

# **WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**

## **BOARD OF TRUSTEES**



### **MISSION STATEMENT**

WCCUSD, in partnership with the community, serves the whole child, preparing every student to succeed in higher education, career, and life by pairing high quality academics with social, emotional, and wellness support.

*“Whole Child, Whole Community”*

**MEETING OF**  
February 26, 2014

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION  
MEETING AGENDA  
FEBRUARY 26, 2014**

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**BOARD AGENDA PACKETS AND INFORMATION:**

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

Complete Board agendas and packets are available online at: [www.wccusd.net](http://www.wccusd.net).

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

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**VIEWING THE BOARD MEETINGS:**

**Television:**

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

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

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

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

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**ATTENDING BOARD MEETINGS:**

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

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

**Time:**            The **Board of Education's Open Session meeting will begin at 6:30 PM.** The Board will convene at **6:00 PM** in the Multi-Purpose Room to receive comments from anyone wishing to address the Board regarding closed session items (Exhibit A). The Board will then adjourn to closed session and reconvene in open session to address the regular agenda (Exhibits B-G) at 6:30 PM.

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

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

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“of children be more careful than anything.”  
e.e. cummings

## **B. OPENING PROCEDURES**

**B.1 Pledge of Allegiance**

**B.2 Welcome and Meeting Procedures**

**B.3 Roll Call**

**B.4 Report/Ratification of Closed Session**

\* **B.5 Agenda Review and Adoption (Public Comment)**

\* **B.6 WCCUSD Public Comment**

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

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

## **C. BUSINESS ITEMS**

### **CONSENT ITEMS (Routine Matters)**

Consent Calendar Items designated by “CI” are considered routine and will be enacted, approved and adopted by one motion, unless a request for removal, discussion or explanation is received from any Board member or member of the public in attendance. Items the Board pulls for discussion or explanation will be addressed following Section E.

### **\*CI C.1 Acceptance of 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 February 26, 2014.

#### Recommendation:

Recommend Approval

#### Fiscal Impact:

None

**\*CI C.2 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

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

**E. COMMITTEE COMMUNICATIONS**

**F. ACTION ITEMS**

**\* F.1 Resolution No. 60-1314: Resolution of the Board of Education of the West Contra Costa Unified School District Ordering an Election to Authorize the Issuance of School Bonds, Establishing Specifications of the Election Order and Requesting Consolidation with Other Elections Occurring on June 3, 2014**

Comment:

The resolution before the Board calls an election within the District under the provisions of Prop 39 for the purpose of approving school bonds in an amount not to exceed \$270 million, to request the County of Contra Costa Registrar of Voters (the “Registrar”) to conduct the election on behalf of the District, to submit a ballot measure, associated project list and form of Tax Rate Statement, and to authorize the preparation of ballot arguments, all to be included in the ballot pamphlet.

Under State law, the Board has the authority to call elections for the approval of the District’s general obligation bonds. The Registrar will conduct the election on behalf of the District and will publish all required notices, as well as the ballot pamphlet, if the Resolution is adopted. This Resolution meets the requirements of Prop 39 as to certain required determinations of the Board, the 75-word ballot measure and the list of specific projects intended to be undertaken or completed with the proceeds of the bonds. The Resolution includes by reference Exhibit A, the full bond measure and project list, Exhibit B, the 75-word ballot measure, and Exhibit C, the Tax Rate Statement, which is required under the Elections Code and describes the estimated tax rates that would result from the issuance of the bonds. The Resolution authorizes, but does not require, one or more members of the Board to draft and/or execute an argument in favor of the ballot measure.

The election will be called under the provisions of Prop 39 found at Article XIII A of the California Constitution and Section 15264 *et seq.* of the Education Code. Prop 39 permits the approval of the ballot measure with a vote of at least 55% of the qualified electors and requires the appointment of a citizens’ oversight committee and annual financial and performance audits. Under Prop 39, at least four (4) members of the Board must be present for the vote on the Resolution and no fewer than four (4)

members must vote in favor of calling the election. In the event the Resolution is adopted, original executed copies of the Resolution and the Tax Rate Statement must be delivered to the Registrar and the County Board of Supervisors no later than March 7, 2014.

Recommendation:

That the Board approve the Resolution authorizing a bond election for June 3, 2014.

Fiscal Impact:

The \$270 million in additional bond proceeds is estimated to qualify the District for an additional \$40 million in State Matching Funds.

**G. DISCUSSION ITEMS**

**\* G.1 Strategic Plan / Local Control Accountability Plan**

Comment:

West Contra Costa Unified is in a unique position in implementing Local Control Funding Formula (LCFF) for the 2014-15 school year. During the time that the Legislature was shaping the LCFF in 2013, the District was engaged in developing the 2014-2019 strategic plan. In October of 2013, the Governor signed the legislation that authorized the LCFF and its accountability mechanism, the Local Control Accountability Plan (LCAP). In November 2013, the WCCUSD Board of Education accepted the 2014-19 Strategic Plan report. The LCAP requires that the Board approves a three-year plan that includes goals, activities, and budget that addresses eight state priorities areas listed in the statute. The strategic plan includes six overarching strategies, 35 objectives and 134 tactics. While there's a great deal of alignment between the state priorities and the strategic plan strategies, there are areas in each that are not addressed in the other. The opportunity and challenge is to integrate the LCAP with the strategic plan report.

In discussing the first draft of the integrated plan, the Board will be able to provide feedback and direction in shaping the plan that will go before the District Local Control Accountability Plan Parent Committee in March and April this year. The Parent Committee will review the plan and advise the Board on changes to better align the plan with the parameters of the LCAP and the strategic plan report. The plan will then be revised and brought back to the Board for public hearing in May and ultimately for adoption with the 2014-15 budget in June.

Recommendation:

That the Board review the report on the integration of the Local Control Accountability Plan with the Strategic Plan and provide feedback and direction for developing the plan that will go before the District Local Control Accountability Plan Parent Committee.

Fiscal Impact:

Positive impact brought about by the LCFF over the next seven years.

**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 – March 12, 2014

**K. ADJOURNMENT**

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

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

**A. CLOSED SESSION**

**A.1 CALL TO ORDER**

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

**A.3 RECESS TO CLOSED SESSION AS SCHEDULED**

**See Exhibit A**

(Government Code Section 54954.5)

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

**EXHIBIT A**

(Government Code Section 54954.5)  
**CLOSED SESSION AGENDA**

**February 26, 2014**

**1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

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

- a. WCCUSD v. Orrick
- b. Palmer and Pollack v. WCCUSD

**3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED/POTENTIAL LITIGATION**  
[Government Code Section 54956.9(b)]

Four cases

**4. LIABILITY CLAIMS** (Government Code Section 54956.95)

**5. CONFERENCE WITH LABOR NEGOTIATORS**

- a. Superintendent/Dr. Bruce Harter
- b. Employee Organizations
  - UTR
  - Local One
  - School Supervisors Association
  - WCCAA
- c. Unrepresented Employees

- Confidential and Management

**6. PUBLIC EMPLOYEE APPOINTMENT**

**7. PUBLIC EMPLOYEE PERFORMANCE EVALUATION** (Government Code Section 54957)

**8. STUDENT DISCIPLINE** (Education Code Section 35146)

Expulsions

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

Certificated / Classified Employee Dismissal

**10. REPORT OF CLOSED SESSION ACTIONS**




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

**ITEM REQUIRING ATTENTION----BOARD OF EDUCATION**

**To:** Board of Education

**Meeting Date:** February 26, 2014

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

**Agenda Item:** CI C.1

**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 February 26, 2014.

**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  
February 26, 2014

ACCEPTANCE OF CONTRACTS FOR PLACEMENT OF STUDENT TEACHERS

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

Contra Costa County Office of Education – MOU - Internship Program

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:** February 26, 2014

**From:** Kenneth L. Whittemore, *KW*  
Assistant Superintendent Human Resources

**Agenda Item:** CI C.2

**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 \_\_\_\_\_

**February 26, 2014**

**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**

<b><u>Teacher Name</u></b>	<b><u>Site</u></b>	<b><u>Assignment</u></b>
Noelle Bidegainberry	Helms Middle School	Teacher Aide
Luciano Caldera	Helms Middle School	Teacher Aide
Neil Gagen	Helms Middle School	Teacher Aide
Adeline Gorlin	Helms Middle School	Teacher Aide
David Gutierrez	Helms Middle School	Office Experience
William M Hamilton	Helms Middle School	Teacher Aide
Malinda Hopkins	Helms Middle School	Teacher Aide
Jacqueline Huerta	Helms Middle School	Teacher Aide
Vernalstene Jones	Helms Middle School	Teacher Aide
Sam My Kim	Helms Middle School	Teacher Aide
Ashley Matyn	Helms Middle School	Teacher Aide, Tutorial
Paul Meyer	Helms Middle School	Teacher Aide
Nuno M. Monteiro	Helms Middle School	Teacher Aide
Alexander Pakter	Helms Middle School	Teacher aide
Rocio Reyes	Helms Middle School	Teacher Aide
Jeremiah Romm	Helms Middle School	Teacher Aide
Jacqueline Ryan	Helms Middle School	Teacher Aide
Priya K Sembi	Helms Middle School	Teacher Aide
Andre Shie	Helms Middle School	Teacher Aide
Richard Volberg	Helms Middle School	Teacher Aide

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:** February 26, 2014

**From:** Bruce Harter, Superintendent

**Agenda Item:** F.1

**Subject:** Resolution No. 60-1314: Resolution of the Board of Education of the West Contra Costa Unified School District Ordering an Election to Authorize the Issuance of School Bonds, Establishing Specifications of the Election Order and Requesting Consolidation with Other Elections Occurring on June 3, 2014

**Background Information:**

The resolution before the Board calls an election within the District under the provisions of Prop 39 for the purpose of approving school bonds in an amount not to exceed \$270 million, to request the County of Contra Costa Registrar of Voters (the "Registrar") to conduct the election on behalf of the District, to submit a ballot measure, associated project list and form of Tax Rate Statement, and to authorize the preparation of ballot arguments, all to be included in the ballot pamphlet.

Under State law, the Board has the authority to call elections for the approval of the District's general obligation bonds. The Registrar will conduct the election on behalf of the District and will publish all required notices, as well as the ballot pamphlet, if the Resolution is adopted. This Resolution meets the requirements of Prop 39 as to certain required determinations of the Board, the 75-word ballot measure and the list of specific projects intended to be undertaken or completed with the proceeds of the bonds. The Resolution includes by reference Exhibit A, the full bond measure and project list, Exhibit B, the 75-word ballot measure, and Exhibit C, the Tax Rate Statement, which is required under the Elections Code and describes the estimated tax rates that would result from the issuance of the bonds. The Resolution authorizes, but does not require, one or more members of the Board to draft and/or execute an argument in favor of the ballot measure.

The election will be called under the provisions of Prop 39 found at Article XIII A of the California Constitution and Section 15264 *et seq.* of the Education Code. Prop 39 permits the approval of the ballot measure with a vote of at least 55% of the qualified electors and requires the appointment of a citizens' oversight committee and annual financial and performance audits. Under Prop 39, at least four (4) members of the Board must be present for the vote on the Resolution and no fewer than four (4) members must vote in favor of calling the election. In the event the Resolution is adopted, original executed copies of the Resolution and the Tax Rate Statement must be delivered to the Registrar and the County Board of Supervisors no later than March 7, 2014.

**Recommendation:**

That the Board approve the Resolution authorizing a bond election for June 3, 2014.

**Fiscal Impact:**

The \$270 million in additional bond proceeds is estimated to qualify the District for an additional \$ 40 million in State Matching Funds.

**DISPOSITION BY BOARD OF EDUCATION**

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_

Not Approved \_\_\_\_\_

Tabled \_\_\_\_\_

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**

**RESOLUTION NO. 60-1314**

**RESOLUTION OF THE BOARD OF EDUCATION OF  
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
ORDERING AN ELECTION TO AUTHORIZE THE  
ISSUANCE OF SCHOOL BONDS, ESTABLISHING SPECIFICATIONS  
OF THE ELECTION ORDER, AND REQUESTING CONSOLIDATION  
WITH OTHER ELECTIONS OCCURRING ON JUNE 3, 2014**

**WHEREAS**, the West Contra Costa Unified School District (the “**District**”) wishes to keep our schools safe, drug-free and gang-free by providing comparable learning communities throughout the District, which are accessible to all students, including the physically disabled; and

**WHEREAS**, the District wishes to increase post-secondary access for local students to college preparation, career education and technical job training programs that will enable them to learn valuable job skills and obtain rewarding, high-paying jobs; and

**WHEREAS**, the educational goals of the District can only be met by providing local students with high quality classrooms, with access to current computer technology, internet and networking systems; and

**WHEREAS**, upgrades and repairs to, among other facilities, science labs, classrooms, learning centers, libraries, restrooms, plumbing and roofs, and the removal of lead paint and asbestos at District facilities are needed in order to protect the health and safety of students; and

**WHEREAS**, certain District schools must be replaced or repaired in order to meet seismic standards and new accessibility requirements; and

**WHEREAS**, notwithstanding past and ongoing efforts by the District to obtain sufficient moneys from the State of California (the “**State**”) for the maintenance, construction, repair and equipping of our schools, in order to provide an effective learning environment for all students, the State has been unable to do so; and

**WHEREAS**, the District may qualify for significant State matching facility improvement funds if it were able to contribute to the cost of upgrading its school and classroom facilities; and

**WHEREAS**, the Board hereby determines that it is necessary and advisable to seek additional facility funding to both repair and upgrade District schools and qualify for additional State funding; and

**WHEREAS**, in the judgment of the Board, it is advisable to call an election to submit to the electors of the District the question of whether bonds of the District shall be issued and sold for the purpose of funding the construction, reconstruction, rehabilitation and replacement of school facilities, including the furnishing or equipping of school facilities, or the acquisition or lease of real property for school facilities and paying costs incident thereto; and

**WHEREAS**, pursuant to the provisions of Proposition 39, adopted by the voters of the State of California (the “**State**”) on November 7, 2000 (“**Proposition 39**”), comprising Article XIII A, Section 1, paragraph (b) of the California Constitution (“**Article XIII A**”), the District may incur bonded indebtedness upon the vote of fifty-five percent (55%) or more of the qualified electors of the District voting on the proposition; and

**WHEREAS**, pursuant to California Education Code (“**Education Code**”) Section 15264 *et seq.* (the “**Act**”), the Board is specifically authorized, upon approval by two-thirds (2/3) of the members of the Board, to submit to the electorate of the District the question of whether bonds of the District shall be issued and sold for specified purposes pursuant to paragraph (3) of said subdivision (b) of Section 1 of Article XIII A and subdivision (b) of Section 18 of Article XVI of the California Constitution; and

**WHEREAS**, the Board desires to make certain findings to be applicable to the within election order and to establish compliance with Proposition 39 and the applicable requirements of the Education Code and the Elections Code of the State (the “**Elections Code**”), as further specified herein; and

**WHEREAS**, pursuant to Section 10403 *et seq.* of the Elections Code, the Board now deems it appropriate and necessary to request consolidation of the election authorized hereby (the “**Election**”) with any and all other elections to be held on June 3, 2014, and to request the Registrar of Voters (the “**Registrar of Voters**”) of the County of Contra Costa (the “**County**”) to perform certain election services for the District; and

**WHEREAS**, the Board has determined that it will not be possible to issue general obligation bonds following a successful Election (the “**Bonds**”), unless the District shall first apply to the State Board of Education (the “**SBE**”) for a waiver of the limitations on bonded indebtedness set forth in Section 15270 of the Education Code applicable to the District, and the Board has determined that it is necessary and advisable for an application for such a waiver to be filed with the SBE in connection with the issuance of any Bonds under the Election; and

**WHEREAS**, the Board may elect to apply certain proceeds of sale of the Bonds, or certain other moneys available to the District, to establish a tax rate stabilization fund for the benefit of the taxpayers within the District, to act as a reserve for certain outstanding general obligation bonds of the District, under certain circumstances;

NOW, THEREFORE, THE BOARD OF EDUCATION OF THE WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT HEREBY RESOLVES, DETERMINES, AND ORDERS AS FOLLOWS:

**Section 1. Call for Election.** The Board hereby orders an election and submits to the electors of the District the question of whether general obligation bonds of the District shall be issued and sold in one or more series from time to time in the aggregate principal amount not to exceed \$270 million for the purpose of raising money for construction, reconstruction, rehabilitation and replacement of school facilities, including the furnishing or equipping of school facilities, or the acquisition or lease of real property for school facilities and paying costs incident thereto, as set forth more fully in a ballot proposition approved pursuant to Section 4 below.

**Section 2. Order of Election.** That this Resolution shall stand as the order to the Registrar of Voters to call the Election within the boundaries of the District on June 3, 2014. The Registrar of Voters is hereby requested, pursuant to Section 5322 of the Education Code, to take all steps to call and hold the Election in accordance with law and these specifications.

**Section 3. Election Date and Consolidation.** The date of the Election shall be June 3, 2014, and the Election shall be held solely within the boundaries of the District. Pursuant to Section 15121 of the Education Code and Part 3 (commencing with Section 10400) of Division 10 of the Elections Code, the Board of Supervisors of the County is requested to order consolidation of the school bond election ordered herein with such other elections as may be held on the same day in the same territory or in territory that is in part the same.

**Section 4. Purpose of Election; Ballot Proposition.** The purpose of the Election shall be for the voters of the District to vote on a proposition, a full copy of which is attached hereto as **Exhibit A** (the "**Bond Measure**"), containing the question of whether the District shall issue the Bonds for the purposes stated therein, together with the accountability requirements of Article XIII A and the requirements of Section 15272 of the Act. The Registrar of Voters is hereby requested to reprint **Exhibit A** hereof in its entirety in the voter information pamphlet to be distributed to voters. As required by Elections Code Section 13247, the abbreviated form of the Bond Measure to appear on the ballot is attached hereto as **Exhibit B**. The District's Superintendent (or designee) is hereby authorized and directed to make any changes to the text of the proposition or its abbreviated form as required to comply with the intent of this Resolution, the requirements of election officials, and requirements of law.

**Section 5. The Bonds.** (i) That the maturity of any bonds issued pursuant to the Bond Measure and under Chapter 1.5, Part 10, Division 1, Title 1 of the Education Code (commencing with Section 15264), as amended, and Article XIII A shall not exceed twenty-five (25) years and shall bear interest at a rate not to exceed the maximum legal interest rate per annum, and (ii) that the maturity of any bonds issued pursuant to the Bond Measure and under Article 4.5 of Chapter 3 of Part 1 of Division 2 of Title 5 of the California Government Code, as amended, applicable provisions of the Education Code and Article XIII A of the California Constitution shall not exceed forty (40) years, or, in the case of bonds, the interest on which is compounded, thirty (30) years, and shall bear or accrete interest at a rate not to exceed the maximum legal interest rate per annum.

**Section 6. Authority for Election.** The authority for ordering the Election is contained in the Act, Article XIII A, Section 1, paragraph (b), subsection (3) of the California Constitution, and Section 53506 *et seq.* of the California Government Code. The authority for the specification of this election order is contained in Education Code Section 5322.



**Section 7. School Facilities Projects.** A list of the specific school facilities projects (the “**Projects**”) to be funded from the proceeds of the Bonds is set forth in **Exhibit A** (the “**Project List**”). As required by Article XIII A, the Board hereby certifies that it has evaluated safety, class-size reduction, and information technology needs of the District in developing the list of school facilities projects set forth in **Exhibit A**. The District understands that the costs of administering the election, managing construction projects and costs of issuance of the Bonds shall be lawful charges against proceeds of sale of the Bonds.

**Section 8. Covenants of the Board Upon Approval of the Bonds by the Electorate.** As required by Article XIII A and Section 15278 of the Act, if fifty-five percent (55%) of the voters of the District voting on the Bond Measure approving the bonds, the Board shall:

- (a) Use the Bond proceeds only for the purposes of construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, as specifically set forth in **Exhibit A**, and not for any other purpose, including teacher and administrator salaries and other school operating expenses;
- (b) Conduct an annual, independent performance audit to ensure that the Bond proceeds have been expended only on the projects listed in **Exhibit A**;
- (c) Conduct an annual, independent financial audit of the proceeds from the sale of the Bonds until all of those proceeds have been expended for school facilities projects listed in **Exhibit A**;
- (d) Establish and appoint members to an independent citizens’ oversight committee in accordance with Sections 15278, 15280, and 15282 of the Act; and
- (e) Limit the amount of bonds issued pursuant to the Bond Measure so that the tax rate on taxable property located within the District required to repay such bonds will not, based on the District’s reasonable expectations, exceed \$60 per \$100,000 of assessed value.

**Section 9. Delivery of this Resolution.** The Clerk of this Board is hereby authorized and directed to send or hand-deliver a completed and certified copy of this Resolution to each of the Superintendent of Schools of the County, the Clerk of the Board of Supervisors of the County and the Registrar of Voters no later than March 7, 2014.

**Section 10. Tax Rate Statement; Ballot Argument.** The Superintendent, the President of the Board, or their designees, or any one of them is hereby authorized to execute the Tax Rate Statement relating to the Election, substantially in the form appended hereto as **Exhibit C** and any other required documents and to perform all other acts necessary to place the Bond Measure on the ballot. The Tax Rate Statement shall be delivered to the Registrar of Voters on or before March 7, 2014. Any member of this Board is hereby authorized to act as an author of or signer to any ballot argument prepared in connection with the Election, including a rebuttal argument.

**Section 11. Consolidation of Election; Election Services.** Pursuant to Section 5303 of the Education Code and Section 10002 of the Elections Code, the Board of Supervisors is requested

to permit the Registrar of Voters, or other appropriate officials of the County, to render all services necessary in connection with the Election including, but not limited to, publication of a Formal Notice of School Bond Election pursuant to Education Code 5363 and related law, the mailing of the sample ballot and tax rate statement (described in Section 9401 of the Elections Code), the opportunity to submit ballot arguments in connection with the Election, the canvassing and certification of the returns of the Election, and other ballot requirements pursuant to Education Code Section 15123, for which services the District agrees to reimburse the County as required by law.

**Section 12. Reimbursement of Qualified Project Expenditures.** The Board presently intends and reasonably expects to have tax-exempt obligations (the “**Obligations**”) issued on its behalf no later than 18 months of (i) the date of the expenditure of moneys, if any, made with respect to the Projects outlined in the Project List or (ii) the date upon which the Project for which expenditures are to be reimbursed is placed in service or abandoned, whichever is later (but in no event more than 3 years after the date the original expenditure of such moneys is paid), and to allocate an amount of the proceeds thereof to reimbursable expenditures in connection with the Project, as may be qualified under the provisions of Section 1.150-2 of the Treasury Regulations of the Internal Revenue Service (the “**Reimbursable Expenditures**”). All of the Reimbursable Expenditures covered by this Section were paid not earlier than 60 days prior to the date of this Resolution or constitute preliminary expenditures within the meaning of Section 1.150-2 of the Treasury Regulations. The Board intends to allocate within 30 days after the date of issue of the Obligations, the proceeds therefrom to reimburse the District for the Reimbursable Expenditures. With respect to the proceeds of the Obligations allocated to reimburse the District for prior expenditures, the Board hereby covenants not to employ an abusive device under Treasury Regulation Section 1.148-10, including using within one year of the reimbursement allocation, the funds corresponding to the proceeds of the Obligations in a manner that results in the creation of replacement proceeds, as defined in Treasury Regulation Section 1.148-1, of the Obligations or another issue of tax-exempt obligations.

The above provisions are made solely for the purpose of establishing compliance with the requirements of said Section 1.150-2 of the Treasury Regulations. This provision does not bind the District or the Board to make any expenditure, incur any indebtedness, or proceed with the financing, acquisition or construction of the Projects.

**Section 13. Bond Counsel.** That the Board hereby approves the retention of Nixon Peabody LLP as bond counsel in connection with the Election and subsequent issuances of Bonds.

**Section 14. Effective Date.** This Resolution shall take effect immediately upon its adoption.

**ADOPTED, SIGNED AND APPROVED** this 26th day of February, 2014.

**BOARD OF EDUCATION OF WEST CONTRA  
COSTA UNIFIED SCHOOL DISTRICT**

By: \_\_\_\_\_  
President

Attest:

By: \_\_\_\_\_  
Secretary

STATE OF CALIFORNIA            )  
  )  
CONTRA COSTA COUNTY        )           ss.

I, \_\_\_\_\_, do hereby certify that the foregoing is a true and correct copy of Resolution No. 60-1314, which was duly adopted by the Board of Education of the West Contra Costa Unified School District at a regular meeting thereof held on the 26<sup>th</sup> day of February, 2014, in Richmond, California, in a location freely accessible to the public, at which a quorum was present and acting throughout, and that it was so adopted by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTENTIONS: \_\_\_\_\_

By: \_\_\_\_\_  
Secretary

## EXHIBIT A

### FULL TEXT BALLOT PROPOSITION OF THE WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT BOND MEASURE ELECTION FOR JUNE 3, 2014

“To repair and upgrade neighborhood schools, shall West Contra Costa Unified School District improve earthquake safety, seniors and handicap accessibility; update science, computer labs, remove asbestos, hazardous materials and lead-based paint; bring all West County schools up to the same quality; meet fire codes, construct, equip facilities, thereby increasing public safety, by issuing \$270 million of bonds the State cannot take away, at legal rates, with strict citizens oversight, annual audits and no money for pensions or administrators’ salaries?”

### PROJECT LIST

The Board of Education of the West Contra Costa Unified School District certifies that it has evaluated the District’s urgent and critical school needs, including school and student safety issues, enrollment trends, class size reduction, overcrowding, energy efficiency and computer technology, seismic safety requirements, and aging, outdated or deteriorating school buildings in developing the scope of projects to be funded. In developing the scope of projects, the District has prioritized the key health and safety and sustainability needs so that the most critical school site needs are addressed. The Board conducted an evaluation at all school sites and received public input in developing the scope of school projects to be funded. This input concluded that if these needs were not addressed now, the problem would only get worse and more expensive to address in the future. In approving this Project List, the Board of Education determines that the District should:

- (i) Provide classrooms for job training to prepare students for the workforce.
- (ii) Upgrade classrooms to support core academics, math, science, reading and writing.
- (iii) Upgrade computer and science labs.
- (iv) Qualify for millions of dollars of State matching funds.
- (v) Provide good after-school program space so students are safe from gangs and drugs.
- (vi) Adhere to specific **FISCAL ACCOUNTABILITY** safeguards such as:
  - (a) Sacramento will be prohibited from taking any of the funds raised.
  - (b) All expenditures will be subject to annual independent financial and performance audits.
  - (c) No funds will be used for administrators’ salaries and pensions.
  - (d) All funds will be subject to local control and provide improvements at all of our schools.

- (e) An independent citizens' oversight committee will be appointed to ensure that all funds are spent only as authorized.

(vii) Follow the District's successful program of applying to the California Department of Education for a **Waiver of Bonding Capacity**, so that the needs of District students for high quality educational facilities can be satisfied.

(viii) Develop a method of using proceeds of the Bonds in part to provide for a **tax rate stabilization fund** with the County, to insure that target tax rates for property owners within the District on this and prior Bond Measures supporting the Bond Construction Program of the District can be stabilized.

The Project List includes the following types of projects:

### **School Renovation, Repair and Upgrade Projects**

**Goal and Purpose:** Schools will benefit from the renovation, repair and upgrade of deteriorating, outdated school buildings, science labs, classrooms, computer learning centers and school libraries and equipment, to ensure compliance with handicap accessibility requirements and that students and teachers have the resources they need to excel and students be prepared for college and the real world when they graduate:

- Repair, upgrade and replace worn-out leaking roofs.
- Replace existing wiring systems to meet current electrical and accessibility codes.
- Additional electrical service capacity to relieve currently overloaded electrical systems.
- Replace existing water, sewer, plumbing and storm drain systems to meet current codes, including the elimination of lead-containing fixtures.
- Upgrade aging and deteriorating school restrooms.
- Provide improved, upgraded computer labs.
- Upgrade and equip classrooms, science labs and multipurpose rooms and facilities.
- Comply with Federal and State-mandated Americans with Disabilities Act (ADA) handicap accessibility requirements.
- Replace old, portable classrooms with permanent structures.
- Upgrade aging schools and replace portable classrooms with new construction.

### **School Health, Safety and Security, Earthquake Safety and Energy Efficiency School Projects**

**Goal and Purpose:** To ensure that the learning process is not interrupted by gangs and drugs or juvenile crime, to maintain healthy students and improve daily attendance, to help attract

**and retain excellent teachers, and to deter vandalism, schools and school sites will benefit from a variety of health and safety projects, such as:**

**Student Safety**

- Install new security systems, such as security (surveillance) cameras, outdoor lighting, fencing, gates and classroom door locks.
- Remove or abate asbestos, lead paint, mold and other hazardous materials.
- Upgrade emergency communication systems.
- Fire alarm systems upgraded to automatic systems, repair and replace fire safety equipment, add sprinklers and fire safety doors.
- Upgrades to schools to meet handicap accessibility requirements.
- Replace/upgrade existing signage, bells and clocks.
- Upgrade and replace playground equipment to meet current safety standards.

**Energy Efficiency—Returning Savings to the Classrooms.**

- Install energy-efficient systems, including solar panels, energy-efficient heating, ventilation and cooling systems for cost savings and energy efficiency.
- Replace existing window systems with energy-efficient systems.
- Replace older ceilings, heating, ventilation, air conditioning and lighting systems with building code compliant, energy-efficient systems.

**District-Wide Wiring and Instructional Technology  
For Effective Learning Environment and Job Training Projects**

**Goal and Purpose: To upgrade computer technology, improve both current instruction methods and to expand job training programs by applying modern technology infrastructure:**

- Update computer labs.
- Provide and maintain upgraded technology, data and communication equipment.
- Upgrade and expand wireless systems, telecommunications, Internet access.
- Upgrade and replace computers, hardware and software systems.
- Upgrade and replace classroom furniture, equipment and instructional aids.
- Upgrade media and audio/visual equipment.

- Expand bandwidth to allow students greater access to the Internet.
- Construct new facilities and install up-to-date learning technology and equipment to be used in job and teacher training programs.

Listed building, repair and rehabilitation projects and upgrades will be completed as needed. Each project is assumed to include its share of furniture, equipment, architectural, engineering, and similar planning costs, program/project management, staff training expenses and a customary contingency for unforeseen design and construction costs. In addition to the listed repair and construction projects stated above, the Project List also include the acquisition of a variety of instructional, maintenance and operational equipment, including the reduction or retirement of outstanding lease or capital facility note obligations including interim funding incurred to advance fund projects from the Project List, or the reimbursement of the District for such reduction, **as well as the refinancing of outstanding general obligation bond debt of the District and creation of a fund to stabilize tax rates levied on District property owners**, the construction of new classrooms or schools, if necessary to serve students, the acquisition of land, the construction or remodeling of administrative support spaces, installation of signage and fencing, the payment of the costs of preparation of all facility planning, facility assessment reviews, facility master plan updates, environmental studies (including environmental investigation, remediation and monitoring) and construction documentation, gymnasium upgrades, temporary housing of dislocated District activities caused by bond projects and the completion of projects authorized under the District's Measure L, Measure M, Measure D, Measure J and 2010 Measure D projects, previously approved by the voters. The upgrading of technology infrastructure includes, but is not limited to, computers, LCD projectors, portable interface devices, servers, switches, routers, modules, sound projection, card access systems, laser printers, digital white boards, document projectors, upgraded voice-over IP, call manager and network security/firewall, and other miscellaneous equipment and software.

In addition to the projects listed above, the repair and renovation of each of the existing school facilities may include, but not be limited to, some or all of the following: renovation of student and staff restrooms; repair and replacement of heating, air conditioning and ventilation systems; upgrade of facilities for energy efficiency and to reduce fire risks; repair and replacement of worn-out and leaky roofs, windows, walls doors and drinking fountains; demolition of unsafe schools or facilities; installation wiring and electrical systems to safely accommodate computers, technology and other electrical devices and needs; repair and replacement of fire alarms, emergency communications and security systems; resurfacing or replacing of hard courts, turf and irrigation systems and campus landscaping; build/renovate new gymnasiums, pools and high school stadiums; upgrade or replace inadequate libraries, multi-purpose rooms, kitchens and administrative spaces; upgrade locker rooms; install lunch shelters, artificial turf, and bleachers; improve sanitation and recycling; expand parking; build new stadium; install interior and exterior painting and floor covering; replacement of portable classrooms; installation of covered walkways or shelters; addition of administrative support spaces; upgrade school site kitchens; repair rubberized play apparatus surfaces; demolition; and construction of various forms of storage and support spaces; upgrade classrooms; repair, upgrade and install interior and exterior lighting systems; replace water and sewer lines and other plumbing systems; and replace outdated security fences and security systems.

The allocation of bond proceeds will be affected by the District's receipt of State matching funds and the final costs of each project. In the absence of State matching funds, which the District will aggressively pursue to reduce the District's share of the costs of the projects, the District may not be able to complete all of the projects listed above. Some projects may be undertaken as joint use projects in cooperation with other local public or non-profit agencies. Possible joint-use projects could include any of the following at various school sites: libraries, gymnasiums, athletic facilities, daycare centers, preschools and career technology centers. The budget for each project is an estimate and may be affected by factors beyond the District's control.

The final cost of each project will be determined as plans are finalized, construction bids are awarded and projects are completed. Based on the final costs of each project, certain projects described above may be delayed or may not be completed. Demolition of existing facilities and reconstruction of facilities scheduled for repair and upgrade may occur, if the Board determines that such an approach would be more cost-effective in creating more enhanced and operationally efficient campuses. Necessary site preparation/restoration may occur in connection with new construction, renovation or remodeling, or installation or removal of relocatable classrooms, including ingress and egress, removing, replacing or installing irrigation, storm drain, and utility lines, trees and landscaping, relocating fire access roads, and acquiring any necessary easements, licenses, or rights of way to the property. Proceeds of the bonds may be used to pay or reimburse the District for the cost of District staff when performing work on or necessary and incidental to bond projects. Bond proceeds shall only be expended for the specific purposes identified herein. In order to fund the projects and prior to the issuance of any bonds authorized by this Measure, the District may seek one or more waivers from the State Board of Education of the applicable bonding limit requirements of Section 15106 of the Education Code. The District shall create an account into which proceeds of the bonds shall be deposited and comply with the reporting requirements of Government Code § 53410.

**NO ADMINISTRATOR SALARIES.** PROCEEDS FROM THE SALE OF THE BONDS AUTHORIZED BY THIS PROPOSITION SHALL BE USED ONLY FOR THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, REHABILITATION, OR REPLACEMENT OF SCHOOL FACILITIES, INCLUDING THE FURNISHING AND EQUIPPING OF FACILITIES, AND NOT FOR ANY OTHER PURPOSE, INCLUDING PENSIONS, TEACHER AND SCHOOL ADMINISTRATOR SALARIES AND OTHER OPERATING EXPENSES.

**FISCAL ACCOUNTABILITY.** THE EXPENDITURE OF BOND MONEY ON THESE PROJECTS IS SUBJECT TO STRINGENT FINANCIAL ACCOUNTABILITY REQUIREMENTS. BY LAW, PERFORMANCE AND FINANCIAL AUDITS WILL BE PERFORMED ANNUALLY, AND ALL BOND EXPENDITURES WILL BE MONITORED BY AN INDEPENDENT CITIZENS' OVERSIGHT COMMITTEE (EDUCATION CODE SECTION 15278 *ET SEQ.*) TO ENSURE THAT FUNDS ARE SPENT AS PROMISED AND SPECIFIED. THE CITIZENS' OVERSIGHT COMMITTEE MUST INCLUDE, AMONG OTHERS, REPRESENTATIVES OF A *BONA FIDE* TAXPAYERS ASSOCIATION, A BUSINESS ORGANIZATION AND A SENIOR CITIZENS ORGANIZATION. NO DISTRICT EMPLOYEES OR VENDORS ARE ALLOWED TO SERVE ON THE CITIZENS' OVERSIGHT COMMITTEE.



## **EXHIBIT B**

### **BOND MEASURE**

(Abbreviated Form)

#### **WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT HANDICAP ACCESSIBILITY AND CLASSROOM SAFETY UPDATE MEASURE**

<b>“To repair and upgrade neighborhood schools, shall West Contra Costa Unified School District improve earthquake safety, seniors and handicap accessibility; update science, computer labs, remove asbestos, hazardous materials and lead-based paint; bring all West County schools up to the same standard; meet fire codes, construct, equip facilities, thereby increasing public safety, by issuing \$270 million of bonds the State cannot take away, at legal rates, with strict citizens oversight, annual audits and no money for pensions or administrators’ salaries?”</b>	<b>BONDS – YES</b>
	<b>BONDS – NO</b>

## **EXHIBIT C**

### **Form of Tax Rate Statement**

#### **TAX RATE STATEMENT FOR MEASURE \_\_**

An election will be held in the West Contra Costa Unified School District (the "District") on June 3, 2014, to authorize the sale of up to \$270,000,000 in bonds of the District to finance school facilities as described in the proposition. If the bonds are approved, the District plans to issue the bonds in a number of series over a period of time. Principal of and interest on the bonds will be payable from the proceeds of tax levies made upon the taxable property in the District. The information presented in numbered paragraphs 1-3 below is provided in compliance with Sections 9400-9404 of the Elections Code of the State of California.

1. The best estimate of the tax which would be required to be levied to fund this bond issue during the first fiscal year after the sale of the first series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is 1.00 cents per \$100 (\$10.00 per \$100,000) of assessed valuation in fiscal year 2015-16
2. The best estimate of the tax rate which would be required to be levied to fund this bond issue during the first fiscal year after the sale of the last series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is 3.60 cents per \$100 (\$36.00 per \$100,000) of assessed valuation in fiscal year 2025-26.
3. The best estimate of the highest tax rate which would be required to be levied to fund this bond issue, based on estimated assessed valuations available at the time of filing of this statement, 3.60 cents per \$100 (\$36.00 per \$100,000) of assessed valuation in fiscal year 2017-18.

The tax rate estimates in this statement reflect the District's current projection of future assessed values and of future debt service payments, which are based on the District's reasonable assumptions. Approval of the ballot measure authorizes the issuance of bonds under certain conditions and for certain purposes but is not approval of a specific tax rate or a specific plan of bond issuance. The actual tax rates and the years in which they will apply may vary from those presently estimated, due to variations from these estimates in the timing of bond sales, the amount and repayment structure of bonds sold, market interest rates at the time of each sale, and actual assessed valuations over the term of repayment of the bonds. The dates of sale and the amount and repayment structure of bonds sold at any given time will be determined by the District based on its need for construction funds, its intention to meet the tax rate targets stated above, the legal limitations on bonds approved by a 55% vote and other factors. The actual interest rates at which the bonds will be sold will depend on the bond market at the time of each sale. Actual future assessed valuation will depend upon the amount and value of taxable property within the District as determined by the County Assessor in the annual assessment and the equalization process.

Voters should note that the estimated tax rates are based on the *ASSESSED VALUE* of taxable property in the District as shown on the County's official tax rolls, not on the property's market value. Property owners should consult their own property tax bills to determine their property's assessed value and any applicable tax exemptions.

Dated: February 26, 2014

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Bruce Harter, Superintendent  
West Contra Costa Unified 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:** February 26, 2014

**From:** Bruce Harter, Superintendent

**Agenda Item:** G.1

**Subject:** Strategic Plan / Local Control Accountability Plan

**Background Information:**

West Contra Costa Unified is in a unique position in implementing Local Control Funding Formula (LCFF) for the 2014-15 school year. During the time that the Legislature was shaping the LCFF in 2013, the District was engaged in developing the 2014-2019 strategic plan. In October of 2013, the Governor signed the legislation that authorized the LCFF and its accountability mechanism, the Local Control Accountability Plan (LCAP). In November 2013, the WCCUSD Board of Education accepted the 2014-19 Strategic Plan report. The LCAP requires that the Board approves a three-year plan that includes goals, activities, and budget that addresses eight state priorities areas listed in the statute. The strategic plan includes six overarching strategies, 35 objectives and 134 tactics. While there's a great deal of alignment between the state priorities and the strategic plan strategies, there are areas in each that are not addressed in the other. The opportunity and challenge is to integrate the LCAP with the strategic plan report.

In discussing the first draft of the integrated plan, the Board will be able to provide feedback and direction in shaping the plan that will go before the District Local Control Accountability Plan Parent Committee in March and April this year. The Parent Committee will review the plan and advise the Board on changes to better align the plan with the parameters of the LCAP and the strategic plan report. The plan will then be revised and brought back to the Board for public hearing in May and ultimately for adoption with the 2014-15 budget in June.

**Recommendation:**

That the Board review the report on the integration of the Local Control Accountability Plan with the Strategic Plan and provide feedback and direction for developing the plan that will go before the District Local Control Accountability Plan Parent Committee.

**Fiscal Impact:** Positive impact brought about by the LCFF over the next seven years.

**DISPOSITION BY BOARD OF EDUCATION**

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_

Not Approved \_\_\_\_\_

Tabled \_\_\_\_\_