the Charter School shall work with the County Office of Education to determine a suitable alternative location for storage.

All state assessment results, special education records, and personnel records will be transferred to and maintained by the entity responsible for closure-related activities in accordance with applicable law.

As soon as reasonably practical, the Charter School will prepare final financial records. The Charter School will also have an independent audit completed within six months after closure. The Charter School will pay for the final audit. The audit will be prepared by a qualified Certified Public Accountant selected by the Charter School and will be provided to the District promptly upon its completion. The final audit will include an accounting of all financial assets, including cash and accounts receivable and an inventory of property, equipment, and other items of material value, an accounting of the liabilities, including

accounts payable and any reduction in apportionments as a result of audit findings or other investigations, loans, and unpaid staff compensation, and an assessment of the disposition of any restricted funds received by or due to the Charter School.

The Charter School will complete and file any annual reports required pursuant to Education Code section 47604.33.

On closure of the Charter School, all assets of the Charter School, including but not limited to all leaseholds, personal property, intellectual property and all ADA apportionments and other revenues generated by students attending the Charter School, remain the sole property of the Charter School and upon the dissolution of the non-profit public benefit corporation shall be distributed in accordance with the Articles of Incorporation. Any assets acquired from the District or District property will be promptly returned upon Charter School closure to the District. The distribution shall include return of any grant funds and restricted categorical funds to their source in accordance with the terms of the grant or state and federal law, as appropriate, which may include submission of final expenditure reports for entitlement grants and the filing of any required Final Expenditure Reports and Final Performance Reports, as well as the return of any donated materials and property in accordance with any conditions established when the donation of such materials or property was accepted.

On closure, the Charter School shall remain solely responsible for all liabilities arising from the operation of the Charter School.

As the Charter School is operated as a non-profit public benefit corporation, should the corporation dissolve with the closure of the Charter School, the Board will follow the procedures set forth in the California Corporations Code for the dissolution of a non-profit public benefit corporation and file all necessary filings with the appropriate state and federal agencies.

As specified by the Budget in Appendix S, the Charter School will utilize the reserve fund to undertake any expenses associated with the closure procedures identified above.

8. *IMPACT ON THE CHARTER AUTHORIZER*

Governing Law: Potential civil liability effects, if any, upon the school and upon the District. Education Code Section 47605(g).

The Charter School shall be operated as a California non-profit public benefit corporation. This corporation is organized and operated exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code and California Revenue and Taxation Code Section 23701(d).

Pursuant to Education Code Section 47604(c), an entity that grants a charter to a charter school operated by or as a non-profit public benefit corporation shall not be liable for the debts or obligations of the charter school or for claims arising from the performance of acts, errors or omissions by the charter school if the authority has complied with all oversight responsibilities required by law. The Charter School shall work diligently to assist the District

in meeting any and all oversight obligations under the law, including monthly meetings, reporting, or other District-requested protocol to ensure the District shall not be liable for the operation of the Charter School.

Further, the Charter School and the District shall enter into a memorandum of understanding, wherein the Charter School shall indemnify the District for the actions of the Charter School under this charter.

The corporate bylaws of the Charter School shall provide for indemnification of the Charter School's Board, officers, agents, and employees, and the Charter School will purchase general liability insurance, Board Members and Officers insurance, and fidelity bonding to secure against financial risks.

As stated above, insurance amounts will be determined by recommendation of the District and the Charter School's insurance company for schools of similar size, location, and student population. The District shall be named an additional insured on the general liability insurance of the Charter School.

The Charter School Governing Board will institute appropriate risk management practices as discussed herein, including screening of employees, establishing codes of conduct for students, and dispute resolution.