

# **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**  
January 7, 2015

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION  
MEETING AGENDA  
JANUARY 7, 2015**

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**BOARD AGENDA PACKETS AND INFORMATION:**

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

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

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

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**VIEWING THE BOARD MEETINGS:**

**Television:**

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

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

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

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

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**ATTENDING BOARD MEETINGS:**

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

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

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

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

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

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

## **B. OPENING PROCEDURES**

- B.1 Pledge of Allegiance**
- B.2 Welcome and Meeting Procedures**
- B.3 Roll Call**
- B.4 Presentation of Student Board Representative from Pinole Valley High School**
- B.5 Report/Ratification of Closed Session**
- \* **B.6 Agenda Review and Adoption** (Public Comment)
- \* **B.7 Minutes:** December 3, 2014; December 10, 2014; December 17, 2014; December 19, 2014
- \* **B.8 WCCUSD Public Comment**

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

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

## **C. BUSINESS ITEMS**

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

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

#### **\*CI C.1 Acceptance of Donations**

##### Comment:

The District has received donations as summarized, dated January 7, 2015.

##### Recommendation:

Recommend Approval

##### Fiscal Impact:

As noted per donations summary

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

##### Comment:

The planned fund-raising events for the 2014-15 school year are summarized, dated January 7, 2015.

##### Recommendation:

Recommend Approval

Fiscal Impact:

Additional revenue for schools

**\*CI C.3 Contracts**

Comment:

Permission is requested of the Board of Education to approve the contracts as detailed, dated January 7, 2015.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per contracts summary

**\*CI C.4 Certificated Board Authorization - Education Code 44258.3**

Comment:

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

Recommendation:

Recommend Approval

Fiscal Impact:

None

**\*CI C.5 Routine Personnel Changes - Certificated**

Comment:

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

Recommendation:

Ratify and Approve Certificated Personnel Changes

Fiscal Impact:

None

**\*CI C.6 Routine Personnel Changes – Classified**

Comment:

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



Recommendation:

Ratify and Approve Classified Personnel Changes

Fiscal Impact:

None

**\*CI C.7 Ratification and Approval of Engineering Services Contracts**

Comment:

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

Recommendation:

Ratify and approve contracts

Fiscal Impact:

Total for this action: \$422,965. Funding sources are Bond Fund.

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

Comment:

Staff is seeking approval of Change Orders on the following current District construction projects: Pinole MS Soccer & Football Fields; Coronado ES New School; Montalvin Manor New Classroom Building; Ohlone ES Pt1/Ph2 Portable Campus; Ohlone ES Phase 1 New Classroom; Pinole Valley HS Ph2A Interim Campus; Kennedy HS Science Wing Renovation; De Anza HS Replacement Campus; De Anza HS Linked Learning Building; El Cerrito HS Stadium. Change Orders are fully executed by the District upon signature by the Superintendent's designee. Board approval is the final step required under state law in order to complete payment and contract adjustment.

In accordance with Public Contract Code 20118.4, the Board, by approving these Change Orders, finds that it would have been futile to publicly bid the work in question because of the tight time frames to complete this work without affecting the operations of the District, and that the public is best served by having this work completed by the contractor on the project.

Recommendation:

Approve negotiated Change Orders as noted

Fiscal Impact:

Total approval by this action: \$854,082.05

**\*CI C.9 Approval of Negotiated Change Orders – M&O**

Comment:

Staff is seeking approval of Change Orders on the following current District construction projects: Kennedy HS County Health Clinic and the ITC Roof and HVAC Renovation. Change Orders are fully

executed by the District upon signature by the Superintendent's designee. The Board approval is the final step required under state law in order to complete payment and contract adjustment.

In accordance with Public Contract Code 20118.4, the Board, by approving these Change Orders, finds that it would have been futile to publicly bid the work in question because of the tight time frames to complete this work without affecting the operations of the District, and that the public is best served to have this work completed by the contractor on the project.

Recommendation:

Approve negotiated Change Orders as noted

Fiscal Impact:

Total approval by this action: \$30,991.09

**\*CI C.10 Pinole Valley High School Existing Campus Demolition & Abatement Award of Contract**

Comment:

WLC Architects has prepared plans and specifications for the project. Scope of work includes: demolishing and disposing of all existing buildings, including select portable buildings, building components, shade structures and covered walkways. The construction schedule for this project has an anticipated start date in January 2015 and completion date in July 2015.

The District conducted a public bid process for the project. Bids were opened on December 18, 2014. Five contractors submitted a bid, Evans Brothers, Inc. \$1,890,800; Silverado Contractors \$2,086,012.50; Ferma Corporation \$2,088,116; Water Rock Construction \$2,359,700; W. C. Maloney, Inc. & Professional Asbestos & Lead Services, Inc. a Joint Venture \$2,721,700 (non-responsive). Total bid is the sum of base bid, alternate and unit pricing. The apparent lowest responsive, responsible bidder is Evans Brothers, Inc.

Determining the award is based on three components; the demolition base bid, alternate and unit cost multiplied by quantities to be determined in the field. This benefits the District by locking in unit pricing to be used in negotiating future change orders. The contract award is only associated with the demolition base bid and alternate.

Recommendation:

Award the contract to the lowest responsive, responsible bidder Evans Brothers, Inc.

Fiscal Impact:

\$1,823,500. Funded from Bond Fund.

**\*CI C.11 Williams Lawsuit Complaints Quarterly Report**

Comment:

The Williams Lawsuit requires that a quarterly report be brought before the Board of Education reflecting the number of complaints filed with any school in the district during a particular quarter. This report reflects the time period from October 1, 2014 through December 31, 2014.

Recommendation:

Recommend Approval

Fiscal Impact:

None

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

**\* D.1 Recognition of Lieutenant Michael Booker**

Comment:

The District would like to recognize Lieutenant Michael Booker for his support, dedication and commitment to students and staff of West Contra Costa Unified School District.

Recommendation:

For Information Only

Fiscal Impact:

None

**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  
Citizens’ Bond Oversight Committee  
College and Career Readiness Academies  
Community Budget Advisory Committee  
Facilities Subcommittee  
Ivy League Connection  
Public Employees Local 1

Safety and School Climate Committee  
School Supervisors Association Local 21  
Technology Subcommittee  
United Teachers of Richmond  
West Contra Costa Administrators Association  
Youth Commission

**\* E.2 Superintendent’s Report**

**\* E.3 In Memory of Members of the School Community**

Comment:

The District would like to take time to recognize the contributions of members of our school community who have passed away. The District requests the community to submit names to be reported as a regular part of each agenda.

Pearlice Durham began working for the District in September 1964. She retired in June 1991 having worked at Coronado, Fairmede and El Portal Elementary Schools. After retirement, she continued as a substitute teacher and an active member of the Cal Retired Teachers Association.

Our thoughts go out to the family and friends in the loss of their loved one.

Recommendation:

For Information Only

Fiscal Impact:

None

**F. ACTION ITEMS**

**\* F.1 Public Hearing and Adoption of the Initial Bargaining Proposal from School Supervisors Association (SSA), IFPTE Local 21 to the West Contra Costa Unified School District**

Comment:

Pursuant to the Educational Employment Relations Act, the initial proposal for negotiations by school districts and labor unions must be submitted at a public meeting of the governing board. The initial proposal of School Supervisors Association (SSA), IFPTE Local 21, will be presented, at which time the public is allowed to comment on this proposal. A copy of the proposal is provided in the Board meeting packet which is available at the District's Administration Building, six high schools and online at the District's webpage.

Recommendation:

That the Board of Education hold a public hearing on the School Supervisors Association (SSA), IFPTE Local 21, initial bargaining proposal to the District for the 2014-15 successor agreement.

Board Adoption of Initial Bargaining Proposal

Comment:

Following the public hearing on its initial bargaining proposal, the Board of Education will be asked to adopt the School Supervisors Association (SSA), IFPTE Local 21 to the District for the 2014-15 successor agreement.

Recommendation:

That the Board of Education adopt the initial bargaining proposal for labor negotiations with the School Supervisors Association (SSA), IFPTE Local 21.

Fiscal Impact:

To Be Determined

**\* F.2 Public Hearing and Adoption of the Initial Bargaining Proposal from West Contra Costa Unified District to School Supervisors Association (SSA), IFPTE Local 21**

Comment:

Pursuant to the Educational Employment Relations Act, the initial proposal for negotiations by school district and labor unions must be submitted at a public meeting of the governing board. The initial proposal of the West Contra Costa Unified School District to School Supervisors Association (SSA), IFPTE Local 21 will be presented, at which time the public is allowed to comment on this proposal. A

copy of the proposal is provided in the Board meeting packet which is available at the District's Administration Building, six high schools and online at the District's webpage.

Recommendation:

That the Board of Education hold a public hearing on the District's initial bargaining proposal to School Supervisors Association (SSA), IFPTE Local 21 for the 2014-2015 successor agreement.

Board Adoption of Initial Bargaining Proposal

Background Information:

Following the public hearing on its initial bargaining proposal, the Board of Education will be asked to adopt the District's proposal to School Supervisors Association (SSA), IFPTE Local 21 for the 2014-2015 successor agreement.

Recommendation:

That the Board of Education adopt the initial bargaining proposal for labor negotiations with School Supervisors Association (SSA), IFPTE Local 21.

Fiscal Impact:

To Be Determined

\* **F.3 Public Hearing and Resolution No. 49-1415: Level II Developer Fees**

Comment:

Education Code Section 1760 authorizes school districts to levy a fee against any development project for the purpose of construction or reconstruction of school facilities. Government Code Section 65995 regarding school facilities fees requires that a School Facilities Needs Analysis be conducted yearly to justify and determine the amount to be charged for Level II developer fees on new residential construction. The School Facilities Needs Analysis finds that the District meets the statutory requirements to increase Level II fees from \$4.58 per square foot to \$4.78 per square foot. If approved by the Board, the new fee will go into effect January 8, 2015. This analysis was conducted according to state guidelines.

A public hearing must be conducted prior to the adoption of West Contra Costa Unified School District Resolution No. 49-1415, at which time individuals who wish to address the Board on matters pertaining to the Level II Developer Fees are allowed to speak. A copy of the School Facilities Analysis is available for review by the public in the Facilities Operations Center and at the WCCUSD front desk located at 1108 Bissell Avenue, Richmond, CA.

Recommendation:

To receive public comment, duly consider any and all comments made at this meeting, and recommend approval of Resolution No. 49-1415: Approving a School Facilities Needs Analysis Adopting Alternative School Facilities Fees in Compliance with Government Code Sections 65995.5, 65995.6 and 65995.7 and Making the Related Findings and Determinations.

Fiscal Impact:

Increase in Level II Developer Fees of \$.20 cents per square foot.

\* **F.4 Presentation of the 2013 – 2014 Audit Report by Crowe Horwath LLP**

Comment:

The District's auditing firm, Crowe Horwath LLP, will present their independent audit report of the West Contra Costa Unified School District's financial position, internal control, and federal and state compliance for the year ended June 30, 2014.

The 2013-2014 Audit report is posted on the WCCUSD web site and a copy is at the reception desk at 1108 Bissell Avenue, Richmond, CA

Recommendation:

Staff recommends acceptance of the audit report

Fiscal Impact:

None

**G. DISCUSSION ITEMS**

\* **G.1 Initial Bargaining Proposal from Public Employees Union (PEU), Local One to the West Contra Costa Unified School District**

Comment:

Pursuant to the Educational Employment Relations Act, the bargaining proposal for negotiations by school districts and labor unions must be submitted at a public meeting of the governing board. The initial bargaining proposal of Public Employees Union (PEU), Local One to the West Contra Costa Unified School District is presented as an information item. At the next regularly scheduled Board meeting this item will come back for public hearing and adoption by the Board of Education.

Negotiations proposal

The current duration of the bargaining unit agreement between the two parties concludes on December 31, 2016. The District shall meet and bargain on the following articles, pursuant to the General Agreements on page 49, as contained in the January 1, 2013 – December 31, 2016 Contractual Agreement between WCCUSD and the Public Employees Union, Local 1:

Article 1 – Agreement, Section 3.

Article 12 – Transfer, Section 4. Administrative Transfer; prior to March 1, 2015

Article 15 – Benefits

Article 16 – Compensation

Local 1 and WCCUSD will identify and study 3 Local 1 sub-units (Paraprofessionals, Office & Technical and General Services, and Maintenance and Operations (GSM&O), prior to March 1, 2015; the studies shall cover total compensation and working conditions.

Recommendation:

The Board of Education receive the initial bargaining proposal with Public Employees Union, Local One.

Fiscal Impact:

To Be Determined

\* **G.2 Initial Bargaining Proposal from West Contra Costa Unified School District to Public Employees Union (PEU), Local One**

Comment:

Pursuant to the Educational Employment Relations Act, the initial proposal for negotiations by school districts and labor unions must be submitted at a public meeting of the governing board. The initial proposal of the West Contra Costa Unified School District to Public Employees Union (PEU), Local One is presented as an information item. At the next regularly scheduled Board meeting this item will come back for public hearing and adoption by the Board of Education.

Negotiations proposal

The District wishes to negotiate the following Articles:

Article 11 – Leaves of Absence

Article 15 – Benefits

Article 16 – Compensation

Article 25 – Reclassification

Recommendation:

The Board of Education receive the initial bargaining proposal with Public Employees, Local One

Fiscal Impact:

To Be Determined

\* **G.3 Uniform Complaint Procedures - Board Policy 1312.3 – Community Relations**

Comment:

The Human Resources Department has worked to revise Board Policy 1312.3 – Community Relations; specifically to meet the federal and state requirements on how the District processes the UCP complaints.

Included in the updated language is the requirement to allow for uniform complaints as they pertain to the procedural implementation of the Local Control Accountability Plan (LCAP).

It is presented as an information item and will be brought back at the next Board meeting for final action.

Recommendation:

That the Board review the modifications to Board Policy 1312.3 – Community Relations

Fiscal Impact:

None

\* **G.4 Project Status Report**

Comment:

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

- Engineering Officer's Report
- Construction Status Reports

Recommendation:  
For Information Only

Fiscal Impact:  
None

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

**I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT**

**J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING**  
Lovonya DeJean Middle School – January 21, 2015

**K. ADJOURNMENT**

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

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



**A. CLOSED SESSION**

**A.1 CALL TO ORDER**

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

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

**See Exhibit A**

(Government Code Section 54954.5)

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

**EXHIBIT A**

(Government Code Section 54954.5)  
CLOSED SESSION AGENDA

**January 7, 2015**

**1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

**2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION**  
[Government Code Section 54956.9(d)(1)]

a. California Charter School Association v. WCCUSD

**3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION/SIGNIFICANT EXPOSURE TO LITIGATION**  
[Government Code Section 54956.9(d)(2) or (d)(3)]

Three cases

**4. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION/INITIATION OF LITIGATION**  
[Government Code Section 54956.9(d)(4)]

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

**6. CONFERENCE WITH LABOR NEGOTIATORS**

a. Superintendent/Dr. Bruce Harter

b. Employee Organizations  
- UTR

- Local One
- School Supervisors Association
- WCCAA

- c. Unrepresented Employees
  - Confidential and Management

**7. PUBLIC EMPLOYEE APPOINTMENT**

Instructional Specialist

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

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

Expulsions

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

**11. REPORT OF CLOSED SESSION ACTIONS**

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

Agenda Item B.7

December 3, 2014

**A. CLOSED SESSION**

**B. OPENING PROCEDURES**

President Ramsey called the meeting to order at 5:45 P.M. The Board recessed into Closed Session. President Ramsey called the Public Session to order at 6:30 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:** Denise Cifelli, Confidential Secretary; Steve Collins, SELPA Director; Linda Delgado, Coordinator Charter Schools; Cliff Dorton Electronics Technician; Luis Freese, District Engineer; Sheri Gamba, Associate Superintendent Business Services; Wendell Greer, Associate Superintendent K-Adult Schools; Bruce Harter, Superintendent; Keith Holtslander, Director Facilities & Construction; Lisa LeBlanc, Associate Superintendent M & O/Bond Program; Mary Phillips, Chief Technology Officer; Nia Rashidchi, Assistant Superintendent Educational Services; Reyna Touriel, Translator; Marcus Walton, Communications Director; Ken Whittmore, Assistant Superintendent Human Resources

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

None

**B.5 Agenda Review and Adoption**

President Ramsey asked the Board to consider reordering the agenda by moving items F.6, D.1, and D.2 to follow F. 2.

**Board Comment:**

None

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

**Public Comment:**

Anton Jungherr, Steven Chamberlain

**MOTION:** President Ramsey asked for a vote to reaffirm approval of the agenda as modified following public comment. Mr. Groves moved to affirm his original motion approval of the agenda as modified. Mr. Enos seconded. A roll call vote was taken with Mr. Enos, Mr. Groves, Ms. Kronenberg, and President Ramsey voting yes, with Ms. Merriweather abstaining and no absences. Motion carried 4-0-1-0.

A brief recess was taken at this time due to technical difficulties.

**F. ACTION ITEMS**

**F.1 Resolution No. 43-1415: Requesting BAAQMD Reconsider Permit**

Mr. Andres Soto addressed the Board regarding a resolution to consider requesting the Bay Area Quality Management District to reverse its decision to grant a permit to Kinder Morgan Richmond to transport crude oil products by railway through the community.

**Public Comment:**

Janet Johnson, Sylvia Hopkins, Peter Chau, Tim Layton

**Board Comment:**

President Ramsey said that Mr. Soto and the speakers had outlined the situation and felt it important to ask the Bay Area Quality Management District to reconsider its decision.

**MOTION: Ms. Kronenberg moved approval of Resolution No. 43-1415: Requesting BAAQMD Reconsider Permit. Mr. Enos seconded. A roll call vote was taken with Mr. Enos, Mr. Groves, Ms. Kronenberg, Ms. Merriweather, and President Ramsey voting yes, with no abstentions and no absences. Motion carried 5-0-0-0.**

**F.2 Revision to Board Bylaw 9260 Legal Protection**

Superintendent Harter explained the modification to a Board Bylaw that would add a single paragraph to provide legal counsel to board members and staff if called upon during an administrative proceeding, action or other inquiry of the District by a Local, State or Federal Agency or Court of Law to the extent allowed by Government Code. Counsel selection shall be at the discretion of the Board.

**Public Comment:**

Steven Chamberlain, Anton Jungherr, Maria Montes, Tana Montero, Tom Panas, Don Gosney, Ben Steinberg, Lorraine Humes, Alex Aliferis, Judy Bendix, Robert Studdiford

**Board Comment:**

President Ramsey thanked the speakers and asked Superintendent Harter to restate the matter. Superintendent spoke of the practice of the Board to bring policy revisions forward on a single reading and to bring new policies with a first reading and a final vote at a subsequent meeting.

President Ramsey spoke about review of this item and recommendations from legal counsel with Mr. Groves at agenda setting. He spoke about the need for previous, current, as well as future Board Members having the assurance that performance of the scope of duties is protected with remedies that can be taken against those members when not acting within that scope.

Mr. Groves asked whether the practices were in conflict with bylaws. Superintendent Harter said that the Board could always revisit a previous action at a subsequent meeting. Mr. Groves continued with comments about legal protection and liability.

Ms. Gamba explained the process for engaging any attorney services and appropriation of funds to which invoices are applied.

Mr. Groves continued with discussion regarding the legal consultation he sought regarding the matter as the appropriate course of action.

Ms. Merriweather said that she felt the community concern was that the issue was being rushed. She recommended postponing action to a future meeting.

Ms. Gamba reiterated the District's practice as well as the language in Board Bylaw 9310 being permissive about second readings for policy revisions. She said it specifically allows the Board to waive the second reading if it chooses to do so. She felt that because it has been a practice of the Board over time to approve an amendment to an existing policy once and hear new policies twice, that the action on this item could go forward.

**MOTION: Ms. Kronenberg moved approval of the Revision to Board Bylaw 9260. Mr. Enos seconded. A roll call vote was taken with Mr. Enos, Mr. Groves, Ms. Kronenberg, and President Ramsey voting yes, Ms. Merriweather abstaining and no absences. Motion carried 4-0-1-0.**

**F.6 Contracts**

President Ramsey said he would separate the contracts under this item into two separate votes. He asked the Board to approve the first five contracts having to do with general district business.

**Public Comment:**

None

**Board Comment:**

None

**MOTION: Mr. Groves moved approval of the five contracts regarding Curriculum, Business Services and Special Education. Ms. Kronenberg seconded. Mr. Enos, Mr. Groves, Ms. Kronenberg, Ms. Merriweather, and President Ramsey voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.**

President Ramsey asked for a separate vote regarding the group of contracts for Business Services having to do with the Securities and Exchange Commission matter. President Ramsey recused himself and left the meeting at this time. Mr. Groves assumed the gavel and continued the meeting.

**Public Comment:**

Yolanda Lopez, Anton Jungherr, Steven Chamberlain, Don Gosney, Ben Steinberg, Lorraine Humes, Robert Studdiford, Christina Slamon, Alex Aliferis, Eric Allam, Mike Ali Kenny

**Board Comment:**

Ms. Merriweather asked Mr. Groves about the decision to return this item to the agenda for action. Mr. Groves responded with information about revisiting costs to cover the scope of the investigation. Ms. Gamba provided details about the initial fund authorizations by the Board and actual billing, as well as costs of continuing legal services. Discussion continued.

**MOTION: Ms. Kronenberg moved approval of the four contracts regarding the Securities and Exchange Commission investigation. Mr. Enos seconded. A roll call vote was taken with Mr. Enos, Ms. Kronenberg, and Clerk Groves voting yes, Ms. Merriweather voting no, with no abstentions and President Ramsey absent as a result of recusing himself. Motion carried 3-1-0-1.**

President Ramsey returned to the meeting and resumed the gavel. He recognized Board members elect Valerie Cuevas and Elizabeth Block in the audience as well as other dignitaries.

**D.1 Resolution No. 41-1415: Resolution of Commendation to Elaine Merriweather for Dedicated Service to Students, Staff and the Community, December 3, 2014**

Superintendent Harter read the resolution commending Ms. Merriweather for her service to the District and Board since 2010.

**Public Comment:**

Peter Chau

**Board Comment:**

Mr. Enos spoke of his appreciation of Ms. Merriweather and her service to benefit students.

Mr. Groves said the Board owed a debt of gratitude for championing important issues on behalf of the most vulnerable and at risk students in the District. He commended her work and said he was honored to have served with her.

Ms. Kronenberg spoke of the pleasure and honor to serve with her. She recalled attending the Full Services Schools conference in Cincinnati together and its implementation as one of the biggest successes in Ms. Merriweather's career. She said changing the service system in schools will be a bonus to children in schools.

President Ramsey recalled her efforts to support the parcel tax and bond measures. He spoke of her trust and the different and new things that she brought to the Board and the District.

Ms. Merriweather spoke of her continued efforts to advocate for children at the state and national levels.

Superintendent Harter presented a plaque to commend Ms. Merriweather's service.

**D.2 Resolution No. 39-1415: Resolution of Commendation to Charles Ramsey for Dedicated Service to Students, Staff and the Community, December 3, 2014**

Superintendent Harter read the resolution commending Mr. Ramsey for his services to the Board and District since 1993.

**Public Comment:**

Bobbie Dowling, Felicia Robertson, Diane Brown, Romy Douglas, Jose Vilar, Karen Leong Fenton, Donna Powers, Bob Lily, Don Gosney, Peter Hanley, Kevin Van Buskirk, Nancy Schiff, Ben Hamburg, Kevin MacQuarrie, Robert Studdiford, Greg Harper, Christina Slamon, Karen Pfeiffer, Linda Cohen, Youra Peppia, Michael Terry, Gboyedga Aladegebami, Sally Swanson, Sarah Marsh, Wally Gordon, Fred Powell, Reginald Terrell, Jim Rogers

Superintendent Harter presented a gavel and plaque to commend Mr. Ramsey's service to the District.

**Board Comment:**

President Ramsey recalled many people that he had worked with over the years and the sense of team work and collaboration. He thanked the community for the opportunity to serve.

**F.3 Aspire Richmond Technology Academy Charter School Staff and Counsel Findings of Fact, and Board Decision**

Superintendent Harter spoke of the recent public hearing as well as staff review of the charter petition. He said that staff recommended approval of the petition for a five year term, without conditions beginning with the 2015-2016 school year. He said that staff had prepared a separate memorandum of understanding addressing concerns regarding the petition to be negotiated and brought for Board consideration at the January 21, 2015 meeting.

Aspire representatives spoke in appreciation of the feedback and consideration.

**Public Comment:**

None

**Board Comment:**

None

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

**F.4 Aspire Richmond California College Preparatory Academy Charter School Staff and Counsel Findings of Fact, and Board Decision**

Superintendent Harter spoke of the staff recommendation to approve the petition for a five year term without conditions beginning with the 2015-2016 school year. Staff further recommended that a separate memorandum of understanding addressing concerns with the petition be negotiated for consideration by the Board at the January 21, 2015 meeting.

**Public Comment:**

None

**Board Comment:**

None

**MOTION: Mr. Groves moved approval of Aspire Richmond California College Preparatory Academy Charter School. Mr. Enos seconded. A roll call vote was taken with Mr. Enos, Mr. Groves, Ms. Kronenberg, Ms. Merriweather, and President Ramsey voting yes, with no abstentions and no absences. Motion carried 5-0-0-0.**

**F.5 John Henry High School Staff and Counsel Findings of Fact, and Board Decision**

Superintendent Harter spoke of the staff recommendation to approve the petition for a five year term without conditions beginning with the 2015-2016 school year. Staff further recommended that a separate memorandum of understanding addressing concerns with the petition be negotiated for consideration by the Board at the January 21, 2015 meeting.

**Public Comment:**

Jorge Lopez

**Board Comment:**

None

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

**F.6 Contracts**

This item was moved to follow item F.2.

**C. BUSINESS ITEM**

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

**C.2 Acceptance of Donations**

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

**C.4 Adoption of Resolution No. 44-1415: Replacement of Outdated Warrant**

This item was tabled from the agenda.

**C.5 Routine Personnel Changes – Classified**

**C.6 Approval of District Local Control Accountability Plan Parent Committee Nominees**

**MOTION:** Mr. Enos moved Approval of Consent Items C. 1 – C.3, C.5 and C.6. Ms. Kronenberg seconded. Mr. Enos, Mr. Groves, Ms. Kronenberg, Ms. Merriweather, and President Ramsey voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

**F.7 Approval of Additional Architectural Services**

Superintendent Harter provided information regarding additional architectural services for the Pinole Valley High School site. Mr. Kevin MacQuarrie with WLC Architects provided a presentation with background.

**Public Comment:**

Susan Chamberlain, Ivette Ricco, Tom Panas, Alex Aliferis, Jeff Rubin

**Board Comment:**

President Ramsey remarked about public concern for construction costs and the community involvement.

Mr. Groves spoke about the need to pay for services that have been delivered. Ms. LeBlanc provided clarification regarding industry standards. Ms. LeBlanc also spoke about the phases, increase of project planning and scope.

Ms. Merriweather asked about the length of time for the Pinole project as compared to other schools. President Ramsey provided information with comparisons to El Cerrito and DeAnza High School construction.

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

**E. COMMITTEE COMMUNICATIONS**

**E.1 In Memory of Members of the School Community**

Superintendent Harter recognized the contributions of members of the community who have passed away. President Ramsey asked for a moment of silence.

**Public Comment:**

None

**Board Comment:**

None

**B. OPENING PROCEDURES - CONTINUED**

**B.6 Minutes: November 6, 2014; November 12, 2014**

**MOTION:** Ms. Kronenberg moved approval of the Minutes of November 6, 2014 and November 12, 2014. Mr. Enos seconded. Mr. Enos, Mr. Groves, Ms. Kronenberg, Ms. Merriweather, and President Ramsey voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

**B.7 Public Comment:**  
Michael Ali Kenny, Liz Block

**F.8 Presentation of the Initial Bargaining Proposal from West Contra Costa Unified School District to the United Teachers of Richmond (UTR)**

Mr. Whittemore explained the sunshining process as bargaining begins with each bargaining unit. At this time, he requested the Board accept the initial bargaining proposal of the District to United Teachers of Richmond.

**Public Comment:**  
None

**Board Comment:**  
None

**MOTION:** Mr. Groves moved to receive the Initial Bargaining Proposal from West Contra Costa Unified School District to the United Teachers of Richmond (UTR). Ms. Kronenberg seconded. Mr. Enos, Mr. Groves, Ms. Kronenberg, Ms. Merriweather, and President Ramsey voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

**F.9 Initial Bargaining Proposal from United Teachers of Richmond (UTR) to the West Contra Costa Unified School District**

Superintendent Harter spoke about the initial bargaining proposal from United Teachers of Richmond to the District.

**Public Comment:**  
None

**Board Comment:**  
None

**MOTION:** Mr. Groves moved to receive the Initial Bargaining Proposal from United Teachers of Richmond (UTR) to the West Contra Costa Unified School District. Ms. Kronenberg seconded. Mr. Enos, Mr. Groves, Ms. Kronenberg, Ms. Merriweather, and President Ramsey voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

**F.10 Joint Initial Bargaining Proposal – with West Contra Costa Unified School District and West Contra Costa Administrators Association (WCCAA)**

Superintendent Harter spoke about the joint bargaining proposal between WCCAA and the District.

**Public Comment:**  
None

**Board Comment:**  
None

**MOTION:** Mr. Groves moved to receive the Joint Initial Bargaining Proposal with West Contra Costa Unified School District and West Contra Costa Administrators Association (WCCAA). Ms. Kronenberg seconded. Mr. Enos, Mr. Groves, Ms. Kronenberg, Ms. Merriweather, and President Ramsey voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

**F.11 Resolution 42-1415: In Support of Richmond Plan to Keep Doctors Medical Center Open**



Superintendent Harter provided information about the County's intent to forgive the debt of Doctors Medical Center in order to keep the facility open. He said the resolution of support came from the West County Mayors Association.

**Public Comment:**

None

**Board Comment:**

None

**MOTION: Mr. Groves moved approval of Resolution 42-1415: In Support of Richmond Plan to Keep Doctors Medical Center Open. Mr. Enos seconded. Mr. Enos, Mr. Groves, Ms. Kronenberg, Ms. Merriweather, and President Ramsey voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.**

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

**D.1 Resolution No. 41-1415: Resolution of Commendation to Elaine Merriweather for Dedicated Service to Students, Staff and the Community, December 3, 2014**

This item was moved to follow item F.6.

**D.2 Resolution No. 39-1415: Resolution of Commendation to Charles Ramsey for Dedicated Service to Students, Staff and the Community, December 3, 2014**

This item was moved earlier on the agenda.

**G. DISCUSSION ITEMS**

None

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

None

**I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT**

Mr. Enos spoke of the work ahead for the Board and the involvement of the public. He commended the students and teachers for their hard work through the year.

Ms. Kronenberg said goodbye to Mr. Ramsey and spoke of him as a warrior for the children of the District. She commended him as an historian and the tone he set for Board members to follow.

Mr. Groves said that he will miss Mr. Ramsey and Ms. Merriweather and their leadership styles. They have added a great deal to the District.

Ms. Merriweather gave her thanks to Mr. Ramsey for his leadership and the vision of having high standard schools for the students in the community. She said she was proud of his leadership. She thanked her family as well as her supporters. She offered congratulations to newly elected Board members Liz Block and Valerie Cuevas, as well as reelected member Madeline Kronenberg. She said that while she is still a parent of the District, she planed to remain involved.

President Ramsey spoke about the principles that should guide the community including patience, persistence, and perseverance. He reminded his colleagues of the importance of people of the community as he ended his twenty-one years as a Board member.

**J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING**

Lovonya DeJean Middle School – December 10, 2014

**K. ADJOURNMENT**

President Ramsey adjourned the meeting at 10:53 PM.

*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

December 10, 2014

**A. CLOSED SESSION**

**B. OPENING PROCEDURES**

Clerk Groves called the meeting to order at 5:45 P.M. The Board recessed into Closed Session. Clerk Groves called the Public Session to order at 6:30 P.M.

**B.1 Swearing In Of New Board Members**

Hercules Vice-Mayor Dan Romero administered the oath of office for re-elected Board member Madeline Kronenberg and the newly elected Board members Elizabeth Block, and Valerie Cuevas.

**B.2 Pledge of Allegiance**

Clerk Groves led the Pledge of Allegiance.

**B.3 Welcome and Meeting Procedures**

Clerk Groves congratulated the newly elected Board members upon taking their oath of office. He offered welcome and instructions to the public regarding the meeting.

**B.4 Roll Call**

**Board Members Present:** Liz Block, Valerie Cuevas, Randall Enos, Todd Groves, Madeline Kronenberg

**Staff Present:** Steve Collins, SELPA Director; Sheri Gamba, Associate Superintendent Business Services; Wendell Greer, Associate Superintendent K-Adult Schools; Bruce Harter, Superintendent; Debbie Haynie, Executive Secretary; Joshua Herrera, Electronics Technician; Keith Holtslander, Director Facilities & Construction; Nicole Joyner, Director Accountability & Data; Mimi Melodia, Coordinator EL Services; Sonja Neely-Johnson, Coordinator Educational Services; Mary Phillips, Chief Technology Officer; Lyn Potter, Director Educational Services; Nia Rashidchi, Assistant Superintendent Educational Services; Adam Taylor, K-12 Executive Director; Liz Torio, Director Ed Services; Reyna Touriel, Translator; Marin Trujillo, Coordinator Community Engagement; Marcus Walton, Communications Director; Regina Webber, Director Business Services; Ken Whittemore, Assistant Superintendent Human Resources

**B.5 Annual Organization Meeting**

**Election of President**

**Motion:** Ms. Block nominated Todd Groves to the position of President of the Board. A roll call vote was taken with Ms. Block, Mr. Enos, Mr. Groves, and Ms. Kronenberg voting yes, Ms. Cuevas voting no, with no abstentions or absences. Motion carried 4-1-0-0.

**Election of Clerk**

**Motion:** Ms. Kronenberg nominated Randy Enos to serve as Clerk of the Board. A roll call vote was taken with Mr. Enos, Ms. Kronenberg, and President Groves voting yes, Ms. Block and Ms. Cuevas voting no, with no abstentions or absences. Motion carried 3-2-0-0.

A separate motion was taken to appoint the Superintendent as Secretary, authorize the President to sign documents, and the Clerk to sign in the absence of President.

**Motion:** Ms. Kronenberg moved to affirm the appointment of the Superintendent as Secretary, authorize the President to sign documents and the Clerk to sign in the absence of President. Mr. Enos seconded. Ms. Block, Ms. Cuevas, Mr. Enos, Ms. Kronenberg and President Groves voted yes, with no abstentions or absences. Motion carried 5-0-0-0.

A separate motion was taken to affirm the adopted Board meeting dates.

**Motion:** Ms. Block moved to affirm the adopted Board meeting dates. Ms. Kronenberg seconded. Ms. Block, Ms. Cuevas, Mr. Enos, Ms. Kronenberg and President Groves voted yes, with no abstentions or absences. Motion carried 5-0-0-0.

A separate motion was taken to establish the Board calendar for 2015. Superintendent Harter pointed out a date correction of July 8, 2015.

**Motion:** Ms. Kronenberg moved to establish the Board calendar for 2015 and correct the date of July 8, 2015. Mr. Enos seconded. Ms. Block, Ms. Cuevas, Mr. Enos, Ms. Kronenberg and President Groves voted yes, with no abstentions or absences. Motion carried 5-0-0-0.

**B.6 Report/Ratification of Closed Session**  
None

**B.7 Presentation of Student Board Representative from Middle College High School**  
Mr. Amrinder Singh provided a report of activities at Middle College High School.

**B.8 Agenda Review and Adoption**

**Public Comment:**  
Anton Jungherr

**Board Comment:**  
Board members Block and Cuevas commented in response to Mr. Jungherr's remarks, noting their desire to wait for the January 10 retreat and working collaboratively with their colleagues.

**MOTION:** Ms. Block moved approval of agenda, including removing item C.5 for separate discussion. Ms. Cuevas seconded. Ms. Block, Ms. Cuevas, Mr. Enos, Ms. Kronenberg and President Groves voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

**B.9 Public Comment:**  
Natalie Walchuk, Dan Romero, Yolanda Lopez, David Calderon, Dennis Cody, Roberto Rolon, Abadesa Rolon, Anton Jungherr, Ron Beller, Tom Panas, Flor Castro, Monzerrat Ledesma, Tiffany Acevedo, Dalia Gomez

**C. BUSINESS ITEM**

**C.1 Acceptance of Donations**

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

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

**C.4 Memorandum of Understanding (MOU) with Leadership Public High School**

**C.5 Ratification and Approval of Engineering Services Contracts**

This item was removed for separate discussion.

**C.6 Approval of Negotiated Change Orders**

**C.7 Approval of Board Member Travel**

This item was removed for separate discussion.

**MOTION:** Ms. Cuevas moved Approval of Consent Items C. 1 – 4 and C.6. Mr. Enos seconded. Ms. Block, Ms. Cuevas, Mr. Enos, Ms. Kronenberg, Student Representative Amrinder Singh (advisory vote only), and President Groves, voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

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

**D.1 Ed Fund Arts & Music Impact Grant Awardees for 2014**

Ms. Rashidchi introduced Joel Mackey, Executive Director of Ed Fund, to celebrate the Arts and Impact Grant award winners. Mr. Mackey reported that this was the Ed. Fund's thirty-first year to award grants to teachers and schools in District. He said that the Ed Fund received a bequest and endowment from Brad Bradley of El Cerrito to be used for art and music programs within the District. Mr. Mackey spoke of the nearly \$30,000 in awards this year to educators and hope to grow the endowment to provide more awards. He invited grantees to come forward and share information about their programs and use of the funds. Board members individually congratulated the recipients and took a moment for photographs.

**Public Comment:**

None

**Board Comment:**

Ms. Kronenberg offered congratulations and spoke of the commitment to rebuild the arts programs in schools.

Mr. Enos thanked everyone for keeping arts alive in schools and the Ed Fund for supporting student achievement in a positive way.

Ms. Cuevas thanked the community and recognized the generous bequest of the Bradley estate.

President Groves congratulated winners, commending their hard work and use of funds for children. He commended the generous donors and tireless work of the Ed. Fund.

**D.2 Local Control Accountability Plan (LCAP) Actions/Services Report #2**

Superintendent Harter spoke of the commitment to regularly update the Board with reports of actions and services of the Local Control Accountability Plan. Ms. Rashidchi provided background showing an infographic meant to illustrate the story of LCAP journey. She spoke of the required eight state priorities and the District's 14 goals, 49 progress indicators and 47 actions and services.

Mr. Adam Taylor and Ms. Sonja Neely-Johnson provided information pertaining to psychological services and additional staffing at middle and high schools.

**Public Comment:**

None

**Board Comment:**

Ms. Block applauded staff on the thorough plan. She had comments regarding indicators and underlying goals for hiring additional staff as an aid to the reader in seeing the intent. She commended the focus in the area psychological services and intervention for students.

Ms. Kronenberg spoke about making the infographic more understandable. She sought clarification of cost and expenditures for implementation. Mr. Whittemore and Mr. Collins provided additional clarification regarding added staff expenditures under their divisions.

Ms. Cuevas had questions regarding the way data and feedback was collected for the infographic as an informational tool to aid the reader. Ms. Rashidchi reported that the next Board meeting will bring a presentation on progress indicators. She detailed ongoing information gathering and surveying of stakeholders. Ms. Cuevas continued with remarks about showing student diversity and foster youth with numbers, not only percentages. She concluded with comments on indicator goals and the possible addition of benchmarks.

Ms. Block added comment about whether LCAP material was given to parents in a way that can easily be understood.

President Groves thanked staff and expressed appreciation for the work done to get to this point. He said he looked forward to next report.

**D.3 Budget Development and Financial Reports Calendar**

Superintendent Harter asked Ms. Gamba to share the budget development calendar. Ms. Gamba spoke about the First Interim Report and financial projections. She said the calendar provided an overview of activities during the budget development process. She urged the Board to identify dates for study sessions in January and February to coincide with information received from the Governor's state budget development.

**Public Comment:**

None

**Board Comment:**

Ms. Block said she was appreciative of study sessions. Ms. Gamba responded.

## **E. COMMITTEE COMMUNICATIONS**

### **E.1 Standing Reports**

**Ivy League Connection.** Mr. Don Gosney provided an update on the Ivy League Connection. He said that he had received numerous comments of support from community and financial supporters. He shared a reflective blog written by Magaly Rodriguez during her 2014 program at Brown University.

**West Contra Costa Administrators Association.** Co-executive Director Sara Danielson welcomed the new Board members. She said the newly installed WCCAA Board will be introduced in January. She spoke of the District's Solutions Team collaborative as an invaluable communication avenue for the various labor unions. She said the regular, ongoing meetings with District representatives provided for two way communication, resulting in open and honest communication for all.

**Academic Subcommittee.** Ms. Rashidchi reported on the recent meeting where discussion included an overview of the Smarter Balance consortium, standardized testing, overview of the summer school timeline, and the temporary EL reclassification criteria feedback from teachers. She said the next meeting is scheduled for January 13, 2015, 6:30 PM at DeAnza High School. Mr. Enos shared information about the December 15<sup>th</sup> new teachers meeting to seek their perception of the first semester.

**Community Budget Advisory Committee.** Ms. Gamba reported on the last meeting where the committee met with JROTC students and heard a report. They also had a report regarding library and textbook materials. Committee members have also signed up for the January Governor's budget workshop.

**Facilities Subcommittee.** Ms. Kronenberg announced the next meeting for January 6, 2015, 4:00 PM.

**School Safety and Climate Committee.** Mr. Enos reported that this month's meeting was postponed, with a January date to be determined.

**Technology Subcommittee.** Ms. Kronenberg reported on the recent meeting where the committee heard a report on technology plan changes and updates, and a report on the Myon Reader literacy program being used by teachers and students. The committee continued review of the elements of technology plan. The next meeting will be held January 12, 2015, 4:00 PM.

**Youth Commission.** President Groves reported on the recent high school tours. He said the commissioners had a lot to say about what was going on in schools, what seemed to be working and what needed change. He was hopeful to leverage the information into action with specific recommendations.

### **E.2 Superintendent's Report**

Superintendent Harter provided a report of activities in the District.

### **C.5 Ratification and Approval of Engineering Services Contracts**

Board Member Block had questions about some of the change orders. Staff members Keith Holtslander, Karim Nassab and Tim Peel were available to address questions regarding Ohlone Elementary. Mr. Peel provided information about changes in scope for the construction project.

Ms. Cuevas asked for information regarding the dollar amounts and percentages for added scope of work for the project. Mr. Peel offered additional information for clarification.

Ms. Kronenberg pointed out the original 1C standard adopted by the Board for all construction projects and detailed the adopted construction perimeters. Superintendent Harter offered additional information about the Division of State Architect's changes to the building code and the biannual upgrades to the District's design standards. He explained that many of the changes orders for the Ohlone project were implemented after the recent design upgrade. He explained that the Citizens' Bond Oversight Committee (CBOC) thoroughly reviews change orders and reports publicly.

#### **Public Comment:**

Anton Jungherr

**Board Comment:**

Ms. Gamba offered additional clarification saying that many of the change orders had been previously approved by Board. Discussion continued regarding the process that the CBOC uses for its review, oversight and the annual performance audit.

**MOTION:** Ms. Kronenberg moved approval of the Ratification and Approval of Engineering Services Contracts. Mr. Enos seconded. Ms. Block, Ms. Cuevas, Mr. Enos, Ms. Kronenberg, Student Representative Amrinder Singh (advisory vote only), and President Groves voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

**C.7 Approval of Board Member Travel**

**Public Comment:**

Anton Jungherr

**Board Comment:**

Ms. Cuevas asked for budget information for Board member travel. Ms. Gamba reported \$20,000 budgeted for Board travel within the state.

**MOTION:** Ms. Kronenberg moved approval of Board Member Travel. Mr. Enos seconded. Ms. Block, Ms. Cuevas, Mr. Enos, Ms. Kronenberg, Student Representative Amrinder Singh (advisory vote only), and President Groves voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

**F. ACTION ITEMS**

**F.1 Resolution to Convey an Easement to Contra Costa County for a Pedestrian Bridge at Riverside Elementary School**

Superintendent Harter said this was the concluding presentation for the construction of a pedestrian overcrossing of Interstate 80 to Riverside Elementary school. He shared that this project had been under consideration for several years. Mr. Hisham Noeimi of West Contra Costa Transportation Authority provided information regarding the major interchange modifications at I-80 and San Pablo Dam Road, McBryde Avenue and El Portal Drive. He gave background regarding the project and the community meetings.

**Public Comment:**

Don Gosney

**Board Comment:**

Ms. Block commented on hazardous traffic on Amador Street.

Ms. Kronenberg spoke of the various presentations made to the Facilities Subcommittee and the Board. She urged support of the project for the good of the community and safety of the children who attend Riverside School.

Ms. Cuevas asked questions of Mr. Noeimi about the project regarding the use of school property. Mr. Noeimi provided clarification.

President Groves spoke in support of the project for the community.

**MOTION:** Ms. Block moved approval of the Resolution to Convey an Easement to Contra Costa County for a Pedestrian Bridge at Riverside Elementary School. Mr. Enos seconded. Ms. Block, Ms. Cuevas, Mr. Enos, Ms. Kronenberg, Student Representative Amrinder Singh (advisory vote only), and President Groves voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

**F.2 Appointing a Committee to Consider Renaming Gompers High School**

Mr. Don Lau shared information regarding Mr. Sylvester Greenwood's background and challenges he faced during his many years of service to the District as a teacher, coach, assistant principal, principal, assistant superintendent and interim superintendent. He commended Mr. Greenwood as someone who cared about the community and was highly regarded. Mr. Lau asked to Board to appoint a committee to consider renaming Samuel Gomers High School to Sylvester Greenwood High School.

**Public Comment:**

JP De Oliveira, Tiffani Neal, Timothy Wilson, Dave Moss

**Board Comment:**

Mr. Enos spoke of working with Sylvester Greenwood and how he thought this a noble action to consider renaming the school in his memory.

Ms. Kronenberg spoke in support, recalled the renaming of Korematsu, formerly Portola Middle School. She said that the new school with a new name would be a renaissance opportunity for the community.

Board Members Cuevas and Enos volunteered to serve on the committee.

**MOTION: Ms. Kronenberg moved approval of appointing Ms. Cuevas and Mr. Enos to serve on the Committee to Consider Renaming Gompers High School. Mr. Enos seconded. Ms. Block, Ms. Cuevas, Mr. Enos, Ms. Kronenberg, Student Representative Amrinder Singh (advisory vote only), and President Groves voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.**

**F.3 Contract Extension**

Superintendent Harter provided background regarding the Superintendent's contract and an additional requirement as a result of the 2012 change in Government Code Sections 53243 regarding employment contracts of certain executive public employees expressly addressing issues related to abuse of office. The proposed contract amendment updates the Superintendent's Employment Agreement in order to address that requirement. On November 12, 2014, the Board conducted and approved the Superintendent's annual performance evaluation, thereby triggering a contract extension through June 30, 2018, a two percent salary increase as well as a two percent payment to the Superintendent's tax sheltered annuity. Since that time, issues have been raised about the clarity of the Board's November 12 action. He explained that the purpose of tonight's action was to provide clarity and further ratify those previously approved actions.

**Public Comment:**

Anton Jungherr, Ben Steinberg

**Board Comment:**

Ms. Cuevas asked to separate the two actions, insertion of language into the contract and ratify the superintendent's evaluation and contract extension, into two individual actions. Superintendent Harter affirmed that the Board could so.

**MOTION: Ms. Cuevas moved to separate the contract extension items into two separate votes. Ms. Block seconded. A roll call vote was taken with Ms. Block, Ms. Cuevas, Student Representative Amrinder Singh (advisory vote only), and President Groves voting yes, Mr. Enos and Ms. Kronenberg voting no, with no abstentions and no absences. Motion carried 3-2-0-0.**

**MOTION: Ms. Cuevas moved to amend the Superintendent's Contract with the insertion of specific language. Ms. Block seconded. Ms. Block, Ms. Cuevas, Mr. Enos, Ms. Kronenberg, Student Representative Amrinder Singh (advisory vote only), and President Groves voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.**

Board members continued the discussion regarding terms of the Superintendent's contract. Superintendent Harter affirmed that this action would be ratification of action already taken by the Board.

**MOTION: Ms. Kronenberg moved to ratify the Superintendent's previously approved contract extension. Mr. Enos seconded. A roll call vote was taken with Mr. Enos, Ms. Kronenberg, Student Representative Amrinder Singh (advisory vote only), and President Groves voting yes, Ms. Block, and Ms. Cuevas, voting no, with no abstentions and no absences. Motion carried 3-2-0-0.**

Ms. Cuevas left dais.

**F.4 Memorandum of Understanding (MOU) with Leadership Public High School**

Superintendent Harter asked the Board for approval of a memorandum of understanding with Leadership Public Schools and their operating agreement for the year. He explained that changes with the Local Control Funding Formula required updates to the agreement.

**Public Comment:**  
None

**Board Comment:**  
None

**MOTION:** Ms. Kronenberg moved approval of the Memorandum of Understanding (MOU) with Leadership Public High School. Ms. Block seconded. Ms. Block, Mr. Enos, Ms. Kronenberg, Student Representative Amrinder Singh (advisory vote only), and President Groves voted yes, with no abstentions and Ms. Cuevas absent. Motion carried 4-0-0-1.

Ms. Cuevas returned to the dais.

**F.5 Public Hearing and Adoption of the Initial Bargaining Proposal from United Teachers of Richmond to West Contra Costa Unified School District**

Mr. Whittemore asked the Board to hold a public hearing as part of the Educational Employment Relations Act to hear any comment regarding the initial bargaining proposal from United Teachers of Richmond to the District.

President Groves opened the public hearing.

**Public Comment:**  
None

President Groves closed the public hearing.

**Board Comment:**  
None

**MOTION:** Ms. Cuevas moved to adopt the Joint Initial Bargaining Proposal from West Contra Costa Unified School District and West Contra Costa Administrators Association. Ms. Kronenberg seconded. Ms. Block, Ms. Cuevas, Mr. Enos, Ms. Kronenberg, Student Representative Amrinder Singh, and President Groves voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

**F.6 Public Hearing and Adoption of the Initial bargaining Proposal from West Contra Costa Unified School District to United Teachers of Richmond**

Mr. Whittemore asked the Board to hold a public hearing as part of the Educational Employment Relations Act to hear any comment regarding the initial bargaining proposal from the District to United Teachers of Richmond.

President Groves opened the public hearing.

**Public Comment:**  
None

President Groves closed the public hearing.

**Board Comment:**  
None

**MOTION:** Ms. Kronenberg moved to adopt the Initial Bargaining Proposal from West Contra Costa Unified School District to United Teachers of Richmond. Mr. Enos seconded. Ms. Block, Ms. Cuevas, Mr. Enos, Ms. Kronenberg, Student Representative Amrinder Singh (advisory vote only), and President Groves voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.



**F.7 Public Hearing and Adoption of the Joint Initial Bargaining Proposal from West Contra Costa Unified School District and West Contra Costa Administrators Association (WCCAA)**

Mr. Whittemore explained that through the interest-based bargaining process used with WCCAA, joint initial bargaining proposals were developed. He requested that the Board hold a public hearing regarding their joint proposal for negotiations.

President Groves opened the public hearing.

**Public Comment:**

None

President Groves closed the public hearing.

**Board Comment:**

None

**MOTION:** Ms. Block moved to adopt the Joint Initial Bargaining Proposal from West Contra Costa Unified School District and West Contra Costa Administrators Association (WCCAA). Ms. Kronenberg seconded. Ms. Block, Ms. Cuevas, Mr. Enos, Ms. Kronenberg, Student Representative Amrinder Singh (advisory vote only) and President Groves voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

**G. DISCUSSION ITEMS**

**G.1 WCCUSD Interim Reclassification Criteria for English Learner Students**

Ms. Rashidchi introduced Mimi Melodia and Liz Torio who presented information on a temporary change to the reclassification criteria for English Learner students. Ms. Melodia explained that all districts in the state are required to select interim measures for evaluation in the absence of CST testing requirements. She said that 346 elementary and 289 second students have met EL reclassification criteria already this year but are awaiting the Board's approval of the standardized testing component. She further explained that over 9000 English Language Learners are currently enrolled in the District, approximating one-third of the District's students.

**Public Comment:**

None

**Board Comment:**

Ms. Block asked about the STAR reading test measurement. Ms. Lyn Potter, Director of English Language Arts, provided clarification regarding assessment of Common Core Standards and early reading skills. Ms. Block concluded by asking Ms. Potter to explain benchmark recommendations.

Ms. Cuevas had questions about the change in documents provided to the Board and public. Ms. Melodia pointed out a misprint in the CELT section. She continued to explain the four domains for consideration. Ms. Cuevas had additional questions about approving the alternative criteria. Ms. Rashidchi pointed out that this item was for the Board's discussion at tonight's meeting.

**G.2 Board Policy Update: BP 0440 District Technology Plan**

Ms. Phillips introduced the new Board Policy for the Board's consideration and noted changes in Education Code requiring the development of a technology plan.

**Public Comment:**

None

**Board Comment:**

Ms. Block asked about plan development.

Ms. Cuevas asked President Groves for his opinion. President Groves said he thought the trend was moving to integrate technology in everything in education; it is becoming an integral component. He spoke of the District framing to keep eyes on technology.

Ms. Kronenberg spoke about the Technology Subcommittee's commitment to continued revision and updating of the Technology Plan.

**G.3 Call for Nominations for California School Boards Association (CSBA) Delegate Assembly**

Superintendent Harter provided details about the California School Boards Association Delegate Assembly geographic region and sub-region divisions. He shared that Mr. Ramsey will finish his Delegate Assembly term this month. The Board has the opportunity to consider and nominate a member who will stand for election on the 2015 ballot. Nominations are due to CSBA by January 7, 2015.

**Public Comment:**

None

**Board Comment:**

President Groves asked whether any Board member wanted to volunteer. Ms. Cuevas and Ms. Kronenberg volunteered to submit their names for consideration.

Superintendent Harter explained that this item will return for action to allow the Board to affirm the nominations.

**G.4 Project Status Report**

Mr. Holtslander provided an update of construction projects in the District.

**Public Comment:**

None

**Board Comment:**

Ms. Block had questions about trash compacters being installed at schools. Mr. Holtslander provided clarification.

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

None

**I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT**

Ms. Cuevas thanked her colleagues for being a part of her first Board meeting and their patience with her questions.

Mr. Enos welcomed the new members. He said that there was a lot of work ahead as he looked forward to budget development issues.

Ms. Block said she was pleased to be part of the Board. She had questions regarding translation services for the audience. She also commented that it would be of interest to have project status reports note academic benchmark data. She spoke of the good meeting and said she was happy to be here.

Ms. Kronenberg welcomed the new Board members. She said she looked forward to the upcoming California School Boards annual conference in San Francisco and attending with her colleagues. She said that tonight's meeting showed movement forward with teaching and learning, and the business of the school district. She concluded with comment about the anticipated big storm causing school closures.

President Groves welcomed the new members and returning member Kronenberg. He said he was humbled to be in the seat of president. He looked forward to a year of honest contemplation and collaboration to engage the community for student success.

**J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING**

Lovonya DeJean Middle School – December 17, 2014

**K. ADJOURNMENT**

President Groves adjourned the meeting at 10:43 PM.

*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

**December 17, 2014**

**A. CLOSED SESSION**

**B. OPENING PROCEDURES**

President Groves called the meeting to order at 5:45 P.M. The Board recessed into Closed Session. President Groves called the Public Session to order at 6:37 P.M.

**B.1 Pledge of Allegiance**

President Groves led the Pledge of Allegiance.

**B.2 Welcome and Meeting Procedures**

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

**B.3 Roll Call**

**Board Members Present:** Liz Block, Valerie Cuevas, Randall Enos, Todd Groves, Madeline Kronenberg

**Staff Present:** Mark Bonnett, Executive Director Bond Finance; Steve Collins, SELPA Director; Luis Freese, District Engineer; Sheri Gamba, Associate Superintendent Business Services; Wendell Greer, Associate Superintendent K-Adult Schools; Bruce Harter, Superintendent; Debbie Haynie, Executive Secretary; Joshua Herrera, Electronics Technician; Keith Holtslander, Director Facilities & Construction; David Johnston, Director General Services; Nicole Joyner, Chief Accountability/Data Officer; Lisa LeBlanc, Associate Superintendent M & O/Bond Program; Mimi Melodia, Coordinator EL Services; Sonja Neely-Johnson, Coordinator Education Services; Mary Phillips, Chief Technology Officer; Lyn Potter, Director Education Services; Nia Rashidchi, Assistant Superintendent Educational Services; Paul Shatswell, Principal North Campus High School; Liz Torio, Director Education Services; Reyna Touriel, Translator; Marin Trujillo, Coordinator Community Engagement; Marcus Walton, Communications Director; Ken Whittemore, Assistant Superintendent Human Resources

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

Ms. Jamonnie Price provided a report of activities at North Campus High School.

**B.5 Report/Ratification of Closed Session**

None

**B.6 Agenda Review and Adoption**

**Public Comment:**

None

**Board Comment:**

None

**MOTION:** Ms. Kronenberg moved approval of the agenda. Ms. Cuevas seconded. Ms. Block, Ms. Cuevas, Mr. Enos, Ms. Kronenberg, Student Representative Jamonnie Price (advisory vote only), and President Groves voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

**B.7 Public Comment:**

David Calderon, Leticia Hernandez-Torres, Ofelia Alons-Sorreno, Robert Studdiford, Jose Quintanilla, Sofia Mata, Oscar Quintanilla, Tom Panas, Pablo Ramirez

**C. BUSINESS ITEM**

- \*CI C.1 Grants/Awards/Agreements**
- \*CI C.2 Acceptance of Donations**
- \*CI C.3 Approval of Fund-Raising Activities**
- \*CI C.4 Contracts**

- \*CI C.5 Adoption of Resolution No. 44-1415: Replacement of Outdated Warrant
- \*CI C.6 New Board Policy: BP 0440 District Technology Plan
- \*CI C.7 WCCUSD Interim Reclassification Criteria for English Learner Students
- \*CI C.8 Ratification and Approval of Engineering Services Contracts
- \*CI C.9 Approval of Negotiated Change Orders
- \*CI C10 Approval of Board Member Travels

**MOTION:** Mr. Enos moved Approval of Consent Items C. 1 – C.10. Ms. Kronenberg seconded. Ms. Block, Ms. Cuevas, Mr. Enos, Ms. Kronenberg, Student Representative Jamonnie Price (advisory vote only), and President Groves voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

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

### **D.1 Richmond Art Center Presentation**

Superintendent Harter introduced Mr. Ric Ambrose, Director of the Richmond Art Center and partner with the District. Mr. Ambrose presented a report about their outreach program and how it has grown over the last two years. He shared that the Richmond Art Center has been a part of the Bay Area and the Richmond community's cultural fabric for nearly eighty years making it one of the oldest arts organizations in California. He shared that the Center is known for its pathway of lifelong learning for people of all ages, backgrounds and interests. He provided information about the art in the community program taking place at sixteen sites, engaging approximately 1,600 students. The Center partners with Berkeley's Lawrence Hall of Science, the California 4H, as well as the UC Berkeley Art Practice Program. He spoke of the program continuing to evolve.

#### **Public Comment:**

None

#### **Board Comment:**

Ms. Kronenberg commended the Richmond Art Center and spoke of the embodiment of District's mission to involve the whole child, whole community. She thanked Mr. Ambrose for the center's work in the community.

President Groves said he appreciated the partnership and asked how to continue to support the program. Mr. Ambrose spoke of capacity and funding as well as evaluation of the program. He concluded by commenting on professional development as well as the learning, fun, and feeling of accomplishment.

E

Ms. Block said the Art Center was a gem in the community. She asked about the percentage of schools taking part in the program. Mr. Ambrose spoke of the challenge to afford transportation and 2,000 students touring the studio. He said that most activities take place after school, showing new opportunities beyond formal education.

Ms. Cuevas asked Mr. Ambrose for his perspective of art as a bridge with the Common Core curriculum standards. Mr. Ambrose responded that they are studying how to integrate the standards. He said that more resources are needed to assist with the study and analysis of Common Core standards.

Mr. Enos said he appreciated Mr. Ambrose's work and the ability to transfer education and art to critical thinking skills for the college going culture of students.

### **D.2 Local Control Accountability Plan (LCAP) Goals & Progress Indicators Report #2**

Nicole Joyner, Chief Accountability/Data Officer, provided the second report on LCAP progress indicators. She reviewed increases for ELL proficiency on CELT testing and spoke of baseline and goals for this year and next. She provided information about EL reclassification rate increases, Healthy Kids survey parent response rates, as well as recruiting and training high quality teachers and principals. Her report included data for eight of the measures in the LCAP as well as a graphical representation of what the District's overall data dashboard. .

#### **Public Comment:**

None

#### **Board Comment:**

Student Representative Jamonnie Price said that some of the information presented was familiar to her. She asked about performance on the CAHSEE. She would like to see improvement for students passing each portion of the test with the first attempt.

Ms. Block asked about methods to increase parent survey responses. Ms. Joyner responded with information about involvement of school community workers and school site involvement. Ms. Block continued with questions about the percentage increase on CELT testing as well as administrative movement or placement of principals. Ms. Joyner spoke of challenges in the initial writing of the Plan without baseline data, saying that review will require looking at data and making modifications. Superintendent Harter provided information about the commitment requirement for principals to stay at the school for four years as a foundational approach. He also addressed retirements, promotions, as well as voluntary and involuntary reassignments.

Mr. Enos commented on linking test scores and curriculum taught, as well as student preparation for exams.

Ms. Kronenberg talked about English Language Learners reclassification and the state time limit. Ms. Joyner responded with information about looking at students in two different groups – those who have been here five years or more and those who have been here five years or less. Superintendent Harter responded with information about state funding only for students who have been here five years or fewer. Ms. Rashidchi shared information about the EL Master Plan's focus and addressing EL Learner needs, placement of teachers and professional development.

Mr. Marin Trujillo spoke about children very close to meeting CELT criteria. He said that staff might use informal reassessment of the domain of CELT to analyze, work with the student, retest and then reclassify. He said that often this is handled student by student, one at a time, helping the student take ownership of their own learning.

Ms. Cuevas asked about some of the other indicators and assessment for measuring how students are doing. Ms. Joyner spoke of the partnership with UC Berkeley for transcript evaluation service and getting quarterly reports for each student. She also spoke of various other reports and measures.

Superintendent Harter spoke of the 49 LCAP indicators, of which 20 are state required. He said that the dashboard will be a tool to look at a moment in time for any holistic indicator. Ms. Rashidchi spoke about the over-time reporting with district-wide information and benchmark assessments.

President Groves commended the work done to provide data in a consolidated place. He spoke of interest in a larger study of meta data to track student trajectory and patterns that could be used at an earlier time to keep students on track.

## **E. COMMITTEE COMMUNICATIONS**

### **E.1 Standing Reports**

**United Teachers of Richmond.** President Robert Mann congratulated Mr. Groves and Mr. Enos on their election to the seats of President and Clerk of the Board. He also congratulated Ms. Kronenberg, Ms. Block and Ms. Cuevas on their election. He said he looked forward to working with new Board.

**Public Employees Union, Local One.** Business Agent Jeff Apkarian offered congratulations and welcome to the new Board Members. He spoke in support of the employee benefits package item on the agenda and the approach for mutual benefit to employees. He said he was hopeful for positive negotiations going forward.

**Academic Subcommittee.** Ms. Rashidchi said the next meeting was planned for January 13, at DeAnza High School. She spoke of the recent event to support teachers who have been with the District between one and three years. She said that 150 teachers attended to share successes, challenges, and look at solutions. The event was well attended with good feedback. She shared that Board Member Enos promoted the event. Mr. Enos thanked Ms. Rashidchi and staff for making the event a success.

**Facilities Subcommittee.** Ms. Kronenberg said that the next meeting is scheduled for January 6, 2015.

**Safety and School Climate Committee.** Mr. Greer thanked the El Cerrito High School staff for handling the recent bomb scare with professionalism. He spoke of the cooperation with the El Cerrito Police Department and Communications Director Marcus Walton in getting the message out to parents and working with media to let people know that the children were safe.

**Technology Subcommittee.** Ms. Phillips said the next meeting is scheduled for January 12, 2015.

**Youth Commission.** President Groves reported on the next meeting planned for January 11, 2015.

**E.2 Superintendent's Report**

Superintendent Harter provided a report on activity in the District.

**F. ACTION ITEMS**

**F.1 First Interim Report, 2014-2015**

Ms. Gamba provided a detailed financial update for the reporting period through October 31 2014.

Student Representative Jamonnie Price left the meeting for the evening.

**Public Comment:**

Robert Studdiford

**Board Comment:**

Ms. Cuevas had comments regarding the enrollment demographic study and enrollment driven growth. Ms. Gamba and Superintendent Harter provided information regarding the impact of charter schools on enrollment. Ms. Cuevas had questions regarding the District's STRs obligation, and salary increases through negotiations. Ms. Gamba said it was helpful to know Board Member's interests for inclusion in future reports.

Ms. Block had questions about the District's attendance rates. Ms. Gamba spoke about the current high percentages and explained that student excused absences are no longer applicable for Average Daily Attendance (ADA). Students do not qualify for ADA if not in class. Mr. Greer spoke of meeting the goal of 95% attendance last year and the challenge of mobility within the community. He said that the Full Service Community Schools program was developed to address improved attendance. Superintendent Harter also spoke of chronic non-attenders.

Ms. Block continued with questions about technology budgets and hiring for temporary contracts. Both Ms. Gamba and Mr. Whittemore responded with clarification.

**MOTION: Ms. Block moved adoption of the First Interim Report, 2014-2015. Mr. Enos seconded. Ms. Block, Ms. Cuevas, Mr. Enos, Ms. Kronenberg, and President Groves voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.**

**F.2 Benefits Package for all employees for the period January 1, 2015 through December 31, 2015 / AB 1200 Public Disclosure**

Mr. Whittemore provided details regarding the bargaining agreement with all union groups for the 80 - 20 percent split for employee benefits based on the Bay Area Kaiser rates. The Kaiser rates will decrease for 2015 while rates for other benefit groups will increase resulting in a financial impact to many employees. He explained that the bargaining units approached the District to ask consideration in keeping costs at last year's rates. At that time, the Board approved a memorandum of understanding to allow negotiations outside the contract where each group considered and agreed on a concession back to the District. Mr. Whittemore asked the Board to consider and approve the benefits package rates for all employees to be implemented for the January 1, 2015 period.

**Public Comment:**

Robert Mann, Jeff Apkarian

**Board Comment:**

Ms. Kronenberg spoke of this as a positive solution and showing collaboration with the labor groups, taking care of one another. She spoke in favor of approval.

Mr. Enos commended the measured steps toward building positive relations with the labor groups.

Ms. Cuevas said that she celebrated the instances of collaborative work, willingness and tenor to move forward with budget decisions.

President Groves said he was mindful of loss of income by employees when the benefit structure changed. He said this was a fair agreement that he was happy to support.

**MOTION: Ms. Kronenberg moved approval of the Benefits Package for all employees for the period January 1, 2015 through December 31, 2015. Mr. Enos seconded. Ms. Block, Ms. Cuevas, Mr. Enos, Ms. Kronenberg, and President Groves voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.**

**F.3 Independent Contractor Agreement for Unarmed Security Guard Services**

Mr. Greer provided background about the District's Safety Officers and the three current officers trying to maintain the graveyard shift. The agreement with Public Employees Union Local One will move the officers to day shifts and promote additional protection for students at school sites. The agreement will provide unarmed security protection, including security cameras at high risk areas. This will be an ongoing expense from the general fund. Comparable staffing would require a minimum of five officers with seven-day a week, around the clock service. This will eliminate overtime and holiday costs. The agreement includes alarm response by Silicon Valley Security Patrol (SVSP) and contacting the appropriate local law enforcement agency.

**Public Comment:**

None

**Board Comment:**

Ms. Block asked about the selection process. Mr. Greer provided information regarding the request for proposals, solicitation of bids responses, review of proposals and of the company that best met the needs of the District.

President Groves spoke of the innovative thinking and responsible manner to keep the community and students safe.

**MOTION: Ms. Kronenberg moved approval of the Independent Contractor Agreement for Unarmed Security Guard Services. Ms. Block seconded. Ms. Block, Ms. Cuevas, Mr. Enos, Ms. Kronenberg, and President Groves voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.**

**G. DISCUSSION ITEMS**

**G.1 Initial Bargaining Proposal from School Supervisors Association (SSA), IFPTE Local 21 to the West Contra Costa Unified School District**

Mr. Whittemore spoke of sunshining the initial proposal of the School Supervisors Association as part of the Educational Employment Relations Act. SSA's works with an open contract and has elected to select three articles for bargaining including salaries, benefits, and leaves. He said this item will return to a future meeting for hearing and action.

**Public Comment:**

None

**Board Comment:**

None

**G.2 Initial Bargaining Proposal from West Contra Costa Unified School District to School Supervisors Association (SSA), IFPTE Local 21**

Mr. Whittemore spoke of sunshining the initial proposal of the District to School Supervisors Association as part of the Educational Employment Relations Act. He said the District has selected three articles for bargaining including salaries, benefits, and holiday structures. He said this item will return to a future meeting for hearing and action.

**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**

Ms. Kronenberg spoke about this being the last meeting of the year. She said she looked forward to attending student performances this week. She also looked forward to the New Year and wished everyone a good holiday season.

Mr. Enos wished the audience and staff happy holidays and a restful break.

Ms. Block spoke of attending the recent CSBA conference and the time spent with Board colleagues. She said they attended good meetings, heard good speakers and came away with the sense that the Board will work well together. She looked forward to working with the Board for the best interests of students.

Ms. Cuevas thanked everyone for their time and reminded the public of the committee appointed to explore the renaming of Gompers High School. She encouraged the public to be engaged in the process as an opportunity to learn more about Sylvester Greenwood and what he represented to the community. She said that dates will be scheduled in the New Year. She said she look forward to the January retreat to talk and work together as a Board. She concluded by wishing students, families, teachers, and staff a wonderful holiday season.

President Groves spoke about the good week at the CSBA conference with Board members returning full of information. He said the presidents' workshop he attended gave him a clear sense of focus to forge unity of purpose for the Board. He said he looked forward to a lot of thoughtful discussion about direction in order to serve the students of the community.

**J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING**

Lovonya DeJean Middle School – December 17, 2014

**K. ADJOURNMENT**

President Groves adjourned the meeting at 9:20 PM.

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

BH:dh



**West Contra Costa Unified School District  
Minutes of the Special Board of Education Meeting  
And Closed Session  
DeJean Middle School  
3400 Macdonald Ave., Multipurpose Room  
Richmond, CA 94805**

Agenda Item B.7

**December 19, 2014**

**A. CLOSED SESSION**

**B. OPENING PROCEDURES**

President Groves called the meeting to order at 5:32 P.M.

**B.1 Pledge of Allegiance**

President Groves let the Pledge of Allegiance.

**B.2 Welcome and Meeting Procedures**

President Groves offered welcome to the public.

**B.3 Roll Call**

**Board Members Present:** Liz Block, Valerie Cuevas, Randall Enos, Todd Groves. Madeline Kronenberg participated remotely by telephone.

**Staff Present:** Sheri Gamba, Associate Superintendent for Business Services; Wendell Greer, Associate Superintendent for K-Adult Schools; Superintendent Bruce Harter; Debbie Haynie, Executive Secretary; Joshua Herrera, Electronics Technician; Lisa LeBlanc, Associate Superintendent of Operations

**C.1 Resolution No. 50-1415: Certificate of Signatures**

Superintendent Harter asked the Board to approve Resolution 50-1415 as a requirement of the Contra Costa County Office of Education.

**MOTION:** Ms. Cuevas moved approval of Resolution No. 50-1415: Certificate of Signatures. Mr. Enos seconded. Ms. Block, Ms. Cuevas, Mr. Enos, Ms. Kronenberg, and President Groves voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

**D. Adjourn to Closed Session**

**Public Comment Prior to Closed Session:**

None

President Groves recessed the meeting into Closed Session at 5:34 PM.

President Groves adjourned the meeting at 6:50 PM.

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

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

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**To:** Board of Education

**Meeting Date:** January 7, 2015

**From:** Sheri Gamba *shy*  
Associate Superintendent Business Services

**Agenda Item:** CI C.1

**Subject:** Acceptance of Donations

**Background Information:** The District has received donations as summarized on the attached sheet dated **January 7, 2015**. The estimated values for any non-cash donations (as indicated by an asterisk) are those provided by the donor. Staff recommends acceptance of these donations.

**Recommendation:** Recommend Approval

**Fiscal Impact:** As noted per donations summary.

**DISPOSITION BY BOARD OF EDUCATION**

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

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

West Contra Costa Unified School District  
January 7, 2015 Board Meeting

<b><u>Donor Name</u></b>	<b><u>Description or Purpose</u></b>	<b><u>Estimated Value</u></b>	<b><u>Receiving School or Department</u></b>
PG & E Corp Foundation Matching Gifts	Materials & Supplies	\$60.00	Hanna Ranch Elementary
Schoola	Materials & Supplies	\$21.57	Harding Elementary
John & Katherine Naudin Foundation	Materials & Supplies	\$400.00	Cameron School
SaveMart Supermarket	Materials & Supplies	\$6.50	Cameron School
Ms. Vera Cook	Music Supplies	\$3,000.00	Crespi Middle
PG & E Corp Foundation Matching Gifts	Materials & Supplies	\$352.65	Hercules Middle
Wells Fargo Community Support Campaign	Materials & Supplies	\$167.85	Kennedy High

\*Estimated values for the non-cash donations are provided by the donor  
Donation Précis 010715

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

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

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**To:** Board of Education

**Meeting Date:** January 7, 2015

**From:** Sheri Gamba   
Associate Superintendent Business Services

**Agenda Item:** CI C.2

**Subject:** Approval of Fund-Raising Activities

**Background Information:** The planned fund-raising events for the 2014-15 school year is summarized on the attached sheet dated January 7, 2015.

**Recommendation:** Recommend Approval

**Fiscal Impact:** Additional revenue for schools

**DISPOSITION BY BOARD OF EDUCATION**

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

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

West Contra Costa Unified School District  
January 7, 2015 Board Meeting

APPROVAL OF FUND-RAISERS

<b><u>School</u></b>	<b><u>Fund-Raising Activity</u></b>	<b><u>Activity Sponsor</u></b>
Kensington Elementary	Catalog Cookie Dough Sales	Kensington Education Foundation
Korematsu Middle	Dinner and a Show	Korematsu PTSA
Pinole Valley High	Sale of Thai Tea during Winter Faire Festival	PVHS Anime Club
Pinole Valley High	Sale of Hot Chocolate during Winter Faire Festival	PVHS Anime Club
Pinole Valley High	Sale of Boxed Candies After School	PVHS Leadership
Richmond High	Open Air Market	RHS PTA
Richmond High	Sale of Coffee and Pastries	RHS PTA

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

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

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**To:** Board of Education

**Meeting Date:** January 7, 2015

**From:** Sheri Gamba   
Associate Superintendent Business Services

**Agenda Item:** CI C.3

**Subject:** Contracts

**Background Information:**

Permission is requested of the Board of Education to approve the following contracts as detailed on the attached sheets dated January 7, 2015.

**Recommendation:** Recommend Approval

**Fiscal Impact:** As noted per contracts summary

**DISPOSITION BY BOARD OF EDUCATION**

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

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

West Contra Costa Unified School District  
January 7, 2015 Board Meeting

CONTRACTS

The following contracts are recommended for approval.


<u>DEPARTMENT</u>	<u>Effective Date</u>	<u>VENDOR NAME</u>	<u>COST &amp; FUNDING</u>	<u>PURPOSE</u>
Curriculum – Federal Project	8/25/14 Thru 6/30/15	YMCA – Y-Team	\$100,000 LCFF	Contractor will provide 1.5 FTE counselors at JFK High School. The counselors will provide: individual& group counseling to students, mental health crisis intervention, psycho-social assessments, and linkage & consultation w/school personnel, engagement with parents/guardians and referrals for services, within the school, and the community. Counselors will also provide student conflict mediation services, and will participate as needed in restorative justice activities during the school day. All services are in line with previous S-3 services provided by Y-Team. Coordination of the health center and academic case management, along with additional counseling, will also be provided by the y team through others funding sources.
Human Resources	7/1/15 Thru 6/30/16	Teach for America	\$100,000 Recruit HR	The West Contra Costa Unified School District seeks to recruit qualified new teachers who are trained to lead students to academic achievement and to equip such teachers with the ongoing support and professional development necessary to ensure that they succeed in the classroom. Teach for America has a proven history of successfully recruiting and training high quality teachers who are specifically equipped to positively impact student achievement in under-resourced communities and developing a pipeline of people with the potential to serve as future leaders in the District and beyond – as exceptional teachers, school principals, district staff and community leaders in an array of capacities.
Curriculum – Federal Project	8/25/14 Thru 6/30/15	YMCA – Y-Team	\$70,000 LCFF	Provide part-time assistant to work with health center coordinator. The assistant will perform administrative duties as assigned by the coordinator, to ensure the smooth functioning of student health center activities. The assistant will be present (part-time) during school hours to fulfill assigned tasks. Provide 1 FTE mental health counselor(s) to provide individual and group counseling to students. The counselor will provide individual and group counseling to students, assist with mental health crisis situations, provides psycho-social assessments, link with teachers, school counselors & school psychologists. Counselor will be available to consult with school personnel.

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

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

**To:** Board of Education

**Meeting Date:** January 7, 2015

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

**Agenda Item:** CI C.4

**Subject:** Certificated Board Authorization - Education Code 44258.3

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

**Recommendation:** Recommend Approval

**Fiscal Impact:** None

**DISPOSITION BY BOARD OF EDUCATION**

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

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

Approved \_\_\_\_\_

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

Tabled \_\_\_\_\_



## Recommendations for Variable Term Waivers and Teacher Consent Authorization

January 7, 2015

### Teacher Consents

Teacher	Site	Assignment
Lisa Lipscomb	Hercules Middle School	Art
Jodi Tamasunas	Hercules Middle School	Elective Wheel
Joyce Thrift	Hercules Middle School	Elective Wheel
Joseph Moreno	Hercules High School	Computer
Catherine Floresca	Hercules High School	Office Experience
Dingane Newson	Hercules High School	Office Experience
Melanie Perkins	Hercules High School	Office Experience


Title 5 §80005(b) allows an employing agency to select an individual that holds a credential based on a bachelor's degree and a teacher preparation program including student teaching and approved subject are knowledge and training.

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

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

**To:** Board of Education

**Meeting Date:** January 7, 2015

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

**Agenda Item:** CI C.5

**Subject:** Routine Personnel Changes - Certificated

**Background Information:**

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

**Recommendation:** Ratify and Approve Certificated Personnel Changes

**Fiscal Impact:** None

**DISPOSITION BY BOARD OF EDUCATION**

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

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

Approved \_\_\_\_\_

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

Tabled \_\_\_\_\_

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**

January 7, 2015

**CERTIFICATED EMPLOYEE RATIFICATION**

<b>NEW HIRES</b>			
Name	Site	Position	Hire Date
Reber, Jennifer	De Anza High	Hospital Health Services	10/22/2014
Cambier, Kenneth	Kennedy High	Chemistry SEI	11/12/2014
Grist, Jennifer	Itinerant	Elementary Prep	12/8/2014
Navarro, Matthew	Richmond High	Social Science SEI	1/5/2015
Mueller, Matthew	Kennedy High	Spanish SEI	1/5/2015
Heilig-Gaul, Holly	Bayview Elementary	2nd SEI	1/5/2015
Wisham, Deirdre	Stege Elementary	3rd SEI	1/5/2015

<b>RETIREMENTS</b>			
Name	Site	Position	Term Date
Bogoslovski, Virginia	Bayview Elementary	2nd SEI	1/5/2015
Tomczak, Janice	Bayview Elementary	6th SEI	1/6/2015

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

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

**To:** Board of Education

**Meeting Date:** January 7, 2015

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

**Agenda Item:** CI C.6

**Subject:** Routine Personnel Changes – Classified

**Background Information:**

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

**Recommendation:** Ratify and Approve Classified Personnel Changes

**Fiscal Impact:** None

**DISPOSITION BY BOARD OF EDUCATION**

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

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

Approved \_\_\_\_\_

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

Tabled \_\_\_\_\_

# WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

January 7, 2015

## Classified Employee Ratification

New Hire				
Pool	Ennis	Desktop Support Technician	Food Services	11/24/2014

Re-Hire (39 Month)				
Loyola	Miguel	Custodian	Lupine Hills	11/10/2014

Promotions				
Arteaga	Nelida	School Comm. Outreach Worker Bilingual	Highland	11/12/2014
Bates	Dana	Special Ed. Employment Specialist	Transition	11/5/2014
Calder	Candace	Classroom Support Aide	Valley View	10/28/2014
Chao	Samantha	Classroom Support Aide	Tara Hills	11/3/2014
Chavez	Maria	Classroom Support Aide	Fairmont	11/12/2014
Cho	Eunok	Food Service Aide	Lake	10/1/2014
Delgadillo	Heavenly	Classroom Support Aide	Fairmont	10/28/2014
Dews	Cassandra	Food Service Worker/Cashier	Kennedy High	11/3/2014
Ford	Tamika	Information Literacy Assistant	Hercules Middle	10/29/2014
Garcia Higareda	Ivan	Classroom Support Aide	Harding	11/7/2014
Johnson	Dewight	Classroom Support Aide	Ellerhorst	11/3/2014
Lopez	Angelica	General Clerk	Business Services	10/28/2014
Lopez	Heriberto	Classroom Support Aide	Juan Crespi Middle	10/28/2014
Meremeyer	Cristimarie	Human Resources Technician	Human Resources	11/12/2014
Naquin	Geneva	Classroom Support Aide	De Anza High	10/27/2014
Pak	Daniel	Classroom Support Aide	Washington	11/7/2014
Perez Mendoza	Maria	School Comm. Outreach Worker Bilingual	Mira Vista	11/3/2014
Ponce	Cristina	Staff Secretary	Special Education	11/3/2014
Ponce	Perla	Typist Clerk 111 Bilingual	Special Education	11/14/2014
Ramirez-Velazquez	Carla	Classroom Support Aide	Ellerhorst	11/17/2014
Subhan	Daniella	Classroom Support Aide	De Anza High	11/3/2014
Tatum	Cathy	Classroom Support Aide	Harding	11/6/2014
Thayer	Michele	Classroom Support Aide	Korematsu Middle	11/6/2014

Return From Leave				
Garcia	Nancy	Staff Secretary	Transfer Office	11/18/2014

Unpaid Leave				
Dixon	Tamika	Instructional Assistant Special Ed.	Hercules High	11/14/2014
Scott	Sara	Special Education Assistant	Transition	10/29/2014

Resignations				
Brunner	Dorothy	Instructional Aide	Bayview	10/17/2014
Finley	Reginald	Instructional Assistant Special Ed.	Kennedy	11/14/2014
Gorrell	Megan	Staff Secretary	Cameron	10/31/2014
Porter	James	Graduate Tutor	Lincoln Elementary	10/24/2014

**Terminations - Exhaustion Of Leave**

Allen	Vanessa	Food Service Worker 1	Central Kitchen	10/24/2014
Hollins	Sammy	Custodian	Highland	10/30/2014

**Terminations - Job Abandonment**

Jenkins	Tenika	Food Service Worker/Cashier	El Cerrito	9/11/2014
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West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

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

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**To:** Board of Education **Meeting Date:** January 7, 2015  
**From:** Lisa LeBlanc **Agenda Item:** CI C.7  
Associate Superintendent of 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: \$422,965. Funding sources are Bond Fund.

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**

<b>Project/Funding</b>	<b>Dates</b>	<b>Firm</b>	<b>Contract Cost</b>	<b>Reference</b>
Collins Elementary School Floor, Door & Hardware Project  Bond Measure Funded (PID:1101612-03)	July 2014	Vista Environmental Consulting	\$9,950	Environmental Engineering Services.
Lincoln Elementary School Waterproofing Project  Bond Measure Funded (PID:13510083-00)	December 2014 through March 2015	Grossmann Design Group	\$72,500	Design Services.
Pinole Valley High School Hillside Stabilization Project  Bond Measure Funded (PID:3621377-04)	December 2014 through February 2015	Conestoga-Rovers & Associates	\$47,940	Environmental Engineering Services.
Richmond Swim Center Project  Bond Measure Funded (PID:3601364-01)	July 2014 through August 2014	Essel Environmental Engineering & Consulting	\$6,375	Additional Environmental Engineering Services.
Valley View Elementary School  Bond Measure Funded (PID:1601382-02)	December 2014 through January 2015	Construction Cost Management Services	\$4,200	Cost Estimating Services for Seismic Upgrade Eligibility.
Various Projects  Bond Measure Funded	May 2014 through June 2015	Lokesh Bali	\$282,000	Technology Gap Analysis Services.

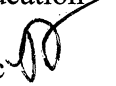
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**January 7, 2015**



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

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

**To:** Board of Education **Meeting Date:** January 7, 2015  
**From:** Lisa LeBlanc   
Associate Superintendent of Operations **Agenda Item:** CI C.8  
**Subject:** Approval of Negotiated Change Orders

**Background information:**

Staff is seeking approval of Change Orders on the following current District construction projects: Pinole MS Soccer & Football Fields; Coronado ES New School; Montalvin Manor New Classroom Building; Ohlone ES Pt1/Ph2 Portable Campus; Ohlone ES Phase 1 New Classroom; Pinole Valley HS Ph2A Interim Campus; Kennedy HS Science Wing Renovation; De Anza HS Replacement Campus; De Anza HS Linked Learning Building; El Cerrito HS Stadium. Change Orders are fully executed by the District upon signature by the Superintendent's designee. Board approval is the final step required under state law in order to complete payment and contract adjustment.

In accordance with Public Contract Code 20118.4, the Board, by approving these Change Orders, finds that it would have been futile to publicly bid the work in question because of the tight time frames to complete this work without affecting the operations of the District, and that the public is best served by having this work completed by the contractor on the project.

**Recommendation:**

Approve negotiated Change Orders as noted.

**Fiscal Impact:** Total approval by this action: \$854,082.05

**DISPOSITION BY BOARD OF EDUCATION**

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

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

**January 7, 2015 Change Order Approval 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 MS Soccer & Football Fields	Roebbelen Contracting	\$3,959,000.00	\$13,039.00	\$30,104.00	0.760%	\$43,143.00	1.09%	\$4,002,143.00	4
2	Coronado ES New School	Lathrop Construction Associates, Inc	\$26,974,910.00	\$175,999.00	\$31,035.00	0.12%	\$207,034.00	0.77%	\$27,181,944.00	14
3	Montalvin Manor ES New Classroom Building	W.A. Thomas Co. Inc.	\$2,843,000.00	\$186,021.55	\$2,021.00	0.07%	\$209,786.55	7.38%	\$3,052,786.55	15
					\$129.00	0.00%				16
					\$21,321.00	0.75%				17
					\$294.00	0.01%				18
4	Ohlone ES Pt1/Ph2 Portable Campus	Trinet Construction Inc.	\$1,364,000.00	\$54,152.26	\$26,338.06	1.93%	\$136,220.86	9.99%	\$1,500,220.86	4
					\$10,454.29	0.77%				5
					\$9,204.56	0.67%				6
					\$29,539.59	2.17%				7
					\$6,532.10	0.48%				8
5	Ohlone ES Phase 1 New Classroom	Zovich Construction	\$16,961,000.00	\$2,279,975.51	\$21,401.00	0.13%	\$2,301,376.51	13.57%	\$19,262,376.51	124
6	Pinole Valley HS - Ph2A Interim Campus	JUV, Inc.	\$5,530,000.00	\$1,001,701.25	\$25,204.00	0.46%	\$1,026,905.25	18.57%	\$6,556,905.25	18
7	Kennedy HS Science Wing Renovation	BHM Construction, Inc.	\$4,136,303.00	\$219,004.00	\$5,557.00	0.13%	\$224,561.00	5.43%	\$4,360,864.00	36
8	De Anza HS Replacement Campus	Wright Contracting Inc.	\$62,508,000.00	\$7,384,100.89	\$379,455.45	0.61%	\$7,763,556.34	12.42%	\$70,271,556.34	46
9	De Anza HS Linked Learning Building	BHM Construction, Inc.	\$17,750,953.00	\$8,970.00	\$116,462.00	0.66%	\$154,223.00	0.87%	\$17,905,176.00	3
					\$28,791.00	0.16%				4
10	El Cerrito HS Stadium	Wright Contracting Inc.	\$13,438,000.00	\$122,987.00	\$53,076.00	0.39%	\$233,226.00	1.74%	\$13,671,226.00	17
					\$7,546.00	0.06%				18
					\$3,557.00	0.03%				19
					\$21,717.00	0.16%				20
					\$24,343.00	0.18%				21

<b>Total Board Action</b>	<b>\$854,082.05</b>
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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 94801-3135  
Office of Superintendent of Schools

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

**To:** Board of Education **Meeting Date:** January 7, 2015  
**From:** Lisa LeBlanc **Agenda Item:** CI C.9  
Associate Superintendent for Operations  
**Subject:** Approval of Negotiated Change Orders – M&O

**Background information:**

Staff is seeking approval of Change Orders on the following current District construction projects: Kennedy HS County Health Clinic and the ITC Roof and HVAC Renovation. Change Orders are fully executed by the District upon signature by the Superintendent's designee. The Board approval is the final step required under state law in order to complete payment and contract adjustment.

In accordance with Public Contract Code 20118.4, the Board, by approving these Change Orders, finds that it would have been futile to publicly bid the work in question because of the tight time frames to complete this work without affecting the operations of the District, and that the public is best served to have this work completed by the contractor on the project.

**Recommendation:**

Approve negotiated Change Orders as noted.

**Fiscal Impact:** Total approval by this action: \$30,991.09

**DISPOSITION BY BOARD OF EDUCATION**

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

**January 7, 2015- Change Order Approval Summary - M&O**

	Project	Company	Contract Number	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	Kennedy HS County Health Clinic	Streamline Builders	1000001477	\$393,000.00	\$10,550.90	\$141.78	0.036%	\$13,352.03	3.40%	\$406,352.03	6
						\$6,799.35	1.730%				7
						-\$4,140.00	-1.053%				8
2	ITC Roof and HVAC Renovation	JUV, Inc.	1000001513	\$760,000.00	\$0.00	\$14,716.87	1.936%	\$28,189.96	3.71%	\$788,189.96	1
						\$9,342.78	1.229%				2
						\$2,253.58	0.297%				3
						\$1,876.73	0.247%				4

<b>Total Board Action</b>	<b>\$30,991.09</b>
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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:** January 7, 2015  
**From:** Lisa LeBlanc **Agenda Item:** CI C.10  
Associate Superintendent for Operations  
**Subject:** Pinole Valley High School Existing Campus Demolition & Abatement Award of Contract

**Background Information:**

WLC Architects has prepared plans and specifications for the project. Scope of work includes: demolishing and disposing of all existing buildings, including select portable buildings, building components, shade structures and covered walkways. The construction schedule for this project has an anticipated start date in January 2015 and completion date in July 2015.

The District conducted a public bid process for the project. Bids were opened on December 18, 2014. Five contractors submitted a bid, Evans Brothers, Inc. \$1,890,800; Silverado Contractors \$2,086,012.50; Ferma Corporation \$2,088,116; Water Rock Construction \$2,359,700; W. C. Maloney, Inc. & Professional Asbestos & Lead Services, Inc. a Joint Venture \$2,721,700 (non-responsive). Total bid is the sum of base bid, alternate and unit pricing. The apparent lowest responsive, responsible bidder is Evans Brothers, Inc.

Determining the award is based on three components; the demolition base bid, alternate and unit cost multiplied by quantities to be determined in the field. This benefits the District by locking in unit pricing to be used in negotiating future change orders. The contract award is only associated with the demolition base bid and alternate.

**Recommendation:**

Award the contract to the lowest responsive, responsible bidder Evans Brothers, Inc.

**Fiscal Impact:** \$1,823,500. Funded from Bond 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:** January 7, 2015  
**From:** Lisa LeBlanc *LL* **Agenda Item:** CI C.11  
Associate Superintendent of Operations  
**Subject:** Williams Lawsuit Complaints Quarterly Report

**Background Information:**

The Williams Lawsuit requires that a quarterly report be brought before the Board of Education reflecting the number of complaints filed with any school in the district during a particular quarter. This report reflects the time period from October 1, 2014 through December 31, 2014.

**Recommendation:**

For approval

**Fiscal Impact:** None

**DISPOSITION BY BOARD OF EDUCATION**

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

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

**PRINT****RESET**

## Quarterly Uniform Complaint Form

[Education Code 35186]

District: West Contra Costa Unified School DistrictPerson completing this form: Lisa LeBlancTitle: Associate Superintendent of OperationsQuarterly Report Submission Date: *(check one)*☐

April 30, 2014 (Jan-Mar 2014)

☐

July 31, 2014 (Apr-Jun 2014)

☐

October 31, 2014 (Jul-Sep 2014)

☒

January 31, 2015 (Oct-Dec 2014)

Date for information to be reported publicly at governing board meeting: 1-7-15

Please check the box that applies:

☒

No complaints were filed with any school in the district during the quarter indicated above.

☐

Complaints were filed with schools in the district during the quarter indicated above. The following chart summarizes the nature and resolution of these complaints.

Area of Complaint	Total # of Complaints	# Resolved	# Unresolved
Textbooks and Instructional Materials	0	0	0
Teacher Vacancy or Misassignment	0	0	0
Facilities Conditions	0	0	0
<b>TOTALS</b>	0	0	0

Bruce Harter

Print Name of District Superintendent

Signature of District SuperintendentDate

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

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

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

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**To:** Board of Education

**Meeting Date:** January 7, 2015

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

**Agenda Item:** D.1

**Subject:** Recognition of Lieutenant Michael Booker

**Background Information:**

The District would like to recognize Lieutenant Michael Booker for his support, dedication and commitment to students and staff of West Contra Costa Unified School District.

**Recommendation:** For Information Only

**Fiscal Impact:** None

**DISPOSITION BY BOARD OF EDUCATION**

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

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

Approved \_\_\_\_\_

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

Tabled \_\_\_\_\_



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

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

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**To:** Board of Education **Meeting Date:** January 7, 2015  
**From:** Bruce Harter **Agenda Item:** E.3  
Superintendent  
**Subject:** In Memory of Members of the School Community

**Background Information:**

The District would like to take time to recognize the contributions of members of our school community who have passed away. The District requests the community to submit names to be reported as a regular part of each agenda.

Pearlice Durham began working for the District in September 1964. She retired in June 1991 having worked at Coronado, Fairmede and El Portal Elementary Schools. After retirement, she continued as a substitute teacher and an active member of the Cal Retired Teachers Association.

Our thoughts go out to the family and friends in the loss of their loved one.

**Recommendation:** For Information Only

**Fiscal Impact:** None

DISPOSITION BY BOARD OF EDUCATION

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


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

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

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

**To:** Board of Education

**Meeting Date:** January 7, 2015

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

**Agenda Item:** F.1

**Subject:** Public Hearing and Adoption of the Initial Bargaining Proposal from School Supervisors Association (SSA), IFPTE Local 21 to the West Contra Costa Unified School District

**Background Information:**

Pursuant to the Educational Employment Relations Act, the initial proposal for negotiations by school districts and labor unions must be submitted at a public meeting of the governing board. The initial proposal of School Supervisors Association (SSA), IFPTE Local 21, will be presented, at which time the public is allowed to comment on this proposal. A copy of the proposal is attached to this precis and is provided in the Board meeting packet which is available at the District's Administration Building, six high schools and online at the District's webpage.

**Recommendation:** That the Board of Education hold a public hearing on the School Supervisors Association (SSA), IFPTE Local 21, initial bargaining proposal to the District for the 2014-15 successor agreement.

Board Adoption of Initial Bargaining Proposal

**Background Information:** Following the public hearing on its initial bargaining proposal, the Board of Education will be asked to adopt the School Supervisors Association (SSA), IFPTE Local 21 to the District for the 2014-15 successor agreement.

**Recommendation:** That the Board of Education adopt the initial bargaining proposal for labor negotiations with the School Supervisors Association (SSA), IFPTE Local 21.

**Fiscal Impact:** To be determined

**DISPOSITION BY BOARD OF EDUCATION**

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

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

Approved \_\_\_\_\_

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

Tabled \_\_\_\_\_

SCHOOL SUPERVISORS ASSOCIATION (SSA), IFPTE LOCAL 21 INITIAL BARGAINING PROPOSAL  
TO WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
FOR  
2014-2015 CONTRACT NEGOTIATIONS

Negotiations proposal

SSA, IFPTE Local 21 wish to bargain the following Articles:


- Article 3.1 – Salary
- Article 5 – Benefits
- Article 5.2-5.5 – Leaves

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

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

**To:** Board of Education

**Meeting Date:** January 7, 2015

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

**Agenda Item:** F.2

**Subject:** Public Hearing and Adoption of the Initial Bargaining Proposal from West Contra Costa Unified School District to School Supervisors Association (SSA), IFPTE Local 21

**Background Information:**

Pursuant to the Educational Employment Relations Act, the initial proposal for negotiations by school district and labor unions must be submitted at a public meeting of the governing board. The initial proposal of the West Contra Costa Unified School District to School Supervisors Association (SSA), IFPTE Local 21 will be presented, at which time the public is allowed to comment on this proposal. A copy of the proposal is attached to this precis and is provided in the Board meeting packet which is available at the District's Administration Building, six high schools and online at the District's webpage.

**Recommendation:** That the Board of Education hold a public hearing on the District's initial bargaining proposal to School Supervisors Association (SSA), IFPTE Local 21 for the 2014-2015 successor agreement.

Board Adoption of Initial Bargaining Proposal

**Background Information:** Following the public hearing on its initial bargaining proposal, the Board of Education will be asked to adopt the District's proposal to School Supervisors Association (SSA), IFPTE Local 21 for the 2014-2015 successor agreement.

**Recommendation:** That the Board of Education adopt the initial bargaining proposal for labor negotiations with School Supervisors Association (SSA), IFPTE Local 21.

**Fiscal Impact:** To be determined

**DISPOSITION BY BOARD OF EDUCATION**

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

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

Approved \_\_\_\_\_

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

Tabled \_\_\_\_\_

**THE WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
INITIAL PROPOSAL TO SCHOOL SUPERVISORS ASSOCIATION (SSA), IFPTE LOCAL 21  
FOR  
2014-2015 CONTRACT NEGOTIATIONS**

Negotiations Proposal

The District wishes to negotiate the following Articles:

Article 3.1 – Salary


Article 5 – Benefits

Appendix B – Holidays

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

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

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**To:** Board of Education **Meeting Date:** January 7, 2015  
**From:** Lisa LeBlanc  **Agenda Item:** F.3  
Associate Superintendent for Operations  
**Subject:** Public Hearing and Resolution No. 49-1415: Level II Developer Fees

**Background Information:**

Education Code Section 1760 authorizes school districts to levy a fee against any development project for the purpose of construction or reconstruction of school facilities. Government Code Section 65995 regarding school facilities fees requires that a School Facilities Needs Analysis be conducted yearly to justify and determine the amount to be charged for Level II developer fees on new residential construction. The School Facilities Needs Analysis finds that the district meets the statutory requirements to increase Level II fees from \$4.58 per square foot to \$4.78 per square foot. If approved by the Board, the new fee will go into effect January 8, 2015. This analysis was conducted according to state guidelines.

A public hearing must be conducted prior to the adoption of West Contra Costa Unified School District Resolution No. 49-1415, at which time individuals who wish to address the Board on matters pertaining to the Level II Developer Fees are allowed to speak. A copy of the School Facilities Analysis is available for review by the public in the Facilities Operations Center and at the WCCUSD front desk located at 1108 Bissell Avenue, Richmond, CA.

**Recommendation:**

To receive public comment, duly consider any and all comments made at this meeting, and recommend approval of Resolution No. 49-1415: Approving a School Facilities Needs Analysis Adopting Alternative School Facilities Fees in Compliance with Government Code Sections 65995.5, 65995.6 and 65995.7 and Making the Related Findings and Determinations.

**Fiscal Impact:** Increase in Level II Developer Fees of \$.20 cents per square foot.

**DISPOSITION BY BOARD OF EDUCATION**

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

Seconded by: \_\_\_\_\_  
Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

## **RESOLUTION NO. 49-1415**

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

WHEREAS, the Board of Trustees ("Board") of the West Contra Costa Unified School District ("District") provides for the educational needs for Grade k-12 students within the Cities of Hercules, El Cerrito, San Pablo, Pinole, and Richmond ("Cities") and the County of Contra Costa ("County"); and

WHEREAS, the Board of the District, has adopted and imposed statutory school facility fees ("Statutory School Facility Fees") pursuant to Education Code Section 17620 presently in the amounts of \$3.36 per square foot of assessable space of new residential construction in the District as defined in Government Code Section 65995(b)(1) ("Assessable space"), and \$0.54 per square foot of chargeable covered and enclosed space for all categories of new commercial/industrial development in the District ("Commercial/Industrial Fees") as defined in Government Code Section 65995(b)(2); and

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

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

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

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

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

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

WHEREAS, the Board caused to be prepared a report entitled, "Facilities Needs Analysis for the West Contra Costa Unified School District" dated December 4th, 2014 pursuant to applicable law including, but not by way of limitation, Government Code Section 65996.6 prior to the adoption of Alternative School Facility Fees; and

WHEREAS, the Board has received and considered the WCCUSD-2014/SFNA which includes all matters required by applicable law, including an analysis of (a) the purpose of the Alternative School Facility Fees, (b) the use to which the Alternative School Facility Fees are to be put, (c) the nexus (roughly proportional and reasonable relationship) between the residential construction and (1) the facilities for which the Alternative School Facility Fees are to be used, (2) the need for School Facilities, (3) the cost of School Facilities and the amount of Alternative School Facility Fees from new residential construction, (d) an evaluation and projection of the number of students that will be generated by new residential construction by grade levels of the District as described by Government Code Section 65995.6(e) a description of the new School Facilities that will be required to serve such students and (f) the present estimated cost of such School Facilities; and



WHEREAS, the WCCUSD-2014/SFNA in its final form has been available to the public, for at least thirty (30) days before the Board considered at a public hearing the adoption of the Alternative School Facility Fees; and  
WCCUSD-2014/SFNA and adoption of Alternative School Facility Fees have been given in accordance with applicable law and copies of the WCCUSD-2014/SFNA have been provided thirty (30) days prior to all written requests filed with the District forty-five (45) days prior to a public hearing which was held in a manner required by law at a meeting of the Board of the District relating to the proposed adoption of the WCCUSD-2014/SFNA and Alternative School Facility Fees; and

WHEREAS, the WCCUSD-2014/SFNA has been provided to all local agencies responsible for land use planning for review and comment in compliance with Government Code Section 65995.6(c); and

WHEREAS, as to the approval of the WCCUSD-2014/SFNA and Alternative School Facility Fees, Government Code Section 65995.6(g) provides that the California Environmental Quality Act, Division 13 (commencing with Section 21000) of the Public Resources Code may not apply to the preparation, adoption, or update of the WCCUSD-2014/SFNA or adoption of this Resolution; and

WHEREAS, the District desires to approve the WCCUSD-2014/SFNA and adopt Alternative School Facility Fees pursuant to Government Code Sections 65995.5 and 65995.7 for the purpose of establishing Alternative School Facility Fees that may be imposed on residential construction calculated pursuant to Government Code Section 65995(b);

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

1. That the Board does hereby find and determine that the foregoing recitals and determinations are true and correct and that the WCCUSD-2014/SFNA meets all applicable legal requirements.

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

3. That the District has cause to prepare the WCCUSD-2014/SFNA which is on file at the District office address and is incorporated herein by this reference, which complies with all applicable statutory requirements, including the provisions of Government Code Section 65995.6.

4. That the Board hereby approves and adopts the WCCUSD-2014/SFNA for the purpose of establishing Alternative School Facility Fees as to future residential construction within the District.

5. That the Board finds that the purpose of the Alternative School Facility Fees imposed upon residential construction are to fund the additional School Facilities to serve the students generated by the residential construction upon which the Alternative School Facility Fees are imposed as provided in the WCCUSD -2014/SFNA and applicable law.

6. That the Board finds the Alternative School Facility Fees are hereby established as applicable and will be used to fund those School Facilities described in the WCCUSD-2014/SFNA and that these School Facilities are to serve the students generated by the residential construction within the District as provided in the WCCUSD-2014/SFNA.

7. That the Board finds that there is a roughly proportional reasonable relationship between the use of the Alternative School Facility Fees and the new residential construction within the District because the Alternative School Facility Fees imposed on new residential construction by this resolution will be used to fund School Facilities which will be used to serve the students generated by such new residential construction in accordance with applicable law set forth in the WCCUSD-2014/SFNA and on less than an estimated actual cost of the School Facilities estimated to result from additional residential construction as set forth in the WCCUSD-2014/SFNA.

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

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

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

11. That the Board finds that the monies of the separate Fund or the separate Sub-Funds, described in Section 12, consisting of the proceeds of Statutory School Facility Fees, ASF/Level 2 Fees, and ASF/Level 3 Fees, Commercial/Industrial Fees and Mitigation Payments have been imposed for the purposes of constructing those School Facilities necessitated by new residential construction as further set forth in the WCCUSD-2014/SFNA, and thus these monies may be expended for all those purposes permitted by applicable law.

12. That the WCCUSD-2014/SFNA determine the need for new School Facilities for unhoused pupils that are attributable to projected enrollment growth from the construction of new residential units over the next five years, based on relevant planning agency information and the historical generation rates of new residential units constructed during the previous five years that are of a similar type of unit to those anticipated to be constructed within the District, the Cities, or the County.

13. That the Board has identified and considered, and/or subtracted, as set forth in the WCCUSD-2014/SFNA, the following information in determining amounts of the ASF/Level 2 Fees and ASF/Level 3 Fees:

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

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

14. That the Board has calculated, as set forth in the WCCUSD-2014/SFNA, the maximum square foot fees, charges, or dedications to be established as Alternative School Facility Fees that may be collected in accordance with the provisions of Government Code Sections 65995.5(c) and 65995.7(a).

15. That the WCCUSD-2014/SFNA in its final form has been made available to the public for a period of not less than thirty (30) days.

16. That the public has had the opportunity to review and comment on the WCCUSD-2014/SFNA and the Board has responded to written comments it has received regarding the WCCUSD-2014/SFNA.

17. That notice of the time and place of the public hearing to adopt the WCCUSD-2014/SFNA ("Hearing"), including the location and procedure for viewing or requesting a copy of the proposed WCCUSD-2014/SFNA and any proposed revision therefore has been published in at least one newspaper of general circulation within the jurisdiction of the District at least thirty (30) days prior to the Hearing.

18. That the Board has mailed a copy of the WCCUSD-2014/SFNA no less than thirty (30) days prior to the Hearing to any person who made a written request forty-five (45) days prior to the Hearing.

19. That the WCCUSD-2014/SFNA has been provided to all local agencies responsible for land use planning for review and comment in compliance with Government Code Section 65995.6(c).

20. That the Board conducted the required Hearing on January 7th, 2015 prior to the adoption of the WCCUSD-2014/SFNA and the Alternative School Facility Fees, at which time all persons desiring to be heard on all matters pertaining to the WCCUSD-2014/SFNA were heard and all information presented was duly considered.

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

A. Pursuant to Government Code Section 65995.6, ASF/Level 2 Fees in the amount of \$4.78 per square foot of Assessable Space for new residential construction, including new residential projects, manufactured homes and mobile homes as authorized under Education Code Section 17625. However, this amount shall not be imposed on any construction project used exclusively for housing senior citizens, as described in Civil Code Section 51.3, or as described in subsection (k) of Section 1569.2 of the Health and Safety Code or paragraph 9 of subdivision (d) of Section 15432 of the Government Code or any mobile home or manufactured home that is located within a mobile home park, subdivision, cooperative or condominium for mobile homes limited to older persons as defined by the Federal Fair Housing Amendments of 1988.

B. Pursuant to Government Code Section 65995.7, ASF/Level 3 Fees in the amount of \$ 9.55 per square foot of Assessable Space for new residential construction, including new residential projects, manufactured homes and mobile homes as authorized under Education Code Section 17625. However, this amount shall not be imposed on any construction project used exclusively for housing senior citizens, as described in Civil Code Section 51.3, or as described in subsection (k) of Section 1569.2 of the Health and Safety Code or paragraph 9 or subdivision (d) of Section 15432 of the Government Code or any mobile home or manufactured home that is located within a mobile home park, subdivision, cooperative or condominium for mobile homes limited to older persons as defined by the Federal Fair Housing Amendments of 1988.

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

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

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

25. That regarding the timely provision of a Certificate Compliance by the District for residential construction, although not required by applicable law, the Board hereby determines that the WCCUSD-2014/SFNA is a proposed construction plan for purposes of requiring payment of Alternative School Facility Fees prior to the issuance of any building permit for residential construction in accordance with Government Code Section 66007 and that all Alternative School Facility Fees are appropriated for the purpose of accomplishing such construction plan.

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

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

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

APPROVED, ADOPTED, AND SIGNED ON January 7, 2015.

BOARD OF TRUSTEES OF THE WEST CONTRA  
COSTA UNIFIED SCHOOL DISTRICT

By: \_\_\_\_\_  
Todd A. Groves  
President of the Board of Trustees  
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**

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**To:** Board of Education

**Meeting Date:** January 7, 2015

**From:** Sheri Gamba   
Associate Superintendent Business Services

**Agenda Item:** F.4

**Subject:** Presentation of the 2013 – 2014 Audit Report by Crowe Horwath LLP

**Background Information:**

The District's auditing firm, Crowe Horwath LLP, will present their independent audit report of the West Contra Costa Unified School District's financial position, internal control, and federal and state compliance for the year ended June 30, 2014.

**Recommendation:** Staff recommends acceptance of the audit report.

**Fiscal Impact:** None

The 2013-2014 Audit report is posted on the WCCUSD web site and a copy is at the reception desk at 1108 Bissell Avenue, Richmond, CA

**DISPOSITION BY BOARD OF EDUCATION**

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

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


Approved \_\_\_\_\_

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

Tabled \_\_\_\_\_

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

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

**To:** Board of Education **Meeting Date:** January 7, 2015  
**From:** Kenneth L. Whittemore   
Assistant Superintendent Human Resources **Agenda Item:** G.1  
**Subject:** Initial Bargaining Proposal from Public Employees Union (PEU), Local One to the  
West Contra Costa Unified School District

**Background Information:** Pursuant to the Educational Employment Relations Act, the bargaining proposal for negotiations by school districts and labor unions must be submitted at a public meeting of the governing board. The initial bargaining proposal of Public Employees Union (PEU), Local One to the West Contra Costa Unified School District is presented tonight as an information item. At the next regularly scheduled board meeting this item will come back for public hearing and adoption by the Board of Education.

**Negotiations proposal**

The current duration of the bargaining unit agreement between the two parties concludes on December 31, 2016. The District shall meet and bargain on the following articles, pursuant to the General Agreements on page 49, as contained in the January 1, 2013 – December 31, 2016 Contractual Agreement between WCCUSD and the Public Employees Union, Local 1:

Article 1 – Agreement, Section 3.

Article 12 – Transfer, Section 4. Administrative Transfer; prior to March 1, 2015

Article 15 – Benefits

Article 16 – Compensation

Local 1 and WCCUSD will identify and study 3 Local 1 sub-units (Paraprofessionals, Office & Technical and General Services, and Maintenance and Operations (GSM&O), prior to March 1, 2015; the studies shall cover total compensation and working conditions.

**Recommendation:** The Board of Education receive the initial bargaining proposal with Public Employees Union, Local One.

**Fiscal Impact:** To be determined

**DISPOSITION BY BOARD OF EDUCATION**

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

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

Approved \_\_\_\_\_

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

Tabled \_\_\_\_\_

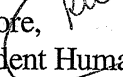


West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

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

**To:** Board of Education

**Meeting Date:** January 7, 2015

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

**Agenda Item:** G.2

**Subject:** Initial Bargaining Proposal from West Contra Costa Unified School District to Public Employees Union (PEU), Local One

**Background Information:**

Pursuant to the Educational Employment Relations Act, the initial proposal for negotiations by school districts and labor unions must be submitted at a public meeting of the governing board. The initial proposal of the West Contra Costa Unified School District to Public Employees Union (PEU), Local One is presented tonight as an information item. At the next regularly scheduled board meeting this item will come back for public hearing and adoption by the Board of Education.

Negotiations proposal

The District wishes to negotiate the following Articles:

Article 11 – Leaves of Absence

Article 15 – Benefits

Article 16 – Compensation

Article 25 – Reclassification

**Recommendation:** The Board of Education receive the initial bargaining proposal with Public Employees, Local One.

**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:** January 7, 2015  
**From:** Kenneth L. Whittemore **Agenda Item:** G.3  
Assistant Superintendent Human Resources  
**Subject:** Uniform Complaint Procedures - Board Policy 1312.3 – Community Relations

**Background Information:**

The Human Resources Department has worked to revise Board Policy 1312.3 – Community Relations; specifically to meet the federal and state requirements on how the District processes the UCP complaints.

Included in the updated language is the requirement to allow for uniform complaints as they pertain to the procedural implementation of the Local Control Accountability Plan (LCAP).

It is presented tonight as an information item and will be brought back at the next board meeting for final action.

**Recommendation:** That the Board review the modifications to Board Policy 1312.3.

**Fiscal Impact:** None

DISPOSITION BY BOARD OF EDUCATION

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

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

\_\_\_\_\_

Approved \_\_\_\_\_

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

Tabled \_\_\_\_\_

# West Contra Costa USD

## Board Policy

### Uniform Complaint Procedures

BP 1312.3

#### Community Relations

The Governing Board recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. ~~The district shall investigate and seek to resolve any complaints alleging failure to comply with such laws and/or alleging unlawful discrimination, harassment, intimidation, bullying and noncompliance with laws relating to pupil fees in accordance with the district's uniform complaint procedures.~~ The Board encourages the early, informal resolution of complaints whenever possible and appropriate. To resolve complaints which cannot be resolved through such informal process, the Board shall adopt a uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

~~The district shall use uniform complaint procedures to resolve any complaints alleging unlawful discrimination, harassment, intimidation, or bullying in district programs and activities based on actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Penal Code 422.55, or Government Code 11135, or based on association with a person or group with one or more of these actual or perceived characteristics.~~

The district's uniform complaint procedures (UCP) shall be used to investigate and resolve the following complaints:

1. Any complaint alleging district violation of applicable state or federal law or regulations governing adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs (5 CCR 4610)

~~Uniform complaint procedures shall also be used to address any complaints alleging the district's failure to comply with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities, the requirements for the development and adoption of a school safety plan, and state and/or federal laws in adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs and special education programs.~~

2. Any complaint alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, in district programs and activities against any person based on his/her actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on his/her association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)

~~In regards to complaints of noncompliance with laws relating to pupil fees, if the district finds merit in a complaint a remedy will be provided to all affected pupils, parents and guardians, that, where applicable, will include reasonable efforts by the Superintendent or designee to ensure full reimbursement to all affected pupils, parents and guardians.~~

4. Any complaint alleging district violation of the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities (5 CCR 4610)

~~A pupil fees complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with laws relating to pupils fees.~~

5. Any complaint alleging that the district has not complied with legal requirements related to the implementation of the local control and accountability plan (Education Code 52075)

6. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy.

7. Any other complaint as specified in a district policy

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process to reach a resolution to the complaint that is agreeable to all parties. One type of ADR is mediation, which shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.

~~The Board encourages the early, informal resolution of complaints at the site level whenever possible.~~

~~The Board acknowledges and respects every individual's right to privacy. Any complaint alleging discrimination, harassment, intimidation, or bullying shall be investigated in a manner~~

that protects the confidentiality of the parties and the integrity of the process. This may include keeping the identity of the complainant confidential, as appropriate and except to the extent necessary to carry out the investigation or proceedings, as determined by the Superintendent or designee, on a case-by-case basis. In filing and investigating complaints, the confidentiality of the parties involved shall be protected as required by law. As appropriate for any complaint alleging retaliation, unlawful discrimination, or bullying, the Superintendent or designee shall keep confidential the identity of the complainant and/or the subject of the complaint, if he/she is different from the complainant, as long as the integrity of the complaint process is maintained.

The Board prohibits any form of retaliation against any complainant in the complaint process, including but not limited to a complainant's filing of a complaint or the reporting of instances of discrimination, harassment, intimidation, or bullying. Such participation shall not in any way affect the status, grades, or work assignments of the complainant.

The Board recognizes that a neutral mediator can often suggest a compromise that is agreeable to all parties in a dispute. In accordance with uniform complaint procedures, whenever all parties to a complaint agree to try resolving their problem through mediation, the Superintendent or designee shall initiate that process. The Superintendent or designee shall ensure that the results are consistent with state and federal laws and regulations. When an allegation that is not subject to the UCP is included in a UCP complaint, the district shall refer the non-UCP allegation to the appropriate staff or agency and shall resolve the UCP-related allegation(s) through the district's UCP.

The Superintendent or designee shall provide training to district staff to ensure awareness and knowledge of current law and related requirements, including the steps and timelines specified in this policy and the accompanying administrative regulation.

The Superintendent or designee shall maintain records of all UCP complaints and the investigations of those complaints. All such records shall be destroyed in accordance with applicable state law and district policy.

#### Non-UCP Complaints

The following complaints shall not be subject to the district's UCP but shall be referred to the specified agency: (5 CCR 4611)

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services, the County Protective Services Division, and the appropriate law enforcement agency.
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.

3. Any complaint alleging employment discrimination shall be sent to the California Department of Fair Employment and Housing and the compliance officer shall notify the complainant by first class mail of the transfer.

4. Any complaint alleging fraud shall be referred to the California Department of Education.

The district's Williams uniform complaint procedures, AR 1312.4, shall be used to investigate and resolve any complaint related to the following: textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments. (Education Code 35186)

1. ~~Sufficiency of textbooks or instructional materials~~

2. ~~Emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff~~

3. ~~Teacher vacancies and misassignments~~

4. ~~Deficiency in the district's provision of instruction and/or services to any student who, by the completion of grade 12, has not passed one or both parts of the high school exit examination~~

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

8200-8498 Child care and development programs

8500-8538 Adult basic education

18100-18203 School libraries

32289 School safety plan, uniform complaint procedures

35186 Williams uniform complaint procedures

37254 Intensive instruction and services for students who have not passed exit exam

41500-41513 Categorical education block grants

48985 Notices in language other than English

49010-49013 Student fees

49060-49079 Student records

49490-49590 Child nutrition programs

52060-52077 Local control and accountability plan

52075 Complaint for lack of compliance with local control and accountability plan requirements

52160-52178 Bilingual education programs

52300-52490 Career technical education

52500-52616.24 Adult schools  
52800-52870 School-based program coordination  
~~54000-54028 Economic impact aid programs~~  
~~54100-54145 Miller Unruh Basic Reading Act~~  
54400-54425 Compensatory education programs  
54440-54445 Migrant education  
54460-54529 Compensatory education programs  
56000-56867 Special education programs  
59000-59300 Special schools and centers  
64000-64001 Consolidated application process

#### GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state  
12900-12996 Fair Employment and Housing Act

#### PENAL CODE

422.55 Hate crime; definition  
422.6 Interference with constitutional right or privilege

#### CODE OF REGULATIONS, TITLE 5

3080 Application of section  
4600-4687 Uniform complaint procedures  
4900-4965 Nondiscrimination in elementary and secondary education programs

#### UNITED STATES CODE, TITLE 20

1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX of the Education Amendments of 1972

12101-12213 Title II equal opportunity for individuals with disabilities

6301-6577 Title I basic programs

~~6601-6777 Title II preparing and recruiting high quality teachers and principals~~

6801-6871 Title III language instruction for limited English proficient and immigrant students

7101-7184 Safe and Drug-Free Schools and Communities Act

7201-7283g Title V promoting informed parental choice and innovative programs

7301-7372 Title V rural and low-income school programs

#### Management Resources:

#### Management Resources:

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Questions and Answers on Title IX and Sexual Violence, April 2014

Dear Colleague Letter: Bullying of Students with Disabilities, August 2013

Dear Colleague Letter: Sexual Violence, April 2011

Dear Colleague Letter: Harassment and Bullying, October 2010

Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

#### WEB SITES

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

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>

Policy WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

adopted: November 7, 2007 Richmond, California

revised: April 16, 2008

revised: November 6, 2013

revised: January 8, 2014

revised:




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

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

**To:** Board of Education

**Meeting Date:** January 7, 2015

**From:** Lisa LeBlanc   
Associate Superintendent of Operations

**Agenda Item:** G.4

**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

**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: 12/31/2014**

**Scope:** Reconstruction Project

### Construction Status:

Architect: WLC Architects  
 Project Manager: Rene Barrera, 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** - Insulate floor joist/resilient channel @ floor joist, install fire tape gypsum @ mechanical chases, continue electrical and plumbing rough-in @ second floor, continue built-up roofing (weather permitting), gypsum board installation at floor joist, commence window installation & completed HVAC roof top unit placement (Not including Added Units).
- **Building C** - Install gypsum wallboard, commence metal roofing & framing skylight wells.
- **Building K** - Continue ceiling framing, plastering tape/top/finish gypsum board & plaster scratch/brown coat at exterior walls (west).
- **Building M** - Commence plaster scratch & brown coat, lunch shelter erection & continue taping/topping/finishing drywall
- **Site Work** - Commence perforate pipe installation at ball field & continue placing masonry blocks for CMU trash enclosure

### Anticipated Progress Next Period:

- **Building A** - Install duct at mechanical chases, continue insulating floor joist, install gypsum board, place lightweight concrete (2nd floor) and install hollow metal frames.
- **Building C** - Frame suspended ceilings.
- **Building K** - Continue tape/top/finish gypsum board.
- **Building M** - Erection of lunch shelter, plaster finish coat, framing skylight wells & remove scaffold.

### Schedule Assessment/Update:

Construction Duration (Calendar Days):	510
Construction Calendar Days Elapsed:	360
Construction Calendar Days Remaining:	150
Percent of Construction Completed:	67%

<b>Percentage of Work Done</b>	<b>67%</b>	<b>Total Project</b>
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### Proposed Changes:

### General Comment:

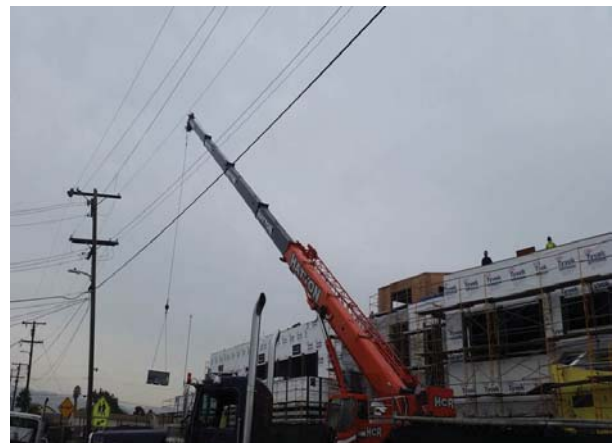
Progress Photos: 12/31/2014



**Building A - Entrance Exterior Wall Wrap Installation**



**Building A - Entrance Interior Wall Wrap Installation**



**Building A - Roof Top HVAC Unit Placement**

# PROJECT STATUS REPORT

DeAnza High School - Building 10 Linked Learning & Sports Fields

Period Ending: 12/31/2014

**Scope:** Building 10 Linked Learning & Sports Fields

## Construction Status:

Architect: DLM Architects  
 Project Manager: Gaile Suarez, SGI Construction Management  
 Project Engineer: Shawn Fitzgibbons, SGI Construction Management  
 Contractor: BHM Construction, Inc.  
 Inspector: Mark Eriksen  
 WCCUSD Mgr: Ferdinand Vergeire

## Contract Status:

Notice to Proceed: 10/13/2014

	Original	Approved	Projected
Construction Schedule (days):	395	0	0
Original Completion Date:	11/12/2015		
Projected Completion:	11/12/2015		

## Buildings:

Building 10      Linked Learning  
                          Sports Fields

## Progress This Period:

- Limited site work due to rain.
- Dewatering.
- Construction project sign installed.

## Anticipated Progress Next Period:

- Footing excavation and concrete placement.
- Lime treatment.
- Complete & certify building pad.

## Schedule Assessment/Update:

Construction Duration (Calendar Days):	395
Construction Calendar Days Elapsed:	80
Construction Calendar Days Remaining:	315
Percent of Construction Completed:	20%

Percentage of Work Done	20%	Total Project
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## Proposed Changes:

- Phased construction to allow parking for staff and students.

## General Comment:

Revised schedule per phased construction is under review.

Progress Photos: 12/31/2014



Excavation for retaining wall



Site graded



Construction project sign



# PROJECT STATUS REPORT

El Cerrito High School - Stadium

Period Ending: 12/31/2014

**Scope:** 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  
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	Restrooms & Visitors Team Room
Building B	Weight Room
Building C	Home Locker Room
Building D	Home Restroom
Building E	Concession & Storage
Building F	Storage
New Bleacher	Bleacher and Press Box

## Progress This Period:

- Building A - CMU installation continues with concrete slab breezeway poured.
- Building B - Structural steel roof installed and ready for roof decking.
- Building C & D - Structural steel roof frame is complete and metal roof decking is currently being installed. The entry pilasters are complete with precast caps.
- Building E - Concrete slab poured and CMU staging for installation set up. Electrical and plumbing complete with the first two courses of CMU set in anticipation of the concrete slab pour. Welding at canopy in front of building.

## Anticipated Progress Next Period:

- Building A - CMU wall completion.
- Building B - Metal roof decking installation.
- Building C & D - Mansard roof framing installation.
- Building E - CMU concrete slab.
- Proposed visitor bleacher foundation layout and trenching to begin depending on weather conditions.

## Schedule Assessment/Update:

Construction Duration (Calendar Days):	608
Construction Calendar Days Elapsed:	339
Construction Calendar Days Remaining:	269
Percent of Construction Completed:	47%

**Percentage of Work Done                      47%                      Total Project**

## Proposed Changes:

## General Comment:

Progress Photos: 12/31/2014



Building C - Masonry work



Building D - Decking & Structural Steel



Site condition after rain events

# PROJECT STATUS REPORT

## Gompers and LPS Richmond Schools - New Construction

Period Ending: 12/31/2014

**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: 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

- Casework at 1<sup>st</sup> floor classrooms.
- Heating equipment and light fixtures at ceilings.
- Gyp board, tape and painting interior walls.
- Tile work at restrooms.

#### Building B

- Exterior metal wall panels.
- Installed basketball backboard support.
- Gyp board & metal framing soffits and ceilings.
- Electrical rough for basketball backstops.

#### Building C

- Painting classrooms.
- Exterior metal wall panels.
- Gyp board, tape and painting interior walls.
- Fire safety fire spray at head of walls at 1<sup>st</sup> floor.

### Anticipated Progress Next Period:

#### Building A

- Casework at 2<sup>nd</sup> floor classrooms.

#### Building B

- Continue tape top & paint walls.

#### Building C

- Install light fixtures and heating equipment in ceilings.

### Schedule Assessment/Update:

Construction Duration (Calendar Days):	1,090
Construction Calendar Days Elapsed:	862
Construction Calendar Days Remaining:	228
Percent of Construction Completed:	78%

**Percentage of Work Done**      **78%**      **Total Project**

### Proposed Changes:

### General Comment:

Progress Photos: 12/31/2014



Building A - LPS: Case work at classrooms



Building B - Gym: Metal wall panels installation at west side



Building C - Gompers: Tape gypsum walls at corridors

# PROJECT STATUS REPORT

## Harding Elementary School - Exterior Repairs & Select Roofing Replacement

Period Ending: 12/31/2014

**Scope:** Exterior Repairs & Select Roofing Replacement

### Construction Status:

Architect: Grossman Design Group  
Project Manager: Willie Robinson  
Project Engineer:  
Contractor: Best Contracting Services, Inc.  
Inspector: Grossman Design Group  
WCCUSD Mgr: Andrew Mixer

### Contract Status:

Notice to Proceed:	7/21/2014		
	<b>Original</b>	<b>Approved</b>	<b>Projected</b>
Construction Schedule (days):	56	42	98
Original Completion Date:	9/15/2014		
Projected Completion:	1/15/2015		

### Buildings:

Buildings A & A1

### Progress This Period:

- Finalize the shingles & built-up roof installation for Buildings A & A-1.
- Complete stucco (scratch & brown coats) at west side of Building A.
- Complete fabrication of sheet metal cap flashing for parapet walls and roof valleys.
- Complete application for final flood coat or ParaPro resin at built-up roof.
- Complete installation all roof penetrations sealants and flashings at the base of walls.

### Anticipated Progress Next Period:

- Complete final stucco coat at Building A, west wall.
- Complete the installation of all finish flashings and sealants.
- Paint stucco walls at exterior of Buildings A & A-1.
- AOR to prepare punch-list for the project's final completion..
- Contractor to demobilize.

### Schedule Assessment/Update:

Construction Duration (Calendar Days):	98
Construction Calendar Days Elapsed:	164
Construction Calendar Days Remaining:	-66
Percent of Construction Completed:	95%

Percentage of Work Done	95%	Total Project
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### Proposed Changes:

### General Comment:

- After a complete review of the Project Schedule it is determined that the contract completion should be extended to January 15, 2015.
- Repairs to the Computer Lab and Library damaged during the rain event on September 25<sup>th</sup> is expected to be completed by January 5, 2015

Progress Photos: 12/31/2014



Building A - Interior windows reinstalled



Building A-1 - Exterior storefront & windows reinstalled



Building A-1 - Interior storefront & windows reinstalled



# PROJECT STATUS REPORT

Korematsu Middle School - New Campus

Period Ending: 12/31/2014

**Scope:** New Campus Project

## Construction Status:

Architect: HY Architects  
Project Manager: Jose Chapa, SGI Construction Management  
Project Engineer: Dovie Edwards, 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:

Building A	Administration/Classrooms
Building B	Gymnasium
Building C	Classrooms
Building D	Multipurpose

## Progress This Period:

- Building A - Install storefront doors and hang exterior doors
- Building B - Roof decking, gutters and roof over Library.
- Building C - Installation of fire protection on 2nd and 3rd floors.
- Building D - Rough and pull conductors for outside lights.

## Anticipated Progress Next Period:

- Building A - Sheetrock wall and paint.
- Building B - Complete wall framing at Library.
- Building C - Sheetrock exterior wall.
- Building D - Continue with electrical and plumbing installations.

## Schedule Assessment/Update:

Construction Duration (Calendar Days):	960
Construction Calendar Days Elapsed:	598
Construction Calendar Days Remaining:	362
Percent of Construction Completed:	58%

Percentage of Work Done	58%	Total Project
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## Proposed Changes:

## General Comment:

Project is on schedule.

Progress Photos: 12/31/2014



Building A - Preparing for paint



Building B - DensGlass® sheathing panel at exterior walls



Building C - Framing

# PROJECT STATUS REPORT

## Montalvin Elementary School - New Classroom Building

Period Ending: 12/31/2014

**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		
	<b>Original</b>	<b>Approved</b>	<b>Projected</b>
Construction Schedule (days):	270		315
Original Completion Date:	10/31/2014		
Projected Completion:	1/30/2015		

### Buildings:

New Classroom Building & Site Work

### Progress This Period:

#### New Classroom Building:

- Roof bituminous & metal systems continue.
- Electrical, Plumbing, trim out has started.
- Siding started and continues.
- Drywall & interior paints continue and should be completed.
- Case worked installed and completed.
- Bathroom tiles completed and partitions started.
- Building MEP trims started lights, switches, & plumbing fixtures.
- Kitchen epoxy floor installed and completed.
- T-Bar ceiling started and continue.

#### Site Work & Play Yards:

- Fencing post holes drilled.

### Anticipated Progress Next Period:

- AC paving and stripping to start.
- Fencing and gate systems to be installed.
- Exterior paints.
- Play yard stripping to be completed.
- Flooring Furbo systems to be installed.
- Tile and bathroom accessories to start.

### Schedule Assessment/Update:

Construction Duration (Calendar Days):	315
Construction Calendar Days Elapsed:	315
Construction Calendar Days Remaining:	0
Percent of Construction Completed:	95%

Percentage of Work Done	95%	Total Project
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### Proposed Changes:

### General Comment:

Progress Photos: 12/31/2014



Tile in bathrooms



Epoxy floors



Casework



# PROJECT STATUS REPORT

## Nystrom Elementary School - Modernization Classroom Building Rehabilitation

Period Ending: 12/31/2014

**Scope:** Modernization of existing classrooms, administration building and site improvements.

### Construction Status:

Architect: Interactive Resources  
Project Manager: Eddie Law, SGI Construction Management  
Project Engineer: Verna Van, SGI Construction Management  
Contractor: Roebbelen Contracting, Inc  
Inspector: Man Wah Cheng  
WCCUSD Mgr: Andrew Mixer

### Contract Status:

Notice to Proceed:	8/25/2014		
	<b>Original</b>	<b>Approved</b>	<b>Projected</b>
Construction Schedule (days):	480	0	0
Original Completion Date:	12/15/2015		
Projected Completion:	12/15/2015		

### Buildings:

North Wing	Administration / Kindergarten / Classrooms
South Wing	Classrooms

### Progress This Period:

#### North Wing

- Demolition and Removal of Existing Interior Concrete Slabs.
- Installation of Mechanical Roof Curbs.
- Installation of Interior Partition Walls.
- Installation of Interior Shear Walls.
- Installation of Underground Electrical Conduits.
- Excavation to Expose Interior/Exterior Footings.

#### South Wing

- Removal of Existing Interior Concrete Slabs.
- Installation of Interior Partition Walls.
- Installation of Interior Shear Walls.
- Installation of Roof Blocking and Framing for Roof Curbs.
- Installation of Interior Shoring.
- Installation of Underground Electrical Conduits.
- Installation of Underground Plumbing Conduits.
- Prep, Form, Rebar, and Place Interior/Exterior Footings.

### Anticipated Progress Next Period:

#### North Wing

- Excavation for Interior/Exterior Footings & Redwood Paint Removal.
- Installation of SBS Membrane Roofing System.
- Prep, Form, Rebar, and Place Interior Footings.

#### South Wing

- Continuation of Prep, Form, Rebar, and Place Interior/Exterior Footings.
- Continuation of Installation of Underground Plumbing/Electrical Conduits.
- Installation of SBS Membrane Roofing System.
- Concrete Pour for Interior/Exterior Footings.
- Continuation of (E) Redwood Paint Removal.

### Schedule Assessment/Update:

Construction Duration (Calendar Days):	480
Construction Calendar Days Elapsed:	127
Construction Calendar Days Remaining:	353
Percent of Construction Completed:	25%

Percentage of Work Done	25%	Total Project
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### Proposed Changes:

### General Comment:

Progress Photos: 12/31/2014



Installation of Shear Wall at South Building



Rebar for Interior Footings at South Building



Installation of Shoring at South Building

# PROJECT STATUS REPORT

## Pinole Valley High School - Hillside Stabilization

Period Ending: 12/31/2014

**Scope:** Hillside Stabilization Increment 1 & 2

### Construction Status:

Architect: WLC Architects, Inc.  
Project Manager: Shawn Fitzgibbons, SGI Construction Management  
Project Engineer:  
Contractor: Ghilotti Construction Company, Inc.  
Inspector: Mark Eriksen  
WCCUSD Mgr: Eduardo Donoso

### Contract Status:

Notice to Proceed:	9/29/2014		
	<b>Original</b>	<b>Approved</b>	<b>Projected</b>
Construction Schedule (days):	360	0	0
Original Completion Date:	9/24/2015		
Projected Completion:	9/24/2015		

### Buildings:

Hillside

### Progress This Period:

- SWPPP Implementation
- Excavation
- Concrete Demo

### Anticipated Progress Next Period:

- Grading for Crane Pad
- Install Dewatering Ditch
- Drill and Set Piers

### Schedule Assessment/Update:

Construction Duration (Calendar Days):	360
Construction Calendar Days Elapsed:	94
Construction Calendar Days Remaining:	266
Percent of Construction Completed:	3%

Percentage of Work Done	3%	Total Project
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### Proposed Changes:

### General Comment:

Progress Photos: 12/31/2014



SWPPP Implementation



Excavation



Concrete Demo



# PROJECT STATUS REPORT

Kennedy High School - Richmond Swim Center

Period Ending: 12/31/2014

**Scope:** Richmond Swim Center at Kennedy High School

## Construction Status:

Architect: Architects MA  
Project Manager: Herman Blackmon Jr.  
Project Engineer:  
Contractor: Arntz Builders, Inc.  
Inspector: Brad Williamson  
WCCUSD Mgr: Andrew Mixer

## Contract Status:

Notice to Proceed:	4/28/2014	<b>Original</b>	<b>Approved</b>	<b>Projected</b>
Construction Schedule (days):	365			
Original Completion Date:	4/28/2015			
Projected Completion:	4/28/2015			

## Buildings:

Natatorium

## Progress This Period:

- Pool drain lines.
- Roof framing at CMU pump house.
- Poured seat-wall and storage tank footings.

## Anticipated Progress Next Period:

- Install Trusses for skylights.
- Build roof for CMU pump house.
- Install metal decking.

## Schedule Assessment/Update:

Construction Duration (Calendar Days):	365
Construction Calendar Days Elapsed:	248
Construction Calendar Days Remaining:	117
Percent of Construction Completed:	53%

Percentage of Work Done	53%	Total Project
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## Proposed Changes:

Upgrades to locker rooms and pool deck.

## General Comment:

Project is on schedule

Progress Photos: 12/31/2014



Roof Framing at CMU Pump House



Main Pool Drain Trench



Chlorine Storage Tank Footings