

**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
January 9, 2013

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
MEETING AGENDA
JANUARY 9, 2013**

BOARD AGENDA PACKETS AND INFORMATION:

Complete Board meeting packets are available for review at the Administration Building, the District's six high schools, and at public libraries throughout West County.

Complete Board agendas and packets are available online at: www.wccusd.net.

Any writings or documents that are public records and are provided to a majority of the governing board regarding an open session item on this agenda will be made available for public inspection in the District office located at 1108 Bissell Avenue, Richmond, CA 94801 during normal business hours. In addition, such writings and documents may be posted on the District's website as noted above.

VIEWING THE BOARD MEETINGS:

Television:

Live television broadcast of regularly scheduled Board meetings is available by the City of Pinole on PCTV Channel 26/28, the City of Richmond KCRT Channel 28 and the City of Hercules Cable Channel 28. Please check the city websites for local listings of broadcast schedules.

You may also find the complete meeting available on a tape-delay basis through the Richmond City Web Page at: <http://www.kcrt.com> within a few days of the recording date.

Audio tapes of Board meetings are kept on file at the Administration Building, 1108 Bissell Avenue, Richmond, CA 94801 (510-231-1101).

The Board of Education would like to acknowledge Comcast, the cities of Pinole and Richmond, and WCCUSD staff for their generosity and efforts in helping to televise WCCUSD Board of Education meetings.

ATTENDING BOARD MEETINGS:

The public is warmly invited to attend and participate in all WCCUSD Board of Education meetings.

Location: **LOVONYA DEJEAN MIDDLE SCHOOL
3400 MACDONALD AVENUE
RICHMOND, CA 94805**

Time: The **Board of Education's Open Session meeting will begin at 6:30 PM**. The Board will convene at **5:30 PM** in the Multi-Purpose Room to receive comments from anyone wishing to address the Board regarding closed session items (Exhibit A). The Board will then adjourn to closed session and reconvene in open session to address the regular agenda (Exhibits B-G) at 6:30 PM.

Order of Business: **ORDER OF BUSINESS MAY BE CHANGED WITHOUT NOTICE**

Special Accommodations: Upon written request to the District, disability-related modifications or accommodations, including auxiliary aids or services, will be provided. Please contact the Superintendent's Office at 510-231-1101 at least 48 hours in advance of meetings.

"of children be more careful than anything."
e.e. cummings

B. OPENING PROCEDURES

B.1 Pledge of Allegiance

B.2 Welcome and Meeting Procedures

B.3 Roll Call

B.4 Presentation of Student Board Representative from Pinole Valley High School

B.5 Report/Ratification of Closed Session

* **B.6 Agenda Review and Adoption (Public Comment)**

* **B.7 Minutes: December 12, 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 Grants/Awards/Agreements**

Comment:

Formal action is requested from the Board of Education to accept the grants/awards/agreements, as detailed, dated January 9, 2013.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per grants summary

***CI C.2 Acceptance of Donations**

Comment:

The District has received donations as summarized, dated January 9, 2013. Staff recommends acceptance of these donations.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per donations summary

***CI C.3 Approval of Fund-Raising Activities**

Comment:

The planned fund-raising events for the 2012-13 school year are summarized, dated January 9, 2013.

Recommendation:

Recommend Approval

Fiscal Impact:

Additional revenue for schools

***CI C.4 Contracted Services**

Comment:

Permission is requested of the Board of Education to approve the following contracts for services as detailed, dated January 9, 2013.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per contracts summary

***CI C.5 Adoption of Resolution No. 57-1213: 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 Amy Alvidrez (Samuels). Staff recommends replacement of the stale dated warrant.

Recommendation:

Recommend approval to replace the outdated warrant

Fiscal Impact:

None

***CI C.6 Notice of Completion: Bid 1121341-01 Coronado Interim Campus at Kennedy High School**

Comment:

Substantial completion notice has been received for: Bid 1121341-01.

Major construction projects are subject to acceptance by the governing board before a Notice of Completion can be processed, and final payment of the contract made. (BP 7470)

Staff recommends acceptance of the work completed by the following contractor:

Vila Construction, Bid 1121341-01 Coronado Interim Campus at Kennedy High School.

Recommendation:

Recommend approval of the notice of completion

Fiscal Impact:

None

***CI C.7 Notification of Claim Rejected**

Comment:

The District has received a claim requesting compensation for property damage. The District's risk management firm has investigated the claim and is requesting the School Board to ratify the authorized claim rejection.

Recommendation:

Ratify the rejection of claim

Fiscal Impact:

None

***CI C.8 Certificated Board Authorization - Education Code 44258.3**

Comment:

Ed Code 44258.3 allows the Governing Board of a school district to authorize the holder of a multiple subject, standard elementary, single subject or standard secondary, credential with his or her consent, to teach departmental classes in grades K-12 provided the teacher has adequate knowledge of subject matter.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.9 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.10 Acceptance of Contracts for Placement of Student Teachers**

Comment:

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

Staff requests approval from the Board of Education to accept Contracts for Placement of Student Teachers as detailed, dated January 9, 2013.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.11 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: \$778,003.00. Funding sources as noted.

***CI C.12 Ratification and Approval of Negotiated Change Orders**

Comment:

Staff is seeking ratification of Change Orders on the following current District construction projects: Dover ES Increment 2 New School, Kennedy HS Quad Landscape Upgrades, Portola MS Demolition, Coronado ES Interim Campus, Ohlone ES Phase I Campus Replacement. Change Orders are fully executed by the District upon signature by the Superintendent's designee. Board ratification is the final step required under state law in order to complete payment and contract adjustment.

In addition to normal ratification, approval of the noted Change Orders for the Kennedy HS Quad Landscape Upgrades project is required by the Board, with special findings as noted below, because this project is 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 ratifying these Change Orders, finds that it would have been futile to publicly bid the work in question because of the tight time frames to complete this work without affecting the operations of the District, and that the public is best served by having this work completed by the contractor on the project.

Recommendation:

Ratify negotiated Change Orders as noted

Fiscal Impact:

Total ratification and approval by this action: \$31,169.66

***CI C.13 Ratification of Staff Awarded Contract: Harding Elementary School Foundation Ventilation Repairs**

Comment:

Grossmann Design Group has prepared plans and specifications for the project. Scope of work includes furnishing and installing a new vapor barrier and dehumidification system in the existing crawl space.

The District received three bids for the project: HM Construction \$99,850, B. Bros. Construction, Inc. \$114,840, TPA Construction, Inc. \$122,700.

In consideration of the need to complete the work expeditiously, the Superintendent's designee authorized award of a contract for the project to the lowest responsive, responsible bidder: HM Construction \$99,850.

The Education Code requires the Board to ratify this award action by the Superintendent's designee.

Recommendation:

Ratify staff awarded contract as noted

Fiscal Impact:

\$99,850. Project will be funded from the Measure J.

***CI C.14 Ratification of Staff Awarded Contract: Helms Middle School Sports Fields and Landscaping**

Comment:

Baker Vilar Architects has prepared plans and specifications for the project. Scope of work includes rough and finish grading of a building pad for a new community building; demolition and construction of a new toilet building and a new storage building; rough and finish grading for landscaping; fencing, paving and walks; and installation of artificial turf sports fields, play courts, playground equipment and site lighting.

The District received ten bids for the project, which included a line item for unit costs: Robert A. Bothman, Inc. \$6,029,348, Lathrop Construction Associates, Inc. \$6,091,000, O.C. Jones & Sons, Inc. \$6,310,300, Ghilotti Bros., Inc. \$6,398,000, Interstate Grading & Paving, Inc. \$6,514,900, S.J. Amoroso Construction Co., Inc. \$6,647,000, Vila Construction Co. \$6,688,086, F&H Construction \$6,723,000, Roebbelen Contracting, Inc. \$6,972,300, Granite Rock Company \$7,182,119.

In consideration of the need to complete the work expeditiously, the Superintendent's designee authorized award of a contract for the project to the lowest responsive, responsible bidder: Robert A. Bothman, Inc. in the amount of \$5,951,048 (without unit costs).

The Education Code requires the Board to ratify this award action by the Superintendent's designee.

Recommendation:

Ratify staff awarded contract as noted

Fiscal Impact:

\$5,951,048. Project will be funded from the Measure D.

***CI C.15 Ratification of Staff Awarded Contract: Martin Luther King Jr. Elementary School Site Drainage**

Comment:

Quattrocchi Kwok Architects has prepared plans and specifications for the project. Scope of work includes construction of new storm water drain lines, connecting existing rainwater leader systems to existing storm water catch basin system, and associated landscaped restoration to areas disturbed by storm water drain system work.

The District received five bids for the project: Breneman, Inc. \$57,100, R&R Pacific Construction \$63,600 (Non-Responsive), McKim Company \$76,950 (Non-Responsive), AM Woo Construction, Inc. \$82,600, W.R. Forde Associates \$97,777.

In consideration of the need to complete the work expeditiously, the Superintendent's designee authorized award of a contract for the project to the lowest responsive, responsible bidder: Breneman, Inc. \$57,100.

The Education Code requires the Board to ratify this award action by the Superintendent's designee.

Recommendation:

Ratify staff awarded contract as noted

Fiscal Impact:

\$57,100. Project will be funded from the Measure J.

***CI C.16 Resolution 60-1213: Facilities Use Agreement with Seneca Family Agencies at El Sobrante Elementary School Site**

Comment:

The District and Seneca Family of Agencies ("Seneca") have negotiated a Services Agreement whereby Seneca will provide intensive special education services ("Special Education Services") to District students. The District intends to provide space to Seneca for the purpose of providing the Special Education Services. The Educational Services will be provided at the District's closed El Sobrante Elementary School Site ("Premises") and pursuant to the form of Facilities Use Agreement negotiated by the parties.

The term of the Facilities Use Agreement is one (1) year. The District and Seneca may renew the Facilities Use Agreement upon mutual agreement and approval by each Party's governing body prior to the end of the term. The Premises are provided to Seneca in "as is" condition. Pursuant to the Facilities Use Agreement, Seneca is required to shall pay all utility, maintenance and repair costs for the Premises. Seneca must also maintain the landscaping and the grass for the Premises. The Parties intend that during the term of the Facilities Use Agreement, the District shall have no obligation to maintain or repair the Premises.

Prior to occupying the Premises and providing any Special Educational Services, Seneca intends to make certain facility improvements to the Premises (“Improvements”). The Improvements shall be made at Seneca’s sole cost and expense and only upon District’s prior approval. The Improvements shall comply with all legal requirements relating to construction of public school facilities, including, without limitation, Title 24 of the California Code of Regulations and the Field Act.

Recommendation:

Approve the form of Facilities Use Agreement Between the District and Seneca Family Agencies

Fiscal Impact:

No fiscal impact or implications associated with the approval of these documents

***CI C.17 Services Agreement with Seneca Family Agencies at El Sobrante Elementary School Site**

Comment:

The District and Seneca Family of Agencies (“Seneca”) have negotiated a Services Agreement whereby Seneca will provide intensive special education services to District students. The District intends to provide space to Seneca for the purpose of providing the special education services at the El Sobrante Elementary School Site. The term of the Services Agreement is one (1) year and will automatically renew unless terminated by the District or Seneca. Seneca will provide services to District students at a fixed annual classroom price of \$190,000 for two (2) classrooms. The fixed annual classroom price includes tuition, speech services, teacher/classroom counselors and training. The cost is capped and predictable for two (2) years increasing only by the approved bifurcated funded special Education COLA.

Recommendation:

Approve the Services Agreement Between the District and Seneca Family Agencies

Fiscal Impact:

Annual costs of \$380,000 increasing only by the approved bifurcated funded Special Education COLA. This represents a savings to the District of approximately \$100,000 due to a fixed annual fee per classroom and reduction in transportation costs.

***CI C.18 Resolution No. 58-1213: Right Of Entry Agreement For Use Of Parking Area Located At Nystrom Elementary School Between The West Contra Costa Unified School District And Providence Baptist Church**

Comment:

Providence Baptist Church (“Providence”) is owner of real property located at 314 South 12th Street, and located across from the Nystrom Elementary School Site (“School Site”). Providence is in need of additional parking spaces for its employees, members, guests and invitees that attend services at Providence on Sundays. The District intends to allow Providence use of the parking lot located on the School Site from 9:30 a.m., until 6:30 p.m., each Sunday. The term of the Agreement is for one (1) year. Providence is responsible for securing the parking lot during its use and is required to indemnify District for any damage or destruction that may occur during Providence’s use. The District use of the parking lot for its own purposes shall take precedence and priority over Providence’s use. The District may terminate the Agreement upon twenty-four (24) hours’ notice.

Recommendation:

Approve the Right Of Entry Agreement for use of parking area located at Nystrom Elementary School between the West Contra Costa Unified School District and Providence Baptist Church

Fiscal Impact:

No fiscal impact or implications associated with the approval of these documents

***CI C.19 Resolution No. 56-1213: Level II and Level III Developer Fees**

Comment:

Government Code Sections 65995.5, 65995.6, 65995.7 regarding school facilities fees requires that a School Facilities Needs Analysis be conducted yearly to determine the amount to be charged for developer fees for Level II and Level III new residential construction. Due to student generation factors, cost of construction and site acquisition costs, the Level II fee will decrease from \$4.48 per square foot to \$4.42 per square foot for new residential construction. The new fee will go into effect January 10, 2013, if approved by the Board. If not approved by the Board, the District would not be eligible to collect Level II fees, and the Level I fee of \$3.20 per square foot would be charged for new residential construction as well as for construction of additions. This analysis was conducted according to state guidelines.

A copy of the School Facilities Analysis is available for review by the public in the Facilities Planning and Construction Department and at the WCCUSD front desk located at 1108 Bissell Avenue in Richmond, CA.

Recommendation:

Recommend approval of Resolution No. 56-1213

Fiscal Impact:

Decrease in Level II Developer Fees of \$0.06 cents per square foot

***CI C.20 Williams Lawsuit Complaints Quarterly Report**

Comment:

The Williams Lawsuit requires that a quarterly report be brought before the Board of Education reflecting the number of complaints filed with any school in the district during a particular quarter. This report reflects the time period from October 1, 2012 through December 31, 2012.

Recommendation:

Recommend Approval

Fiscal Impact:

None

D. AWARDS, RECOGNITIONS, AND REPORTS

*** D.1 Olinda Students Report on Fundraising Efforts**

Comment:

Students at Olinda Elementary School have raised funds to donate to the American Red Cross to aid victims of Hurricane Sandy.

Recommendation:

For Information Only

Fiscal Impact:

None

*** D.2 Update from Student Board Representative from Youth Commission**

Comment:

A Student Board Representative from the Youth Commission will attend the Board of Education meeting on January 9, 2013 to give an update. We would like to recognize and commend their participation.

Recommendation:

For Information Only

Fiscal Impact:

None

*** D.3 Foreign Exchange Student Program**

Comment:

WCCUSD currently has three foreign exchange students attending Hercules High School. The students come from Armenia, Switzerland and Italy. Our three foreign exchange students have visited the Leadership classes at Richmond and Kennedy High Schools. The exchange students shared with the Richmond High and Kennedy students some of highlights that they have experienced since they arrived in the United States. Following the shared experiences, WCCUSD students were able to ask specific questions of the exchange students.

Recommendation:

For Information Only

Fiscal Impact:

None

*** D.4 Strategic Planning Process**

Comment:

The West Contra Costa Unified School District is preparing to update and revitalize the District's strategic plan. While the goals of the current plan remain relevant and challenging, the conditions and strategies of the District have evolved since the initiation of the 2006 plan. The Common Core State

Standards were adopted by the State Board of Education in 2010. The District is creating a more targeted focus for student learning in the science-technology-math and engineering fields. The work of the career academies has changed into the College and Career Readiness Academy initiative that is now the core strategy for secondary school transformation. Instructional strategies to promote culturally relevant teaching are being implemented throughout the District. Yet, the financial constraints at the federal level and the extraordinary decrease in state funding have eliminated programs and opportunities that had been in effect for many years. So the task for the District is to rethink and redesign our approach so that learning improves for all students. The plan will bring about a new vision for WCCUSD, establish goals, activities, timelines and deliverables so that all students are college and career ready.

With funding from an external source, the District has solicited proposals from consulting firms to assist in both the community outreach and the plan development over the next several months. At the December 12, 2012 meeting, Board President Madeline Kronenberg appointed two members to serve on a selection panel that will bring a recommendation to the January 23, 2013 Board meeting from among those firms that had submitted proposals.

The WCCUSD strategic planning process will engage community and stakeholder around major questions in essential areas. Questions to be addressed may include but are not limited to:

Overall Student Outcomes

- As a school District and community, what do we mean when we say, “all students will be ready for college and career?”
- What is the current state of college and career readiness for our students?
- How do you know if a school is effective?
- What makes a school a “quality” school?
- What are the indicators of school quality?

Curriculum

- How will we implement the Common Core State Standards in ways that improve learning for all students?
- How will a coherent common core curriculum prepare our students for college and career?
- How will we provide the initial training for teachers and the on-going professional development necessary to implement the Common Core State Standards?

Instructional Effectiveness

- What are the core components of a shared understanding of teacher effectiveness that represents the needs and beliefs of all stakeholders?
- What are the supports and conditions necessary to ensure the success of every teacher?
- What are the critical components, and the appropriate scope and sequence, of a five-year plan to realize effective teaching?

Literacy for All

- What elements of a literacy framework need to be present to transform and guide teacher practice to increase the achievement of African-American students and English learners in West Contra Costa Unified?
- How will our approach to PreK-12 Literacy Instruction move us toward College & Career Readiness?

- How can we move our system from a materials approach to reading instruction, while still providing high-quality, effective instruction each day and satisfying the requirements of the *Williams* settlement?

Science-Technology-Engineering-Math:

- How can we encourage and inspire more of our best and brightest students, especially Latino and African American students to study in STEM fields?
- How can we improve the content knowledge and professional skills of the STEM teacher workforce?
- What can the District do to recruit and retain highly-skilled STEM educators?
- How can the community be brought together to improve the resources available for learning STEM subjects;
- What can the District do to encourage better coordination of efforts among all agencies that provide STEM education support?

Leadership

- How do we keep students at the center of our work?
- How do we distinguish a list of leadership themes of practice for principals and other leaders (assistant principals, central office staff, teacher leaders, etc.)?
- How can we include the conditions to support leadership development in our plan?

Achievement Gap

- How do we understand the experience and achievement of African-American and Latino students?
- What competencies, conditions, and culture are necessary to positively affect the experience, achievement, and well-being of African-American and Latino students?
- What have our lessons/data told us about what a system that propels African-American and Latino students needs to look like?

Resources

- How do we align resources for youth and create bridges between cities, county, community-based organizations and the overall social infrastructure to serve students?
- How can we coordinate resources so that we can deliver on our promises?

Community Engagement

- How do we acknowledge historical failures and successes in engaging the community?
- How do we leverage existing relationships and assets to create equitable engagement across communities?
- How do we know if a school is fulfilling the District's mission and vision?
- How do we measure student and community needs and assets to support equitable distribution of resources?
- How should school communities be engaged in the budget decision-making process?

Financial & Operations

- How do we communicate about the financial situation, the underlying assumptions, and actions required to improve learning while resources decline?
- What forums and principles will be used to prioritize instructional programs and central operational activities?

Recommendation:

That the Board discuss the strategic planning process as well as the questions to be addressed in the next strategic plan.

Fiscal Impact:

None at this time

* **D.5 Standing Reports**

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

| | |
|----------------------------------------|--------------------------------|
| Academic Subcommittee | Public Employees Local 1 |
| Bayside Parent Teacher Association | Safety Committee |
| Citizens’ Bond Oversight Committee | School Supervisors Association |
| Community Budget Advisory Committee | United Teachers of Richmond |
| Facilities Subcommittee | Youth Commission |
| Ivy League Connection | |
| College and Career Readiness Academies | |

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

* **E.1 Superintendent’s Report**

* **E.2 Request to Address the Board on Parental Involvement**

Comment:

Mr. Billie Alexander has requested opportunity to address the Board regarding parental involvement in schools.

Recommendation:

For Information Only

Fiscal Impact:

None

* **E.3 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 Presentation of the 2011 – 2012 Audit Report by Crowe Horwath LLP**

Comment:

Charles Raibley, Audit Manager, Crowe Horwath LLP will present their independent audit report of the West Contra Costa Unified School District's financial position, internal control, and federal and state compliance for the year ended June 30, 2012.

Recommendation:

Staff recommends acceptance of the audit report

Fiscal Impact:

None

*** F.2 Public Hearing and Adoption of the Joint Initial Bargaining Proposal from West Contra Costa Unified School District and West Contra Costa Administrators Association**

Comment:

Pursuant to the Educational Employment Relations Act, the initial proposal for negotiations by school districts and labor unions must be submitted at a public meeting of the governing board. The joint initial proposal of the West Contra Costa Unified School District and West Contra Costa Administrators will be presented, at which time the public is allowed to comment on this proposal. A copy of the proposal is provided in the Board meeting packet which is available at the District's Administration Building, six high schools and online at the District's webpage.

Recommendation:

That the Board of Education hold a public hearing of the joint initial bargaining proposal with West Contra Costa Administrators Association (WCCAA) for the 2012-2015 successor agreement.

Board Adoption of the Joint Initial Bargaining Proposal

Comment:

Following the public hearing on its joint initial bargaining proposal, the Board of Education will be asked to adopt the joint proposal of the West Contra Costa Administrators Association and the District for the 2012-2015 successor agreement.

Recommendation:

That the Board of Education adopt the joint initial bargaining proposal for labor negotiations with the West Contra Costa Administrators Association.

Fiscal Impact:

To Be Determined

* **F.3 Notice of Public Hearing Regarding Request for Bond Waiver**

Comment:

Notice is Hereby given the Board of Education (“Board”) of the West Contra Costa Unified School District (“District”) at a Public Hearing to be held on January 9, 2013 at 6:30 p.m., or as soon thereafter as the matter may be heard, at Lovonya DeJean Middle School Multipurpose Room, 3400 Macdonald Avenue, Richmond, California 94805, on January 9, 2013 will review and consider adoption of a resolution of the Board to authorize a request for waiver from State Board of Education relative to statutory requirements on general obligation bond debt limitations, as applicable to the District, as provided by section 15106 of the Education code.

The purpose of the Public Hearing to be held on January 9, 2013, is to invite public testimony and comment on this matter. The draft of the request for waiver is on file and available for public review at the District’s office located at West Contra Costa Unified School District, 1108 Bissell Avenue, Richmond, CA 94801, and is herein incorporated by reference. To receive a copy of the draft request for waiver, or if you have questions on this matter, please contact Ms. Sheri Gamba, Associate Superintendent for Business Services, at telephone (510) 231-1170.

The Public Hearing of the District will be held on January 9, 2013 at the location set forth above. This matter will be considered at such time as this agenda item is considered by the Board of the District.

Recommendation:

For Information Only

Fiscal Impact:

None

* **F.4 Resolution No. 55 -1213: Intent to Seek Debt Limit Waiver from State Board of Education for Sale of remaining General Obligation Bonds as approved by voters under Measure E 2012**

Comment:

In order to complete the Bond program school renovation and reconstruction projects which are allocated under Measure E 2012, the District will need to sell the bonds approved under that measure. The District does not currently have sufficient bonding capacity to issue any of the \$360 million in voter-authorized Measure E 2012 Bonds. Based on the 2012-2013 assessed valuation, the District’s current bonding capacity is \$591 million. The District currently has \$797 million in outstanding debt, with no remaining bonding capacity. In order to keep the bond program on track and finish current projects, staff is recommending that the District apply for a waiver of the bonding capacity limits from the State Board of Education. Approval of the District’s request for a twelve year increase in its bonding capacity from 2.5% of assessed valuation to 5.0% of assessed valuation will allow the District to issue the full \$360 million of the voter authorized Measure E 2012 bonds. Because of tax rate limitations and other factors, the District plans to issue these bonds in series over time. The bond language for Measure E 2012 includes reference to the need for a potential waiver of the bonded indebtedness limit. Voters approved Measure E 2012 with 64.4% in favor of the bond measure.

The Department of Education requires that a request for waiver needs to be on the State Board of Education agenda by January 16, 2013, we will file the debt limit waiver by January 11, 2013 in order to be considered at the State Board of Education meeting March 13, and 14, 2013. In order to be considered by the State Board of Education, the West Contra Costa Unified School District Board of Education must hold a public hearing and approve the request. In addition, the District will consult with the District's bargaining units including: Local 1, SSA and WCCAA. The United Teachers of Richmond as well as the Citizens' Bond Oversight Committee reviewed and voted to support the waiver application. The District is also seeking the support from the five cities in West County and three of them have already unanimously approved resolutions endorsing the waiver application including the city councils in Richmond, El Cerrito and Pinole. The other two cities will consider similar resolutions in meetings in January. Additionally, the Building Trades Council, the West County Waste Water District and Stege Sanitation District have also adopted resolutions in support of the waiver.

Recommendation:

Seek debt Limit Waiver from State Board of Education for Sale of remaining General Obligations Bonds as approved by voters under Measure E 2012.

Fiscal Impact:

Direct costs limited to costs of preparation and presentation of waiver request.

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F.5 Authorization for Survey

Comment:

In June 2012, 65.5% voters supported Measure K, a parcel tax measure that would have renewed the 2008 parcel tax and provided an additional \$4 million for the general fund. Yet the measure failed as a result of the 2/3 requirement for parcel taxes. In July 2012, the Board decided to pursue a renewal only measure on the November 2012 ballot. Measure G 2012 passed with 75% of the voters supporting it. Yet Measure G 2012 did not bring any additional resources to help offset the reductions from the last five years that total \$43.6 million in operating funds.

At a special public hearing meeting in December 2012, the Board took public testimony about the priorities and the possible funding sources that may provide opportunities to restore some of the cuts and move the district forward. After hearing from the public and after discussing priorities and funding sources, the Board consented to bringing an item forward that would authorize a random sample survey of district voters to assess the potential support and opposition to a future measure, the public's awareness of the district's financial needs, and the overall feasibility of developing a parcel tax measure that could win voter approval.

Recommendation:

That the Board authorize the Superintendent to contract with Godbe Research to perform a random sample survey to assess the degree of voter support for a parcel tax renewal or parcel tax measure at a 2013 or 2014 election.

Fiscal Impact:

An amount not to exceed \$35,000

G. DISCUSSION ITEMS

*** G.1 Project Status Report**

Comment:

The following are provided for review of Facilities Planning and Construction in the District's Bond Program and for information regarding individual projects:

- Engineering Officer's Report – Verbal Presentation
- Construction Status Reports – Current Construction Projects

Recommendation:

For Information Only

Fiscal Impact:

None

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

I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT

J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING

Lovonya DeJean Middle School – January 23, 2013

K. ADJOURNMENT

At 10:00 PM, any items remaining on the agenda that require immediate attention will be moved to this time. All other items will be tabled to another or the following Board meeting in order to make fair and attentive decisions. The meeting will adjourn at 10:30 PM. The meeting may be extended by a majority vote of the Board of Education.

The public may address items which are marked with an asterisk (*).

A. CLOSED SESSION

A.1 CALL TO ORDER

A.2 DISCLOSURE OF ITEMS TO BE DISCUSSED IN CLOSED SESSION
(Government Code 54957.7)

A.3 RECESS TO CLOSED SESSION AS SCHEDULED

See Exhibit A

(Government Code Section 54954.5)

The **Open Session** will resume at the end of the **Closed Session** in the Multi-Purpose Room at approximately **6:30 PM.**

EXHIBIT A

(Government Code Section 54954.5)
CLOSED SESSION AGENDA

January 9, 2013

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

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

- a. WCCUSD v. Orrick
- b. 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)

- a. Superintendent Evaluation

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: January 9, 2013

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

Agenda Item: B.4

Subject: Presentation of Student Board Representative from Pinole Valley High School

Background Information:

A Student Board Representative from Pinole Valley High School will attend the Board of Education on January 9, 2013. 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

December 12, 2012

A. CLOSED SESSION

B. OPENING PROCEDURES

President Ramsey called the Public Session to order at 6:35 P.M.

B.1 Swearing In Of New Board Members

Superintendent Harter swore in new board members Randall Enos and Todd Groves.

B.2 Pledge of Allegiance

President Ramsey led the pledge of allegiance.

B.3 Welcome and Meeting Procedures

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

B.4 Roll Call

Board Members Present: Randall Enos, Todd Groves, Madeline Kronenberg, Elaine Merriweather, Charles Ramsey

Staff Present: Mike Aaronian, Coordinator College and Career; Magdy Abdalla, Engineering Officer; Steve Collins, SELPA Director; Martin Coyne, Executive Director Business Services; Lisa Erwin, Executive Director Business Services; Bill Fay, Associate Superintendent Operations; Luis Freese, Executive Director Maintenance & Operations; Sheri Gamba, Associate Superintendent for Business Services; Wendell Greer, Associate Superintendent K-Adult Schools; Bruce Harter, Superintendent; Debbie Haynie, Executive Secretary; Joshua Herrera, Electronics Technician; Ken McDaniel, Maintenance Supervisor; Reyna Ortiz de Touriel, Interpreter; Nia Rashidchi, Assistant Superintendent Education Services; Ken Whittemore, Assistant Superintendent Human Resources; Teonna Thompson, Senior Account Clerk

B.5 Annual Organization Meeting

Election of President

Motion: Mr. Groves moved to nominate Ms. Kronenberg to the position of President of the Board. A roll call vote was taken with Mr. Enos, Mr. Groves, Ms. Kronenberg, Ms. Merriweather, and Mr. Ramsey voting yes, with no abstentions or absences. Motion carried 5-0-0-0.

Superintendent Harter presented Mr. Ramsey with an appreciation plaque for his work as President of the Board over the past year. President Kronenberg led a standing ovation for Mr. Ramsey.

Election of Clerk

Motion: Mr. Groves moved to nominate Mr. Ramsey to serve as Clerk of the Board. A roll call vote was taken with Mr. Enos, Mr. Groves, Ms. Merriweather, Mr. Ramsey, and President Kronenberg voting yes, and no abstentions or absences. Motion carried 5-0-0-0.

A separate motion was taken to appoint the Superintendent as Secretary, authorize the President to sign documents, the Clerk to sign in the absence of President, affirm the board meeting dates and establish the board calendar for 2013.

Motion: Mr. Ramsey moved to affirm the appointment of the Superintendent as Secretary, authorize the President to sign documents, the Clerk to sign in the absence of President, affirm the board meeting dates, and establish the board calendar for 2013. Ms. Merriweather seconded. Mr. Enos, Mr. Groves, Ms. Merriweather, Mr. Ramsey and President Kronenberg voted yes, with no abstentions or absences. Motion carried 5-0-0-0.

B.6 Presentation of Student Board Representative from Pinole Valley High School

Mr. George Howard provided a report of activities at Pinole Valley High School.

B.7 Report/Ratification of Closed Session
None

B.8 Agenda Review and Adoption

MOTION: Mr. Ramsey moved approval of the agenda. Mr. Groves seconded. Mr. Enos, Mr. Groves, Ms. Merriweather, Mr. Ramsey, Student Representative George Howard (advisory vote only), and President Kronenberg voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

B.9 Minutes: November 28, 2012; December 3, 2012

MOTION: Mr. Ramsey moved approval of the Minutes of November 28, 2012 and December 3, 2012. Ms. Merriweather seconded. Ms. Merriweather, Mr. Ramsey, Student Representative George Howard (advisory vote only), and President Kronenberg voted yes, with Mr. Enos and Mr. Groves abstaining. Motion carried 3-0-2-0.

C. BUSINESS ITEMS

C.1 Acceptance of Donations

C.2 Approval of Fund-Raising Activities

C.3 Summary of Payroll and Vendor Warrant Reports

C.4 Contracted Services

C.5 Notice of Completions: Bid 1551223-20/1421223-19/1391223-18 Sheldon Elementary School/Murphy Elementary School/Mira Vista Elementary School Restroom Renovations, Bid 1441205-09 Nystrom Elementary School Interim Campus

C.6 Routine Personnel Changes - Certificated

C.7 Certificated Board Authorization - Education Code 44258.3

C.8 Acceptance of Contracts for Placement of Student Teachers

C.9 Presentation of Joint Initial Bargaining Proposal from West Contra Costa Unified School District and West Contra Costa Administrators Association

C.10 Ratification and Approval of Engineering Services Contracts

C.11 Ratification and Approval of Negotiated Change Orders

C.12 Designation of Citizens' Bond Oversight for Measure E 2012

C.13 Citizens' Bond Oversight Committee (CBOC) Appointments

C.14 Certification of Athletic Coaches – Fall Sports

C.15 Certification of November 6, 2012 Election Results – Bond Measure E and Parcel Tax Measure G

C.16 Certification of November 6, 2012 Election Results – Election to the Office of the West Contra Costa Unified School District Board of Education

MOTION: Mr. Ramsey moved approval of Consent Items C.1 – C.16. Ms. Merriweather seconded. Mr. Enos, Mr. Groves, Ms. Merriweather, Mr. Ramsey, Student Representative George Howard (advisory vote only), and President Kronenberg voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

D. AWARDS, RECOGNITIONS, AND REPORTS

D.1 Religious/Cultural Celebration

Mr. Greer spoke on the diverse holiday celebrations on-going in the District. He recognized thirteen holidays celebrated by the District's students and community.

Public Comment:
None

Board Comment:

Mr. Ramsey spoke on the importance of recognizing the diversity of the community. Ms. Merriweather commented on the District's long standing history of celebrating diverse cultural holidays. President Kronenberg spoke about living in a global community and supporting everyone's culture and attending the Lake Elementary winter festival.

D.2 Standing Reports

Academic Subcommittee. Ms. Rashidchi reported on the last Academic Sub-committee meeting held on December 11, 2012 where teachers gave feedback on the Common Core Standards and site presentations. The next meeting will be January 22, 2013, 6:30 PM at Helms Middle School.

Facilities Subcommittee. Mr. Ramsey chaired the committee's December meeting. He reported that the committee would recommend the 2013 debt limit waiver application be renewed with a change from 6% to 5%. He updated the Board on the process under way for selecting architects for Lake, Olinda and Cameron elementary schools. He also spoke about the District's efforts to raise its credit rating which would help with the bonds program. The next meeting will be January 8, 2013 at 4 PM.

Ivy League Connection. Mr. Ramsey asked Mr. Greer to assist in finding more students to apply for the Ivy League programs and scholarships. He spoke about an upcoming meeting with a former Yale University director who was instrumental with the District's Young Scholars Program. President Kronenberg reported that four students from Pinole Valley High had been selected for the Vanderbilt University program. She also thanked Don Gosney for his hard work and efforts working with the students and staff.

College and Career Readiness. Mr. Greer spoke about attending a Leadership Conference in Glendale on December 4th and 5th with nine other school districts. He announced that the District will be hosting the spring California ConnectEd Residence that will take place May 20 and 21, 2013.

Safety Committee. Ms. Merriweather announced the next meeting for December 13, 9 AM at North Campus. The agenda will discuss the newly adopted suspension resolution and alternative programs.

Youth Commission. President Kronenberg reported that at the last Youth Commission meeting a president was elected and by-laws adopted. The Commission will be working with Ms. Bertha Romo toward a community service project. The next meeting is scheduled for January 2013.

D.3 In Memory of Members of the School Community

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

Public Comment:

None

Board Comment:

Mr. Ramsey Mr. Groves and Mr. Enos spoke of knowing Mr. Erickson and Mr. Collor and their contributions to the District.

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 Request to Address the Board - Robinson Weeks Scholarship Fund

Robinson Weeks Scholarship staff spoke about the organization's history in Richmond and their work to offer financial assistance to college bound students. They spoke about collaborating with the District to make schools and students aware of the availability of scholarships.

Public Comment:

None

Board Comment:

None

E.3 WCCUSD Public Comment

Felicia Robertson, Diane Brown, Scott Brown and Eduardo Martinez

F. ACTION ITEMS

F.1 First Interim Report, 2012-2013

Ms. Gamba presented the First Interim Financial Report for the accounting period that ended October 31, 2012. The report included updated information for all funds from the State of California, utilizing budget assumptions from published School Services of California as recommended by the County Office. Ms. Gamba recommended the Board approve a positive certification. She also reported that the Community Budget Advisory Committee members will be attending a state budget conference in January.

Public Comment:

None

Board Comment:

Mr. Ramsey thanked Ms. Gamba for an excellent report. He suggested that Lake Elementary and Shannon Elementary Schools be removed from any discussion about deficit spending because the schools were kept open. He said he believed that class size reduction is the biggest issue concerning the community and suggested the Board discuss restoring this to the budget. He said he supported the report and is glad that the District will have a positive certification.

Mr. Groves had a few questions about the attendance percentages. Ms. Gamba clarified and spoke about the different approaches implemented to increase student attendance within the District. Mr. Groves asked about attendance projections for future attendance. Ms. Gamba responded.

Ms. Merriweather asked about deferral funds and when it would be reflected in the financial report. Ms. Gamba responded. Ms. Merriweather further asked for clarification on flexibility funding and lottery funds. Ms. Gamba clarified.

President Kronenberg asked Ms. Gamba about her suggestions in the report for changing staffing and implementing a support staff study. Ms. Gamba suggested more staff may be needed to maintain the new facilities and added technology in optimal condition. Ms. Gamba suggested working with the maintenance and facilities staff to implement criteria for the best standard to use.

Mr. Ramsey asked if there was anything the staff could do to renegotiate the costs on the certificates of participation. Ms. Gamba responded.

Student Representative George Howard left the meeting for the evening.

MOTION: Mr. Ramsey moved approval of the First Interim Report, 2012-2013. Ms. Merriweather seconded. Mr. Enos, Mr. Groves, Ms. Merriweather, Mr. Ramsey and President Kronenberg voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

F.2 Notice of Public Hearing Regarding Request for Bond Waiver

This item was removed from the agenda by staff to return for action at a later date.

F.3 Resolution No. 55-1213: Intent to Seek Debt Limit Waiver from State Board of Education for Sale of remaining General Obligation Bonds as approved by voters under Measure E, 2012

This item was removed from the agenda by staff to return for action at a later date.

F.4 Public Hearing and Adoption of Initial Bargaining Proposal from Local One to the West Contra Costa Unified School District

President Kronenberg opened public hearing.

Public Comment:

None

President Kronenberg closed public hearing

Board Comment:

None

MOTION: Mr. Ramsey moved approval of the Adoption of Initial Bargaining Proposal from Local One to the West Contra Costa Unified School District. Mr. Groves seconded. Mr. Enos, Mr. Groves, Ms. Merriweather, Mr. Ramsey, and President Kronenberg voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

F.5 Public Hearing and Adoption of Initial Bargaining Proposal – School Supervisors Association

President Kronenberg opened public hearing

Public Comment:

None

President Kronenberg closed public hearing.

Board Comment:

None

MOTION: Mr. Ramsey moved approval of the Adoption of Initial Bargaining Proposal – School Supervisors Association. Ms. Merriweather seconded. Mr. Enos, Mr. Groves, Ms. Merriweather, Mr. Ramsey and President Kronenberg voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

G. DISCUSSION ITEMS

G.1 Modification to the Kennedy High School Attendance Boundaries

Superintendent Harter discussed Kennedy High School as being located within the El Cerrito High attendance area and that students who live next to or right across the street from Kennedy are required to attend ECHS.

Superintendent Harter requested the Board's permission conduct community meetings in January, meeting with students, neighborhood associations and if favorable, return to the Board with a recommendation after the public meetings.

Public Comment:

None

Board Comment:

Board members spoke in support of seeking community input and looking forward to a recommendation to come back to the Board.

G.2 Project Status Report

Mr. Abdalla reported on the progress of the construction projects at the District's schools.

Public Comment:

None

Board Comment:

Mr. Ramsey had questions about the usage of the El Cerrito baseball field. Mr. Abdalla and Superintendent Harter responded.

Mr. Groves asked about the demolition of the former Portola buildings. Mr. Abdalla responded.

Mr. Ramsey asked about the progress of El Cerrito High's football stadium. Mr. Abdalla responded.

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

None

I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT

Mr. Ramsey said he was looking forward to working with new board members. He requested a special study session to take place on December 19, 2012 with the intent of seeking community input and Board discussion about budget priorities. Mr. Groves, Ms. Merriweather, Mr. Enos, and President Kronenberg supported holding a special meeting on December 19.

Ms. Merriweather welcomed the new members and thanked them for taking the bold step of running for public office. She announced the Human Rights Celebration at Richmond High on December 13, 2012. She concluded by wishing everyone a nice winter break.

Superintendent Harter spoke about looking for a funder to initiate a new districtwide strategic planning process. He requested volunteers to review qualifications for a consultant. Mr. Groves and Mr. Ramsey volunteered.

President Kronenberg thanked everyone and wished everyone happy holidays.

J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING

Lovonya DeJean Middle School – January 9, 2013

K. ADJOURNMENT

President Kronenberg adjourned the meeting at 9:30 P.M.

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

BH:tt

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: January 9, 2013

From: Sheri Gamba *SG*
Associate Superintendent Business Services

Agenda Item: CI C.1

Subject: Grants/Awards/Agreements

Background Information: Formal action is requested from the Board of Education to accept the grants/awards/agreements, as detailed on the attached sheet dated January 9, 2013.

Recommendation: Recommend Approval

Fiscal Impact: As noted per grants summary

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

West Contra Costa Unified School District
January 9, 2013 Board Meeting

GRANT / AWARD / AGREEMENT NOTIFICATIONS

[illegible]

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: January 9, 2013

From: Sheri Gamba
Associate Superintendent Business Services

Agenda Item: CI C.2

Subject: Acceptance of Donations

Background Information: The District has received donations as summarized on the attached sheet dated January 9, 2013. 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
January 9, 2013 Board Meeting

| <u>Donor Name</u> | <u>Description or Purpose</u> | <u>Estimated Value</u> | <u>Receiving School or Department</u> |
|-----------------------------------|--------------------------------------|-------------------------------|----------------------------------------------|
| Fairmont PTA | Supplies | \$2,500.00 | Fairmont Elementary |
| Target | Supplies | \$376.71 | King Elementary |
| Philanthropic Ventures Foundation | Materials & Supplies | \$450.00 | Wilson Elementary |
| PG & E Corporation | Materials & Supplies | \$244.00 | Wilson Elementary |
| Mother of Perpetual Help | Supplies | \$131.00 | Cameron School |
| Anonymous Donor | Supplies | \$10.00 | Cameron School |
| Mr. Jorge Pichilla | Culinary Arts | \$100.00 | Hercules Middle/High |
| TRUIST | Materials & Supplies | \$52.50 | Hercules Middle/High |
| Mr. Ryan Kolb | Bart Tickets | \$235.10 | Pinole Valley High |
| St. Albans Episcopal Church | Materials & Supplies | \$300.00 | Transition School |

*Estimated values for the non-cash donations are provided by the donor
Donation Précis 10913

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: January 9, 2013

From: Sheri Gamba 
Associate Superintendent Business Services

Agenda Item: CI C.3

Subject: Approval of Fund-Raising Activities

Background Information: The planned fund-raising events for the 2012-13 school year are summarized on the attached sheet dated January 9, 2013.

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
January 9, 2013 Board Meeting

APPROVAL OF FUND-RAISERS

| <u>School</u> | <u>Fund-Raising Activity</u> | <u>Activity Sponsor</u> |
|------------------------|------------------------------------|--------------------------------|
| Hanna Ranch Elementary | Selling Tickets to a Warriors Game | 5th Grade Parents |
| De Anza High | Selling Candy Cane & Candy Grams | De Anza High Senior Class |
| El Cerrito High | Restaurant Night at Rubio's | ECHS Leadership |
| El Cerrito High | Restaurant Night at Rubio's | ECHS Class of 2014 |
| El Cerrito High | Jamba Juice | ECHS Class of 2016 |
| Hercules Middle/High | Selling Chocolate Bars | Hercules High Class of 2015 |
| Hercules Middle/High | Spell-a-Thon | Parents, Teacher and Community |
| Hercules Middle/High | Poetry Night | African American Student Union |
| Hercules Middle/High | Open Mic Night | Senior Class of 2013 |

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: January 9, 2013

From: Sheri Gamba 
Associate Superintendent Business Services

Agenda Item: CI C.4

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 January 9, 2013.

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
January 9, 2013 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> |
|--------------------------------|--------------------------|----------------------------------|---------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Curriculum- Federal Project | 2/1/13 Thru 6/7/13 | Bay Area Peace Keepers R39598 | \$25,000 S-3 Grant | Increase existing \$25,000 contract to continue services through the 2012-13 school year. Bay Area Peacekeepers (BAP) will provide intervention for students at Richmond High School (RHS) who are involved in or at-risk for involvement in gangs and gang related activities. BAP will provide training for teachers and staff. Student intervention: life skills /after care and leadership programs. Emergency care and mediations. A minimum of 8 family interventions. BAP will provide data related to their work at monthly meetings with site administration. BAP will provide one full-time, on-site facilitator /intervention specialist supported by a program manager for the duration of the contract. |

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: January 9, 2013

From: Sheri Gamba
Associate Superintendent Business Services

Agenda Item: CI C.5

Subject: Adoption of Resolution No. 57-1213: 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 Amy Alvidrez (Samuels). Staff recommends 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. 57-1213
REPLACEMENT OF OUTDATED WARRANT
January 9, 2013

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: | Amy Alvidrez (Samuels) |
| Check No.: | 032409 |
| Amount: | \$1,545.24 |
| Issue Date: | April 30, 2001 |

PASSED AND ADOPTED on the 9th day of January 2013, 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 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: January 9, 2013

From: Sheri Gamba 
Associate Superintendent Business Services

Agenda Item: CI C.6

Subject: Notice of Completion: Bid 1121341-01 Coronado Interim Campus at Kennedy High School.

Background Information:

Substantial completion notice has been received for: Bid 1121341-01.

Major construction projects are subject to acceptance by the governing board before a Notice of Completion can be processed, and final payment of the contract made. (BP 7470)

Staff recommends acceptance of the work completed by the following contractor:

Vila Construction, Bid 1121341-01 Coronado Interim Campus at Kennedy High School.

Recommendation: Recommend approval of the notice of completion.

Fiscal Impact: None.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO
NAME WEST CONTRA COSTA
UNIFIED SCHOOL DISTRICT
STREET
ADDRESS 1108 BISSELL AVENUE
CITY &
STATE RICHMOND, CALIF 94801

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE OF COMPLETION

Notice pursuant to Civil Code Section 3093, must be filed within 10 days after completion. The completion of work is deemed to be the date of such acceptance by the Governing Board of the District (civil code 3086)

Notice is hereby given that:

1. The undersigned is owner of the property hereinafter described:
2. The full name of the owner is: Governing Board, West Contra Costa Unified School District.
3. The full address of the owner is: 1108 Bissell Avenue, Richmond, Calif. 94801.
4. A work of improvement on the property hereinafter described was completed and accepted on January 9, 2013.
5. The work done was: Project 1121341-01 Coronado Elementary School Interim Campus.
6. The name and address of the contractor for such work of improvement was Vila Construction Company, 590 South 33rd Street, Richmond, CA 94804 Date of Contract: 04/25/12
7. The name of the Bonding Company that provided Surety for said contractor relative to work to be performed is: Liberty Mutual Insurance Company
8. The property on which said work of improvement was completed is located within the West Contra Costa Unified School District, County of Contra Costa, State of California, and is described and located as follows: Coronado Elementary School Interim Campus 4301 Berk Avenue Richmond, CA 94804.

Dated: January 9, 2013

Director, General Services
West Contra Costa USD

VERIFICATION

I, the undersigned, say: I am the Director, General Services the declarant of the foregoing notice of completion; I have read said notice of completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 9, 2013, at Richmond, California.


Director, General Services
West Contra Costa USD

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: January 9, 2013

From: Sheri Gamba 
Associate Superintendent Business Services

Agenda Item: CI C.7

Subject: Notification of Claim Rejected

Background Information: The District has received a claim requesting compensation for personal injury. The District's risk management firm has investigated the claim and is requesting the School Board to ratify the authorized claims rejection.

Recommendation: Ratify the rejection of claim

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

2012-2013 CLAIMS REJECTED


| <u>School or Department</u> | <u>Date of Occurrence</u> | <u>Claimant</u> | <u>Type of Loss</u> | <u>Disposition of Settlement</u> |
|---------------------------------|-------------------------------|-----------------|---------------------|--------------------------------------|
| Pinole Middle | 10/30/12 | Mamie Barnes | Personal Injury | Rejected |

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: January 9, 2013

From: Kenneth L. Whittemore, 
Assistant Superintendent Human Resources

Agenda Item: CI C.8

Subject: Certificated Board Authorization - Education Code 44258.3

Background Information:

Ed Code 44258.3 allows the Governing Board of a school district to authorize the holder of a multiple subject, standard elementary, single subject or standard secondary, credential with his or her consent, to teach departmental classes in grades K-12 provided the teacher has adequate knowledge of subject matter.

Recommendation: Recommend Approval

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

January 9, 2013

Waivers

Definition: Variable term waivers provide applicants with additional time to complete the requirements for the credential that authorizes the service or provide employing agencies with time to fill the assignment with an individual who either holds an appropriate credential or qualifies under one of the assignment options.
(Assignment pending fingerprint clearance when applicable)

Consent

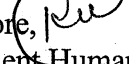
| <u>Name</u> | <u>Site</u> | <u>Assignment</u> |
|--------------------|---------------------------|--------------------------------------------|
| Leslie Williamson | Pinole Valley High School | English |
| Liutha Phan | Mira Vista Elementary | Yearbook |
| Thomas Reich | Mira Vista Elementary | Math Acceleration and Urban Agriculture |
| Ryan Tsugawa | Mira Vista Elementary | Math Acceleration and PE |
| Valerie Vandermeer | Mira Vista Elementary | Art |

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: January 9, 2013

From: Kenneth L. Whittemore, 
Assistant Superintendent - Human Resources

Agenda Item: CI C.9

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

January 9, 2013

FOR INFORMATION ONLY

Classified Personnel Changes

| PROMOTION | | | |
|----------------------------|-------------------------|-----------------|------------|
| AGUILERA, GUSTAVO | SENIOR ACCOUNT CLERK | FISCAL SERVICES | 11/30/2012 |
| ARREDONDO, MARTHA | SCHOOL LUNCH WORKER I | DEJEAN MIDDLE | 11/19/2012 |
| MACK, LUEVENIA | CLASSROOM SUPPORT AIDE | LUPINE HILLS | 11/19/2012 |
| MAXEY, MONIQUE | CLASSROOM SUPPORT AIDE | HELMS MIDDLE | 11/15/2012 |
| OLDEN JR, AARON LEE | CLASSROOM SUPPORT AIDE | HERCULES MIDDLE | 11/30/2012 |
| RODRIGUEZ, MARIA TRUJILLO | FOOD SERVICE AIDE/CLERK | HARDING | 11/19/2012 |
| SAEPHAN, PATRICIA | TYPIST CLERK I | MIRA VISTA | 11/13/2012 |
| SAETEURN, CHANHIN | CUSTODIAN | PINOLE MIDDLE | 11/26/2012 |
| SIMON, BREBAZON | CUSTODIAN | HELMS MIDDLE | 11/29/2012 |
| STEPHENS-JACKSON, ADRIENNE | CLASSROOM SUPPORT AIDE | FAIRMONT | 11/15/2012 |

| LEAVES | | | |
|-------------------|---------------------|-----------------|------------|
| FRANCISO, ERNANIE | SCHOOL LUNCH WORKER | CENTRAL KITCHEN | 11/13/2012 |
| OCHOA, MARIA | SCHOOL LUNCH WORKER | CENTRAL KITCHEN | 11/19/2012 |

| RESIGNATIONS | | | |
|-------------------|-------------------|------------|------------|
| CROCKETT, MARILYN | FOOD SERVICE AIDE | VERDE | 11/13/2012 |
| SHAUKAT, NABILA | GRADUATE TUTOR | MIRA VISTA | 11/29/2012 |

| DECEASED | | | |
|----------------|-----------|---------|------------|
| COLLOR, ELIJAH | CUSTODIAN | PORTOLA | 11/23/2012 |

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: January 9, 2013

From: Kenneth L. Whittemore,
Assistant Superintendent Human Resources

Agenda Item: CI C.10

Subject: Acceptance of Contracts for Placement of Student Teachers

Background Information:

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

Staff requests approval from the Board of Education to accept Contracts for Placement of Student Teachers as detailed on the attached sheet dated January 9, 2013.

Recommendation: Recommended Approval.

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

West Contra Costa Unified School District
January 9, 2013

ACCEPTANCE OF CONTRACTS FOR PLACEMENT OF STUDENT TEACHERS

The following institution of higher education has submitted a contract with West Contra Costa Unified School District. This institution intends to place student teachers in the West Contra Costa Unified School District schools.

Mills College – Practice Teaching Agreement
Fortune School of Education – Memorandum of Understanding

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:** January 9, 2013
From: Bill Fay **Agenda Item:** CI C.11
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: \$778,003.00. 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 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|--------------------------|----------------------|----------------------------------------------------------------------------------------------|
| Dover Elementary School Replacement Campus Measure J Bond (PID: 1151201-01) | November 1, 2012 through February 28, 2013 | The Seville Group | \$88,260.00 | Construction Management Services. |
| Richmond High School Campus Improvements Bldg. A Measure J Bond (PID: 3641380-08) | January 2013 through February 2013 | Luk and Associates, Inc. | NTE \$4,000.00 | Additional Civil Engineering Services for additional area of work and recording with County. |
| Steger Elementary School Replacement Campus Measure D-2012 (PID: 1571381-02) | January 2013 through February 2013 | A3GEO | \$36,600.00 | Geotechnical Investigation and Geological Hazard Study |
| Portola Middle School at Castro Elementary School Campus Project Measure J Bond (PID: 2141103-06) | January 1, 2013 through March 31, 2013 | The Seville Group | \$130,898.00 | Construction Management services. |
| Coronado Elementary School Reconstruction Project Measure J Bond (PID: 1121341-00) | January 2013 through February 2013 | WLC Architects, Inc. | \$10,200.00 | Additional architectural services for the addition of the Dental Clinic. |
| Ellerhorst Elementary School, Tara Hills Elementary School, Harding Elementary School, and Lincoln Elementary School Restroom Finish Upgrades Project Measure J Bond (PID: 1171223-13, 1271223-04, 1351223-01, 1591223-01) | October 1, 2012 through January 31, 2013 | The Seville Group | \$82,960.00 | Construction Management Services. |

January 9, 2013

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

ENGINEERING & ARCHITECTURAL SERVICES CONTRACTS

| | | | | |
|--------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|----------------------------------|--------------|------------------------------------------------------------------|
| Ohlone Elementary School Replacement Campus Project Measure J Bond (PID: 1461206-04) | December 2012 | Powell & Partners Architects | \$6,375.00 | Additional Architectural design services to review new casework. |
| Bond Program Management Measure D and J Bond | January 1 through March 31, 2013 | The Seville Group | \$154,958.00 | Design Management Services. |
| Lupine Hills Elementary School Play Structure and Shade Structure Measure J Bond (PID: 1261612-00, 1261612-02) | November 1, 2012 through January 31, 2013 | W.J. Robinson & Associates, Inc. | \$13,280.00 | Construction Management Services. |
| Helms Middle School Sports Fields and Community Center Measure J Bond (PID: 2101101-16) | December 31, 2012 through January 31, 2014 | The Seville Group | \$190,098.00 | Construction Management Services. |
| Portola Middle School at Castro Elementary School Campus Project Measure J Bond (PID: 2141103-06) | December 2012 through March 2013 | Kleinfelder | \$30,300.00 | Geotechnical soils testing and analytical services. |
| Kennedy High School Field Lights & Concession Building Measure J Bond (PID: 3601211-02) | June 1, 2012 through October 31, 2012 | Powell & Partners Architects | \$22,000.00 | Additional Architectural construction administration services. |
| Ellerhorst Elementary School Re-Roof Project Measure J (PID:1171223-12) | October 15, 2012 through December 15, 2012 | W.J. Robinson & Associates, Inc. | \$8,074.00 | Additional Construction Management Services. |

January 9, 2013

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:** January 9, 2013
From: Bill Fay **Agenda Item:** CI C.12
Associate Superintendent for Operations
Subject: Ratification and Approval of Negotiated Change Orders

Background information:

Staff is seeking ratification of Change Orders on the following current District construction projects: Dover ES Increment 2 New School, Kennedy HS Quad Landscape Upgrades, Portola MS Demolition, Coronado ES Interim Campus, Ohlone ES Phase I Campus Replacement. Change Orders are fully executed by the District upon signature by the Superintendent's designee. Board ratification is the final step required under state law in order to complete payment and contract adjustment.

In addition to normal ratification, approval of the noted Change Orders for the Kennedy HS Quad Landscape Upgrades project is required by the Board, with special findings as noted below, because this project is 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 ratifying these Change Orders, finds that it would have been futile to publicly bid the work in question because of the tight time frames to complete this work without affecting the operations of the District, and that the public is best served by having this work completed by the contractor on the project.

Recommendation: Ratify negotiated Change Orders as noted.

Fiscal Impact: Total ratification and approval by this action: **\$31,169.66**

DISPOSITION BY BOARD OF EDUCATION

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

January 9, 2013 Change Order Ratification Summary

| | Project | Company | Original Contract | Previously Approved CO's | Items Pending Board Action | | Total CO's | CO Percent of Original Contract | Adjusted New Contract | Change Order Numbers |
|---|----------------------------------------|--------------------------|-------------------|--------------------------|----------------------------|-----------------------|----------------|---------------------------------|-----------------------|----------------------|
| | | | | | CO's Pending Ratification | CO's Pending Approval | | | | |
| 1 | Dover ES - Increment 2 New School | Alten Construction, Inc. | \$21,491,000.00 | \$1,044,841.50 | \$28,453.00 | \$0.00 | \$1,073,294.50 | 4.99% | \$22,564,294.50 | 26 |
| 2 | Kennedy HS - Quad Landscape Upgrades | CF Contracting | \$982,800.00 | \$0.00 | \$98,280.00 | \$39,807.27 | \$138,087.27 | 14.05% | \$1,120,887.27 | 1-14 |
| 3 | Portola MS - Demolition | Alten Construction, Inc. | \$2,102,267.00 | \$20,348.00 | \$17,663.00 | \$0.00 | \$38,011.00 | 1.81% | \$2,140,278.00 | 3 |
| 4 | Coronado ES - Interim Campus | Vila Construction | \$1,890,000.00 | \$206,436.41 | (\$8,292.61) | \$0.00 | \$198,143.80 | 10.48% | \$2,088,143.80 | 12,13 |
| 5 | Ohlone ES - Phase 1 Campus Replacement | Zovich Construction | \$16,961,000.00 | \$659,034.96 | (\$144,741.00) | \$0.00 | \$514,293.96 | 3.03% | \$17,475,293.96 | 34-37 |

| | | |
|-----------------------|--------------------|--------------|
| Pending Board Actions | Ratifications | (\$8,637.61) |
| | Approvals | \$39,807.27 |
| | Total Board Action | \$31,169.66 |

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 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION --- BOARD OF EDUCATION

To: Board of Education **Meeting Date:** January 9, 2013
From: Bill Fay **Agenda Item:** CI C.13
Associate Superintendent for Operations
Subject: Ratification of Staff Awarded Contract: Harding Elementary School Foundation
Ventilation Repairs

Background information:

Grossmann Design Group has prepared plans and specifications for the project. Scope of work includes furnishing and installing a new vapor barrier and dehumidification system in the existing crawl space.

The District received three bids for the project: HM Construction \$99,850, B. Bros. Construction, Inc. \$114,840, TPA Construction, Inc. \$122,700.

In consideration of the need to complete the work expeditiously, the Superintendent's designee authorized award of a contract for the project to the lowest responsive, responsible bidder: HM Construction \$99,850.

The Education Code requires the Board to ratify this award action by the Superintendent's designee.

Recommendation:

Ratify staff awarded contract as noted.

Fiscal Impact: \$99,850. Project will be funded from the Measure J.

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:** January 9, 2013
From: Bill Fay **Agenda Item:** CI 6.14
Associate Superintendent for Operations
Subject: Ratification of Staff Awarded Contract: Helms Middle School Sports Fields and Landscaping

Background information:

Baker Vilar Architects has prepared plans and specifications for the project. Scope of work includes rough and finish grading of a building pad for a new community building; demolition and construction of a new toilet building and a new storage building; rough and finish grading for landscaping; fencing, paving and walks; and installation of artificial turf sports fields, play courts, playground equipment and site lighting.

The District received ten bids for the project, which included a line item for unit costs: Robert A. Bothman, Inc. \$6,029,348, Lathrop Construction Associates, Inc. \$6,091,000, O.C. Jones & Sons, Inc. \$6,310,300, Ghilotti Bros., Inc. \$6,398,000, Interstate Grading & Paving, Inc. \$6,514,900, S.J. Amoroso Construction Co., Inc. \$6,647,000, Vila Construction Co. \$6,688,086, F&H Construction \$6,723,000, Roebbelen Contracting, Inc. \$6,972,300, Granite Rock Company \$7,182,119.

In consideration of the need to complete the work expeditiously, the Superintendent's designee authorized award of a contract for the project to the lowest responsive, responsible bidder: Robert A. Bothman, Inc. in the amount of \$5,951,048 (without unit costs).

The Education Code requires the Board to ratify this award action by the Superintendent's designee.

Recommendation:

Ratify staff awarded contract as noted.

Fiscal Impact: \$5,951,048. Project will be funded from the Measure D.

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:** January 9, 2013
From: Bill Fay **Agenda Item:** CI C.15
Associate Superintendent for Operations
Subject: Ratification of Staff Awarded Contract: Martin Luther King Jr. Elementary School Site
Drainage

Background information:

Quattrocchi Kwok Architects has prepared plans and specifications for the project. Scope of work includes construction of new storm water drain lines, connecting existing rainwater leader systems to existing storm water catch basin system, and associated landscaped restoration to areas disturbed by storm water drain system work.

The District received five bids for the project: Breneman, Inc. \$57,100, R&R Pacific Construction \$63,600 (Non-Responsive), McKim Company \$76,950 (Non-Responsive), AM Woo Construction, Inc. \$82,600, W.R. Forde Associates \$97,777.

In consideration of the need to complete the work expeditiously, the Superintendent's designee authorized award of a contract for the project to the lowest responsive, responsible bidder: Breneman, Inc. \$57,100.

The Education Code requires the Board to ratify this award action by the Superintendent's designee.

Recommendation:

Ratify staff awarded contract as noted.

Fiscal Impact: \$57,100. Project will be funded from the Measure J.

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:** January 9, 2013
From: Bill Fay **Agenda Item:** CI C.16
Associate Superintendent for Operations
Subject: Resolution 60-1213: Facilities Use Agreement with Seneca Family Agencies at
El Sobrante Elementary School Site

Background information:

The District and Seneca Family of Agencies ("Seneca") have negotiated a Services Agreement whereby Seneca will provide intensive special education services ("Special Education Services") to District students. The District intends to provide space to Seneca for the purpose of providing the Special Education Services. The Educational Services will be provided at the District's closed El Sobrante Elementary School Site ("Premises") and pursuant to the form of Facilities Use Agreement negotiated by the parties.

The term of the Facilities Use Agreement is one (1) year. The District and Seneca may renew the Facilities Use Agreement upon mutual agreement and approval by each Party's governing body prior to the end of the term. The Premises are provided to Seneca in "as is" condition. Pursuant to the Facilities Use Agreement, Seneca is required to shall pay all utility, maintenance and repair costs for the Premises. Seneca must also maintain the landscaping and the grass for the Premises. The Parties intend that during the term of the Facilities Use Agreement, the District shall have no obligation to maintain or repair the Premises.

Prior to occupying the Premises and providing any Special Educational Services, Seneca intends to make certain facility improvements to the Premises ("Improvements"). The Improvements shall be made at Seneca's sole cost and expense and only upon District's prior approval. The Improvements shall comply with all legal requirements relating to construction of public school facilities, including, without limitation, Title 24 of the California Code of Regulations and the Field Act.

Recommendation: Approve the form of Facilities Use Agreement Between the District and Seneca Family Agencies

Fiscal Impact: No fiscal impact or implications associated with the approval of these documents.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

RESOLUTION NO. 60-1213 (January 9, 2013)
A RESOLUTION OF THE GOVERNING BOARD OF THE
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT APPROVING FACILITIES USE
AGREEMENT BETWEEN WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT AND
SENECA FAMILY OF AGENCIES FOR REAL PROPERTY AND IMPROVEMENTS AT EL
SOBRANTE ELEMENTARY SCHOOL SITE LOCATED AT 1060 MANOR ROAD, EL
SOBRANTE, CA

WHEREAS, District and Seneca Family of Agencies ("Seneca") have negotiated a Services Agreement whereby Seneca will provide intensive special education services ("Special Education Services") to District students as set forth in the Services Agreement; and

WHEREAS, the District will provide space to Seneca for the purposes of providing the Special Education Services and such other uses related thereto; and

WHEREAS, District intends to allow Seneca to use certain classrooms, office, multipurpose, outdoor and parking space at the District's closed El Sobrante Elementary School site ("Premises") for provision of the Special Education Services; and

WHEREAS, the District and Seneca have negotiated a facilities use agreement in the form of agreement attached hereto; and

WHEREAS, Seneca's use of the Premises to provide the Special Education Services will not interfere with the use of the buildings, grounds, and equipment for any other District purpose on the Premises; and

WHEREAS, Seneca's use of the Premises to provide the Special Education Services will not unduly disrupt the residents in the surrounding neighborhoods; and

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Governing Board of the West Contra Costa Unified School District as follows:

1. The form of Facilities Use Agreement Between West Contra Costa Unified School District And Seneca Family Of Agencies For Real Property And Improvements At El Sobrante Elementary School Site is hereby approved; and
2. The Superintendent or his designee is hereby authorized to execute all documents and expend all funds necessary to execute the Facilities Use Agreement and any documents associated thereto.

APPROVED, PASSED and ADOPTED by the Governing Board of the West Contra Costa Unified School District this 9th day of January, 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

President, Governing Board
West Contra Costa Unified School District

ATTEST:

Secretary, Governing Board
West Contra Costa Unified School District

ATTACHMENTS

FACILITIES USE AGREEMENT

**FACILITIES USE AGREEMENT BETWEEN WEST CONTRA COSTA UNIFIED
SCHOOL AND SENECA FAMILY AGENCIES FOR REAL PROPERTY AND
IMPROVEMENTS AT
EL SOBRANTE ELEMENTARY SCHOOL SITE LOCATED AT 1060 MANOR ROAD,
EL SOBRANTE, CA**

THIS FACILITIES USE AGREEMENT ("Agreement") is made this ____ day of _____, 2013, by and between the WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT, a California public school district of California ("District") and SENECA FAMILY OF AGENCIES ("Seneca"). District and Seneca may be referred to herein individually as a "Party" or collectively as the "Parties."

RECITALS

WHEREAS, District and Seneca have entered into the Services Agreement dated _____, 2013 whereby Seneca will provide intensive special education services ("Services") to District students as set forth in the Services Agreement attached hereto as Exhibit "A"; and

WHEREAS, the District will provide space to Seneca for the purposes of providing the Services and such other uses related thereto ("Program"), as further defined in the Services Agreement; and

WHEREAS, District intends to allow Seneca to use certain classroom, office, multipurpose, outdoor and parking space, as more fully described in Exhibit "B" ("Premises") on the El Sobrante Elementary School Site ("School Site") located at 1060 Manor Road, El Sobrante, California, while providing Services;

NOW THEREFORE, in consideration of the covenants and agreements hereinafter set forth, District and Seneca agree as follows:

AGREEMENT

1. Use of Property. District agrees to allow use of the Premises at the School Site by Seneca to provide the Services and conduct Seneca's Program. Seneca shall have use of the Premises at all times to perform Seneca's Services and conduct the Program.

2. Condition of Premises.

2.1. The Premises are leased to Seneca on an "AS IS" basis. District shall not be required to make or construct any alterations including structural changes, additions or improvements to the Premises. By entry and taking possession of the Premises pursuant to this Agreement, Seneca accepts the Premises in "AS IS" condition.

2.2. Seneca acknowledges that neither District nor District's agents have made any representation or warranty as to the suitability of the Premises to the conduct of Seneca's Program. Any agreements, warranties or representations not expressly contained herein shall in no way bind either District or Seneca, and District and Seneca expressly waive all claims for damages by reason of any statement, representation, warranty, promise or agreement, if any, not contained in this Agreement.

3. **Title to School Site.** The Parties acknowledge that title to the School Site is held by District.

4. **Term.**

4.1. The term of this Agreement shall be for one (1) year. The commencement date shall be _____, 2012, ("Commencement Date") and unless sooner terminated under any provision hereof, this Agreement shall end on _____, 2013 ("Term").

4.2. **Renewal of Agreement**

4.2.1. If the Parties intend to further renew this Agreement after the Term, this can only be done by a separate writing executed by both Parties that complies with all of the following provisions:

4.2.1.1. It specifically authorizes further use by Seneca and specifies the terms of that use, and

4.2.1.2. It is approved by each Party's governing body prior to the end of the Term.

4.3. On the last day of the Term hereof, or on sooner termination of this Agreement, Seneca shall surrender to District the Premises and any then existing improvements in good order, condition and repair, reasonable wear and tear excepted, free and clear of all liens, claims and encumbrances. This Agreement shall operate as a conveyance and assignment to District of any improvements identified by District to remain on the School Site. Seneca shall remove from the Premises all of Seneca's personal property, trade fixtures, and any improvements made by Seneca which Seneca and District agreed would be removed by Seneca. All property not so removed shall be deemed abandoned by Seneca. If the Premises are not so surrendered at the termination of this Agreement, Seneca shall indemnify District against loss or liability resulting from delay by Seneca in so surrendering the Premises including, without limitation, any claims made by any succeeding Seneca or losses to District due to lost opportunities.

5. **Utilities.** Seneca shall pay all actual utility costs for the utilities for the Premises ("Utility Charge"). For purposes of this Agreement, the Utility Charge includes: water, irrigation, gas, electricity, telephone, security and fire alarm monitoring, data and communication lines and service, trash pick-up, and sewage fees.

6. **Landscaping.** With the exception of the play fields located on the School Site, Seneca shall maintain the landscaping and grass for the School Site.

7. **Maintenance and Repairs.**

7.1. Seneca shall maintain the Premises in a good order, condition and repair. Seneca shall keep the Premises in compliance with applicable local, state and federal requirements during the Term of this Agreement.

7.2. District shall have no maintenance or repair obligations with respect to the Premises except as expressly provided in this Agreement. Seneca hereby expressly waives the provisions of

Subsection 1 of section 1932 and sections 1941 and 1942 of the Civil Code of California and all rights to make repairs at the expense of District as provided in section 1942 of said Civil Code.

8. Improvements.

- 8.1. Seneca may perform the Improvements ("Improvements") set forth in Exhibit "C." The Improvements shall comply with all legal requirements relating to construction of the Improvements, including, without limitation, Title 24 of the California Code of Regulations, the Education Code (including the Field Act, Education Code §17280, et seq.), the Americans with Disabilities Act, the California Environmental Quality Act and regulations promulgated thereunder.
- 8.2. Seneca shall at its own expense obtain all necessary environmental and governmental approvals and permits, including, without limitation, the California Environmental Quality Act ("CEQA"), any necessary approvals from any local authority including any site, grading, zoning, design review and other required permits or approvals, if applicable, prior to commencing construction and shall provide District with evidence of approval by all applicable governmental agencies.
- 8.3. All contractors and subcontractors of Seneca, if any, shall be duly licensed in the State of California. Seneca shall be solely responsible for maintaining the Premises and Seneca's Improvements installed thereon during the term of this Agreement, including any extensions, and for compliance with all applicable laws or ordinances, rules and regulations.
- 8.4. Under all circumstances, Seneca must seek and receive approval from the Division of the State Architect for all of Seneca's Improvements.
- 8.5. Seneca shall be solely responsible to make payment for any service or work performed in connection with the design and construction of the Improvements. Seneca shall administer and resolve any claims or disputes that may arise in connection with the design and construction of the Improvements.
- 8.6. Seneca and any person performing work for construction of the Improvements, shall exercise reasonable precautions to avoid damage and protect persons or property while on the School Site and any adjacent staging area. District assumes no liability for loss or damage to property or injuries to or deaths of agents, contractors, or employees of the Seneca by reason of the exercise of privileges given in this section. Seneca shall indemnify and hold District harmless from any damage caused by the Seneca's activities authorized in this section. Seneca shall either reimburse the District for any damage or destruction to the District's School Site, Premises, or other property, occurring by reason of the exercise of rights granted, or to replace or restore said property to its preexisting condition.
- 8.7. The Improvements shall be made by Seneca at its sole expense.
- 8.8. In the event that Seneca intends to replace the locks and/or rekey the Premises, Seneca shall first coordinate with the District so that District may approve and authorize lock style and key code authorizations.

- 8.9. In the event that Seneca intends to construct or cause to be constructed on the Premises any improvement not listed in Exhibit "C", Seneca shall first obtain the District's written consent for any such additional improvements.

9. Title to and Removal of Seneca's Improvements / Facilities.

- 9.1. Title to removable furniture, equipment and/or other personal property placed by Seneca onto the Premises, but not affixed thereto, shall be held solely by Seneca. These items shall remain the personal property of Seneca and shall not be treated as real property or become a part of the School Site unless District accepts or Seneca abandons any of this personal property at the end of the Term.
- 9.2. On or before the expiration of this Agreement, or within thirty (30) days after any earlier termination of this Agreement, Seneca shall remove Seneca's Improvements, at its sole expense. Seneca shall repair any damage to the School Site and/or the Premises, caused by removal of Seneca's Improvements and restore the School Site and the Premises to good condition, less ordinary wear and tear. In the event that Seneca fails to timely remove Seneca's Improvements, District, upon fifteen (15) days written notice, may either (1) accept ownership of Seneca's Improvements with no cost to District, or (2) remove Seneca's Improvements at Seneca's sole cost. In the event that District chooses to accept ownership of Seneca's Improvements, Seneca shall execute any necessary documents to effectuate the change in ownership of Seneca's Improvements. In the event that District removes Seneca's Improvements, Seneca shall pay all invoices for the removal of Seneca's Improvements within thirty (30) days of receipt of such invoices.

10. Fingerprinting and Criminal Background Verification. Unless District determines that the Seneca, its employees, agents, subcontractors, invitees, and/or volunteers will have limited and/or no contact with District students, Seneca shall be responsible for ensuring compliance with all applicable fingerprinting and criminal background investigation requirements described in Education Code section 45125.1, which may be met under the fingerprinting provisions of Title 22 of the California Code of Regulations and applicable provisions of the California Health and Safety Code relevant to community care facility licensing (Health & Saf. Code, § 1500 et seq.). Seneca shall provide in writing verification of compliance with the aforementioned fingerprinting and criminal background investigation requirements to District prior to each individual's commencement of employment or participation in any Seneca activity and prior to permitting contact with any pupils.

11. Use of the Premises.

- 11.1. Seneca shall use the Premises solely for the purpose of providing the Services pursuant to the Services Agreement and conducting its Program. Seneca shall not use the Premises for any use other purpose without the prior written consent of District. Seneca agrees to maintain the Premises and to conduct the Program in a manner that meets all federal, state and local regulations relating to the Premises and to the operation of the Program, and to comply with all federal, state and local laws, regulations and ordinances, now or hereafter enacted concerning the Services, Premises, the use of the Premises, and/or the Program. The execution of this Agreement shall be subject to the Seneca obtaining any and all permits or approvals which may be required in order for Seneca to operate the Program on the Premises. Seneca shall not use or permit the Premises to be used in whole or in part during the term of this Agreement for any

purpose or use in violation of the laws or ordinances applicable thereto. Seneca shall indemnify, defend, and hold District harmless against any loss, expense, damage, attorneys' fees or liability arising out of failure of Seneca to comply with any applicable law, regulation, rule or ordinance. Seneca shall not commit or suffer to be committed, any waste upon the Premises, or allow any sale by auction upon the Premises, or allow the Premises to be used for any unlawful purpose, or place any loads upon the floor, walls or ceiling which endanger the structure, or place any harmful liquids in the plumbing, sewer or storm water drainage system of the Premises. No waste materials or refuse shall be dumped upon or permitted to remain upon any part of the Premises except in trash containers designated for that purpose. Any uses which involve the serving and/or sale of alcoholic beverages and the conducting of games of chance are prohibited on the Premises. Seneca shall comply with District-wide policy prohibiting the use of tobacco products on the Premises at all times. Seneca shall not use or permit the use of the Premises or any part thereof for any purpose which is inimical to public morals and welfare or morally objectionable as unsuitable for a public educational facility. Seneca agrees to immediately respond to concerns expressed by neighbors or District relating to the operation of the Premises.

11.2. If required, Seneca shall obtain a use permit from the City in which the School Site is located for Seneca's use throughout the term of this Agreement. Seneca shall require all licensees, and invitees, to use the Premises only in conformance with the permitted use and with applicable governmental laws, regulations, rules and ordinances.

11.3. Seneca represents that it is qualified to provide the Services and administer and operate the Program. Seneca shall be solely responsible for the administration and operation of the Program, including the hiring of all employees. Seneca shall be responsible for verifying the qualifications, credentials, certificates, and licenses of its staff, agents, consultants and/or subcontractors who may provide services in conjunction with Seneca's Program and Activities on the Premises.

12. **Inspection of Premises.** Seneca shall permit District and/or its agents to enter the Premises at any reasonable time for the purpose of inspecting the Premises and/or exhibiting the Premises to prospective lessees, occupants, purchasers or mortgagees.

13. **Termination.**

13.1. **Termination For Convenience**

13.1.1. District may terminate this Agreement by written notification one hundred twenty (120) days prior to the effective date of the termination.

13.1.2. Seneca may terminate this Agreement by written notification one hundred and twenty (120) days prior to the effective date of the termination.

13.1.3. Neither party shall be required to provide just cause for termination in the written notification.

13.2. **Termination for Cause.** Either party may terminate this Agreement immediately for cause. Cause shall include, without limitation:

13.2.1. Material violation of this Agreement by Seneca or District; or

13.2.2. Any act by Seneca exposing District to liability to others for personal injury or property damage; or

13.2.3. Seneca is adjudged a bankrupt, Seneca makes a general assignment for the benefit of creditors or a receiver is appointed on account of Seneca's insolvency.

13.2.4. If District terminates for cause, Seneca's rights in the Premises shall terminate upon Seneca's receipt of notice of termination from District. Upon receipt of District's notice of termination, Seneca shall surrender and vacate the Premises in the condition required under this Agreement; and District may re-enter and take possession of the Premises and all the remaining improvements or property and eject Seneca or any of Seneca's assignees or other person or persons claiming any right under or through Seneca or eject some and not others or eject none. This Agreement may also be terminated by a judgment specifically providing for termination. Any termination under this Section shall not release Seneca from the payment of any sum then due District or from any claim for damages.

13.3. The foregoing provisions are in addition to and not a limitation of any other rights or remedies available to District and/or Seneca.

13.4. Upon termination of this Agreement, Seneca shall be responsible to restore the Property to its condition prior to the commencement of this Agreement with no damage thereto, reasonable wear and tear excepted.

14. Indemnification. To the fullest extent permitted by California law, Seneca shall defend, indemnify, and hold harmless District, its agents, representatives, officers, consultants, employees, trustees, and volunteers (the "indemnified parties") from any and all losses, liabilities, claims, suits, and actions of any kind, nature, and description, including, but not limited to, attorneys' fees and costs, directly or indirectly arising out of, on account of, connected with, or resulting from, the operation, condition, use or occupancy of the Premises, all improvements thereon, and all areas appurtenant thereto; and in case any action or proceeding be brought against District, Seneca shall defend the same at Seneca's sole expense. This Agreement is made on the express condition that District shall not be liable for, or suffer loss by reason of, injury to person or property, from whatever cause in any way connected with the condition, use or occupancy of the Premises specifically including, without limitation, any liability for injury to the person or property of the Seneca, its agents, officers, employees, licensees and invitees. Seneca shall keep the School Site clear of all liens, encumbrances and/or clouds on District's title to any portion of the School Site.

15. Insurance.

15.1. Insurance is to be placed with insurers with a current A.M. Best Insurance rating of no less than A-minus: VII and subject to the approval of District. Seneca shall furnish District with the original certificates and amendatory endorsements effecting coverage required.

15.2. Seneca acknowledges that the insurance to be maintained by District on the Premises will not insure any of Seneca's property or improvements made by Seneca.

15.3. Seneca shall, at Seneca's expense, obtain and keep in force during the term of this Agreement a policy of commercial general liability insurance and a comprehensive auto liability policy insuring District and Seneca against claims and liabilities arising out of the operation, condition, use, or occupancy of the Premises and all areas appurtenant thereto, including parking areas. Seneca's comprehensive auto liability policy shall insure all vehicle(s), whether hired, owned or non-owned. Seneca's commercial general insurance shall be at least as broad as the Insurance Service Office (ISO) CG 00-01 form and in an amount of not less than Two Million dollars (\$2,000,000) for bodily injury or death and property damage as a result of any one occurrence and a Two Million dollar (\$2,000,000) general aggregate policy limit. In addition, Seneca shall obtain a products/completed operations aggregate policy in the amount of Two Million dollars (\$2,000,000). The insurance carrier, deductibles and/or self insured retentions shall be approved by District, which approval shall not be unreasonably withheld. Prior to the Commencement Date Seneca shall deliver to District a certificate of insurance evidencing the existence of the policies required hereunder and copies of endorsements stating that such policies shall:

- 15.3.1. Not be canceled or altered without thirty (30) days prior written notice to District;
- 15.3.2. State the coverage is primary and any coverage by District is in excess thereto;
- 15.3.3. Contain a cross liability endorsement; and
- 15.3.4. Include a separate endorsement naming District as an additional insured.

At least thirty (30) days prior to the expiration of each certificate, and every subsequent certificate, Seneca shall deliver to District a new certificate of insurance consistent with all of the terms and conditions required in connection with the original certificate of insurance as described above.

15.4. During the term of this Agreement, District shall maintain at its cost a policy of standard fire and casualty insurance limited to the value of the buildings and improvements located on the School Site as of the Commencement Date. In the event of loss or damage to the School Site, the buildings, the Premises or any contents, each of the Parties hereto, and all persons claiming under each of the Parties, shall look first to any insurance in its favor before making any claim against the other Party, and to the extent possible without adding additional costs, each Party shall obtain for each policy of insurance provisions permitting waiver of any claim against the other Party for loss or damage within the scope of the insurance and each Party, to the extent permitted, for itself and its insurers, waives all such insurance claims against the other Party.

15.5. During the term of this Agreement, Seneca shall comply with all provisions of law applicable to Seneca with respect to obtaining and maintaining workers' compensation insurance. Prior to the commencement and any renewal of this Agreement and Seneca's occupancy of the Premises, Seneca shall provide District, as evidence of this required coverage, a certificate in a form satisfactory to District on or before the commencement or renewal date, providing that insurance coverage shall not be canceled or reduced without thirty (30) days prior written notice to District.

16. Signs. Seneca shall at Seneca's cost have the right and entitlement to place Seneca's signs on the Premises, and otherwise to advertise its services, provided Seneca obtains the approval and consent of District. The approval and consent shall not be unreasonably withheld. Any signs shall be at Seneca's cost and in compliance with the local ordinances pertaining thereto. In connection with the placement of such signs, District agrees to cooperate with Seneca in obtaining any governmental permits which may be necessary. Throughout the Term of this Agreement Seneca shall, at its sole cost and expense, maintain the signage and all appurtenances in good condition and repair. At the termination of this Agreement, Seneca shall remove any signs which it has placed on the School Site in which the Premises are located, and shall repair any damage caused by the installation or removal of those signs.

17. Surrender of Agreement Not Merger. The voluntary or other surrender of this Agreement by Seneca, or a mutual cancellation thereof, shall not work a merger and shall, at the option of District, terminate all or any existing subleases or subtenancies, or operate as an assignment to District of any or all subleases or subtenancies.

18. Notice. Any notice required or permitted to be given under this Agreement shall be deemed to have been given, served and received if given in writing and personally delivered or either deposited in the United States mail, registered or certified mail, postage prepaid, return receipt required, or sent by overnight delivery service or facsimile transmission, addressed as follows:

West Contra Costa Unified School District
Attn:

Seneca Family of Agencies
Attn: Ken Berrick
2275 Arlington Drive
San Leandro, CA 94578

Any notice personally given or sent by facsimile transmission shall be effective upon receipt. Any notice sent by overnight delivery service shall be effective the business day next following delivery thereof to the overnight delivery service. Any notice given by certified or registered mail shall be effective three (3) days after deposit in the United States mail.

19. Subcontract, Assignment and Sublease. Neither Party shall assign its rights, duties or privileges under this Agreement, nor shall either Party attempt to confer any of its rights, duties or privileges under this Agreement on any third party, without the written consent of the other Party. Seneca shall not lease any portion of the Premises without the prior written consent of the District.

20. Joint and Several Liability. If Seneca is more than one person or entity, each such person or entity shall be jointly and severally liable for the obligations of Seneca hereunder.

21. Independent Contractor Status. This Agreement is by and between two independent entities and is not intended to and shall not be construed to create the relationship of agent, servant, employee, partnership, joint venture, or association.

22. Entire Agreement of Parties. This Agreement constitutes the entire agreement between the Parties and supersedes all prior discussions, negotiations and agreements, whether oral or written. This Agreement may be amended or modified only by a written instrument executed by both Parties.

23. California Law. This Agreement shall be governed by and the rights, duties and obligations of the Parties shall be determined and enforced in accordance with the laws of the State of California. The

Parties further agree that any action or proceeding brought to enforce the terms and conditions of this Agreement shall be maintained in county in which the District's administrative offices are located.

24. Compliance with All Laws.

24.1. Seneca shall at Seneca's expense comply with all requirements of all governmental authorities, in force either now or in the future, affecting the Premises, and shall faithfully observe in Seneca's use of the Premises all laws, regulations and ordinances of these authorities, in force either now or in the future including, without limitation, all applicable federal, state and local laws, regulations, and ordinances pertaining to air and water quality, hazardous material, waste disposal, air emission and other environmental matters (including the California Environmental Quality Act ("CEQA") and its implementing regulations in its use of the Premises), and all District policies, rules and regulations.

24.2. The judgment of a court of competent jurisdiction, or Seneca's admission in an action or a proceeding against Seneca, whether District be a party to it or not, that Seneca has violated any law or regulation or ordinance in Seneca's use of the Premises shall be considered conclusive evidence of that fact as between District and Seneca. If Seneca fails to comply with any such law, regulation or ordinance, District reserves the right to take necessary remedial measures at Seneca's expense, for which Seneca agrees to reimburse District on demand.

24.3. Seneca shall not cause or permit any Hazardous Material to be generated, brought onto, used, stored, or disposed of in or about the Premises and any improvements by Seneca or its agents, employees, contractors, tenants, or invitees, except for limited quantities of standard office, classroom and janitorial supplies (which shall be used and stored in strict compliance with Environmental Laws). Seneca shall comply with all Environmental Laws. As used herein, the term "Hazardous Materials" means any hazardous or toxic substance, material or waste which is or becomes regulated by any local governmental authority, the State of California or the United States Government. The term "Hazardous Materials" includes, without limitation, petroleum products, asbestos, PCB's, and any material or substance which is (i) defined as hazardous or extremely hazardous pursuant to Title 22 of the California Code of Regulations, Division 4.5, Chapter 11, Article 4, section 66261.30 et seq. (ii) defined as a "hazardous waste" pursuant to section (14) of the federal Resource Conservation and Recovery Act, 42 U.S.C. 6901 et. seq. (42 U.S.C. 6903), or (iii) defined as a "hazardous substance" pursuant to section 10 of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9601 et. seq. (42 U.S.C. 9601). As used herein, the term "Hazardous Materials Law" shall mean any statute, law, ordinance, or regulation of any governmental body or agency (including the U.S. Environmental Protection Agency, the California Regional Water Quality Control Board, and the California Department of Health Services) which regulates the use, storage, release or disposal of any Hazardous Material.

25. Attorneys' Fees. If either Party files any action or brings any proceedings against the other arising out of this Agreement, the prevailing party shall be entitled to recover, in addition to its costs of suit and damages, reasonable attorneys' fees to be fixed by the court. The "prevailing party" shall be the Party who is entitled to recover its costs of suit, whether or not suit proceeds to final judgment. No sum for attorneys' fees shall be counted in calculating the amount of a judgment for purposes of determining whether a Party is entitled to its costs or attorneys' fees.

26. **Waiver.** The waiver by either Party of any breach of any term, covenant, or condition herein contained shall not be deemed to be a waiver of such term, covenant, condition, or any subsequent breach of the same or any other term, covenant, or condition herein contained.

27. **Successors and Assigns.** This Agreement shall be binding upon and inure to the benefit of the Parties hereto and their respective heirs, legal representatives, successors, and assigns.

28. **Counterparts.** This Agreement and all amendments and supplements to it may be executed in counterparts, and all counterparts together shall be construed as one document.

29. **Captions.** The captions contained in this Agreement are for convenience only and shall not in any way affect the meaning or interpretation hereof nor serve as evidence of the interpretation hereof, or of the intention of the Parties hereto.

30. **Severability.** Should any provision of this Agreement be determined to be invalid, illegal or unenforceable in any respect, such provision shall be severed and the remaining provisions shall continue as valid, legal and enforceable.

ACCEPTED AND AGREED on the date indicated below:

Dated: _____, 2012

Dated: October 5th, 2012

West Contra Costa Unified School District

Seneca Family of Agencies

By: _____

By:  _____

Print Name: _____

Print Name: Katherine West

Print Title: _____

Print Title: COD

EXHIBIT A
SERVICES AGREEMENT

SERVICE AGREEMENT BETWEEN
SENECA CENTER FOR CHILDREN AND FAMILIES
AND
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

This Agreement is made as of the ___ day of _____ 2013, by and between the West Contra Costa Unified School District ("District"), a California public school district, and Seneca Family of Agencies, a non-profit mental health agency ("Seneca"). District and Seneca may be referred to herein collectively as the "Parties," or individually as a "Party."

WHEREAS, pursuant to the provisions of the Education Code of the State of California, the governing board of any school district is authorized to enter into agreements with any institution Certified by the California Department of Education as a Non Public School. WHEREAS, Seneca Center is certified by the California Department of Education as a Non Public School (NPS).

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained in the Agreement, Seneca Center and the District agree as follows:

1. PURPOSE OF THE AGREEMENT

- 1.1. This agreement is entered into in order to coordinate the delivery of intensive special education services by Seneca Center for district students at a specified WCCUSD school host campus. The purpose will be to provide a model program, which supports high quality best practices and outcome-driven instruction/interventions for students with special needs, to increase students' opportunities to mainstream and socialize with peers and to facilitate their effective transition from Seneca-staffed classrooms into District classrooms.
- 1.2. These intensive special education services will be provided at a fixed classroom price for each of the classrooms with the cost capped and predictable for the term of this agreement increasing only by the approved bifurcated funded Special Education COLA. This does not include the costs associated with the provision of mandated or required mental health services.
- 1.3. It is the intent of the parties to this Agreement that it be interpreted so as to accomplish the purposes stated.

2. SCOPE OF WORK

- 2.1. Administrative Coordination and Communication: Seneca shall provide on-going contact with West Contra Costa Unified School District's (WCCUSDs) SELPA Director, and WCCUSD's Administrator of NPS Services, in order to facilitate the delivery of instruction and the implementation of this Agreement.
- 2.2. Behavioral Issues:
 - 2.2.1. Student issues will be handled by Seneca staff according to Seneca policies.
 - 2.2.2. Behavioral Issues and Interventions will be specified in the Emergency Prevention and Intervention Plan (EPIP) for each student, which includes functional analysis and behavioral intervention planning as per Hughes Bill regulations.
 - 2.2.3. Seneca staff will be AHIMSA trained (a specialized variation of ProAct or Professional Assault Crisis Training) and certified to assist in behavioral interventions with students.
- 2.3. Classroom Staffing:
 - 2.3.1. Seneca shall provide the following Seneca Center employees to staff the NPS special education classrooms:
 - 2.3.1.1. Credentialed Teacher: one per classroom.
 - 2.3.1.2. A sufficient number of bachelor's level classroom counselors per classroom to maintain a safe and educationally appropriate staff to student ratio.
 - 2.3.1.3. Provide substitute special education teachers and classroom counselors when absences of regularly assigned occur.
 - 2.3.2. Seneca administrators shall provide supervision and training for NPS special education classroom staff.
 - 2.3.3. Seneca credentialed teachers and program administrator shall participate in staff meetings at the host campus as requested by the host campus principal.
 - 2.3.4. Adjustments in the staffing patterns required for the effective operation of the of the NPS classrooms may be made at the sole discretion of Seneca Center in order to meet student needs identified in their IEPs and

to assure the health and safety of students enrolled in the satellite classrooms.

- 2.3.5. Because Seneca employees represent an inventory of extremely skilled, highly trained professionals and counselors, WCCUSD agrees not to recruit Seneca personnel. However, both parties recognize that staff may seek alternative employment.

2.4. Related Services:

- 2.4.1. Seneca personnel will provide Speech services mandated by student IEPs.
- 2.4.2. These services will be included as part of the classroom price agreement.
- 2.4.3. WCCUSD will provide all other Related Services unless otherwise agreed upon.

2.5. Emergency Procedures:

- 2.5.1. The host campus, or district designee, will be provided with a copy of each student's IEP for office records.
- 2.5.2. Any student emergency medical information (i.e. a student with severe seizures, allergic reactions, etc.) will be copied and reviewed with the host campus administrative staff, or district designee.
- 2.5.3. Host campus office staff, or district designee, will be provided with emergency medical procedures for each student.

2.6. Materials Provided by Seneca Center:

- 2.6.1. Books and materials necessary for the classroom curriculum.
- 2.6.2. Computer and other teacher supplies.
- 2.6.3. Identification badges for staff working on the host campus.
- 2.6.4. Copier for classroom use.

2.7. Medication: The following procedures will be implemented for individual students requiring medication during school hours:

- 2.7.1. The NPS classrooms will require a locked cabinet for medication storage provided by Seneca Center.

2.7.2. Medication will be dispensed by properly trained Seneca staff.

2.7.3. A Medication log will be kept at all times to record times dispensed and proper dosages for each student per Seneca and Mt. Diablo policy.

2.8. Program Operations:

2.8.1. Seneca shall be responsible for the day to day operation of instructional and clinical program components, staff supervision, and program direction in accordance with agency philosophy, policies, procedures, annual goals and the provisions of this Agreement and the Master Contract.

2.9. Transportation:

2.9.1. WCCUSD or its agent shall provide transportation to and from school as provided in each student's ISA. WCCUSD reserves the option of arranging for alternative transportation, as necessary or when the IEP team determines that is needed.

2.10. Financial Agreement/Responsibility:

WCCUSD shall provide:

2.10.1. A fixed annual fee of \$190,000 for each NPS classroom to include tuition, speech services, teacher/classroom counselor, and training to be paid in 12 equal payments August through July. See budget attached hereto as Exhibit "A."

2.10.2. The pricing for each classroom is set for two years except for a State bifurcated funded COLA increase each year.

2.10.3. Payment for all NPS classrooms will be paid no later than 45 days after receipt of invoice.

Seneca Center shall:

2.10.4. Work in collaboration with WCCUSD to ensure that all students admitted to the program, that are the financial responsibility of WCCUSD, will be referred solely by WCCUSD.

2.10.5. Depending upon the flow of referrals and fiscal viability, Seneca Center will open additional NPS classrooms, designed to serve out of district

students. WCCUSD will receive a host county fee of \$15.00 per day for each out of district student enrolled. This host county fee will be deducted from the Seneca Center daily NPS rate.

- 2.10.6. Extend to WCCUSD the right of first refusal for all student vacancies, to ensure that WCCUSD will have the ability to place students in a classroom that may otherwise be placed on home and hospital services.

3. GENERAL CONTRACTUAL PROVISIONS

3.1. Indemnification

- 3.1.1. To the fullest extent permitted by California law, Seneca shall defend, indemnify, and hold harmless District, its agents, representatives, officers, consultants, employees, trustees, and volunteers (the "indemnified parties") from any and all losses, liabilities, claims, suits, and actions of any kind, nature, and description, including, but not limited to, attorneys' fees and costs, directly or indirectly arising out of, on account of, connected with, or resulting from, the operation, condition, use or occupancy of the District premises or Seneca's provision of services provided hereunder, and in case any action or proceeding be brought against District, Seneca shall defend the same at Seneca's sole expense. This Agreement is made on the express condition that District shall not be liable for, or suffer loss by reason of, injury to person or property, from whatever cause in any way connected with Seneca's provision of services provided hereunder.

3.2. Contract Renewal

- 3.2.1. This contract will automatically renew on July 1 of each year, unless either party submits a written notice of cancellation 60 days prior to July 1.

- 3.3. Attorneys' Fees. If either Party files any action or brings any proceedings against the other arising out of this Agreement, the prevailing party shall be entitled to recover, in addition to its costs of suit and damages, reasonable attorneys' fees to be fixed by the court. The "prevailing party" shall be the Party who is entitled to recover its costs of suit, whether or not suit proceeds to final judgment. No sum for attorneys' fees shall be counted in calculating the amount of a judgment for purposes of determining whether a Party is entitled to its costs or attorneys' fees.

- 3.4. Waiver. The waiver by either Party of any breach of any term, covenant, or condition herein contained shall not be deemed to be a waiver of such term,

covenant, condition, or any subsequent breach of the same or any other term, covenant, or condition herein contained.

- 3.5. Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of the Parties hereto and their respective heirs, legal representatives, successors, and assigns.
- 3.6. Counterparts. This Agreement and all amendments and supplements to it may be executed in counterparts, and all counterparts together shall be construed as one document.
- 3.7. Captions. The captions contained in this Agreement are for convenience only and shall not in any way affect the meaning or interpretation hereof nor serve as evidence of the interpretation hereof, or of the intention of the Parties hereto.
- 3.8. Severability. Should any provision of this Agreement be determined to be invalid, illegal or unenforceable in any respect, such provision shall be severed and the remaining provisions shall continue as valid, legal and enforceable.

ACCEPTED AND AGREED on the date indicated below:

Dated: _____, 2012

West Contra Costa Unified School District


By: _____

Print Name: _____

Print Title: _____

Dated: 12/7/12, 2012

Seneca Family of Agencies

By:  _____

Print Name: Katherine West

Print Title: COO

EXHIBIT "A"

Budget

West Contra Costa Campus-Based Educational and Mental Health Services Program FY 2012-2013 Annual Projection

| | 2 Classroom Program With Integrated Day Treatment Services | | | |
|---------------------------------|------------------------------------------------------------|---------|----------------|---------|
| | Education | | Mental Health | |
| Assumptions | | | | |
| Number of Classrooms | | 2 | | |
| Maximum Number of Students | | 24 | 85% Attendance | |
| Educational Days | | 200 | | |
| Classroom Rate/Year | | 190,000 | | |
| Mental Health Services | | | | 215.00 |
| Revenue Generation | | | | |
| Education Funding | | 380,000 | | |
| Mental Health Services Funding | | | | 877,200 |
| Total Revenue | | 380,000 | | 877,200 |
| Program Cost | | | | |
| Payroll | | | | |
| Program Director | 0.25 | 25,000 | 0.75 | 75,000 |
| Program Manager | 0.25 | 15,000 | 0.75 | 45,000 |
| Clinical Supervisor | | | 0.50 | 37,500 |
| Milieu Specialist | | | 1.00 | 50,000 |
| Clinician | | | 4.00 | 200,000 |
| Nursing | | | 0.25 | 21,250 |
| Teacher | 2.10 | 126,000 | | |
| MHA/Classroom Counselors | 1.00 | 32,240 | 3.00 | 96,720 |
| Clerical/QA Support | 0.50 | 16,120 | 1.00 | 32,240 |
| Total Payroll | 4.10 | 214,360 | 11.25 | 557,710 |
| Benefits @ | 0.28 | 60,021 | 0.28 | 156,159 |
| Total Wage Expense | | 274,381 | | 713,869 |
| Contract Services | | | | |
| Psychiatric | | | 175.00 | 23,104 |
| Other (Speech and Language) | | 6,000 | | 3,000 |
| Total Contract Services | | 6,000 | | 26,104 |
| Program Support | | | | |
| Office Supplies | | 800 | | 800 |
| Telephone | | 1,640 | | 1,640 |
| Staff Mileage | | 984 | | 984 |
| Conference and Training | | 3,333 | | 3,333 |
| Recruitment | | 500 | | 500 |
| Total Program Support | | 7,257 | | 7,257 |
| Facility Related | | | | |
| Janitorial/Mt. | | 18,000 | | 18,000 |
| Equipment/Copier | | 3,000 | | 3,000 |
| Total Facility | | 21,000 | | 21,000 |
| Vehicle | | | | |
| Depreciation | | 3,000 | | 3,000 |
| Operations | | 1,800 | | 1,800 |
| Total Vehicle | | 4,800 | | 4,800 |
| Client Related | | | | |
| Classroom Supplies | | 3,333 | | |
| Classroom Curriculum | | 7,333 | | |
| Behavioral Rewards/Spec. Events | | 6,667 | | 15,000 |
| Total Client Related | | 17,333 | | 15,000 |
| Total Operations | | 56,391 | | 74,161 |
| Total Direct Payroll | | 274,381 | | 713,869 |
| Total Direct Cost | | 330,771 | | 788,030 |
| Allocable @ | 0.12 | 39,693 | 0.12 | 94,564 |
| Total Program Cost | | 370,464 | | 882,594 |
| Program Net Position | | 9,535 | | (5,394) |

EXHIBIT B

DESCRIPTION OF PREMISES

Classroom Space: _____ Classrooms _____ Square Feet

Office Space:

Multipurpose Room:

Outdoor Space:

Bathrooms:

Parking Spaces:

**EXHIBIT C
SENECA IMPROVEMENTS**

Carpet/floor replacement
Interior paint
Exterior paint touch up
Lighting upgrades (interior and exterior)
Window replacement
Network wiring
Kitchen remodel (minor)
HVAC upgrades
Landscape upgrades
Fence upgrades
Re-keying
Burglar alarm system upgrade (video surveillance)
Asphalt sealing and stripping
Temporary partition work stations
Exterior signage (Seneca)
Bathroom remodels (minor)
Electrical upgrades (minor depending on existing current upgrades)

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:** January 9, 2013
From: Bill Fay **Agenda Item:** CI C.17
Associate Superintendent for Operations
Subject: Services Agreement with Seneca Family Agencies at El Sobrante Elementary
School Site

Background information:

The District and Seneca Family of Agencies ("Seneca") have negotiated a Services Agreement whereby Seneca will provide intensive special education services to District students. The District intends to provide space to Seneca for the purpose of providing the special education services at the El Sobrante Elementary School Site. The term of the Services Agreement is one (1) year and will automatically renew unless terminated by the District or Seneca. Seneca will provide services to District students at a fixed annual classroom price of \$190,000 for two (2) classrooms. The fixed annual classroom price includes tuition, speech services, teacher/classroom counselors and training. The cost is capped and predictable for two (2) years increasing only by the approved bifurcated funded Special Education COLA.

Recommendation: Approve the Services Agreement Between the District and Seneca Family Agencies

Fiscal Impact: Annual costs of \$380,000 increasing only by the approved bifurcated funded Special Education COLA. This represents a savings to the District of approximately \$100,000 due to a fixed annual fee per classroom and reduction in transportation costs.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

SERVICE AGREEMENT BETWEEN
SENECA CENTER FOR CHILDREN AND FAMILIES
AND
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

This Agreement is made as of the ____ day of ____ 2012, by and between the West Contra Costa Unified School District ("District"), a California public school district, and Seneca Family of Agencies, a non-profit mental health agency ("Seneca"). District and Seneca may be referred to herein collectively as the "Parties," or individually as a "Party."

WHEREAS, pursuant to the provisions of the Education Code of the State of California, the governing board of any school district is authorized to enter into agreements with any institution Certified by the California Department of Education as a Non Public School. WHEREAS, Seneca Center is certified by the California Department of Education as a Non Public School (NPS).

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained in the Agreement, Seneca Center and the District agree as follows:

1. PURPOSE OF THE AGREEMENT

- 1.1. This agreement is entered into in order to coordinate the delivery of intensive special education services by Seneca Center for district students at a specified WCCUSD school host campus. The purpose will be to provide a model program, which supports high quality best practices and outcome-driven instruction/interventions for students with special needs, to increase students' opportunities to mainstream and socialize with peers and to facilitate their effective transition from Seneca-staffed classrooms into District classrooms.
- 1.2. These intensive special education services will be provided at a fixed classroom price for each of the classrooms with the cost capped and predictable for the term of this agreement increasing only by the approved bifurcated funded Special Education COLA. This does not include the costs associated with the provision of mandated or required mental health services.
- 1.3. It is the intent of the parties to this Agreement that it be interpreted so as to accomplish the purposes stated.

2. SCOPE OF WORK

- 2.1. Administrative Coordination and Communication: Seneca shall provide on-going contact with West Contra Costa Unified School District's (WCCUSDs) SELPA Director, and WCCUSD's Administrator of NPS Services, in order to facilitate the delivery of instruction and the implementation of this Agreement.
- 2.2. Behavioral Issues:
 - 2.2.1. Student issues will be handled by Seneca staff according to Seneca policies.
 - 2.2.2. Behavioral issues and interventions will be specified in the Emergency Prevention and Intervention Plan (EPIP) for each student, which includes functional analysis and behavioral intervention planning as per Hughes Bill regulations.
 - 2.2.3. Seneca staff will be AHIMSA trained (a specialized variation of ProAct or Professional Assault Crisis Training) and certified to assist in behavioral interventions with students.
- 2.3. Classroom Staffing:
 - 2.3.1. Seneca shall provide the following Seneca Center employees to staff the NPS special education classrooms:
 - 2.3.1.1. Credentialed Teacher: one per classroom.
 - 2.3.1.2. A sufficient number of bachelor's level classroom counselors per classroom to maintain a safe and educationally appropriate staff to student ratio.
 - 2.3.1.3. Provide substitute special education teachers and classroom counselors when absences of regularly assigned occur.
 - 2.3.2. Seneca administrators shall provide supervision and training for NPS special education classroom staff.
 - 2.3.3. Seneca credentialed teachers and program administrator shall participate in staff meetings at the host campus as requested by the host campus principal.
 - 2.3.4. Adjustments in the staffing patterns required for the effective operation of the of the NPS classrooms may be made at the sole discretion of Seneca Center in order to meet student needs identified in their IEPs and

to assure the health and safety of students enrolled in the satellite classrooms.

- 2.3.5. Because Seneca employees represent an inventory of extremely skilled, highly trained professionals and counselors, WCCUSD agrees not to recruit Seneca personnel. However, both parties recognize that staff may seek alternative employment.

2.4. Related Services:

- 2.4.1. Seneca personnel will provide Speech services mandated by student IEPs.
- 2.4.2. These services will be included as part of the classroom price agreement.
- 2.4.3. WCCUSD will provide all other Related Services unless otherwise agreed upon.

2.5. Emergency Procedures:

- 2.5.1. The host campus, or district designee, will be provided with a copy of each student's IEP for office records.
- 2.5.2. Any student emergency medical information (i.e. a student with severe seizures, allergic reactions, etc.) will be copied and reviewed with the host campus administrative staff, or district designee.
- 2.5.3. Host campus office staff, or district designee, will be provided with emergency medical procedures for each student.

2.6. Materials Provided by Seneca Center:

- 2.6.1. Books and materials necessary for the classroom curriculum.
- 2.6.2. Computer and other teacher supplies.
- 2.6.3. Identification badges for staff working on the host campus.
- 2.6.4. Copier for classroom use.

2.7. Medication: The following procedures will be implemented for individual students requiring medication during school hours:

- 2.7.1. The NPS classrooms will require a locked cabinet for medication storage provided by Seneca Center.

2.7.2. Medication will be dispensed by properly trained Seneca staff.

2.7.3. A Medication log will be kept at all times to record times dispensed and proper dosages for each student per Seneca and Mt. Diablo policy.

2.8. Program Operations:

2.8.1. Seneca shall be responsible for the day to day operation of instructional and clinical program components, staff supervision, and program direction in accordance with agency philosophy, policies, procedures, annual goals and the provisions of this Agreement and the Master Contract.

2.9. Transportation:

2.9.1. WCCUSD or its agent shall provide transportation to and from school as provided in each student's ISA. WCCUSD reserves the option of arranging for alternative transportation, as necessary or when the IEP team determines that is needed.

2.10. Financial Agreement/Responsibility:

WCCUSD shall provide:

2.10.1. A fixed annual fee of \$190,000 for each NPS classroom to include tuition, Speech services, teacher/classroom counselor, and training to be paid in 12 equal payments August through July. See budget attached hereto as Exhibit "A."

2.10.2. The pricing for each classroom is set for two years except for a State bifurcated funded COLA increase each year.

2.10.3. Payment for all NPS classrooms will be paid no later than 45 days after receipt of invoice.

Seneca Center shall:

2.10.4. Work in collaboration with WCCUSD to ensure that all students admitted to the program, that are the financial responsibility of WCCUSD, will be referred solely by WCCUSD.

2.10.5. Depending upon the flow of referrals and fiscal viability, Seneca Center will open additional NPS classrooms, designed to serve out of district

students. WCCUSD will receive a host county fee of \$15.00 per day for each out of district student enrolled. This host county fee will be deducted from the Seneca Center daily NPS rate.

2.10.6. Extend to WCCUSD the right of first refusal for all student vacancies, to ensure that WCCUSD will have the ability to place students in a classroom that may otherwise be placed on home and hospital services.

3. GENERAL CONTRACTUAL PROVISIONS

3.1. Indemnification

3.1.1. To the fullest extent permitted by California law, Seneca shall defend, indemnify, and hold harmless District, its agents, representatives, officers, consultants, employees, trustees, and volunteers (the "indemnified parties") from any and all losses, liabilities, claims, suits, and actions of any kind, nature, and description, including, but not limited to, attorneys' fees and costs, directly or indirectly arising out of, on account of, connected with, or resulting from, the operation, condition, use or occupancy of the District premises or Seneca's provision of services provided hereunder, and in case any action or proceeding be brought against District, Seneca shall defend the same at Seneca's sole expense. This Agreement is made on the express condition that District shall not be liable for, or suffer loss by reason of, injury to person or property, from whatever cause in any way connected with Seneca's provision of services provided hereunder.

3.2. Contract Renewal

3.2.1. This contract will automatically renew on July 1 of each year, unless either party submits a written notice of cancellation 60 days prior to July 1.

3.3. Attorneys' Fees. If either Party files any action or brings any proceedings against the other arising out of this Agreement, the prevailing party shall be entitled to recover, in addition to its costs of suit and damages, reasonable attorneys' fees to be fixed by the court. The "prevailing party" shall be the Party who is entitled to recover its costs of suit, whether or not suit proceeds to final judgment. No sum for attorneys' fees shall be counted in calculating the amount of a judgment for purposes of determining whether a Party is entitled to its costs or attorneys' fees.

3.4. Waiver. The waiver by either Party of any breach of any term, covenant, or condition herein contained shall not be deemed to be a waiver of such term,

covenant, condition, or any subsequent breach of the same or any other term, covenant, or condition herein contained.

- 3.5. Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of the Parties hereto and their respective heirs, legal representatives, successors, and assigns.
- 3.6. Counterparts. This Agreement and all amendments and supplements to it may be executed in counterparts, and all counterparts together shall be construed as one document.
- 3.7. Captions. The captions contained in this Agreement are for convenience only and shall not in any way affect the meaning or interpretation hereof nor serve as evidence of the interpretation hereof, or of the intention of the Parties hereto.
- 3.8. Severability. Should any provision of this Agreement be determined to be invalid, illegal or unenforceable in any respect, such provision shall be severed and the remaining provisions shall continue as valid, legal and enforceable.

ACCEPTED AND AGREED on the date indicated below:

Dated: _____, 2012

West Contra Costa Unified School District

By: _____

Print Name: _____

Print Title: _____

Dated: 12/7/12, 2012

Seneca Family of Agencies

By:  _____

Print Name: Katherine West

Print Title: COD

EXHIBIT "A"

Budget

West Contra Costa Campus-Based Educational and Mental Health Services Program FY 2012-2013 Annual Projection

| | | 2 Classroom Program With Integrated Day Treatment Services | |
|---------------------------------|------|------------------------------------------------------------|----------------|
| | | Education | Mental Health |
| Assumptions | | | |
| Number of Classrooms | | 2 | |
| Maximum Number of Students | | 24 | 85% Attendance |
| Educational Days | | 200 | |
| Classroom Rate/Year | | 190,000 | |
| Mental Health Services | | | 215.00 |
| Revenue Generation | | | |
| Education Funding | | 380,000 | |
| Mental Health Services Funding | | | 877,200 |
| Total Revenue | | 380,000 | 877,200 |
| Program Cost | | | |
| Payroll | | | |
| Program Director | 0.25 | 25,000 | 0.75 75,000 |
| Program Manager | 0.25 | 15,000 | 0.75 45,000 |
| Clinical Supervisor | | | 0.50 37,500 |
| Milieu Specialist | | | 1.00 50,000 |
| Clinician | | | 4.00 200,000 |
| Nursing | | | 0.25 21,250 |
| Teacher | 2.10 | 126,000 | |
| MHA/Classroom Counselors | 1.00 | 32,240 | 3.00 96,720 |
| Clerical/QA Support | 0.50 | 16,120 | 1.00 32,240 |
| Total Payroll | 4.10 | 214,360 | 11.25 557,710 |
| Benefits @ | 0.28 | 60,021 | 0.28 156,159 |
| Total Wage Expense | | 274,381 | 713,869 |
| Contract Services | | | |
| Psychiatric | | | 175.00 23,104 |
| Other (Speech and Language) | | 6,000 | 3,000 |
| Total Contract Services | | 6,000 | 26,104 |
| Program Support | | | |
| Office Supplies | | 800 | 800 |
| Telephone | | 1,640 | 1,640 |
| Staff Mileage | | 984 | 984 |
| Conference and Training | | 3,333 | 3,333 |
| Recruitment | | 500 | 500 |
| Total Program Support | | 7,257 | 7,257 |
| Facility Related | | | |
| Janitorial/Mt. | | 18,000 | 18,000 |
| Equipment/Copier | | 3,000 | 3,000 |
| Total Facility | | 21,000 | 21,000 |
| Vehicle | | | |
| Depreciation | | 3,000 | 3,000 |
| Operations | | 1,800 | 1,800 |
| Total Vehicle | | 4,800 | 4,800 |
| Client Related | | | |
| Classroom Supplies | | 3,333 | |
| Classroom Curriculum | | 7,333 | |
| Behavioral Rewards/Spec. Events | | 6,667 | 15,000 |
| Total Client Related | | 17,333 | 15,000 |
| Total Operations | | 56,391 | 74,161 |
| Total Direct Payroll | | 274,381 | 713,869 |
| Total Direct Cost | | 330,771 | 788,030 |
| Allocable @ | 0.12 | 39,693 | 0.12 94,564 |
| Total Program Cost | | 370,464 | 882,594 |
| Program Net Position | | 9,536 | (5,394) |

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:** January 9, 2013

From: Bill Fay **Agenda Item:** CI C.18
Associate Superintendent for Operations

Subject: Resolution No. 58-1213: Right Of Entry Agreement For Use Of Parking Area Located
At Nystrom Elementary School Between The West Contra Costa Unified School
District And Providence Baptist Church

Background information: Providence Baptist Church ("Providence") is owner of real property located at 314 South 12th Street, and located across from the Nystrom Elementary School Site ("School Site"). Providence is in need of additional parking spaces for its employees, members, guests and invitees that attend services at Providence on Sundays. The District intends to allow Providence use of the parking lot located on the School Site from 9:30 a.m., until 6:30 p.m., each Sunday. The term of the Agreement is for one (1) year. Providence is responsible for securing the parking lot during its use and is required to indemnify District for any damage or destruction that may occur during Providence's use. The District use of the parking lot for its own purposes shall take precedence and priority over Providence's use. The District may terminate the Agreement upon twenty-four (24) hours' notice.

Recommendation: Approve the Right Of Entry Agreement For Use Of Parking Area Located At Nystrom Elementary School Between The West Contra Costa Unified School District And Providence Baptist Church

Fiscal Impact: No fiscal impact or implications associated with the approval of these documents.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

RESOLUTION NO. 58-1213 (January 9, 2013)
A RESOLUTION OF THE GOVERNING BOARD OF THE
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT APPROVING FORM OF JOINT
USE AGREEMENT BETWEEN THE DISTRICT AND THE CITIES OF EL CERRITO,
HERCULES, PINOLE, RICHMOND AND SAN PABLO

WHEREAS, District is owner, in fee, of the real property located at 230 Harbour Way South, Richmond, CA and commonly known as the Nystrom Elementary School Site ("District Parcel"); and

WHEREAS, Providence is owner, in fee, of the real property located at 314 South 12th Street, Richmond CA, and located across the street from the District Parcel; and

WHEREAS, Providence is in need of additional parking space for its employees, members, guests and invitees that attend services at Providence on Sundays; and

WHEREAS, Providence's use of the parking spaces located on the District Parcel will not interfere with the District's educational program or activities nor jeopardize the safety of the children of the school.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Governing Board of the West Contra Costa Unified School District as follows:

1. The form of Right of Entry Agreement is hereby approved; and
2. The Superintendent or his designee is hereby authorized to execute all documents and expend all funds necessary to execute the Right of Entry Agreement and any documents associated thereto.

APPROVED, PASSED and ADOPTED by the Governing Board of the West Contra Costa Unified School District this 9th day of January, 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

President, Governing Board
West Contra Costa Unified School District

ATTEST:

Secretary, Governing Board
West Contra Costa Unified School District

ATTACHMENT

RIGHT TO ENTER AGREEMENT

**RIGHT OF ENTRY AGREEMENT FOR USE OF PARKING AREAS LOCATED AT NYSTROM ELEMENTARY SCHOOL
BETWEEN THE WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
AND PROVIDENCE BAPTIST CHURCH**

THIS RIGHT OF ENTRY AGREEMENT ("Agreement") is made and entered into on _____, 201_ by and between the West Contra Costa Unified School District, a California public school district located in the County of Contra Costa, California ("District") and the Providence Baptist Church ("Providence"), a _____, each a "Party" and collectively, the "Parties."

BACKGROUND TO AND PURPOSE OF AGREEMENT

- A. District is owner, in fee, of the real property located at 230 Harbour Way South, Richmond, CA and commonly known as the Nystrom Elementary School Site ("District Parcel").
- B. Providence is owner, in fee, of the real property located at 314 South 12th Street, Richmond CA, and located across the street from the District Parcel.
- C. Providence is in need of additional parking space for its employees, members, guests and invitees that attend services at Providence on Sundays.
- D. Providence's use of the parking spaces located on the District Parcel will not interfere with the District's educational program or activities nor jeopardize the safety of the children of the school.

NOW THEREFORE, the District and Providence hereby agree as follows:

1. RESPONSIBILITIES AND OBLIGATIONS

- 1.1 **Right of Entry.** District shall provide Providence with reasonable access to the parking spaces identified in the attached Exhibit "A" ("Parking"), subject to the following provisions:

- 1.1.1 Providence shall have access to the Parking each and every Sunday from 9:30 a.m. until 6:30 p.m. Providence may be provided additional access to the Parking upon advance written notice to District. Providence's request shall provide the date and time that is requested. In the event such request is approved by District, Providence's access and use of the Parking shall be subject to the same terms and conditions of this Agreement. Providence's access to the Parking shall not interfere with the District's use of the Parking for District events. The District's use of the Parking for its events shall supersede and take precedence above Providence's use of the Parking.
- 1.1.2 Reasonable precautions will be exercised to avoid damage and protect persons or property. Providence shall undertake all measures reasonably necessary to ensure that its employees, members, guests and invitees that use the Parking shall do so in a safe manner and shall observe the organization of the Parking as depicted in Exhibit "A", including identified entrances and driveways, leaving the same clear at all times for the safe and unimpeded flow of vehicle traffic to and through the Parking.
- 1.1.3 District assumes no liability for loss or damage to property or injuries to or deaths of agents, employees, guests, members, or invitees of Providence by reason of the exercise of privileges given in this Agreement.
- 1.1.4 Providence acknowledges that Parking is provided in an "AS IS" condition. The District shall not be obligated to repair, improve or maintain the Parking for any purpose related to Providence or this Agreement.
- 1.1.5 Providence shall use the Parking only for the purposes of parking automobiles for Providence, its employees, members, guests and invitees, on Sundays, and for no other

purposes whatsoever without the District's prior written consent, which shall be granted or withheld in District's sole discretion.

- 1.1.6 Providence shall not hold the Parking open for use by the general public. Providence shall not collect any rate or charge for the use of the Parking.
 - 1.1.7 Providence agrees to indemnify and hold harmless District from any damage caused by Providence's activities authorized in this Agreement. Providence agrees also to either reimburse District for any damage or destruction to the District Parcel, Parking, roads, fences, access gate, or other property located on the District Parcel, occurring by reason of the exercise of rights granted, or to replace or restore said property to its preexisting condition.
 - 1.1.8 Providence shall exercise the rights granted by this Agreement in accordance with all applicable laws.
- 1.2 **Rules of Conduct.** Providence and its employees, members, guests and invitees that use the Parking shall follow the following rules of conduct:
- 1.2.1 **No Unnecessary Student Contact.** Providence shall instruct its employees and any volunteers in writing that employees and volunteers shall not engage in unnecessary contact with students. At its sole discretion, District may require Providence to immediately remove any employee or volunteer from the District Parcel or Parking if any unnecessary student contact is observed or reported.
 - 1.2.2 **No Disturbances.** Providence, its employees, members, guests and invitees that use the Parking shall refrain from disorderly conduct, or conduct that creates loud and unusual noises or unpleasant odors.
 - 1.2.3 **No Gambling.** Providence, its employees, members, guests and invitees that use the Parking shall refrain from conducting or participating in games for money or other personal property, the operation of gambling devices, the conduct of a lottery or pool, or the selling or purchasing of lottery tickets at, on, or in the District Parcel and Parking.
 - 1.2.4 **Drug-Free Environment.** Providence shall not knowingly permit any person under the influence of any non-prescribed drug that has been defined by the state or federal government as a "controlled substance" to enter upon the District Parcel or Parking. The possession, sale, or use of any "controlled substance" (except when permitted by law) on the District Parcel or Parking is prohibited.
 - 1.2.5 **No Weapons and Explosives.** Providence, its employees, members, guests and invitees that use the Parking shall refrain from carrying firearms, other dangerous or deadly weapons, or explosives, either openly or concealed, and from storing any such weapons or explosives on or within the District Parcel or Parking, except for permitted official purposes.
 - 1.2.6 **No Smoking.** In accordance with the District's general policy, smoking shall not be permitted on the District Parcel or Parking at any time. Providence, its employees, members, guests and invitees that use the Parking shall additionally comply with all applicable laws and ordinances regarding smoking in the vicinity of all entrances to the District Parcel.

1.3 Insurance

1.3.1 Providence shall secure and maintain, and shall cause any of its contractors to secure and maintain, in full force and effect, commercial general liability insurance or participation in a self-insurance program, including coverage for owned and non-owned automobiles and other insurance necessary to protect the public, with limits of liability of not less than Two Million Dollars (\$2,000,000.00) combined single limit bodily injury and property damage. Providence shall secure and maintain, in full force and effect during the term of this permit, workers' compensation insurance, at statutory minimums, including employers' liability coverage with limits not less than Two Million Dollars (\$2,000,000.00) for each accident, Two Million Dollars (\$2,000,000.00) as the aggregate policy limit, and Two Million Dollars (\$2,000,000.00) as the policy limit for each employee. Policies shall be issued by an insurance company or companies that are rated "A-VII" or higher by A.M. Best's key rating guide, and are approved to do business in the State of California. A certificate evidencing the insurance requirements of this section shall be provided prior to commencing any due diligence activities on the District Parcel. The insurance policies shall include, or be endorsed to include "West Contra Costa Unified School District" as an additional insured. All endorsements shall waive any right to subrogation against any of the named additional insureds.

1.4 **Term.** Providence's right to enter the District Parcel to access the Parking pursuant to this Agreement shall expire in _____, 2014. The Parties may agree to renew the term of this Agreement upon prior written agreement. District shall have the option to terminate this Agreement upon twenty-four (24) hours' notification to Providence. The District shall also have the option to suspend Providence's right to access and use the Parking upon twenty-four (24) hours' notification to Providence.

1.5 **Signage.** Providence shall be entitled to place temporary, nonpermanent signs upon the District Parcel or Parking to identify Providence's use of the Parking. Any signs used by Providence shall be removed each Sunday following Providence's use.

1.6 **Access Gate Key.** District shall provide Providence with one (1) key to unlock the access gate located on the District Parcel and as depicted in Exhibit "A". Providence shall not make copies of the key, nor provide the key to any person not designated and approved by District. Providence shall notify the District within twenty-four (24) hours in the event the key is lost or stolen. The person designated by Providence to receive and maintain the key is:

Reverend Albert Cobbs Jr.

Providence shall lock the access gate at the end of its use of the Parking. In the event that Providence fails to lock the access gate, District shall have the right to terminate this Agreement. Providence shall indemnify and hold the District harmless for any damage caused by Providence's failure to lock the access gate at the end of its use of the Parking.

1.7 **Due Diligence.** Providence shall perform its own due diligence, at its sole cost, to satisfy itself as to the condition and feasibility of the Parking for its anticipated use.

1.8 **Notice of Damage, Injury, Accident or Claims.** Providence shall, as soon as reasonably possible, notify the District of any damage, injury, accident or claim that occurs on the Parking during Providence's use. In no event shall Providence's notice to District be more than twenty-four (24) hours after the event of damage, injury, accident or claim. Notice shall be provided in writing and via telephonic notification as set forth in the Notice section herein.

2. MISCELLANEOUS

- 2.1 **Notice.** Any notice required or permitted to be given under this Agreement shall be deemed to have been given, served and received if given in writing and personally delivered or either deposited in the United States mail, registered or certified mail, postage prepaid, return receipt required, or sent by overnight delivery service, or facsimile transmission, addressed as follows:

DISTRICT

West Contra Costa Unified School District
Fairfield, CA 94534
ATTN: Director of Facilities and Construction
Facsimile: (510) 231-2406
Telephone: (510) 307-4543
Email Transmission: kholtlander@wccusd.net;
and amixer@wccusd.net

PROVIDENCE

Providence Baptist Church
314 South 12th Street
Richmond, CA 94538
Facsimile: (510)
Facsimile: (510)
Telephone: (510)
Email Transmission:
providencebc@sbcglobal.net

Any notice personally given or sent by facsimile transmission shall be effective upon receipt. Any notice sent by overnight delivery service shall be effective the business day next following delivery thereof to the overnight delivery service. Any notice given by mail shall be effective three (3) days after deposit in the United States mail.

- 2.2 **Amendment.** No addition to or modification of the terms of this Agreement shall be valid unless made in a written amendment to this Agreement, which is formally approved and signed by each Party to this Agreement.
- 2.3 **Assignment.** Providence may not assign this Agreement in whole or in part, whether by operation of law or otherwise, to any other entity, agency, or person without the prior written consent of the District.
- 2.4 **Waiver.** The waiver by any Party to this Agreement of a breach of any provision of this Agreement shall not be deemed a continuing waiver or a waiver of any subsequent breach of that or any provision of this Agreement.
- 2.5 **Applicable Law.** The Parties hereto acknowledge that this Agreement has been negotiated and entered into in the State of California. The Parties hereto expressly agree that this Agreement shall in all respects be exclusively governed by the laws of the State of California without regard to its conflict of law provisions. Venue for any action arising from this agreement shall be in Contra Costa County, California.
- 2.6 **Severability.** Nothing contained herein shall be construed as to require the commission of any act contrary to law, and wherever there is any conflict between any provision contained herein and any present statute, law, ordinance or regulation as to which the Parties have no legal right to contract, the latter shall prevail, but the affected provisions of this Agreement shall be limited only to the extent necessary to bring them within the requirements of such law.
- 2.7 **Captions, Number and Gender.** The captions appearing at the commencement of the paragraphs, subparagraphs and sections hereof are descriptive only and for convenience in reference. Should there be any conflict between any such caption and the article, paragraph or subparagraph at the head of which it appears the article, paragraph or subparagraph and not the caption shall control and govern the construction of this Agreement. In this Agreement, the masculine, feminine or neuter gender and the singular or plural number shall each be deemed to include the others whenever the

context so requires.

- 2.8 **Facsimile Signatures.** Facsimile signatures shall not be accepted unless prior agreement is obtained in writing by both Parties. If agreed that facsimile signatures are acceptable, they will be treated as original signatures; however, in no instance shall facsimile signatures be accepted on any document to be recorded. Such documents must bear original signatures.
- 2.9 **No Third-Party Beneficiaries.** This Agreement is intended solely for the benefit of the Parties hereto, and no third party shall be deemed to be a beneficiary or to have any rights hereunder against any of the Parties hereto, including any real estate brokers.
- 2.10 **Mutual Drafting:** This Agreement shall be construed as if drafted mutually by the parties through their respective counsel and therefore shall not be construed against either party.
- 2.11 **Force Majeure.** Neither Party will be responsible for performance under this Agreement to the extent performance is prevented, hindered, or delayed by fire, flood, earthquake, elements of nature, acts of God, acts of war (declared and undeclared), riots, rebellions, revolutions, or terrorism, whether foreseeable or unforeseeable.

IN WITNESS WHEREOF, this Agreement has been executed as of the date last written below.

Dated: _____, 201_

Dated: _____, 201_

West Contra Costa Unified School District

Providence

By: _____

By: _____

Print Name: _____

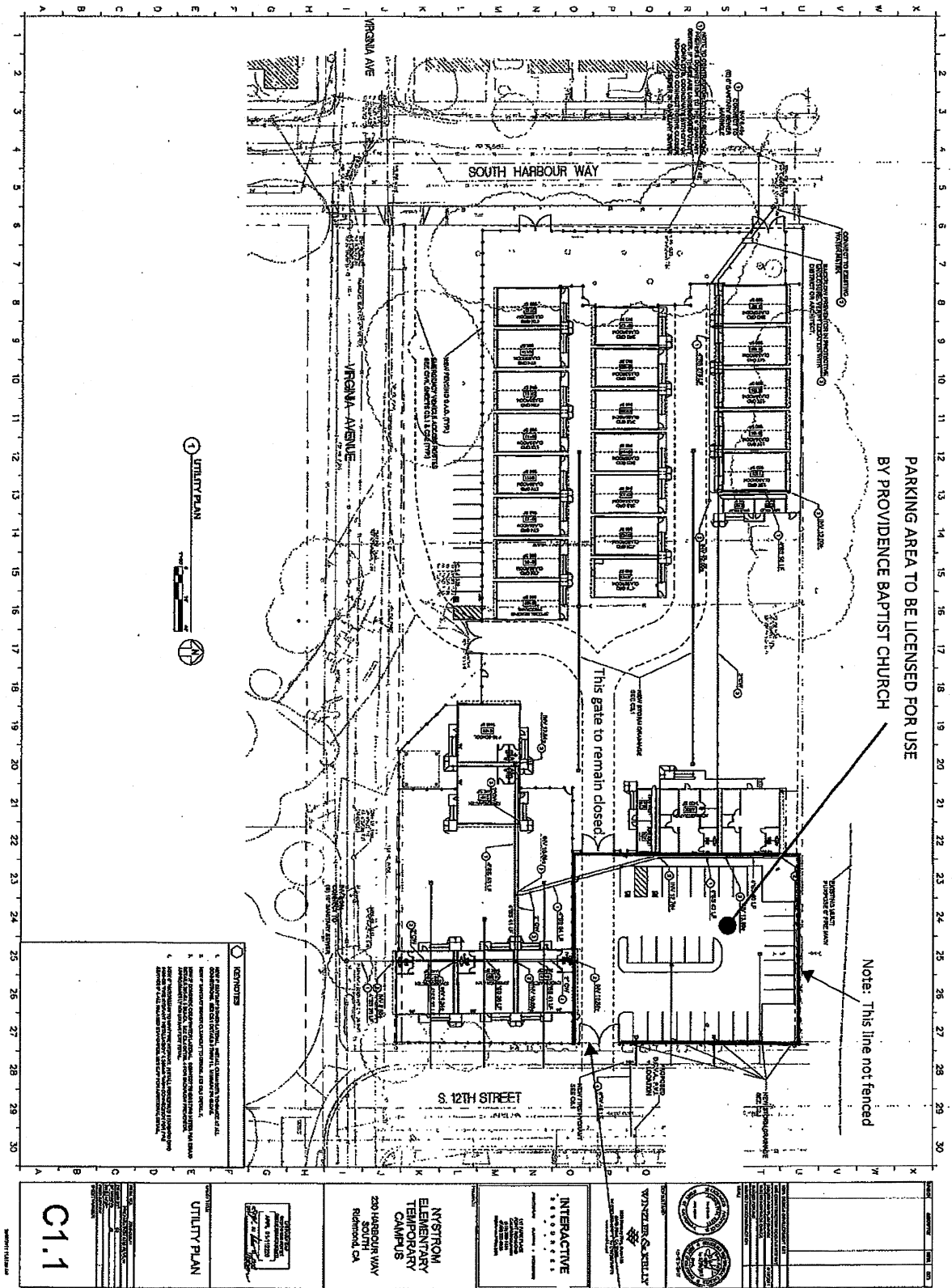
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Print Title: _____

EXHIBIT "A"
PARKING

Exhibit "A"



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:** January 9, 2013
From: Bill Fay **Agenda Item:** CI C.19
Associate Superintendent for Operations
Subject: Resolution No. 56-1213: Level II and Level III Developer Fees

Background Information:

Government Code Sections 65995.5, 65995.6, 65995.7 regarding school facilities fees requires that a School Facilities Needs Analysis be conducted yearly to determine the amount to be charged for developer fees for Level II and Level III new residential construction. Due to student generation factors, cost of construction and site acquisition costs, the Level II fee will decrease from \$4.48 per square foot to \$4.42 per square foot for new residential construction. The new fee will go into effect January 10, 2013, if approved by the Board. If not approved by the Board, the District would not be eligible to collect Level II fees, and the Level I fee of \$3.20 per square foot would be charged for new residential construction as well as for construction of additions. This analysis was conducted according to state guidelines.

A copy of the School Facilities Analysis is available for review by the public in the Facilities Planning and Construction Department and at the WCCUSD front desk located at 1108 Bissell Avenue in Richmond, CA.

Recommendation: Recommend approval of Resolution No. 56-1213

Fiscal Impact: Decrease in Level II Developer Fees of \$0.06 cents per square foot.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

RESOLUTION NO. 56-1213

RESOLUTION OF THE BOARD OF TRUSTEES OF THE WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT APPROVING A SCHOOL FACILITIES NEEDS ANALYSIS, ADOPTING ALTERNATIVE SCHOOL FACILITY FEES IN COMPLIANCE WITH GOVERNMENT CODE SECTIONS 65995.5, 65995.6 AND 65995.7 AND MAKING RELATED FINDINGS AND DETERMINATIONS

WHEREAS, the Board of Trustees ("Board") of the West Contra Costa Unified School District ("District") provides for the educational needs for Grade K - 12 students within the Cities of West Contra Costa County ("County"); and

WHEREAS, the Board of the District, has adopted and imposed statutory school facility fees ("Statutory School Facility Fees") pursuant to Education Code Section 17620 presently in the amounts of \$3.20 per square foot of assessable space of new residential construction in the District as defined in Government Code Section 65995(b)(1) ("Assessable space"), and \$0.51 per square foot of chargeable covered and enclosed space for all categories of new commercial/industrial development in the District ("Commercial/Industrial Fees") as defined in Government Code Section 65995(b)(2); and

WHEREAS, the Board of the District therefore has elected to participate in the school facilities funding program established pursuant to the Leroy F. Greene School Facilities Act of 1998 ("SFP") for both modernization and new construction projects and appointed a representative ("District Representative") for such purposes and for the purpose of requesting an Eligibility Determination relative to considering the adoption of alternative school facility fees and amounts pursuant to Government Code Sections 65995.5 ("ASF/Level 2 Fees") and 65995.7 ("ASF/Level 3 Fees") (and collectively, "Alternative School Facility Fees"); and

WHEREAS, the District Representative has caused the completion and certification of Form SAB 50-01, the Enrollment Certification/Projection ("ECP"), form SAB 50-02, the Existing School Building Capacity ("ESBC") and Form SAB 50-03, the Eligibility Determination ("ED"), and has submitted the ECP, ESBC and ED to the State Allocation Board ("SAB") for approval pursuant to the SFP; and

WHEREAS, the District has met the requirements established by Government Code Section 65995.5; and

WHEREAS, new residential construction continues to generate additional students for the District's schools and the District is required to provide K - 12 (grade level) school facilities ("School Facilities") to accommodate those students; and

WHEREAS, overcrowded schools within the District have an impact on the District's ability to provide an adequate quality education and negatively impact the educational opportunities for the District's students; and

WHEREAS, the District does not have sufficient funds available for the construction of the School Facilities, including acquisition of sites, construction of permanent School Facilities, and acquisition of interim School Facilities, to accommodate students from new residential construction; and

WHEREAS, the Board caused to be prepared a report entitled, "Facilities Needs Analysis for the West Contra Costa Unified School District" dated December 7, 2012 pursuant to applicable law including, but not by way of limitation, Government Code Section 65996.6 prior to the adoption of Alternative School Facility Fees; and

WHEREAS, the Board has received and considered the West Contra Costa Unified SD-2012/SFNA which includes all matters required by applicable law, including an analysis of (a) the purpose of the Alternative School Facility Fees, (b) the use to which the Alternative School Facility Fees are to be put, (c) the nexus (roughly proportional and reasonable relationship) between the residential construction and (1) the facilities for which the Alternative School Facility Fees are to be used, (2) the need for School Facilities, (3) the cost of School Facilities and the amount of Alternative School Facility Fees from new residential construction, (d) an evaluation and projection of the number of students that will be generated by new residential construction by grade levels of the District as described by Government Code Section 65995.6(e) a description of the new School Facilities that will be required to serve such students and (f) the present estimated cost of such School Facilities; and

WHEREAS, the West Contra Costa Unified SD-2012/SFNA in its final form has been available to the public, for at least thirty (30) days before the Board considered at a public hearing the adoption of the Alternative School Facility Fees; and

WHEREAS, all notices of the West Contra Costa Unified SD-2012/SFNA and adoption of Alternative School Facility Fees have been given in accordance with applicable law and copies of the West Contra Costa Unified SD-2012/SFNA have been provided thirty (30) days prior to all written requests filed with the District forty-five (45) days prior to a public hearing which was held in a manner required by law at a meeting of the Board of the District relating to the proposed adoption of the West Contra Costa Unified SD-2012/SFNA and Alternative School Facility Fees; and

WHEREAS, the West Contra Costa Unified SD-2012/SFNA has been provided to all local agencies responsible for land use planning for review and comment in compliance with Government Code Section 65995.6(c); and

WHEREAS, as to the approval of the West Contra Costa Unified SD-2012/SFNA and Alternative School Facility Fees, Government Code Section 65995.6(g) provides that the California Environmental Quality Act, Division 13 (commencing with Section 21000) of the Public Resources Code may not apply to the preparation, adoption, or update of the West Contra Costa Unified SD-2012/SFNA or adoption of this Resolution; and

WHEREAS, the District desires to approve the West Contra Costa Unified SD-2012/SFNA and adopt Alternative School Facility Fees pursuant to Government Code Sections 65995.5 and 65995.7 for the purpose of establishing Alternative School Facility Fees that may be imposed on residential construction calculated pursuant to Government Code Section 65995(b);

NOW THEREFORE, THE BOARD OF TRUSTEES OF THE WEST CONTRA COSTA SCHOOL DISTRICT DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

1. That the Board does hereby find and determine that the foregoing recitals and determinations are true and correct and that the West Contra Costa Unified SD-2012/SFNA meets all applicable legal requirements.

2. That the District has met the requirements established by Government Code Section 65995.5.

3. That the District has cause to prepare the West Contra Costa Unified SD-2012/SFNA which is on file at the District office address and is incorporated herein by this reference, which complies with all applicable statutory requirements, including the provisions of Government Code Section 65995.6.

4. That the Board hereby approves and adopts the West Contra Costa Unified SD-2012/SFNA for the purpose of establishing Alternative School Facility Fees as to future residential construction within the District.

5. That the Board finds that the purpose of the Alternative School Facility Fees imposed upon residential construction are to fund the additional School Facilities to serve the students generated by the residential construction upon which the Alternative School Facility Fees are imposed as provided in the West Contra Costa Unified SD - 2012/SFNA and applicable law.

6. That the Board finds the Alternative School Facility Fees are hereby established as applicable and will be used to fund those School Facilities described in the West Contra Costa Unified SD-2012/SFNA and that these School Facilities are to serve the students generated by the residential construction within the District as provided in the West Contra Costa Unified SD-2012/SFNA.

7. That the Board finds that there is a roughly proportional reasonable relationship between the use of the Alternative School Facility Fees and the new residential construction within the District because the Alternative School Facility Fees imposed on new residential construction by this resolution will be used to fund School Facilities which will be used to serve the students generated by such new residential construction in accordance with applicable law set forth in the West Contra Costa Unified SD-2012/SFNA and on less than an estimated actual cost of the School Facilities estimated to result from additional residential construction as set forth in the West Contra Costa Unified SD-2012/SFNA.

8. That the Board finds that there is a roughly proportional reasonable relationship between the new residential construction upon which the Alternative School Facility Fees are imposed and the need for additional School Facilities in the District because new students will be generated from new residential construction within the District and the District does not have students capacity in the existing School Facilities to accommodate these students.

9. That the Board finds that the amount of the Alternative School Facility Fees imposed on new residential construction as set forth in this Resolution is roughly proportional and reasonably related to, and does not exceed the cost of, providing the School Facilities required to serve the students generated by such new residential construction within the District.

10. That the Board finds that a separate fund ("Fund") of the District and two or more sub-funds ("Sub-Funds") have been created or are authorized to be established for all Statutory School Facility Fees received by the District for the deposit of Statutory School Facility Fees, ASF/Level 2 Fees and ASF/Level 3 Fees, Commercial/Industrial Fees and mitigation payments ("Mitigation Payments") imposed on residential construction within the District and that said Fund and Sub-Funds at all times have been separately maintained, except for temporary investments, with other funds of the District as authorized by law.

11. That the Board finds that the monies of the separate Fund or the separate Sub-Funds, described in Section 12, consisting of the proceeds of Statutory School Facility Fees, ASF/Level 2 Fees, and ASF/Level 3 Fees, Commercial/Industrial Fees and Mitigation Payments have been imposed for the purposes of constructing those School Facilities necessitated by new residential construction as further set forth in the West Contra Costa Unified SD-2012/SFNA, and thus these monies may be expended for all those purposes permitted by applicable law.

12. That the West Contra Costa Unified SD-2012/SFNA determine the need for new School Facilities for unhoused pupils that are attributable to projected enrollment growth from the construction of new residential units over the next five years, based on relevant planning agency information and the historical generation rates of new residential units constructed during the previous five years that are of a similar type of unit to those anticipated to be constructed within the District, the Cities, or the County.

13. That the Board has identified and considered, and/or subtracted, as set forth in the West Contra Costa Unified SD-2012/SFNA, the following information in determining amounts of the ASF/Level 2 Fees and ASF/Level 3 Fees:

- (i) any surplus property owned by the District that can be used as a school site or that is available for sale to finance school facilities pursuant to Government Code Section 65995.6(b)(1);

- (ii) the extent to which projected enrollment growth may be accommodated by excess capacity in existing facilities pursuant to Government Code Section 65995.6(b)(2);
- (iii) local sources other than fees, charges, dedications, or other requirements imposed on residential construction available to finance the construction of school facilities needed to accommodate any growth in enrollment attributable to the construction of new residential units pursuant to Government Code Section 65995.6(b)(3);
- (iv) the full amount of local funds the Board has dedicated to facilities necessitated by new construction, including fees, charges, dedications or other requirements imposed on commercial or industrial construction pursuant to Government Code Section 65995.5(c)(2).

14. That the Board has calculated, as set forth in the West Contra Costa Unified SD-2012/SFNA, the maximum square foot fees, charges, or dedications to be established as Alternative School Facility Fees that may be collected in accordance with the provisions of Government Code Sections 65995.5(c) and 65995.7(a).

15. That the West Contra Costa Unified SD-2012/SFNA in its final form has been made available to the public for a period of not less than thirty (30) days.

16. That the public has had the opportunity to review and comment on the West Contra Costa Unified SD-2012/SFNA and the Board has responded to written comments it has received regarding the West Contra Costa Unified SD-2012/SFNA.

17. That notice of the time and place of the public hearing to adopt the West Contra Costa Unified SD-2012/SFNA ("Hearing"), including the location and procedure for viewing or requesting a copy of the proposed West Contra Costa Unified SD-2012/SFNA and any proposed revision therefore has been published in at least one newspaper of general circulation within the jurisdiction of the District at least thirty (30) days prior to the Hearing.

18. That the Board has mailed a copy of the West Contra Costa Unified SD-2012/SFNA no less than thirty (30) days prior to the Hearing to any person who made a written request forty-five (45) days prior to the Hearing.

19. That the West Contra Costa Unified SD-2012/SFNA has been provided to all local agencies responsible for land use planning for review and comment in compliance with Government Code Section 65995.6(c).

20. That the Board conducted the required Hearing on January 9, 2013 prior to the adoption of the West Contra Costa Unified SD-2012/SFNA and the Alternative School Facility Fees, at which time all persons desiring to be heard on all matters pertaining to the West Contra Costa Unified SD-2012/SFNA were heard and all information presented was duly considered.

21. That the Board hereby adopts Alternative School Facility Fees and establishes the Alternative School Facility Fees on new residential construction projects within the district in the following amounts:

A. Pursuant to Government Code Section 65995.6, ASF/Level 2 Fees in the amount of \$4.42 per square foot of Assessable Space for new residential construction, including new residential projects, manufactured homes and mobile homes as authorized under Education Code Section 17625. However, this amount shall not be imposed on any construction project used exclusively for housing senior citizens, as described in Civil Code Section 51.3, or as described in subsection (k) of Section 1569.2 of the Health and Safety Code or paragraph 9 of subdivision (d) of Section 15432 of the Government Code or any mobile home or manufactured home that is located within a mobile home park, subdivision, cooperative or condominium for mobile homes limited to older persons as defined by the Federal Fair Housing Amendments of 1988.

B. Pursuant to Government Code Section 65995.7, ASF/Level 3 Fees in the amount of \$8.83 per square foot of Assessable Space for new residential construction, including new residential projects, manufactured homes and mobile homes as authorized under Education Code Section 17625. However, this amount shall not be imposed on any construction project used exclusively for housing senior citizens, as described in Civil Code Section 51.3, or as described in subsection (k) of Section 1569.2 of the Health and Safety Code or paragraph 9 or subdivision (d) of Section 15432 of the Government Code or any mobile home or manufactured home that is located within a mobile home park, subdivision, cooperative or condominium for mobile homes limited to older persons as defined by the Federal Fair Housing Amendments of 1988.

22. That the proceeds of the Alternative School Facility Fees increased and established pursuant to this Resolution shall continue to be deposited into those Sub-Funds of the Funds identified in Section 12 of this Resolution, the proceeds of which shall be used exclusively for the purpose for which the Alternative School Facility Fees are to be collected.

23. That the Superintendent, or his/her designee, is directed to cause a copy of this Resolution to be delivered to the building of the Cities within the District's boundaries and the County along with a copy of all supporting documentation referenced herein and a map of the District clearly indicating the boundaries thereof, advising the Cities and County that the new residential construction is subject to the Alternative School Facility Fees increased pursuant to this Resolution and requesting that no building permit or approval for occupancy be issued by any of these entities for any new residential construction project, mobile home or manufactured home subject to the Alternative School Facility Fees absent a certificate of compliance ("Certificate of Compliance") from the District demonstrating compliance of such project with the requirements of the Alternative School Facility Fees, not that any building permit be issued for any non-residential construction absent a certification from this District of compliance with the requirements of the applicable Alternative School Facility Fees.

24. That the Superintendent is authorized to cause a Certificate of Compliance to be Issued for each construction project, mobile home and manufactured home for which there is compliance with the requirement for payment of the Alternative School Facility Fee in the amount specified by this Resolution. In the event a Certificate of Compliance is issued for the payment of Alternative School Facility Fees for a construction project, mobile home or manufactured home and it is later determined that the statement or other representation made by an authorized party concerning the construction project as to square footage is untrue or in the event the zoning is declared invalid, then such Certificate of Compliance shall automatically terminate, and the appropriate City(ies) or County shall be so notified.

25. That regarding the timely provision of a Certificate Compliance by the District for residential construction, although not required by applicable law, the Board hereby determines that the West Contra Costa Unified SD-2012/SFNA is a proposed construction plan for purposes of requiring payment of Alternative School Facility Fees prior to the issuance of any building permit for residential construction in accordance with Government Code Section 66007 and that all Alternative School Facility Fees are appropriated for the purpose of accomplishing such construction plan.

26. That no statement or provision set forth in this Resolution, or referred to therein shall be construed to repeal any preexisting fee or mitigation amount previously imposed by the District on any residential or non-residential construction.

27. That if any portion or provision hereof is held invalid, the remainder hereof is intended to be and shall remain valid.

28. That the Alternative School Facility Fees shall take effect immediately after adoption of this Resolution and shall be in effect for one year.

APPROVED, ADOPTED, AND SIGNED ON _____, 2013.

BOARD OF TRUSTEES OF THE _____
SCHOOL DISTRICT

By: _____
President of the Board of Trustees of the
_____ School District

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:** January 9, 2013
From: Bill Fay **Agenda Item:** CI C.20
Associate Superintendent of Operations
Subject: Williams Lawsuit Complaints Quarterly Report

Background Information:

The Williams Lawsuit requires that a quarterly report be brought before the Board of Education reflecting the number of complaints filed with any school in the district during a particular quarter. This report reflects the time period from October 1, 2012 through December 31, 2012.

Recommendation: For approval

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

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



Quarterly Uniform Complaint Form

[Education Code 35186]

District: West Contra Costa Unified School District

Person completing this form: Bill Fay Title: Associate Superintendent

Quarterly Report Submission Date: *(check one)*

- ☐ April 30, 2012 (Jan-Mar 2013)
☐ July 31, 2012 (Apr-Jun 2013)
☐ October 31, 2012 (Jul-Sep 2012)
☒ January 31, 2013 (Oct-Dec 2012)

Date for information to be reported publicly at governing board meeting: January 9, 2013

Please check the box that applies:

- ☐ No complaints were filed with any school in the district during the quarter indicated above.
- ☒ Complaints were filed with schools in the district during the quarter indicated above. The following chart summarizes the nature and resolution of these complaints.

| Area of Complaint | Total # of Complaints | # Resolved | # Unresolved |
|---------------------------------------|-----------------------|------------|--------------|
| Textbooks and Instructional Materials | 0 | 0 | 0 |
| Teacher Vacancy or Misassignment | 0 | 0 | 0 |
| Facilities Conditions | 1 | 1 | 0 |
| TOTALS | 1 | 1 | 0 |

Dr. Bruce Harter

Print Name of District Superintendent

Signature of District Superintendent

Date

Please return completed form to Peggy Marshburn, Chief Communications Officer
CCCOE – 77 Santa Barbara Rd. Pleasant Hill, CA 94523
FAX: (925) 942-3454 E-MAIL: pmarshburn@cccoe.k12.ca.us

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: January 9, 2012

From: Bruce Harter

Agenda Item: D.1

Subject: Olinda Students Report on Fundraising Efforts

Background Information:

Students at Olinda Elementary School have raised funds to donate to the American Red Cross to aid victims of Hurricane Sandy.

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
Office of the Superintendent

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: January 9, 2013

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

Agenda Item: D.2

Subject: Update from Student Board Representative from Youth Commission

Background Information:

A Student Board Representative from the Youth Commission will attend the Board of Education meeting on January 9, 2013 to give an update. 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
1108 Bissell Avenue
Richmond, California 94801
Office of the Superintendent

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board Of Education

Meeting Date: January 9, 2013

From: Wendell Greer
Associate Superintendent, K-Adult Operations

Agenda Item: D.3

Subject: Foreign Exchange Student Program

Background Information:

WCCUSD currently has three foreign exchange students attending Hercules High School. The students come from Armenia, Switzerland and Italy. Our three foreign exchange students have visited the Leadership classes at Richmond and Kennedy High Schools. The exchange students shared with the Richmond High and Kennedy students some of highlights that they have experienced since they arrived in the United States. Following the shared experiences, WCCUSD students were able to ask specific questions of the exchange students.

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
Office of the Superintendent

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: January 9, 2013

From: Bruce Harter
Superintendent

Agenda Item: D.4

Subject: Strategic Planning Process

Background Information:

The West Contra Costa Unified School District is preparing to update and revitalize the District's strategic plan. While the goals of the current plan remain relevant and challenging, the conditions and strategies of the District have evolved since the initiation of the 2006 plan. The Common Core State Standards were adopted by the State Board of Education in 2010. The District is creating a more targeted focus for student learning in the science-technology-math and engineering fields. The work of the career academies has changed into the College and Career Readiness Academy initiative that is now the core strategy for secondary school transformation. Instructional strategies to promote culturally relevant teaching are being implemented throughout the District. Yet, the financial constraints at the federal level and the extraordinary decrease in state funding have eliminated programs and opportunities that had been in effect for many years. So the task for the District is to rethink and redesign our approach so that learning improves for all students. The plan will bring about a new vision for WCCUSD, establish goals, activities, timelines and deliverables so that all students are college and career ready.

With funding from an external source, the District has solicited proposals from consulting firms to assist in both the community outreach and the plan development over the next several months. At the December 12, 2012 meeting, Board President Madeline Kronenberg appointed two members to serve on a selection panel that will bring a recommendation to the January 23, 2013 Board meeting from among those firms that had submitted proposals.

The WCCUSD strategic planning process will engage community and stakeholder around major questions in essential areas. Questions to be addressed may include but are not limited to:

Overall Student Outcomes

- As a school District and community, what do we mean when we say, "all students will be ready for college and career?"
- What is the current state of college and career readiness for our students?
- How do you know if a school is effective?
- What makes a school a "quality" school?
- What are the indicators of school quality?

Curriculum

- How will we implement the Common Core State Standards in ways that improve learning for all students?
- How will a coherent common core curriculum prepare our students for college and career?

- How will we provide the initial training for teachers and the on-going professional development necessary to implement the Common Core State Standards?

Instructional Effectiveness

- What are the core components of a shared understanding of teacher effectiveness that represents the needs and beliefs of all stakeholders?
- What are the supports and conditions necessary to ensure the success of every teacher?
- What are the critical components, and the appropriate scope and sequence, of a five-year plan to realize effective teaching?

Literacy for All

- What elements of a literacy framework need to be present to transform and guide teacher practice to increase the achievement of African-American students and English learners in West Contra Costa Unified?
- How will our approach to PreK-12 Literacy Instruction move us toward College & Career Readiness?
- How can we move our system from a materials approach to reading instruction, while still providing high-quality, effective instruction each day and satisfying the requirements of the *Williams* settlement?

Science-Technology-Engineering-Math:

- How can we encourage and inspire more of our best and brightest students, especially Latino and African American students to study in STEM fields?
- How can we improve the content knowledge and professional skills of the STEM teacher workforce?
- What can the District do to recruit and retain highly-skilled STEM educators?
- How can the community be brought together to improve the resources available for learning STEM subjects;
- What can the District do to encourage better coordination of efforts among all agencies that provide STEM education support?

Leadership

- How do we keep students at the center of our work?
- How do we distinguish a list of leadership themes of practice for principals and other leaders (assistant principals, central office staff, teacher leaders, etc.)?
- How can we include the conditions to support leadership development in our plan?

Achievement Gap

- How do we understand the experience and achievement of African-American and Latino students?
- What competencies, conditions, and culture are necessary to positively affect the experience, achievement, and well-being of African-American and Latino students?
- What have our lessons/data told us about what a system that propels African-American and Latino students needs to look like?

Resources

- How do we align resources for youth and create bridges between cities, county, community-based organizations and the overall social infrastructure to serve students?
- How can we coordinate resources so that we can deliver on our promises?

Community Engagement

- How do we acknowledge historical failures and successes in engaging the community?
- How do we leverage existing relationships and assets to create equitable engagement across communities?
- How do we know if a school is fulfilling the District's mission and vision?

- How do we measure student and community needs and assets to support equitable distribution of resources?
- How should school communities be engaged in the budget decision-making process?

Financial & Operations

- How do we communicate about the financial situation, the underlying assumptions, and actions required to improve learning while resources decline?
- What forums and principles will be used to prioritize instructional programs and central operational activities?

Recommendation:

That the Board discuss the strategic planning process as well as the questions to be addressed in the next strategic plan.

Fiscal Impact: None at this time.

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: January 9, 2013

From: Bruce Harter
Superintendent

Agenda Item: E.2

Subject: Request to Address the Board on Parental Involvement

Background Information:

Mr. Billie Alexander has requested opportunity to address the Board regarding parental involvement in schools.

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
Office of the Superintendent

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: January 9, 2013

From: Sheri Gamba 
Associate Superintendent Business services

Agenda Item: F.1

Subject: Presentation of the 2011 – 2012 Audit Report by Crowe Horwath LLP

Background Information: Charles Raibley, Audit Manager, Crowe Horwath LLP will present their independent audit report of the West Contra Costa Unified School District's financial position, internal control, and federal and state compliance for the year ended June 30, 2012.

Recommendation: Staff recommends acceptance of the audit report.

Fiscal Impact: None

The 2011-2012 Audit report is posted on the WCCUSD web site and a copy is at the reception desk at 1108 Bissell Avenue, Richmond, CA

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
Richmond, California

FINANCIAL STATEMENTS
June 30, 2012

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

**FINANCIAL STATEMENTS
WITH SUPPLEMENTARY INFORMATION**

For the Year Ended June 30, 2012

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WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

**FINANCIAL STATEMENTS
WITH SUPPLEMENTARY INFORMATION**

For the Year Ended June 30, 2012

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WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

**FINANCIAL STATEMENTS
WITH SUPPLEMENTARY INFORMATION**

For the Year Ended June 30, 2012

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REPORT OF INDEPENDENT AUDITORS

Honorable Board of Education
West Contra Costa Unified School District
Richmond, California

We have audited the accompanying financial statements of the governmental activities, each major fund and the aggregate remaining fund information of West Contra Costa Unified School District, as of and for the year ended June 30, 2012, which collectively comprise West Contra Costa Unified School District's basic financial statements as listed in the Table of Contents. These financial statements are the responsibility of the District's management. Our responsibility is to express opinions on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinions.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, each major fund and the aggregate remaining fund information of West Contra Costa Unified School District as of June 30, 2012, and the respective changes in financial position and cash flows, where applicable, for the year then ended, in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated December 13, 2012 on our consideration of West Contra Costa Unified School District's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audit.

Accounting principles generally accepted in the United States of America require that the Management's Discussion and Analysis from pages 3 to 14, and the Required Supplementary Information, such as the General Fund Budgetary Comparison Schedule on page 58 and the Schedule of Other Postemployment Benefits Funding Progress on page 59 be presented to supplement the financial statements. Such information, although not a part of the financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of the financial reporting for placing the financial statements in an appropriate operational, economic or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the financial statements, and other knowledge we obtained during our audit of the financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise West Contra Costa Unified School District's basic financial statements. The accompanying schedule of expenditures of federal awards as required by U.S. Office of Management and Budget Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations* and other supplemental information listed in the table of contents are presented for purposes of additional analysis and are not a required part of the financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The other supplemental information listed in the table of contents, except for the Schedule of Financial Trends and Analysis, have been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of expenditures of federal awards and other supplemental information listed in the table of contents, except for the Schedule of Financial Trends and Analysis, are fairly stated in all material respects in relation to the financial statements as a whole. The Schedule of Financial Trends and Analysis has not been subjected to the auditing procedures applied in the audit of the financial statements, and accordingly, we do not express an opinion or provide any assurance on it.

Crowe Horwath LLP

Crowe Horwath LLP

Sacramento, California
December 13, 2012

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

1108 Bissell Avenue
Richmond, CA 94801-3135
Telephone (510) 231-1100

Bruce Harter, Ph.D.
Superintendent of Schools

Sheri Gamba
Associate Superintendent
Business Services

MANAGEMENT'S DISCUSSION AND ANALYSIS (MD&A)

INTRODUCTION

Management's discussion and analysis of West Contra Costa Unified School District's (District) financial performance provides an overview of the District's financial activities for the fiscal year ended June 30, 2012. It should be read in conjunction with the District's financial statements.

The Management's Discussion and Analysis (MD&A) is an element of the reporting model adopted by the Governmental Accounting Standards Board (GASB) in their Statement No. 34, *Basic Financial Statements—and Management's Discussion and Analysis—for State and Local Governments*, issued June 1999; GASB Statement No. 37, *Basic Financial Statements—and Management's Discussion and Analysis—for State and Local Governments: Omnibus*, an amendment to GASB Statements No. 21 and No. 34, issued in June 2001; GASB Statement No. 38, *Certain Financial Statement Note Disclosures* issued in 2001 and GASB Statement No. 45, *Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions*, issued in 2004. Certain comparative information between the current year and the prior year is required to be presented in the MD&A.

FINANCIAL AND EDUCATIONAL HIGHLIGHTS

The District's financial position has strengthened over the past year. Overall revenues of \$365.9 million exceeded expenditures by \$19.3 million. Total net assets increased by 9.91% over the course of the year.

The 2011-12 financial statements cap off another year of uncertainty as it relates to the State and National economy. The economic downturn has caused the District to be funded at lower levels than 2004-05. In spite of this challenge, the District was able to pay off debt and maintain prudent reserves in case of future economic volatility.

Within the District this meant a constant need to track and revise estimates of an ever-changing funding stream from our State. State Revenue deficits were a net 20.6% on the per pupil revenues. In addition to the funding reductions, the State also continued the revenue deferral program so at the close of 2011-12 the District was owed millions by the State for programs operated during 2011-12.

As the District prepares for the 2012-13 school year it is faced the major challenge of a State budget which is again facing deficits and instability due to the uncertainty of the outcome of a State Proposition designed to maintain funding for schools. The District has implemented and maintained budget reductions and has kept pace with rising costs. The community continues to show strong support for education and the District through the passage of a parcel tax in 2008 and a general obligation bond authorization for capital improvement in 2010. The District has tackled the difficult task of managing a budget in order to remain solvent during these tough times.

REPORTING THE DISTRICT AS A WHOLE

The complete annual financial report is a product of three separate parts: the basic financial statements, supplementary information, and this section, Management's Discussion and Analysis. The three sections together provide a comprehensive overview of the District. The basic financials are comprised of two kinds of statements that present financial information from different perspectives, District-wide and funds.

- District-wide financial statements, which comprise the first two statements, provide both short-term and long-term information about the District's overall financial position.
- Individual parts of the District, which are reported as fund financial statements, focus on reporting the District's operations in more detail. These fund financial statements comprise the remaining statements.
 - ❖ Basic services funding (i.e., regular and special education) is described in the governmental funds statements.
 - ❖ Short and long-term financial information about the activities of the District that operate like businesses (self-insurance funds) are provided in the proprietary funds statements.
 - ❖ Financial relationships, for which the District acts solely as an agent or trustee, for the benefit of others to whom the resources belong, are presented in the fiduciary fund statements.

Notes to the basic financials, which are included in the financial statements, provide more detailed data and explain some of the information in the statements. A comparison of the District's budget for the year is included as required supplementary information.

The following matrix summarizes the major features of the District's financial statements, including the portion of the District's activities they cover and the types of information they contain. The remainder of the overview section of management's discussion and analysis highlights the structure and contents of each of the statements.

| Major Features of the District-Wide and Fund Financial Statements | | | | |
|-------------------------------------------------------------------|------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|
| | | Fund Statements | | |
| Type of Statement | District-wide | Governmental Funds | Proprietary Funds | Fiduciary Funds |
| Scope | Entire district, except fiduciary activities | The activities of the district that are not proprietary or fiduciary, such as special revenue and debt service funds | Activities the district operates similar to private businesses: such as the self-insurance fund | Instances in which the district administers resources on behalf of someone else, such as student activities and retiree benefits funds |
| Required financial statements | Statement of net assets | Balance sheet | Statement of net assets | Statement of fiduciary net assets |
| | Statement of activities | Statement of revenues, expenditures & changes in fund balances | Statement of revenues, expenses & changes in fund net assets | Statement of changes in fiduciary net assets |
| | | | Statement of cash flows | |
| Accounting basis and measurement focus | Accrual accounting and economic resources focus | Modified accrual accounting and current financial resources focus | Accrual accounting and economic resources focus | Accrual accounting and economic resources focus |
| Type of asset/liability information | All assets and liabilities, both financial and capital, short-term and long-term | Only assets expected to be used up and liabilities that come due during the year or soon thereafter; no capital assets included | All assets and liabilities, both financial and capital, short-term and long-term | All assets and liabilities, both short-term and long-term; Standard funds do not currently contain non-financial assets, though they can |
| Type of inflow/outflow information | All revenues and expenses during year, regardless of when cash is received or paid | Revenues for which cash is received during or soon after the end of the year; expenditures when goods or services have been received and payment is due during the year or soon thereafter | All revenues and expenses during year, regardless of when cash is received or paid | All revenues and expenses during year, regardless of when cash is received or paid |

OVERVIEW OF THE FINANCIAL STATEMENTS

The District's basic financial statements are comprised of three components: 1) District-wide financial statements, 2) fund financial statements and 3) notes to the basic financial statements.

Government-Wide Financial Statements

The *government-wide financial statements* are designed to provide readers with a broad overview of the District's finances in a manner similar to a private sector's business.

The Statement of Net Assets and the Statement of Activities

The District as a whole is reported in the District-wide statements and uses accounting methods similar to those used by companies in the private sector. All of the District's assets and liabilities are included in the statement of net assets. The statement of activities reports all of the current year's revenues and expenses regardless of when cash is received or paid.

The District's financial health or position (net assets) can be measured by the difference between the District's assets and liabilities.

- Increase or decrease in the net assets of the District over time are indicators of whether its financial position is improving or deteriorating, respectively.
- Additional non-financial factors such as condition of school buildings and other facilities and changes in the property tax base of the District need to be considered in assessing the overall health of the district.

The Statement of Net Assets and the Statement of Activities show all District operations as governmental activities, the basic services provided by the District, such as regular and special education, administration and transportation. Property taxes and state formula aid finance most of these activities.

The District-wide financial statements can be found on pages 15 through 16 of this report.

REPORTING THE DISTRICT'S MOST SIGNIFICANT FUNDS

Fund Financial Statements

A fund is a group of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The District, like other local governments, uses fund accounting to ensure compliance with finance-related legal requirements. Fund financial statements report essentially the same functions as those reported in the District-wide financial statements. However, unlike the District-wide financial statements, fund financial statements focus on near-term inflows and outflows of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year.

The District has three kinds of funds:

Governmental Funds

Most of the District's basic services are included in governmental funds, which generally focus on:

1. How cash and other financial assets can be readily converted to cash flow (in and out).
2. The balances left at year-end that are available for spending.

The governmental fund statements provide a detailed short-term view. These help determine whether there are more or fewer financial resources that can be spent in the near future for financing the District's programs. Because this kind of information does not encompass the additional long-term focus of the District-wide statements, additional information is provided on page 18 that explains the differences (or relationships) between them.

Proprietary Funds

The proprietary fund category includes Internal Service Funds.

Internal Service funds report activities that provide supplies and services for the other programs and activities of the District.

- The District has one internal fund: a self-insurance fund.

Fiduciary Funds

For assets that belong to others, such as the scholarship fund and/or student activities fund, the District acts as the trustee, or fiduciary. The District is responsible for ensuring that the assets reported in these funds are used only for their intended purposes. A separate statement of fiduciary net assets and a statement of change in fiduciary net assets report the District's fiduciary activities. These activities are excluded from the District-wide financial statements, as the District cannot use the assets to finance the operations.

THE DISTRICT AS A WHOLE

Net Assets – The District's combined net assets were higher on June 30, 2012 than they were the year before—increasing by \$19.3 million to \$213.9 million as reflected on the next page.

Net Assets

| | GOVERNMENTAL ACTIVITIES | |
|-------------------------------------------------|----------------------------|-----------------------|
| | 2012 | 2011 |
| Current Assets | \$ 304,687,783 | \$ 276,903,173 |
| Capital Assets | 971,032,972 | 886,771,971 |
| Total Assets | 1,275,720,755 | 1,163,675,144 |
| Current Liabilities | 52,541,526 | 68,375,925 |
| Long-term Liabilities | 1,009,279,010 | 900,689,681 |
| Total Liabilities | 1,061,820,536 | 969,065,606 |
| Net Assets: | | |
| Invested in Capital Assets, net of related debt | 134,455,424 | 141,750,782 |
| Restricted For: | | |
| Capital Projects | 50,488,711 | 45,800,912 |
| Debt Service | 47,714,715 | 42,321,459 |
| Educational Programs | 26,055,436 | 27,130,217 |
| Other Purposes | 8,811,871 | 18,390,402 |
| Unrestricted | (53,625,938) | (80,784,234) |
| Total Net Assets | \$ 213,900,219 | \$ 194,609,538 |

The District's financial position is the product of many factors. However, three events of the last year stand out:

- Through the bond program, together with State apportionments for school facilities, the District has continued construction of new schools and has continued the process of renovating its existing schools. These activities have increased the capital assets of the District.
- The Board was able to increase District reserves and now maintains \$13 million in the District's Special Reserve Fund as insurance toward potential cuts that may be enacted by the State due to the mid-year trigger language adopted along with the State's budget for 2012-13.
- The District was able to pay off the State loan six years early, and paid off other long term debt from the 1990's, releasing the District from the oversight of a State Trustee.

Changes in Net Assets – The District’s total revenues exceeded its expenditures by \$19.3 million. Property taxes, State Aid and other general sources accounted for most of the District’s revenues contributing approximately 66 cents per every dollar of revenue received while Federal, State and local grants and contributions for specific purposes provided approximately 34 cents of every dollar of revenue.

| | | GOVERNMENTAL ACTIVITIES | |
|------------------------------------|----|------------------------------------|----------------------|
| | | 2012 | 2011 |
| Revenues: | | | |
| Program revenues: | | | |
| Charges for Services | \$ | 1,018,569 | \$ 1,094,319 |
| Operating Grants and Contributions | | 90,954,406 | 92,093,881 |
| Capital Grants and Contributions | | 15,847,349 | 20,406,400 |
| Total Program Revenues | | <u>107,820,324</u> | <u>113,594,600</u> |
| General Revenues: | | | |
| Property Taxes | | 128,963,108 | 115,691,726 |
| Federal and State Aid | | 124,022,794 | 123,569,138 |
| Interest and Investment Earnings | | 706,458 | 624,924 |
| Interagency revenues: | | | |
| Miscellaneous | | <u>4,366,687</u> | <u>4,038,401</u> |
| Total General Revenues | | <u>258,059,047</u> | <u>243,924,189</u> |
| Total Revenues | | <u>365,879,371</u> | <u>357,518,789</u> |
| Expenses: | | | |
| Instruction | | 166,712,977 | 164,958,093 |
| Support Services: | | | |
| Administrative | | 43,025,262 | 40,490,286 |
| Student Support | | 41,317,106 | 36,463,241 |
| Non-Student Support | | 16,304,857 | 18,240,340 |
| Plant Services | | 30,790,480 | 34,559,467 |
| Ancillary Services | | 7,829,975 | 7,663,001 |
| Transfers between agencies | | 2,802,547 | 922,296 |
| Community Services | | 155,465 | 135,887 |
| Interest on long-term debt | | <u>37,650,021</u> | <u>42,094,551</u> |
| Total Expenses | | <u>346,588,690</u> | <u>345,527,162</u> |
| Change in Net Assets | \$ | <u>19,290,681</u> | \$ <u>11,991,627</u> |

Governmental Activities

The following table presents the costs of five major activities: Instruction, Support Services, Facility and Plant Services, Ancillary Services and Other. The table also shows each activity’s net cost (total cost less fees generated by the activities and intergovernmental aid provided for specific programs). The net cost of services shows the financial burden that was placed on the District for each of these functions.

The cost of all programs was \$346.6 million for this fiscal year. The users of District programs as well as Federal, State and local governments who provided funds for specific programs provided \$107.8 million. The balance of the District's expenditures was paid for by State apportionments for ADA and by local property taxes. Property taxes comprised of \$128,963,108 of this amount while Federal and State education aid formulas contributed the remaining \$124,022,794.

| | Total Cost | Net (Expense) Revenue | Total Cost | Net (Expense) Revenue |
|----------------------|-----------------------|-----------------------------|-----------------------|-----------------------------|
| | 2012 | 2012 | 2011 | 2011 |
| Instruction | \$ 166,712,977 | \$ (106,595,668) | \$ 164,958,093 | \$ (103,189,205) |
| Support Services | 100,647,225 | (60,184,844) | 95,193,867 | (58,101,561) |
| Facilities and Plant | 30,790,480 | (29,400,850) | 34,559,467 | (26,097,581) |
| Ancillary Services | 7,829,975 | (2,269,491) | 7,663,001 | (1,986,159) |
| Other | 40,608,033 | (40,317,513) | 43,152,734 | (42,558,056) |
| Total | \$ 346,588,690 | \$ (238,768,366) | \$ 345,527,162 | \$ (231,932,562) |

THE DISTRICT'S FUNDS

The financial position of the District as a whole is reflected in its governmental fund statements. As the District completed the year, its governmental funds reported a combined fund balance of \$249 million, above last year's combined ending fund balance of \$227 million. This increase is due to activities in the District's Building Fund.

General Fund Budgetary Highlights

Over the course of the year, the District revises the annual operating budget several times due to changes in State and federal funding. The District is required to prepare financial reports for the school board twice a year. This is done through the preparation of the First and Second Interim Reports, which are prepared based on information available as of October 31 and January 31 respectively. Budget adjustments and revisions can be classified into the following types:

- Appropriation of prior year ending fund balances and deferred revenues derived primarily from Federal, State and local government sources for specific programs.
- New appropriations or budget augmentations for programs and expenditures that were not known or anticipated at the time of budget development.

The final revised general fund budget of the District reflected anticipated revenues of \$274.2 million against appropriated expenditures of \$297.7 million thus anticipating a decrease of \$23.5 million in overall fund balance. This variance is due to potential expenditure of prior year restricted grant fund balances and spending some of the special reserve fund balance.

Actual revenues were less than anticipated while actual expenditures were also less than anticipated. The combination of these variances resulted in a higher \$21 million than projected (\$23.5 million) in ending fund balance.

Summary of Revenues for Governmental Function

The following schedule represents a summary of the general operating fund, special revenue fund, capital projects fund and debt service fund revenues for the fiscal year ended June 30, 2012, and the increase and decrease (in amount and percentage) in relations to prior year amounts.

| | 2012 | Percent of | Increase (Decrease) From Prior Fiscal Year | Percent Increase (Decrease) From Prior Fiscal Year |
|-----------------------|-----------------------|-------------|-----------------------------------------------------|----------------------------------------------------------|
| | Fiscal Year | Total | Fiscal Year | Prior Fiscal Year |
| Revenue Limit Sources | \$ 147,846,255 | 40% | \$ (68,371) | (.05%) |
| Federal | 50,777,415 | 14% | 4,817,976 | 10.48% |
| Other State | 87,358,547 | 24% | (9,371,454) | (9.69%) |
| Other Local | 81,062,365 | 22% | 14,241,562 | 21.31% |
| Total Revenues | <u>\$ 367,044,582</u> | <u>100%</u> | <u>\$ 9,619,713</u> | <u>2.69%</u> |

The following schedule represents a summary of the general operating fund, special revenue fund, capital projects fund, and bond interest & redemption fund expenditures for the fiscal year ended June 30, 2012, and the increase and decrease (in amount and percentage) in relations to prior year amounts.

Summary of Expenditures by Object Code

| | 2012 | Percent of | Increase (Decrease) From Prior Fiscal Year | Percent Increase (Decrease) From Prior Fiscal Year |
|------------------------------------|-----------------------|-------------|-----------------------------------------------------|----------------------------------------------------------|
| | Fiscal Year | Total | Fiscal Year | Prior Fiscal Year |
| Certificated salaries | \$ 109,161,301 | 24.42% | \$ 668,284 | 0.62% |
| Classified salaries | 47,932,113 | 10.73% | 2,818,924 | 6.25% |
| Employee benefits | 64,502,797 | 14.43% | 3,669,852 | 6.03% |
| Books and supplies | 21,427,287 | 4.80% | 2,477,401 | 13.07% |
| Services, other operation expenses | 52,448,731 | 11.74% | 2,289,965 | 4.57% |
| Capital outlay | 91,707,558 | 20.52% | (2,890,523) | -3.06% |
| Debt service: | | | | |
| Principal | 27,357,086 | 6.12% | 7,242,818 | 36.01% |
| Interest | 32,297,154 | 7.23% | 335,858 | 1.05% |
| Other outgo | 29,617 | 0.01% | (338,678) | -91.96% |
| Total Expenditures | <u>\$ 446,863,644</u> | <u>100%</u> | <u>\$ 16,273,901</u> | <u>3.78%</u> |

CAPITAL ASSET AND DEBT ADMINISTRATION

By June 30, 2012, the District had invested \$1.2 billion in a broad range of capital assets including land, school buildings, athletic facilities, computer and audio-visual equipment as well as support facilities as reflected in the following table. Additional information about the capital assets of the District can also be found in footnote 4. Total depreciation expense for the year was \$19.9 million while additions to net capital assets amounted to approximately \$104.2 million.

Construction, planning and design activities continued during the year related to the renovation of the District's elementary and secondary schools.

Capital Assets

| | <u>Governmental Activities</u> | | | <u>Balance, June 30, 2012</u> |
|-------------------------------------------------|----------------------------------|------------------|-------------------|-----------------------------------|
| | <u>Balance, July 1, 2011</u> | <u>Additions</u> | <u>Reductions</u> | |
| Governmental activities: | | | | |
| Land | \$ 52,371,291 | \$ - | \$ - | \$ 52,371,291 |
| Site Improvements | 61,980,429 | - | - | 61,980,429 |
| Buildings | 803,423,280 | 166,527 | - | 803,589,807 |
| Machinery and Equipment | 12,838,502 | 1,367,911 | 212,663 | 13,993,750 |
| Construction In Progress | 201,049,921 | 102,671,344 | - | 303,721,265 |
| Totals at historical cost | 1,131,663,423 | 104,205,782 | 212,663 | 1,235,656,542 |
| Less: accumulated depreciation | | | | |
| Site Improvements | (39,520,162) | (1,526,023) | - | (41,046,185) |
| Buildings | (198,590,935) | (17,458,815) | - | (216,049,750) |
| Machinery and Equipment | (6,780,355) | (919,324) | (172,044) | (7,527,635) |
| Total accumulated depreciation | (244,891,452) | (19,904,162) | (172,044) | (264,623,570) |
| Governmental activities, capital Assets, Net | \$ 886,771,971 | \$ 84,301,620 | \$ 40,619 | \$ 971,032,972 |

Long-Term Liabilities

In recent years the District has received approval from the voters to issue \$1.2 billion in bonds. Measure E was approved for \$40 million in November 1998 to fund various capital improvement projects and to construct a new middle school. Measure M in the amount of \$150 million was approved in November 2000 to renovate the elementary schools of the District. Measure D was approved in March 2002 to renovate the secondary schools of the District as well as provide additional funds to supplement Measure M. This measure is in the amount of \$300 million. Measure J was approved for \$400 million in November 2005 to continue repairing all school facilities, improve classroom safety and technology. Finally, Measure D was approved for \$380 million in 2010 and will be used toward the continued renovation and rebuilding program for elementary and secondary schools. The District will continue to sell and issue bonds authorized by these measures in amounts necessary to meet the cash flow needs of the construction projects as they progress over the next several years.

Long-Term Liabilities (continued)

At year end the District had \$1,009.3 million in general obligation bonds and other long-term liabilities outstanding, an increase over the prior year of \$90.9 million.

The activities of the District's long-term liabilities are reflected in the table below as well as the footnotes to the financial statements in note number 6. The General Obligation Bonds have been sold with insurance at the highest rating possible.

| | <u>Governmental Activities</u> | | | <u>Amounts</u> | |
|------------------------------------|--------------------------------|-----------------------|-----------------------|-------------------------|-----------------------|
| | <u>Balance</u> | <u>Additions</u> | <u>Deductions</u> | <u>Balance</u> | <u>Due Within</u> |
| | <u>July 1, 2011</u> | | | <u>June 30, 2012</u> | <u>One Year</u> |
| Emergency Apportionment Loan | \$ 9,368,387 | \$ - | \$ 9,368,387 | \$ - | - |
| General Obligation Bonds | 741,276,968 | 185,565,000 | 105,263,143 | 821,578,849 | 115,128,713 |
| Accreted Interest | 50,779,461 | 9,983,201 | - | 60,762,662 | - |
| GO Bond Premium | 15,857,512 | 11,036,159 | 1,540,467 | 25,353,204 | 905,290 |
| 1994 Certificates of Participation | 8,890,000 | - | 475,000 | 8,415,000 | 500,000 |
| Voluntary Integration Program | 872,000 | - | 872,000 | - | - |
| Computer equipment acquisition | 3,576,032 | - | 3,576,032 | - | - |
| Compensated absences | 3,490,764 | - | 68,637 | 3,422,127 | - |
| OPEB Obligation | 84,111,607 | 5,606,738 | - | 89,718,345 | - |
| Child care facilities loan | 126,347 | - | 97,524 | 28,823 | 28,823 |
| Total Long-term liabilities | <u>\$ 918,349,102</u> | <u>\$ 212,191,098</u> | <u>\$ 121,261,190</u> | <u>\$ 1,009,279,010</u> | <u>\$ 116,562,826</u> |

The state limits the amount of general obligation debt the District can issue to 2.5 percent of the assessed value of all taxable property within the District's boundaries. The District has applied for and been granted two waivers of this limit by the California State Board of Education, one for Measure J and one for Measure D 2010. These waivers allow the District to issue bonds up to an amount not to exceed 3.5% of assessed value for the Measure J and 5.0% of assessed value for the Measure D 2010 bond authorization.

Notes to Basic Financial Statements

The Notes to Basic Financial Statements complement the financial statements by describing qualifying factors and changes throughout the fiscal year.

ECONOMIC FACTORS AND NEXT YEAR'S BUDGETS AND RATES

The State of California continues to experience budget difficulties due to the economic crisis. The State Budget for 2012-13 includes trigger reductions that are authorized to be implemented in the event the voters do not approve Proposition 30 in November. The District has prepared for mid-year triggers by setting aside additional reserves. However, since the majority of District revenue comes from the State, we will most certainly continue to experience budget challenges in this year and in the coming years if the mid-year triggers become ongoing cuts. The State's current cash deferral program puts an additional strain on the District resources, which become a greater concern if the District is forced to use its reserves due to the economic crisis. The passage of Proposition 30 would help mitigate the cash flow concerns and provide stability to the District's revenue.

BASIC FINANCIAL STATEMENTS

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

STATEMENT OF NET ASSETS

June 30, 2012

**Governmental
Activities**

ASSETS

| | |
|----------------------------------------------------------------------|----------------------|
| Cash and investments (Note 2) | \$ 230,746,874 |
| Receivables | 62,248,996 |
| Prepaid expenditures | 10,850,644 |
| Stores inventory | 841,269 |
| Non-depreciable capital assets (Note 4) | 356,092,556 |
| Depreciable capital assets, net of accumulated depreciation (Note 4) | <u>614,940,416</u> |
| Total assets | <u>1,275,720,755</u> |

LIABILITIES

| | |
|------------------------------------------------------|----------------------|
| Accounts payable | 50,330,681 |
| Unpaid claims and claim adjustment expenses (Note 5) | 500,000 |
| Deferred revenue | 1,710,845 |
| Long-term liabilities (Note 6): | |
| Due within one year | 116,562,826 |
| Due after one year | <u>892,716,184</u> |
| Total liabilities | <u>1,061,820,536</u> |

NET ASSETS

| | |
|-------------------------------------------------|-----------------------|
| Invested in capital assets, net of related debt | 134,455,424 |
| Restricted (Note 7) | 133,070,733 |
| Unrestricted | <u>(53,625,938)</u> |
| Total net assets | <u>\$ 213,900,219</u> |

See accompanying notes to financial statements.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

STATEMENT OF ACTIVITIES

For the Year Ended June 30, 2012

| | | Program Revenues | | | Net (Expense) Revenues and Changes in Net Assets |
|-----------------------------------------------------------|-----------------------|-------------------------------------|---------------------------------------------------|-------------------------------------------------|---------------------------------------------------------------------|
| | Expenses | Charges for Services | Operating Grants and Contributions | Capital Grants and Contributions | Governmental Activities |
| Governmental activities (Note 4): | | | | | |
| Instruction | \$ 166,712,977 | \$ - | \$ 44,269,960 | \$ 15,847,349 | (106,595,668) |
| Instruction-related services: | | | | | |
| Supervision of instruction | 22,852,002 | - | 14,755,051 | - | (8,096,951) |
| Instructional library, media and technology | 3,367,479 | - | 522,710 | - | (2,844,769) |
| School site administration | 16,805,781 | - | 211,976 | - | (16,593,805) |
| Pupil services: | | | | | |
| Home-to-school transportation | 8,358,682 | - | 2,031,350 | - | (6,327,332) |
| Food services | 14,004,061 | 966,949 | 12,961,875 | - | (75,237) |
| All other pupil services | 18,954,363 | - | 6,932,788 | - | (12,021,575) |
| General administration: | | | | | |
| Data processing | 3,967,066 | - | 44,460 | - | (3,922,606) |
| All other general administration | 12,337,791 | 40,836 | 1,994,386 | - | (10,302,569) |
| Plant services | 30,790,480 | 10,784 | 1,378,846 | - | (29,400,850) |
| Ancillary services | 7,829,975 | - | 5,560,484 | - | (2,269,491) |
| Community services | 155,465 | - | 1,651 | - | (153,814) |
| Other outgo | 2,802,547 | - | 288,869 | - | (2,513,678) |
| Interest on long-term liabilities | <u>37,650,021</u> | <u>-</u> | <u>-</u> | <u>-</u> | <u>(37,650,021)</u> |
| Total governmental activities | <u>\$ 346,588,690</u> | <u>\$ 1,018,569</u> | <u>\$ 90,954,406</u> | <u>\$ 15,847,349</u> | <u>\$ (238,768,366)</u> |
| General revenues: | | | | | |
| Taxes and subventions: | | | | | |
| Taxes levied for general purposes | | | | | 58,184,313 |
| Taxes levied for debt service | | | | | 55,005,390 |
| Taxes levied for other specific purposes | | | | | 15,773,405 |
| Federal and state aid not restricted to specific purposes | | | | | 124,022,794 |
| Interest and investment earnings | | | | | 706,458 |
| Miscellaneous | | | | | <u>4,366,687</u> |
| Total general revenues | | | | | <u>258,059,047</u> |
| Change in net assets | | | | | 19,290,681 |
| Net assets, July 1, 2011 | | | | | <u>194,609,538</u> |
| Net assets, June 30, 2012 | | | | | <u>\$ 213,900,219</u> |

See accompanying notes to financial statements.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

BALANCE SHEET

GOVERNMENTAL FUNDS

June 30, 2012

| | <u>General Fund</u> | <u>Building Fund</u> | <u>Bond Interest and Redemption Fund</u> | <u>All Non-Major Funds</u> | <u>Total Governmental Funds</u> |
|------------------------------------------|-------------------------|--------------------------|------------------------------------------------------|------------------------------------|-----------------------------------------|
| ASSETS | | | | | |
| Cash and investments: | | | | | |
| Cash in County Treasury | \$ 31,216,697 | \$ 55,843,525 | \$ 46,763,535 | \$ 12,931,234 | \$ 146,754,991 |
| Cash awaiting deposit | 1,554 | - | - | 1,353 | 2,907 |
| Cash on hand and in banks | 15,252 | - | - | 27,815 | 43,067 |
| Cash in revolving fund | 70,000 | - | - | - | 70,000 |
| Cash with Fiscal Agent | - | 11,399,707 | - | 1,042,373 | 12,442,080 |
| Investments | 1,729 | 67,000,002 | - | 2,080,058 | 69,081,789 |
| Receivables | 57,061,180 | 149,283 | 30,807 | 5,007,726 | 62,248,996 |
| Due from other funds | - | - | - | 13,200,000 | 13,200,000 |
| Stores inventory | 267,465 | - | - | 573,804 | 841,269 |
| | <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> |
| Total assets | <u>\$ 88,633,877</u> | <u>\$ 134,392,517</u> | <u>\$ 46,794,342</u> | <u>\$ 34,864,363</u> | <u>\$ 304,685,099</u> |
| LIABILITIES AND FUND BALANCES | | | | | |
| Liabilities: | | | | | |
| Accounts payable | \$ 11,070,429 | \$ 28,424,528 | \$ - | \$ 1,547,283 | \$ 41,042,240 |
| Due to other funds | 13,000,000 | - | - | 200,000 | 13,200,000 |
| Deferred revenue | 1,629,108 | - | - | 81,737 | 1,710,845 |
| | <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> |
| Total liabilities | <u>25,699,537</u> | <u>28,424,528</u> | <u>-</u> | <u>1,829,020</u> | <u>55,953,085</u> |
| Fund balances: | | | | | |
| Nonspendable | 337,465 | - | - | 573,804 | 911,269 |
| Restricted | 26,055,436 | 105,967,989 | 46,794,342 | 32,461,539 | 211,279,306 |
| Assigned | 14,368,392 | - | - | - | 14,368,392 |
| Unassigned | 22,173,047 | - | - | - | 22,173,047 |
| | <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> |
| Total fund balances | <u>62,934,340</u> | <u>105,967,989</u> | <u>46,794,342</u> | <u>33,035,343</u> | <u>248,732,014</u> |
| | <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> |
| Total liabilities and fund balances | <u>\$ 88,633,877</u> | <u>\$ 134,392,517</u> | <u>\$ 46,794,342</u> | <u>\$ 34,864,363</u> | <u>\$ 304,685,099</u> |

See accompanying notes to financial statements.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
RECONCILIATION OF THE GOVERNMENTAL FUNDS BALANCE SHEET -
TO THE STATEMENT OF NET ASSETS

June 30, 2012

Total fund balances - Governmental Funds \$ 248,732,014

Amounts reported for governmental activities in the statement of net assets are different because:

Capital assets used for governmental activities are not financial resources and, therefore, are not reported as assets in governmental funds. The cost of the assets is \$1,235,656,542 and the accumulated depreciation is \$264,623,570 (Note 4). 971,032,972

Long-term liabilities are not due and payable in the current period and, therefore, are not reported as liabilities in the governmental funds. Long-term liabilities at June 30, 2012 consisted of (Note 6):

| | | |
|-----------------------------------------------|--------------------|-----------------|
| General Obligation Bonds and premium | \$ (846,932,053) | |
| Accreted interest | (60,762,662) | |
| Certificates of Participation | (8,415,000) | |
| Child care facilities loan | (28,823) | |
| Other Postemployment Benefits (OPEB) (Note 9) | (89,718,345) | |
| Compensated absences | <u>(3,422,127)</u> | |
| | | (1,009,279,010) |

Internal service funds are used to conduct certain activities for which costs are charged to other funds on a full cost-recovery basis. Net assets of the Self-Insurance Fund are: 1,820,990

In the governmental funds, interest on long-term liabilities is not recognized until the period in which it matures and is paid. In the government-wide statement of activities, it is recognized in the period that it is incurred. (9,257,391)

Costs associated with the issuance of long-term liabilities are not financial resources and, therefore, are not reported as assets in governmental funds. 10,850,644

Total net assets - governmental activities \$ 213,900,219

See accompanying notes to financial statements.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

**STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES**

GOVERNMENTAL FUNDS

For the Year Ended June 30, 2012

| | <u>General Fund</u> | <u>Building Fund</u> | <u>Bond Interest and Redemption Fund</u> | <u>All Non-Major Funds</u> | <u>Total Governmental Funds</u> |
|-----------------------------------------------------------|-------------------------|--------------------------|------------------------------------------------------|------------------------------------|-----------------------------------------|
| Revenues: | | | | | |
| Revenue limit sources: | | | | | |
| State apportionment | \$ 92,770,030 | \$ - | \$ - | \$ - | \$ 92,770,030 |
| Local sources | <u>55,076,225</u> | <u>-</u> | <u>-</u> | <u>-</u> | <u>55,076,225</u> |
| Total revenue limit | <u>147,846,255</u> | <u>-</u> | <u>-</u> | <u>-</u> | <u>147,846,255</u> |
| Federal sources | 33,510,605 | 906,437 | 3,114,276 | 13,246,097 | 50,777,415 |
| Other state sources | 63,344,038 | - | 675,182 | 23,339,327 | 87,358,547 |
| Other local sources | <u>22,418,641</u> | <u>617,357</u> | <u>55,605,009</u> | <u>2,421,358</u> | <u>81,062,365</u> |
| Total revenues | <u>267,119,539</u> | <u>1,523,794</u> | <u>59,394,467</u> | <u>39,006,782</u> | <u>367,044,582</u> |
| Expenditures: | | | | | |
| Certificated salaries | 106,626,682 | - | - | 2,534,619 | 109,161,301 |
| Classified salaries | 41,184,114 | 796,557 | - | 5,951,442 | 47,932,113 |
| Employee benefits | 61,331,324 | 317,694 | - | 2,853,779 | 64,502,797 |
| Books and supplies | 10,708,520 | 4,313,933 | - | 6,404,834 | 21,427,287 |
| Contract services and operating expenditures | 42,511,674 | 8,796,944 | - | 1,140,113 | 52,448,731 |
| Capital outlay | 575,432 | 88,220,843 | - | 2,911,283 | 91,707,558 |
| Other outgo | 29,617 | - | - | - | 29,617 |
| Debt service: | | | | | |
| Principal retirement | 6,201,110 | - | 12,968,143 | 8,187,833 | 27,357,086 |
| Interest | <u>366,167</u> | <u>-</u> | <u>31,656,184</u> | <u>274,803</u> | <u>32,297,154</u> |
| Total expenditures | <u>269,534,640</u> | <u>102,445,971</u> | <u>44,624,327</u> | <u>30,258,706</u> | <u>446,863,644</u> |
| (Deficiency) excess of revenues (under) over expenditures | <u>(2,415,101)</u> | <u>(100,922,177)</u> | <u>14,770,140</u> | <u>8,748,076</u> | <u>(79,819,062)</u> |
| Other financing sources (uses): | | | | | |
| Proceeds from issuance of general obligation bonds | - | 100,000,000 | 85,565,000 | - | 185,565,000 |
| Defeasement of general obligation bonds | - | - | (92,295,000) | - | (92,295,000) |
| Other proceeds from debt issuance | - | 1,930,040 | 9,106,119 | - | 11,036,159 |
| Other financing uses | - | - | (2,376,119) | - | (2,376,119) |
| Operating transfers in | 8,446,212 | - | - | - | 8,446,212 |
| Operating transfers out | <u>-</u> | <u>(5,700,000)</u> | <u>-</u> | <u>(2,746,212)</u> | <u>(8,446,212)</u> |
| Total other financing sources (uses) | <u>8,446,212</u> | <u>96,230,040</u> | <u>-</u> | <u>(2,746,212)</u> | <u>101,930,040</u> |
| Net changes in fund balances | 6,031,111 | (4,692,137) | 14,770,140 | 6,001,864 | 22,110,978 |
| Fund balances, July 1, 2011 | <u>56,903,229</u> | <u>110,660,126</u> | <u>32,024,202</u> | <u>27,033,479</u> | <u>226,621,036</u> |
| Fund balances, June 30, 2012 | <u>\$ 62,934,340</u> | <u>\$ 105,967,989</u> | <u>\$ 46,794,342</u> | <u>\$ 33,035,343</u> | <u>\$ 248,732,014</u> |

See accompanying notes to financial statements.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

**RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES - GOVERNMENTAL FUNDS -
TO THE STATEMENT OF ACTIVITIES**

For the Year Ended June 30, 2012

Net changes in fund balances - Total Governmental Funds \$ 22,110,978

Amounts reported for governmental activities in the statement of activities are different because:

Acquisition of capital assets is an expenditure in the governmental funds, but increases capital assets in the statement of net assets (Note 4). \$ 104,205,782

Depreciation of capital assets is an expense that is not recorded in the governmental funds (Note 4). (19,904,162)

Gain or loss from disposal of capital assets are reported as revenue for entire proceeds in the governmental funds, but in the statement of activities, only the resulting gain or loss is reported (Note 4). (40,619)

In governmental funds, if debt is issued at a premium or at a discount, the premium or discount is recognized as revenue in the period it is incurred. In government-wide statements, the premium or discount is amortized as interest over the life of the debt (Note 6). 1,540,467

Repayment or refunding of principal on long-term liabilities is an expenditure in the governmental funds, but decreases the long-term liabilities in the statement of net assets (Note 6). 119,652,086

Issuance costs and discounts related to the issuance of long-term liabilities is an expenditure in the governmental funds, but increases the assets in the statement of net assets. 738,606

In governmental funds, proceeds from debt are recognized as Other Financing Sources, but in the statement of net assets as an increases to liabilities. Amounts recognized in governmental funds as proceeds from debt, net of issue premium, were (Note 6) (196,601,159)

In governmental funds, interest on long-term liabilities is recognized in the period that it becomes due. In the government-wide statement of activities, it is recognized in the period that it is incurred. 3,089,865

Accreted interest on capital appreciation bonds is not recorded in the governmental funds, but increases the long-term liabilities in the statement of net assets (Note 6). (9,983,201)

Internal service funds are used to conduct certain activities for which costs are charged to other funds on a full cost recovery basis. Change in net assets for the Self-Insurance Fund was. 20,139

(Continued)

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

**RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES - GOVERNMENTAL FUNDS -
TO THE STATEMENT OF ACTIVITIES**

(Continued)

For the Year Ended June 30, 2012

In government funds, OPEB costs are recognized when employer contributions are made. In the statement of activities, OPEB costs are recognized on the accrual basis. This year, the difference between OPEB costs and actual employer contributions was (Notes 6 and 9).

\$ (5,606,738)

In the statement of activities, expenses related to compensated absences are measured by the amounts earned during the year. In the governmental funds, expenditures are measured by the amount of financial resources used (Note 6).

68,637 \$ (2,820,297)

Change in net assets of governmental activities

\$ 19,290,681

See accompanying notes to financial statements.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
STATEMENT OF FUND NET ASSETS - PROPRIETARY FUND
SELF-INSURANCE FUND

June 30, 2012

ASSETS

| | |
|-------------------------|------------------|
| Cash and investments: | |
| Cash in County Treasury | \$ 2,351,989 |
| Cash with Fiscal Agent | <u>51</u> |
| Total assets | <u>2,352,040</u> |

LIABILITIES

| | |
|---------------------------------------------|----------------|
| Accounts payable | 31,050 |
| Unpaid claims and claim adjustment expenses | <u>500,000</u> |
| Total liabilities | <u>531,050</u> |

NET ASSETS

| | |
|------------|----------------------------|
| Restricted | <u><u>\$ 1,820,990</u></u> |
|------------|----------------------------|

See accompanying notes to financial statements.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
STATEMENT OF REVENUES, EXPENSES AND CHANGE IN
FUND NET ASSETS - PROPRIETARY FUND

SELF-INSURANCE FUND

For the Year Ended June 30, 2012

| | |
|---------------------------------|----------------------------|
| Operating revenues: | |
| Self-insurance premiums | <u>\$ 2,361,163</u> |
| Operating expenses: | |
| Classified Salaries | 62,344 |
| Employee Benefits | 33,196 |
| Books and supplies | 48,366 |
| Contract services | <u>2,197,118</u> |
| Total operating expenses | <u>2,341,024</u> |
| Operating income | 20,139 |
| Total net assets, July 1, 2011 | <u>1,800,851</u> |
| Total net assets, June 30, 2012 | <u><u>\$ 1,820,990</u></u> |

See accompanying notes to financial statements.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
STATEMENT OF CASH FLOWS - PROPRIETARY FUND
SELF-INSURANCE FUND

For the Year Ended June 30, 2012

| | |
|-------------------------------------------------------|----------------------------|
| Cash flows from operating activities: | |
| Cash received from self-insurance premiums | \$ 2,361,163 |
| Cash paid for salaries and benefits | (95,540) |
| Cash paid for books and supplies | (48,366) |
| Cash paid for claims | (1,350,572) |
| Cash paid for contract services | <u>(1,063,164)</u> |
| Net cash used in operating activities | (196,479) |
| Cash and investments, July 1, 2011 | <u>2,548,519</u> |
| Cash and investments, June 30, 2012 | <u><u>\$ 2,352,040</u></u> |
| Reconciliation of operating income to net cash | |
| used in operating activities: | |
| Operating income | \$ 20,139 |
| Adjustments to reconcile operating income to net cash | |
| used in operating activities: | |
| Decrease in accounts payable | <u>(216,618)</u> |
| Net cash used in operating activities | <u><u>\$ (196,479)</u></u> |

See accompanying notes to financial statements.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

STATEMENT OF FIDUCIARY NET ASSETS

FIDUCIARY FUNDS

June 30, 2012

| | <u>Trust Fund</u> | <u>Agency Funds</u> | | |
|---------------------------------------------|---------------------------------------|--------------------------------------|-----------------------------------|----------------------|
| | <u>Retiree Benefits Trust</u> | <u>Payroll Clearing Fund</u> | <u>Student Body Funds</u> | <u>Total</u> |
| ASSETS | | | | |
| Cash in County Treasury (Note 2) | \$ 5,637,392 | \$ 3,176,081 | \$ - | \$ 8,813,473 |
| Cash on hand and in banks (Note 2) | - | - | 848,354 | 848,354 |
| Investments (Note 2) | 7,173,359 | - | - | 7,173,359 |
| Receivables | <u>9,124</u> | <u>42,611</u> | <u>-</u> | <u>51,735</u> |
| Total assets | <u>12,819,875</u> | <u>3,218,692</u> | <u>848,354</u> | <u>16,886,921</u> |
| LIABILITIES | | | | |
| Accounts payable | - | 3,218,692 | - | 3,218,692 |
| Due to student groups | <u>-</u> | <u>-</u> | <u>848,354</u> | <u>848,354</u> |
| Total liabilities | <u>-</u> | <u>3,218,692</u> | <u>848,354</u> | <u>4,067,046</u> |
| NET ASSETS | | | | |
| Held in trust for retiree benefits (Note 7) | <u>\$ 12,819,875</u> | <u>\$ -</u> | <u>\$ -</u> | <u>\$ 12,819,875</u> |

See accompanying notes to financial statements.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
STATEMENT OF CHANGES IN FIDUCIARY NET ASSETS
RETIREE BENEFITS TRUST FUND
For the Year Ended June 30, 2012

| | |
|----------------------------------------------------------|-----------------------------|
| Revenues: | |
| Other local sources | \$ 20,160,858 |
| Expenditures: | |
| Contract services and operating expenditures (Note 9) | <u>19,055,392</u> |
| Change in net assets | 1,105,466 |
| Net assets, July 1, 2011 | <u>11,714,409</u> |
| Net assets, June 30, 2012 | <u><u>\$ 12,819,875</u></u> |

See accompanying notes to financial statements.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

NOTES TO BASIC FINANCIAL STATEMENTS

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

West Contra Costa Unified School District (the "District") accounts for its financial transactions in accordance with the policies and procedures of the California Department of Education's *California School Accounting Manual*. The accounting policies of the District conform to accounting principles generally accepted in the United States of America as prescribed by the Governmental Accounting Standards Board. The following is a summary of the more significant policies:

Reporting Entity

The Board of Education is the level of government which has governance responsibilities over all activities related to public school education in the District. The Board is not included in any other governmental "reporting entity" as defined by the Governmental Accounting Standards Board since Board members have decision-making authority, the power to designate management, the responsibility to significantly influence operations and primary accountability for fiscal matters.

On January 13, 1994, certain members of the District's Board of Education and District employees formed a nonprofit benefit corporation, known as the West Contra Costa Unified School District Financing Corporation (the "Corporation"), which is organized under the Nonprofit Benefit Corporation Law of the State of California. The purpose of this Corporation is to provide financial assistance to the District by financing, constructing and leasing various public facilities, land, and equipment for the use, benefit, and enjoyment of the public served by the District. The Corporation issued Certificates of Participation (COPs), a form of long-term debt, which the District used to finance continuing operations. The COPs are collateralized by an underlying lease-purchase agreement between the Corporation and the District.

The District and the Corporation have a financial and operational relationship that meets the reporting entity definition of Codification of Governmental Accounting and Financial Reporting Standards, Section 2100, for inclusion of the Corporation as a component unit of the District. The basic, but not the only criterion for including a governmental department, agency, institution, commission, public authority, or other governmental organization in a governmental unit's reporting entity for general purpose financial reports is the ability of the governmental unit's elected officials to exercise oversight responsibility over such agencies. Oversight responsibility implies that the nongovernmental unit is dependent on another and the dependent unit should be reported as part of the other.

Oversight responsibility is derived from the governmental unit's power and includes, but is not limited to:

- Financial interdependency
- Selection of governing authority
- Designation of management
- Ability to significantly influence operations
- Accountability for fiscal matters

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

NOTES TO BASIC FINANCIAL STATEMENTS

(Continued)

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Reporting Entity (Continued)

Accordingly, for the year ended June 30, 2012, the financial activities of the Corporation have been blended into the financial statements of the District. The Corporation's financial activities are presented in the Corporation Debt Service Fund. COPs issued by the Corporation are included as long-term liabilities in the government-wide financial statements.

Basis of Presentation - Financial Statements

The basic financial statements include a Management's Discussion and Analysis (MD & A) section providing an analysis of the District's overall financial position and results of operations, financial statements prepared using full accrual accounting for all of the District's activities, including infrastructure, and a focus on the major funds.

Basis of Presentation - Government-Wide Financial Statements

The Statement of Net Assets and the Statement of Activities displays information about the reporting government as a whole. Fiduciary funds are not included in the government-wide financial statements. Fiduciary funds are reported only in the Statement of Fiduciary Net Assets and the Statement of Change in Fiduciary Net Assets at the fund financial statement level.

The Statement of Net Assets and the Statement of Activities are prepared using the economic resources measurement focus and the accrual basis of accounting. Revenues, expenses, gains, losses, assets and liabilities resulting from exchange and exchange-like transactions are recognized when the exchange takes place. Revenues, expenses, gains, losses, assets and liabilities resulting from nonexchange transactions are recognized in accordance with the requirements of Governmental Accounting Standards Board Codification Section (GASB Cod. Sec.) N50.118-.121.

Program revenues: Program revenues included in the Statement of Activities derive directly from the program itself or from parties outside the District's taxpayers or citizenry, as a whole; program revenues reduce the cost of the function to be financed from the District's general revenues.

Allocation of indirect expenses: The District reports all direct expenses by function in the Statement of Activities. Direct expenses are those that are clearly identifiable with a function. Depreciation expense is specifically identified by function and is included in the direct expense of each function. Interest on general long-term liabilities is considered an indirect expense and is reported separately on the Statement of Activities.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

NOTES TO BASIC FINANCIAL STATEMENTS

(Continued)

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Basis of Presentation - Fund Accounting

The accounts of the District are organized on the basis of funds, each of which is considered to be a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund equity, revenues, and expenditures or expenses, as appropriate. District resources are allocated to and accounted for in individual funds based upon the purpose for which they are to be spent and the means by which spending activities are controlled. The District's accounts are organized into three broad categories which, in aggregate, include seven fund types as follows:

A - Governmental Fund Types

1. General Fund:

The General Fund is the general operating fund of the District and accounts for all revenues and expenditures of the District not encompassed within other funds. All general tax revenues and other receipts that are not allocated by law or contractual agreement to some other fund are accounted for in this fund. General operating expenditures and the capital improvement costs that are not paid through other funds are paid from the General Fund. For financial reporting purposes, the current year activity and year end balance of the Special Reserve for Other than Capital Outlay Projects Fund is combined with the General Fund.

2. Special Revenue Funds:

The Special Revenue Funds are used to account for the proceeds of specific revenue sources that are legally restricted to expenditures for specified purposes. This classification includes the Adult Education, Child Development, Cafeteria and Deferred Maintenance Funds

3. Capital Projects Funds:

The Capital Projects Funds are used to account for resources used for the acquisition or construction of capital facilities by the District. This classification includes the Building, Capital Facilities, County School Facilities and Special Reserve for Capital Outlay Projects Funds.

4. Debt Service Funds:

The Debt Service Funds are used to account for the accumulation of resources for, and the payment of, general long-term liabilities principal, interest, and related costs. This classification includes the Bond Interest and Redemption, Corporation Debt Service and Debt Service Funds.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

NOTES TO BASIC FINANCIAL STATEMENTS

(Continued)

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Basis of Presentation - Fund Accounting (Continued)

B - Proprietary Fund

1. Self-Insurance Fund:

The Self-Insurance Fund is an internal service fund used to account for services rendered on a cost-reimbursement basis within the District. The Self-Insurance Fund is used to account for resources committed to pay for costs arising from property losses and liability claims that are covered, or only partially covered, through purchased insurance.

C - Fiduciary Funds

1. Trust Fund:

The Retiree Benefits Trust Fund is a trust fund used to account for the accumulation of funds for the District's defined post-employment healthcare plan.

2. Agency Funds:

Agency Funds are used to account for assets held by the District as trustee. This classification includes the Payroll Clearing Fund and Student Body Funds. In the Payroll Clearing Fund, the "due to regulatory agencies" account is used to hold dedicated funds for payroll and related expenses. The Student Body Funds include all cash activity, assets and liabilities of the various student bodies of the District.

Basis of Accounting

Basis of accounting refers to when revenues and expenditures or expenses are recognized in the accounts and reported in the basic financial statements. Basis of accounting relates to the timing of the measurement made, regardless of the measurement focus applied.

Accrual

Governmental activities in the government-wide financial statements and the proprietary and fiduciary fund financial statements are presented on the accrual basis of accounting. Revenues are recognized when earned and expenses are recognized when incurred.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

NOTES TO BASIC FINANCIAL STATEMENTS

(Continued)

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Modified Accrual

The governmental funds financial statements are presented on the modified accrual basis of accounting. Under the modified accrual basis of accounting, revenues are recorded when susceptible to accrual; i.e., both measurable and available. "Available" means collectible within the current period or within 60 days after year end. Expenditures are generally recognized under the modified accrual basis of accounting when the related liability is incurred. The exception to this general rule is that principal and interest on general obligation long-term liabilities, if any, is recognized when due.

Budgets and Budgetary Accounting

By state law, the Board of Education must adopt a final budget by July 1. A public hearing is conducted to receive comments prior to adoption. The Board of Education complied with these requirements.

Stores Inventory

Inventories in the General and Cafeteria Funds are valued at average cost. Stores inventory recorded in the General and Cafeteria Funds consists mainly of school supplies and consumable supplies. Inventories are recorded as an expenditure at the time the individual inventory items are transferred from the warehouse to schools and offices.

Cafeteria Food Purchases

Cafeteria purchases include food purchased through the State of California Office of Surplus Property, for which the District is required to pay only a handling charge. The state does not require the Cafeteria Fund to record the fair market value of these commodities. The expenditures for these items would have been greater had the District paid fair market value for the government surplus food commodities.

Capital Assets

Capital assets purchased or acquired, with an original cost of \$5,000 or more, are recorded at historical cost or estimated historical cost. Contributed assets are reported at fair market value as of the date received. Additions, improvements and other capital outlay that significantly extend the useful life of an asset are capitalized. Other costs incurred for repairs and maintenance are expensed as incurred. Capital assets are depreciated using the straight-line method over 4 - 30 years depending on asset types.

Compensated Absences

Compensated absences totaling \$3,422,127 are recorded as a liability of the District. The liability is for the earned but unused benefits.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

NOTES TO BASIC FINANCIAL STATEMENTS

(Continued)

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Accumulated Sick Leave

Sick leave benefits are not recognized as liabilities of the District. The District's policy is to record sick leave as a operating expenditure or expense in the period taken since such benefits do not vest nor is payment probable; however, unused sick leave is added to the creditable service period for calculation of retirement benefits for certain STRS and CalPERS employees, when the employee retires.

Deferred Revenue

Revenue from federal, state, and local special projects and programs is recognized when qualified expenditures have been incurred. Funds received but not earned are recorded as deferred revenue until earned.

Restricted Net Assets

Restrictions of the ending net assets indicate the portions of net assets not appropriable for expenditure or amounts legally segregated for a specific future use. The restriction for unspent categorical program revenues are state programs where the revenue received is restricted for expenditures only in that particular program. The restriction for the future payment of self-insurance claims represents the portion of net assets to be used for future payment of self-insured claims. The restriction for special revenues represents the portion of net assets restricted for special purposes. The restriction for capital projects represents the portion of net assets restricted for capital projects. The restriction for debt service repayments represents the portion of net assets which the District plans to expend on debt repayment. The restriction for retiree benefits represents the portion of net assets which will be used for payment of health insurance premiums for current and future retirees. It is the District's policy to first use restricted net assets when allowable expenditures are incurred.

Fund Balance Classifications

Governmental Accounting Standards Board Codification Sections 1300 and 1800, *Fund Balance Reporting and Governmental Fund Type Definitions* (GASB Cod. Sec. 1300 and 1800) implements a five-tier fund balance classification hierarchy that depicts the extent to which a government is bound by spending constraints imposed on the use of its resources. The five classifications, discussed in more detail below, are nonspendable, restricted, committed, assigned and unassigned.

A - Nonspendable Fund Balance:

The nonspendable fund balance classification reflects amounts that are not in spendable form, such as revolving fund cash, prepaid expenditures and stores inventory.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

NOTES TO BASIC FINANCIAL STATEMENTS

(Continued)

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Fund Balance Classifications (Continued)

B - Restricted Fund Balance:

The restricted fund balance classification reflects amounts subject to externally imposed and legally enforceable constraints. Such constraints may be imposed by creditors, grantors, contributors, or laws or regulations of other governments, or may be imposed by law through constitutional provisions or enabling legislation. These are the same restrictions used to determine restricted net assets as reported in the government-wide, proprietary fund, and fiduciary trust fund statements.

C - Committed Fund Balance:

The committed fund balance classification reflects amounts subject to internal constraints self-imposed by formal action of the Board of Education. The constraints giving rise to committed fund balance must be imposed no later than the end of the reporting period. The actual amounts may be determined subsequent to that date but prior to the issuance of the financial statements. Formal action by the Board of Education is required to remove any commitment from any fund balance. At June 30, 2012, the District had no committed fund balances.

D - Assigned Fund Balance:

The assigned fund balance classification reflects amounts that the District's Board of Education has approved to be used for specific purposes, based on the District's intent related to those specific purposes. The Board of Education can designate personnel with the authority to assign fund balances, however, as of June 30, 2012, no such designation has occurred.

E - Unassigned Fund Balance:

In the General Fund only, the unassigned fund balance classification reflects the residual balance that has not been assigned to other funds and that is not restricted, committed, or assigned to specific purposes.

In any fund other than the General Fund, a positive unassigned fund balance is never reported because amounts in any other fund are assumed to have been assigned, at least, to the purpose of that fund. However, deficits in any fund, including the General Fund that cannot be eliminated by reducing or eliminating amounts assigned to other purposes are reported as negative unassigned fund balance.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

NOTES TO BASIC FINANCIAL STATEMENTS

(Continued)

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Fund Balance Policy

The District has an expenditure policy relating to fund balances. For purposes of fund balance classifications, expenditures are to be spent from restricted fund balances first, followed in order by committed fund balances (if any), assigned fund balances and lastly unassigned fund balances.

While GASB Cod. Sec. 1300 and 1800 do not require districts to establish a minimum fund balance policy or a stabilization arrangement, GASB Cod. Sec. 1300 and 1800 do require the disclosure of a minimum fund balance policy and stabilization arrangements, if they have been adopted by the Board of Education. At June 30, 2012, the District has not established a minimum fund balance policy nor has it established a stabilization arrangement.

Property Taxes

Secured property taxes are attached as an enforceable lien on property as of March 1. Taxes are due in two installments on or before December 10 and April 10. Unsecured property taxes are due in one installment on or before August 31. The County of Contra Costa bills and collects taxes for the District.

Encumbrances

Encumbrance accounting is used in all budgeted funds to reserve portions of applicable appropriations for which commitments have been made. Encumbrances are recorded for purchase orders, contracts, and other commitments when they are written. Encumbrances are liquidated when the commitments are paid. All encumbrances are liquidated at June 30.

Eliminations and Reclassifications

In the process of aggregating data for the Statement of Net Assets and the Statement of Activities, some amounts reported as interfund activity and balances in the funds were eliminated or reclassified. Interfund receivables and payables were eliminated to minimize the "grossing up" effect on assets and liabilities within the governmental activities column.

Estimates

The preparation of basic financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions. These estimates and assumptions affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenditures during the reporting period. Accordingly, actual results may differ from those estimates.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

NOTES TO BASIC FINANCIAL STATEMENTS (Continued)

2. CASH AND INVESTMENTS

Cash and investments at June 30, 2012 consisted of the following:

| | <u>Governmental Activities</u> | | | <u>Fiduciary Activities</u> |
|---------------------------------|--------------------------------|-------------------------|----------------------|-----------------------------|
| | <u>Governmental Funds</u> | <u>Proprietary Fund</u> | <u>Total</u> | |
| Pooled Funds: | | | | |
| Cash in County Treasury | \$ 146,754,991 | \$ 2,351,989 | \$ 149,106,980 | \$ 8,813,473 |
| Cash awaiting deposit | 2,907 | - | 2,907 | - |
| Deposits: | | | | |
| Cash on hand and in banks | 43,067 | - | 43,067 | 848,354 |
| Cash in revolving fund | <u>70,000</u> | <u>-</u> | <u>70,000</u> | <u>-</u> |
| Total pooled funds and deposits | <u>146,870,965</u> | <u>2,351,989</u> | <u>149,222,954</u> | <u>9,661,827</u> |
| Investments: | | | | |
| Cash with Fiscal Agent | 12,442,080 | 51 | 12,442,131 | - |
| Local Agency Investment Fund | <u>69,081,789</u> | <u>-</u> | <u>69,081,789</u> | <u>7,173,359</u> |
| Total investments | <u>81,523,869</u> | <u>51</u> | <u>81,523,920</u> | <u>7,173,359</u> |
| Total | <u>\$228,394,834</u> | <u>\$ 2,352,040</u> | <u>\$230,746,874</u> | <u>\$ 16,835,186</u> |

Pooled Funds

In accordance with Education Code Section 41001, the District maintains substantially all of its cash in the Contra Costa County Treasury. The County pools these funds with those of school districts in the County and invests the cash. These pooled funds are carried at cost which approximates fair value. Interest earned is deposited quarterly into participating funds. Any investment losses are proportionately shared by all funds in the pool. Earnings are calculated on an annual basis and funds allocated to participating funds are adjusted to the calculated annual rate at year-end.

Because the District's deposits are maintained in a recognized pooled investment fund under the care of a third party and the District's share of the pooled investment fund does not consist of specific, identifiable investment securities owned by the District, no disclosure of the individual deposits and investments or related custodial credit risk classifications is required.

In accordance with applicable state laws, the Contra Costa County Treasurer may invest in derivative securities. However, at June 30, 2012, the Contra Costa County Treasurer has represented that the Treasurer's pooled investment fund contained no derivatives or other investments with similar risk profiles.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

NOTES TO BASIC FINANCIAL STATEMENTS

(Continued)

2. CASH AND INVESTMENTS (Continued)

Deposits - Custodial Credit Risk

The District limits custodial credit risk by ensuring uninsured balances are collateralized by the respective financial institution. Under Section 343 of the Dodd-Frank Wall Street Reform and Consumer Protection Act, through December 31, 2012 interest-bearing cash balances held in banks are insured up to \$250,000 and non-interest bearing cash balances held in banks are fully insured by the Federal Deposit Insurance Corporation (FDIC) and are collateralized by the respective financial institution. At June 30, 2012, the carrying amount of the District's accounts was \$961,421, and the bank balance was \$896,543, all of which was insured.

Cash with Fiscal Agent

The Cash with Fiscal Agent in the Building Fund represents contract retentions that are placed with an independent third party. These amounts are carried in the contractor's name and all investment risk resides with the contractor.

The Cash with Fiscal Agent in the Special Reserve for Capital Outlay Projects, Corporation Debt Service and Self-Insurance Funds represents amounts held by third parties in the District's name.

Local Agency Investment Fund

West Contra Costa Unified School District places certain funds with the State of California's Local Agency Investment Fund (LAIF). The District is a voluntary participant in LAIF, which is regulated by California Government Code Section 16429 under the oversight of the Treasurer of the State of California and the Pooled Money Investment Board. The State Treasurer's Office pools these funds with those of other governmental agencies in the state and invests the cash. The fair value of the District's investment in the pool is reported in the accompanying financial statements based upon the District's pro-rata share of the fair value provided by LAIF for the entire LAIF portfolio (in relation to the amortized cost of that portfolio). The monies held in the pooled investments funds are not subject to categorization by risk category. The balance available for withdrawal is based on the accounting records maintained by LAIF, which are recorded on an amortized cost basis. Funds are accessible and transferable to the master account within twenty-four hours notice. Included in LAIF's investment portfolio are collateralized mortgage obligations, mortgage-backed securities, other asset-backed securities, and floating rate securities issued by federal agencies, government-sponsored enterprises and corporations. LAIF is administered by the State Treasurer. LAIF investments are audited annually by the Pooled Money Investment Board and the State Controller's Office. Copies of this audit may be obtained from the State Treasurer's Office: 915 Capitol Mall; Sacramento, California 95814. The Pooled Money Investment Board has established policies, goals, and objectives to make certain that their goal of safety, liquidity and yield are not jeopardized.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

NOTES TO BASIC FINANCIAL STATEMENTS

(Continued)

2. CASH AND INVESTMENTS (Continued)

Interest Rate Risk

The District does not have a formal investment policy that limits cash and investment maturities as a means of managing its exposure to fair value losses arising from increasing interest rates. At June 30, 2012, the District had no significant interest rate risk related to cash and investments held.

Credit Risk

The District does not have a formal investment policy that limits its investment choices other than the limitations of state law.

Concentration of Credit Risk

The District does not place limits on the amount it may invest in any one issuer. At June 30, 2012, the District had no concentration of credit risk.

3. INTERFUND TRANSACTIONS

Interfund Activity

Transactions between funds of the District are recorded as interfund transfers, except for the Self-Insurance Fund activity which is recorded as income and expenditures of the Self-Insurance Fund and the funds which incur payroll costs, respectively. The unpaid balances at year end, as a result of such transactions, are shown as due to and due from other funds.

Interfund Receivables/Payables

Individual fund interfund receivable and payable balances at June 30, 2012 were as follows:

| <u>Fund</u> | <u>Interfund Receivables</u> | <u>Interfund Payables</u> |
|--------------------------|----------------------------------|-------------------------------|
| Major Funds: | | |
| General | \$ - | \$ 13,000,000 |
| Non-Major Funds: | | |
| Cafeteria | - | 200,000 |
| Capital Facilities | 200,000 | - |
| County School Facilities | <u>13,000,000</u> | <u>-</u> |
| Totals | <u>\$ 13,200,000</u> | <u>\$ 13,200,000</u> |

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

NOTES TO BASIC FINANCIAL STATEMENTS

(Continued)

3. INTERFUND TRANSACTIONS (Continued)

Interfund Transfers

Interfund transfers consist of operating transfers from funds receiving revenue to funds through which the resources are to be expended.

Interfund transfers for the 2011-2012 fiscal year were as follows:

| | |
|---------------------------------------------------------------------------------------------------------------------------------|---------------------|
| Transfer from the Building Fund to the General Fund to offset legal costs related to refunding of general obligation bonds. | \$ 3,500,000 |
| Transfer from the Building Fund to the General Fund to cover costs associated with the purchase of the Munis accounting system. | 2,200,000 |
| Transfer from the Adult Education Fund to the General Fund for indirect cost support. | 104,744 |
| Transfer from the Adult Education Fund to the General Fund for Tier III flexibility provisions of SBX3 4. | 1,000,000 |
| Transfer from the Child Development Fund to the General Fund for indirect cost support. | 93,822 |
| Transfer from the Cafeteria Fund to the General Fund for indirect cost support. | 547,646 |
| Transfer from the Deferred Maintenance Fund to the General Fund for Tier III flexibility provisions of SBX3 4. | <u>1,000,000</u> |
| | <u>\$ 8,446,212</u> |

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

NOTES TO BASIC FINANCIAL STATEMENTS

(Continued)

4. CAPITAL ASSETS

A schedule of changes in capital assets for the year ended June 30, 2012 is shown below:

| | Balance July 1, 2011 | Transfers and Additions | Transfers and Deductions | Balance June 30, 2012 |
|--------------------------------|----------------------------|-------------------------------|--------------------------------|-----------------------------|
| <u>Governmental Activities</u> | | | | |
| Non-depreciable: | | | | |
| Land | \$ 52,371,291 | \$ - | \$ - | \$ 52,371,291 |
| Work-in-process | 201,049,921 | 102,671,344 | - | 303,721,265 |
| Depreciable: | | | | |
| Buildings | 803,423,280 | 166,527 | - | 803,589,807 |
| Site improvements | 61,980,429 | - | - | 61,980,429 |
| Equipment | <u>12,838,502</u> | <u>1,367,911</u> | <u>212,663</u> | <u>13,993,750</u> |
| Totals, at cost | <u>1,131,663,423</u> | <u>104,205,782</u> | <u>212,663</u> | <u>1,235,656,542</u> |
| Less accumulated depreciation: | | | | |
| Buildings | (198,590,935) | (17,458,815) | - | (216,049,750) |
| Site improvements | (39,520,162) | (1,526,023) | - | (41,046,185) |
| Equipment | <u>(6,780,355)</u> | <u>(919,324)</u> | <u>(172,044)</u> | <u>(7,527,635)</u> |
| Total accumulated depreciation | <u>(244,891,452)</u> | <u>(19,904,162)</u> | <u>(172,044)</u> | <u>(264,623,570)</u> |
| Capital assets, net | <u>\$ 886,771,971</u> | <u>\$ 84,301,620</u> | <u>\$ 40,619</u> | <u>\$ 971,032,972</u> |

Depreciation expense was charged to governmental activities as follows:

| | |
|---------------------------------------------|----------------------|
| Instruction | \$ 10,820,181 |
| Supervision of instruction | 1,484,063 |
| Instructional library, media and technology | 218,518 |
| School site administration | 1,090,416 |
| Home to school transportation | 542,402 |
| Food services | 923,134 |
| All other pupil services | 1,229,964 |
| Ancillary services | 508,093 |
| Community services | 10,088 |
| All other general administration | 816,275 |
| Data processing | 258,865 |
| Plant services | <u>2,002,163</u> |
| Total depreciation expense | <u>\$ 19,904,162</u> |

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

NOTES TO BASIC FINANCIAL STATEMENTS

(Continued)

5. SELF-INSURANCE CLAIMS

The District is self-insured for property and liability claims. For accounting and reporting purposes, the District has established a separate Self-Insurance Fund for the payment of claims. For the year ended June 30, 2012, the District provides coverage up to a maximum of \$100,000 for each property or liability claim. The District participates in a joint powers authority for claims in excess of coverage provided by the Fund (Note 10).

The liability for unpaid claims and claim adjustment expenses represents the ultimate cost of claims that have been reported but not settled and of claims that have been incurred but not reported. These claims will be paid in future years.

District management recomputes the liability annually using available updated claims data. Every three years, the District contracts with an actuary who performs an actuarial study using a variety of statistical techniques to produce current estimates that consider claim frequency and other economic factors.

The liabilities for unpaid claims and claim adjustment expenses are as follows:

| | June 30, <u>2012</u> | June 30, <u>2011</u> |
|---------------------------------------------------------------------|-------------------------|-------------------------|
| Unpaid claim and claim adjustment expenses, beginning of year | \$ 500,000 | \$ 500,000 |
| Total incurred claims and claim adjustment expenses | 708,587 | 1,340,237 |
| Total payments | <u>(708,587)</u> | <u>(1,340,237)</u> |
| Total unpaid claims and claim adjustment expenses at end of year | <u>\$ 500,000</u> | <u>\$ 500,000</u> |

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

NOTES TO BASIC FINANCIAL STATEMENTS (Continued)

6. LONG-TERM LIABILITIES

General Obligation Bonds

| Bond | Interest Rate % | Date of Issuance | Maturity Date August 1, | Amount of Original Issuance | Outstanding July 1, 2011 | Issued Current Year | Redeemed Current Year | Outstanding June 30, 2012 |
|-------------------------------------------|--------------------|---------------------|-------------------------------|-----------------------------------|--------------------------------|---------------------------|-----------------------------|---------------------------------|
| Measure E, Refunding Series A | 4.15% - 5.7% | 2001 | 2025 | \$ 28,610,000 | \$ 19,605,000 | \$ - | \$ 1,110,000 | \$ 18,495,000 |
| Measure E, Refunding Series B | 4.3% - 6.0% | 2001 | 2024 | 10,255,000 | 7,190,000 | - | 380,000 | 6,810,000 |
| Measure M, Series C | 2.5% - 5.0% | 2003 | 2012 | 95,000,000 | 82,345,000 | - | 39,230,000 | 43,115,000 |
| Measure D, Series A | 4.25% - 7.0% | 2002 | 2012 | 30,000,000 | 24,850,000 | - | 13,335,000 | 11,515,000 |
| Measure D, Series B | 4.1% - 5.0% | 2003 | 2012 | 100,000,000 | 84,260,000 | - | 43,800,000 | 40,460,000 |
| Measure D, Series C, Current Interest | 4.0% - 5.0% | 2004 | 2034 | 40,000,000 | 36,445,000 | - | 820,000 | 35,625,000 |
| Measure D, Series C, Capital Appreciation | 2.4% - 5.8% | 2004 | 2034 | 29,999,377 | 28,746,812 | - | 567,683 | 28,179,129 |
| Measure D, Series D, Capital Appreciation | 3.15% - 5.05% | 2006 | 2034 | 99,998,106 | 95,250,472 | - | 2,105,460 | 93,145,012 |
| Measure J, Series A | 4.0% - 5.0% | 2006 | 2035 | 70,000,000 | 61,280,000 | - | - | 61,280,000 |
| Measure J, Series B | 5.0% - 6.0% | 2009 | 2035 | 120,000,000 | 115,025,000 | - | - | 115,025,000 |
| Measure J, Series C1 | 6.24% - 12.0% | 2010 | 2033 | 52,084,759 | 52,084,759 | - | - | 52,084,759 |
| Measure J, Series C2 | 8.46% | 2010 | 2034 | 52,825,000 | 52,825,000 | - | - | 52,825,000 |
| 2009 Refunding | 3.0% - 5.38% | 2010 | 2031 | 57,860,000 | 53,870,000 | - | 3,915,000 | 49,955,000 |
| Measure J, Series D1 | 6.56% | 2010 | 2024 | 25,000,000 | 25,000,000 | - | - | 25,000,000 |
| Measure J, Series D2 | 6.80% - 6.81% | 2010 | 2036 | 2,499,949 | 2,499,949 | - | - | 2,499,949 |
| 2011 Refunding | 3.0% - 5.25% | 2011 | 2024 | 85,565,000 | - | 85,565,000 | - | 85,565,000 |
| 2010 Measure D, Series A | 3.0% - 5.0% | 2011 | 2041 | 79,000,000 | - | 79,000,000 | - | 79,000,000 |
| 2010 Measure D, Series A-1 | 3.0% - 5.0% | 2011 | 2030 | 21,000,000 | - | 21,000,000 | - | 21,000,000 |
| | | | | <u>\$ 999,697,191</u> | <u>\$ 741,276,992</u> | <u>\$ 185,565,000</u> | <u>\$ 105,263,143</u> | <u>\$ 821,578,849</u> |

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

NOTES TO BASIC FINANCIAL STATEMENTS

(Continued)

6. LONG-TERM LIABILITIES (Continued)

General Obligation Bonds (Continued)

The annual requirements to amortize the 2001 Refunding Measure E, Series A, General Obligation Bonds Payable, outstanding as of June 30, 2012, are as follows:

| <u>Year Ended June 30,</u> | <u>Principal</u> | <u>Interest</u> | <u>Total</u> |
|--------------------------------|----------------------|---------------------|----------------------|
| 2013 | \$ 1,160,000 | \$ 1,011,441 | \$ 2,171,441 |
| 2014 | 1,225,000 | 953,335 | 2,178,335 |
| 2015 | 1,295,000 | 890,880 | 2,185,880 |
| 2016 | 1,355,000 | 823,560 | 2,178,560 |
| 2017 | 1,435,000 | 751,653 | 2,186,653 |
| 2018-2022 | 8,515,000 | 2,486,928 | 11,001,928 |
| 2023-2026 | <u>3,510,000</u> | <u>328,491</u> | <u>3,838,491</u> |
| | <u>\$ 18,495,000</u> | <u>\$ 7,246,288</u> | <u>\$ 25,741,288</u> |

The annual requirements to amortize the 2001 Refunding Measure E, Series B, General Obligation Bonds Payable, outstanding as of June 30, 2012, are as follows:

| <u>Year Ended June 30,</u> | <u>Principal</u> | <u>Interest</u> | <u>Total</u> |
|--------------------------------|---------------------|---------------------|---------------------|
| 2013 | \$ 395,000 | \$ 399,844 | \$ 794,844 |
| 2014 | 425,000 | 378,785 | 803,785 |
| 2015 | 445,000 | 355,855 | 800,855 |
| 2016 | 475,000 | 331,400 | 806,400 |
| 2017 | 500,000 | 303,000 | 803,000 |
| 2018-2022 | 3,030,000 | 1,022,400 | 4,052,400 |
| 2023-2025 | <u>1,540,000</u> | <u>139,800</u> | <u>1,679,800</u> |
| | <u>\$ 6,810,000</u> | <u>\$ 2,931,084</u> | <u>\$ 9,741,084</u> |

The annual requirements to amortize the 2003 Measure M, Series C, General Obligation Bonds Payable, outstanding as of June 30, 2012, are as follows:

| <u>Year Ended June 30,</u> | <u>Principal</u> | <u>Interest</u> | <u>Total</u> |
|--------------------------------|----------------------|---------------------|----------------------|
| 2013 | <u>\$ 43,115,000</u> | <u>\$ 1,077,875</u> | <u>\$ 44,192,875</u> |

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

NOTES TO BASIC FINANCIAL STATEMENTS

(Continued)

6. LONG-TERM LIABILITIES (Continued)

General Obligation Bonds (Continued)

The annual requirements to amortize the 2002 Measure D, Series A, General Obligation Bonds Payable, outstanding as of June 30, 2012, are as follows:

| <u>Year Ended</u> <u>June 30,</u> | <u>Principal</u> | <u>Interest</u> | <u>Total</u> |
|--------------------------------------|----------------------|-------------------|----------------------|
| 2013 | <u>\$ 11,515,000</u> | <u>\$ 287,875</u> | <u>\$ 11,802,875</u> |

The annual requirements to amortize the 2003 Measure D, Series B, General Obligation Bonds Payable, outstanding as of June 30, 2012, are as follows:

| <u>Year Ended</u> <u>June 30,</u> | <u>Principal</u> | <u>Interest</u> | <u>Total</u> |
|--------------------------------------|----------------------|---------------------|----------------------|
| 2013 | <u>\$ 40,460,000</u> | <u>\$ 1,011,500</u> | <u>\$ 41,471,500</u> |

The annual requirements to amortize the 2005 Measure D, Series C, Current Interest General Obligation Bonds Payable, outstanding as of June 30, 2012, are as follows:

| <u>Year Ended</u> <u>June 30,</u> | <u>Principal</u> | <u>Interest</u> | <u>Total</u> |
|--------------------------------------|----------------------|----------------------|----------------------|
| 2013 | \$ 860,000 | \$ 1,716,198 | \$ 2,576,198 |
| 2014 | 905,000 | 1,680,898 | 2,585,898 |
| 2015 | 950,000 | 1,642,610 | 2,592,610 |
| 2016 | 990,000 | 1,602,623 | 2,592,623 |
| 2017 | 1,035,000 | 1,561,605 | 2,596,605 |
| 2018-2022 | 5,970,000 | 7,072,144 | 13,042,144 |
| 2023-2027 | 7,665,000 | 5,342,713 | 13,007,713 |
| 2028-2032 | 9,925,000 | 3,123,125 | 13,048,125 |
| 2033-2035 | <u>7,325,000</u> | <u>562,123</u> | <u>7,887,123</u> |
| | <u>\$ 35,625,000</u> | <u>\$ 24,304,039</u> | <u>\$ 59,929,039</u> |

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

NOTES TO BASIC FINANCIAL STATEMENTS

(Continued)

6. LONG-TERM LIABILITIES (Continued)

General Obligation Bonds (Continued)

The annual requirements to amortize the 2005 Measure D, Series C, Capital Appreciation General Obligation Bonds Payable, outstanding as of June 30, 2012, are as follows:

| <u>Year Ended June 30,</u> | <u>Principal</u> | <u>Interest</u> | <u>Total</u> |
|--------------------------------|----------------------|----------------------|----------------------|
| 2013 | \$ 656,115 | \$ 363,885 | \$ 1,020,000 |
| 2014 | 739,473 | 475,527 | 1,215,000 |
| 2015 | 814,828 | 600,172 | 1,415,000 |
| 2016 | 882,657 | 737,343 | 1,620,000 |
| 2017 | 948,557 | 891,443 | 1,840,000 |
| 2018-2022 | 4,805,003 | 6,404,997 | 11,210,000 |
| 2023-2027 | 6,481,794 | 13,258,206 | 19,740,000 |
| 2028-2032 | 7,301,094 | 21,913,906 | 29,215,000 |
| 2033-2035 | <u>5,549,608</u> | <u>22,150,392</u> | <u>27,700,000</u> |
| | <u>\$ 28,179,129</u> | <u>\$ 66,795,871</u> | <u>\$ 94,975,000</u> |

The annual requirements to amortize the 2006 Measure D, Series D, Capital Appreciation General Obligation Bonds Payable, outstanding as of June 30, 2012, are as follows:

| <u>Year Ended June 30,</u> | <u>Principal</u> | <u>Interest</u> | <u>Total</u> |
|--------------------------------|----------------------|----------------------|----------------------|
| 2013 | \$ 2,327,598 | \$ 717,402 | \$ 3,045,000 |
| 2014 | 2,527,733 | 952,267 | 3,480,000 |
| 2015 | 2,719,715 | 1,215,285 | 3,935,000 |
| 2016 | 2,904,482 | 1,520,519 | 4,425,001 |
| 2017 | 3,054,074 | 1,880,926 | 4,935,000 |
| 2018-2022 | 19,188,132 | 17,306,868 | 36,495,000 |
| 2023-2027 | 20,807,563 | 31,332,437 | 52,140,000 |
| 2028-2032 | 22,942,784 | 51,677,215 | 74,619,999 |
| 2033-2035 | <u>16,672,931</u> | <u>50,017,067</u> | <u>66,689,998</u> |
| | <u>\$ 93,145,012</u> | <u>\$156,619,986</u> | <u>\$249,764,998</u> |

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

NOTES TO BASIC FINANCIAL STATEMENTS

(Continued)

6. LONG-TERM LIABILITIES (Continued)

General Obligation Bonds (Continued)

The annual requirements to amortize the 2006 Measure J, Series A, General Obligation Bonds Payable, outstanding as of June 30, 2012, are as follows:

| <u>Year Ended June 30,</u> | <u>Principal</u> | <u>Interest</u> | <u>Total</u> |
|--------------------------------|----------------------|----------------------|----------------------|
| 2013 | \$ - | \$ 2,959,003 | \$ 2,959,003 |
| 2014 | 545,000 | 2,948,103 | 3,493,103 |
| 2015 | 1,710,000 | 2,903,003 | 4,613,003 |
| 2016 | 1,775,000 | 2,832,415 | 4,607,415 |
| 2017 | 1,850,000 | 2,757,871 | 4,607,871 |
| 2018-2022 | 10,450,000 | 12,492,213 | 22,942,213 |
| 2023-2027 | 12,950,000 | 9,675,000 | 22,625,000 |
| 2028-2032 | 16,165,000 | 6,051,875 | 22,216,875 |
| 2033-2036 | <u>15,835,000</u> | <u>1,628,123</u> | <u>17,463,123</u> |
| | <u>\$ 61,280,000</u> | <u>\$ 44,247,606</u> | <u>\$105,527,606</u> |

The annual requirements to amortize the 2009 Measure J, Series B, General Obligation Bonds Payable, outstanding as of June 30, 2012, are as follows:

| <u>Year Ended June 30,</u> | <u>Principal</u> | <u>Interest</u> | <u>Total</u> |
|--------------------------------|----------------------|----------------------|----------------------|
| 2013 | \$ - | \$ 6,656,375 | \$ 6,656,375 |
| 2014 | - | 6,656,375 | 6,656,375 |
| 2015 | - | 6,656,375 | 6,656,375 |
| 2016 | 1,225,000 | 6,625,750 | 7,850,750 |
| 2017 | 1,900,000 | 6,538,125 | 8,438,125 |
| 2018-2022 | 11,400,000 | 30,917,625 | 42,317,625 |
| 2023-2027 | 24,000,000 | 26,015,625 | 50,015,625 |
| 2028-2032 | 37,100,000 | 16,425,938 | 53,525,938 |
| 2033-2036 | <u>39,400,000</u> | <u>5,754,375</u> | <u>45,154,375</u> |
| | <u>\$115,025,000</u> | <u>\$112,246,563</u> | <u>\$227,271,563</u> |

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

NOTES TO BASIC FINANCIAL STATEMENTS

(Continued)

6. LONG-TERM LIABILITIES (Continued)

General Obligation Bonds (Continued)

The annual requirements to amortize the 2010 Measure J, Series C, General Obligation Bonds Payable, outstanding as of June 30, 2012, are as follows:

| <u>Year Ended June 30,</u> | <u>Principal</u> | <u>Interest</u> | <u>Total</u> |
|--------------------------------|----------------------|----------------------|----------------------|
| 2017 | \$ 324,003 | \$ 400,998 | \$ 725,001 |
| 2018-2022 | 8,631,415 | 16,243,585 | 24,875,000 |
| 2023-2028 | 12,192,309 | 21,322,692 | 33,515,001 |
| 2028-2032 | 23,785,458 | 70,909,542 | 94,695,000 |
| 2032-2034 | <u>7,151,574</u> | <u>29,868,423</u> | <u>37,019,997</u> |
| | <u>\$ 52,084,759</u> | <u>\$138,745,240</u> | <u>\$190,829,999</u> |

The annual requirements to amortize the 2010 Measure J, Series C, General Obligation Bonds Payable, outstanding as of June 30, 2012, are as follows:

| <u>Year Ended June 30,</u> | <u>Principal</u> | <u>Interest</u> | <u>Total</u> |
|--------------------------------|----------------------|----------------------|----------------------|
| 2013 | \$ - | \$ 4,468,995 | \$ 4,468,995 |
| 2014 | - | 4,468,995 | 4,468,995 |
| 2015 | - | 4,468,995 | 4,468,995 |
| 2016 | - | 4,468,995 | 4,468,995 |
| 2017 | - | 4,468,995 | 4,468,995 |
| 2018-2022 | - | 22,344,975 | 22,344,975 |
| 2023-2027 | - | 22,344,975 | 22,344,975 |
| 2028-2032 | - | 22,344,975 | 22,344,975 |
| 2033-2035 | <u>52,825,000</u> | <u>9,404,348</u> | <u>62,229,348</u> |
| | <u>\$ 52,825,000</u> | <u>\$ 98,784,248</u> | <u>\$151,609,248</u> |

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

NOTES TO BASIC FINANCIAL STATEMENTS

(Continued)

6. LONG-TERM LIABILITIES (Continued)

General Obligation Bonds (Continued)

The annual requirements to amortize the 2009 Measure J and M, General Obligation Bonds Refund outstanding as of June 30, 2012, are as follows:

| <u>Year Ended June 30,</u> | <u>Principal</u> | <u>Interest</u> | <u>Total</u> |
|--------------------------------|----------------------|----------------------|----------------------|
| 2013 | \$ 3,600,000 | \$ 2,019,906 | \$ 5,619,906 |
| 2014 | 4,575,000 | 1,878,331 | 6,453,331 |
| 2015 | 5,120,000 | 1,690,656 | 6,810,656 |
| 2016 | 7,070,000 | 1,457,256 | 8,527,256 |
| 2017 | 8,505,000 | 1,154,163 | 9,659,163 |
| 2018-2022 | 13,220,000 | 2,548,681 | 15,768,681 |
| 2023-2027 | 3,440,000 | 1,625,016 | 5,065,016 |
| 2028-2032 | <u>4,425,000</u> | <u>614,513</u> | <u>5,039,513</u> |
| | <u>\$ 49,955,000</u> | <u>\$ 12,988,522</u> | <u>\$ 62,943,522</u> |

The annual requirements to amortize the 2010 Measure J, Series D1, General Obligation Bonds Payable, outstanding as of June 30, 2012, are as follows:

| <u>Year Ended June 30,</u> | <u>Principal</u> | <u>Interest</u> | <u>Total</u> |
|--------------------------------|----------------------|---------------------|----------------------|
| 2013 | \$ - | \$ 286,250 | \$ 286,250 |
| 2014 | - | 286,250 | 286,250 |
| 2015 | - | 286,250 | 286,250 |
| 2016 | - | 286,250 | 286,250 |
| 2017 | - | 286,250 | 286,250 |
| 2018-2022 | - | 1,431,250 | 1,431,250 |
| 2023-2025 | <u>25,000,000</u> | <u>518,113</u> | <u>25,518,113</u> |
| | <u>\$ 25,000,000</u> | <u>\$ 3,380,613</u> | <u>\$ 28,380,613</u> |

The annual requirements to amortize the 2010 Measure J, Series D2, General Obligation Bonds Payable, outstanding as of June 30, 2012, are as follows:

| <u>Year Ended June 30,</u> | <u>Principal</u> | <u>Interest</u> | <u>Total</u> |
|--------------------------------|---------------------|----------------------|----------------------|
| 2036-2037 | <u>\$ 2,499,949</u> | <u>\$ 31,320,051</u> | <u>\$ 33,820,000</u> |

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

NOTES TO BASIC FINANCIAL STATEMENTS

(Continued)

6. LONG-TERM LIABILITIES (Continued)

General Obligation Bonds (Continued)

The annual requirements to amortize the 2011 Refunding General Obligation Bonds Payable, outstanding as of June 30, 2012, are as follows:

| <u>Year Ended June 30,</u> | <u>Principal</u> | <u>Interest</u> | <u>Total</u> |
|--------------------------------|----------------------|----------------------|----------------------|
| 2013 | \$ 4,425,000 | \$ 3,957,288 | \$ 8,382,288 |
| 2014 | 3,800,000 | 3,814,913 | 7,614,913 |
| 2015 | 6,285,000 | 3,595,838 | 9,880,838 |
| 2016 | 6,150,000 | 3,320,913 | 9,470,913 |
| 2017 | 5,900,000 | 3,060,263 | 8,960,263 |
| 2018-2022 | 36,080,000 | 10,673,463 | 46,753,463 |
| 2023-2025 | <u>22,925,000</u> | <u>1,641,803</u> | <u>24,566,803</u> |
| | <u>\$ 85,565,000</u> | <u>\$ 30,064,481</u> | <u>\$115,629,481</u> |

The annual requirements to amortize the 2010 Measure D, Series A, General Obligation Bonds Payable, outstanding as of June 30, 2012, are as follows:

| <u>Year Ended June 30,</u> | <u>Principal</u> | <u>Interest</u> | <u>Total</u> |
|--------------------------------|----------------------|----------------------|----------------------|
| 2013 | \$ 6,615,000 | \$ 3,726,325 | \$ 10,341,325 |
| 2014 | 5,540,000 | 3,544,000 | 9,084,000 |
| 2015 | - | 3,460,900 | 3,460,900 |
| 2016 | - | 3,460,900 | 3,460,900 |
| 2017 | - | 3,460,900 | 3,460,900 |
| 2018-2022 | 490,000 | 17,280,000 | 17,770,000 |
| 2023-2027 | 2,160,000 | 16,945,200 | 19,105,200 |
| 2028-2032 | 6,625,000 | 16,160,425 | 19,105,200 |
| 2033-2037 | 23,340,000 | 12,111,331 | 19,105,200 |
| 2038-2042 | <u>34,230,000</u> | <u>4,691,757</u> | <u>38,921,757</u> |
| | <u>\$ 79,000,000</u> | <u>\$ 84,841,738</u> | <u>\$143,815,382</u> |

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

NOTES TO BASIC FINANCIAL STATEMENTS

(Continued)

6. LONG-TERM LIABILITIES (Continued)

General Obligation Bonds (Continued)

The annual requirements to amortize the 2010 Measure D, Series A-1, General Obligation Bonds Payable, outstanding as of June 30, 2012, are as follows:

| <u>Year Ended June 30,</u> | <u>Principal</u> | <u>Interest</u> | <u>Total</u> |
|--------------------------------|----------------------|---------------------|----------------------|
| 2013 | \$ - | \$ 281,400 | \$ 281,400 |
| 2014 | - | 281,400 | 281,400 |
| 2015 | - | 281,400 | 281,400 |
| 2016 | - | 281,400 | 281,400 |
| 2017 | - | 281,400 | 281,400 |
| 2018-2022 | - | 1,407,000 | 1,407,000 |
| 2018-2022 | - | 1,407,000 | 1,407,000 |
| 2023-2031 | <u>21,000,000</u> | <u>984,900</u> | <u>21,984,900</u> |
| | <u>\$ 21,000,000</u> | <u>\$ 5,205,900</u> | <u>\$ 26,205,900</u> |

Certificates of Participation

On August 24, 2005, the West Contra Costa Unified School District Financing Corporation issued Certificates of Participation (COPs). The proceeds of this issuance were used to refund a 1994 COPS issuance. Semi-annual payments are made and include interest at amounts varying from 4.34% to 5.15%.

Scheduled payments for the COPs are as follows:

| <u>Year Ended June 30,</u> | <u>Principal</u> | <u>Interest</u> | <u>Total</u> |
|--------------------------------|---------------------|---------------------|----------------------|
| 2013 | \$ 500,000 | \$ 424,967 | \$ 924,967 |
| 2014 | 525,000 | 400,867 | 925,867 |
| 2015 | 555,000 | 375,352 | 930,352 |
| 2016 | 585,000 | 348,157 | 933,157 |
| 2017 | 605,000 | 318,731 | 923,731 |
| 2018-2022 | 3,530,000 | 1,103,097 | 4,633,097 |
| 2022-2024 | <u>2,115,000</u> | <u>175,613</u> | <u>2,290,613</u> |
| | <u>\$ 8,415,000</u> | <u>\$ 3,146,784</u> | <u>\$ 11,561,784</u> |

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

NOTES TO BASIC FINANCIAL STATEMENTS

(Continued)

6. LONG-TERM LIABILITIES (Continued)

Child Care Facilities Loan

On February 7, 2001, the District received a no-interest loan from the California Department of Education for the development and acquisition of child care facilities. The District received an initial amount of \$573,048 with the District repaying \$33,000 of the loan. In 2002-03, the District received an additional \$598,060. The carrying balance of the loan as of June 30, 2012 is \$28,823. The loan balance is to be repaid in ten annual installments.

The following is a schedule of loan repayments:

| <u>Year Ending</u> <u>June 30,</u> | <u>Total</u> <u>Payments</u> |
|---------------------------------------|---------------------------------|
| 2013 | <u>\$ 28,823</u> |

Schedule of Changes in Long-Term Liabilities

A schedule of changes in long-term liabilities for the year ended June 30, 2012 is shown below:

| | <u>Balance</u> <u>July 1,</u> <u>2011</u> | <u>Additions</u> | <u>Deductions</u> | <u>Balance</u> <u>June 30,</u> <u>2012</u> | <u>Amounts</u> <u>Due Within</u> <u>One Year</u> |
|-------------------------------------|-------------------------------------------------|-----------------------|-----------------------|--------------------------------------------------|--------------------------------------------------------|
| Governmental activities: | | | | | |
| General Obligation Bonds | \$ 741,276,992 | \$ 185,565,000 | \$ 105,263,143 | \$ 821,578,849 | \$ 115,128,713 |
| General Obligation Bonds Premium | 15,857,512 | 11,036,159 | 1,540,467 | 25,353,204 | 905,290 |
| Accreted interest | 50,779,461 | 9,983,201 | - | 60,762,662 | - |
| Certificates of Participation | 8,890,000 | - | 475,000 | 8,415,000 | 500,000 |
| Emergency Apportionment Loan | 9,368,387 | - | 9,368,387 | - | - |
| Voluntary Integration Plan | 872,000 | - | 872,000 | - | - |
| Computer equipment acquisition loan | 3,576,032 | - | 3,576,032 | - | - |
| Child care facilities loan | 126,347 | - | 97,524 | 28,823 | 28,823 |
| OPEB obligation (Note 9) | 84,111,607 | 5,606,738 | - | 89,718,345 | - |
| Compensated absences | 3,490,764 | - | 68,637 | 3,422,127 | - |
| Total | <u>\$ 918,349,102</u> | <u>\$ 212,191,098</u> | <u>\$ 121,261,190</u> | <u>\$1,009,279,010</u> | <u>\$ 116,562,826</u> |

Payments on the General Obligation Bonds are made from the Bond Interest and Redemption Fund. Payments on the Certificates of Participation, Emergency Apportionment Loan, Voluntary Integration Plan, and computer equipment acquisition loan are made from the General Fund. Payments on the child care facilities acquisition loan are made from the Child Development Fund. Payments on the OPEB obligation are made from the Retiree Benefits Trust Fund. Payments on compensated absences are made from the fund for which the related employee worked.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

NOTES TO BASIC FINANCIAL STATEMENTS

(Continued)

7. NET ASSETS / FUND BALANCES

Restricted net assets consisted of the following at June 30, 2012:

| | Governmental Activities | Fiduciary Funds |
|------------------------------------------------------|----------------------------|----------------------|
| Restricted for unspent categorical program revenues | \$ 26,055,436 | \$ - |
| Restricted for future payment of self-insured claims | 1,820,990 | - |
| Restricted for special revenues | 6,990,881 | - |
| Restricted for capital projects | 50,488,711 | - |
| Restricted for debt service | 47,714,715 | - |
| Restricted for retiree benefits | <u>-</u> | <u>12,819,875</u> |
| Total restricted net assets | <u>\$133,070,733</u> | <u>\$ 12,819,875</u> |

Fund balances, by category, at June 30, 2012 consisted of the following:

| | General Fund | Building Fund | Bond Interest and Redemption Fund | All Non-Major Funds | Total |
|-------------------------------------|----------------------|-----------------------|--------------------------------------------|---------------------------|-----------------------|
| Nonspendable: | | | | | |
| Revolving cash fund | \$ 70,000 | \$ - | \$ - | \$ - | \$ 70,000 |
| Stores inventory | <u>267,465</u> | <u>-</u> | <u>-</u> | <u>573,804</u> | <u>841,269</u> |
| Subtotal nonspendable | <u>337,465</u> | <u>-</u> | <u>-</u> | <u>573,804</u> | <u>911,269</u> |
| Restricted: | | | | | |
| Unspent categorical revenues | 26,055,436 | - | - | - | 26,055,436 |
| Adult education | - | - | - | 2,055,110 | 2,055,110 |
| Child Development | - | - | - | 113,795 | 113,795 |
| Deferred Maintenance | - | - | - | 1,296,996 | 1,296,996 |
| Cafeteria | - | - | - | 2,951,176 | 2,951,176 |
| Capital projects | - | 105,967,989 | - | 24,081,716 | 130,049,705 |
| Debt service | <u>-</u> | <u>-</u> | <u>46,794,342</u> | <u>1,962,746</u> | <u>48,757,088</u> |
| Subtotal restricted | <u>26,055,436</u> | <u>105,967,989</u> | <u>46,794,342</u> | <u>32,461,539</u> | <u>211,279,306</u> |
| Assigned: | | | | | |
| Tier III flexibility | <u>14,368,392</u> | <u>-</u> | <u>-</u> | <u>-</u> | <u>14,368,392</u> |
| Unassigned: | | | | | |
| Designated for economic uncertainty | 8,168,653 | - | - | - | 8,168,653 |
| Undesignated | <u>14,004,394</u> | <u>-</u> | <u>-</u> | <u>-</u> | <u>14,004,394</u> |
| Subtotal unassigned | <u>22,173,047</u> | <u>-</u> | <u>-</u> | <u>-</u> | <u>22,173,047</u> |
| Total fund balances | <u>\$ 62,934,340</u> | <u>\$ 105,967,989</u> | <u>\$ 46,794,342</u> | <u>\$ 33,035,343</u> | <u>\$ 248,732,014</u> |

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

NOTES TO BASIC FINANCIAL STATEMENTS

(Continued)

8. EMPLOYEE RETIREMENT SYSTEMS

Qualified employees are covered under multiple-employer defined benefit pension plans maintained by agencies of the State of California. Certificated employees are members of the State Teachers' Retirement System (STRS), and classified employees are members of the California Public Employees' Retirement System (CalPERS).

Plan Description and Provisions

California Public Employees' Retirement System (CalPERS)

Plan Description

The District contributes to the School Employer Pool under the California Public Employees' Retirement System (CalPERS), a cost-sharing multiple-employer public employee retirement system defined benefit pension plan administered by CalPERS. The plan provides retirement and disability benefits, annual cost-of-living adjustments, and death benefits to plan members and beneficiaries. Benefit provisions are established by state statutes, as legislatively amended, within the Public Employees' Retirement Law. CalPERS issues a separate comprehensive annual financial report that includes financial statements and required supplementary information. Copies of the CalPERS annual financial report may be obtained from the CalPERS Executive Office, 400 Q Street, Sacramento, California 95811.

Funding Policy

Active plan members are required to contribute 7% of their salary and the District is required to contribute an actuarially determined rate. The actuarial methods and assumptions used for determining the rate are those adopted by the CalPERS Board of Administration. The required employer contribution rate for fiscal year 2011-2012 was 10.923% of annual payroll. The contribution requirements of the plan members are established by state statute. The District's contributions to CalPERS for the fiscal years ending June 30, 2010, 2011 and 2012 were \$3,343,635, \$3,775,389 and \$4,213,692, respectively, and equal 100% of the required contributions for each year.

State Teachers' Retirement System (STRS)

Plan Description

The District contributes to the State Teachers' Retirement System (STRS), a cost-sharing multiple-employer public employee retirement system defined benefit pension plan administered by STRS. The plan provides retirement, disability and survivor benefits to beneficiaries. Benefit provisions are established by state statutes, as legislatively amended, within the State Teachers' Retirement Law. STRS issues a separate comprehensive annual financial report that includes financial statements and required supplementary information. Copies of the STRS annual financial report may be obtained from the STRS Executive Office, 100 Waterfront Place, West Sacramento, California 95605.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

NOTES TO BASIC FINANCIAL STATEMENTS

(Continued)

8. EMPLOYEE RETIREMENT SYSTEMS (Continued)

Plan Description and Provisions (Continued)

State Teachers' Retirement System (STRS) (Continued)

Funding Policy

Active plan members are required to contribute 8% of their salary. The required employer contribution rate for fiscal year 2011-2012 was 8.25% of annual payroll. The contribution requirements of the plan members are established by state statute. The District's contributions to STRS for the fiscal years ending June 30, 2010, 2011 and 2012 were \$8,846,010, \$8,409,803 and \$8,544,399, respectively, and equal 100% of the required contributions for each year.

9. OTHER POSTEMPLOYMENT BENEFITS

In addition to the pension benefits described in Note 8, the District provides post-employment health benefits to all employees (1) hired prior to December 31, 2006 and who have attained five continuous years of service with the District (as defined by PERS/STRS); (2) are hired after January 1, 2007 and have attained ten continuous years of service with the District (as defined by PERS/STRS). Dental benefits are provided to employees who meet the rule of "75" (number of years worked plus age equals 75 or more) to qualify for post employment dental benefits. As of June 30, 2012, a total of 2,437 retirees met the health care benefit requirement.

The District offers retirees a choice of two health maintenance organizations (HMO's) for health benefits and a supplemental Medicare Part A Plan; dental benefits are offered through one insurer. The District pays 100% for the monthly HMO up to the cost of the CalPERS Northern California Blue Shield health plan and 100% dental for eligible employees and their spouses who retired prior to January 1, 2007. Employees who retire after January 1, 2007 are covered by the terms of their bargaining union that are in effect at their retirement date. All eligible retirees and their spouses who qualify for Medicare benefits must apply for and pay for the Part B premium as required by law. Expenditures for post-employment health care benefits are recognized when paid.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

NOTES TO BASIC FINANCIAL STATEMENTS

(Continued)

9. OTHER POSTEMPLOYMENT BENEFITS (Continued)

Annual OPEB Cost and Net OPEB Obligation

The District's annual other postemployment benefit (OPEB) cost (expense) is calculated based on the annual required contribution of the employer (ARC), an amount actuarially determined in accordance with the parameters of GASB Statement 45. The ARC represents a level of funding that, if paid on an ongoing basis, is projected to cover normal cost each year and amortize any unfunded actuarial liabilities (or funding excess) over a period not to exceed thirty years. The following table shows the components of the District's annual OPEB cost for the year, the amount actually contributed to the plan, and changes in the District's net OPEB obligation:

| | |
|--------------------------------------------|----------------------|
| Annual required contribution | \$ 24,679,091 |
| Interest on net OPEB obligation | 3,785,022 |
| Adjustment to annual required contribution | <u>(3,913,446)</u> |
| Annual OPEB cost | 24,550,667 |
| Contributions made | <u>(18,943,929)</u> |
| Increase in net OPEB obligation | 5,606,738 |
| Net OPEB obligation - beginning of year | <u>84,111,607</u> |
| Net OPEB obligation - end of year | <u>\$ 89,718,345</u> |

The District's annual OPEB cost, the percentage of annual OPEB cost contributed to the plan, and the net OPEB obligation for the year ended June 30, 2012 and preceding two years were as follows:

| <u>Fiscal Year Ended</u> | <u>Annual OPEB Cost</u> | <u>Percentage of Annual OPEB Cost Contributed</u> | <u>Net OPEB Obligation</u> |
|------------------------------|-----------------------------|---------------------------------------------------------------|--------------------------------|
| June 30, 2010 | \$ 44,531,861 | 56.4% | \$ 78,915,248 |
| June 30, 2011 | \$ 23,606,113 | 28.1% | \$ 84,111,607 |
| June 30, 2012 | \$ 24,550,667 | 72.2% | \$ 89,718,345 |

Funded Status and Funding Progress

As of July 1, 2010, the most recent actuarial valuation date, the plan was unfunded. The actuarial liability for benefits was \$385,520,762 and the actuarial value of assets was \$0, resulting in a unfunded actuarial accrued liability (UAAL) of \$385,520,762. However, the District has set aside \$12,819,875 in the Retiree Benefits Trust Fund for future payment of these benefits. No current employees are covered by the Plan. The OPEB plan is currently operated as a pay-as-you-go plan.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

NOTES TO BASIC FINANCIAL STATEMENTS

(Continued)

9. OTHER POSTEMPLOYMENT BENEFITS (Continued)

Funded Status and Funding Progress (Continued)

Actuarial valuations of an ongoing plan involve estimates of the value of reported amounts and assumptions about the probability of occurrence of events far into the future. Examples include assumptions about future employment, mortality, and the healthcare cost trend. Amounts determined regarding the funded status of the plan and the annual required contributions of the employer are subject to continual revision as actual results are compared with past expectations and new estimates are made about the future. The schedule of funding progress, presented as required supplementary information following the notes to the financial statements, presents multiyear trend information about whether the actuarial value of plan assets is increasing or decreasing over time relative to the actuarial accrued liabilities for benefits.

Actuarial Methods and Assumptions

Projections of benefits for financial reporting purposes are based on the substantive plan (the plan as understood by the employer and the plan members) and include the types of benefits provided at the time of each valuation and the historical pattern of sharing of benefit costs between the employer and plan members to that point. The actuarial methods and assumptions used include techniques that are designed to reduce the effects of short-term volatility in actuarial accrued liabilities and the actuarial value of assets, consistent with the long-term perspective of the calculations.

In the July 1, 2010 actuarial valuation, the entry age normal cost method was used. The actuarial assumptions included a 4.5 percent investment rate of return (net of administrative expenses), which is a blended rate of the expected long-term investment returns on plan assets and on the employer's own investments calculated based on the funded level of the plan on the valuation date, and an annual healthcare cost trend rate of 8.5 percent initially, reduced by decrements to an ultimate rate of 5.5 percent after 10 years. Both rates included a 3.25 percent inflation assumption. The actuarial value of assets was determined using techniques that spread the effects of short-term volatility in the market value of investments over a five-year period. The UAAL is being amortized as a level percentage of projected payroll on an open basis. The remaining amortization period at June 30, 2012, was 26 years.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

NOTES TO BASIC FINANCIAL STATEMENTS

(Continued)

10. JOINT POWERS AGREEMENTS

Contra Costa County Schools Insurance Group

The District is a member with other school districts of a Joint Powers Authority, Contra Costa County Schools Insurance Group (CCCSIG), for the operation of a common risk management and insurance program for workers' compensation coverage. The following is a summary of financial information for CCCSIG at June 30, 2011 (most recent information available):

| | |
|----------------------|----------------|
| Total assets | \$ 92,712,198 |
| Total liabilities | \$ 74,926,034 |
| Total net assets | \$ 17,786,164 |
| Total revenues | \$ 41,257,160 |
| Total expenses | \$ 48,048,482 |
| Change in net assets | \$ (6,791,322) |

Northern California Regional Liability Excess Fund (Nor Cal Relief)

The District is a member with other agencies of a Joint Powers Authority, Northern California Regional Liability Excess Fund (Nor Cal Relief), for the operation of a common risk management and insurance program for property and liability coverage. The following is a summary of financial information for Nor Cal Relief at June 30, 2011 (most recent information available):

| | |
|----------------------|---------------|
| Total assets | \$ 60,461,646 |
| Total liabilities | \$ 34,033,515 |
| Total net assets | \$ 26,428,131 |
| Total revenues | \$ 37,118,988 |
| Total expenses | \$ 36,392,464 |
| Change in net assets | \$ 726,524 |

The relationship between the District and the Joint Powers Authorities is such that the Joint Powers Authorities are not component units of the District for financial reporting purposes.

11. CONTINGENCIES

The District is subject to legal proceedings and claims which arise in ordinary course of business. In the opinion of management, the amount of ultimate liability with respect to these actions will not materially affect the financial position or results of operations of the District.

The District has received federal and state funds for specific purposes that are subject to review and audit by the grantor agencies. Although such audits could result in expenditure disallowances under terms of the grants, it is management's opinion that any required reimbursements or future revenue offsets subsequently determined will not have a material effect on the financial position or results of operations of the District.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

NOTES TO BASIC FINANCIAL STATEMENTS

(Continued)

12. SUBSEQUENT EVENT

General Obligation Bonds

On July 10, 2012, the District issued 2012 General Obligation Refunding Bonds in the total amount of \$98,200,000. The bonds are were issued to refund all of the District's outstanding Election 2002 Series C, Election 2002 Series A, Election 2002 Series B and to advance refund a portion of the District's outstanding Election 2002 Series C Bonds. The Board of Supervisors of Contra Costa County is empowered and obligated to annually levy and collect ad valorem property taxes without limitation as to rate or amount on all taxable property in the District for the repayment of interest, principal, and premium, if any. The Bonds bear interest at rates ranging from 3.00% to 5.25% and are schedule to mature through August 1, 2032.

REQUIRED SUPPLEMENTARY INFORMATION

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

GENERAL FUND

BUDGETARY COMPARISON SCHEDULE

For the Year Ended June 30, 2012

| | <u>Budget</u> | | <u>Actual</u> | <u>Variance Favorable (Unfavorable)</u> |
|--------------------------------------------------------------|----------------------|----------------------|----------------------|-------------------------------------------------|
| | <u>Original</u> | <u>Final</u> | | |
| Revenues: | | | | |
| Revenue limit sources: | | | | |
| State apportionment | \$ 93,216,540 | \$ 92,770,030 | \$ 92,770,030 | \$ - |
| Local sources | <u>54,778,297</u> | <u>55,076,225</u> | <u>55,076,225</u> | <u>-</u> |
| Total revenue limit | <u>147,994,837</u> | <u>147,846,255</u> | <u>147,846,255</u> | <u>-</u> |
| Federal sources | 27,810,811 | 40,798,264 | 33,510,605 | (7,287,659) |
| Other state sources | 59,872,698 | 63,029,006 | 63,344,038 | 315,032 |
| Other local sources | <u>19,363,564</u> | <u>22,525,991</u> | <u>22,418,641</u> | <u>(107,350)</u> |
| Total revenues | <u>255,041,910</u> | <u>274,199,516</u> | <u>267,119,539</u> | <u>(7,079,977)</u> |
| Expenditures: | | | | |
| Certificated salaries | 104,344,459 | 109,874,942 | 106,626,682 | 3,248,260 |
| Classified salaries | 39,475,080 | 42,322,114 | 41,184,114 | 1,138,000 |
| Employee benefits | 61,395,153 | 62,948,097 | 61,331,324 | 1,616,773 |
| Books and supplies | 7,986,189 | 16,560,875 | 10,708,520 | 5,852,355 |
| Contract services and operating expenditures | 40,853,144 | 55,657,772 | 42,511,674 | 13,146,098 |
| Capital outlay | 2,846,099 | 3,785,085 | 575,432 | 3,209,653 |
| Other outgo | 52,000 | 52,000 | 29,617 | 22,383 |
| Debt service: | | | | |
| Principal retirement | 3,867,078 | 5,867,078 | 6,201,110 | (334,032) |
| Interest | <u>591,101</u> | <u>591,101</u> | <u>366,167</u> | <u>224,934</u> |
| Total expenditures | <u>261,410,303</u> | <u>297,659,064</u> | <u>269,534,640</u> | <u>28,124,424</u> |
| (Deficiency) excess of revenues (under) over expenditures | <u>(6,368,393)</u> | <u>(23,459,548)</u> | <u>(2,415,101)</u> | <u>21,044,447</u> |
| Other financing sources (uses): | | | | |
| Operating transfers in | 2,577,835 | 13,318,212 | 8,446,212 | (4,872,000) |
| Operating transfers out | <u>-</u> | <u>(4,872,000)</u> | <u>-</u> | <u>4,872,000</u> |
| Total other financing sources (uses) | <u>2,577,835</u> | <u>8,446,212</u> | <u>8,446,212</u> | <u>-</u> |
| Net change in fund balance | (3,790,558) | (15,013,336) | 6,031,111 | 21,044,447 |
| Fund balance, July 1, 2011 | <u>56,903,229</u> | <u>56,903,229</u> | <u>56,903,229</u> | <u>-</u> |
| Fund balance, June 30, 2012 | <u>\$ 53,112,671</u> | <u>\$ 41,889,893</u> | <u>\$ 62,934,340</u> | <u>\$ 21,044,447</u> |

See accompanying notes to required supplementary information.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
SCHEDULE OF OTHER POSTEMPLOYMENT BENEFITS (OPEB)
FUNDING PROGRESS

For the Year Ended June 30, 2012

| Schedule of Funding Progress | | | | | | | |
|-------------------------------------|-----------------------------------------|------------------------------------------|------------------------------------------------------|--------------------------------------------------------------------|-------------------------|-----------------------------|-----------------------------------------------------------------|
| Fiscal Year Ended | Actuarial Valuation Date | Actuarial Value of Assets | Actuarial Accrued Liability (AAL) | Unfunded Actuarial Accrued Liability (UAAL) | Funded Ratio | Covered Payroll* | UAAL as a Percentage of Covered Payroll* |
| 6/30/2008 | June 30, 2007 | \$0 | \$496 million | \$496 million | 0% | \$0 | 0% |
| 6/30/2009 | June 30, 2007 | \$0 | \$496 million | \$496 million | 0% | \$0 | 0% |
| 6/30/2010 | June 30, 2007 | \$0 | \$496 million | \$496 million | 0% | \$0 | 0% |
| 6/30/2011 | July 1, 2010 | \$0 | \$386 million | \$386 million | 0% | \$0 | 0% |
| 6/30/2012 | July 1, 2010 | \$0 | \$386 million | \$386 million | 0% | \$0 | 0% |

* No current employees are covered by the Plan.

See accompanying notes to required supplementary information.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
NOTES TO REQUIRED SUPPLEMENTARY INFORMATION

1. PURPOSE OF SCHEDULES

A - Budgetary Comparison Schedule

The District employs budget control by object codes and by individual appropriation accounts. Budgets are prepared on the modified accrual basis of accounting in accordance with accounting principles generally accepted in the United States of America as prescribed by the Governmental Accounting Standards Board. The budgets are revised during the year by the Board of Education to provide for revised priorities. Expenditures cannot legally exceed appropriations by major object code. The originally adopted and final revised budgets for the General Fund are presented as Required Supplementary Information. The basis of budgeting is the same as GAAP.

B - Schedule of Other Postemployment Benefits Funding Progress

The Schedule of Funding Progress presents multi-year trend information which compares, over time, the actuarially accrued liability for benefits with the actuarial value of accumulated plan assets.

SUPPLEMENTARY INFORMATION

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

COMBINING BALANCE SHEET

ALL NON-MAJOR FUNDS

June 30, 2012

| | <u>Adult Education Fund</u> | <u>Child Development Fund</u> | <u>Cafeteria Fund</u> | <u>Deferred Maintenance Fund</u> | <u>Capital Facilities Fund</u> | <u>County School Facilities Fund</u> | <u>Special Reserve for Capital Outlay Projects Fund</u> | <u>Corporation Debt Service Fund</u> | <u>Debt Service Fund</u> | <u>Total</u> |
|------------------------------------------------|-------------------------------------|---------------------------------------|---------------------------|------------------------------------------|----------------------------------------|--------------------------------------------------|-----------------------------------------------------------------------------|--------------------------------------------------|----------------------------------|----------------------|
| ASSETS | | | | | | | | | | |
| Cash in County Treasury | \$ 774,736 | \$ 246,115 | \$ 41,617 | \$ 1,295,306 | \$ 802,405 | \$ 2,856,953 | \$ 6,914,072 | \$ - | \$ 30 | \$ 12,931,234 |
| Cash awaiting deposit | - | - | 1,353 | - | - | - | - | - | - | 1,353 |
| Cash on hand and in banks | 26,001 | - | 1,814 | - | - | - | - | - | - | 27,815 |
| Cash with Fiscal Agent | - | - | - | - | - | - | - | 1,042,373 | - | 1,042,373 |
| Investments | 3,215 | - | - | - | 1,161,285 | - | - | - | 915,558 | 2,080,058 |
| Receivables | 1,441,182 | 20,500 | 3,496,836 | 1,690 | 2,746 | 4,383 | 35,604 | - | 4,785 | 5,007,726 |
| Due from other funds | - | - | - | - | 200,000 | 13,000,000 | - | - | - | 13,200,000 |
| Stores inventory | - | - | 573,804 | - | - | - | - | - | - | 573,804 |
| Total assets | \$ 2,245,134 | \$ 266,615 | \$ 4,115,424 | \$ 1,296,996 | \$ 2,166,436 | \$ 15,861,336 | \$ 6,949,676 | \$ 1,042,373 | \$ 920,373 | \$ 34,864,363 |
| LIABILITIES AND FUND BALANCES | | | | | | | | | | |
| Liabilities: | | | | | | | | | | |
| Accounts payable | \$ 190,024 | \$ 71,083 | \$ 390,444 | \$ - | \$ 856,479 | \$ - | \$ 39,253 | \$ - | \$ - | \$ 1,547,283 |
| Deferred revenue | - | 81,737 | - | - | - | - | - | - | - | 81,737 |
| Due to other funds | - | - | 200,000 | - | - | - | - | - | - | 200,000 |
| Total liabilities | 190,024 | 152,820 | 590,444 | - | 856,479 | - | 39,253 | - | - | 1,829,020 |
| Fund balances: | | | | | | | | | | |
| Nonspendable | - | - | 573,804 | - | - | - | - | - | - | 573,804 |
| Restricted | 2,055,110 | 113,795 | 2,951,176 | 1,296,996 | 1,309,957 | 15,861,336 | 6,910,423 | 1,042,373 | 920,373 | 32,461,539 |
| Total fund balances | 2,055,110 | 113,795 | 3,524,980 | 1,296,996 | 1,309,957 | 15,861,336 | 6,910,423 | 1,042,373 | 920,373 | 33,035,343 |
| Total liabilities and fund balances | \$ 2,245,134 | \$ 266,615 | \$ 4,115,424 | \$ 1,296,996 | \$ 2,166,436 | \$ 15,861,336 | \$ 6,949,676 | \$ 1,042,373 | \$ 920,373 | \$ 34,864,363 |

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
COMBINING STATEMENT OF REVENUES, EXPENDITURES AND CHANGE IN FUND BALANCES

ALL NON-MAJOR FUNDS

For the Year Ended June 30, 2012

| | Adult Education Fund | Child Development Fund | Cafeteria Fund | Deferred Maintenance Fund | Capital Facilities Fund | County School Facilities Fund | Special Reserve for Capital Outlay Projects Fund | Corporation Debt Service Fund | Debt Service Fund | Total |
|-----------------------------------------------------------------|----------------------------|------------------------------|---------------------|---------------------------------|-------------------------------|----------------------------------------|-----------------------------------------------------------------|----------------------------------------|-------------------------|----------------------|
| Revenues: | | | | | | | | | | |
| Federal sources | \$ 303,891 | \$ 485,904 | \$ 12,456,302 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 13,246,097 |
| Other state sources | 3,311,459 | 2,172,463 | 935,933 | 1,093,275 | - | 15,826,197 | - | - | - | 23,339,327 |
| Other local sources | <u>384,100</u> | <u>136,345</u> | <u>1,040,743</u> | <u>7,264</u> | <u>226,420</u> | <u>21,183</u> | <u>574,703</u> | <u>-</u> | <u>30,600</u> | <u>2,421,358</u> |
| Total revenues | <u>3,999,450</u> | <u>2,794,712</u> | <u>14,432,978</u> | <u>1,100,539</u> | <u>226,420</u> | <u>15,847,380</u> | <u>574,703</u> | <u>-</u> | <u>30,600</u> | <u>39,006,782</u> |
| Expenditures: | | | | | | | | | | |
| Certificated salaries | 1,423,213 | 1,111,406 | - | - | - | - | - | - | - | 2,534,619 |
| Classified salaries | 626,569 | 758,369 | 4,559,595 | - | - | - | 6,909 | - | - | 5,951,442 |
| Employee benefits | 466,814 | 670,940 | 1,715,215 | - | - | - | 810 | - | - | 2,853,779 |
| Books and supplies | 33,594 | 67,212 | 6,257,800 | - | - | - | 46,228 | - | - | 6,404,834 |
| Contract services and operating expenditures | 235,264 | 97,459 | 357,994 | - | 213,528 | - | 235,868 | - | - | 1,140,113 |
| Capital outlay | - | - | 221,898 | - | 2,171,352 | - | 518,033 | - | - | 2,911,283 |
| Debt service: | | | | | | | | | | |
| Principal retirement | - | 97,524 | - | - | - | - | - | - | 8,090,309 | 8,187,833 |
| Interest | <u>-</u> | <u>-</u> | <u>-</u> | <u>-</u> | <u>-</u> | <u>-</u> | <u>-</u> | <u>234,504</u> | <u>40,299</u> | <u>274,803</u> |
| Total expenditures | <u>2,785,454</u> | <u>2,802,910</u> | <u>13,112,502</u> | <u>-</u> | <u>2,384,880</u> | <u>-</u> | <u>807,848</u> | <u>234,504</u> | <u>8,130,608</u> | <u>30,258,706</u> |
| Excess (deficiency) of revenues over (under) expenditures | <u>1,213,996</u> | <u>(8,198)</u> | <u>1,320,476</u> | <u>1,100,539</u> | <u>(2,158,460)</u> | <u>15,847,380</u> | <u>(233,145)</u> | <u>(234,504)</u> | <u>(8,100,008)</u> | <u>8,748,076</u> |
| Other financing uses: | | | | | | | | | | |
| Operating transfers out | <u>(1,104,744)</u> | <u>(93,822)</u> | <u>(547,646)</u> | <u>(1,000,000)</u> | <u>-</u> | <u>-</u> | <u>-</u> | <u>-</u> | <u>-</u> | <u>(2,746,212)</u> |
| Net change in fund balances | 109,252 | (102,020) | 772,830 | 100,539 | (2,158,460) | 15,847,380 | (233,145) | (234,504) | (8,100,008) | 6,001,864 |
| Fund balances, July 1, 2011 | <u>1,945,858</u> | <u>215,815</u> | <u>2,752,150</u> | <u>1,196,457</u> | <u>3,468,417</u> | <u>13,956</u> | <u>7,143,568</u> | <u>1,276,877</u> | <u>9,020,381</u> | <u>27,033,479</u> |
| Fund balances, June 30, 2012 | <u>\$ 2,055,110</u> | <u>\$ 113,795</u> | <u>\$ 3,524,980</u> | <u>\$ 1,296,996</u> | <u>1,309,957</u> | <u>\$ 15,861,336</u> | <u>\$ 6,910,423</u> | <u>\$ 1,042,373</u> | <u>\$ 920,373</u> | <u>\$ 33,035,343</u> |

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

ORGANIZATION

June 30, 2012

West Contra Costa Unified School District was established as the Richmond Unified School District on July 1, 1965, and, with the passage of AB 535, was renamed the West Contra Costa Unified School District on March 17, 1993. The District is comprised of an area of approximately 112 square miles located in Contra Costa County in the State of California. There were no changes in the boundaries of the District during the current year. The District is currently operating one special education pre-school, thirty seven elementary, two kindergarten through eight, six middle, one middle/high and five high schools. The District also maintains two alternative high schools, an elementary community day school and a school for continuing adult education.

BOARD OF EDUCATION

| <u>Name</u> | <u>Office</u> | <u>Term Expires</u> |
|-------------------------|----------------------|----------------------------|
| Mr. Charles Ramsey | President | December 3, 2014 |
| Mr. Antonio Medrano | Clerk | December 7, 2012 |
| Ms. Madeline Kronenberg | Member | December 3, 2014 |
| Ms. Elaine Merriweather | Member | December 3, 2014 |
| Mr. Tony Thurmond | Member | December 7, 2012 |

ADMINISTRATION

Bruce Harter, Ph.D.
Superintendent of Schools

Wendell Greer
Associate Superintendent, K-12

Bill Fay
Associate Superintendent for Operations

Sheri Gamba
Associate Superintendent for Business Services

Anne Reinhausen
Assistant Superintendent for Human Resources

Nia Rashidchi
Assistant Superintendent of Educational Services

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

SCHEDULE OF AVERAGE DAILY ATTENDANCE

For the Year Ended June 30, 2012

| | <u>Original Second Period Report</u> | <u>Annual Report</u> |
|-----------------------------------|---------------------------------------------------------|---------------------------------|
| Elementary: | | |
| Kindergarten | 2,320 | 2,322 |
| First through Third | 6,921 | 6,915 |
| Fourth through Eighth | 9,899 | 9,868 |
| Home and Hospital | 8 | 10 |
| Special Education | 835 | 847 |
| Non Public Schools | 38 | 53 |
| Community Day School | <u>12</u> | <u>15</u> |
| Total Elementary | <u>20,033</u> | <u>20,030</u> |
| Secondary: | | |
| Regular Classes | 6,706 | 6,662 |
| Special Education | 216 | 203 |
| Compulsory Continuation Education | 515 | 506 |
| Community Day School | 18 | 16 |
| Home and Hospital | 24 | 24 |
| Non Public Schools | <u>86</u> | <u>116</u> |
| Total Secondary | <u>7,565</u> | <u>7,527</u> |
| | <u>27,598</u> | <u>27,557</u> |

See accompanying notes to supplementary information.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**SCHEDULE OF INSTRUCTIONAL TIME****For the Year Ended June 30, 2012**

| <u>Grade Level</u> | <u>1986-87 Minutes Require- ment</u> | <u>1982-83 Actual Minutes</u> | <u>2011-12 Actual Minutes</u> | <u>Number of Days Traditional Calendar</u> | <u>Status</u> |
|---------------------------|---------------------------------------------------------|----------------------------------------------|----------------------------------------------|---------------------------------------------------------------|----------------------|
| Kindergarten | 36,000 | 31,500 | 36,000 | 180 | In Compliance |
| Grade 1 | 50,400 | 45,160 | 50,455 | 180 | In Compliance |
| Grade 2 | 50,400 | 45,160 | 50,455 | 180 | In Compliance |
| Grade 3 | 50,400 | 45,160 | 50,455 | 180 | In Compliance |
| Grade 4 | 54,000 | 45,160 | 54,035 | 180 | In Compliance |
| Grade 5 | 54,000 | 45,160 | 54,035 | 180 | In Compliance |
| Grade 6 | 54,000 | 45,160 | 54,035 | 180 | In Compliance |
| Grade 7 | 54,000 | 45,160 | 55,455 | 180 | In Compliance |
| Grade 8 | 54,000 | 45,160 | 55,455 | 180 | In Compliance |
| Grade 9 | 64,800 | 52,898 | 65,040 | 180 | In Compliance |
| Grade 10 | 64,800 | 52,898 | 65,040 | 180 | In Compliance |
| Grade 11 | 64,800 | 52,898 | 65,040 | 180 | In Compliance |
| Grade 12 | 64,800 | 52,898 | 65,040 | 180 | In Compliance |

See accompanying notes to supplementary information.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
SCHEDULE OF EXPENDITURE OF FEDERAL AWARDS

For the Year Ended June 30, 2012

| <u>Federal Catalog Number</u> | <u>Federal Grantor/Pass-Through Grantor/Program or Cluster Title</u> | <u>Pass- Through Entity Identifying Number</u> | <u>Federal Expend- itures</u> |
|----------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|----------------------------------------------------------------|---------------------------------------|
| <u>U. S. Department of Education - Passed through California Department of Education</u> | | | |
| | Special Education Cluster: | | |
| 84.027 | Special Education IDEA: Basic Local Assistance Entitlement, Part B, Sec. 611 (Formerly 94-142) | 13379 | \$ 5,716,466 |
| 84.027 | Special Education IDEA: Local Assistance Part B, Sec 611 Private School ISPs | 10115 | 63,019 |
| 84.027 | Special Education - Alternative Dispute Resolution, Part B, Sec. 611 | 13007 | 15,000 |
| 84.027 | Special Education - Steta Performance Plan Facilitated Review | 13693 | 27,905 |
| 84.027A | Special Education IDEA: Preschool Local Entitlement, Part B, Sec. 611 (Age 3-5) | 13682 | 530,965 |
| 84.027A | Special Education IDEA: Local Staff Development Grants, Part B, Sec. 611 | 13613 | 3,228 |
| 84.027A | Special Education IDEA: Mental Health Services, Part B, Sec. 611 | 14468 | 254,061 |
| 84.173 | Special Education IDEA: Preschool Grant, Part B, Sec 619 (Age 3-4-5) | 13430 | 315,009 |
| 84.391 | Special Ed: ARRA IDEA Part B, Sec 611, Basic Local Assistance | 15003 | 100,000 |
| 84.391 | Special Ed: ARRA IDEA Part B, Sec 611, Preschool Local Entitlement | 15002 | 19,044 |
| 84.392 | Special Ed: ARRA IDEA Part B, Sec 619, Preschool Grants | 15000 | <u>6,612</u> |
| | Subtotal Special Education Cluster | | <u>7,051,309</u> |
| | Title I, Part A Cluster: | | |
| 84.010 | NCLB: Title I, Part A, Basic Grants Low Income and Neglected | 14329 | 11,986,753 |
| 84.389 | NCLB: ARRA Title I, Part A, Basic Grants Low Income and Neglected | 15005 | <u>1,479,553</u> |
| | Subtotal Title I, Part A Cluster | | <u>13,466,306</u> |
| | NCLB: Title I, School Improvement Grants: | | |
| 84.377 | NCLB: Title I, School Improvement Grant (SIG) for Elementary and Secondary | 15127 | 212,336 |
| 84.377 | NCLB: Title I, School Improvement Grant (SIG) for Elementary and Secondary | 15020 | <u>1,105,832</u> |
| | Subtotal NCLB: Title I, School Improvement Grants | | <u>1,318,168</u> |

(Continued)

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
SCHEDULE OF EXPENDITURE OF FEDERAL AWARDS
(Continued)
For the Year Ended June 30, 2012

| <u>Federal Catalog Number</u> | <u>Federal Grantor/Pass-Through Grantor/Program or Cluster Title</u> | <u>Pass- Through Entity Identifying Number</u> | <u>Federal Expend- itures</u> |
|---------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|----------------------------------------------------------------|---------------------------------------|
| <u>U.S. Department of Education - Passed through California Department of Education (Continued)</u> | | | |
| | Education Technology State Grants Cluster: | | |
| 84.318 | NCLB: Title II, Part D, Enhancing Education Through Technology (EETT), Formula Grants | 14334 | \$ 14,542 |
| 84.386 | NCLB: ARRA Title II, Part D, Enhancing Education Through Technology (EETT), Formula Grants | 15019 | 108,165 |
| 84.386 | NCLB: ARRA Title II, Part D, Enhancing Education Through Technology (EETT), Competitive Grants | 15126 | <u>212,207</u> |
| | Subtotal Education Technology State Grants Cluster | | <u>334,914</u> |
| | Adult Education Programs: | | |
| 84.002A | Adult Education: Adult Basic Education and ESL | 13973 | 232,368 |
| 84.002A | Adult Education: Adult Secondary Education | 13978 | 31,557 |
| 84.002A | Adult Education: English Literacy and Civics Education | 14109 | 39,233 |
| 84.002A | Adult Education: Voc. and Applied Tech Education | 14109 | <u>733</u> |
| | Subtotal Adult Education Programs: | | <u>303,891</u> |
| | NCLB: Title II Programs: | | |
| 84.367 | NCLB: Title II, Part A, Improving Teacher Quality Local Grants | 14341 | 1,501,385 |
| 84.367 | NCLB: Title II, Part D, Administrator Training (Formerly Principal Training) | 14344 | <u>39,000</u> |
| | Subtotal NCLB: Title II Programs: | | <u>1,540,385</u> |
| | NCLB: Title III Programs: | | |
| 84.365 | NCLB: Title III, Limited English Proficiency (LEP) Student Program | 10084 | 1,552,257 |
| 84.365 | NCLB: Title III, Immigrant Education Program | 15146 | <u>19,735</u> |
| | Subtotal NCLB: Title III Programs: | | <u>1,571,992</u> |
| | Fund for the Improvement of Education: | | |
| 84.215X | Teaching American History | 10128 | 260,370 |
| 84.215E | Readiness and Emergency Management | 14377 | <u>271,110</u> |
| | Subtotal Fund for the Improvement of Education: | | <u>531,480</u> |

(Continued)

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
SCHEDULE OF EXPENDITURE OF FEDERAL AWARDS
(Continued)
For the Year Ended June 30, 2012

| <u>Federal Catalog Number</u> | <u>Federal Grantor/Pass-Through Grantor/Program or Cluster Title</u> | <u>Pass-Through Entity Identifying Number</u> | <u>Federal Expenditures</u> |
|----------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|------------------------------------------------------|------------------------------------|
| <u>U.S. Department of Education - Passed through California Department of Education</u> (Continued) | | | |
| 84.216 | NCLB: Title I, Capital Expenses/Private Schools | 13953 | \$ 12,641 |
| 84.184 | Safe and Supportive Schools Programmatic Intervention (S3) | 15164 | 100,520 |
| 84.287 | NCLB: Title IV, 21st Century Community Centers Learning Program | 14350 | 1,558,299 |
| 84.181 | Special Education IDEA: Early Intervention Grants, Part C | 23761 | 83,664 |
| 84.048 | Vocational Programs: Voc. and Applied Tech. Prep, Title II, Sec. 203 (Carl Perkins Act) | 13920 | 233,081 |
| 84.125A | Rehabilitation Services - Vocational Rehabilitation | N/A | 207,139 |
| 84.196 | Homeless Children Education (Stewart McKinney) Grants | 13697 | 38,401 |
| 84.410 | Education Jobs Fund (SB 847) | 25152 | 5,451,628 |
| 84.394 | ARRA: State Fiscal Stabilization Fund | 25008 | <u>219,834</u> |
| Total U.S. Department of Education | | | <u>34,023,652</u> |
| <u>U.S. Department of Health and Human Services - Passed through California Department of Education</u> | | | |
| 93.778 | Department of Health Services: Medi-Cal Billing Option (DHS) | 10013 | 623,615 |
| VARIOUS | Other ARRA Programs - Dept of Rehabilitation | 10130 | <u>113</u> |
| Total U.S. Department of Health and Human Services | | | <u>623,728</u> |
| <u>U.S. Department of Agriculture - Passed through California Department of Education</u> | | | |
| Child Nutrition Cluster: | | | |
| 10.555 | School Programs (NSL Sec. 4) | 13391 | 12,109,132 |
| 10.559 | School Programs (Summer Food Service) | 13004 | <u>347,170</u> |
| Subtotal Child Nutrition Cluster | | | <u>12,456,302</u> |
| Total Federal Programs | | | <u>\$ 47,103,682</u> |

See accompanying notes to supplementary information.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
RECONCILIATION OF UNAUDITED ACTUAL FINANCIAL REPORT
WITH AUDITED FINANCIAL STATEMENTS

For the Year Ended June 30, 2012

There were no adjustments proposed to any funds of the District.

See accompanying notes to supplementary information.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

SCHEDULE OF FINANCIAL TRENDS AND ANALYSIS

**For the Year Ended June 30, 2012
(In Thousands)**

(UNAUDITED)

| | (Budget) 2013 | 2012 | 2011 | 2010 |
|----------------------------------------------------|--------------------------|---------------------|-------------------|-------------------|
| <u>General Fund</u> | | | | |
| Revenues and other financing sources | \$ 256,786 | \$ 275,556 | \$ 269,254 | \$ 265,299 |
| Expenditures | 266,745 | 269,535 | 259,706 | 265,658 |
| Other uses and transfers out | <u>-</u> | <u>-</u> | <u>-</u> | <u>927</u> |
| Total outgo | <u>266,745</u> | <u>269,535</u> | <u>259,706</u> | <u>266,585</u> |
| Change in fund balance | <u>\$ (9,959)</u> | <u>\$ 6,021</u> | <u>\$ 9,548</u> | <u>\$ (1,286)</u> |
| Ending fund balance | <u>\$ 52,965</u> | <u>\$ 62,924</u> | <u>\$ 56,903</u> | <u>\$ 47,355</u> |
| Available reserves | <u>\$ 19,773</u> | <u>\$ 22,173</u> | <u>\$ 18,071</u> | <u>\$ 15,109</u> |
| Designated for economic uncertainties | <u>\$ 8,002</u> | <u>\$ 8,169</u> | <u>\$ 7,860</u> | <u>\$ 7,976</u> |
| Undesignated fund balance | <u>\$ 11,771</u> | <u>\$ 14,004</u> | <u>\$ 10,211</u> | <u>\$ 7,133</u> |
| Available reserves as percentages of total outgo | <u>11.86%</u> | <u>8.22%</u> | <u>6.96%</u> | <u>5.67%</u> |
| <u>All Funds</u> | | | | |
| Total long-term liabilities | <u>\$ 892,716</u> | <u>\$ 1,009,279</u> | <u>\$ 918,349</u> | <u>\$ 921,907</u> |
| Average daily attendance at P-2 (not in thousands) | <u>27,482</u> | <u>27,598</u> | <u>27,589</u> | <u>27,614</u> |

The General Fund fund balance has increased by \$14,283,000 over the past three years. The fiscal year 2012-2013 budget projects a decrease of \$9,959,000. For a district this size, the State of California recommends available reserves of at least 3 percent of total General Fund expenditures, transfers out, and other uses. The District has met this requirement.

The District has incurred an operating surplus in the fiscal year 2011-2012, and anticipates incurring an operating deficit during the 2012-2013 fiscal year.

Total long-term liabilities have increased by \$87,372,000 over the past two years, due primarily to the issuance of General Obligation Bonds (See Note 6 to the financial statements).

Average daily attendance has increased by 16 over the past two years. The District anticipates a decrease of 116 ADA for the 2012-2013 fiscal year.

See accompanying notes to supplementary information.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

SCHEDULE OF CHARTER SCHOOLS

For the Year Ended June 30, 2012

Charter Schools Chartered by District

Manzanita Charter School
Leadership High Charter School
Richmond College Prep K-5
West Community High School

**Included in District
Financial Statements, or
Separate Report**

Separate Report
Separate Report
Separate Report
Separate Report

See accompanying notes to supplementary information.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

NOTES TO SUPPLEMENTARY INFORMATION

1. PURPOSE OF SCHEDULES

A - Schedule of Average Daily Attendance

Average daily attendance is a measurement of the number of pupils attending classes of the District. The purpose of attendance accounting from a fiscal standpoint is to provide the basis on which apportionments of state funds are made to school districts. This schedule provides information regarding the attendance of students at various grade levels and in different programs.

B - Schedule of Instructional Time

The District has received incentive funding for increasing instructional time as provided by the Incentives for Longer Instructional Day and Year. This schedule presents information on the amount of instructional time offered by the District, and whether the District complied with the provisions of Education Code Sections 46201 through 46206.

C - Schedule of Expenditure of Federal Awards

OMB Circular A-133 requires a disclosure of the financial activities of all federally funded programs. This schedule was prepared to comply with A-133 requirements, and is presented on the modified accrual basis of accounting.

The following schedule provides a reconciliation between revenues reported on the Statement of Revenues, Expenditures and Change in Fund Balances and the related expenditures reported on the Schedule of Expenditure of Federal Awards. The reconciling amounts represent Federal funds that have been recorded as revenues that have not been expended by June 30, 2012.

| <u>Description</u> | <u>CFDA Number</u> | <u>Amount</u> |
|-----------------------------------------------------------------------------------------------|------------------------|----------------------|
| Total Federal revenues, Statement of Revenues, Expenditures and Change in Fund Balances | | \$ 50,777,415 |
| Add: State Fiscal Stabilization Funds spent from prior year awards | 84.394 | 219,834 |
| Less: Federal reimbursement of interest paid on Build America Bonds | N/A | (3,114,276) |
| Medi-Cal Billing Funds not spent | 93.778 | (180,435) |
| FEMA Funds not spent | N/A | (906,437) |
| Write off of prior year federal receivables | Various | <u>307,581</u> |
| Total Schedule of Expenditure of Federal Awards | | <u>\$ 47,103,682</u> |

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

NOTES TO SUPPLEMENTARY INFORMATION

(Continued)

1. PURPOSE OF SCHEDULES (Continued)

D - Reconciliation of Unaudited Actual Financial Report with Audited Financial Statements

This schedule provides the information necessary to reconcile the Unaudited Actual Financial Report to the audited financial statements.

E - Schedule of Financial Trends and Analysis - Unaudited

This schedule provides information on the District's financial condition over the past three years and its anticipated condition for the 2012-2013 fiscal year, as required by the State Controller's Office. The information in this schedule has been derived from audited information.

F - Schedule of Charter Schools

This schedule provides information for the California Department of Education to monitor financial reporting by Charter Schools.

2. EARLY RETIREMENT INCENTIVE PROGRAM

Education Code Section 14502 requires certain disclosure in the financial statements of districts which adopt Early Retirement Incentive Programs pursuant to Education Code Sections 22714 and 44929. For the fiscal year ended June 30, 2012, the District did not adopt this program.

**INDEPENDENT AUDITORS' REPORT
ON COMPLIANCE WITH STATE LAWS AND REGULATIONS**

Honorable Board of Education
 West Contra Costa Unified School District
 Richmond, California

We have audited the compliance of West Contra Costa Unified School District with the types of compliance requirements described in the State of California's *Standards and Procedures for Audits of California K-12 Local Educational Agencies* (the "Audit Guide") to the state laws and regulations listed below for the year ended June 30, 2012. Compliance with the requirements of state laws and regulations is the responsibility of West Contra Costa Unified School District's management. Our responsibility is to express an opinion on West Contra Costa Unified School District's compliance based on our audit.

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the State of California's *Standards and Procedures for Audits of California K-12 Local Educational Agencies*. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the state laws and regulations listed below occurred. An audit includes examining, on a test basis, evidence about West Contra Costa Unified School District's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion. Our audit does not provide a legal determination of West Contra Costa Unified School District's compliance with those requirements.

| <u>Description</u> | <u>Audit Guide Procedures</u> | <u>Procedures Performed</u> |
|-----------------------------------------------|-----------------------------------|---------------------------------|
| Attendance Reporting | 6 | Yes |
| Teacher Certification and Misassignments | 3 | Yes |
| Kindergarten Continuance | 3 | Yes |
| Independent Study | 23 | Yes |
| Continuation Education | 10 | Yes |
| Instructional Time: | | |
| School Districts | 6 | Yes |
| County Offices of Education | 3 | No, See below |
| Instructional Materials: | | |
| General requirements | 12 | Yes |
| Ratio of Administrative Employees to Teachers | 1 | Yes |
| Classroom Teacher Salaries | 1 | Yes |
| Early Retirement Incentive Program | 4 | No, See below |
| Gann Limit Calculation | 1 | Yes |
| School Accountability Report Card | 3 | No, See below |
| Public Hearing Requirement - Receipt of Funds | 1 | Yes |
| Juvenile Court Schools | 8 | Yes |
| Exclusion of Pupils - Pertussis Immunization | 2 | Yes |
| Class Size Reduction Program: | | |
| General requirements | 7 | Yes |
| Option one classes | 3 | Yes |
| Option two classes | 4 | No, See below |
| Districts with only one school serving K-3 | 4 | No, See below |

| <u>Description</u> | <u>Audit Guide Procedures</u> | <u>Procedures Performed</u> |
|-------------------------------------------------------------------------------------|-----------------------------------|---------------------------------|
| After School Education and Safety Program: | | |
| General requirements | 4 | Yes |
| After school | 5 | Yes |
| Before school | 6 | No, See below |
| Contemporaneous Records of Attendance, for charter schools | 3 | No, See below |
| Mode of Instruction, for charter schools | 1 | No, See below |
| Nonclassroom-Based Instruction/Independent Study, for charter schools | 15 | No, See below |
| Determination of Funding for Nonclassroom-Based Instruction, for charter schools | 3 | No, See below |
| Annual Instructional Minutes - Classroom-Based, for charter schools | 4 | No, See below |

We did not perform any procedures related to the Instructional Time for County Offices of Education because the District is not a County Office of Education.

We did not perform any procedures related to Early Retirement Incentive Program because the District did not offer this program in the current year.

The 2011-2012 School Accountability Report Cards specified by Education Code Section 33126 are not required to be completed, nor were they completed, prior to the completion of our audit procedures for the year ended June 30, 2012. Accordingly, we could not perform the portions of audit steps (a), (b) and (c) of Section 19837 of the 2011-2012 Audit Guide relating to the comparison of tested data from the 2011-2012 fiscal year to the 2011-2012 School Accountability Report Cards.

We did not perform any procedures related to Class Size Reduction Program - Option Two classes, and the Districts with only one school serving K-3 because the District does not offer Option Two, and the District has more than one school serving K-3.

We did not perform any procedures related to After School Education and Safety Program - "Before School" because the District did not operate a Before School program.

We did not perform any procedures related to Contemporaneous Records of Attendance for charter schools, Nonclassroom-Based Instruction/Independent Study for charter schools, Additional Nonclassroom-Based Instructions for charter schools, Determination of Funding for Nonclassroom-Based Instruction for charter schools and Annual Instructional Minutes Classroom-Based for charter schools because the District's charter schools are not included in the District's financial statements.

In our opinion, West Contra Costa Unified School District complied, in all material respects, with the state laws and regulations referred to above for the year ended June 30, 2012. Further, based on our examination, for items not tested, nothing came to our attention to indicate that West Contra Costa Unified School District had not complied with the state laws and regulations.

This report is intended solely for the information of the Board of Education, management, the State Controller's Office, the California Department of Education and the California Department of Finance, and is not intended to be and should not be used by anyone other than these specified parties.

Crowe Horwath LLP

Crowe Horwath LLP

Sacramento, California
December 13, 2012

INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER FINANCIAL
REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN
AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH
GOVERNMENT AUDITING STANDARDS

Honorable Board of Education
West Contra Costa Unified School District
Richmond, California

We have audited the financial statements of West Contra Costa Unified School District as of and for the year ended June 30, 2012, and have issued our report thereon dated December 13, 2012. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

Management of West Contra Costa Unified School District is responsible for establishing and maintaining effective internal control over financial reporting. In planning and performing our audit, we considered West Contra Costa Unified School District's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of West Contra Costa Unified School District's internal control over financial reporting. Accordingly, we do not express an opinion of the effectiveness of West Contra Costa Unified School District's internal control over financial reporting.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A material weakness is a deficiency, or combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over financial reporting that might be deficiencies, significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above. However, we identified certain deficiencies in internal control over financial reporting, as described in the accompanying Schedule of Audit Findings and Questioned Costs as Finding 2012-01, that we consider to be significant deficiencies in internal control over financial reporting. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether West Contra Costa Unified School District's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

West Contra Costa Unified School District's response to the finding identified in our audit is included in the accompanying Schedule of Audit Findings and Questioned Costs. We did not audit the District's response and, accordingly, express no opinion on it.

This report is intended solely for the information of the Board of Education, management, the California Department of Education, the California State Controller's Office and federal awarding agencies and pass-through entities, and is not intended to be and should not be used by anyone other than these specified parties.

Crowe Horwath LLP

Crowe Horwath LLP

Sacramento, California
December 13, 2012

INDEPENDENT AUDITORS' REPORT ON COMPLIANCE WITH
REQUIREMENTS THAT COULD HAVE A DIRECT AND MATERIAL
EFFECT ON EACH MAJOR PROGRAM AND ON INTERNAL CONTROL
OVER COMPLIANCE IN ACCORDANCE WITH OMB CIRCULAR A-133

Honorable Board of Education
West Contra Costa Unified School District
Richmond, California

Compliance

We have audited West Contra Costa Unified School District's compliance with the types of compliance requirements described in the *U.S. Office of Management and Budget (OMB) Circular A-133 Compliance Supplement* that could have a direct and material effect on each of West Contra Costa Unified School District's major federal programs for the year ended June 30, 2012. West Contra Costa Unified School District's major federal programs are identified in the summary of auditors' results section of the accompanying Schedule of Audit Findings and Questioned Costs. Compliance with the requirements of laws, regulations, contracts and grants applicable to each of its major federal programs is the responsibility of West Contra Costa Unified School District's management. Our responsibility is to express an opinion on West Contra Costa Unified School District's compliance based on our audit.

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and OMB Circular A-133. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about West Contra Costa Unified School District's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion. Our audit does not provide a legal determination on West Contra Costa Unified School District's compliance with those requirements.

In our opinion, West Contra Costa Unified School District complied, in all material respects, with the compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended June 30, 2012.

Internal Control Over Compliance

Management of West Contra Costa Unified School District is responsible for establishing and maintaining effective internal control over compliance with the requirements of laws, regulations, contracts and grants applicable to federal programs. In planning and performing our audit, we considered West Contra Costa Unified School District's internal control over compliance with the requirements that could have a direct and material effect on a major federal program to determine the auditing procedures for the purpose of expressing our opinion on compliance and to test and report on internal control over compliance in accordance with OMB Circular A-133, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of West Contra Costa Unified School District's internal control over compliance.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A material weakness in internal control over compliance is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be deficiencies, significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above.

This report is intended solely for the information of the Board of Education, management, the California Department of Education, the California State Controller's Office and federal awarding agencies and pass-through entities, and is not intended to be and should not be used by anyone other than these specified parties.

Crowe Horwath LLP

Crowe Horwath LLP

Sacramento, California
December 13, 2012

FINDINGS AND RECOMMENDATIONS

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
SCHEDULE OF AUDIT FINDINGS AND QUESTIONED COSTS

Year Ended June 30, 2012

SECTION I - SUMMARY OF AUDITORS' RESULTS

FINANCIAL STATEMENTS

Type of auditors' report issued: Unqualified

Internal control over financial reporting:

Material weakness(es) identified? ☐ Yes ☒ No

Significant deficiency(ies) identified not considered to be material weakness(es)? ☒ Yes ☐ None reported

Noncompliance material to financial statements noted? ☐ Yes ☒ No

FEDERAL AWARDS

Internal control over major programs:

Material weakness(es) identified? ☐ Yes ☒ No

Significant deficiency(ies) identified not considered to be material weakness(es)? ☐ Yes ☒ None reported

Type of auditors' report issued on compliance for major programs: Unqualified

Any audit findings disclosed that are required to be reported in accordance with Circular A-133, Section .510(a)? ☐ Yes ☒ No

Identification of major programs:

| <u>CFDA Number(s)</u> | <u>Name of Federal Program or Cluster</u> |
|---------------------------------|--------------------------------------------------------------------|
| 84.010, 84.389 | NCLB: Title I, Part A Cluster (Includes ARRA) |
| 84.377 | NCLB: Title I, School Improvement Grants |
| 84.287 | NCLB: Title IV, 21st Century Community Centers Learning Program |
| 84.365 | NCLB: Title III, Limited English Proficiency (LEP) Student Program |
| 84.365 | NCLB: Title III, Immigrant Education Program |
| 84.027, 84.027A, 84.173, 84.391 | Special Education Cluster (Includes ARRA) |
| 84.392 | |
| 84.410 | Education Jobs Fund (SB 847) |

Dollar threshold used to distinguish between Type A and Type B programs: \$ 1,413,110

Auditee qualified as low-risk auditee? ☐ Yes ☒ No

STATE AWARDS

Type of auditors' report issued on compliance for state programs: Unqualified

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
SCHEDULE OF AUDIT FINDINGS AND QUESTIONED COSTS
(Continued)
Year Ended June 30, 2012

SECTION II - FINANCIAL STATEMENT FINDINGS

2012-01 SIGNIFICANT DEFICIENCY - ASSOCIATED STUDENT BODY (30000)

Criteria

Internal Controls - Safeguarding of Assets

Condition

Chavez Elementary School:

- Receipts are not used to document the receipt of funds by the student body accountant.
- Checks for disbursement of funds require a single signer to approve the disbursement with no other means of approval documented.
- Bank reconciliations could not be provided to evidence they had been prepared, and that an independent review of the reconciliation had been completed.

De Anza High School:

- Receipts are not used to document the receipt of funds by the student body accountant/ secretary.
- When receipts are given to the ASB accountant/secretary there is no sign-off by the depositor to indicate he or she agrees with the amount recorded as deposited.
- There is no documentation of formal approval for revenue producing activities in the sample of transactions reviewed.
- Bank reconciliations are not completed on a timely basis.

DeJean Middle School:

- Receipts are not used to document the receipt of funds by the student body accountant.
- Cash count forms are not signed by the Office Manager or the Individual depositing the funds.
- Funds received are not deposited into the Bank account in a timely manner.
- Vendor invoices are not obtained for support in the cash disbursement cycle.
- No record of approval over revenue producing activities is documented or retained.
- Bank reconciliations are not completed on a timely basis.

Gompers High School:

- Bank reconciliations are not completed on a timely basis.

Bank Reconciliations:

- Testing of associated student body cash balances as of June 30, 2012 indicate that nearly all bank reconciliations for the District's elementary sites had not been completed timely, or did not evidence review by an individual independent of the preparation.

The internal control deficiencies at the site level and regarding proper and timely preparation and approval of bank reconciliations aggregate to a significant deficiency in internal controls over associate student body accounting.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
SCHEDULE OF AUDIT FINDINGS AND QUESTIONED COSTS
(Continued)
Year Ended June 30, 2012

SECTION II - FINANCIAL STATEMENT FINDINGS
(Continued)

2012-01 SIGNIFICANT DEFICIENCY - ASSOCIATED STUDENT BODY (30000)

Effect

There is a risk that ASB funds could be misappropriated.

Cause

Effective internal controls have not been designed and implemented at the school site level.

Fiscal Impact

Not determinable.

Recommendation

All sites:

- Receipts should be issued and signed by both the depositor and the ASB accountant/secretary as evidence that the funds were deposited and both parties agreed to the amount noted as turned in by the depositor.
- Sites should maintain a log to track receipts books issued to clubs. All receipt books which have not been issued to a club should be stored in a safe which is maintained under dual control.
- Funds received by the ASB accountant/secretary should be deposited to the bank account on a timely manner. For sites that do not experience a high volume of ASB activity, any funds received to the ASB office should be deposited during the week received.
- The District should develop and implement a process for ensuring that all revenue producing activities and expenditures are properly approved by all three relevant parties: Principal, ASB Advisor, and Student Representative (for an organized ASB). This approval should be evidenced by their signatures on a disbursement and/or fundraising approval form. Revenue producing activities should also include evidence of approval by the student government.
- All disbursement checks should have two authorized signers required. At least one individual should be someone separate from the normal day to day activity in the ASB account.
- All disbursements should be supported by a vendor invoice, receipt, or other supporting documentation.

Corrective Action Plan

Management agrees with this finding and has been working to implement recommended controls through in-service training of individuals with associated student body responsibility.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
SCHEDULE OF AUDIT FINDINGS AND QUESTIONED COSTS
(Continued)
Year Ended June 30, 2012

SECTION III - FEDERAL AWARD FINDINGS AND QUESTIONED COSTS

No matters were reported.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
SCHEDULE OF AUDIT FINDINGS AND QUESTIONED COSTS
(Continued)
Year Ended June 30, 2012

SECTION IV - STATE AWARD FINDINGS AND QUESTIONED COSTS

No matters were reported.

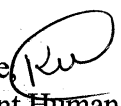
**STATUS OF PRIOR YEAR
FINDINGS AND RECOMMENDATIONS**

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
STATUS OF PRIOR YEAR FINDINGS AND RECOMMENDATIONS
Year Ended June 30, 2012

| <u>Finding/Recommendation</u> | <u>Current Status</u> | <u>District Explanation If Not Implemented</u> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|----------------------------------------------------|
| <p>2011-01</p> <p>During the current year, District management identified capital assets which had not been transferred from work-in-process since the project's completion in March of 2003. The accumulated depreciation of project from the date placed into service through June 30, 2010 has not been recorded in the District's financial statements.</p> <p>District management should implement procedures to ensure that work-in-process is appropriately reconciled to supporting capital asset reports regularly, but at least annually.</p> | Implemented. | |
| <p>2011-02</p> <p>The District sites which have Student Body accounts are not reported in the District's audited financial statements.</p> <p>The District should include the Student Body Accounts in the audited financial statements.</p> | Implemented. | |
| <p>2011-03</p> <p>The District is not enforcing its vacation carryover policy. Employees have exceeded their maximum allowable vacation carryover.</p> <p>All employees should be required to take their earned vacation hours/days in the respective year. Also, the accrual should stop once an employee has reached the maximum permitted per policy.</p> | Implemented. | |
| <p>2011-04</p> <p>The District did not submit interest earned on federal funds for the first and second quarter promptly.</p> <p>The District should implement procedures to ensure that the interest on all federal awards is being remitted to the federal agency at least quarterly.</p> | Implemented. | |

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:** January 9, 2013
From: Kenneth L. Whittemore 
Assistant Superintendent Human Resources **Agenda Item:** F.2
Subject: Public Hearing and Adoption of the Joint Initial Bargaining Proposal from West Contra Costa Unified School District and West Contra Costa Administrators Association

Background Information:

Pursuant to the Educational Employment Relations Act, the initial proposal for negotiations by school districts and labor unions must be submitted at a public meeting of the governing board. The joint initial proposal of the West Contra Costa Unified School District and West Contra Costa Administrators will be presented, at which time the public is allowed to comment on this proposal. A copy of the proposal is attached to this precis and is provided in the Board meeting packet which is available at the District's Administration Building, six high schools and online at the District's webpage.

Recommendation: That the Board of Education hold a public hearing of the joint initial bargaining proposal with West Contra Costa Administrators Association (WCCAA) for the 2012-2015 successor agreement.

Board Adoption of the Joint Initial Bargaining Proposal

Background Information: Following the public hearing on its joint initial bargaining proposal, the Board of Education will be asked to adopt the joint proposal of the West Contra Costa Administrators Association and the District for the 2012-2015 successor agreement.

Recommendation: That the Board of Education adopt the joint initial bargaining proposal for labor negotiations with the West Contra Costa Administrators Association.

Fiscal Impact: To be determined

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

**THE WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT'S
JOINT INITIAL PROPOSAL WITH THE WEST CONTRA COSTA ADMINISTRATORS
ASSOCIATION FOR 2012-2015 CONTRACT NEGOTIATIONS**

The following articles are the joint initial bargaining reopeners between the West Contra Costa Unified School District and West Contra Costa Administrators Association are:

Article 1-Agreement

Article 2-Recognition

Article 3-Salary

Article 4-Maintenance of Benefits

Article 5-Organizational Security

Article 6-Grievance Procedures

Article 7-Prohibited Activities

Article 8-Leaves

Article 11-Term of Agreement

Article 12-Benefits

Article 13-Transfer

Article 15-Evaluation

Article 16-Reduced work year

Appendix B

We agreed to discuss the following items as they pertain to the contract: Job Security, Safety, Discipline, Work Day/Work Year, Nondiscrimination, Desk Audits and Job Sharing.

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: January 9, 2013

From: Sheri Gamba 
Associate Superintendent for Business Services

Agenda Item: F.3

Subject: Notice of Public Hearing Regarding Request for Bond Waiver

Background Information:

Notice is Hereby given the Board of Education ("Board") of the West Contra Costa Unified School District ("District") at a Public Hearing to be held on January 9, 2013 at 6:30 p.m., or as soon thereafter as the matter may be heard, at Lovonya DeJean Middle School Multipurpose Room, 3400 Macdonald Avenue, Richmond, California 94805, on January 9, 2013 will review and consider adoption of a resolution of the Board to authorize a request for waiver from State Board of Education relative to statutory requirements on general obligation bond debt limitations, as applicable to the District, as provided by section 15106 of the Education code.

The purpose of the Public Hearing to be held on January 9, 2013, is to invite public testimony and comment on this matter. The draft of the request for waiver is on file and available for public review at the District's office located at West Contra Costa Unified School District, 1108 Bissell Avenue, Richmond, CA 94801, and is herein incorporated by reference. To receive a copy of the draft request for waiver, or if you have questions on this matter, please contact Ms. Sheri Gamba, Associate Superintendent for Business Services, at telephone (510) 231-1170.

The Public Hearing of the District will be held on January 9, 2013 at the location set forth above. This matter will be considered at such time as this agenda item is considered by the Board of the District.

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
Office of the Superintendent

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: January 9, 2013

From: Sheri Gamba
Associate Superintendent for Business Services

Agenda Item: F.4

Subject: Resolution No. 55 -1213: Intent to Seek Debt Limit Waiver from State Board of Education for Sale of remaining General Obligation Bonds as approved by voters under Measure E 2012

Background Information:

In order to complete the Bond program school renovation and reconstruction projects which are allocated under Measure E 2012, the District will need to sell the bonds approved under that measure. The District does not currently have sufficient bonding capacity to issue any of the \$360 million in voter-authorized Measure E 2012 Bonds. Based on the 2012-2013 assessed valuation, the District's current bonding capacity is \$591 million. The District currently has \$797 million in outstanding debt, with no remaining bonding capacity. In order to keep the bond program on track and finish current projects, staff is recommending that the District apply for a waiver of the bonding capacity limits from the State Board of Education. Approval of the District's request for a twelve year increase in its bonding capacity from 2.5% of assessed valuation to 5.0% of assessed valuation will allow the District to issue the full \$360 million of the voter authorized Measure E 2012 bonds. Because of tax rate limitations and other factors, the District plans to issue these bonds in series over time. The bond language for Measure E 2012 includes reference to the need for a potential waiver of the bonded indebtedness limit. Voters approved Measure E 2012 with 64.4% in favor of the bond measure.

The Department of Education requires that a request for waiver needs to be on the State Board of Education agenda by January 16, 2013, we will file the debt limit waiver by January 11, 2013 in order to be considered at the State Board of Education meeting March 13, and 14, 2013. In order to be considered by the State Board of Education, the West Contra Costa Unified School District Board of Education must hold a public hearing and approve the request. In addition, the District will consult with the District's bargaining units including: Local 1, SSA and WCCAA. The United Teachers of Richmond as well as the Citizens' Bond Oversight Committee reviewed and voted to support the waiver application. The District is also seeking the support from the five cities in West County and three of them have already unanimously approved resolutions endorsing the waiver application including the city councils in Richmond, El Cerrito and Pinole. The other two cities will consider similar resolutions in meetings in January. Additionally, the Building Trades Council, the West County Waste Water District and Stege Sanitation District have also adopted resolutions in support of the waiver.

Recommendation: Seek debt Limit Waiver from State Board of Education for Sale of remaining General Obligations Bonds as approved by voters under Measure E 2012.

Fiscal Impact: Direct costs limited to costs of preparation and presentation of waiver request.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

RESOLUTION NO. 55 - 1213

RESOLUTION OF THE BOARD OF EDUCATION OF THE WEST
CONTRA COSTA UNIFIED SCHOOL DISTRICT AUTHORIZING
REQUEST FOR WAIVER FROM THE STATE BOARD OF EDUCATION
RELATIVE TO STATUTORY GENERAL OBLIGATION BOND DEBT
LIMITATIONS AS PROVIDED BY SECTION 15106 OF THE
EDUCATION CODE

WHEREAS, the issuance of up to \$360,000,000, principal amount, of general obligation bonds of the West Contra Costa Unified School District (the "District") State of California, was authorized at an election held within the District on November 6, 2012, the proceeds of which are to be used to acquire, construct, repair and equip school facilities as described in Measure E and as approved by the voters (the "Authorization"); and

WHEREAS, Section 15106 of the Education Code provides that a California unified public school district with authorized general obligation bonds may only issue such bonds in an amount not to exceed 2.50% of the assessed value of property within the District; and

WHEREAS, based on the current amount of outstanding bonded indebtedness of the District, the District has a need to issue and sell authorized general obligation bonds in an amount in excess of the limitation set forth in Section 15106 of the Education Code, in order to finance needed school facilities within the District; and

WHEREAS, Section 33050 of the Education Code allows the State Board of Education ("SBE") to waive any provisions of the Education Code, following public hearing on the matter, except for those provisions therein specified as not being subject to such a General Waiver ("Waiver"), which are not applicable hereto; and

WHEREAS, the provisions of Education Code Section 15106 are subject to a Waiver by the SBE; and

WHEREAS, pursuant to SBE requirements for a Waiver, the District must consult with the exclusive representatives of employees, including the United Teachers of Richmond, the Public Employees Union Local 1, the School Supervisors Association and the Administrators Association (together, the "Exclusive Representatives of Employees"), and invite participation in the development of the Waiver prior to a public hearing on the matter; and

WHEREAS, prior to a public hearing on the Waiver, the District consulted with the Exclusive Representatives of Employees of the District;

WHEREAS, prior to the public hearing on the Waiver, the District consulted with appropriate councils or advisory committees, including the District's Independent Citizens' Bond Oversight Committee; and

WHEREAS, the District determined that each of the consulted councils and advisory committees were supportive of the Waiver request; and

WHEREAS, the District placed prior notice on December 26, 2012 and January 2, 2013, in the West Contra Costa Times, providing notice of a public hearing to be held on January 9, 2013, and inviting public comment on the Waiver; and

WHEREAS, a public hearing on the Waiver was held on January 9, 2013.

NOW, THEREFORE, THE BOARD OF EDUCATION OF THE WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1. The foregoing recitals are true and correct and are hereby incorporated by this reference.

Section 2. That the District provided proper notice by advertisement in a newspaper of general circulation within the District stating the time, place and date of the public hearing to be held on January 9, 2013, and the notice specifically invited public comment on the Waiver.

Section 3. A public hearing was held on January 9, 2013, at which time all persons desiring to be heard on all matters pertaining to the Waiver were heard and all information was duly considered.

Section 4. That the District contacted the Exclusive Representatives of Employees of the District to inform them of the District's intent to seek the waiver.

Section 5. That the District contacted appropriate councils or advisory committees, including the District's Independent Citizens' Bond Oversight Committee and determined that their position on the Waiver is supportive.

Section 6. That the District has satisfied all applicable procedural requirements necessary to submit a Waiver to the SBE.

Section 7. That the District Superintendent, or a designee, is directed to cause a Waiver to be submitted to the California Department of Education Waiver Office for consideration in regard to authorizing the District to exceed the statutory general obligation bond debt limitation set forth in Section 15106 of the Education Code for a term of twelve years from the effective date of any such Waiver and further that bonds of the Authorization may be issued so long as the current bonded indebtedness of the District not exceed 5% of the assessed value of property within the District.

Section 8. All actions heretofore taken by officers and consultants of the District with respect to the within-referenced Waiver are hereby approved, confirmed and ratified, and the Superintendent, Associate Superintendent, or designee(s) are hereby authorized and directed to execute all documents and to take all actions necessary to cause or facilitate the within-referenced Waiver.

ADOPTED, SIGNED AND APPROVED this 9th day of January, 2013 by the Board of Education of the West Contra Costa Unified School District.

BOARD OF EDUCATION OF THE WEST
CONTRA COSTA UNIFIED SCHOOL DISTRICT

President

Attest:

Clerk of the Board of Education

STATE OF CALIFORNIA)
)ss
COUNTY OF CONTRA COSTA)

I, _____, do hereby certify that the foregoing is a true and correct copy of Resolution No. _____, which was duly adopted by the Board of Education of the West Contra Costa Unified School District at meeting thereof, held on the 9th day of January 9, 2013, and that it was so adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

By _____
 Clerk of the Board of Education
 of the West Contra Costa Unified School District

California Department of Education
Waiver Request System
Submission

| | |
|----------------------|---------------------------|
| District Information | |
| County: | Contra Costa |
| District: | West Contra Costa Unified |
| Address: | 1108 Bissell Avenue |
| City: | Richmond |
| State: | CA |
| Zip Code: | 94801-3135 |
| Fax: | 510-232-4149 |

| | |
|-------------------------------|----------------------------|
| Waiver Information | |
| Period of request start date: | March 15, 2013 |
| Period of request end date: | December 31, 2025 |
| Is this waiver a renewal: | No |
| Waiver topic: | Other Waiver |
| Ed Code title: | Statutory Bonding Capacity |
| Ed Code section: | 15106 and 15270(a) |
| Ed Code authority: | |

Education Code or California Code of Regulations (CCR) section to be Waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or these exact phrases requested to be waived (use [] to strike out).

~~15106. A unified school district or community college district may issue bonds that, in aggregation with bonds issued pursuant to Section 15270, shall not exceed 2.5 percent of the taxable property of the school district or community college district, or the school facilities improvement district, if applicable, as shown by the last equalized assessment of the county or counties in which the district is located.~~ In computing the outstanding bonded indebtedness of a unified school district or community college district for all purposes of this section, any outstanding bonds shall be deemed to have been issued for elementary school purposes, high school purposes, and community college purposes, respectively, in the respective amounts that the proceeds of the sale of those outstanding bonds, excluding any premium and accrued interest received on that sale, were or have been allocated by the governing board of the unified school district or community college district to each of those purposes respectively.

...

~~15270. (a) Notwithstanding Sections 15102 and 15268, any unified school district may issue bonds pursuant to this article that, in aggregation with bonds issued pursuant to Chapter 1 (commencing with Section 15100), may not exceed 2.5 percent of the taxable property of the district as shown by the last equalized assessment of the county or counties in which the district is located.~~ The bonds may only be issued if the tax rate levied to meet the requirements of Section 18 of Article XVI of the California Constitution in the case of indebtedness incurred pursuant to this chapter at a single election, by a unified school district, would not exceed sixty dollars (\$60) per year per one hundred thousand dollars (\$100,000) of taxable property when assessed valuation is projected by the district to increase in accordance with Article XIII A of the California Constitution.

| | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Student population: | 27,500 |
| Located in: | The district serves residents of the cities of Richmond, El Cerrito, San Pablo, Pinole, and Hercules and the unincorporated areas of Bayview-Montalvin Manor, East Richmond Heights, El Sobrante, Kensington, North Richmond, and Tara Hills. |
| Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional documents using the "Attachments" section below. | |
| See attached. | |

| | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| Public Hearing | |
| Date of public hearing: | January 9, 2013 |
| How was the required hearing advertised?: | Notice in a newspaper |
| Approvals | |
| Local board approved date: | |
| Please identify the appropriate council(s) or advisory committee(s) that reviewed this waiver: | |
| Date the committee/council reviews the waiver request: | |
| Where there any objections: | |
| Bargaining Unit | |
| If the specific waiver you are submitting requires bargaining unit participation select yes and fills out the information. If it does not require bargaining unit participation, select no. | |
| Does the district have any employee bargaining units?: | Yes [X] No [] |

| | |
|----------------------------------------------------------------------------------------|------------------------------------------------|
| Attachments | |
| Is this waiver associated with an apportionment related audit penalty? (per EC 41344): | Yes [] No [X] |
| Has there been a Categorical Program Monitoring (CPM) finding on this issue?: | Yes [] No [X] |
| | |
| Contact Information | |
| Name: | Ms. Sheri Gamba |
| Position: | Associate Superintendent for Business Services |
| E-mail: | SGamba@wccusd.net |
| Telephone: | 510-231-1170 |

California Department of Education General Waiver Request

Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional documents using the “Attachments” section below:

Waiver of Education Code Section 15106 and Section 15270(a)

Summary. The West Contra Costa Unified School District (the “District”) is seeking a waiver of Education Code Sections 15106 and 15270(a). Each of these statutes limits the statutory bonding capacity of a unified school district to 2.50% of its then-current assessed valuation, the former Code Section 15106 for bonds issued under measures approved by at least two-thirds vote and the latter Code Section 15270(a) for bonds issued under measures approved by at least fifty-five percent vote under Proposition 39. The District is seeking a waiver to 5.00% of its then-current assessed valuation (such level being consistent with the waiver received by the District for its 2010 Measure D bonds two years ago) and for a period of twelve years ending December 31, 2025. Approval of such waiver would enable the District to issue bonds under its recently approved 2012 Measure E bond authorization without delay on interim financing in amounts necessary to keep its bond program moving forward to its scheduled completion.

Financial Integrity. It is our understanding that statutory bonding capacity limits are included in the Education Code to safeguard school districts from incurring excessive debt which might jeopardize their financial integrity. Since the beginning of the District’s facility bond program described below, the District’s financial integrity has improved by several objective measures: District fund balances have improved; the District has repaid its state loan and emerged to local control; and the District’s bond ratings have improved. The improved ratings are reflective not only of the improved financial condition and flexibility of the District but also the broad view of the independent credit agencies that the issuance of additional bonds has not and will not in any way jeopardize the District’s financial integrity. The District’s bonds are currently rated “Aa3” by Moody’s Investors Service, “A+” by Standard & Poor’s, and “A+” by Fitch Ratings. Because it will not jeopardize the financial integrity of the District, approval of the waiver is, in our view, consistent with the purpose of the law.

Bond Program Size and Public Support. The District is in the midst of what has now become a \$1.63 billion facility bond program that began in June 1998 with the approval of 1998 Measure E, a \$40 million bond measure that was approved by 76% of District voters. Since that time, the District has been expending bond proceeds on facility improvements on an ongoing and consistent basis. The goal of the facility bond program is to bring all District facilities to a common and equitable standard with regard to seismic and structural safety issues, upgrades to building systems, new classrooms, technology upgrades, and security. The facility bond program receives broad community support. Since 1998, voters have approved general obligation bond measures on six separate occasions, all by super-majority vote. The bond measures are summarized by date, size, and level of public support in the attached Exhibit A.

Bond Program Status. To date, the District has expended more than \$800 million of the \$1.63 billion that has been approved by voters. In addition, the District expended a significant amount of State matching funds. Such expenditures have allowed the District to complete modernization work at 23 of its 37 elementary school sites, at 4 of its 6 middle school sites, and at 3 of its 6 comprehensive high school sites. It is the District’s current expectation that funds from its two most recently approved bond measures (2010 Measure D, a \$380 million bond measure approved in June 2010, and 2012 Measure E, a \$360 million bond measure approved in November 2012) will allow the District to continue to invest in its facilities on an ongoing and consistent basis, at a rate of approximately \$60 million per year, through 2023-24. At that time, the District expects to have completed work at all of its operating sites. Such expectation is based on current estimates of scope, cost, and other factors.

Authorized but Unissued Bonds. This past November, voters approved 2012 Measure E by a vote of 64% in favor. At the time of the election, the District had nearly \$360 million in authorized but unissued bonds under two prior authorizations – 2005 Measure J and 2010 Measure D. The decision to pursue a new bond measure despite having a significant amount of authorized but unissued bonds was in part a response to concerns about a projected slowing of the pace of the District's facility bond program. An unprecedented decline in assessed values in 2009-10 and 2010-11 forced the District to downsize bond issuances beginning in 2009 in order to meet its tax rate objectives. Over an extended period of time and with significant public input, the District re-envisioned its bond program, suspending the issuance of bonds under 2005 Measure J and placing a new \$380 million bond measure on the ballot in June 2010. In order to meet District tax rate and debt management objectives, 2010 Measure D was designed to be implemented over a ten year period with expenditures of less than \$40 million per year. Given the level of facility need in the District and the community's desire to address those needs in a timely manner, the District placed another bond measure on the ballot in November 2012. The purpose of the November 2012 bond measure was to increase the pace of bond expenditures over the expected \$40 million per year under 2010 Measure D.

Bonding Capacity. As a consequence of bonds issued under prior waivers, the District currently has bonds outstanding in excess of its statutory bonding capacity. In the current tax year, the District has an assessed value of \$23.6 billion, providing a statutory bonding capacity of \$591 million. As of January 1, 2013, the District has \$797 million in bonds outstanding from prior authorizations. Absent approval of this waiver request by the Board of Education, the District will not be able to issue any bonds under 2012 Measure E despite the expressed desire of the community. Voter approval of 2012 Measure E evidences the community's desire that the District issue additional bonds to continue to improve school facilities. Approval of this waiver will allow the District to do so.

Public Disclosure of Intent to Apply for a Waiver. At the time that 2012 Measure E was placed on the ballot, the District was aware that it was likely to be applying for a bonding capacity waiver in order to issue bonds under 2012 Measure E. The District's plan was discussed at public meetings including meetings that were broadcast to the public by cable television. Both the seventy-five word ballot language and the long-form ballot language referenced statutory bonding capacity. The latter included the following sentence: "In order to fund projects and prior to the issuance of any bonds authorized by this Measure, the District may seek a waiver from the State Board of Education of the applicable bonding limit requirements of Section 15106 of the Education Code." The voter pamphlet contained additional references to the amount of bonds that the District has outstanding relative to state limitations and standards in the Argument Against Measure E and in the Rebuttal to Arguments for Measure E. The District's intent to apply for a bonding capacity waiver in connection with 2012 Measure E was a matter of public record. Voters within the District approved 2012 Measure E by a vote of 64% in favor.

Additional Expressions of Public Support. The public's support for the District's facility bond program is evidenced not only by the super-majority votes received in connection with six separate bond measures since June 1998 - and the 64% level of voter support for 2012 Measure E, in particular, – but by the supporting resolutions approved by overlapping public agencies and the letters of support submitted by local public officials. Attached to this application form are supporting resolutions approved by the city councils of three of the five cities served by the District: Richmond, El Cerrito, and Pinole. In addition, we have attached supporting resolutions from the West County Wastewater District, the Stege Sanitation District, and the Contra Costa Building Trades Council. Additional supporting resolutions and letters of support will be forwarded as they are received. These expressions of support from local elected officials serve as an indication of the high level of support that the District's bond program has earned in the community.

Prior Waivers. The District has received bonding capacity waivers from the Board of Education on three prior occasions. In November 2002, the District received a bonding capacity waiver in connection with three prior authorizations – 1998 Measure E, 2000 Measure M, and 2002 Measure D. The waiver increased the District's bonding capacity to 3%. In March 2009, the District received a bonding capacity waiver in connection with 2005 Measure J. The waiver increased the District's bonding capacity to 3.5% for all 2005 Measure J Bonds issued through December 31, 2019. The District has issued two series of bonds under such waiver and has \$77.6 million of 2005 Measure J Bonds that remain authorized but

unissued. More recently, in March 2011, the District received a bonding capacity waiver in connection with 2010 Measure D. The waiver increased the District's bonding capacity to 5% for all 2010 Measure D Bonds through December 31, 2020. The District has issued one series of bonds under such waiver and has \$280 million of 2010 Measure D Bonds that remain authorized but unissued. The requested waiver will put the 2012 Measure E Bonds on par with the 2010 Measure D Bonds.

Equity Issues. Denial of this waiver request would deny the community the benefits of a facility bond program recently supported with a vote of 64% in favor. The District notes other equity issues raised by the fact the District's statutory bonding capacity is significantly less than the statutory bonding capacities of similarly sized local school districts. In fact, the District's statutory bonding capacity is lower than the statutory bonding capacity for the eight most similarly sized school districts in the six county Bay Area and less than half the statutory bonding capacity of a number of these school districts. The attached Exhibit B shows all the school districts in the Bay Area with enrollment similar to the District's (for comparison purposes, the enrollment for high school districts includes the enrollment of each of its feeder school districts), their 2012-13 tax base and statutory bonding capacity, and how their statutory bonding capacity compares to that of the District. These school districts represent school districts with a similar educational charge as the District (in terms of number of students served) and similar facility costs (since they are all located in the Bay Area), but in every case have more resources on which to draw in terms of local bond funding.

Structure of Bond Program. The approval of this waiver will not cause tax rates to increase beyond tax rate targets established in connection with 2012 Measure E nor tax rate targets established in connection with prior District bond measures. The District intends to issue the 2012 Measure E bonds in alternate years through 2023, though the pace of issuance may be accelerated or delayed, and to structure debt repayment around a \$48 per \$100,000 of assessed valuation tax rate target. The District has a fifteen-year track record during which tax rates have been levied on forty-seven occasions on various measures with none of these tax rates exceeding targeted maximums. Since 2001, the District has issued refunding bonds on four occasions, and on each occasion has reduced taxpayer obligations. The District expects that each of the six series of bonds expected to be issued under 2012 Measure E will be issued entirely as current interest bonds. Given current projections, the District does not plan to issue any 2012 Measure E bonds as capital appreciation bonds. The District does not plan to issue bond anticipation notes in connection with 2012 Measure E.

Additional Taxpayer Safeguards. Notwithstanding the granting of the subject waiver, the District will remain subject to Education Code Section 15270 that imposes a tax rate limit of \$60 per \$100,000 of assessed values for bonds issued under a single bond measure for a unified school district. Regardless of whether the District's waiver application is approved or at what percentage limit and regardless of any policy decisions made by future District boards, local taxpayers will continue to retain the protection of Section 15270 of the Education Code, and the District would be prohibited from issuing any 2012 Measure E bonds that would cause future tax rates required to support all 2012 Measure E bonds issued up to such date of issuance to exceed such \$60 per \$100,000 of assessed value maximum.

Conclusion. The District understands the importance of bonding capacity limitations and of prudent debt management practices, and the District expects to be within the 2.5% limitation in the future. The District's bond program is well managed and transparent. The District's bonds are safe, as evidenced by the fact that the ratings on the District's bonds are as high as they have been in nearly twenty years. However, given the cost of bringing the District's facilities to the standards that the District and the community desire, and given the limitations of doing so with a tax base that is small relative to the number of students being served by the District, the District requires a temporary waiver of the statutory bonding capacity limitation. District voters approved 2012 Measure E by a vote of 64% in favor. The District's plan to apply for a waiver has been publicly disclosed and publicly discussed prior to the approval of 2012 Measure E. Approval of this waiver will allow the District's facilities bond program to proceed at the pace that the public wants without delay or interim financing. The District desires that its students have the same learning opportunities and safe learning environments that are available to students in more affluent areas, and the public supports this objective. The District requests that the Board of Education grant this waiver so that the District can move ahead with its voter supported facility bond program to improve the safety and equity of educational facilities for its students without delay.

EXHIBIT A

HISTORY OF BOND ELECTIONS

| Date of Election | Measure | Amount | Pct Yes Vote ^[1] |
|------------------|----------------|----------------|-----------------------------|
| 06/02/98 | 1998 Measure E | \$ 40,000,000 | 76.0% |
| 11/07/00 | 2000 Measure M | \$ 150,000,000 | 77.5% |
| 03/02/02 | 2002 Measure D | \$ 300,000,000 | 71.8% |
| 11/08/05 | 2005 Measure J | \$ 400,000,000 | 56.8% |
| 06/08/10 | 2010 Measure D | \$ 380,000,000 | 62.6% |
| 11/06/12 | 2012 Measure E | \$ 360,000,000 | 64.4% |

^[1] Based on figures posted on SmartVoter.com.

Exhibit B

Bay Area Unified School District Bonding Capacity

| School Districts | County | Enrollment (2011/12) ^[1] | Assessed Value (2012/13) | Est Bonding Capacity (2012/13) ^[2] | % of WCCUSD Bonding Capacity |
|------------------------------|----------------------------|----------------------------------------|-----------------------------|--------------------------------------------------|---------------------------------|
| Fremont Union HSD | Santa Clara County | 35,822 | \$47,096,419,323 | \$1,177,410,483 | 199.28% |
| Sequoia Union HSD | San Mateo County | 34,430 | \$61,022,579,960 | \$1,525,564,499 | 258.21% |
| Mt. Diablo USD | Contra Costa County | 33,987 | \$28,888,230,412 | \$722,205,760 | 122.24% |
| San Jose USD | Santa Clara County | 33,306 | \$34,834,901,091 | \$870,872,527 | 147.40% |
| Fremont USD | Alameda County | 32,829 | \$34,113,585,919 | \$852,839,648 | 144.35% |
| San Ramon USD | Contra Costa County | 29,883 | \$34,057,376,108 | \$851,434,403 | 144.11% |
| West Contra Costa USD | Contra Costa County | 29,883 | \$23,632,927,039 | \$590,823,176 | 100.00% |
| San Mateo Union HSD | San Mateo County | 28,825 | \$51,174,704,668 | \$1,279,367,617 | 216.54% |
| Campbell Union HSD | Santa Clara County | 27,846 | \$32,395,807,252 | \$809,895,181 | 137.08% |
| Acalanes Union HSD | Contra Costa County | 16,501 | \$23,803,272,121 | \$595,081,803 | 100.72% |

[1] Enrollment is from CA Department of Education website for school year 2011/12 and, for listed high school districts, includes enrollment for feeder elementary school districts.

[2] Assumes 2.5% of then current assessed value for both unified school districts and high school districts.

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: January 9, 2013

From: Bruce Harter
Superintendent

Agenda Item: F15

Subject: Authorization for Survey

Background Information:

In June 2012, 65.5% voters supported Measure K, a parcel tax measure that would have renewed the 2008 parcel tax and provided an additional \$4 million for the general fund. Yet the measure failed as a result of the 2/3 requirement for parcel taxes. In July 2012, the Board decided to pursue a renewal only measure on the November 2012 ballot. Measure G 2012 passed with 75% of the voters supporting it. Yet Measure G 2012 did not bring any additional resources to help offset the reductions from the last five years that total \$43.6 million in operating funds.

At a special public hearing meeting in December 2012, the Board took public testimony about the priorities and the possible funding sources that may provide opportunities to restore some of the cuts and move the district forward. After hearing from the public and after discussing priorities and funding sources, the Board consented to bringing an item forward that would authorize a random sample survey of district voters to assess the potential support and opposition to a future measure, the public's awareness of the district's financial needs, and the overall feasibility of developing a parcel tax measure that could win voter approval.

Recommendation:

That the Board authorize the Superintendent to contract with Godbe Research to perform a random sample survey to assess the degree of voter support for a parcel tax renewal or parcel tax measure at a 2013 or 2014 election.

Fiscal Impact: An amount not to exceed \$35,000.

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: January 9, 2013

From: Bill Fay
Associate Superintendent for Operations

Agenda Item: G.1

Subject: Project Status Report

Background Information:

The following are provided for review of Facilities Planning and Construction in the District's Bond Program and for information regarding individual projects:

- Engineering Officer's Report – Verbal Presentation
- Construction Status Reports – Current Construction Projects

Recommendation: For information only

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

PROJECT STATUS REPORT

De Anza High School - Replacement Campus

Period Ending: 12/31/2012

Scope: Replacement Campus

Construction Status:

Architect: DLM Architects
 Project Manager: Jose Chapa, SGI Construction Management
 Project Engineer: Marc Alojapan, SGI Construction Management
 Contractor: Wright Contracting Inc.
 Inspector: Steve Cayson
 WCCUSD Mgr: Eduardo Donoso

Contract Status:

Notice to Proceed: 05/17/2010

| | Original | Approved | Projected |
|-------------------------------|------------|----------|-----------|
| Construction Schedule (days): | 1,080 | 52 | 1,132 |
| Original Completion Date: | 05/01/2013 | | |
| Projected Completion: | 6/22/2013 | | |

Buildings:

| | |
|--------------------------|------------------------------------------------|
| Building 1 | Administration & Library |
| Building 2 & 3 | Theater & Arts/Delta School |
| Building 4 | Special Education |
| Building 5 | Science |
| Building 6 & 7 | Classrooms |
| Building 8 | Gymnasium |
| Building 9 | Cafeteria |
| Building 11, 12, & 13... | Lobby, Breezeway, & Entrance Structure/Portico |

Progress This Period:

- Building 1, 2, 3, 4, 5, 6, 7, 8, 9, & 11--Punch-list Inspection.
- Building 1, 2, 3, 4, 5, 6, 7, 8, 9, & 11--Punch-list Back-Check.
- Building 2--Install Theater Lighting & Equipment.
- Building 8 & 12--Install Roof/Canopy Panels.
- Building 12, 13, & 14--Install Exterior Lath/Plaster & Roofing System.
- Building 12, 13, & 14--Install Brick Tile Veneer.
- Building 13--Install Translucent Skylight Panels.
- Site Work--Fine Grade, Ornamental Fencing, Perimeter Wall, Site Structures, Concrete Flatwork, Signage, Landscaping & Irrigation System, and Asphalt Concrete Paving.
- PV System--Install Racking System, & PV Panels.

Anticipated Progress Next Period:

- Building 1, 2, 3, 4, 5, 6, 7, 8, 9, & 11--Punch-list Back-Check.
- Building 1, 8, & 9--HVAC, EMS, & Lighting Controls Commissioning.
- Building 2--Install Theater Lighting & Equipment.
- Building 8 & 12--Install Roof/Canopy Panels.
- Building 12, 13, & 14--Install Exterior Lath/Plaster & Roofing System.
- Building 12, 13, & 14--Install Brick Tile Veneer.
- Building 13--Install Translucent Skylight Panels.
- Site Work--Ornamental Fencing, Site Structures, Concrete Flatwork, Signage, Landscaping & Irrigation System, and Asphalt Concrete Paving.
- PV System--Install Racking System, & PV Panels.

Schedule Assessment/Update:

| | |
|--------------------------------------------|-------|
| Construction Duration (Calendar Days): | 1,132 |
| Construction Calendar Days Elapsed: | 959 |
| Construction Calendar Days Remaining: | 173 |
| Percent of Contract Calendar Days Elapsed: | 84% |
| Percent of Construction Completed: | 98% |

Percentage of Work Done **98%** **Total Project**

Proposed Changes:

General Comment:

Progress Photos: 12/31/2012



Bridge looking at Building 7



Plaza looking at Building 9 Cafe



Main Entrance Plaza

PROJECT STATUS REPORT

Dover Elementary School -

Period Ending: 12/31/2012

Scope: Increment 3 - Hazmat & demo of (E) kindergarten building, construction of new covered walkway, play area & site work.

Construction Status:

Architect: HY Architects, Inc.
Project Manager: Eddie Law, SGI Construction Management
Project Engineer:
Contractor: Alten Construction, Inc.
Inspector: Kris Gilbert
WCCUSD Mgr: Eduardo Donoso

Contract Status:

Notice to Proceed: 06/15/2009

| | Original | Approved | Projected |
|-------------------------------|------------|----------|-----------|
| Construction Schedule (days): | 1,110 | 208 | 1,318 |
| Original Completion Date: | 06/29/2012 | | |
| Projected Completion: | 1/23/2013 | | |

Buildings:

| | |
|------------|-----------------------------------------------|
| Building A | Main Admin. Building & Classrooms - COMPLETED |
| Building B | Pre-School/Kindergarten - COMPLETED |
| Building C | Multi Purpose Room Building - COMPLETED |
| Site Work | Site Work and Covered Walkway - IN PROGRESS |

Progress This Period:

Site Work:

- Main play area asphalt paving.
- Covered walkway lath and plaster.
- Form and concrete pour soccer field perimeter curbs and planters.
- Remove temporary construction fence, install ornamental fence and chain link fence.
- Landscaping - irrigation lines, soil amendment and planting.
- Install playground equipment and play structure.
- Habitat garden grading and water feature.

Anticipated Progress Next Period:

Site work:

- Walkway sprinkler heads, lighting and final paint.
- Ornamental and chain-link fencing and gates.
- Landscaping, irrigation lines, soil amendment at planters and soccer field.
- Install playground equipment, AC paint coloring and striping.

Schedule Assessment/Update:

| | |
|--------------------------------------------|-------|
| Construction Duration (Calendar Days): | 1,318 |
| Construction Calendar Days Elapsed: | 1,262 |
| Construction Calendar Days Remaining: | 56 |
| Percent of Contract Calendar Days Elapsed: | 95% |
| Percent of Construction Completed: | 98% |

| Percentage of Work Done | 98% | Total Project |
|-----------------------------------|-------------------|---------------|
| Phase 1 -- Demolition & Site Work | Increments 1 & 1A | 100% |
| Phase2 -- Building "A" | Increment 2 | 100% |
| Phase 3 -- Building "B" & "C" | Increment 3 | 99% |
| Phase 4 -- Site Work & Playground | Increment 3 | 80% |

Proposed Changes:

General Comment:

- Adverse weather may impact site scheduled work.

Progress Photos: 12/31/2012



Play Structure



Covered Walkway Building A & C



Vegetable Garden

PROJECT STATUS REPORT

Gompers and LPS Richmond Schools - New Construction

Period Ending: 12/31/2012

Scope: New Construction

Construction Status:

Architect: HMC Architects
Project Manager: Tim Peel, SGI Construction Management
Project Engineer: Gail Suarez, SGI Construction Management
Contractor: Lathrop Construction Associates
Inspector: Roy Moreno
WCCUSD Mgr: Andrew Mixer

Contract Status:

Notice to Proceed: 08/20/2012
Original Approved Projected
Construction Schedule (days): 1,090
Original Completion Date: 08/15/2015
Projected Completion: 08/15/2015

Buildings:

Building A Leadership Public Schools
Building B Shared Gymnasium
Building C Gompers High School

Progress This Period:

- Drilled piers and foundation in progress.
- Electrical Underground utilities at Building A.

Anticipated Progress Next Period:

- Piers, underground, and grade beams.

Schedule Assessment/Update:

| | |
|--------------------------------------------|-------|
| Construction Duration (Calendar Days): | 1,090 |
| Construction Calendar Days Elapsed: | 133 |
| Construction Calendar Days Remaining: | 957 |
| Percent of Contract Calendar Days Elapsed: | 12% |
| Percent of Construction Completed: | 7% |

| | | |
|-------------------------|----|---------------|
| Percentage of Work Done | 7% | Total Project |
|-------------------------|----|---------------|

Proposed Changes:

General Comment:

Progress Photos: 12/31/2012



Electrical Trench



Electrical Trench Backfill



Piers

PROJECT STATUS REPORT

Lincoln, Harding, Ellerhorst, and Tara Hills Elementary School - Restroom Finish Upgrades

Period Ending: 12/31/2012

Scope: Restroom Floors Upgrade

Construction Status:

Architect: Deems Lewis McKinnley
Project Manager: Herman Blackmon Jr./ Marcus Blackmon, Amanco, Inc.
Project Engineer: Toby Black / Maria Zupo, SGI Construction Management
Contractor: Roger Thompson / Delta Bay Waterproofing
Inspector: N/A
WCCUSD Mgr: Eduardo Donoso / Andrew Mixer

Contract Status:

| | | | |
|-------------------------------|-----------------|-----------------|------------------|
| Notice to Proceed: | 12/14/2012 | | |
| | Original | Approved | Projected |
| Construction Schedule (days): | 18 | | 18 |
| Original Completion Date: | 1/1/2013 | | |
| Projected Completion: | 1/1/2013 | | |

Buildings:

| | |
|------------|---------------------------|
| Lincoln | Buildings: A, B & M |
| Harding | Buildings: A & M |
| Ellerhorst | Buildings: A, C, K & M |
| Tara Hills | Buildings: A, I, K, M & P |

Progress This Period:

- The GC has entirely completed epoxy floors on all restrooms.

Anticipated Progress Next Period:

- Complete Punch list items for all campuses.

Schedule Assessment/Update:

| | |
|--------------------------------------------|------|
| Construction Duration (Calendar Days): | 18 |
| Construction Calendar Days Elapsed: | 17 |
| Construction Calendar Days Remaining: | 1 |
| Percent of Contract Calendar Days Elapsed: | 94% |
| Percent of Construction Completed: | 100% |

| | | |
|-------------------------|------|---------------|
| Percentage of Work Done | 100% | Total Project |
|-------------------------|------|---------------|

Proposed Changes:

General Comment:

Progress Photos: 12/31/2012



Ellerhorst Elementary Restroom Floors



Lincoln Elementary Restroom Floors



Tara Hills Restroom Floors

PROJECT STATUS REPORT

Lincoln, Harding, Ellerhorst, and Tara Hills Elementary School - Restroom Finish Upgrades

Period Ending: 12/31/2012

Scope: Restroom Finish Upgrades (Tile)

Construction Status:

Architect: Deems Lewis McKinnley
Project Manager: Marcus Blackmon, Amanco, Inc.
Project Engineer:
Contractor: B-Side Construction
Inspector:
WCCUSD Mgr: Eduardo Donoso

Contract Status:

| | | | |
|-------------------------------|-----------------|-----------------|------------------|
| Notice to Proceed: | 07/18/2012 | | |
| | Original | Approved | Projected |
| Construction Schedule (days): | 120 | 120 | 194 |
| Original Completion Date: | 11/17/2012 | | |
| Projected Completion: | 1/30/2013 | | |

Buildings:

| | |
|------------|---------------------------|
| Lincoln | Buildings: A, B & M |
| Harding | Buildings: A & M |
| Ellerhorst | Buildings: A, C, K & M |
| Tara Hills | Buildings: A, I, K, M & P |

Progress This Period:

- The GC has completed phases at all campuses.

Anticipated Progress Next Period:

- Complete Punch Correction items at all campuses.

Schedule Assessment/Update:

| | |
|--------------------------------------------|------|
| Construction Duration (Calendar Days): | 120 |
| Construction Calendar Days Elapsed: | 163 |
| Construction Calendar Days Remaining: | -43 |
| Percent of Contract Calendar Days Elapsed: | 135% |
| Percent of Construction Completed: | 90% |

| | | |
|-------------------------|-----|---------------|
| Percentage of Work Done | 90% | Total Project |
|-------------------------|-----|---------------|

Proposed Changes:

General Comment:

Progress Photos: 12/31/2012



PROJECT STATUS REPORT

Ohlone Elementary School - West Campus

Period Ending: 12/31/2012

Scope: West Campus

Construction Status:

Architect: Powell & Partners
Project Manager: Sonya Perkins, SGI Construction Management
Project Engineer: Paul Orr, SGI Construction Management
Contractor: Zovich Construction
Inspector: Mark Eriksen
WCCUSD Mgr: Eduardo Donoso

Contract Status:

| | | | | |
|-------------------------------|------------|-----------------|-----------------|------------------|
| Notice to Proceed: | 08/01/2011 | Original | Approved | Projected |
| Construction Schedule (days): | 780 | | | |
| Original Completion Date: | 7/20/2013 | | | |
| Projected Completion: | 09/19/2013 | | | |

Buildings:

| | |
|---------|--------------------------|
| Bldg. A | Admin/Library/Classrooms |
| Bldg. B | Classrooms |

Progress This Period:

- MEP/Fire sprinkler rough-in continues, bituminous roofing on Bldg. A, installation of windows at clerestory.
- PG&E to install gas line and power, roof venting, install sheet metal flashings, site lighting.
- USGS conduit installation, insulation, continue to work on stand alone mock up for approval.

Anticipated Progress Next Period:

- MEP/ Fire Sprinkler Rough-in continues, finalize all sheet metal flashing for buildings.
- Complete roof systems with scuppers, gutters, rain water leaders, install wall penetration flashings, lathe, insulation, drywall, roofing venting.
- Continue to work on stand alone mock up for approval.

Schedule Assessment/Update:

| | |
|--------------------------------------------|-----|
| Construction Duration (Calendar Days): | 780 |
| Construction Calendar Days Elapsed: | 518 |
| Construction Calendar Days Remaining: | 262 |
| Percent of Contract Calendar Days Elapsed: | 66% |
| Percent of Construction Completed: | 48% |

| | | |
|--------------------------------|------------|----------------------|
| Percentage of Work Done | 48% | Total Project |
|--------------------------------|------------|----------------------|

Proposed Changes:

General Comment:

Progress Photos: 12/31/2012



Clerestory Window Installation on Bldg. B



PG&E Joint Trench for Gas & Power



Ductwork in Bldg. A

PROJECT STATUS REPORT

Peres Elementary School - Modernization

Period Ending: 12/31/2012

Scope: The modernization project consists of constructing five (5) new buildings and renovating seven (7) existing buildings to bring the entire school to current structural and architectural standards.

Construction Status:

Architect: HY Architects
Project Manager: Rod Sias, SGI Construction Management
Project Engineer:
Contractor: Cal-Pacific Construction, Inc.
Inspector: Kory Gilbert
WCCUSD Mgr: Andrew Mixer

Contract Status:

| | | | |
|-------------------------------|-----------------|-----------------|------------------|
| Notice to Proceed: | 8/2/2012 | | |
| | Original | Approved | Projected |
| Construction Schedule (days): | 106 | | 193 |
| Original Completion Date: | 10/19/2012 | | |
| Projected Completion: | 2/15/2013 | | |

Buildings:

Progress This Period:

- Flooring in Bldg D – COMPLETED.
- BLDG D 109 Closet – COMPLETED.
- Restroom Renovation-Bldg. F1(B), F2(G) – COMPLETED.
- Restroom Renovation-Bldg. I1(B &G) – IN PROGRESS.
- Repair and Paint Stucco Wall-Bldg. E – IN PROGRESS.
- Under Ground Utilities at SD Area – IN PROGRESS.
- Exterior Painting Bldg. D, F1, F2, F3, F4, H1, H2, – IN PROGRESS.

Anticipated Progress Next Period:

- Phase 2 Covered Walkway – IN PROGRESS.
- Under Ground Utilities at Covered Canopy – IN PROGRESS.
- Site Work/Asphalt/Tree Removal - IN PROGRESS.

Schedule Assessment/Update:

| | |
|--------------------------------------------|------|
| Construction Duration (Calendar Days): | 106 |
| Construction Calendar Days Elapsed: | 153 |
| Construction Calendar Days Remaining: | -47 |
| Percent of Contract Calendar Days Elapsed: | 144% |
| Percent of Construction Completed: | 68% |

| Percentage of Work Done | 68% | Total Project |
|---------------------------------|-----|---------------|
| Building B - Administration | 99% | 5% |
| Building D -Multi-purpose room- | 89% | 5% |
| Restrooms - F1, F2, I1 (B & G) | 90% | 30% |
| New Canopy | 4% | 30% |
| Site Work/Asphalt/Tree Removal | 3% | 10% |
| Exterior Painting | 95% | 20% |

Proposed Changes:

DSA- Field Change Directive 001- Concrete Strength in Bldg. D - Approved.
DSA- Field Change Directive 002- Closet Framing in Bldg. D - Rejected. GC to submit drawings for DSA review and approval.

General Comment:

Progress Photos: 12/31/2012



Installation of Underground Storm Drains - IN PROGRESS



Flooring Installation Bldg. D - COMPLETED



Restroom Renovation F1(B), F2(G) - COMPLETED

PROJECT STATUS REPORT

Portola Middle School - BLDG Demo & Site Work

Period Ending: 12/31/2012

Scope: Demolition of the Original Portola Middle School with attending Environmental Waste Management and Materials Salvage.

Construction Status:

Architect: HY Architects
 Project Manager: Toby Black, SGI Construction Management
 Project Engineer:
 Contractor: Alten Construction
 Inspector:
 WCCUSD Mgr: Andrew Mixer

Contract Status:

| | | | |
|-------------------------------|------------|-----------------|---------------------------|
| Notice to Proceed: | 5/9/2012 | | |
| | | Original | Approved Projected |
| Construction Schedule (days): | 225 | | |
| Original Completion Date: | 12/20/2012 | | |
| Projected Completion: | 1/19/2013 | | |

Buildings:

| | |
|--------------|-----------------------------------------------------|
| Mobilization | Fencing, Trailers, Temporary Utilities & Facilities |
| Start-Up | Salvaging, 3rd Party Contractors/Vendors |
| Abatement | Buildings and Portables |
| Demolition | Site, Buildings and Portables |
| Completion | Grading, Hydroseeding, Fencing and Demobilization |

Progress This Period:

- Demolition of Main Classroom Building.
- Soft Demolition of Main Classroom Building Interior
- Removal of UST tank.
- Demolition of Gym superstructure and foundation.
- Demolition of 400 Building foundation.
- Demolition of Shop Building foundation.
- Off haul of Metal, Wood, and Concrete Debris from site.

Anticipated Progress Next Period:

- Removal of Concrete Stairs at the Gymnasium.
- Grubbing of vegetation between temp campus and project site.
- Begin grading of site.
- Continue to Off Haul Metal, Wood Debris and Concrete from the site.

Schedule Assessment/Update:

| | |
|--------------------------------------------|------|
| Construction Duration (Calendar Days): | 225 |
| Construction Calendar Days Elapsed: | 984 |
| Construction Calendar Days Remaining: | -759 |
| Percent of Contract Calendar Days Elapsed: | 437% |
| Percent of Construction Completed: | 80% |

| | | |
|--------------------------------|------------|----------------------|
| Percentage of Work Done | 80% | Total Project |
| Mobilization | | 100% |
| Start-Up | | 100% |
| Abatement | | 100% |
| Demolition | | 80% |
| Completion | | 0% |

Proposed Changes:

General Comment:

Progress Photos: 12/31/2012



Site Demolition



Site Demolition



Main Classroom Building-Complete Demolition