

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
March 12, 2014

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
MEETING AGENDA
MARCH 12, 2014**

BOARD AGENDA PACKETS AND INFORMATION:

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

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

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

VIEWING THE BOARD MEETINGS:

Television:

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

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

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

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

ATTENDING BOARD MEETINGS:

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

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

Time: The **Board of Education's Open Session meeting will begin at 6:30 PM.** The Board will convene at **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.

"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 the Youth Commission**
- B.5 Report/Ratification of Closed Session**
- * **B.6 Agenda Review and Adoption** (Public Comment)
- * **B.7 Minutes:** February 12, 2014; February 26, 2014
- * **B.8 WCCUSD Public Comment**

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

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

C. BUSINESS ITEMS

CONSENT ITEMS (Routine Matters)

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

***CI C.1 Grants/Awards/Agreements**

Comment:

Formal action is requested from the Board of Education to accept the grants/awards/agreements, as detailed, dated March 12, 2014.

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 March 12, 2014.

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 2013-2014 school year are summarized, dated March 12, 2014.

Recommendation:
Recommend Approval

Fiscal Impact:
Additional revenue for schools

***CI C.4 Summary of Payroll and Vendor Warrant Reports**

Comment:
The summaries of Payroll and Vendor Warrants issued during the month of February 2014 are provided.

Total of payroll warrants (February 2014):	\$	9,399,042
Total of vendor warrants (February 2014):	\$	6,668,901

Recommendation:
Recommend approval of the payroll and vendor warrant reports

Fiscal Impact:
As noted above

***CI C.5 Adoption of Resolution No. 65-1314: 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 Anita Noyola. Staff recommends replacement of the stale dated warrant.

Recommendation:
Recommend approval to replace the outdated warrant

Fiscal Impact:
None

***CI C.6 Resolution No. 61-1314 Directing Preparation of Annual Engineer's Report - MRAD**

Comment:

In order to make a determination of improvements and any substantial changes proposed to be made to the existing improvements of the district's public recreational facilities, a resolution directing preparation of an annual engineering report is required, including a list of schools for which the improvements will be made during the fiscal year 2014-2015.

Staff recommends approval of this resolution for purposes of the Maintenance Recreation and Assessment District in accordance with Sections 22565 et seq., of the Landscaping and Lighting Act of 1972, (Streets and Highways Code Section 22565 et seq.). Once the report has been completed, it will be presented to the Board for preliminary approval.

Recommendation:

Recommend approval of this resolution for MRAD

Fiscal Impact:

Revenue for MRAD Fund

***CI C.7 Certification of Athletic Coaches – Winter Sports**

Comment:

Under California Education Code Section 5593, all athletic team coaches are required to be certified annually. Topics covered during the training include first aid, CPR, coaching techniques, adolescent psychology (as it relates to sports participation), and ethics. The lists of coaches from each of the high school for fall sports are provided

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.8 Board Policy 5131 "Conduct", Policy 5137 "Positive School Climate", Policy 5145.7 "Sexual Harassment", Policy 5145.3 "Nondiscrimination / Harassment" and Policy 5145.9**

Comment:

The K-12 Operations Department has worked to revise Board Policy 5131 "Conduct", Policy 5137 "Positive School Climate", Policy 5145.7 "Sexual Harassment", Policy 5145.3 "Nondiscrimination / Harassment" and Policy 5145.9; specifically to meet the federal and state requirements.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.9 Resolution No. 66-1314: California Adult Education Week – March 10-14, 2014**

Comment:

The administration, teachers and students of the West Contra Costa Adult School are recognized for their efforts and accomplishments.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.10 Resolution No. 62-1314: Arts in Education Month – March 2014**

Comment:

This resolution proclaims the month of March as Arts Education Month and encourages all educational communities to celebrate the arts with meaningful student activities and programs that demonstrate learning and understanding in the visual and performing arts.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.11 Resolution No. 63-1314: Women's History Month – March 2014**

Comment:

This resolution proclaims the month of March as Women's History Month and encourages all educational communities to commemorate this time with appropriate instructional activities.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.12 Ratification and Approval of Engineering Services Contracts**

Comment:

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

Recommendation:

Ratify and approve contracts

Fiscal Impact:

Total for this action: \$1,935,875. Funding sources Fund 40, Measure J Bond and Measure D-2010 Bond.

***CI C.13 Ratification and Approval of Negotiated Change Orders**

Comment:

Staff is seeking ratification of Change Orders on the following current District construction projects: Pinole Valley HS Baseball Park; De Anza HS Campus Replacement; Downer ES Restroom Repairs; Helms MS Sports Field & Landscaping; Gompers/LPS New Schools; Kennedy HS Science Wing Renovation; Ohlone ES Phase I New Classroom. 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 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:

Approve negotiated Change Orders as noted

Fiscal Impact:

Total approval by this action: \$625,729.35

***CI C.14 Citizens' Bond Oversight Committee (CBOC) Appointment: Bill Kelly by Hercules City Council**

Comment:

The City Council of Hercules has recommended that Bill Kelly be appointed to the Citizen's Bond Oversight Committee (CBOC).

Recommendation:

Approve appointment as noted

Fiscal Impact:

None

***CI C.15 Citizens' Bond Oversight Committee (CBOC) Appointment: Tim Warner be reappointed by Board Member Madeline Kronenberg**

Comment:

Board Member Madeline Kronenberg has recommended Mr. Tim Warner be reappointed to the Citizens' Bond Oversight Committee.

Recommendation:

Recommend Approval

Fiscal Impact:
None

***CI C.16 El Cerrito High School Stadium Project – Request to Substitute Listed Subcontractor Pursuant to an Inadvertent Clerical Error – Resolution No. 64-1314**

Comment:

On November 5, 2013, Wright Contracting, Inc. (“Wright”) submitted its bid to the District to perform work for the El Cerrito High School Stadium Project. The following day, Wright informed the District that it had made a clerical error and inadvertently listed Crusader Fence & Iron (“Crusader Fence”) as the fencing subcontractor when it had intended to list Cyclone Fence & Iron (“Cyclone Fence”). Crusader Fence objected to the Request and the District timely held a substitution hearing (“Substitution Hearing”).

At the Substitution Hearing, the District considered evidence presented by Wright. Crusader Fence did not present any written evidence prior to or at the Substitution Hearing.

Thus the evidence presented and considered by the District supports approval of a substitution of a listed subcontractor pursuant to Public Contract Code section 4107 (a) (5), based on an inadvertent clerical error.

Recommendation:

Approve the request of Wright Contracting, Inc., to substitute Cyclone Fence & Iron for Crusader Fence Co., Inc. and Resolution No. 64-1314.

Fiscal Impact:

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

***CI C.17 Right of Entry Agreement between WCCUSD and Pinole Valley Community Church for Temporary Parking Purposes**

Comment:

In connection with the District’s modernization of the Pinole Valley High School site (“School”), the District will need to provide off-site parking for School staff. The Pinole Valley Community Church (PVCC) owns property (“Property”) that is adjacent to the Site and is willing to allow the District to use the Property to provide temporary parking for the School staff during the demolition and reconstruction of the School.

PVCC has agreed to allow the District to enter upon the Property, on a temporary basis, for the purpose of constructing and using a temporary staff parking lot. Once constructed, the District will have access to the parking lot for a term of five (5) years. PVCC is providing the District access to the Property at no cost. The District will be responsible for cleaning and maintaining the parking lot and installing proper signage limiting the use of the parking lot to School staff. The District’s use of the parking lot will have priority during the hours of 7:00 am to 7:00 pm, Monday through Friday.

Recommendation:

Approve the Right of Entry Agreement between the WCCUSD and Pinole Valley Community Church for the District's temporary use of the property for a temporary parking lot during the demolition and re-construction of the Pinole Valley High School Site.

Fiscal Impact:

No fiscal impact or implications associated with the approval of the Right of Entry.

***CI C.18 Right of Entry Agreement between WCCUSD and Iglesia De Jesucristo Palabra Miel Church for Temporary Parking Purposes (Administration Building Site)**

Comment:

The Iglesia De Jesucristo Palabra Miel Church ("Church") is in need of additional parking space for its employees, members, guests and invitees. The Church has requested that the District allow use of the parking lot located at the District's Administration Building site located at 1108 Bissell Avenue ("District Site"). The District intends to allow the Church access to the District Site in its "As Is" condition and the District assumes no liability for loss or damage to Church arising or caused by its use of the District Site.

The Church's use of the District Site for parking will not interfere with the District's use of the District Site and the Church is required to take all measures reasonably necessary to avoid damage and protect persons and property when using the District Site. The Church is required to perform or provide cleaning, maintenance and removal of litter and debris after each use of the Parking. The Church is prevented from using the District Site for general public parking purposes and shall not collect any rate or charge for use of the District Site. The Church is also required to obtain commercial general liability insurance with limits of liability of not less than Two Million Dollars (\$2,000,000). The term of the Right of Entry is one (1) year.

Recommendation:

Approve the Right of Entry Agreement between the WCCUSD and Iglesia De Jesucristo Palabra Miel Church for the Church's temporary use of the parking lot located at the District's Administration Building Site.

Fiscal Impact:

No fiscal impact or implications associated with the approval of the Right of Entry.

***CI C.19 Cellular Service for Tablets**

Comment:

Our District ERATE consultant, Infinity Communications and Consulting, Inc, prepared plans and specifications for the project. Scope of work includes providing cellular and data services to tablets. Currently, we are using both AT&T and Sprint to provide these services. ERATE rules state that we have only one provider.

The District solicited competitive bids for the project. The RFP was advertised on January 11, 2014 and closed February 14, 2014. They are as follows: Sprint \$59.99 per month; Verizon \$49.99 per month; AT&T \$39.99 per month; T-Mobile \$38.25 per month. Staff extensively checked coverage throughout the district and T-Mobile had the best coverage.

Recommendation:

Ratify the award to the lowest responsive, responsible bidder: T-Mobile

Fiscal Impact:

Based on the number of tablets purchased to date, the cost would be \$29,835 per year. With ERATE and CTF, the cost to the District would be \$3,132.68. Funded from General Funds.

***CI C.20 Hosted VoIP to standardize and upgrade communication systems for all sites**

Comment:

Our District ERATE consultant, Infinity Communications and Consulting, Inc, prepared plans and specifications for the project. Scope of work includes providing a Cisco VoIP solution for our entire District. Our present system is at end-of-life and only covers a portion of the District. The remainder of the District utilizes a variety of other systems. This upgraded solution will provide the District with the latest in communication technology. For example, voicemail will be integrated with email.

The District solicited competitive bids for the project. The RFP was advertised on January 11, 2014 and closed February 14, 2014. Four telecommunication companies submitted bids with pricing based on a five-year contract. They are as follows: AT&T 415,699.08 per year with one time installation fees of \$65,212.55 (Erate eligible) and one time installation fees of \$62,246.58 (Erate ineligible); Broadcore \$530,038.68 per year with \$38,681.40 one time installation fees; NWN \$716,576.76 per year with one time installation fees of \$75,000; Jive \$792,420 per year with one time installation fees of \$148,650.00. 4. AT&T took exception to ALL RFP terms and conditions and wanted to negotiate contract terms and conditions at a later date which made them non-responsive. Broadcore was also deemed nonresponsive as they also took exception to ALL RFP terms and conditions. In addition, they did not provide for a way to incorporate our existing infrastructure into their plan. Their solution did not include the management and maintenance of our current Cisco phone system. Of the two companies remaining, NWN was the lowest responsive responsible bidder.

Recommendation:

Ratify the award to the lowest responsive, responsible bidder: NWN

Fiscal Impact:

\$75,240.56 per year after ERATE and CTF discounts and \$15,750 installation fees for the first year. Funded from General Funds.

***CI C.21 Ten Gbps fiber WAN to connect all sites to 1300 Potrero Ave., Richmond, CA**

Comment:

Our District ERATE consultant, Infinity Communications and Consulting, Inc, prepared plans and specifications for the project. Scope of work includes building a private 10 Gbps fiber network connecting all district sites to our Main Distribution Center at 1300 Potrero Ave., Richmond, CA. This is a network which should provide us the necessary bandwidth we need for a minimum of 10 years.

The District solicited competitive bids for the project. The RFP was advertised on January 11, 2014 and closed February 14, 2014. Five telecommunication companies submitted bids with pricing based on a five-year contract. They are as follows: Conterra \$1,749,522.72 per year; AT&T \$1,836,732 per year

with \$386,643.00 one-time installation fees; Sunesys \$2,395,806.72 per year; Zayo \$2,624,743.20 per year; Comcast \$2,948,156.64 per year.

The lowest responsive, responsible bidder is Conterra.

Recommendation:

Ratify the award to the lowest responsive, responsible bidder: Conterra

Fiscal Impact:

\$183,699.89 per year after ERATE and CTF discounts. Funded from General Funds.

***CI C.22 Approval of Board Members Travel**

Comment:

Board Bylaw 9250 stipulates members of the board shall be reimbursed for allowable expenses incurred in attending any meetings or in making any trips on official business of the school district when so authorized in advance by the Board of Education. (Education Code 35044). Board members have expressed interest in attending the following:

- CASH 35th Annual Conference on School Facilities, Sacramento, CA February 24-26, 2014
- NSBA Annual Conference, New Orleans, LA April 5-7, 2014
- Full Service Community Schools Conference, Cincinnati, OH April 9-11, 2014
- Boston Public Schools Visitation, April 2014
- CAST, Wakefield MA April 10-11, 2014

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

Recommendation:

Recommend Approval

Fiscal Impact:

General Fund

***CI C.23 Approval of District Local Control Accountability Plan Parent Committee Nominees**

Comment:

On January 29, 2014, the Board approved the guidelines for the selection of the members of the District Local Control Accountability Plan Parent Committee. Letters seeking recommendations for nominees were sent to the heads of each organization listed. Principals solicited parent participants through flyers, phone calls and at School Site Councils and other meetings. The application was also posted on the District's web site. Each high school attendance area family of principals met to review the applications received at their individual schools and agreed by consensus on the nominees presented below. High school principals also nominated sophomore and junior level students to serve as ex officio members.

Recommendation:

That the Board approves the membership of the District Local Control Accountability Plan Parent Committee for 2014 and 2015.

Members nominated by high school families include: Nora Campos and Judith Hollenberger Dunlap from the DeAnza Family, Jessica Jones and Maria Resendiz from the El Cerrito Family, Maria Banares and Monica Pacini from the Hercules Family, Juanita Towns and Crisanta Villalobos from the Kennedy Family, Mariam Alam and Graciela Lauren from the Pinole Family, Gloria Munoz and Maribel Lopez from the Richmond Family, and Maria Segura from Alternative Education.

Members nominated by community organizations include: Carolyn Day Flowers from the Bayside Council of PTA's, Raquel Donoso from Concilio Latino, Sonia Bustamonte from the Community Budget Advisory Committee, Lusi Timoteo from Contra Costa Interfaith Supporting Community Organization, Miriam Stephanie Sequira from the Multilingual District Advisory Committee, Martha F. Nieto from North Richmond Network, Shelly Andre from Public Employees Union Local 1, Danielle Storer from the Special Education Community Advisory Committee, Xavier Abrams from the Strategic Plan Steering Committee, Heather Best from United Teachers of Richmond, and Greg Santiago from West Contra Costa Administrators Association.

Student members nominated by their principals include: Angeline Quilici from DeAnza, Khalil Lowry from El Cerrito, Oscar Uribe Garrido from Gompers, Adrianna Sosa from Hercules, Aliza Johnson from Kennedy, Sarah Cha from Middle College, Marilyn Juliana Demesa from North Campus, Jonathan Hinojosa from Pinole Valley, and Cesar Munoz from Richmond High.

Fiscal Impact:
None

D. AWARDS, RECOGNITIONS, AND REPORTS

*** D.1 Scholar-in-Residence Program Update**

Comment:

Dr. AnnMarie Darrow Baines, Assistant Professor of Secondary Education at San Francisco State University, is West Contra Costa's Scholar-in-Residence for the 2013-2014 school year.

Dr. Baines has been working intensively with the teachers at Portola Middle School, and the five other WCCUSD middle schools as part of an action research project focused on the efficacy of Universal Design for Learning. At the beginning of the school year, Portola teachers participated in a three-day training around Universal Design for Learning (UDL). UDL asks teachers to anticipate what barriers to learning will be present during a lesson for students and to provide strategies and processes for overcoming those barriers in lesson planning. Throughout the school year, Portola teachers have continued to work with Dr. Baines through systematic collaboration meetings and coaching. Dr. Baines is also collecting data on middle school teacher practices district-wide through interviewing principals and observing in classrooms.

Finally, Dr. Baines is also working with District staff to organize and plan a conference for District middle school teachers. Its purpose is to facilitate communication about the current activities and realities across all six middle schools by discussing common goals and collaborating around shared issues. The event will take place on Saturday, April 26th from 9 to 2 at DeJean Middle School.

Dr. Baines will report on her progress as the WCCUSD Scholar-in-Residence.

Recommendation:
For Information Only

Fiscal Impact:
For Information Only

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

*** E.1 Standing Reports**

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

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

*** E.2 Superintendent’s Report**

F. ACTION ITEMS

*** F.1 Approval of Agreement with Public Employees, Local One / AB1200 Public Disclosure of Collective Bargaining Agreement with Local One**

Comment:

District and Local One have reached tentative agreement through collective bargaining for the 2014-2015 school year. A copy of the Tentative Agreement is provided. Local One has ratified the Agreement. It is now presented to the Board of Education for ratification.

School districts are required to publicly disclose the provisions of all collective bargaining agreements before they ratify an agreement. This ensures that the public is aware of the details associated with a tentative collective bargaining agreement before it becomes binding on the district. A summary of the financial implications associated with the agreement is provided. This summary will be provided to the County Office of Education.

The Board will receive public comment on the proposed contract changes and salary adjustments before the Board votes to ratify the Agreement.

We want to take this occasion to thank the representatives of both groups for their time and effort in reaching this accord.

Recommendation:

Recommend that the Board of Education ratify the Tentative Agreement between the West Contra Costa Unified School District and Local One.

Fiscal Impact:

\$1,896,108.00 General Fund

* **F.2 2014 CSBA Delegate Assembly Election**

Comment:

The California School Boards Association (CSBA) has issued its ballot for candidates for Delegate Assembly, Subregion 7-A (Contra Costa County), to serve a two-year term beginning April 1, 2014 to March 31, 2016. The ballot provides for the Board to vote for five candidates.

The Board of Education is recommending the election of Elaine Merriweather as representative from Subregion 7-A (Contra Costa County) for the CSBA 2014 Delegate Assembly.

Recommendation:

Cast ballot for Subregion 7-A representatives to the CSBA 2013 Delegate Assembly

Fiscal Impact:

None

* **F.3 Consideration for Partnership with Kensington Police Protection and Community Services District (KPPCSD)**

Comment:

Tony Lloyd of the Kensington Police Protection and Community District has requested that the West Contra Costa School District consider making a direct contribution to that organization to support the costs of a half-time police officer to be assigned to Kensington Hilltop School for crime prevention and traffic mitigation.

Recommendation:

That the Board deny the request as it would set a precedent that could not be funded for all elementary schools.

Fiscal Impact:

Estimated at \$80,000 to \$100,000 for Kensington and more than \$3 million for all elementary schools.

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
- Construction Status Reports
- Portola Middle School
- Richmond Swim Center

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 – March 26, 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

March 12, 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

Reassignment of Administrators

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)

a. Non-Reelection of an Administrator

b. Release of Temporary Certificated Employees

c. Resolution No. 58-1314 Non-re-election of Probationary Certificated Employees

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: March 12, 2014

From: Bruce Harter
Superintendent

Agenda Item: A.6

Subject: Reassignment of Administrators

Background Information:

The staff recommends to the Governing Board that notice be given to reassign six (6) Administrators for the 2014-2015 school year.

Vice Principal	1.00 FTE
Assistant Principal	3.00 FTE
Principal, High School	1.00 FTE
Adult Education Principal	1.00 FTE

Recommendation: Recommend Approval

Fiscal Impact: To be determined

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: March 12, 2014

From: Bruce Harter
Superintendent

Agenda Item: A.9

Subject: Non-Reelection of an Administrator

Background Information:

The staff recommends to the Governing Board the non-re-election of an Administrator for the 2014-2015.

Elementary Principal 1.00 FTE

Recommendation: Recommend Approval

Fiscal Impact: To be determined

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: March 12, 2014

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

Agenda Item: A.9

Subject: Release of Temporary Certificated Employees

Background Information: In order to release temporary teachers, the Board must take action pursuant to Education Code Section 44954. Thereafter the Superintendent must notice the identified temporary teachers.

Recommendation: Recommend Approval

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

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

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: March 12, 2014

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

Agenda Item: A.9

Subject: Resolution No. 58-1314 Non-Reelection of Probationary Certificated Employees

Background Information: In order to non-reelect probationary teachers, the Board must take action pursuant to Education Code Section 44929.21. Thereafter the Superintendent is authorized to send a notice to the identified probationary teachers.

Recommendation: Recommend Approval

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
RESOLUTION NO. 58-1314**

RESOLUTION OF NON-REELECTION OF PROBATIONARY CERTIFICATED EMPLOYEES

WHEREAS, Education Code section 44929.21 authorizes the Governing Board of the West Contra Costa Unified School District to give notice to probationary certificated employees of the Board's decision to reelect or non-reelect the employees for the next succeeding school year to such a position at any time on or before March 15th of the employee's second complete consecutive school year of employment by the District; and

WHEREAS, the employees are probationary certificated employees who have been employed during the 2013-2014 school year; and

WHEREAS, the Board of Education has received a recommendation from the District Superintendent or designee not to reelect these employees and

WHEREAS, the Board of Education has discussed the recommendation made by the District Superintendent or designee and concurs in said recommendation;

NOW, THEREFORE, BE IT RESOLVED that the Board of Education of the West Contra Costa Unified School District hereby authorizes the District Superintendent or the Superintendent's designee to notify the identified employees of the Board of Education's decision not to reelect them for the 2014-2015 school year in accordance with the requirements of Education Code section 44929.21. The District Superintendent or the Superintendent's designee is further authorized to take any other actions necessary to consummate the intent of this Resolution.

Adopted by the Governing Board of the West Contra Costa Unified School District this 12th day of March 2014.

AYES:

NOES:

ABSENT:

ABSTAIN:

Charles Ramsey, President
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: March 12, 2014

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

Agenda Item: B.4

Subject: Presentation of Student Board Representative from the Youth Commission

Background Information:

A Student Board Representative from the Youth Commission will attend the Board of Education on March 12, 2014. 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

February 12, 2014

A. CLOSED SESSION

B. OPENING PROCEDURES

President Ramsey called the meeting to order at 6:00 P.M. The Board recessed into Closed Session. President Ramsey called the Public Session to order at 6:34 P.M.

B.1 Pledge of Allegiance

President Ramsey led the pledge of allegiance.

B.2 Welcome and Meeting Procedures

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

B.3 Roll Call

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

Staff Present: Magdy Abdalla, Engineering Officer; Carol Butcher, Executive Director K-12; Steve Collins, SELPA Director; Linda Delgado, Coordinator Educational Services; Bob Evans, DeAnza Principal; Bill Fay, Associate Superintendent Operations; Julio Franco, Executive Director K-12; Luis Freese, Executive Director, Maintenance/Operations; Sylvia Greenwood, DeJean Principal; Bruce Harter, Superintendent; Debbie Haynie, Executive Secretary; Keith Holtslander, Director Facilities/Construction; Kibby Kleiman, Pinole Valley Principal; Ken McDaniel, Building Maintenance Supervisor; Tim Peel, Deputy Construction Program Manager; Barbara Penny-James, Ford Principal; Mary Phillips, Chief Technology Officer; Lyn Potter, Director Curriculum & Instructional Services; Nia Rashidchi, Assistant Superintendent Educational Services; Reyna Touriel, Translator; Ken Whittemore, Assistant Superintendent Human Resources; LaDonna Williams, Nystrom Principal

B.4 Presentation of Student Board Representative from Richmond High School

Mr. Benjamin Gannon provided a report of activities at Richmond High School.

B.5 Report/Ratification of Closed Session

None

B.6 Agenda Review and Adoption

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

B.7 Minutes: January 29, 2014

MOTION: Ms. Kronenberg moved to approval of the minutes of January 29, 2014. Mr. Groves seconded. Mr. Enos, Mr. Groves, Ms. Merriweather, Ms. Kronenberg, and Student Representative Benjamin Gannon (advisory vote only), voted yes, with President Ramsey abstaining, and no absences. Motion carried 4-0-1-0.

B.9 WCCUSD Public Comment

None

C. BUSINESS ITEMS

C.1 Grants/Awards/Agreements

C.2 Acceptance of Donations

C.3 Approval of Fund-Raising Activities

C.4 Summary of Payroll and Vendor Warrant Reports

C.5 Contracted Services

- C.6 Approve the following revised new job description: Director, Accountability/ Chief Data Officer**
- C.7 Ratification and Approval of Engineering Services Contracts**
This item was pulled for separate action.
- C.8 Ratification and Approval of Negotiated Change Orders**
- C.9 Facilities Use Agreement with Bright Futures Growth & Development Center at El Sobrante Elementary School Site**
- C.10 Ratification of Staff Awarded Contract: Vista AHS Parking Improvements**
59-1314: Read Across America - March 2, 2014
- C.12 Resolution No. 55-1314: Disabilities Awareness Month – March 2014**
- C.13 Resolution No. 57-1314: “Week of the School Administrator” March 2-8, 2014**

MOTION: Mr. Enos moved Approval of Consent Items C. 1 – C.6 and C.8 - C.13. Ms. Kronenberg seconded. Mr. Enos, Mr. Groves, Ms. Merriweather, Ms. Kronenberg, Student Representative Benjamin Gannon (advisory vote only), and President Ramsey voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

- C.7 Ratification and Approval of Engineering Services Contracts**
President Ramsey had questions about one item listed among the Engineering Services Contracts. He asked that this particular item be brought back to a future meeting for action.

MOTION: President Ramsey moved approval of Consent Item C. 7, excluding the contract regarding Swinerton Management Consulting. Ms. Kronenberg seconded. Mr. Enos, Mr. Groves, Ms. Merriweather, Ms. Kronenberg, Student Representative Benjamin Gannon (advisory vote only), and President Ramsey voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

D. AWARDS, RECOGNITIONS, AND REPORTS

D.1 African-American History Month School Presentations and Celebrations

Ms. Rashidchi introduced and recognized Ms. Nancy Barker of Seniors in Action Now, Inc. for her work in the community and assistance in planning the events for the evening.

Student performances from Ford Elementary, El Cerrito High, Lincoln Elementary, Pinole Valley High, Grant Elementary, Nystrom Elementary, DeJean Middle, and Richmond High Schools presented a diverse Black History Celebration.

Public Comment:
None

Board Comment:
None

D.2 Plans to add a JROTC Program at DeAnza High School

Principal Bob Evans provided information regarding the Air Force Junior Reserve Officers' Training Corps (JROTC) and hopes to host the program at DeAnza High School. He explained that nearly four years ago, it was considered as a component to the other academies at the high school. He said staff contacted the program in fall 2011 to begin the process. The District will cover costs of \$100,000 over a two year period. In the third year, the Air Force will pick up the costs. Start-up costs include instructors, curriculum, uniforms, and other components.

Public Comment:
None

Board Comment:

President Ramsey spoke about a full service community and not limiting school choices but offering a full spectrum of opportunities for students.

Mr. Enos spoke about the values in which people believe and agreed that this is an option for some students. He spoke about supporting young people willing to serve their country.

Mr. Groves agreed it necessary to provide this option to students. He spoke about the military providing social, professional and global mobility not offered otherwise. He fully supported moving ahead.

Ms. Merriweather asked about the time frame. Mr. Evans said if the application is submitted it could be implemented in the 2014-15 school year with approximately 60 students per class level. Recruitment would be offered as an open enrollment opportunity for students.

Ms. Kronenberg spoke about the District having the opportunity to add this program to enhance the diverse interests of students. She applauded Mr. Evans for being willing to support this opportunity.

Student Representative Benjamin Gannon asked whether other schools would benefit. Mr. Ramsey responded that over time, other schools would benefit similar to the work in other academies.

Superintendent Harter reiterated that he heard that the Board supports building the program into the budget and bringing it to DeAnza High School for the 2014-15 school year.

President Ramsey suggested giving it a two year commitment then looking for federal funding. He thanked Mr. Evans and his site for their efforts.

D.3 Technology E-Rate Report

Mary Phillips provided a report regarding E-Rate explaining a federally funded program to ensure schools and libraries have access to affordable telecommunications, including internet access and internal communications. She explained the services and new services becoming available as technology improves. She detailed what the District has applied for and the funding received.

Public Comment:

None

Board Comment:

Mr. Groves asked about the Priority 2 funding outlook for the neediest schools. Ms. Phillips responded that the outlook for federal funding at this level is gloomy with experts saying it does not look hopeful. She explained that the District will need to be careful because eligible services are changing. She said it appears that federal funding may potentially fund broadband and hardware.

President Ramsey spoke about the importance of seeking local providers for electronic demands on the general fund. He advised considering the ability to invest long term with capital investments for technology.

Ms. Kronenberg spoke about the funding stream remaining consistent, but being vigilant and proactive to pursue potential funding.

Mr. Groves asked about grant funding strategies. Ms. Phillips said that her department is actively pursuing this, being careful to determine whether grants meet District needs.

Ms. Merriweather asked when the Technology Plan would be available to the Board. Ms. Phillips responded that the Plan has gone to the Technology Committee for discussion, returning for approval in March and will come to the Board by the end of March. Ms. Merriweather asked about wireless costs for schools under Priority 2. Ms. Phillips responded for clarification.

Superintendent Harter explained that the poorest schools would not have wireless access without bond funding. President Ramsey explained that \$40 million was earmarked for technology over 8 years, with nearly half of that already used. He stressed the need to stay diligent in order to replenish these funds.

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

E.1 Standing Reports

United Teachers of Richmond. In keeping with the spirit of the Black History celebration, President Diane Brown shared information about Carter G. Woodson and the birth of Negro History Month.

Safety and School Climate Committee. Ms. Merriweather recapped the February 6th meeting. She said discussion was held to develop ideas for dealing with parent conflicts on campus. She said that Dr. John Shields of ETR explained the education training and implementation for the District. Radio communication difficulty in some areas of the District was also discussed. Mr. Enos added that the committee asked school staff to re-evaluate their safety plans and work to update. The next meeting is scheduled for March 6, 2014 at Pinole Valley High School.

Academic Subcommittee. Ms. Rashidchi talked about the recent meeting held at DeAnza High School. She said topics included expansion of the dual language immersion program, professional development in mathematics and transitioning to the Common Core. The next meeting is scheduled for March 13 at DeAnza High School, 6:30 PM.

Youth Commission. Mr. Groves invited Student Representative Benjamin Gannon to review the recent weekend accomplishments. Mr. Gannon spoke about school visits and things seen. He said that the Commissioners saw good things that could be adapted across the District. He said they learned that many students are not aware of the college application process. While they met teachers who truly cared about their students, the Commissioners also saw that equipment and resources need updating. Ms. Kronenberg spoke about the unusual opportunity to visit other schools and speak candidly with the students' peers. She said the goal is to have the Youth Commission assist the Board in developing strategies for the District.

Facilities Subcommittee. Mr. Ramsey announced a special meeting for February 27th. He said the recent meeting covered many subjects including construction budget approvals for Fairmont and Richmond High. The committee learned that trees at Peres Elementary are dying due to irrigation problems. Ms. Kronenberg spoke about Kennedy's Fab Lab, a collaboration with MIT, to be located in the former auto shop with Chevron's funding partnership. She said that discussion also included a report from the financial team regarding a potential bond ballot measure.

Superintendent Harter followed up by saying that a resolution will come to the Board for consideration of a bond measure ballot item at the February 26th meeting. He detailed a recent meeting of randomly selected, undecided voters who were interviewed after learning more about the construction program to see what impact the information would have for them. He said the feed-back was positive.

Ivy League Connection. Mr. Ramsey and Ms. Kronenberg spoke of student interviews for the various summer programs. Mr. Ramsey announced interest from the University of Chicago in partnering with the Ivy League Connection.

E.2 Superintendent's Report

Superintendent Harter provided a report of activities in the District.

Board Member Enos left the dais.

F. ACTION ITEMS

F.1 Public Hearing and Adoption of Bargaining Proposal from Public Employees Union, Local One to the West Contra Costa Unified School District

President Ramsey opened the public hearing.

Public Comment:

None

President Ramsey closed the public hearing.

Board Comment:

None

MOTION: Mr. Groves moved approval of the Adoption of Bargaining Proposal from Public Employees Union, Local One to the West Contra Costa Unified School District. Ms. Merriweather seconded. Mr. Groves, Ms. Merriweather, Ms. Kronenberg, Student Representative Benjamin Gannon (advisory vote only), and President Ramsey voted yes, with no abstentions and Mr. Enos absent. Motion carried 4-0-0-1.

F.2 Approval of Agreement with School Supervisors Association (SSA) / AB1200 Public Disclosure of Collective Bargaining Agreement with the SSA

President Ramsey opened the public hearing.

Public Comment:
None

President Ramsey closed the public hearing.

Board Comment:
None

MOTION: Mr. Groves moved to approve the Agreement with School Supervisors Association (SSA) / AB1200 Public Disclosure of Collective Bargaining Agreement with the SSA. Ms. Kronenberg seconded. Mr. Groves, Ms. Merriweather, Ms. Kronenberg, Student Representative Benjamin Gannon (advisory vote only), and President Ramsey voted yes, with no abstentions and Mr. Enos absent. Motion carried 4-0-0-1.

F.3 Helm's Quality Education Investment Act (QEIA) Public Hearing and Waiver Request

Ms. Rashidchi spoke about requesting approval for a State Board of Education waiver for the QEIA program at Helms Middle School. The state's funding has provided for a robust program over seven years. Funding was to have ended this year. It was learned recently that funding can be extended one more year. With this approval, an additional year of funding of approximately \$900,000 will continue the program.

Mr. Enos returned to the dais.

Public Comment:
None

Board Comment:
None

MOTION: Ms. Kronenberg moved to approve the Helm's Quality Education Investment Act (QEIA) Waiver Request. Mr. Enos seconded. Mr. Enos, Mr. Groves, Ms. Merriweather, Ms. Kronenberg, Student Representative Benjamin Gannon (advisory vote only), and President Ramsey voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

G. DISCUSSION ITEMS

G.1 Project Status Report

Mr. Abdalla provided a report on construction projects in the District.

Public Comment:
None

Board Comment:
Ms. Merriweather asked about the opening of the Helms soccer fields. Mr. Abdalla responded.

President Ramsey had questions about the Coronado site construction. Mr. Abdalla provided information about an underground water well left from the early 1900's which was recently uncovered.

G.2 Construction Project Status Update for El Cerrito High School Stadium & Field Replacement

Mr. Fay spoke about staff members addressing community concerns.

Tim Peel, Deputy Construction Project Manager, introduced the team working on the final phase of the stadium project; Architect Kevin MacQuarrie, Construction Manager Hector Deleon, and Project Manager Kareem Nassab. All assisted in providing a detailed review of the construction project.

Public Comment:

None

Board Comment:

None

G.3 Project Update for Richmond Swim Center at Kennedy High School Update

Project Manager Karim Nassab provided an update regarding the bidding process for this project.

Public Comment:

None

Board Comment:

President Ramsey asked when the current facility would close to the public. Mr. Fay responded that coordination with for closure will be handled by the City of Richmond's public works and recreation department. He said that the District has begun outreach to the community. This project is estimated to take 360 days.

G.4 2014 Pre-qualification Statute Process Update

Mr. Juan Garrahan, Project Manager, provided information on the program coordination for general contractors, and sub-contractors of mechanical, electrical and plumbing for projects \$1 million or over. He spoke about five upcoming projects that will require contracts to be responsive to the prequalification status.

Public Comment:

None

Board Comment:

None

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

None

I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT

Mr. Groves wished everyone a happy Presidents' Week recess.

Mr. Enos thanked staff for their work on all the projects going on.

Ms. Merriweather said she enjoyed the student performances.

Ms. Kronenberg spoke of the importance of the Black History Month celebration.

Student Representative Gannon said he appreciated the experience and thanked the Board for the opportunity to join the meeting.

President Ramsey thanked staff for the hard work with LCFF and getting information to the public regarding funding coming available. He saw optimism for student success. He recognized his sister Yetunde Ramsey and her birthday.

J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING

Lovonya DeJean Middle School – February 26, 2014

K. ADJOURNMENT

President Ramsey adjourned the meeting at 9:49 P.M.

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

BH:dh

**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

February 26, 2014

A. CLOSED SESSION

B. OPENING PROCEDURES

President Ramsey called the meeting to order at 6:00 P.M. The Board recessed into Closed Session. President Ramsey called the Public Session to order at 6:32 P.M.

B.1 Pledge of Allegiance

President Ramsey led the pledge of allegiance.

B.2 Welcome and Meeting Procedures

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

B.3 Roll Call

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

Staff Present: Magdy Abdalla, Engineering Officer; Steve Collins, SELPA Director; Denise Cifelli, Confidential Secretary; Sheri Gamba, Associate Superintendent Business Services; Wendell Greer, Associate Superintendent K-Adult Schools; Bruce Harter, Superintendent; Debbie Haynie, Executive Secretary; Joshua Herrera, Electronics Technician; Mary Phillips, Chief Technology Officer; Nia Rashidchi, Assistant Superintendent Educational Services; Reyna Touriel, Translator; Ken Whittemore, Assistant Superintendent Human Resources

B.4 Report/Ratification of Closed Session

None

B.5 Agenda Review and Adoption

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

B.6 WCCUSD Public Comment

None

C. BUSINESS ITEMS

C.1 Acceptance of Contracts for Placement of Student Teachers

C.2 Certificated Board Authorization - Education Code 44258.3

MOTION: Ms. Kronenberg moved Approval of Consent Items C. 1 – C.2. Mr. Enos seconded. Mr. Enos, Mr. Groves, Ms. Merriweather, Ms. Kronenberg, and President Ramsey voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

D. AWARDS, RECOGNITIONS, AND REPORTS

None

E. COMMITTEE COMMUNICATIONS

None

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

Superintendent Harter provided background around making recommendation for a Bond measure for June 2014. Dave Olson, KNN Public finance; Jeff Baratta, Piper Jaffrey Investment Bankers; Lisalee Wells and Graham Beck, Nixon Peabody legal firm; were available to provide information.

Mr. Olson provided a summary of the resolution to order a June 2014 election for a \$70 million bond with the proceeds to continue the District's modernization program for another ten years. The purpose of the measure would be to authorize funds for issuance to continue the program at a good pace allowing projects to proceed even while large projects such as Pinole Valley High School (PVHS) are going on. He shared information regarding the project list highlights, accountability standards, and tax rate impact.

Public Comment:

Jeanette Ramirez, Juanita Anguiano, Stephanie Seguierra, Saray Rio, Lorraine Humes, Mike Ali

Board Comment:

President Ramsey spoke about the concerns of Chavez Elementary School parents and new state standards for that school, as a well as providing equity for all schools.

Ms. Merriweather had questions about the variety of alternative financing structures. Mr. Olson provided an example of information about an insurance type of bond, a program paying at a reduced percentage. She continued with questions about upgrades of science and computer labs. President Ramsey spoke about upgrading sites to meet new standards and providing the same facilities at current schools. Ms. Merriweather continued with questions about the forty year term of repayment. Mr. Olson and President Ramsey responded with information about the option to take up to forty years.

Mr. Enos spoke of opportunity to move ahead and parity for schools.

Mr. Groves asked about tax rate stabilization. Mr. Olson responded for clarification. Mr. Groves also asked about ramifications if the measure does not go forward. Mr. Olson said that the construction program will slow down and may have to allow for large projects like PVHS to squeeze out smaller projects. Mr. Groves had questions of Attorney Lisalee Wells and the use of word "handicapped" in the resolution language. She clarified that several consultants felt the word "handicapped" resonated with public with a stronger impact than the word "disabled."

Ms. Kronenberg spoke about the project list being broad enough to cover needs for the foreseeable future. She said that polled voters spoke in support of equity across the District and the fairness to complete all schools with new construction opportunities. She spoke about giving voters a chance to decide about keeping the program growing.

MOTION: Ms. Kronenberg moved approval of 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. Mr. Groves seconded. A roll call vote was taken with Mr. Enos, Mr. Groves, Ms. Merriweather, Ms. Kronenberg, and President Ramsey voting yes, with no abstentions and no absences. Motion carried 5-0-0-0.

President Ramsey left the dais.

G. DISCUSSION ITEMS

G.1 Strategic Plan / Local Control Accountability Plan

Superintendent Harter provided information regarding the Local Control Funding Formula (LCFF) and District options with the Local Control Accountability Plan and Strategic Plan, highlighting initial recommendations. He reviewed the goals of the Strategic Plan, outlining accountability for each measurable goal. Superintendent Harter provided examples for target setting to improved learning.

President Ramsey returned to dais.

Public Comment:

Martha Bajamas, Dulce Galicia

Board Comment:

Mr. Enos spoke about development of the implementation over time. He expressed concern about the practical barriers to be worked through. He expressed particular interest in the focus on student achievement in all six areas of the plan.

Mr. Groves had questions about equivalent numeracy diagnostics for grades K-3. Ms. Rashidchi responded that staff is working on determining an alternative. Superintendent Harter responded with information about assessment data through advance placement exams and the need for assessments in 4th – 7th grades. Discussion continued.

Mr. Merriweather spoke about improving student achievement and using PSAT data for high school students as well as moving to the Smarter Balance assessment. Ms. Rashidchi reported that the District is a piloting district and will have targets for elementary, middle and high school grades.

Ms. Merriweather had questions about budget calculations for LCAP funding. Ms. Gamba responded.

Ms. Kronenberg commended Superintendent Harter for a thorough presentation. She concurred with Mr. Groves in thinking about enrichment versus intervention. She was hopeful that the parent community will embrace the plan.

President Ramsey spoke about additional counselors, teacher salaries, and support of high school athletics in addition to the arts programs.

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

None

I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT

Mr. Enos commented that it was important to reflect and focus on the needs of students. He encouraged getting parents involved at all levels.

Ms. Kronenberg said she felt this was a very good plan to share information with parents.

Ms. Merriweather agreed saying the good discussion will make the Board more accountable. She looked forward to hearing from the parent accountability group.

Mr. Groves said he recently returned from Southern California and meetings with educators addressing the needs of high performing, low income students, foster youth and English learners. He discussed incorporating ways to address needs for advanced students.

President Ramsey thanked his colleagues for a robust discussion saying he felt the key is execution and implementation. He called his colleagues to be leaders in the community with the message about better results. He asked Superintendent Harter for an update with real estate consultants for a future meeting. He concluded by thanking the Board for support of a new bond measure.

President Ramsey recently lost an important person in his life, Richard Garber. Mr. Enos recently lost his mother-in-law Barbara Gauthier.

J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING

Lovonya DeJean Middle School – March 12, 2014

K. ADJOURNMENT

President Ramsey adjourned the meeting at 8:45 PM.

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


BH:dh

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: March 12, 2014

From: Sheri Gamba 
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 March 12, 2014.

Recommendation: Recommend Approval

Fiscal Impact: As noted per grants summary

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

GRANT / AWARD / AGREEMENT NOTIFICATIONS

Project Name	Project Amount for Budget Period	Funding Agency	Comments
13-14 Part C, Early Education Programs	\$83,664	California Department of Education - Student Support and Special Services Branch	Support of the Special Education Program
Resource # 3385	4/1/13 - 6/30/14		PCA # 23761-01
13-14 WorkAbility I	\$258,622	California Department of Education - Student Support and Special Services Branch	Support of the WorkAbility Program
Resource # 6520	7/1/13 - 6/30/14		PCA # 23011-00
13-14 Local Assistance Entitlements	\$5,468,393	California Department of Education - Student Support and Special Services Branch	Special Ed Entitlement
Resource # 3310	7/1/13 - 9/30/15		PCA # 13379-01
13-14 Federal Preschool Grants	\$320,161	California Department of Education - Student Support and Special Services Branch	Special Ed Preschool
Resource # 3315	7/1/13 - 9/30/15		PCA # 13430-01
13-14 Preschool Local Entitlements	\$500,528	California Department of Education - Student Support and Special Services Branch	Special Ed Preschool Entitlements
Resource # 3320	7/1/13 - 9/30/15		PCA # 13682-01
California Mathematics and Science Partnership Program, Cohort 10 Cycle One (CaMSP)	\$499,996	California Department of Education - Science Technology, Engineering & Mathematics Office	Provide professional development for Teachers in Math and Science
Resource # 4050	1/1/14 - 9/30/15		PCA # 14512-00

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: March 12, 2014

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 March 12, 2014. 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
March 12, 2014 Board Meeting

<u>Donor Name</u>	<u>Description or Purpose</u>	<u>Estimated Value</u>	<u>Receiving School or Department</u>
Golden State Warriors	Material & Supplies	\$590.00	Cameron School
Mr. Mateo Sanchez	Material & Supplies	\$57.69	Cameron School
Ellerhorst Elementary PTA	Electronic Marquee	\$14,817.50	Ellerhorst Elementary
Ms. Jennifer Pickens	Special Administrative Account	\$250.00	Hanna Ranch Elementary
Wells Fargo Community Support Campaign	Material & Supplies	\$247.72	Ohlone Elementary
Terracycle, Inc.	Material & Supplies	\$10.00	Ohlone Elementary
Washington PTA	Garden Coach	\$5,000.00	Washington Elementary
Washington PTA	Recess Coach	\$5,000.00	Washington Elementary
Portola PTSA	Material & Supplies	\$700.00	Portola Middle
SaveMart Supermarkets	Material & Supplies	\$26.49	Portola Middle
Craig Fund, Inc.	Aquatics	\$5,000.00	Pinole Valley High
Mr. Hector Jimenez	Jackets for Players	\$2,441.25	Pinole Valley High

*Estimated values for the non-cash donations are provided by the donor
Donation Précis 031214

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: March 12, 2014

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 2013-14 school year is summarized on the attached sheet dated March 12, 2014.

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
March 12, 2014 Board Meeting

APPROVAL OF FUND-RAISERS


<u>School</u>	<u>Fund-Raising Activity</u>	<u>Activity Sponsor</u>
Chavez Elementary School	Sale of Cookie Dough	Chavez PTA
Nystrom Elementary School	Sale of Packed Granola Bars, Pretzels, Water Bottles, Gatorade, Pencils, Pens, Highlighters, Notebooks, Paper and Erasers. Funds will be used towards Field Trips	Parents and 6th Graders
De Anza High School	Fundraise Jeans from Entire School and Donate them to Homeless Shelter	De Anza Senior
El Cerrito High School	Sale of Spring Grams	Leadership Class of 2015
El Cerrito High School	Car Wash at Gilman Street in Berkeley	Class of 2016
Hercules M/H School	Pass out Fliers and Receive 20% of the Profit.	M.A.S.S. Club of HMHS
Hercules M/H School	Sale of Beef Jerky	Freshman Class of 2014
Hercules M/H School	Sale of Jumba Juice	Sophomore Class of 2016
Hercules M/H School	Eat Out at Yogurtland Frozen Yogurt Shop and get 20% back from the Sales	Sophomore Class of 2016
Hercules M/H School	Sale of Shockwave Sour Pops and Lollipops	Freshman Class of 2014
Hercules M/H School	Dinner at L&L Hawaiian Barbecue Restaurant	Sophomore Class of 2016
Hercules M/H School	Dinner at Kinder's Meat Deli BBQ & Catering	Sophomore Class of 2016
Hercules M/H School	Movie at Century Hilltop 16 Theater	Sophomore Class of 2016
Hercules M/H School	Dinner at Panda Express	Sophomore Class of 2016
Hercules M/H School	Eat at Krispy Kreme Doughnut Shop and Get 15% back from the Sales	Sophomore Class of 2016
Hercules M/H School	Eat at Tutti Frutti Frozen Yogurt Shop and get 20% back from the Sales	Sophomore Class of 2016
Hercules M/H School	Sale of World's Finest Chocolate	Sophomore Class of 2016
Hercules M/H School	Mountain Mike's Pizza	Sophomore Class of 2016
Hercules M/H School	Dinner at Chevys Mex Restaurant	Sophomore Class of 2016
Kennedy High School	Sale of Athletic T-Shirts, Shocks, Shorts and Caps	Kennedy Leadership Class
Kennedy High School	Sale of JFK Scarfs	Kennedy Leadership Class
Pinole Valley High School	Distribute Fliers at Yogurtland and receive 20% from the Sale (5 Events)	PVHS Class of 2016
Pinole Valley High School	Sale of Valentine Grams	PVHS Music Department

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: March 12, 2014

From: Sheri Gamba 
Associate Superintendent Business Services

Agenda Item: CI C.4

Subject: Summary of Payroll and Vendor Warrant Reports

Background Information: Attached are the summaries of Payroll and Vendor Warrants issued during the month of February 2014.

Total of payroll warrants (February 2014): \$ 9,399,042

Total of vendor warrants (February 2014): \$ 6,668,901

Recommendation: Recommend approval of the payroll and vendor warrant reports

Fiscal Impact: As noted above

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

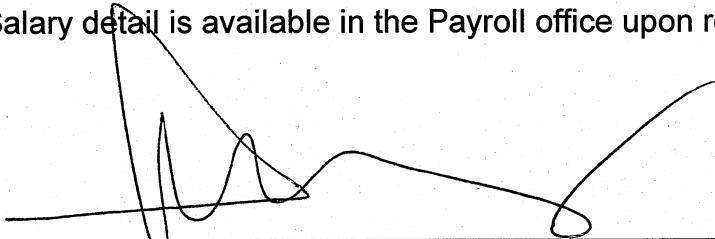
Approved _____ Not Approved _____ Tabled _____

West Contra Costa Unified School District

Month of : February 2014

Payrolls	Warrant From	Numbers To	Total Warrants Current	Total Warrants Previous	Total Warrants To Date
Variable	677036	677801	320,148	3,667,885	3,988,033
Regular	677816	678392	1,313,127	8,746,281	10,059,408
Special/Typed	677031	677815	6,500	275,895	282,395
Variable EFT	418863	420201	489,845	6,892,470	7,382,315
Regular EFT	420202	422639	7,257,842	43,054,887	50,312,729
Special EFT				0	0
Typed	297801			119,350	119,350
BENEFITS				0	0
Cancelled	Various	Various	11,579	(68,294)	(56,715)
Totals			9,399,042	62,688,474	72,087,516

Salary detail is available in the Payroll office upon request.



Vincent Morales, Payroll Supervisor

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
WEEKLY VENDOR WARRANT REPORT

2013-2014

PAYMENT

PAGE-1

DATE: February 4, 2014

FUND#	FUND DESCRIPTION	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	606,535	28,139,356	28,745,891
7706	CAFETERIA	66,147	3,564,264	3,630,411
7707	CHILD DEVELOPMENT	808	31,406	32,214
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY	34,067	693,674	727,741
7710	BUILDING	1,999,469	44,777,872	46,777,341
7711	CAPITAL FACILITIES	46,468	76,306	122,774
7712	SELF INSURANCE PROPERTY & LIABILITY		1,623,963	1,623,963
7713	STATE SCHOOL LEASE/PURCHASE		0	0
7714	COUNTY SCHOOL FACILITIES		0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY		0	0
7719	CHARTER SCHOOL		0	0
7725	MRAD		0	0
7728	DEBT SERVICE		5,342	5,342
7744	RETIREE BENEFITS	4,584	150,369	154,953
7770	ADULT EDUCATION	7,654	120,364	128,018
7785	DEFERRED MAINTENANCE		14,350	14,350
7790	BOND INTEREST & REDEMPNTN		0	0
7701	PAYROLL REVOLVING	3,903,169	65,856,425	69,759,594
	TOTALS	6,668,901	145,053,691	151,722,592

Christine G. Furr
Prepared By

[Signature]
Accounting Supervisor

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
WEEKLY VENDOR WARRANT REPORT

2013-2014

PAYMENT

PAGE-2

DATE: February 11, 2014

FUND#	FUND DESCRIPTION	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	1,136,593	28,745,891	29,882,484
7706	CAFETERIA	135,291	3,630,411	3,765,702
7707	CHILD DEVELOPMENT	550	32,214	32,764
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY		727,741	727,741
7710	BUILDING	1,065,105	46,777,341	47,842,446
7711	CAPITAL FACILITIES	12,000	122,774	134,774
7712	SELF INSURANCE PROPERTY & LIABILITY		1,623,963	1,623,963
7713	STATE SCHOOL LEASE/PURCHASE		0	0
7714	COUNTY SCHOOL FACILITIES		0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY		0	0
7719	CHARTER SCHOOL		0	0
7725	MRAD		0	0
7728	DEBT SERVICE		5,342	5,342
7744	RETIREE BENEFITS		154,953	154,953
7770	ADULT EDUCATION	8,601	128,018	136,619
7785	DEFERRED MAINTENANCE		14,350	14,350
7790	BOND INTEREST & REDEMPTN		0	0
7701	PAYROLL REVOLVING	662	69,759,594	69,760,256
	TOTALS	2,358,802	151,722,592	154,081,394

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
WEEKLY VENDOR WARRANT REPORT

2013-2014

PAYMENT

PAGE-3

DATE: February 25, 2014

FUND#	FUND DESCRIPTION	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	532,036	29,882,484	30,414,520
7706	CAFETERIA	128,107	3,765,702	3,893,809
7707	CHILD DEVELOPMENT	504	32,764	33,268
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY	59,170	727,741	786,911
7710	BUILDING	934,743	47,842,446	48,777,189
7711	CAPITAL FACILITIES	7,075	134,774	141,849
7712	SELF INSURANCE PROPERTY & LIABILITY	32,047	1,623,963	1,656,010
7713	STATE SCHOOL LEASE/PURCHASE		0	0
7714	COUNTY SCHOOL FACILITIES		0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY		0	0
7719	CHARTER SCHOOL		0	0
7725	MRAD		0	0
7728	DEBT SERVICE		5,342	5,342
7744	RETIREE BENEFITS		154,953	154,953
7770	ADULT EDUCATION	1,276	136,619	137,895
7785	DEFERRED MAINTENANCE		14,350	14,350
7790	BOND INTEREST & REDEMPTN		0	0
7701	PAYROLL REVOLVING	44,458	69,760,256	69,804,714
	TOTALS	1,739,416	154,081,394	155,820,810

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
WEEKLY VENDOR WARRANT REPORT

2013-2014

PAYMENT

PAGE-4

DATE: February 6, 2014

FUND#	FUND DESCRIPTION	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL		30,414,520	30,414,520
7706	CAFETERIA		3,893,809	3,893,809
7707	CHILD DEVELOPMENT		33,268	33,268
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY		786,911	786,911
7710	BUILDING		48,777,189	48,777,189
7711	CAPITAL FACILITIES		141,849	141,849
7712	SELF INSURANCE PROPERTY & LIABILITY		1,656,010	1,656,010
7713	STATE SCHOOL LEASE/PURCHASE		0	0
7714	COUNTY SCHOOL FACILITIES		0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY		0	0
7719	CHARTER SCHOOL		0	0
7725	MRAD		0	0
7728	DEBT SERVICE		5,342	5,342
7744	RETIREE BENEFITS		154,953	154,953
7770	ADULT EDUCATION		137,895	137,895
7785	DEFERRED MAINTENANCE		14,350	14,350
7790	BOND INTEREST & REDEMPTN		0	0
7701	PAYROLL REVOLVING	818,788	69,804,714	70,623,502
	TOTALS	818,788	155,820,810	156,639,598

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
WEEKLY VENDOR WARRANT REPORT

2013-2014

PAYMENT

PAGE-5

DATE: February 27, 2014


FUND#	FUND DESCRIPTION	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL		30,414,520	30,414,520
7706	CAFETERIA		3,893,809	3,893,809
7707	CHILD DEVELOPMENT		33,268	33,268
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY		786,911	786,911
7710	BUILDING		48,777,189	48,777,189
7711	CAPITAL FACILITIES		141,849	141,849
7712	SELF INSURANCE PROPERTY & LIABILITY		1,656,010	1,656,010
7713	STATE SCHOOL LEASE/PURCHASE		0	0
7714	COUNTY SCHOOL FACILITIES		0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY		0	0
7719	CHARTER SCHOOL		0	0
7725	MRAD		0	0
7728	DEBT SERVICE		5,342	5,342
7744	RETIREE BENEFITS		154,953	154,953
7770	ADULT EDUCATION		137,895	137,895
7785	DEFERRED MAINTENANCE		14,350	14,350
7790	BOND INTEREST & REDEMP TN		0	0
7701	PAYROLL REVOLVING	4,713,596	70,623,502	75,337,098
	TOTALS	4,713,596	156,639,598	161,353,194

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: March 12, 2014

From: Sheri Gamba 
Associate Superintendent Business Services

Agenda Item: CI C.5

Subject: Adoption of Resolution No. 65-1314: 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 Anita Noyola. 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. 65-1314
REPLACEMENT OF OUTDATED WARRANT
March 12, 2014

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:	Anita Noyola
Check No.:	330268
Amount:	\$466.72
Issue Date:	July 10, 2006

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: March 12, 2014

From: Sheri Gamba
Associate Superintendent Business Services

Agenda Item: CI C.6

Subject: Resolution #61-1314 Directing Preparation of Annual Engineer's Report - MRAD

Background Information: In order to make a determination of improvements and any substantial changes proposed to be made to the existing improvements of the district's public recreational facilities, a resolution directing preparation of an annual engineering report is required, including a list of schools for which the improvements will be made during the fiscal year 2014-2015.

Staff recommends approval of this resolution for purposes of the Maintenance Recreation and Assessment District in accordance with Sections 22565 et seq., of the Landscaping and Lighting Act of 1972, (Streets and Highways Code Section 22565 et seq.). Once the report has been completed, it will be presented to the Board for preliminary approval.

Recommendation: Recommend approval of this resolution for MRAD

Fiscal Impact: Revenue for MRAD Fund

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

BOARD OF EDUCATION
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 61-1314

A RESOLUTION DIRECTING PREPARATION OF THE ENGINEER'S REPORT
FOR THE WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
MAINTENANCE AND RECREATION ASSESSMENT DISTRICT

MARCH 12, 2014

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

1. On August 3, 1994, this Board ordered the formation of and levied the first assessment within the West Contra Costa Unified School District Maintenance and Recreation Assessment District (the "Maintenance District") pursuant to the provisions of the Landscaping and Lighting Act of 1972 (commencing at Section 22500 of the California Streets and Highways Code) (hereinafter "the Act").
2. Sections 22620 *et seq.*, of the Act provide for the levy of annual assessments after formation of the Maintenance and Recreation Assessment District.
3. Within the Maintenance District, the existing and proposed improvements and any substantial changes proposed to be made to the existing improvements are generally as described on Exhibit "A" attached and by this reference made a part of this Resolution.
4. SCI Consulting Group having been designated as Engineer of Work for purposes of the Maintenance Assessment District, is hereby ordered to prepare and file an annual report in accordance with Section 22565 *et. seq.* of the Act.

PASSED AND ADOPTED on March 12, 2014, at a regular meeting of the Board of Education by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Bruce Harter, Ph.D.
Secretary, Board of Education

EXHIBIT A

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT Maintenance and Recreation Assessment District

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

Bayview Elementary	3001 - 16 th St	San Pablo
Cameron	7140 Gladys Ave	El Cerrito
Cesar E Chavez Elementary	960 - 17 th St	Richmond
Collins Elementary	1224 Pinole Valley Rd	Pinole
Coronado Elementary	2001 Virginia Ave	Richmond
Dover Elementary	1870 19 th Street	San Pablo
Downer Elementary	1231 - 18 th Street	San Pablo
Ellerhorst Elementary	3501 Pinole Valley Rd	Pinole
Fairmont Elementary	724 Kearney St	El Cerrito
Ford Elementary	2711 Maricopa Ave	Richmond
Grant Elementary	2400 Downer Ave	Richmond
Hanna Ranch Elementary	2480 Refugio Valley Rd	Hercules
Harbour Way Elementary	2465 Dolan Way	San Pablo
Harding Elementary	7230 Fairmount Ave	El Cerrito
Lupine Hills Elementary	1919 Lupine Rd	Hercules
Highland Elementary	2829 Moyers Rd	Richmond
Kensington Elementary	90 Highland Blvd	Kensington
King Elementary	4022 Florida Avenue	Richmond
Lake Elementary	2700 - 11 th St	San Pablo
Lincoln Elementary	29 - 6 th St	Richmond
Madera Elementary	8500 Madera Dr	El Cerrito
Mira Vista Elementary	6397 Hazel Ave	Richmond
Montalvin Elementary	300 Christine Dr	San Pablo
Murphy Elementary	4350 Valley View Rd	Richmond
Nystrom Elementary	230 Harbour Way South	Richmond
Ohlone Elementary	1616 Pheasant Dr	Hercules
Olinda Elementary	5855 Olinda Rd	El Sobrante
Peres Elementary	719 - 5 th St	Richmond
Riverside Elementary	1300 Amador St	San Pablo
Shannon Elementary	685 Marlesta Rd	Pinole
Sheldon Elementary	2601 May Rd	Richmond
Stege Elementary	4949 Cypress Ave	Richmond
Stewart Elementary	2040 Hoke Dr	Pinole
Tara Hills Elementary	2300 Dolan Way	San Pablo
Valley View Elementary	3416 Maywood Dr	Richmond

Verde Elementary	2000 Giaramita St	Richmond
Washington Elementary	565 Wine St	Richmond
Wilson Elementary	629 - 42 nd St	Richmond
Crespi Middle	1121 Allview Ave	El Sobrante
DeJean Middle	3400 Macdonald Ave	Richmond
Helms Middle	2500 Road 20	San Pablo
Pinole Middle	1575 Mann Dr	Pinole
Portola Middle	1021 Navellier St	El Cerrito
De Anza High	5000 Valley View Rd	Richmond
El Cerrito High	540 Ashbury Ave	El Cerrito
Hercules Middle/High	1900 Refugio Valley Rd	Hercules
Kennedy High	4300 Cutting Blvd	Richmond
Pinole Valley High	2900 Pinole Valley Rd	Pinole
Richmond High	1250 - 23 rd St	Richmond
Gompers Continuation	715 Chanslor Avenue	Richmond
North Campus	2465 Dolan Way	San Pablo
Vista High	2625 Barnard Road	San Pablo
Alvarado	5625 Sutter Ave	Richmond
Serra	6028 Ralston Ave	Richmond
Adams	5000 Patterson Circle	Richmond
Castro (Future Portola MS Site)	7125 Donal Ave	El Cerrito
El Sobrante	1060 Manor Rd	El Sobrante
Seaview	2000 Southwood Dr	San Pablo
Vista Hills	2625 Barnard Rd	Richmond
Harmon/Knolls Center	2853 Groom Dr	Richmond
Central District	1108 Bissell Ave	Richmond
Nutrition Center	750 Bissell Ave	Richmond
Electronics & Glazier	2336 Welcome Ave	Richmond
Facilities Operations Center	1300 Potrero Ave	Richmond
Gardeners Warehouse	2550 Moraga Ave	San Pablo
Kerry Hills (PSC)	2465 Dolan Way	San Pablo
Maintenance & Operations	125 So 8 th St	Richmond
Paint	125 So 8 th St	Richmond
Vehicle Garage	260 So 23 rd St	Richmond
Warehouse-Furniture	600 So. 6 th St	Richmond
Warehouse-Stores	810 Ohio Ave	Richmond

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

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education

Meeting Date: March 12, 2014

From: Wendell Greer
Associate Superintendent, K – Adult Education

Agenda Item: CI C.7

Subject: Certification of Athletic Coaches – Winter Sports

Background Information:

Under California Education Code Section 5593, all athletic team coaches are required to be certified annually. Topics covered during the training include first aid, CPR, coaching techniques, adolescent psychology (as it relates to sports participation), and ethics. Attached are the lists of coaches from each of the high school for fall sports.

Recommendation: Approval

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

Certification of Coaches Form

_____ Fall X Winter _____ Spring

I certify that the following individuals are fully qualified and have met all requirements listed in CCR, Section 5593

	NAME	SPORT
1	Teresa Soria	JV & Varsity Women's Soccer
2	David Granzotto	Men's Soccer
3	Jose (Tito) Rodas	Men's Soccer
4	William Lanere	Women's Basketball
5	Nathan Enfield	Varsity Men's Basketball
6	Mack Carminer	JV Men's Basketball
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Principal: Robert Evans

School: De Anza

Signature: 

Date: 2/7/2014

Certification of Coaches Form

_____ Fall X Winter _____ Spring

I certify that the following individuals are fully qualified and have met all requirements listed in CCR, Section 5593

	NAME	SPORT
1	Booker, Michael	Boys Basketball
2	Piccagli, Antonio	Girls Soccer
3	Martin, Victoria	Girls Basketball
4	Grant, Eric	Boys Basketball
5	Wells, Jamil	Girls Basketball
6	Lindsay, James	Boys Soccer
7	Porras, Luis	Boys Soccer
8	Sr Thomas, Raymond	Boys Basketball
9	Thomas, Raymond	Boys Basketball
10	Sudduth, Charles	Boys Basketball
11	Austin, George	Athletic Director
12	Interrante, Giuseppe	Girls Soccer
13	McCoy, Shawn	Boys Basketball
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Principal: David Luongo

School: El Cerrito High

Signature: [Signature]

Date: 2/6/2014

gfa

Certification of Coaches Form

_____ Fall x Winter _____ Spring

I certify that the following individuals are fully qualified and have met all requirements listed in CCR, Section 5593

	NAME	SPORT
1	Jason Strickland	Athletic Director/Boys Soccer
2	Drew Evans	Boys Basketball
3	Mike Hudson	Boys Basketball
4	Daniel Guy	Girls Basketball
5	Mike Ponce	Girls Basketball
6	Antonio Montoya	Girls Basketball
7	Samantha Maldonado	Girls Soccer
8	Christopher Rogers	Girls Soccer
9	Igor Litvin	Boys Soccer
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Principal: Jen Bender

School: Hercules

Signature: 

Date: 2/1/14

Certification of Coaches Form

_____ Fall X Winter _____ Spring

I certify that the following individuals are fully qualified and have met all requirements listed in CCR, Section 5593

	NAME	SPORT
1	George Jackson	Varsity Boys Basketball
2	Raephel Jackson	Varsity Girls Basketball
3	Timothy Logan	JV Girls Basketball
4	Reginald Figgs	JV Boys Basketball
5	Vicente Cruz	Varsity Girls Soccer
6	Harry Campbell	Varsity Boys Soccer
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Principal: Phillip Johnson

School: Kennedy

Signature: Phillip Johnson

Date: 2/6/14

Certification of Coaches Form

_____ Fall X Winter _____ Spring

I certify that the following individuals are fully qualified and have met all requirements listed in CCR, Section 5593

	NAME	SPORT
1	Anthony Geddings	Boys Basketball
2	Jeremiah Fielder	Boys Basketball
3	Eric Chandler	Boys Basketball
4	Alicia Hernandez	Girls Basketball
5	Hervey Rogers	Girls Basketball
6	Francisco Carrasco	Boys Soccer
7	Raul Morales	Boys Soccer
8	Tyler Schaner	Boys Soccer
9	Mike Alzagha	Girls Soccer
10	Amelia Freitas-Howard	Girls Soccer
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Principal: Kibby Kleiman

School: Pinole Valley HS

Signature: 

Date: 01/31/14

Certification of Coaches Form

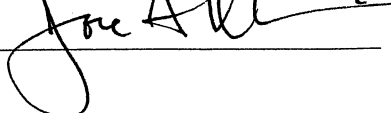
_____ Fall x Winter _____ Spring

I certify that the following individuals are fully qualified and have met all requirements listed in CCR, Section 5593

	NAME	SPORT
1	ROBERT COLLINS	BOYS BASKETBALL VARSITY
2	LEONARD NEAL	BOYS JV BASKETBALL GIRLS VARSITY BASKETBALL
3	NANCY CHICAS	BOYS VARSITY SOCCER
4	RENE SILES	BOYS JV SOCCER
5	JASMINE BEGOVIC	GIRLS VARSITY SOCCER
6	FELIPE FRANCO	GIRLS JV SOCCER
7	ANNANCY WILSON	
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Principal: JOSE DeLEON

School: RICHMOND

Signature: 

Date: 1/29/14

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: March 12, 2014

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

Agenda Item: CI C.8

Subject: Board Policy 5131 “Conduct”, Policy 5137 “Positive School Climate”, Policy 5145.7 “Sexual Harassment”, Policy 5145.3 “Nondiscrimination/Harassment” and Policy 5145.9

Background Information:

The K-12 Operations Department has worked to revise Board Policy 5131 “Conduct”, Policy 5137 “Positive School Climate”, Policy 5145.7 “Sexual Harassment”, Policy 5145.3 “Nondiscrimination/Harassment” and Policy 5145.9; specifically to meet the federal and state requirements.

Recommendation: That the Board approve the revisions to Board Policies

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

West Contra Costa ~~USD~~ Unified School District

Board Policy 5131

~~Conduct~~

~~BP 5131~~

~~Students~~

Student Conduct

The Governing West Contra Costa Unified School District Board of Education, hereinafter referred to as the Board, believes that all students have the right to be educated in a positive learning environment free from disruptions. Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, while going to or coming from school, while at school activities, and while on district transportation is committed to equal opportunity for all individual in education within a safe school environment that allows all students equal access and opportunities to all of the District's programs and activities, including academic programs, educational supports, services and enrichment activities.

The Governing Board is committed to providing a safe educational environment and positive school climate to all students. In the West Contra Costa Unified School Districts, all students have the right to be educated in a positive and safe environment that is free from disruption.

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

Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with District programs while on school grounds, while going to or coming from school, while at school activities on or off school grounds, while on district transportation, or while otherwise in a District program or activity.

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

Prohibited student conduct includes, but is not limited to:

1. Conduct that endangers students, staff, or others, including, but not limited to, physical violence, possession of a firearm or other weapon, and terrorist threats;
3. 2. Discrimination, harassment, intimidation, or bullying of students or staff, including sexual and gender-based harassment, hate-motivated behavior, cyberbullying, hazing bullying, intimidation, so-called "cyberbullying," hazing or initiation activity,

ridicule, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause **violence**, bodily harm or **substantial disruption** emotional suffering;

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

- ~~2.~~ 3. Conduct that disrupts the orderly classroom or school environment;
4. **Willful defiance of staff's authority. School sites will develop standards that define defiance in a clear and nondiscriminatory way that minimizes discretion, and will establish safeguards to ensure standards are enforced in a nondiscriminatory manner.**
- ~~4.~~ 5. Damage to or theft of property belonging to students, staff, or the district. **The District shall not be responsible for students' personal belongings which are brought or campus or to a school activity and are lost, stolen, or damaged;**
6. Obscene acts or use of profane, vulgar, or abusive language;
7. Possession, use, or being under the influence of tobacco, alcohol, or other prohibited drugs;
- ~~5.~~ 8. Possession or use of laser pointers on school premises, unless used for a valid instructional or other school-related purpose, including employment (Penal Code 417.27);

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

9. Use of a cellular/digital telephone, pager, or other mobile communications device during instructional time, unless such use is necessary to accommodate a student with a disability.

Such devices shall be turned off in class, except when being used for a valid instructional or other school-related purpose as determined by the teacher or other district employee, and at any other time directed by a ~~district~~ **District** employee. Any device with camera, video, or voice recording function shall not be used in any manner which infringes on the privacy rights of any other person.

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

- ~~7.~~ 10. Plagiarism or dishonesty in school work or on tests;
- ~~8.~~ 11. Inappropriate attire. **School sites will adopt clear and fair standards to notify students of what is considered inappropriate;**
- ~~9.~~ 12. Tardiness or unexcused absence from school;
- ~~10.~~ 13. Failure to remain on school premises in accordance with school rules;

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

When a school official suspects that a search of a student or their belongings will turn up evidence of the student's violation of the law or school rules, such a search shall be conducted in accordance with Board Policy /Administrative Regulation 5145.12 - Search and Seizure.

When a student uses any prohibited device, or uses a permitted device in any unethical or illegal activity, a district employee may confiscate the device. The employee shall store the item in a secure manner until an appropriate time.

Students who violate district or school rules and regulations may be subject to discipline or other interventions including, but not limited to, suspension, expulsion, transfer to alternative programs, **referral to a student success team or counseling services, or denial of participation in extracurricular or co-curricular activities or other privileges** in accordance with Board policy and administrative regulation. **The Superintendent or designee shall notify and contact with local law enforcement as appropriate.**

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

~~Possession of Cellular Phones and Other Mobile Communications Devices~~

~~The Governing Board believes that the unauthorized use of electronic signaling devices adversely affects students' ability to achieve academic success, is disruptive to effective classroom discipline and management and can lead to an invasion of staff and students safety and privacy rights. The Board desires to keep district schools free of any classroom and/or~~

school interference by unauthorized use of such signaling devices. However, the Board believes some of these devices can be used effectively in the instructional program. Staff shall take measures in order to properly regulate and restrict such use.

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

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

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

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

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

Bullying/Cyberbullying

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

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

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

Students may submit a verbal or written complaint of conduct they consider to be bullying to a teacher or administrator and may also request that their name be kept in confidence. The Superintendent or designee may establish other processes whereby students may submit anonymous reports of bullying. Complaints of bullying or harassment shall be investigated and

~~resolved in accordance with site-level grievance procedures specified in AR 5145.7—Sexual Harassment.~~

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

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

Legal References:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32280-32289 Comprehensive safety plan

35181 Governing board authority to set policy on responsibilities of students

35291-35291.5 Rules

44807 Duty concerning conduct of students

48900-48925 Suspension and expulsion

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

CIVIL CODE

1714.1 Liability of parents and guardians for willful misconduct of minor

PENAL CODE

288.2 Harmful matter with intent to seduce

313 Harmful matter

417.25-417.27 Laser scope or laser pointer

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

653.2 Electronic communication devices, threats to safety

VEHICLE CODE

23123-23124 Prohibitions against use of electronic devices while driving

CODE OF REGULATIONS, TITLE 5

300-307 Duties of students

UNITED STATES CODE, TITLE 42

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

COURT DECISIONS

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

LaVine v. Blaine School District, (2000, 9th Cir.) 257 F.3d 981
Emmett v. Kent School District No. 415, (2000) 92 F. Supp. 1088
Bethel School District No. 403 v. Fraser, (1986) 478 U.S. 675
New Jersey v. T.L.O., (1985) 469 U.S. 325
Tinker v. Des Moines Independent Community School District, (1969) 393 U.S. 503

Management Resources:

CSBA PUBLICATIONS

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010
Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS Bullying at School, 2003
WEB SITES

CSBA: <http://www.csba.org>
California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/ls/ss>
Center for Safe and Responsible Internet Use: <http://cyberbully.org>
National School Boards Association: <http://www.nsba.org> National School Safety Center:
<http://www.schoolsafety.us> U.S. Department of Education: <http://www.ed.gov>

Policy WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

adopted: August 20, 2008 Richmond, California
revised: July 8, 2009
revised: May 23, 2012
revised: DATE

West Contra Costa ~~USD~~ Unified School District

Board Policy 5137

Positive School Climate

BP 5137

Students

The West Contra Costa Unified School District Board of Education, hereinafter referred to as the Board, is committed to equal opportunity for all individuals in education within a safe school environment that allows all students equal access and opportunities to all of the District's programs and activities, including academic programs, educational supports, services, and enrichment activities.

The Board is committed to providing a safe educational environment and positive school climate to all students. In the West Contra Costa Unified School District, all students have the right to be educated in a positive and safe environment that is free from disruption.

~~The Governing Board desires to enhance student learning by providing an orderly, caring, nurturing, and nondiscriminatory educational and social environment in which all students can feel safe and take pride in their school and their achievements. The school environment should be characterized by positive interpersonal relationships among students and between students and staff.~~

Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with District programs while on school grounds, while going to or coming from school, while at school activities on or off school grounds, while on District transportation, or while otherwise in a District program or activity (Board Policy 5131 – Student Conduct).

All staff are expected to serve as role models for students by demonstrating positive, professional attitudes and respect toward each student and other staff members. Teachers shall use effective classroom management techniques based on clear expectations for student behavior. Staff shall consistently enforce Board policies and regulations which establish rules for appropriate student conduct (**Board Policy 5131 – Student Conduct**).

~~including prohibitions against bullying, cyberbullying, harassment of students, hazing, other violence or threats of violence against students and staff, and drug, alcohol, and tobacco use.~~

The ~~district's~~ District's curriculum shall include age-appropriate character education which includes, but is not limited to, the principles of equality, human dignity, mutual respect, fairness, honesty, and citizenship. Teachers are encouraged to employ cooperative learning strategies that foster positive interactions in the classroom among students from diverse backgrounds.

~~The district shall provide instruction and counseling designed to promote positive racial and ethnic identity, help students understand diverse cultures, teach them to think critically about~~

~~racial bias and show them how to deal with discriminatory behavior in appropriate ways. All staff members are encouraged to incorporate culturally responsive practices into daily actions with students and other stakeholders.~~

The Superintendent or designee may develop other strategies to enhance students' feelings of connectedness with the schools, such as campus beautification projects, ~~graffiti removal~~, development of extracurricular activities and after-school programs, pairing of adult mentors with individual students, recognition of student achievement, and encouragement of strong family and community involvement in the schools.

Students shall have opportunities to voice their concerns about school policies and practices and to share responsibility for solving problems that affect their school.

The schools shall promote nonviolent conflict resolution techniques ~~in order~~ to encourage attitudes and behaviors that foster harmonious relations. ~~As part of this effort,~~ Students shall be taught the skills necessary to reduce violence, including, **but not limited to**, communication skills, anger management, bias reduction, and mediation skills.

~~Staff shall receive training that implements and supports conflict resolution techniques and training in conflict resolution techniques shall be available to parents/guardians and volunteers.~~

All District staff shall receive professional development to sustain a positive school climate, including, but not limited to, designed to improve classroom management, conflict resolution techniques, and communications with students, and parents/guardians, and colleagues. including persons of diverse backgrounds.

Legal Reference:

EDUCATION CODE

233-233.8 Hate violence prevention
32280-32289 School safety plans
32295.5 Teen court programs
35181 Governing board policy on responsibilities of students
35291-35291.5 Rules
44807 Teachers' duty concerning conduct of students
48900-48925 Suspension and expulsion

Management Resources:

CSBA PUBLICATIONS

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007
Protecting Our Schools: Governing Board Strategies to Combat School Violence, rev. 1999

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Bullying at School, 2003
Creating Safe and Drug-Free Schools: An Action Guide, 1996

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Preventing Bullying: A Manual for Schools and Communities, 1998

WEB SITES

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

California Department of Education, Learning Support: <http://www.cde.ca.gov/ls>

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

U.S. Department of Education, Office of Safe and Drug-Free Schools:
<http://www.ed.gov/offices/OESE/SDFS>

Policy:

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

Adopted: August 20, 2008 Richmond, California

West Contra Costa ~~USD~~ Unified School District

Board Policy 5145.3

Nondiscrimination/Harassment

~~BP 5145.3-~~

Students

The West Contra Costa Unified School District Board of Education, hereinafter referred to as the Board, is committed to equal opportunity for all individuals in education within a safe school environment that allows all students equal access and opportunities to all of the District's programs and activities, including academic programs, educational supports, services, and enrichment activities.

The Board is committed to providing a safe educational environment and positive school climate to all students. In the West Contra Costa Unified School District, all students have the right to be educated in a positive and safe environment that is free from harassment and discrimination.

The Board is committed to providing District programs and activities ~~shall be that are~~ free from discrimination, including harassment, with respect to a student's actual or perceived ~~sex, gender, ethnic group identification, race, national origin, religion, color, physical or mental disability, age or sexual orientation.~~ **race, ethnicity, culture, heritage, gender, gender identity, gender expression, sex, sexual orientation, physical or mental attribute, or religious beliefs or practices.**

The Board prohibits ~~intimidation~~ **discrimination** or harassment of any student by any employee, student or other person in the district. Staff shall be alert and immediately responsive to ~~student~~ conduct **that** which may interfere with ~~another~~ student's ability to participate in or benefit from school services, activities or privileges.

~~The Governing Board shall ensure equal opportunities for all students in admission and access to the educational program, guidance and counseling programs, athletic programs, testing procedures, and other activities.~~

~~School staff and volunteers shall carefully guard against segregation, bias and stereotyping in instruction, guidance and supervision. The district may provide male and female students with separate shower rooms and sexual health and HIV/AIDS prevention classes in order to protect student modesty.~~

~~Students who harass other students shall be subject to appropriate discipline, up to and including counseling, suspension and/or expulsion. An employee who permits or engages in harassment may be subject to disciplinary action, up to and including dismissal.~~

The Board hereby designates the following position as ~~Coordinator for Nondiscrimination~~ **Compliance Officer** to handle complaints regarding discrimination and inquiries regarding the ~~district's~~ **District's** nondiscrimination policies:

~~Associate Superintendent, K-Adult Schools~~
1108 Bissell Avenue
Richmond, CA 94804
(510) 231-1160

Rhonda Haney
Director, Title IX Educational Equity
West Contra Costa Unified School District
1108 Bissell Avenue, Room 215
Richmond, CA 94801
(510) 307-4538
rhoney@wccusd.net

~~Any student who feels that he/she is being harassed should immediately contact the Coordinator for Nondiscrimination, the principal or any other staff member.~~ **Any student who feels they are being or have been harassed while on school grounds, while going to or coming from school, while at school activities on or off school grounds, while on district transportation, or while otherwise in a District program or activity is encouraged to immediately contact a teacher or any other employee.** Any student who observes an incident of harassment should report the harassment to a school employee, whether or not the victim files a complaint.

~~Employees who become aware of an act of harassment shall immediately report the incident to the Coordinator for Nondiscrimination. Upon receiving a complaint of discrimination or harassment, the Coordinator shall immediately investigate the complaint in accordance with site-level grievance procedures specified in AR 5145.7 - Sexual Harassment. Where the Coordinator finds that harassment has occurred, he/she shall take prompt, appropriate action to end the harassment and address its effects on the victim.~~

~~The Coordinator shall also advise the victim of any other remedies that may be available. The Coordinator shall file a report with the Superintendent or designee and refer the matter to law enforcement where required.~~

~~Students may, but are not required to use the Incident Report Form attached to this policy to make complaints of sexual harassment.~~

An employee who receives such a complaint, otherwise becomes aware, or personally observes possible harassment shall immediately report it to the District's Compliance Officer or the principal or vice principal of the relevant school site. Such reports will be processed in accordance with Administrative Regulation 5145.7.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex, especially:

221.5 Prohibited sex discrimination

221.7 School-sponsored athletic programs; prohibited sex discrimination

48900.3 Suspension or expulsion for act of hate violence

48900.4 Suspension or expulsion for threats or harassment

48904 Liability of parent/guardian for willful student misconduct

48907 Student exercise of free expression

48950 Freedom of speech

49020-49023 Athletic programs

51006-51007 Equitable access to technological education programs

51500 Prohibited instruction or activity

51501 Prohibited means of instruction

60044 Prohibited instructional materials

CIVIL CODE

1714.1 Liability of parents/guardians for willful misconduct of minor

PENAL CODE

422.55 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

4621 District policies and procedures

4622 Notice requirements

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

UNITED STATES CODE, TITLE 42

2000d-2000e-17 Title VI & VII Civil Rights Act of 1964 as amended

2000h-2-2000h-6 Title IX, 1972 Education Act Amendments

CODE OF FEDERAL REGULATIONS, TITLE 34

100.3 Prohibition of discrimination on basis of race, color or national origin

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

106.9 Notification of nondiscrimination on basis of sex

COURT DECISIONS

Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130

Management Resources:

OFFICE OF CIVIL RIGHTS PUBLICATIONS

Notice of Non-Discrimination, January, 1999

Racial Incidents and Harassment Against Students at Educational Institutions; Investigative Guidance, 59 FR 47, March, 1994

WEB SITES

U.S. Department of Education, Office of Civil Rights: <http://www.ed.gov/offices/OCR>

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

Policy WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

adopted: August 20, 2008 Richmond, California

West Contra Costa ~~USD~~ Unified School District

Board Policy 5145.7

Sexual and Gender-Based Harassment

BP 5145.7

Students

The West Contra Costa Unified School District Board of Education, hereinafter referred to as the Board, is committed to equal opportunity for all individuals in education within a safe school environment that allows all students equal access and opportunities to all of the District's programs and activities, including academic programs, educational supports, services, and enrichment activities.

The Board is committed to providing a safe educational environment and positive school climate to all students. In the West Contra Costa Unified School District, all students have the right to be educated in a positive and safe environment that is free from harassment and discrimination.

~~The Governing Board is committed to maintaining an educational environment that is free from harassment, a safe school environment that is free from discrimination and harassment.~~

The Board prohibits sexual and gender-based harassment of students by other students, employees or other persons, ~~at school or at school-sponsored or school-related activities~~ **while on school grounds, while going to or coming from school, while at school activities on or off school grounds, while on district transportation, or while otherwise in a District program or activity.**

The Board also prohibits retaliatory behavior or action against any persons who files a complaint, ~~testify~~ **testifies**, assist or otherwise participates in ~~district~~ **District** the complaint processes procedures.

~~established pursuant to this policy and Administrative Regulation 5145.7. A definition of sexual harassment, examples of conduct that may constitute sexual harassment and the procedure the District will follow to investigate and resolve reported or suspected incidents of sexual harassment are included in Administrative Regulation 5145.7, a copy of which is available in the District's administrative offices or on the District's website.~~

Instruction/Information

The Superintendent or designee shall ensure that all ~~district~~ staff receive training and all ~~district~~ students receive age appropriate instruction and information on sexual and gender-based harassment. Student instruction and information shall include, **but is not limited to:**

1. What acts and behavior constitute sexual and gender-based harassment, including the fact that such harassment could occur between people of the same ~~gender~~ sex and that sexual violence is a form of sexual harassment;
2. A clear message that students do not have to endure sexual or gender-based harassment.
3. Encouragement to report observed instances of sexual and gender-based harassment, even where the victim of the harassment has not complained;
4. Information about the District's procedure (Administrative Regulation 5145.7) for investigating complaints and the person(s) to whom a report of sexual and gender-based harassment should be made;
5. Information about the rights of students and parents/guardians to file a criminal complaint, as applicable.

Definition and Examples of Sexual Harassment

Sexual harassment is unwelcome conduct of a sexual nature. Examples of conduct that may constitute sexual harassment, if unwelcome, include:

1. Suggestive or obscene letters, notes, invitations, graffiti, jokes, or comments; slurs; epithets; sexual gestures; and displays of sexually suggestive objects, pictures, or cartoons;
2. Groping, sexual touching, leering, and impeding or blocking movement;
3. Sexual conduct that would be considered criminal activity, including sexual assault and sexual exploitation;
4. Continuing to express sexual interest after being informed that the interest is unwelcome (reciprocal attraction, among peers, is not considered sexual harassment);
5. Threatening to withhold grades earned or deserved or suggesting a scholarship recommendation or college application will be denied, as a condition of receiving sexual favors;
6. Engaging in sexual behavior to control, influence, or affect the educational opportunities, grades, and/or learning environment of a student;
7. Offering favors or educational benefits, such as grades, assessments, assignments, and recommendations in exchange for sexual favors;
8. Inappropriate sexual touching between students that, even if consensual, contributes to a sexually charged environment for other students who witness the behavior;
9. Any sexual conduct or expression of sexual interest by an adult toward a student regardless of reciprocity.

Definition and Examples of Gender-Based Harassment

Gender-based harassment includes acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, although they are not necessarily sexual in nature. Prohibited conduct includes harassment of a student for exhibiting what is perceived as a stereotypical characteristic for her or his sex, or for nonconformance with stereotypical notions of masculinity and femininity. Examples of conduct that may constitute gender-based harassment include:

1. Disparaging remarks made to a student or aggression toward a student because that student displays mannerisms or a style of dress perceived as indicative of the other sex;
2. Hostility toward a student because that student participates in an athletic activity more typically favored by a student of the other sex;
3. Intimidating a student to discourage that student from enrolling in a particular area of study because of his/her gender;
4. Use of gender-specific slurs, whether written or spoken;
5. Taunting a student who wishes to participate in an extracurricular activity because that activity is more typically favored by a student of the other sex.

Complaint Process

Any student who feels that ~~he or she~~ **they are being or have been** is being or has been subjected to sexual harassment harassed based on sex or gender ~~on school grounds or at a school sponsored or school-related activity~~ **while on school grounds, while going to or coming from school, while at school activities on or off school grounds, while on district transportation, or while otherwise in a District program or activity**, is encouraged to immediately contact ~~his or her~~ a teacher or any other employee. ~~Students may, but are not required to use the Incident Report Form attached to this policy to make complaints of sexual harassment.~~

An employee who receives such a complaint, ~~or otherwise becomes aware,~~ **or personally observes** possible sexual or gender-based harassment shall immediately report it to the ~~district's~~ **District's** Compliance Officer or the principal or vice principal of the relevant school site. Such reports will be processed in accordance with Administrative Regulation 5145.7.

~~A school employee to whom a complaint is made shall, within 24 hours of receiving the complaint, report it to the principal or designee. Any school employee who observes any incident of sexual harassment involving a student shall report this observation to the principal or designee, whether or not the victim files a complaint.~~

~~In any case of sexual harassment involving the principal or any other district employee to whom the complaint would ordinarily be made, the employee who receives the student's report or who observes the incident shall report to the Nondiscrimination Coordinator, who the District has designated to coordinate its compliance with Title IX on matters other than athletics, or the Superintendent or designee.~~

~~The principal or designee to whom a complaint of sexual harassment is reported shall immediately investigate the complaint in accordance with Administrative Regulation 5145.7. Where the principal or designee finds that sexual harassment occurred, he/she shall take prompt, appropriate action to end the harassment and address its effects on the victim. The principal or designee shall also advise the victim of any other remedies that may be available. The principal or designee shall file a report with the Superintendent or designee and refer the matter to law enforcement authorities, where required.~~

The Superintendent or designee shall ensure that any complaints regarding sexual or gender-based harassment are immediately investigated in accordance with Administrative Regulation 5145.7.

When the Superintendent or designee has determined that harassment has occurred, he/she shall take prompt, appropriate action to end the harassment, prevent its recurrence and address its effects on the victim.

Disciplinary and Other Measures

Any student who engages in sexual or gender-based harassment of anyone at school or at a school sponsored or school-related activity is in violation of this policy and will receive interventions and may be subject to disciplinary action. Examples of interventions include counseling, guidance, education about the impact of harassment, positive behavior support, referral to a student success team, transfer to alternative programs and denial of participation in extracurricular or co-curricular activities or other privileges. For students in grades 4 through 12, disciplinary action may include suspension and/or expulsion, provided that in imposing discipline the entire circumstances of the incident(s) shall be taken into account.

~~The district~~ **District will** may respond to off-campus sexual or gender-based harassment if the harassment contributes to a hostile environment on campus, poses a threat or danger to the safety of students or substantially disrupts school activities.

Confidentiality and Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of sexual and gender-based harassment to enable the ~~district~~ **District** to monitor, address and prevent repetitive harassing behavior in its schools.

All complaints and allegations of sexual and gender-based harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action. (5CCR4964).

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

48900 Grounds for suspension or expulsion

48900.2 Additional grounds for suspension or expulsion; sexual harassment

48904 Liability of parent/guardian for willful student misconduct

48980 Notice at beginning of term

CIVIL CODE

51.9 Liability for sexual harassment; business, service and professional relationships
1714.1 Liability of parents/guardians for willful misconduct of minor

GOVERNMENT CODE

12950.1 Sexual harassment training

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform Complaint Procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX, discrimination

UNITED STATES CODE, TITLE 42

1983 Civil action for deprivation of rights

2000d-2000d-7 Title VI, Civil Rights Act of 1964

2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended

CODE OF FEDERAL REGULATIONS, TITLE 34

106.1-106.71 Nondiscrimination on the basis of sex in education programs

COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567

Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130

Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736

Davis v. Monroe County Board of Education, (1999) 526 U.S. 629

Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274

Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473

Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447

Management Resources:

OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Sexual Harassment: It's Not Academic, September 2008

Revised Sexual Harassment Guidance, January 2001

WEB SITES

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

U.S. Department of Education, Office for Civil Rights:

<http://www.ed.gov/about/offices/list/ocr/index.html>

Policy WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

adopted: November 3, 2010 Richmond, California

West Contra Costa ~~USD~~ Unified School District

Board Policy 5145.9

Hate-Motivated Behavior

BP 5145.9

Students

The West Contra Costa Unified School District Board of Education, hereinafter referred to as the Board, is committed to equal opportunity for all individuals in education within a safe school environment that allows all students equal access and opportunities to all of the District's programs and activities, including academic programs, educational supports, services, and enrichment activities.

The Board is committed to providing a safe educational environment and positive school climate to all students. In the West Contra Costa Unified School District, all students have the right to be educated in a positive and safe environment that is free from disruption.

The ~~Governing~~ Board affirms the right of every student to be protected from hate-motivated behavior. It is the intent of the Board to ~~promote harmonious relationships that enable students to gain a true understanding of the civil rights and social responsibilities of people in our society.~~ **promote understanding of and respect for human rights, diversity, and tolerance in a multicultural society and to provide strategies to manage conflicts constructively.**

~~Hate Motivated Behavior means any intentional statements that harass, intimidate, or bully by way of any intentional written, verbal or electronic communication or physical act, including, but not limited to, one shown to be motivated by a student's cultural or perceived race, color, religion, national origin, ancestry or ethnicity, sex, sexual orientation, physical, mental, emotional, or learning disability, gender identity, pregnancy, material or parental status, or distinguishing personal characteristic, when the intentional written, verbal or physical act:~~

- ~~1. Physically harms a student or damages the student's property; or~~
- ~~2. Has the effect of substantially interfering with a student's education; or~~
- ~~3. Is so severe, persistent or pervasive that it creates an intimidating or threatening educational environment; or~~
- ~~4. Has the effect of substantially disrupting the orderly operation of the school. (Education Code 200, 201)~~

The District prohibits discriminatory behavior or statements that degrade an individual on the basis of his/her actual or perceived race, ethnicity, culture, heritage, gender, gender identity, gender expression, sexual orientation, physical/mental attributes, or religious beliefs or practices.

The Superintendent or designee shall collaborate with regional programs and community organizations to promote safe environments for youth. These efforts shall be focused on providing an efficient use of district and community resources.

The district shall provide age-appropriate instruction to help promote understanding of and respect for human rights, diversity, and tolerance in a multicultural society and to provide strategies to manage conflicts constructively. (Education Code 233.8)

The Superintendent or designee shall ensure that staff receive training on recognizing hate-motivated behavior and on strategies to help respond appropriately to such behavior.

Grievance Procedures

Complaint Process

Any student who feels that ~~he / or she~~ they are being or have been is a victim of hate-motivated behavior on school grounds, while going to or coming from school, while at school activities on or off school grounds, while on District transportation, or while otherwise in a District program or activity (e.g., by a visiting athlete or coach) is encouraged to immediately contact his or her teacher or any other employee.

An employee who receives such a complaint, otherwise becomes aware of, or personally observes possible hate-motivated behavior shall immediately report it to the District Compliance Officer or the principal or vice principal of the relevant school site. Such reports will be processed in accordance with Administrative Regulation 5145.7.

~~is encouraged to immediately contact the principal, vice principal or Title IX coordinator. If the student believes that the situation has not been remedied by the principal or designee, he/she may file a complaint in accordance with district complaint procedures. (Education Code 220)~~

~~The Superintendent or designee shall ensure that any complaints are immediately investigated in accordance with AR 5145.7 Sexual and Gender Based Harassment.~~

The Superintendent or designee shall ensure that any complaints regarding hate-motivated behavior are immediately investigated in accordance with Administrative Regulation 5145.7.

When the Superintendent or designee has determined that hate-motivated behavior has occurred, he/she shall take prompt, appropriate action to end the hate-motivated behavior, prevent its recurrence and address its effects on the victim.

A student who has been found to have demonstrated hate-motivated behavior shall receive interventions and/or be subject to discipline in accordance with law, Board policy, and administrative regulation.

~~Staff who receive notice of hate-motivated behavior or personally observe such behavior shall notify the principal, Compliance Officer, Superintendent or designee, and law enforcement, as appropriate.~~

~~Students demonstrating hate-motivated behavior shall be subject to discipline in accordance with Board policy and administrative regulation. (Education Code 261)~~

In addition, the district shall provide counseling and appropriate anti-bias training and diversity education for students about the impact of exhibiting hate-motivated behavior. The district shall also provide counseling, guidance and support, as necessary, to those students who are the victims of hate-motivated behavior **and to students who exhibit such behavior.** (Education Code 233.8)

~~The Superintendent or designee shall ensure that all staff receives appropriate training to recognize hate-motivated behavior and methods for handling such behavior in appropriate ways. (Education Code 35294.13)~~

~~The district shall provide age-appropriate instruction to help promote understanding of and respect for human rights. (Education Code 233.8)~~

~~At the beginning of each school year, students and staff shall receive a copy of the district's policy on hate-motivated behavior. (Education Code 234.3)~~

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

48900.3 Suspension for hate violence

PENAL CODE

186.21 Street terrorism; legislative findings and declarations

422.55-422.86 Hate Crimes

11410-11414 Terrorism

13023 Reports by law enforcement of crimes motivated by race, ethnicity, religion, sexual orientation or physical or mental disability

13519.6 Hate crimes, training courses and guidelines

UNITED STATES CODE, TITLE 18

245 Federally protected activities

Management Resources:

CSBA PUBLICATIONS

Protecting Our Schools: Governing Board Strategies to Combat School Violence, 1995

ALAMEDA OFFICE OF EDUCATION & CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Hate-Motivated Behavior in Schools: Response Strategies for School Boards, Administrators, Law Enforcement and Communities, 1997

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS & NATIONAL ASSOCIATION OF ATTORNEYS GENERAL PUBLICATIONS

Protecting Students from Harassment and Hate Crime: A Guide for Schools, 1999

WEB SITES

CDE: <http://www.cde.ca.gov>

California Association of Human Relations Organizations: <http://www.cahro.org>

United States Department of Education, Office of Civil Rights: <http://www.ed.gov/offices/OCR/index.html>

Policy WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

adopted: July 29, 2009 Richmond, California

revised: DATE Richmond, California

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

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: March 12, 2014

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

Agenda Item: CI C.9

Subject: Resolution No. 66-1314: California Adult Education Week – March 10-14, 2014

Background Information:

The administration, teachers and students of the West Contra Costa Adult School are recognized for their efforts and accomplishments.

Recommendation: Recommend Approval

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

West Contra Costa Unified School District

Resolution No. 66:1314

Adult Education Week

March 10-14, 2014

WHEREAS, from March 10 through March 14, 2014, the State of California will observe Adult Education Week; and

WHEREAS, West Contra Costa Adult School serves the changing economic and cultural needs of a vigorous, expanding community and provides for the unique needs of individuals in a diverse population; and

WHEREAS, West Contra Costa Adult School provides instruction to those in our community who need English as a Second Language and citizenship courses; and

WHEREAS, West Contra Costa Adult School, recognizing that to break the cycle of illiteracy we must focus on educating parents, provides programs in Family and Adult Literacy; and

WHEREAS, West Contra Costa Adult School provides a way for adults to complete high school studies in their own time and pace; and

WHEREAS, West Contra Costa Adult School provides instruction for parents and families, ranging from pre-birth classes through a wide spectrum of parent education and family literacy courses; and

WHEREAS, West Contra Costa Adult School provides career and technical education reflective of economic and regional opportunities and health, fitness and safety training improving quality of life concerns; and

WHEREAS, West Contra Costa Adult School provides programs especially designed for our older adult and disabled population; and

NOW THEREFORE, BE IT RESOLVED, that the Governing Board of the West Contra Costa Unified School District does hereby proclaim the week of March 10-14, 2013, Adult Education Week, salutes the administration, teachers and students of the West Contra Costa Adult School and honors their efforts and accomplishments.

PASSED AND ADOPTED, by the Board of Education of the West Contra Costa Unified School District on the 12 day of March 2014, by the following vote:

AYES _____ NOES _____ ABSENT _____ ABSTAIN _____

I HEREBY CERTIFY that the foregoing resolution was duly introduced, passed, and adopted by the Board of Education at a meeting held on March 12, 2014.

Charles Ramsey
President, 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:** March 12, 2014
From: Nia Rashidchi **Agenda Item:** CI C.10
Assistant Superintendent for Educational Services
Subject: Resolution No. 62-1314: Arts in Education Month – March 2014

Background Information: This resolution proclaims the month of March as Arts Education Month and encourages all educational communities to celebrate the arts with meaningful student activities and programs that demonstrate learning and understanding in the visual and performing arts.

Recommendation: Approval

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 62-1314

ARTS EDUCATION MONTH MARCH 2014

WHEREAS, Arts Education, which includes dance, theater, music, and the visual arts, is an essential part of basic education for all students, kindergarten through grade twelve, to provide for balanced learning and to develop the full potential of their minds; and

WHEREAS, through well-planned instruction and activities in the arts, children develop initiative, creative ability, self-expression, self-evaluation, thinking skills, discipline, a heightened appreciation of beauty and cross-cultural understandings; and

WHEREAS, many national and state professional arts education associations hold celebrations in March focused on students' participation in the arts; and

WHEREAS, these celebrations give California schools a unique opportunity to focus on the value of the arts for all students, to foster cross-cultural understanding, to give recognition to the state's outstanding young artists, and to enhance public support for this important part of our curriculum; and

WHEREAS, the California State Board of Education stated in its Arts Education Policy that each student should receive a high quality comprehensive arts education program based on the adopted *Visual and Performing Arts Framework for California Public Schools, Kindergarten Through Grade Twelve*;

NOW, THEREFORE BE IT RESOLVED, that the California State Board of Education, as does the West Contra Costa Unified School District, proclaims the month of March 2014 as Arts Education Month and encourages all educational communities to celebrate the arts with meaningful student activities and programs that demonstrate learning and understanding the visual and performing arts.

PASSED AND ADOPTED, this twelfth day of March 2014 at a regular meeting of the Board of Education by the following vote:

AYES _____

NOES _____

ABSENT _____

ABSTAIN _____

I HEREBY CERTIFY that the foregoing resolution was duly and regularly introduced, passed, and adopted by the members of the Governing Board of the West Contra Costa Unified School District at a public meeting of said Board held on March 12, 2014.

President of the 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:** March 12, 2014
From: Nia Rashidchi **Agenda Item:** CI C.11
Assistant Superintendent for Educational Services
Subject: Resolution No. 63-1314: Women's History Month – March 2014

Background Information: This resolution proclaims the month of March as Women's History Month and encourages all educational communities to commemorate this time with appropriate instructional activities.

Recommendation: Approval

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

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

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 63-1314

**WOMEN'S HISTORY MONTH
MARCH 2014**

WHEREAS, Women of every race and ethnic background contributed to our country's triumphs and accomplishments in countless ways as wives, mothers, homemakers, teachers, reformers, industrial workers, other professionals, mentors, soldiers, pioneers, nuns, indentured servants, and slaves; and

WHEREAS, Women have played and continued to play a critical economic, cultural, social role in every sphere of our nation's life by constituting a significant portion of the labor force working in and outside the home and as elected officials; and

WHEREAS, Women have played a unique role throughout our history by providing the majority of the nation's volunteer labor force and have been particularly important in the establishment of early charitable, philanthropic, and cultural institutions in the country; and

WHEREAS, Women of every race and ethnic background served as leaders in the forefront of every major progressive social change movement, not only to secure their own right of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor union movement, and the modern civil rights movement; and

WHEREAS, the role of women in history has been overlooked and undervalued and is now an important part of the body of American and world history; and

WHEREAS, the *History-Social Science Framework for California Public Schools, Kindergarten Through Grade Twelve* state that the history of community, state, region, nation, and world must reflect the experiences of men and women and of different racial, religious, and ethnic groups and that these studies be integrated at every grade level in the curriculum, now therefore, be it

RESOLVED, that the California State Board of Education, as does the West Contra Costa Unified School District, proclaim the month of March 2014 Women's' History Month and encourages all educational communities to commemorate this time with appropriate instructional activities.

PASSED AND ADOPTED this twelfth day of March 2014 at a regular meeting of the Board of Education by the following vote:

AYES _____ NOES _____ ABSENT _____ ABSTAIN _____

I HEREBY CERTIFY that the foregoing resolution was duly and regularly introduced, passed, and adopted by the members of the Governing Boards of the West Contra Costa Unified School District at a public meeting of said Board held on March 12, 2014.

President of the Board of Education

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

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education **Meeting Date:** March 12, 2014
From: Bill Fay **Agenda Item:** CI C.12
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.

Fiscal Impact: Total for this action: \$1,935,875. Funding sources Fund 40, Measure J Bond and Measure D-2010 Bond.

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 Security Project Measure J Bond (PID:11510045-03)	January 2014 through December 2014	Security By Design	\$58,720	Security System Design Services.
Helms Middle School Security Project Measure D-2010 Bond (PID:21010045-03)	January 2014 through December 2014	Security By Design	\$80,860	Security System Design Services.
Helms Middle School Dental Clinic Project Measure D-2010 Bond (PID:)	February 2014 through June 2014	Baker Vilar Architects	\$7,932	Feasibility Study and Master Plan services.
Hercules Middle High School Health Clinic Project Measure Bond (PID:3761395-00)	March 2014 through July 2014	W.J. Robinson & Associates	\$22,867	Construction Management Services.
Kennedy High School Science Building Modernization Project Measure D-2010 Bond (PID:3601211-13)	February 2014 through June 2014	Powell & Partners	\$4,170	Additional design review services
La Vonya De Jean Middle School MPR Sound System Project Fund 40 (PID:20810059-00)	March 2014 through December 2014	Rosen Goldberg Der & Lewitz, Inc.	\$14,300	Additional Audiovisual design services
Montalvin Elementary School New Classroom Building Project Measure D-2010 Bond (PID:1401347-00)	February 2014 through November 2014	Grossman Design Group	\$40,000	Waterproofing design construction administration
Montalvin Elementary School New Classroom Building Project Measure D-2010 Bond (PID:1401347-00)	February 2014 through November 2014	Omtrak	\$4,506	Consulting services to create digital turnover and warranty information.

March 12, 2014

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

ENGINEERING & ARCHITECTURAL SERVICES CONTRACTS

Montalvin Elementary School New Classroom Building Project Measure D-2010 Bond (PID:1401347-00)	February 2014 through November 2014	ENGEO	\$39,400	Geotechnical and Environmental Construction Support Services.
Montalvin Elementary School New Classroom Building Project Measure D-2010 Bond (PID:1401347-00)	February 2014 through November 2014	Consolidated Engineering Laboratories	\$25,000	Testing & Inspection Services.
Montalvin Elementary School New Classroom Building Project Measure D-2010 Bond (PID:1401347-00)	January 2014 through December 2014	Security By Design	\$32,320	Security System Design Services.
Nystrom Elementary School Modernization Project Measure J Bond (PID:1141205-02)	February 2014 through July 2014	Hill Zion Services, Inc.	Not-To- Exceed \$30,000	Onsite Security Services.
Nystrom Elementary School Modernization Project Measure J Bond (PID:1141205-02)	June 2014 through December 2015	PMC	\$15,980	CEQA compliance services.
Ohlone Elementary School Interim Housing Project Measure J Bond (PID:1461206-02)	February 2014 through June 2014	Powell & Partners Architects	\$38,900	Additional design services.
Ohlone Elementary School East Campus Project Measure J Bond (PID:1461206-03)	February 2014 through June 2014	Powell & Partners Architects	\$296,010	Additional design services.

March 12, 2014

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

ENGINEERING & ARCHITECTURAL SERVICES CONTRACTS

Pinole Valley High School Off-Site Parking & Signal Project Measure D-2010 Bond (PID:3621377-10)	February 2014 through April 2014	Fehr & Peers	\$14,500	Lighting Analysis design services.
Pinole Valley High School Detention Basin Project Measure D-2010 Bond (PID:3621377-01)	November 2013 through April 2014	Consolidated Engineering Laboratories	\$30,000	Testing and Inspection Services.
Portola Middle School Campus Replacement Project Measure D-2010 Bond (PID:2141103-06)	February 2014 through December 2014	PMC	\$9,780	CEQA compliance services.
Richmond High School Building A Project Measure D-2010 Bond (PID:3641380-08)	February 2014 through December 2014	Security By Design	\$19,360	Security system design services.
Richmond High School Building B Project Measure D-2010 Bond (PID:3641380-07)	February 2014 through December 2014	Security By Design	\$19,360	Security system design services.
Ohlone Elementary School Campus Replacement Project Measure J Bond (PID:1461206-04)	March 2014 through October 2014	SGL Construction Management	\$204,374	Construction Management Services.
Portola Middle School Campus Replacement Project Measure D-2010 Bond (PID:2141103-06)	January 2014 through December 2014	SGL Construction Management	\$597,495	Construction Management Services.
Downer Elementary School Playfield Project Measure J Bond (PID:1161224-01)	March 2014 through November 2014	SGL Construction Management	\$117,268	Construction Management Services.

March 12, 2014

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

ENGINEERING & ARCHITECTURAL SERVICES CONTRACTS

Pinole Middle School Playfield Project Measure J Bond (PID:2121102-06)	March 2014 through March 2015	SGI Construction Management	\$169,113	Construction Management Services.
WCCUSD Facilities Operations Center Permanent Relocation Measure E-2012 Bond (PID:66910054-00)	July 2013 through June 2014	Luk & Associates	\$1,850	Reimbursable expenses.
Downer Elementary School Restrooms Project Measure J Bond (PID:1161224-01)	January 2013 through January 2014	BCA Architects	\$3,700	Reimbursable expenses.
Highland Elementary School Campus Replacement Project Measure E-2012 Bond (PID: 1221357-04)	July 2013 through June 2014	QKA	\$38,110	Reimbursable expenses.

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:** March 12, 2013
From: Bill Fay **Agenda Item:** CI C.13
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: Pinole Valley HS Baseball Park; De Anza HS Campus Replacement; Downer ES Restroom Repairs; Helms MS Sports Field & Landscaping; Gompers/LPS New Schools; Kennedy HS Science Wing Renovation; Ohlone ES Phase I New Classroom. 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 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:

Approve negotiated Change Orders as noted.

Fiscal Impact: Total approval by this action: \$625,729.35

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

March 12, 2014 Change Order Ratification Summary

	Project	Company	Original Contract	Previously Approved CO's	CO's Pending Approval	Change Percent	Total CO's	Total CO Percent of Original Contract	Adjusted New Contract	Change Order Numbers
1	Pinole Valley HS Baseball Park	Roebbelen	\$45,000.00	\$0.00	3,344.00	7.43%	\$3,344.00	7.43%	\$48,344.00	1
2	De Anza HS Campus Replacement	Wright Contracting	\$62,508,000.00	\$7,392,465.00	65,530.00	0.10%	\$7,457,995.00	11.93%	\$69,965,995.00	42
3	Downer ES Restroom Repairs	Streamline Builders	\$192,000.00	\$7,332.35	\$5,000.00	2.604%	\$12,332.35	6.42%	\$204,332.35	9
4	Helms MS Sports Field & Landscaping	Robert A. Bothman	\$5,951,048.00	\$197,143.51	\$7,873.40	0.132%	\$212,693.86	3.57%	\$6,163,741.86	4
					\$7,676.95	0.129%				5
5	Gompers/LPS New Schools	Lathrop Construction	\$53,887,350.00	\$465,931.00	\$122,741.00	0.228%	\$673,297.00	1.25%	\$54,560,647.00	30
					\$46,830.00	0.087%				31
					\$10,366.00	0.019%				32
					\$27,429.00	0.051%				33
6	Kennedy HS Science Wing Renovation	BHM Construction, Inc.	\$4,136,303.00	\$39,845.00	\$1,505.00	0.036%	\$81,893.00	1.98%	\$4,218,196.00	9
					\$3,963.00	0.096%				10
					\$19,223.00	0.465%				11
					\$17,357.00	0.420%				12
7	Ohlone ES Phase I New Classroom	Zovich Construction	\$16,961,000.00	\$1,311,512.51	\$18,559.00	0.109%	\$1,598,403.51	9.42%	\$18,559,403.51	74
					\$10,288.00	0.061%				75
					\$9,828.00	0.058%				76
					-\$5,932.00	-0.035%				77
					\$3,185.00	0.019%				78
					\$6,272.00	0.037%				79
					-\$2,968.00	-0.017%				80
					\$10,555.00	0.062%				81
					\$237,104.00	1.398%				82

Total Board Action	\$625,729.35
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Note: the proposed Board Action is to Approve all Change Orders below ten percent (10%) of the Contract Value.

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: March 12, 2014

From: Bill Fay
Associate Superintendent for Operations

Agenda Item: CI C.14

Subject: Citizens' Bond Oversight Committee (CBOC) Appointment: Bill Kelly by Hercules City Council

Background Information:

The City Council of Hercules has recommended that Bill Kelly be appointed to the Citizen's Bond Oversight Committee (CBOC).

Recommendation: Approve appointment as noted.

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____



CITY OF HERCULES

111 CIVIC DRIVE, HERCULES, CA 94547

PHONE: 510 • 799 • 8200

February 13, 2014

Charles Ramsey, President and
Members of the Board of Education
West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, CA 94801-3135

RE: West Contra Costa Unified School District Bond Oversight Committee

Honorable President Ramsey and Members of the Board of Education:

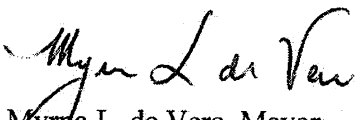
At a Regular Meeting of the Hercules City Council held on January 14, 2014, by a unanimous voice vote of the Hercules City Council, Hercules City Council Member Bill Kelly was appointed to serve as the City's representative to the WCCUSD Bond Oversight Committee. Additionally, Hercules resident Hector Rubio was unanimously appointed to serve as the City's alternate and will attend and participate in any and all meetings of the BOC that Bill Kelly is unable to attend.

On behalf of the Hercules City Council, I respectfully request that these appointments be scheduled for ratification by the members of the Board of Education at their next regularly scheduled meeting.

If you should have any questions or need additional clarification, please do not hesitate to contact me at (510) 799-8215.

Sincerely,

CITY OF HERCULES



Myrna L. de Vera, Mayor

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:** March 12, 2014
From: Bill Fay **Agenda Item:** CI C.15
Associate Superintendent for Operations
Subject: Citizens' Bond Oversight Committee (CBOC) Appointment: Tim Warner be reappointed by
Board Member Madeline Kronenberg

Background Information:

Board Member Madeline Kronenberg has recommended Mr. Tim Warner be reappointed to the Citizens' Bond Oversight Committee.

Recommendation: Approve appointment as noted.

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: March 12, 2014

From: Bill Fay
Associate Superintendent Operations

Agenda Item: CI C.16

Subject: El Cerrito High School Stadium Project- Request to Substitute Listed Subcontractor Pursuant to an Inadvertent Clerical Error - Resolution No. 64-1314

Background Information:

On November 5, 2013, Wright Contracting, Inc. ("Wright") submitted its bid to the District to perform work for the El Cerrito High School Stadium Project. The following day, Wright informed the District that it had made a clerical error and inadvertently listed Crusader Fence & Iron ("Crusader Fence") as the fencing subcontractor when it had intended to list Cyclone Fence & Iron ("Cyclone Fence"). Crusader Fence objected to the Request and the District timely held a substitution hearing ("Substitution Hearing").

At the Substitution Hearing, the District considered evidence presented by Wright. Crusader Fence did not present any written evidence prior to or at the Substitution Hearing.

Thus the evidence presented and considered by the District supports approval of a substitution of a listed subcontractor pursuant to Public Contract Code section 4107 (a) (5), based on an inadvertent clerical error.

Recommendation:

Approve the request of Wright Contracting, Inc., to substitute Cyclone Fence & Iron for Crusader Fence Co., Inc. and Resolution No. 64-1314.

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. 64-1314

**A RESOLUTION OF THE GOVERNING BOARD OF THE
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
APPROVING FINDINGS FOR SUBSTITUTION HEARING ON REQUEST FOR
SUBSTITUTION OF LISTED SUBCONTRACTOR PURSUANT TO PUBLIC CONTRACT
CODE SECTION 4107**

WHEREAS, on November 5, 2013, Wright Contracting, Inc., ("Wright") submitted its bid to the West Contra Costa Unified School District to perform work for the El Cerrito High School Stadium Project ("Project"); and

WHEREAS, Wright was the lowest responsible bidder and was awarded the Project on November 21, 2013; and

WHEREAS, on November 6, 2013, Wright informed the District that it had made a clerical error and inadvertently listed Crusader Fence & Iron ("Crusader Fence") as the fencing subcontractor when it had intended to list Cyclone Fence & Iron ("Cyclone"); and

WHEREAS, Wright represented that it had included Cyclone Fence's sub-bid in Wright's bid calculation but had inadvertently listed Crusader Fence on its Subcontractor Listing document; and

WHEREAS, Wright has a statutory duty to use the subcontractors listed in its bid unless the awarding body consents to substitute one listed subcontractor for another where one or more of the exceptions enumerated in Public Contract Code section 4107(a) are satisfied; and

WHEREAS, Public Contract Code section 4107(a)(5) provides in pertinent part:

A prime contractor whose bid is accepted may not:

(a) Substitute a person as subcontractor in place of the subcontractor listed in the original bid, except that the awarding authority, or its duly authorized officer, may, except as otherwise provided in Section 4107.5, consent to the substitution of another person as a subcontractor in any of the following situations:

(5) When the prime contractor demonstrates to the awarding authority, or its duly authorized officer, subject to the further provisions set forth in Section 4107.5, that the name of the subcontractor was listed as a result of an inadvertent clerical error.

WHEREAS, within the time provided by Public Contract Code section 4107.5, Crusader Fence objected to the Request; and

WHEREAS, after proper notice was given the District's duly authorized officer conducted a legal hearing with Wright and Cyclone Fence on January 23, 2014 ("Substitution Hearing"); and

WHEREAS, at the Substitution Hearing, Wright presented oral testimony, documents and arguments in favor of the substitution and Crusader Fence presented oral testimony and arguments in opposition to the substitution; and

WHEREAS, the findings and conclusions made by the District's Hearing Officer, are based upon all of the written evidence presented to it and taken as a whole and is not based on information or written evidence provided after the Substitution Hearing; and

WHEREAS, the evidence provided by Wright, supports the District's finding that Cyclone Fence submitted its sub-bid to Wright before Wright's final bid was finalized; and

WHEREAS, the evidence further supports the District's finding that Wright included Cyclone Fence's sub-bid into its final bid amount; and

WHEREAS, the evidence further supports the District's findings that Wright intended to list Cyclone Fence on its Subcontractor Listing document and that listing Crusader Fence was the result of an inadvertent clerical error; and

WHEREAS, the District intends to adopt the Hearing Officer's findings from the Substitution Hearing;

NOW, THEREFORE, the Governing Board of the West Contra Costa Unified School District hereby finds, determines, declares, orders and resolves as follows:

Section 1. That the above recitals are true and correct.

Section 2. That Wright sufficiently demonstrated that one of the nine enumerated circumstances justifying substitution of a listed subcontractor under Public Contract Code section 4107(a) exists, namely the listing of Crusader Fence by Wright was the result of an inadvertent clerical error.

Section 3. That the Board may consent to the substitution of Crusader Fence.

Section 4. That Wright has not committed bid shopping.

Section 5. That the District's Superintendent or his designees are directed to take such necessary actions to consent to Wright's Request to substitute Cyclone Fence to perform Crusader Fence's scope of work.

APPROVED, PASSED AND ADOPTED by the Governing Board of the West Contra Costa Unified School District on this ____ day of March 2014, 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

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: March 12, 2014

From: Bill Fay
Associate Superintendent Operations

Agenda Item: CI C.17

Subject: Right of Entry Agreement between WCCUSD and Pinole Valley Community Church for
Temporary Parking Purposes

Background Information:

In connection with the District's modernization of the Pinole Valley High School site ("School"), the District will need to provide off-site parking for School staff. The Pinole Valley Community Church (PVCC) owns property ("Property") that is adjacent to the Site and is willing to allow the District to use the Property to provide temporary parking for the School staff during the demolition and reconstruction of the School.

PVCC has agreed to allow the District to enter upon the Property, on a temporary basis, for the purpose of constructing and using a temporary staff parking lot. Once constructed, the District will have access to the parking lot for a term of five (5) years. PVCC is providing the District access to the Property at no cost. The District will be responsible for cleaning and maintaining the parking lot and installing proper signage limiting the use of the parking lot to School staff. The District's use of the parking lot will have priority during the hours of 7:00 am to 7:00 pm, Monday through Friday.

Recommendation: Approve the Right of Entry Agreement between the WCCUSD and Pinole Valley Community Church for the District's temporary use of the property for a temporary parking lot during the demolition and re-construction of the Pinole Valley High School Site.

Fiscal Impact: No fiscal impact or implications associated with the approval of the Right of Entry.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

RIGHT OF ENTRY AGREEMENT

This Right of Entry Agreement ("Agreement") is entered into this day of _____, 2014, by and between the West Contra Costa Unified School District, a public school district organized under the laws of the State of California ("District") and Pinole Valley Community Church ("Owner"). District and Owner are sometimes referred to individually as "Party" and collectively as "Parties."

RECITALS

A. **WHEREAS**, Owner owns real property located at 2885 Pinole Valley Road, Pinole CA, County of Contra Costa, ("Property"), as depicted in **Exhibit "A"**;

B. **WHEREAS**, District desires to obtain Owner's permission to enter upon the Property, on a temporary basis, for the purpose of building and using a Parking lot for the staff of Pinole Valley High School, to provide off street parking during the Demolition and re-construction of the existing Buildings located on adjacent District owned real property ("Parking Lot"), subject to the terms and conditions of this Agreement, and as depicted in **Exhibit "B"**; and

C. **WHEREAS**, District acknowledges that it is receiving the Property "as-is" and the Owner is making no representations as to its current condition. This includes piles of un-tested dirt, un-marked underground electric lines, underground irrigation piping and control wiring and other potential obstacles, both known and unknown. The District agrees to remedy all such items as required for its own needs for the Parking Lot; and

D. **WHEREAS**, the District anticipates that its temporary use of the Property will be for a period of five (5) years ("Term"); and

E. **WHEREAS**, the District will construct the Parking Lot and all improvements, in accordance with applicable city, county, and state construction codes and standards; as applicable to non-public property relating to permanent, off-street parking construction; and

F. **WHEREAS**, At the expiration of the Term, the Parties will determine whether the Owner requires removal of the improvements made by District on the Property and whether Owner requires District to commence restoring the Property to substantially the condition it was in prior to District occupancy, at its sole cost and expense within 30 days of the expiration of the Term. This shall include restoration of landscaped areas that are impacted by District's Project.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

1. **Right of Entry.** Owner grants to District, its employees, agents, contractors and consultants a non-exclusive right to enter upon the Property for the purpose of constructing the Parking Lot and use of the Parking Lot once completed under the following conditions:

(a) The District shall provide written notice prior to entry upon the Property to begin the work of the Parking Lot, including pre-construction and construction activities. The

District's use of the Property shall commence at that time. Owner shall ensure that the Property will be accessible for the District's entry. Once the Parking Lot is complete, District shall not be required to provide prior written notice to enter Property for purposes of using the Parking Lot during the Term of this Agreement.

(b) District's use of the Parking Lot shall have priority during the hours of 7:00 a.m. until 7:00 p.m., Monday through Friday. District will provide signage that the Parking Lot is limited to use by District staff and provide staff with a form of parking identification to be displayed on staff vehicles for use of the Parking Lot. The Owner: Pinole Valley Community Church, shall have exclusive use of the Parking Lot every Sunday during the hours of 6:00 a.m. to 10:00 p.m. District shall have use of the Parking Lot on a first come, first served basis on other days and times.

(c) The District will perform repair maintenance of new irrigation components installed with the Parking Lot construction for the Term.

(d) The District will perform or provide cleaning maintenance and removal of litter and debris on a weekly basis for the Term.

(e) District will permit only licensed, bonded and responsible contractors, consultants or other responsible individuals to enter upon the Property. District shall set up a pre-work site meeting with Owner before work starts.

(f) At the expiration of the Term, the Parties will determine whether the Owner requires removal of the improvements made by District on the Property and whether Owner requires District to commence restoring the Property to substantially the condition it was in prior to District occupancy, at its sole cost and expense within 30 days. This shall include restoration of landscaped areas that are impacted by District's Project.

(g) District agrees to promptly pay before delinquency for any and all labor and materials expended or used in connection with the Project.

(h) District agrees to construct the Parking Lot and all improvements, in accordance with applicable city, county, and state construction codes and standards; as applicable to non-public property relating to permanent, off-street parking construction.

(i) District agrees to construct a 6 foot chain link fence to the Property line between the Parking Lot and the neighboring 7-11 store. District will maintain and repair the fence during the Term of this Agreement.

(j) Construction of the Parking Lot is expected to cause excessive wear and tear on the Owner's existing parking lot. Accordingly, the District shall pave and strip the existing church parking lot before the expiration of the Term.

2. **Term.** This Agreement shall commence upon its execution by the Parties and terminate within five (5) years ("Termination Date"). This Agreement shall expire on the Termination Date unless the Agreement is extended by mutual written consent of the Parties, which consent shall not be unreasonably withheld.

3. **Indemnification.** District agrees to indemnify, defend, and hold harmless Owner from and against any and all suits, damages, fines or penalties (collectively, "Claims") directly resulting from or arising out of injury or death of any person, damage or loss to any property, any non-compliance with any federal, state or local laws or regulations, the performance of the construction of the Parking Lot by District or its consultants, contractors or agents, except to the extent that such Claims result from the negligence or willful misconduct of Owner or Owner's employees, agents or contractors, and their use of the Property or Parking Lot under this Agreement.

4. **Insurance.** Throughout the Term of this Agreement, District and its contractors, subcontractors, consultants or any other person permitted onto the Property on behalf of District, shall obtain and maintain the following insurance:

(a) **Public Liability and Property Damage.** District agrees to maintain in full force and effect throughout the term of this Agreement a policy or policies of public liability and property damage insurance, insuring against all personal injury, property damage, or other loss or liability caused by the District's use of the Property under this Agreement. Such insurance shall be in amounts not less than Two Million Dollars (\$2,000,000) for any one occurrence (covering personal injury, bodily injury, liability, death and property damage) and not less than Four Million Dollars (\$4,000,000) in the aggregate for any one policy year.

(b) **Automobile Insurance.** District shall maintain in full force and effect with regard to any vehicles which the District brings onto the Property a suitable policy or policies of automobile liability insurance with a combined single limit of Three Million Dollars (\$3,000,000). Said automobile insurance shall cover all owned, non-owned, and hired vehicles used by District in the performance of the Work.

(c) **Workers' Compensation Insurance.** District shall maintain statutory workers' compensation insurance to meet all applicable requirements of the laws of California, and employment practices liability insurance in limits of not less than Two Million Dollars (\$2,000,000) for any one occurrence (covering all of District's personnel).

5. **Miscellaneous Provisions.**

(a) **No Real Property Interest.** It is expressly understood that this Agreement does not in any way grant or convey any permanent easement, lease, fee or other interest in the Property at 2885 Pinole Valley Road, Pinole CA to District.

(b) **Waiver.** No failure by either Party to insist upon strict performance of any term or condition of this Agreement will constitute a waiver of such term or condition or of a breach thereof. Any such waiver must be in writing and signed by the waiving Party.

(c) **Modification.** This Agreement may be modified only in writing and signed by both Parties.

(d) **Interpretation.** This Agreement will be construed in accordance with the laws of the State of California and any action to enforce the terms of this Agreement must be brought in the County of Contra Costa, State of California.

(e) **Notice.** Any notice required to be provided under this Agreement shall be deemed sufficiently given when delivered personally or upon deposit in the United States mail, with first-class postage affixed, or when sent by established courier, addressed to the Parties as follows or upon sending a facsimile with confirmation of receipt sent to the following telephone numbers:

Owner:
Pinole Valley Community Church
Pastor John Wright
Moderator: Kevin Taylor
2885 Pinole Valley Road
Pinole, California 94564
Telephone: (510) 758-9313
Facsimile: (510) 758-9313

District:
West Contra Costa Unified School District
Mr. Bill Fay, Associate Superintendent for Operations
1108 Bissell Avenue
Richmond, California, 94801
Telephone: (510) 231-1106
Facsimile: (510) 236-0190

(f) **Capitalized Terms.** All capitalized terms in this Agreement shall have the meaning given to them in this Agreement.

(g) **Authorized Representative.** Each person signing on behalf of the Parties warrants that he/she is the authorized representative of the Party for whom he/she is signing and has been expressly authorized to bind that Party to this Agreement and will provide proof of such authority if requested.

(h) **Counterparts.** This Agreement may be executed in counterparts, all of which taken together shall be deemed one and the same agreement.

IN WITNESS WHEREOF the parties hereto have caused this Agreement to be duly executed below and the Agreement will be effective as of the date first above written.

OWNER:

Pinole Valley Community Church
John Wright, Pastor

Date: _____

Pinole Valley Community Church
Kevin Taylor, Moderator

Date: _____

DISTRICT:

Date: _____

WEST CONTRA COSTA UNIFIED
SCHOOL DISTRICT

Bill Fay, Associate Superintendent for Operations

EXHIBIT "A"

Depiction of Property

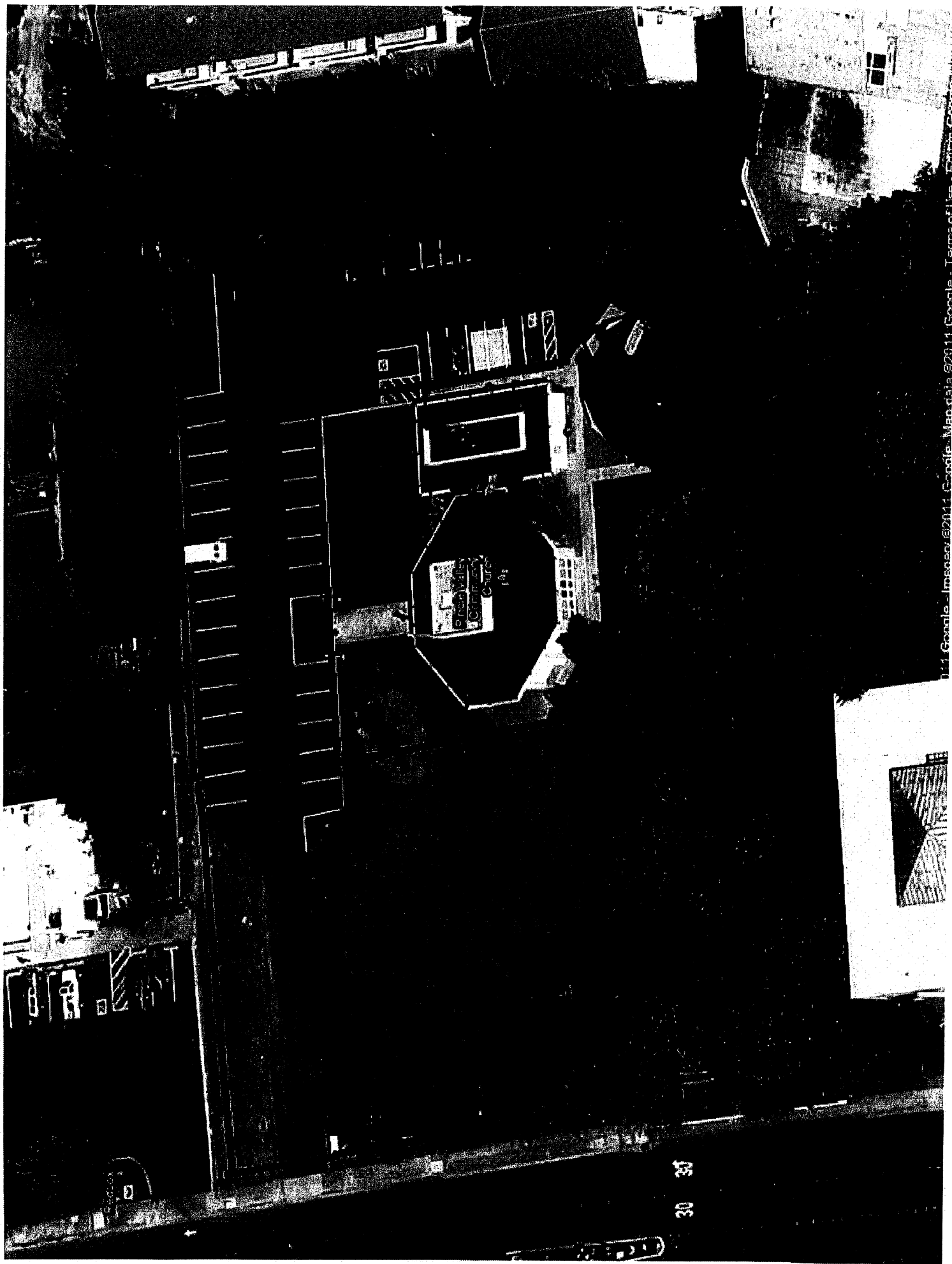


EXHIBIT "B"

Parking Lot Improvements

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: March 12, 2014

From: Bill Fay
Associate Superintendent Operations

Agenda Item: CI C.18

Subject: Right of Entry Agreement between WCCUSD and Iglesia De Jesucristo Palabra Miel Church for Temporary Parking Purposes (Administration Building Site)

Background Information:

The Iglesia De Jesucristo Palabra Miel Church ("Church") is in need of additional parking space for its employees, members, guests and invitees. The Church has requested that the District allow use of the parking lot located at the District's Administration Building site located at 1108 Bissell Avenue ("District Site"). The District intends to allow the Church access to the District Site in its "As Is" condition and the District assumes no liability for loss or damage to Church arising or caused by its use of the District Site.

The Church's use of the District Site for parking will not interfere with the District's use of the District Site and the Church is required to take all measures reasonably necessary to avoid damage and protect persons and property when using the District Site. The Church is required to perform or provide cleaning, maintenance and removal of litter and debris after each use of the Parking. The Church is prevented from using the District Site for general public parking purposes and shall not collect any rate or charge for use of the District Site. The Church is also required to obtain commercial general liability insurance with limits of liability of not less than Two Million Dollars (\$2,000,000). The term of the Right of Entry is one (1) year.

Recommendation: Approve the Right of Entry Agreement between the WCCUSD and Iglesia De Jesucristo Palabra Miel Church for the Church's temporary use of the parking lot located at the District's Administration Building Site.

Fiscal Impact: No fiscal impact or implications associated with the approval of the Right of Entry.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

**RIGHT OF ENTRY AGREEMENT FOR USE OF PARKING AREAS LOCATED AT THE DISTRICT ADMINISTRATIVE
BUILDING BETWEEN THE WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
AND IGLESIA DE JESUCRISTO PALABRA MIEL**

THIS RIGHT OF ENTRY AGREEMENT ("Agreement") is made and entered into on March ____, 2014, 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 Iglesia De Jesucristo Palabra Miel Church ("Church"). District and Church may be referred to herein individually as a "Party" and collectively as the "Parties."

BACKGROUND TO AND PURPOSE OF AGREEMENT

- A. District is owner, in fee, of the real property located at 1108 Bissell Avenue, Richmond, CA and commonly known as the District Administration Building ("District Parcel").
- B. Church is in need of additional parking space for its employees, members, guests and invitees.
- C. Church'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 Church hereby agree as follows:

1. RESPONSIBILITIES AND OBLIGATIONS

- 1.1 **Right of Entry.** District shall provide Church with reasonable access to the parking spaces identified in the attached Exhibit "A" ("Parking"), subject to the following provisions:
 - 1.1.1 Church shall have access to the Parking as specified in Exhibit "B." Church may be provided additional access to the Parking upon advance written notice to District. Church's request shall provide the date and time that is requested. In the event such request is approved by District, Church's access and use of the Parking shall be subject to the same terms and conditions of this Agreement. Church'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 Church's use of the Parking.
 - 1.1.2 Reasonable precautions will be exercised to avoid damage and protect persons or property. Church 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 Church by reason of the exercise of privileges given in this Agreement.
 - 1.1.4 Church 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 Church or this Agreement.
 - 1.1.5 Church shall perform or provide cleaning, maintenance and removal of litter and debris after each use of the Parking. The failure of Church to clean, maintain and remove litter and debris after each use of the Parking shall be a basis for terminating this Agreement.
 - 1.1.6 Church shall use the Parking only for the purposes of parking automobiles for Church, its employees, members, guests and invitees, on the days and times set forth in Exhibit "B", and

for no other purposes whatsoever without the District's prior written consent, which shall be granted or withheld in District's sole discretion.

- 1.1.7 Church shall not hold the Parking open for use by the general public. Church shall not collect any rate or charge for the use of the Parking.
- 1.1.8 Church agrees to indemnify and hold harmless District from any damage caused by Church's activities authorized in this Agreement. Church 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.
- 1.1.9 Church shall exercise the rights granted by this Agreement in accordance with all applicable laws.
- 1.2 **Rules of Conduct.** Church and its employees, members, guests and invitees that use the Parking shall follow the follow rules of conduct:
 - 1.2.1 **No Unnecessary Student Contact.** Church 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 Church 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.** Church, 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.** Church, 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.** Church 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.** Church, 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. Church, 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 Church 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. Church 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 Church's use of Parking or any entrance on District Parcel pursuant to the right to entry provided herein. The insurance policies shall include, or be endorsed to include "West Contra Costa Unified School District" as an additional named insured. All endorsements shall waive any right to subrogation against any of the named additional insureds.

1.4 **Term.** Church's right to enter the District Parcel to access the Parking pursuant to this Agreement shall expire in March 31, 2015 ("Term"). 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 Church. The District shall also have the option to suspend Church's right to access and use the Parking upon twenty-four (24) hours' notification to Church.

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

1.6 **Due Diligence.** Church 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.

1.7 **Notice of Damage, Injury, Accident or Claims.** Church shall, as soon as reasonably possible, notify the District of any damage, injury, accident or claim that occurs on the District Parcel or Parking during Church's use. In no event shall Church'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
1400 Marina Way South
Richmond, CA 94804
ATTN: Director of Facilities and Construction
Facsimile: (510) 231-2406
Telephone: (510) 307-4543
Email Transmission: kholtlander@wccusd.net

CHURCH

Iglesia De Jesucristo Palabra Miel
164 Harbour Way
Richmond, CA 94801
Facsimile: (510)
Telephone: (510)
Email Transmission:

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.** Church 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 neutral 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: _____, 2014

Dated: _____, 2014

West Contra Costa Unified School District

Iglesia De Jesucristo Palabra Miel Church

By: _____

By: _____

Print Name: _____

Print Name: _____

Print Title: _____

Print Title: _____

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: March 12, 2014

From: Mary Phillips
Chief Technology Officer

Agenda Item: CI C.19

Subject: Cellular Service for Tablets

Background Information:

Our District ERATE consultant, Infinity Communications and Consulting, Inc, prepared plans and specifications for the project. Scope of work includes providing cellular and data services to tablets. Currently, we are using both AT&T and Sprint to provide these services. ERATE rules state that we have only one provider.

The District solicited competitive bids for the project. The RFP was advertised on January 11, 2014 and closed February 14, 2014. They are as follows: Sprint \$59.99 per month; Verizon \$49.99 per month; AT&T \$39.99 per month; T-Mobile \$38.25 per month. Staff extensively checked coverage throughout the district and T-Mobile had the best coverage.

Recommendation: Ratify the award to the lowest responsive, responsible bidder: T-Mobile

Fiscal Impact: Based on the number of tablets purchased to date, the cost would be \$29,835 per year. With ERATE and CTF, the cost to the district would be \$3,132.68. Funded from General Funds.

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:** March 12, 2014
From: Mary Phillips **Agenda Item:** CI C.20
Chief Technology Officer
Subject: Hosted VoIP to standardize and upgrade communication systems for all sites

Background Information:

Our District ERATE consultant, Infinity Communications and Consulting, Inc, prepared plans and specifications for the project. Scope of work includes providing a Cisco VoIP solution for our entire district. Our present system is at end-of-life and only covers a portion of the district. The remainder of the district utilizes a variety of other systems. This upgraded solution will provide the district with the latest in communication technology. For example, voicemail will be integrated with email.

The District solicited competitive bids for the project. The RFP was advertised on January 11, 2014 and closed February 14, 2014. Four telecommunication companies submitted bids with pricing based on a five-year contract. They are as follows: AT&T 415,699.08 per year with one time installation fees of \$65,212.55 (Erate eligible) and one time installation fees of \$62,246.58 (Erate ineligible); Broadcore \$530,038.68 per year with \$38,681.40 one time installation fees; NWN \$716,576.76 per year with one time installation fees of \$75,000; Jive \$792,420 per year with one time installation fees of \$148,650.00. 4. AT&T took exception to ALL RFP terms and conditions and wanted to negotiate contract terms and conditions at a later date which made them non-responsive. Broadcore was also deemed nonresponsive as they also took exception to ALL RFP terms and conditions. In addition, they did not provide for a way to incorporate our existing infrastructure into their plan. Their solution did not include the management and maintenance of our current Cisco phone system. Of the two companies remaining, NWN was the lowest responsive responsible bidder.

Recommendation: Ratify the award to the lowest responsive, responsible bidder: NWN

Fiscal Impact: \$75,240.56 per year after ERATE and CTF discounts and \$15,750 installation fees for the first year. Funded from General Funds.

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:** March 12, 2014
From: Mary Phillips **Agenda Item:** CI C.21
Chief Technology Officer
Subject: Ten Gbps fiber WAN to connect all sites to 1300 Potrero Ave., Richmond, CA.

Background Information:

Our District ERATE consultant, Infinity Communications and Consulting, Inc, prepared plans and specifications for the project. Scope of work includes building a private 10 Gbps fiber network connecting all district sites to our Main Distribution Center at 1300 Potrero Ave., Richmond, CA. This is a network which should provide us the necessary bandwidth we need for a minimum of 10 years.

The District solicited competitive bids for the project. The RFP was advertised on January 11, 2014 and closed February 14, 2014. Five telecommunication companies submitted bids with pricing based on a five-year contract. They are as follows: Conterra \$1,749,522.72 per year; AT&T \$1,836,732 per year with \$386,643.00 one-time installation fees; Sunesys \$2,395,806.72 per year; Zayo \$2,624,743.20 per year; Comcast \$2,948,156.64 per year.

The lowest responsive, responsible bidder is Conterra.

Recommendation: Ratify the award to the lowest responsive, responsible bidder: Conterra

Fiscal Impact: \$183,699.89 per year after ERATE and CTF discounts. Funded from General Funds.

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: March 12, 2014

From: Bruce Harter
Superintendent

Agenda Item: CI C.22

Subject: Approval of Board Members Travel

Background Information:

Board Bylaw 9250 stipulates members of the board shall be reimbursed for allowable expenses incurred in attending any meetings or in making any trips on official business of the school district when so authorized in advance by the Board of Education. (Education Code 35044). Board members have expressed interest in attending the following:

- CASH 35th Annual Conference on School Facilities, Sacramento, CA February 24-26, 2014
- NSBA Annual Conference, New Orleans, LA April 5-7, 2014
- Full Service Community Schools Conference, Cincinnati, OH April 9-11, 2014
- Boston Public Schools Visitation, April 2014
- CAST, Wakefield MA April 10-11, 2014

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

Recommendation:

Recommend Approval

Fiscal Impact:

General Fund

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

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

ITEM REQUIRING ATTENTION---BOARD OF EDUCATION

To: Board of Education **Meeting Date:** March 12, 2014
From: Bruce Harter **Agenda Item:** CI C.23
Superintendent
Subject: Approval of District Local Control Accountability Plan Parent Committee Nominees

Background Information:

On January 29, 2014, the Board approved the guidelines for the selection of the members of the District Local Control Accountability Plan Parent Committee. Letters seeking recommendations for nominees were sent to the heads of each organization listed. Principals solicited parent participants through flyers, phone calls and at School Site Councils and other meetings. The application was also posted on the District's web site. Each high school attendance area family of principals met to review the applications received at their individual schools and agreed by consensus on the nominees presented below. High school principals also nominated sophomore and junior level students to serve as ex officio members.

Recommendation:

That the Board approves the membership of the District Local Control Accountability Plan Parent Committee for 2014 and 2015.

Members nominated by high school families include: Nora Campos and Judith Hollenberger Dunlap from the DeAnza Family, Jessica Jones and Maria Resendiz from the El Cerrito Family, Maria Banares and Monica Pacini from the Hercules Family, Juanita Towns and Crisanta Villalobos from the Kennedy Family, Mariam Alam and Graciela Lauren from the Pinole Family, Gloria Munoz and Maribel Lopez from the Richmond Family, and Maria Segura from Alternative Education.

Members nominated by community organizations include: Carolyn Day Flowers from the Bayside Council of PTA's, Raquel Donoso from Concilio Latino, Sonia Bustamonte from the Community Budget Advisory Committee, Lusi Timoteo from Contra Costa Interfaith Supporting Community Organization, Miriam Stephanie Sequira from the Multilingual District Advisory Committee, Martha F. Nieto from North Richmond Network, Shelly Andre from Public Employees Union Local 1, Danielle Storer from the Special Education Community Advisory Committee, Xavier Abrams from the Strategic Plan Steering Committee, Heather Best from United Teachers of Richmond, and Greg Santiago from West Contra Costa Administrators Association.

Student members nominated by their principals include: Angeline Quilici from DeAnza, Khalil Lowry from El Cerrito, Oscar Uribe Garrido from Gompers, Adrianna Sosa from Hercules, Aliza Johnson from Kennedy, Sarah Cha from Middle College, Marilyn Juliana Demesa from North Campus, Jonathan Hinojosa from Pinole Valley, and Cesar Munoz from Richmond High.

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: March 12, 2014

From: Nia Rashidchi
Assistant Superintendent, Educational Services

Agenda Item: D.1

Subject: Scholar-in-Residence Program Update

Background Information:

Dr. AnnMarie Darrow Baines, Assistant Professor of Secondary Education at San Francisco State University, is West Contra Costa's Scholar-in-Residence for the 2013-2014 school year.

Dr. Baines has been working intensively with the teachers at Portola Middle School, and the five other WCCUSD middle schools as part of an action research project focused on the efficacy of Universal Design for Learning. At the beginning of the school year, Portola teachers participated in a three-day training around Universal Design for Learning (UDL). UDL asks teachers to anticipate what barriers to learning will be present during a lesson for students and to provide strategies and processes for overcoming those barriers in lesson planning. Throughout the school year, Portola teachers have continued to work with Dr. Baines through systematic collaboration meetings and coaching. Dr. Baines is also collecting data on middle school teacher practices district-wide through interviewing principals and observing in classrooms.

Finally, Dr. Baines is also working with district staff to organize and plan a conference for district middle school teachers. Its purpose is to facilitate communication about the current activities and realities across all six middle schools by discussing common goals and collaborating around shared issues. The event will take place on Saturday, April 26th from 9 to 2 at DeJean Middle School.

Dr. Baines will report on her progress as the WCCUSD Scholar-in-Residence.

Recommendation: For Information Only

Fiscal Impact: For Information Only

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: March 12, 2014

From: Sheri Gamba, Associate Superintendent Business Services
Ken Whittemore, Assistant Superintendent Human Resources

Agenda Item: F.1

Subject: Approval of Agreement with Public Employees, Local One / AB1200 Public Disclosure of Collective Bargaining Agreement with Local One

Background Information: District and Local One have reached tentative agreement through collective bargaining for the 2014-2015 school year. A copy of the Tentative Agreement is provided. Local One has ratified the Agreement. It is now presented to the Board of Education for ratification.

School districts are required to publicly disclose the provisions of all collective bargaining agreements before they ratify an agreement. This ensures that the public is aware of the details associated with a tentative collective bargaining agreement before it becomes binding on the district. A summary of the financial implications associated with the agreement is attached. This summary will be provided to the County Office of Education.

The Board will receive public comment on the proposed contract changes and salary adjustments before the Board votes to ratify the Agreement.

We want to take this occasion to thank the representatives of both groups for their time and effort in reaching this accord.

Recommendation: Recommend that the Board of Education ratify the Tentative Agreement between the West Contra Costa Unified School District and Local One.

Fiscal Impact: \$1,896,108 General Fund

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

Date: January 30, 2014

Time: 3:00

Public Employees Union, Local One
And
West Contra Costa Unified School District

WCCUSD Proposal – January 30, 2014

Article 16

Compensation

Section 9. Salary Adjustments:

(a) ~~Effective January 1, 2006, there shall be a 3% increase in the salary schedule. The district salary schedules are set forth in Exhibit A. Effective July 1, 2014 the salary schedule for the Local One bargaining unit shall be increased by three percent (3.0%) for all classifications in the unit.~~

(b) ~~TEP/TLC (Transitional Learning Center and Transitional Education Program)~~

~~The following changes are agreed to concerning the Instructional Assistant, Special Education positions assigned to TEP or TLC classes:~~

~~a. The classification title shall be changed to Behavioral Technician.~~

~~b. The salary range shall be adjusted as follows:~~

~~43 to 45 in 2006-07~~

~~45 to 47 in 2007-08~~

~~47 to 49 in 2008-09~~

(c) ~~NCLB (No Child Left Behind)~~

~~a. The District and Local One agree to continue to meet and negotiate a one-time bonus compensation for those covered employees who are NCLB compliant on June 30, 2006 as agreed to in concept on May 18, 2006.~~

b. ~~The parties agree to a salary survey as follows:~~

- ~~▪ Committee composed of representatives of Local One and the District to look at comparable pay for those impacted by NCLB~~
- ~~▪ Come to a common understanding of the comparability data looking at total compensation (salary and benefits)~~
- ~~▪ Make a recommendation to the budget subcommittee for the 2007-08 fiscal year.~~

(d) Interpreter Classifications

~~The parties came to the following regarding the interpreter classifications:~~

- ~~a. There shall be no change in the pay range in the classification of Instructional Assistant, Special Education/Hearing Impaired.~~

(e) Classification Title Change

~~The parties agree to change the paraprofessional classification title of Library Assistant (elementary) to Library Media Specialist effective July 1, 2006.~~

Section 10. Certification and License Differential: The District shall pay a five (5) percent differential to all employees who are required by the District to have and maintain a special license or certification in addition to any specified in their job descriptions.

Section 11. In the event of salary computation errors, the District shall make any payment owed to the employee within three (3) days of notification of the error. In no event shall the District make deduction to an employee's salary due to District error in computation without proper advance written notice to the employee and an opportunity to select increment repayment deductions.

Section 12. Paraprofessional Unit employees--refer to Supplement 2.

Article 15

Benefits

Section 1. Medical Coverage. The District shall provide all eligible employees, their spouses, dependents, and domestic partners an opportunity to enroll in medical benefits as currently offered by CalPERS. Effective January 1, 2014, the District's maximum contribution to medical benefits shall be as follows:

- a. For unit members choosing Employee Only coverage, the amount of \$595.00 per month;
- b. For unit members choosing Employee Plus One coverage, the amount of \$1190.00 per month;
- c. For unit members choosing Family coverage, the amount of \$1545.00 per month

Effective January 1, 2015, the district shall calculate the District contribution on an eighty percent (80%) district contribution and a twenty percent (20%) employee contribution based on the Bay Area Kaiser Permanente published rates. Once these rates are calculated, new employer/employee contributions will be established for 2015, and will be used as the published contributions for future years.

Annually within 15 days of receiving the CALPERS notice of rate increase, the District shall calculate the contribution rates to be put into effect on the following January 1. The District shall meet with the bargaining unit to provide the rates and explain how the calculations were made. Annually, prior to the period of Open Enrollment (as determined by CALPERS), the District shall publish the District's health benefit contribution rates for the calendar year beginning on the following January 1. The District shall ensure that a qualifying Board of Education resolution establishing the rates that the District will contribute toward these benefits be filed as required and when required by CALPERS for implementation on January 1.

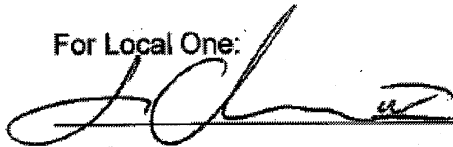
If a health plan has monthly premiums that exceed the maximum District contribution for the appropriate coverage level, the employee will pay the difference. This amount will be deducted from the employee's pay warrant.

General Agreements

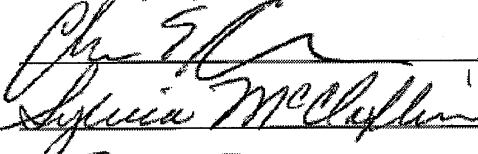
- The Parties agree to meet and negotiate for the 2015-2016 school year after March 1, 2015 over the following Articles:
 - Article 16-Compensation.
 - Article 15-Benefits
 - One reopener for Local One and one reopener for WCCUSD.
- The parties agree to meet and negotiate prior to March 1, 2015 on Article 12, Section 4, Administrative Transfer.
- Local One and the District agree to identify and study no more than three Local One sub units (one from paraprofessionals, one from office and technical, one from general services, maintenance and operations). The study shall cover total compensation and working conditions. This study shall be done prior to March 1, 2015.

Agreement signed Thursday, January 30, 2014:

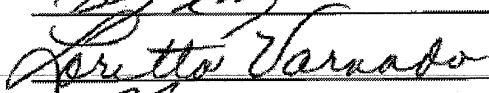
For Local One:



Richard Cox



By 2014



 4/30/2014

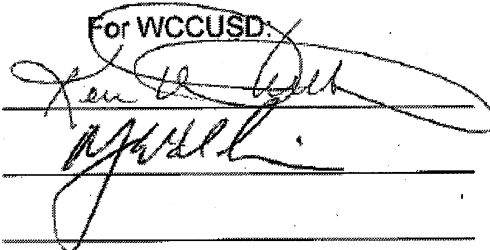
Rick Join

 4/30/2014



Shelly Andrie

For WCCUSD:



SUMMARY OF TENTATIVE AGREEMENT

With the Public Employees Union, Local 1 Bargaining Unit

Of the West Contra Costa Unified School District

To be acted upon by the Governing Board at its meeting on March 12, 2014

GENERAL:

If this Public Disclosure is not applicable to all of the district's bargaining units, indicate the current status of the other units.

Certificated: Settled

Classified: Settled

This agreement settles reopeners for 2014-15. The contract in its entirety expires December 31, 2016.

COMPENSATION:

Proposed percentage increase in tentative agreement: 3% effective July 1, 2014.

**Current year total cost increase for:
Salaries and Statutory Benefits: \$0**

Health & Welfare: \$0

OTHER PROVISIONS

Other Compensation: (off schedule stipends, bonuses, etc.)

Non-Compensation:

TOTAL NET COST OF SETTLEMENT 2014-15 : -0-

**WAS THIS COST INCLUDED IN THE LATEST
PROJECTIONS PROVIDED TO THE COUNTY OFFICE? Yes ☐ No ☒**

SOURCE FUNDING:

The following source(s) of funding have been identified to fund the proposed agreement for 2013-14:

Unrestricted General Fund Balance: \$ 0
Restricted General Fund and Other Funds: \$0

FISCAL IMPACT IN CURRENT YEAR:

\$0

FISCAL IMPACT IN FUTURE YEARS:

\$1,896,108 per year for 2014-15

Unrestricted General Fund: \$1,251,431 per year
Restricted General Fund and Other Funds: \$641,677 per year

Summary of Tentative Agreement:

Effective July 1, 2014 3 % will be added to the Local 1 Salary Schedules.

Local 1 unit members who have chosen to enroll in the health benefits program of the district on or after January 1, 2015 will receive an additional contribution toward their benefits by the District which will be calculated in an 80/20 split based upon the Kaiser rates. The District contribution will be set at the newly calculated, ongoing, subject to future negotiations.

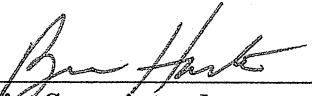
CERTIFICATION


To be signed by the District Superintendent and Chief Business Official of the district prior to submission to the Governing Board and by the Board President upon formal Board action on the proposed agreement.

The certification is based on the most recent available information on state apportionments, property taxes and other sources of ongoing revenue as well as the most recent reasonable projections of ongoing expense.

The information provided in this document summarizes the financial implications of the proposed agreement and is submitted to the Governing Board for public disclosure of the major provisions of the agreement in accordance with the requirements of AB1200, AB2756 and Government Code 3547.5.

The Superintendent and Chief Business Official of the district certify that, based on the best of their knowledge as of the date of this certification, the district will be able to meet the costs incurred under the proposed agreement over the term of the agreement. Furthermore, all necessary adjustments to the current budget have been or will be made in order to provide the funding for the settlement that is outlined in this statement of disclosure.

 2-28-14
District Superintendent Date

 2/28/14
Chief Business Official Date

After public disclosure of the major provisions contained in this Summary, the Governing Board, at its meeting on March 12, 2014 took action to approve the proposed agreement.

President, Governing Board Date

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:** March 12, 2014
From: Bruce Harter **Agenda Item:** E.2
Superintendent
Subject: 2014 CSBA Delegate Assembly Election

Background Information:

The California School Boards Association (CSBA) has issued its ballot for candidates for Delegate Assembly, Subregion 7-A (Contra Costa County), to serve a two-year term beginning April 1, 2014 to March 31, 2016. The ballot provides for the Board to vote for five candidates.

The Board of Education is recommending the election of Elaine Merriweather as representative from Subregion 7-A (Contra Costa County) for the CSBA 2014 Delegate Assembly.

Recommendation:

Cast ballot for Subregion 7-A representatives to the CSBA 2013 Delegate Assembly.

Fiscal Impact:

None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

This complete, **ORIGINAL** Ballot must be **SIGNED** by the Superintendent or Board Clerk and returned in the enclosed envelope postmarked by the post office no later than **MONDAY, MARCH 17, 2014**. Only ONE Ballot per Board. Be sure to mark your vote "X" in the box.

A PARTIAL, UNSIGNED, PHOTOCOPIED, OR LATE BALLOT WILL NOT BE VALID.

OFFICIAL 2014 DELEGATE ASSEMBLY BALLOT
SUBREGION 7-A
(Contra Costa County)

Number of vacancies: 3 (Vote for no more than 3 candidates)

Delegates will serve two-year terms beginning April 1, 2014 – March 31, 2016

**denotes incumbent*

- ☐ Laura Canciamilla (Pittsburg USD)
- ☐ Kathi McLaughlin (Martinez USD)
- ☐ Elaine Merriweather (West Contra Costa USD)
- ☐ Julie Rossiter (Orinda Union SD)
- ☐ Raymond Valverde (Liberty Union HSD)*

Provision for Write-in Candidate Name

School District

Provision for Write-in Candidate Name

School District

Signature of Superintendent or Board Clerk

Title

School District/COE Name

Date of Board Action

See reverse side for a current list of all Delegates in your Region.

Region 7 – Anne White, Director (Livermore Valley Joint USD)
19 Delegates (15 elected/4 appointed)

Below is a list of all the current Delegates from this Region.

Subregion A

Teresa Gerringer (Lafayette ESD), term expires 2015
Linda K. Mayo (Mt. Diablo USD), appointed term expires 2015
Kathi McLaughlin (Martinez USD), term expires 2014
Jerrold M. Parsons (John Swett USD), term expires 2014
Yolanda C. Pena Mendrek (Liberty Union HSD), term expires 2015
Charles T. Ramsey (West Contra Costa USD), term expires 2015
Raymond Valverde (Liberty Union HSD), term expires 2014

Subregion B

Valerie Arkin (Pleasanton USD), term expires 2014
Lara Calvert-York (Fremont USD), appointed term expires 2015
Janice Friesen (Castro Valley USD), term expires 2014
Jamie Hintzke (Pleasanton USD), term expires 2014
David Kakishiba (Oakland USD), appointed term expires 2014
Jody London (Oakland USD), appointed term expires 2015
Michael McMahon (Alameda USD), term expires 2015
Lily K. Mei (Fremont USD), term expires 2015
Diana J. Prola (San Leandro USD), term expires 2015
Joaquin J. Rivera (Alameda COE), term expires 2015
Vacant, elected term expires 2014

County Delegate

Richard Asadoorian (Contra Costa COE), term expires 2015

Counties

Contra Costa (Subregion A)
Alameda (Subregion B)

2014 Delegate Assembly Candidate Biographical Sketch Form



DUE: Tuesday, January 7, 2014 (U.S.P.S.)

Mail to: CSBA | Attn: Leadership Services | 3251 Beacon Blvd., West Sacramento, CA 95691 | or fax 916.371.3407

Please complete, sign and date this **required one page** candidate biographical sketch form. An optional, one-page, single-sided, résumé may also be submitted; both will be copied exactly as received. Please do not state "see résumé" and please do not re-type this form. Any additional page(s) exceeding this **one page** candidate form will **not** be accepted. It is the candidate's responsibility to confirm that all nomination materials have been received by the CSBA Leadership Services department. Late submissions will not be accepted.

Name: <u>Laura Canciamilla</u>	CSBA Region: <u>7 A</u>
District or COE: <u>Pittsburg Unified School District</u>	Years on board: <u>9</u>
Contact Number: <u>925-642-3787</u>	E-mail: <u>Dr.LauraCan@gmail.com</u>
Are you a continuing Delegate? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, how long have you served as a Delegate? <u>2004</u>	

CSBA's Delegate Assembly sets the general education policy direction for the Association. As a member of the Delegate Assembly, please describe what your top three educational priorities would be, and why they are important to the Association. As we move into the Common Core Standards era and also start implementation of the LCFF funding program along with the Accountability program that it includes, I believe that my top three educational priorities would be:

- Continue to build the profile and influence on CSBA on decisions that affect us from the state and federal levels. We have begun to be proactive and aggressively engaged in the decisions that our state legislators and national legislators are making. Not only are we advocating on behalf of the students within our district, but we are also building a network of informed board members who are willing to hold local representatives accountable for their votes, especially when their actions don't live up to their reassurances to us.
- Continue providing guidance to board members on their role as "critical friends and supporters" of the movement toward Common Core Standards. This would include workshops, webinars, and best practices information to help us seamlessly move to the CCS with deeper application skills and critical thinking skills
- Continue to press for an overhaul of the educational funding practices since LCFF is just a temporary program and does not address the long-term inadequacy of educational funding in California.

Another responsibility of Delegates is to communicate the interests of local boards to CSBA's Board of Directors, Executive Committee and staff. Please describe your activities/involvement or interests in your local district or county office.

I have been privileged to serve as a delegate since 2005 and have learned over time how important communication is within the organization. CSBA must reach out, not only to delegates, but also to ALL board members who are serving their communities and the students of California. I am finishing my four-year term as the Director of Region 7 and my highest priority during my term was to increase the communication and dialogue between CSBA and all board members. As Director, I sent information out to both delegates and other board members within the region. One board member remarked to me that it was encouraging to him to be contacted by the CSBA representatives in his area. He said it made him feel valued and connected to the grass roots leadership within the organization.

This communication and involvement of all our members helped us deal with the issues surrounding the release of a previous executive director and helped us emerge from the experience as a stronger, more receptive, and more engaged professional organization. I would want to continue being involved in the hard work that we have been doing.

Throughout my time on the Pittsburg Unified School District, I have been actively involved in the curriculum and policy issues in the district. I have attended professional development, gone on walk through observations at our schools, and have been involved in subcommittees to update our policies and subcommittees to work in partnership with our city council. I have also attended county school board association meetings in both Alameda and Contra Costa. I am involved in the Legislative Action committee currently in our Contra Costa County School Boards Association.

Why are you interested in becoming a Delegate and what contribution do you feel you would make as a member of the Delegate Assembly?

I would like to continue my involvement as a Delegate to support my district, my county, and the region as we implement the Common Core Standards and continue to ask for revision of the funding for education in California. I want to support our Director who will be coming from Alameda county for the next four years.

As a board member from a very diverse district with a high free/reduced lunch count, I believe that our experiences and challenges are similar to many districts and I want to be a spokesperson for the challenges we face as we move forward.

Your signature indicates your consent to have your name placed on the ballot and to serve as a Delegate, if elected.

Laura Canciamilla

11.12.13

4253 Inverness Dr.
Pittsburg, CA 94565

925-642-3787 (cell)
925-439-1778(fax and home)

Laura Canciamilla

CSBA Activities

- | | | |
|---|--------------------|--------------------------------|
| ▪ Director of Region 7 | | 2010-present |
| ▪ Policy Platform Committee | | 2009 |
| ▪ Planning Committee | Member | Annual Conference 2007 |
| ▪ Delegate | Region 7A | Delegate Assembly 2004-present |
| ▪ Audit Committee | | Board of Directors 2012 |
| ▪ Chair of Pension Reform Ad Hoc Task Force | Delegate Assembly | 2012 |
| ▪ Board Development Committee | Board of Directors | 2012 and 2013 |
| ▪ Masters in Governance | | 2007 |
| ▪ Leg Action Day | | 2009 |
| ▪ Summit | | July, 2009 |

Local School District Activities

- | | | |
|---|---------------|----------------|
| • Pittsburg Unified School District Board of Trustees | | 2004 - present |
| • President of Board | Pittsburg USD | 2007/2011 |

Local Community Activities

- | | | | |
|----------|--------------|---------------------------|--------------|
| ▪ Member | Service Club | Soroptimist International | 1988-present |
|----------|--------------|---------------------------|--------------|

State/National Activities

Member of:

- Association of California School Administrators (ACSA)
- American Association of School Administrators (AASA)
- National Association of Secondary School Principals (NASSP)
- Association for Supervision and Curriculum Development (ASCD)
- California Association for Supervision and Curriculum Development (CASCD)
- National Staff Development Council (NSDC)

Occupation

Retired Educational Administrator and Adjunct Professor
Educational Consultant and Mentor
Part-time high school English teacher

Education

- | | | | | |
|---------|------------------------|------------------------|-----|------|
| ▪ Ed.D. | Educational Management | University of La Verne | CA. | 2000 |
| ▪ M.A. | Ed. Leadership | Saint Mary's College | CA | 1979 |
| ▪ M.A. | Counseling Psychology | Stanford University | CA | 1970 |
| ▪ A.B. | English Literature | Stanford University | CA | 1968 |

Personal Interests/Family

- Traveling, reading, listening to music, walking, photography
- Married to Joseph E. Canciamilla, local businessman and former State Assembly member

2014 Delegate Assembly Candidate Biographical Sketch Form



DUE: Tuesday, January 7, 2014 (U.S.P.S.)

Mail to: CSBA | Attn: Leadership Services | 3251 Beacon Blvd., West Sacramento, CA 95691 | or fax 916.371.3407

Please complete, sign and date this **required one page** candidate biographical sketch form. An optional, one-page, single-sided, résumé may also be submitted; both will be copied exactly as received. Please do not state "see résumé" and please do not re-type this form. Any additional page(s) exceeding this **one page** candidate form will **not** be accepted. It is the candidate's responsibility to confirm that all nomination materials have been received by the CSBA Leadership Services department. Late submissions will not be accepted.

Name: <u>Kathi McLaughlin</u>	CSBA Region: <u>7A</u>
District or COE: <u>Martinez USD</u>	Years on board: <u>13</u>
Contact Number: <u>925-372-6886</u>	E-mail: <u>kathimclaughlin@comcast.net</u>
Are you a continuing Delegate? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, how long have you served as a Delegate? <u>11</u>	

CSBA's Delegate Assembly sets the general education policy direction for the Association. As a member of the Delegate Assembly, please describe what your top three educational priorities would be, and why they are important to the Association.

1. LCFF: Ensuring/encouraging local districts to develop plans that have authentic community input. Failure to do so can result in civil rights violations and potential lawsuits that will hurt all districts, not just those who fail to comply.
2. LCFF: Advocating at the state level to ensure that local control is maintained. Local control has already been undermined by requiring districts to move to 24:1 over time or face funding consequences. Since there is no data that shows 24:1 provides a better education this is another instance of non-educators imposing their beliefs on districts and students. Also, since failure to meet 24:1 at any site or classroom can impact the entire district's funding, most districts will move to 24:1 despite any "unintended consequences" to students--such as involuntary transfers to maintain the exact number required.
2. Common Core: This is probably the greatest change in the past several decades and properly implemented will ensure that California students will receive a quality education that encourages critical thinking rather than rote responses and simple memorization. Universal and free public education was originally established to ensure that citizens would become responsible and informed voters. I believe that Common Core will help us achieve that goal.

Another responsibility of Delegates is to communicate the interests of local boards to CSBA's Board of Directors, Executive Committee and staff. Please describe your activities/involvement or interests in your local district or county office.

I have been an active member of the Delegate Assembly for many years because I think it is important to work on the state level to advocate for improved funding and for the newly stated "Pillars" of our Policy Platform. My primary focus has always been the whole child. That is why I am an active member of my County's Mental Health Services Act (MHSA) oversight and advisory committee. I have successfully advocated for the inclusion of the "education" voice in all decisions related to the distribution of these funds. Consequently, our county funded an innovative program to reach the families and community of LGBTQ youth to encourage tolerance and acceptance of these most vulnerable children. The program has proven to be a success and is moving into local schools to continue this work. I was a member of the Conditions of Children Task Force that developed an important report on the status of foster children and their success (or lack thereof) as they moved through school into adulthood. As a result of my service on that task force I brought back to my county an increased awareness of the needs of our foster youth. I used that knowledge and awareness on the MHSA committee to encourage the development and funding of programs serving our transition-aged youth, especially our foster youth to help support them in a successful transition to adulthood. Finally, I wrote the grant for our district's alternative education program. That program has produced significantly improved outcomes for our students with different learning styles and is now a model that our local MHSA is funding for use in other districts.

Why are you interested in becoming a Delegate and what contribution do you feel you would make as a member of the Delegate Assembly?

As I said above, I have been a member of DA because I think it is important to work at the state level to encourage appropriate funding and increased collaboration among all of the "child-serving" state and local agencies. I advocate at the local level with our county and state elected officials as well as our federal representatives. I have been lucky enough to know personally most of our elected officials due to my advocacy efforts, especially since many of them, including Tom Torlakson, served as Supervisors on our County Board before moving to higher office. If I am re-elected to DA I will continue this advocacy work on behalf of CSBA and all of our districts and students.

Your signature indicates your consent to have your name placed on the ballot and to serve as a Delegate, if elected.

Signature: _____

Date: _____

Kathi McLaughlin
RESUME

- **Martinez Unified School District, Board of Trustees (2000—Present)**
2000, top vote-getter field of 5, 2004 top vote-getter field of 6, 2008 = unopposed, 2010 top vote getter in field of 5.
- **Education and Nonprofit Program Management and Fund Development Consultant (1996 - Present)**
Consultant to public systems and private agencies/nonprofits on management and fund development activities. 2007--2010 contracted as Program Monitor for all child abuse prevention programs in Santa Clara County.
- **First 5 Solano Children and Families Commission (2004—2006)**
School Readiness Coordinator for 4 school sites providing early childhood education and parenting support services.
- **Pittsburg Unified School District (2002—2004)**
District Coordinator of After School Programs responsible for program development and administration of all district comprehensive after school programs (10 sites, 1500 students), including intervention, enrichment and recreation.
- **Contra Costa County Administrator's Office (2001 - 2003)**
Part-time Coordinator of the County's *Afterschool4All* Initiative coordinating the development and implementation of quality after school programs in 4 school district areas.
- **The Nurture Company (2001 - 2002)**
Executive Director of Contra Costa agency providing parenting support and services to first-time parents.
- **Martinez Unified School District (1999 - 2000)**
Teacher at alternative/continuation high school.
- **Contra Costa County Office of Education (CCCOE) (1997 - 1999)**
Part time contract grant writer/researcher to consortium of Contra Costa COE and Martinez Unified School District.
- **Contra Costa County Family Resource Center (1998 - 2005)**
Program Consultant to develop and expand the *Mental Health Association's* Parent Network into a full service resource center for families of children with special needs.
- **Castro Valley Unified School District (1998 - 1999)**
Healthy Start Planning Grant Coordinator for Canyon and Creekside Middle Schools.
- **The Ark Center, Inc. (1992 - 1996)**
Director/Principal of nonpublic, nonprofit school serving learning disabled, emotionally and behaviorally disturbed students.
- **Capitol High School Program (1991 - 1992)**
Coordinator and Teacher for innovative joint venture of adult education and vocational education programs. Program provided self-contained computer lab instruction to high school students at risk of school failure
- **Oak Grove Adolescent Center (1988 - 1991)**
Education Director in acute care psychiatric facility for emotionally disturbed adolescents after previously serving as **Classroom Teacher** at facility.
- **Rape Crisis Service of Central Contra Costa County (1987 - 1988 & 1983-85)**
Executive Director after previously serving as **Community Education Director**.
- **CPC Walnut Creek Hospital (1985 - 1987)**
Classroom Teacher in acute care psychiatric facility for emotionally disturbed adolescents. Responsibilities:

VOLUNTEER EXPERIENCE HIGHLIGHTS

- ❖ **Contra Costa Consolidated Planning Advisory Workgroup (2009—present)(Mental Health Services Act oversight) Chair Innovation and Membership Committees, Member Steering Committee.**
- ❖ **Contra Costa Child and Adolescent Task Force (2009—2013)**
- ❖ **Worth A Dam (2009—2011) (environmental/wildlife advocacy group)**
- ❖ **John Muir Memorial Association (2009—2010) (fund development and advisory to John Muir Historical Site)**
- ❖ **OPEN Martinez (2008—present)**
- ❖ **Contra Costa County Mental Health Commission (1998 - 2008)**
- ❖ **Contra Costa County Family and Children's Policy Forum and Parenting Task Force (1998 - 2005)**
- ❖ **Santa Clara County Social Services Advisory Commission (1992 - 1997)**
- ❖ **Santa Clara County Mental Health Board (1992 - 1998)**
- ❖ **Resources for Families & Communities in Santa Clara County Founding Member of Board of Directors (1995 - 1997)**
- ❖ **Contra Costa County Mental Health Advisory Board (1987 - 1991)**
- ❖ **Family and Children's Trust Committee (FACT) (1986 - 1991)**
- ❖ **Contra Costa County Expanded Youth Services Board (1986 - 1991)**
- ❖ **International Child Resource Institute Board of Directors (1986 - 1991)**
- ❖ **California Historical Society Board of Trustees (1989 - 1992)**
- ❖ **Child and Adolescent Task Force (1983 - 1991)**
- ❖ **Alternatives to Violence and Abuse Coalition (1983 - 1988)**
- ❖ **Contra Costa County Children's Coalition (1984 - 1991)**

EDUCATION

- BA, History/Political Science, Sonoma State University, 1974
- Life Secondary Teaching Credential, Sonoma State University, 1975
- Post Graduate studies in History, Political Science and Education, Sonoma State University, 1975 - 1980
- United Way Nonprofit Management Certificate, 1994
- CSBA Masters in Governance, 2003

AWARDS

- ❖ **Outstanding Child Advocate for 1990** by the California Mental Health Advocates for Children and Youth
- ❖ Recruited as member of Center for EXCELLENCE in Nonprofits, 1994

2014 Delegate Assembly Candidate Biographical Sketch Form



DUE: Tuesday, January 7, 2014 (U.S.P.S.)

Mail to: CSBA | Attn: Leadership Services | 3251 Beacon Blvd., West Sacramento, CA 95691 | or fax 916.371.3407

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Name: <u>Elaine Merriweather</u>	CSBA Region: <u>7 A</u>
District or COE: <u>West Contra Costa Unified School District</u>	Years on board: <u>3</u>
Contact Number: <u>510-307-4601</u>	E-mail: <u>elainemerriweather@gmail.com</u>
Are you a continuing Delegate? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, how long have you served as a Delegate?	

CSBA's Delegate Assembly sets the general education policy direction for the Association. As a member of the Delegate Assembly, please describe what your top three educational priorities would be, and why they are important to the Association.

My top three priorities are the implementation of LCFF, Common Core State Standards and advocating for access for high quality Early Childhood Education for every 4-year-old child in the State. All three of these priorities are connected to student achievement. Many districts are facing uncertainty about the implementation of LCFF and the Common Core State Standards and they will be looking for guidance from CSBA. Early Childhood Education is moving to the top of many legislators' agendas because it is one of the keys to improving K-12 academic achievement.

Another responsibility of Delegates is to communicate the interests of local boards to CSBA's Board of Directors, Executive Committee and staff. Please describe your activities/involvement or interests in your local district or county office.

I am currently involved in my district's Academic Subcommittee and Chair of the Safety Committee as a board member. I have also been instrumental in advocating for the implementation of Transitional Kindergarten and creating an Early Childhood Education Task Force. Our district is launching a Full Service Community Schools Initiative, which I am actively involved in.

Why are you interested in becoming a Delegate and what contribution do you feel you would make as a member of the Delegate Assembly?

I am interested in becoming a Delegate of CSBA because over the past two years I have seen the advocacy that goes on at the State level, which is in tune with my own values and concerns for the children in California. It is also an opportunity for me to learn more about governance at the State level to enhance my own leadership skills. As a Delegate I can contribute my own expertise in advocacy and community organizing. I work well and corroboratively with many other State and National organizations. My background as a 28-year educator, community leader, and professional development trainer will prove to be a positive addition to the goals of CSBA.

Your signature indicates your consent to have your name placed on the ballot and to serve as a Delegate, if elected.

Signature: Elaine Merriweather

Date: 12-30-13

2014 Delegate Assembly Candidate Biographical Sketch Form



DUE: Tuesday, January 7, 2014 (U.S.P.S.)

Mail to: CSBA | Attn: Leadership Services | 3251 Beacon Blvd., West Sacramento, CA 95691 | or fax 916.371.3407

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Name: <u>Julie Rossiter</u>	CSBA Region: <u>7A</u>
District or COE: <u>Orinda Union School District</u>	Years on board: <u>3</u>
Contact Number: <u>925-258-6227</u>	E-mail: <u>jrossiter@orinda.k12.ca.us</u>
Are you a continuing Delegate? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, how long have you served as a Delegate?	

CSBA's Delegate Assembly sets the general education policy direction for the Association. As a member of the Delegate Assembly, please describe what your top three educational priorities would be, and why they are important to the Association.

My first educational priority is to ensure the adequacy of funding for all school districts in the state. While the Local Control Funding Formula is an important first step in establishing funding priorities within districts, it does not truly address the adequacy of funding. California's per student education funding remains one of the lowest in the country—we must continue to advocate for meaningful increases in overall education funding.

My second educational priority is to ensure the successful implementation of the Common Core State Standards. As a state, we have adopted these standards and must make sure that districts have the resources—both financial and otherwise—to meaningfully implement those standards.

My third educational priority is to ensure that we are preparing all students in California to succeed in the 21st-century workplace. We must make sure all students have access to a rich educational environment where they can be challenged. Moreover, we must work to keep pace with advances in science and technology so our students can compete with other students throughout the world. We have an obligation as school board members to provide students with the highest quality education.

Another responsibility of Delegates is to communicate the interests of local boards to CSBA's Board of Directors, Executive Committee and staff. Please describe your activities/involvement or interests in your local district or county office.

I have served as a board member since 2010, was elected as vice-president in 2011 and as president in 2012. I have served on our district's Fiscal Advisory Committee and as the board's representative to our local educational foundation and legislative council.

Prior to becoming a board member, I volunteered in our school district in a number of capacities, including working on parcel tax campaigns, acting as legislative representative to the local legislative council, acting as treasurer of the annual fundraising drive for my children's elementary school, co-chairing the school's annual parents' party, and co-chairing operations for the school auction. I continue to be an active volunteer in my children's schools. I am also on the board of the Friends of the Orinda Library. In that role, I lead the annual high school writing contest, chair the membership subcommittee, participate in the marketing subcommittee and serve as the co-liaison between the City of Orinda and the Friends.

Why are you interested in becoming a Delegate and what contribution do you feel you would make as a member of the Delegate Assembly?

It is critically important for our local school boards to have a voice at the state level. I am interested in becoming a CSBA Delegate to provide that local voice. I look forward to the opportunity to discuss our region's issues with other board members from across the state and to use those discussions as stepping stones to change. My experience as an attorney, as a legislative representative and as a school board member give me the skills necessary to be an effective advocate for our local districts.

I, along with my fellow school board members, attend the CSBA annual conference every year, and I have found it to be an excellent place to learn and share ideas with board members from other districts. Being a delegate will give me an opportunity to expand on that collaboration, and to also have a voice in adopting the policy positions of CSBA. Providing a new perspective, I will bring enthusiasm, dedication and determination to my role as delegate.

Your signature indicates your consent to have your name placed on the ballot and to serve as a Delegate, if elected.

Signature:

Date: 1-6-14

2014 Delegate Assembly Candidate Biographical Sketch Form



DUE: Tuesday, January 7, 2014 (U.S.P.S.)

Mail to: CSBA | Attn: Leadership Services | 3251 Beacon Blvd., West Sacramento, CA 95691 | or fax 916.371.3407

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Name: Raymond Valverde

CSBA Region: 7A

District or COE: Liberty Union High School District

Years on board: 23+

Contact Number: 925-759-4755

E-mail: brentwood502001@yahoo.com

Are you a continuing Delegate? ☒ Yes ☐ No If yes, how long have you served as a Delegate?

CSBA's Delegate Assembly sets the general education policy direction for the Association. As a member of the Delegate Assembly, please describe what your top three educational priorities would be, and why they are important to the Association.

School districts continue to play a guessing game with present and long term funding. CSBA needs to continue it's practice of communicating with our representatives to ensure that legislation supports the educational needs of our students with a good funding base.

The state and federal government need to come to an agreement on student achievement standards, testing and funding. CSBA, as an advisory, can play a big role in this process. Delegates will gather information from their local districts to share with the organization.

My third priority includes several areas: funding for facilities (new construction), teacher evaluation, and school safety.

Another responsibility of Delegates is to communicate the interests of local boards to CSBA's Board of Directors, Executive Committee and staff. Please describe your activities/involvement or interests in your local district or county office.

I am now or have been a volunteer for the following activities: Annual Marsh Creek Clean-up, E-Waste recycling for Education Foundation, REI clean-up for Regional Parks, Host for Christmas Tour of Homes.

Board representative to County School Board Association, NCS Board of Managers, NCS Eligibility, NCS Appeals Committee.
Member: American Legion

Why are you interested in becoming a Delegate and what contribution do you feel you would make as a member of the Delegate Assembly?

I have been an active member in the last 5 yrs. I have over 38 yrs of experience in public education as a teacher, administrator and now a substitute teacher. The experience as a delegate has benefited my role as a board member by sharing good educational practices from other districts throughout the state.

Your signature indicates your consent to have your name placed on the ballot and to serve as a Delegate, if elected.

Signature: Raymond Valverde

Date: 11-20-2013

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: March 12, 2014

From: Bruce Harter
Superintendent

Agenda Item: F.3

Subject: Consideration for Partnership with Kensington Police Protection and Community Services District (KPPCSD)

Background Information:

Tony Lloyd of the Kensington Police Protection and Community District has requested that the West Contra Costa School District consider making a direct contribution to that organization to support the costs of a half-time police officer to be assigned to Kensington Hilltop School for crime prevention and traffic mitigation.

Recommendation:

That the Board deny the request as it would set a precedent that could not be funded for all elementary schools.

Fiscal Impact: Estimated at \$80,000 to \$100,000 for Kensington and more than \$3 million for all elementary schools.

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: March 12, 2014

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
- Construction Status Reports
- Portola Middle School
- Richmond Swim Center

Recommendation: For information only

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

PROJECT STATUS REPORT

Coronado Elementary School - Reconstruction

Period Ending: 2/25/2014

Scope: Reconstruction Project

Construction Status:

Architect: WLC Architects
 Project Manager: Cary Talbott, SGI Construction Management
 Project Engineer: Marcus Blackmon, Amanco, Inc.
 Contractor: Lathrop Construction Associates
 Inspector: Kris Gilbert
 WCCUSD Mgr: Andrew Mixer

Contract Status:

Notice to Proceed:	1/6/2014		
	Original	Approved	Projected
Construction Schedule (days):	510		
Original Completion Date:	5/31/2015		
Projected Completion:	5/31/2015		

Buildings:

Building A	Administration
Building C	Classrooms
Building K	Classrooms
Building M	Multi-Purpose Room

Progress This Period:

- Building A - (Administration) Footings Layout Complete. Footings Excavated. Rat Slab at Footings Poured. Rebar Installation has commenced.
- Building C - (Classrooms) Footings Layout Complete. Footings Excavate. Rat Slab at Footings Poured.
- Building K - (Classrooms) Commenced Footings Layout.
- Building M (Multi-Purpose Room) Layout of Footings Complete. Footings Excavated. Rat Slab at Footings Poured.
- Site - Began Installation for Underground Sanitary Sewer Piping. Site Utilities (Electrical) installed at East Section. Grease Interceptors Installed.

Anticipated Progress Next Period:

- Building A - (Administration) Continue Rebar installation. Proceed with Concrete Pour for Footings. Under-Slab Utilities (Plumbing & Electrical).
- Building C - (Classrooms) Install Rebar. Proceed with Concrete Pour at Footings.
- Building K- (Classrooms) Excavate Footings. Pour Rat Slab. Commence Rebar Installation.
- Building M - (Multi-Purpose Room) Continue Rebar installation. Proceed with Concrete Pour for Footings. Under-Slab Utilities (Plumbing & Electrical).

Schedule Assessment/Update:

Construction Duration (Calendar Days):	510
Construction Calendar Days Elapsed:	21
Construction Calendar Days Remaining:	489
Percent of Construction Completed:	2%

Percentage of Work Done	2%	Total Project
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Proposed Changes:

General Comment:

Project is on schedule.

Progress Photos: 2/25/2014



Underground Sanitary Sewer Tie-in



Building A Footing Excavation



Bldg. M & Parking Lot-Rough Grading & Preparing Building Pad

PROJECT STATUS REPORT

El Cerrito High School - Stadium

Period Ending: 2/25/2014

Scope: El Cerrito High School Stadium

Construction Status:

Architect: WLC Architects
Project Manager: Hector DeLeon, SGI Construction Management
Project Engineer: Maria Zupo, SGI Construction Management
Contractor: Wright Contracting, Inc.
Inspector: Kris Gilbert
WCCUSD Mgr: Andrew Mixer

Contract Status:

Notice to Proceed:	1/27/2014			
		Original	Approved	Projected
Construction Schedule (days):	608			
Original Completion Date:	9/27/2015			
Projected Completion:	9/27/2015			

Buildings:

Building A	Visiting Team Locker Room
Building B	Weight Room
Building C	Home Team Locker Room
Building D	Home Restroom
Building E	Concession Stand
Building F	Storage Building
	New Northern Bleachers with Press Box

Progress This Period:

- Contractor has mobilized on site.
- Temporary Fencing in place.
- Temporary power.
- Demolition of concrete curbs and asphalt.
- Removal of all trees on site.
- Clearing and grubbing for temporary access room.
- Partial access road cut into hillside off Ashbury.
- Demolition of existing handrails.
- Removal of existing scoreboard and goal post.

Anticipated Progress Next Period:

- Completion of access road off Ashbury.
- Over excavation of area under construction trailers.
- Installation of construction trailers.
- Abatement work on existing bleachers and concrete block buildings.
- Demolition of light poles and existing aluminum bleachers.

Schedule Assessment/Update:

Construction Duration (Calendar Days):	608
Construction Calendar Days Elapsed:	31
Construction Calendar Days Remaining:	577
Percent of Construction Completed:	2%

Percentage of Work Done	2%	Total Project
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Proposed Changes:

General Comment:

Project is on schedule.

Progress Photos: 2/25/2014



Demolish Iron railings at Colusa Street stairway



Stump grinder at Ashbury (West) Ave-proposed access road



Trees demo adjacent to Colusa street (East)

PROJECT STATUS REPORT

Gompers and LPS Richmond Schools - New Construction

Period Ending: 2/25/2014

Scope: New Construction

Construction Status:

Architect: HMC Architects
 Project Manager: Gregory Smith, SGI Construction Management
 Project Engineer: Supriya Shrestha, SGI Construction Management
 Contractor: Lathrop Construction Associates, Inc.
 Inspector: Roy Moreno, ABC Inspections, Inc.
 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:

- Building A
- Main Roof COMPLETE.
 - Window/Shadow Box Assembly.
 - Interior Wall Framing.
 - Exterior Stair Steel COMPLETE.
 - Electrical, Plumbing & Air Conditioning.
- Building B
- Roof Top Carpentry.
 - Exterior Wall Framing.
 - Electrical, Plumbing, AC Rough in.
- Building C
- Roof Top Carpentry.
 - Roof in Started.
 - Window/Shadow Box Assembly.
 - Electrical, Plumbing & Air Conditioning.

Anticipated Progress Next Period:

- Building A
- Solar Panel Installation Starts.
 - Rain Screen on Wall.
 - Interior Wall Frame.
 - Set Mechanical Equipment on Roof.
- Building B
- Exterior wall Sheathing.
 - Roofing.
- Building C
- Roofing.
 - rain Screen On Walls.

Schedule Assessment/Update:

Construction Duration (Calendar Days):	1,090
Construction Calendar Days Elapsed:	554
Construction Calendar Days Remaining:	536
Percent of Construction Completed:	42%

Percentage of Work Done	42%	Total Project
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Proposed Changes:

General Comment:

Project is on schedule.

Progress Photos: 2/25/2014



Building A - Shadow Box & Window Installation at East Side



Building B - Wood Curbs at HVAC Units at the Roof



Building C - Z Metal and THERMAX Installation at North Side

PROJECT STATUS REPORT

Helms Middle School - Sports Field and Landscaping

Period Ending: 2/25/2014

Scope: Sports Field and Landscaping Project

Construction Status:

Architect: Baker Vilar Architects
Project Manager: Hector DeLeon, SGI Construction Management
Project Engineer: Maria Zupo, SGI Construction Management
Contractor: Robert A. Bothman, Inc.
Inspector: Brad Williamson
WCCUSD Mgr: Eduardo Donoso

Contract Status:

Notice to Proceed:	1/7/2013	Original	Approved	Projected
Construction Schedule (days):	395		74	
Original Completion Date:	02/06/2014			
Projected Completion:	4/21/2014			

Buildings:

Building 1	Boys & Girls Restrooms
Building 2	Storage Building
Building 2	Community Center Pad Prep.

Progress This Period:

- Windows have been installed on the Storage building.
- The doors & clerestory windows have been installed on the Restroom building.
- The stucco installation has started.
- The scratch coat and brown coat have been installed on Restroom & Storage buildings.
- Tile roofing for the storage building has started.
- The roofing shims have been installed on the restroom building.
- Handrails at the concrete stairs have been placed.
- Site furnishing at the basketball poles have been installed.
- Dry wall at the restroom building has been installed.

Anticipated Progress Next Period:

- Final planting to begin on 3/3/14.
- Installation of the RWL on both buildings to begin on 3/3/14.
- Electrical work to finish on 2/28/14.
- Plumbing fixture installation to begin on 3/3/14.
- Tile roofing at the restroom building to finish on 3/10/14.
- The interior finish carpentry to begin on 2/25/14.
- Footings for the handrails at the concrete stairs to start installation on 2/25/14.
- Toilet partitions and restrooms furnishings to be installed on 3/3/14.
- The roll up door on the storage building to be installed on 3/3/14.
- Finish electrical at the storage building to begin on 3/14/14.
- Interior finish carpentry for the Storage Building to finish on 2/28/14.
- Glazing at Hollow Metal Frames to be installed on 3/3/14.

Schedule Assessment/Update:

Construction Duration (Calendar Days):	469
Construction Calendar Days Elapsed:	414
Construction Calendar Days Remaining:	55
Percent of Construction Completed:	92%

Percentage of Work Done **92%** **Total Project**

Proposed Changes:

General Comment:

Project is on schedule

Progress Photos: 2/25/2014



Handrails at the concrete stairs



Restroom Building



Backstop and futsal field

PROJECT STATUS REPORT

Kennedy High School - Science Wing Renovation

Period Ending: 2/25/2014

Scope: Science Wing Renovation

Construction Status:

Architect: Powell & Partners
Project Manager: Herman Blackmon Jr., Amanco, Inc.
Project Engineer:
Contractor: BHM Construction
Inspector: Brad Williamson
WCCUSD Mgr: Andrew Mixer

Contract Status:

Notice to Proceed:	9/16/2013	Original	Approved	Projected
Construction Schedule (days):	365			
Original Completion Date:	9/16/2014			
Projected Completion:	9/16/2014			

Buildings:

Building 400 Kennedy High School

Progress This Period:

- Framed Soffits for Fume Hoods and Skylights.
- Installed Skylights.
- Installed Interior Door Frames.
- Completed Building Insulation - 90%.
- Drywall and Taping - 95%.
- MEP Rough-in - 85%.
- Fire Caulking - 75%.
- Painting - 25%.
- Started Roof Flashing.

Anticipated Progress Next Period:

- Install Casework.
- Complete Lath and Plaster.
- Install Doors and Hardware.
- Install Projector.
- Install Neutralization Tank.
- Install WAP Devices.
- Run Conductor Wire From Main Electrical Panel.

Schedule Assessment/Update:

Construction Duration (Calendar Days):	365
Construction Calendar Days Elapsed:	162
Construction Calendar Days Remaining:	203
Percent of Construction Completed:	48%

Percentage of Work Done	48%	Total Project
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Proposed Changes:

- Remove Existing Wires and Pull 500 MCM Conductors to Main Electrical Panel.
- Add Epson Projector.

General Comment:

Project is on schedule.

Progress Photos: 2/25/2014



Parapro Roof Coating



Room 407 - Drywall and Taping



Room 408 - Skylight and Fume Hood Soffits

PROJECT STATUS REPORT

Montalvin Elementary School - New Classroom Building

Period Ending: 2/25/2014

Scope: New Classroom Building & Site Work

Construction Status:

Architect: Baker Vilar Architects
Project Manager: Paul Orr, SGI Construction Management
Project Engineer:
Contractor: W. A .Thomas, Inc.
Inspector: Mark Eriksen
WCCUSD Mgr: Eduardo Donoso

Contract Status:

Notice to Proceed:	2/3/2014		
	Original	Approved	Projected
Construction Schedule (days):	270	0	0
Original Completion Date:	10/31/2014		
Projected Completion:	10/31/2014		

Buildings:

New Classroom Building & Site Work

Progress This Period:

- Logistics plan, schedules, trailers placed, demo of storm drainage lines, cut and demo of AC pavement and removal of AC paving.
- Hazardous reports obtained.
- Schedule of Values being reviewed.
- Construction schedule being reviewed.

Anticipated Progress Next Period:

- Removal of existing A/B sub base.
- Scarifying of concrete pad area.
- Back fill of demolished storm drains.
- Excavation of building footings.

Schedule Assessment/Update:

Construction Duration (Calendar Days):	270
Construction Calendar Days Elapsed:	22
Construction Calendar Days Remaining:	248
Percent of Construction Completed:	1%

Percentage of Work Done	1%	Total Project
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Proposed Changes:

General Comment:

Project is on schedule

Progress Photos: 2/25/2014



PROJECT STATUS REPORT

Ohlone Elementary School - West Campus

Period Ending: 2/25/2014

Scope: Ground up Construction of 2 buildings, landscaping and play grounds. Phase I & II.

Construction Status:

Architect: Powell & Partners
Project Manager: Sonya Perkins, SGI Construction Management
Project Engineer: Paul Orr, SGI Construction Management
Contractor: Zovich & Sons Construction Company
Inspector: Mark Eriksen
WCCUSD Mgr: Ferdinand Fergeire

Contract Status:

Notice to Proceed:	08/01/2011		
	Original	Approved	Projected
Construction Schedule (days):	720		1,151
Original Completion Date:	7/21/2013		
Projected Completion:	6/30/2014		

Buildings:

Bldg. A	New Construction- 2 Story Bldg. / Admin & Classrooms
Bldg. B	Classrooms & Restrooms

Progress This Period:

Building A:

- Tackboard in classrooms installation, electrical fixtures, trim, mechanical controls, exterior sealant, install casework, chair rail, wall paneling in offices, classroom & corridor flooring LVL 2, manual mecho shades installation in classrooms, fire alarm devices, install clocks and speakers.

Building B:

- Tackboard in classrooms and corridors, electrical trim, USGS cabling, wall resistant panels in corridor, corner guards, manual mecho shades installation in classrooms, classroom & corridor flooring completed. Fire alarm devices, technology trim, installation of clocks & speakers, HVAC pre-functional & start-up, interior & exterior doors, thresholds and marker board/map tracks.

Anticipated Progress Next Period:

Buildings A & B:

- Countertops, plumbing fixtures, projectors, card readers, cameras, commissioning/power/hvac start ups. Asphalt fog & striping, install ornamental & chain link gates. Complete 20' fence & ceiling tiles in corridors.

Schedule Assessment/Update:

Construction Duration (Calendar Days):	720
Construction Calendar Days Elapsed:	939
Construction Calendar Days Remaining:	-219
Percent of Construction Completed:	88%

Percentage of Work Done	88%	Total Project
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Proposed Changes:

General Comment:

Project is behind schedule.

Progress Photos: 2/25/2014



TYP Classroom with flooring, tackboard & learning wall



Building B - Classroom Tackboard Install



Building B - Corridor Tackboard

PROJECT STATUS REPORT

Pinole Valley High School - Detention Basin

Period Ending: 2/25/2014

Scope: Detention Basin

Construction Status:

Architect: WLC Architects
Project Manager: Rod Sias, SGI Construction Management
Project Engineer: Supriya Shrestha, SGI Construction Management
Contractor: Bay Cities Paving & Grading
Inspector: Mark Eriksen
WCCUSD Mgr: Eduardo Donoso

Contract Status:

Notice to Proceed:	11/12/2013
	Original Approved Projected
Construction Schedule (days):	130
Original Completion Date:	3/22/2014
Projected Completion:	3/22/2014

Buildings:

Phase 1 Detention Basin

Progress This Period:

- Demo Metal Building - IN PROGRESS
- Pothole 12KV by Trailer - IN PROGRESS
- Hydro Test DW/ FW - IN PROGRESS
- Soil Import – COMPLETED
- Import Class 2 AB – IN PROGRESS

Anticipated Progress Next Period:

- Cut Subgrade Areas Adjacent to Work.
- Install Electrical and Gas.
- Install Sediment/Over - Flow Structure.
- Install SDMH Located in Entry Way.
- Install West Storm System.

Schedule Assessment/Update:

Construction Duration (Calendar Days):	130
Construction Calendar Days Elapsed:	105
Construction Calendar Days Remaining:	25
Percent of Construction Completed:	43%

Percentage of Work Done 43% Total Project

Proposed Changes:

- Change Order Request 0004_Revised Utilities per ASI 01.
- Change Order Request 0006_Import CI 2 AB in Place of Dirt.

General Comment:

Recent rains have potential to push out completion date. Schedule acceleration in progress.

Progress Photos: 2/25/2014



Installation of Fabric and Class 2 Aggregate Base



Installation of Class 2 Aggregate Base and Compaction



Installation of Class 2 Aggregate Base and Compaction

PROJECT STATUS REPORT

Portola Middle School - New Campus

Period Ending: 2/28/2014

Scope: New Campus Project

Construction Status:

Architect: HY Architects
Project Manager: Jose Chapa, SGI Construction Management
Project Engineer: Rene Barrera, SGI Construction Management
Contractor: Arntz, Builders, Inc.
Inspector: Steve Cayson
WCCUSD Mgr: Ferdie Vergeire

Contract Status:

Notice to Proceed:	5/13/2013			
		Original	Approved	Projected
Construction Schedule (days):	960			
Original Completion Date:	12/29/2015			
Projected Completion:	12/29/2015			

Buildings:

Progress This Period:

- Building B 1st level concrete walls.
- Building A Basement underslab electrical.
- Building C 1st level concrete walls.
- Building A (north) Topping Slab.
- Building D Floor Slab.
- Building B Structural Steel.

Anticipated Progress Next Period:

- Building D Roof Deck installation.
- Building B Locker room underslab electrical.
- Building B Upper level footings.
- Building C (upper) underslab electrical.
- Building A Layout for interior wall framing.
- Building C Footing rebar Installation (upper level).
- Building A Exterior clad framing.

Schedule Assessment/Update:

Construction Duration (Calendar Days):	960
Construction Calendar Days Elapsed:	288
Construction Calendar Days Remaining:	672
Percent of Construction Completed:	24%

Percentage of Work Done	24%	Total Project
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Proposed Changes:

General Comment:

Project is on schedule.

Progress Photos: 2/28/2014



Building B GYM Vapor Barrier prior to slab pour.



Building C upper footings



Building A Basement slab pour prep.