

West Contra Costa Unified School District
Office of the Superintendent

Friday Memo
December 11, 2020

Upcoming Events – Matthew Duffy

December 14: Citizens Bond Oversight Committee, 2:00 PM

December 15: DLI Committee, 4:00

December 16: Board of Education Meeting - Annual Organization Meeting, 6:30 PM

December 17: OAASA Kwanzaa Event, 6:00 PM

December 17: MDCA Meeting, 6:00 PM

December 21 - January 1: Winter Recess, Schools and Offices Closed

January 4: Classes Reconvene

Next Week's Board Meeting December 16 - Matthew Duffy

Closed Session will begin at 4:30 PM.

Organizational Chart - Matthew Duffy

The District Organizational Chart is available [online](#) on the District website. In addition to the Cabinet organizational listings, the public can also link to individual district office staff contact information from this page as well. We will be updating board information as we transition.

Board Meeting Schedule for 2021 - Matthew Duffy and Tony Wold

At the annual organization meeting one of the actions is to approve the calendar of board meetings for 2021. Currently our normal schedule of meetings is to have 2 full board meetings each month, with the exception of July where we have only one. This timeline allows for items to come to the board regularly.

The drawback of the board planning cycle also means that often we are planning the next board meeting before we have completed the current meeting. This week was a perfect example where the board items for December 16th were due before we met on December 9th. The other challenge revolves around natural school breaks in November, January, February, and April where items are often due during the break limiting the ability to have more transparent communication prior to items appearing on the board agenda.

One option is to adjust the schedule of meetings to include regular meetings and study sessions. The regular monthly meeting is focused on all necessary school business items. This would then allow for the second meeting to shift more to a study session model. In a study session the focus is on topical issues and allows for much more in depth discussions. For example, at the meeting this past week the item regarding significant disproportionality would have been the perfect item to be on a study session where the budget would have been on the regular meeting. This would have allowed both items to be fully addressed in the appropriate forum.

The current schedule of meetings that would be placed on the agenda is listed below:

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REGULAR MEETINGS

2021	JANUARY	13	27
	FEBRUARY	10	24
	MARCH	10	24
	APRIL	14	28
	MAY	5	19
	JUNE	9	23
	JULY	14	--
	AUGUST	4	25
	SEPTEMBER	8	22
	OCTOBER	6	20
	NOVEMBER	3	17
	DECEMBER	8	15 (Annual Organization Mtg)

Staff would like to propose that the board consider the alternative schedule as listed below be considered for adoption as an amendment to the schedule:

OPTION A: REGULAR MEETINGS

2021	JANUARY	20	27 (SS)
	FEBRUARY	3	24 (SS)
	MARCH	10	24
	APRIL	21	28 (SS)
	MAY	12	26 (SS)
	JUNE	9	23
	JULY	14	--
	AUGUST	11	25
	SEPTEMBER	8 (SS)	22
	OCTOBER	6	20
	NOVEMBER	3	17 (SS)
	DECEMBER	8 (SS)	15 (Annual Organization Mtg)

SS=Study Session.

Study Sessions are dedicated Board meetings for targeted and deep discussion around one or more subjects. This proposal creates a set of Study Sessions so there is dedicated time for study on an important subject while maintaining one regular Board meeting per month for the monthly rolling business of the Board.

In this format, meetings with required postings during natural school breaks, the Board would have one regularly scheduled meeting that month, with a study session option, if needed. On months without holidays, the first meeting would be a regularly scheduled Board meeting focused on action items with the second meeting held as a regular meeting but also limited to broader discussion items that require more time, information and dialogue.

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BB 9323 Meeting Procedures - Matthew Duffy and Tony Wold

As we welcome the newly elected board of education members to their first meeting next week on December 16th this is a very good time to review some relevant Board bylaws. One of these is [BB 9323](#) which outlines the process for meetings. The full bylaw is linked here, but we are highlighting a couple areas of relevance. With several items carrying over from the previous meeting, the length of the agenda is larger than anticipated for the first meeting and the efficient addressing of items is essential for good meeting flow. At this meeting there will be items on the annual reorganization of the board, the budget and LCAP for parents, Analysis of the Forensic Facilities Review, Summit Mt. Tamalpais Charter renewal, the next steps in the search process for the next Superintendent, along with discussion about next steps in planning for the second half of this year and into next year. Each of these items is important and will be of interest to our stakeholders. In addition, it does not serve the board, staff, or public's best interest when items do not come before the board until late in the meeting, when many stakeholders are not able to attend.

The bylaws discuss the timing of meetings as listed below:

Meeting Procedures

All Governing Board meetings shall begin on time and shall be guided by an agenda prepared in accordance with Board bylaws and posted and distributed in accordance with the Ralph M. Brown Act (open meeting requirements) and other applicable laws.

The Board president shall conduct Board meetings in accordance with Board bylaws and procedures that enable the Board to efficiently consider issues and carry out the will of the majority.

The Board believes that late night meetings deter public participation, can affect the Board's decision-making ability, and can be a burden to staff. Regular Board meetings shall be adjourned at 10:30 p.m. unless extended to a specific time determined by a majority of the Board. The meeting shall be extended no more than once and subsequently may be adjourned to a later date.

Another area that is important to remember is the policy on public comment. It is a critical component of proper governance to ensure public comment, but it is equally important to be able to address the business at hand. The bylaws provide the board with the ability to ensure public comment on items, while also maintaining the flow of the meeting as listed below with emphasis on number 5 below:

Public Participation

Members of the public are encouraged to attend Board meetings and to address the Board concerning any item on the agenda or within the Board's jurisdiction. So as not to inhibit public participation, persons attending Board meetings shall not be requested to sign in, complete a questionnaire, or otherwise provide their name or other information as a condition of attending the meeting.

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In order to conduct district business in an orderly and efficient manner, the Board requires that public presentations to the Board comply with the following procedures:

- 1. The Board shall give members of the public an opportunity to address the Board on any item of interest to the public that is within the subject matter jurisdiction of the Board, either before or during the Board's consideration of the item. (Education Code [35145.5](#), Government Code [54954.3](#))*
- 2. At a time so designated on the agenda at a regular meeting, members of the public may bring before the Board matters that are not listed on the agenda. The Board shall take no action or discussion on any item not appearing on the posted agenda, except as authorized by law. (Education Code [35145.5](#), Government Code [54954.2](#))*
- 3. Without taking action, Board members or district staff members may briefly respond to statements made or questions posed by the public about items not appearing on the agenda. Additionally, on their own initiative or in response to questions posed by the public, a Board or staff member may ask a question for clarification, make a brief announcement, or make a brief report on his/her own activities. (Government Code [54954.2](#))*

Furthermore, the Board or a Board member may provide a reference to staff or other resources for factual information, ask staff to report back to the Board at a subsequent meeting concerning any matter, or take action directing staff to place a matter of business on a future agenda. (Government Code [54954.2](#))

- 4. The Board need not allow the public to speak on any item that has already been considered by a committee composed exclusively of Board members at a public meeting where the public had the opportunity to address the committee on that item. However, if the Board determines that the item has been substantially changed since the committee heard the item, the Board shall provide an opportunity for the public to speak. (Government Code [54954.3](#))*
- 5. A person wishing to be heard by the Board shall first be recognized by the president and shall then proceed to comment as briefly as the subject permits.*

Individual speakers shall be allowed up to three minutes to address the Board on each agenda or non agenda item. The Board shall limit the total time for public input on each item to 20 minutes. With Board consent, the president may increase or decrease the time allowed for public presentation, depending on the topic and the number of persons wishing to be heard. The president may take a poll of speakers for or against a particular issue and may ask that additional persons speak only if they have something new to add.

- 6. The Board president may rule on the appropriateness of a topic. If the topic would be more suitably addressed at a later time, the president may indicate the time and place when it should be presented.*

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The Board shall not prohibit public criticism of its policies, procedures, programs, services, acts, or omissions. (Government Code [54954.3](#)) In addition, the Board may not prohibit public criticism of district employees.

Whenever a member of the public makes specific complaints or charges against an employee during a public comment period, the Board president shall inform the person that it is the policy of the Board to hear such complaints or charges in closed session unless otherwise requested by the employee pursuant to Government Code [54957](#). The Board president shall also encourage the person to file a complaint using the appropriate district complaint procedure. However, the Board President shall not prohibit the person from continuing to speak about such matters during the public comment period.

7. The Board president shall not permit any disturbance or willful interruption of Board meetings. Persistent disruption by an individual or group shall be grounds for the president to terminate the privilege of addressing the Board.

The Board may remove disruptive individuals and order the room cleared if necessary. In this case, members of the media not participating in the disturbance shall be allowed to remain, and individuals not participating in such disturbances may be allowed to remain at the discretion of the Board. When the room is ordered cleared due to a disturbance, further Board proceedings shall concern only matters appearing on the agenda. (Government Code [54957.9](#))

When such disruptive conduct occurs, the Superintendent or designee shall contact local law enforcement.

This Friday memo is provided to the Board to give additional information to the board prior to agenda items being brought to the board for consideration. In addition, the agenda packet is published the Friday prior to board meetings to allow for time to obtain clarification. **In observance of the Brown Act, the best practice protocol to ensure smooth communication and allow for board meetings to run effectively is for board members to individually provide written questions on any matters regarding the board agenda to the superintendent in writing in advance of the meeting.** It is important that the communication be channeled through the Superintendent to ensure that proper distribution of information occurs and to keep the district compliant with the Brown Act. The Superintendent then will utilize appropriate staff, as necessary, to address the questions and provide the appropriate information back to all board members in accordance with the requirements of the Brown Act.

By providing the questions beforehand allows those areas to be addressed within the staff reports and item descriptions before the meeting. One area the board may want to reconsider is the current BB 9932 as written which requires all materials to be posted with the agenda on Friday. When following the best practice of sending in questions prior to the meeting, there may often be the ability to provide additional information to the board, and the public after posting that would clarify issues. As a matter of best professional practice, this should be something that is encouraged to create more transparency and allow for the board to make informed decisions. This would not reduce the need to have substantive information posted initially, but would create a more operational culture that ensures the information is available to all stakeholders.

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Board Committee and Advisory Committees - Matthew Duffy and Tony Wold

As the board begins moving forward toward supporting the operations of the District one area that should be reviewed is the utilization of Board Committees and Advisory Committees. The need to have open dialogue with our external stakeholders is essential, and the District has worked very closely with multiple groups to ensure that this continues. How these groups are configured and the agenda created, however does impact the operation ability of each. In general committees serve an advisory role to the board. A formal board committee shall follow the Brown Act in postings and has assigned board members who are responsible for the agenda with the Superintendent. A Superintendent's Advisory Committee serves the same purpose, the difference is that it does not have the same limitations and allow for the Board to direct the Superintendent through the management of advisory committees as referenced in Board Policy 2230 below:

Board Policy 2230 Administration

The Governing Board believes that broad input on district operations and policy from staff, parents/guardians, students and members of the public can provide the district with a diversity of viewpoints and expertise, help build a sense of ownership of the schools, enhance district efficiency and assist district communications. As desired, the Superintendent or designee may establish a management team, administrative councils, task forces, cabinets or committees in accordance with law.

The membership, composition and responsibilities of these groups shall be defined by the Superintendent or designee. The Superintendent or designee may establish, change or dissolve these groups at his/her discretion.

Groups established by the Superintendent or designee shall act in an advisory capacity unless specifically authorized to act on behalf of the Superintendent or designee. Advisory groups shall submit their recommendations to the Superintendent or designee, who may report the recommendations to the Board as appropriate.

Expenses incurred for consulting services, materials, travel or other related operations shall be approved by the Superintendent or designee in advance.

The input groups are further governed by Board Policy 1220 Citizens' Advisory Committees as listed below:

The Governing Board recognizes that citizen advisory committees enable the Board to better understand interests and concerns of the community. The Board shall establish citizen advisory committees as the need arises or as required by law. The purposes of any such committees shall be clearly defined and aligned to the district's vision and goals.

Citizen advisory committees shall serve in a strictly advisory capacity; they may make recommendations regarding Board policy, but their actions shall not be binding on the Board. The Board may dissolve any advisory committee not required by law when the committee has fulfilled its duties or at any time the Board determines it necessary.

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The membership of citizen advisory committees should represent the diversity of the community and a diversity of viewpoints. With Board approval, the Superintendent or designee may appoint committee members.

The Superintendent or designee shall provide training and information as necessary to enable committee members to understand the basic administrative structure, program processes, and goals of the committee.

The Superintendent or designee may establish advisory committees which shall report to him/her in accordance with law, Board policy, and administrative regulation.

Formal Board Committees are bound by the following Board Bylaw and have **more restrictive procedures than Advisory committees**. There are appropriate uses for each type and staff recommends that the Board take the time to consider the utilization of each to ensure that broad representation and analysis of issues is maintained, but at the same time recognition of the administrative burdens is addressed to ensure that best practices of governance can be followed and that the board as a collective not delegate responsibilities and utilize each for the advisory capacities as appropriate.

BB 9130 Board Committees

The Governing Board may establish Board committees as necessary. The Board shall determine the duties of the committee at the time of its appointment. Unless specifically authorized by the Board to act on its behalf, Board committees shall act in an advisory capacity. When its duties have been completed, the committee shall be dissolved.

Board committees shall provide public notice of their meetings and conduct these meetings in accordance with state open meeting laws.

Meetings of advisory committees or standing committees for which an agenda is posted at least 72 hours in advance of the meeting pursuant to Government Code [54954.2](#), shall be considered, for purposes of the Brown Act, as regular meetings of the Board. (Government Code [54954](#))

Board advisory committees composed solely of less than a quorum of the members of the Board are not subject to open meeting laws unless they are standing committees that have a continuing subject matter jurisdiction or a meeting schedule established by the Board. (Government Code [54952](#))

Standing committees with a continuing subject matter jurisdiction include but are not limited to those responsible for providing advice on budgets, audits, contracts and personnel matters at the Board's request.

When a majority of the members of the Board attend an open and noticed meeting of a standing committee, the Board members who are not members of the standing committee shall attend only as observers. (Government Code [54952.2](#))

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The Superintendent or designee may serve as an advisor to any committee at the discretion of the Board.

Whenever so charged, committees may actively seek input and participation by parents/guardians, staff, community and students and may consult with local public boards and agencies.

When a Board committee composed exclusively of Board members has provided for public comment on an item at a public meeting before or during the committee's consideration of the item, the Board is not obliged to provide for public comment on the item at a subsequent Board meeting. Public comment shall be afforded, however, if the Board determines that the item has been substantially changed since it was heard by the committee. (Government Code [54954.3](#))

The delegation of Board members to Committees and direction of those committees is referenced in **Board Bylaw 9140 Board Representatives**

BB 9140 Board Representatives

The Governing Board may appoint any of its members to serve as its representatives on district committees or advisory committees of other public agencies or organizations. Due to open meeting law requirements, a majority of the Board shall not be appointed to serve on the same committee.

When making such appointments, the Board shall clearly specify, on a case-by-case basis, what authority and responsibilities are involved. Board representatives shall not grant district support or endorsement for any activity without prior Board approval.

If a committee discusses a topic on which the Board has taken a position, the Board member may express that position as a representative of the Board. When contributing individual ideas or opinions on other topics, he/she shall make it clear that he/she is speaking as an individual, not on behalf of the Board.

At its annual organizational meeting, the Board shall designate one Board member as its representative to elect members to the county committee on school district organization. (Education Code [35023](#))

The Board shall provide the representative with nominees to this committee.

A Board member is eligible to serve as a member of the county committee on school district organization. (Education Code [4007](#))

Next Steps

The District staff believes in the need to continue to build the trust and collaboration with the community and that this work is best served through continued representative meetings that involve multiple stakeholders. Simultaneously, there has been an increase in the number of monthly meetings that often involve the same core group of individuals to the point where some redundancy has become created limiting the ability to focus on obtaining authentic engagement. Staff recommends that the Board take the opportunity to review the current purpose of all board committees and look at building an ongoing cycle of continuous improvement and involvement with a combination of advisory

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and board committees based upon the descriptions above with the goal of ensuring appropriate community and stakeholder engagement and input while not sustaining those past practices that impede the ability of the board and staff to implement the best practices necessary to move the district forward. To this end, the board may wish to consider the scheduling of a special meeting to have a discussion on this topic prior to just sustaining the status quo.

Superintendent Search Firm Update - James Brown

The District sent out 467 invitations to the stakeholder meetings. Our schedule included 43 phone conferences Monday and Tuesday. In many cases groups were combined. Participation in the meetings varied by group. While we have had a number of robust and very informative conversations since Monday there were some sessions with a low turnout. This is actually not unusual. We have found over time that people prefer to use the online survey rather than attending meetings. That said, we did have a few additional meetings and emails after Tuesday from those who wanted to speak with us. We will do our best to respond if more comes our way.

We kept extensive notes and will be providing a summary of what we learned. We anticipate the summary will be included in the materials that will be included with the Dec. 16 Board packet. Several parents and others asked if they could see a copy of the summary and we said it would be in the public materials that would go to the Board for the Dec. 16 meeting and there will be a meeting on December 15th.

The online survey has been up and going since last Monday. As of (Sunday here's a summary of responses for the English and Spanish. This is quite good and we appreciate District efforts to encourage widespread participation:

ANSWER CHOICES	RESPONSES	TOTAL
Parent / Guardian Padre / Tutor	51.90% 62.53%	1,257 237
Student Alumno	24.07% 13.19%	583 50
Community Member Miembro de la comunidad	14.91% 8.18%	361 31
Teacher Maestro	18.91% 3.43%	458 13
Classified Employee Empleado clasificado	11.02% 3.43%	267 13
Administrator Administrador	2.89% 1.06%	70 4

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Other Certificated Otro Certificado	2.89% 0.26%	70 1
School Volunteer Voluntario de la escuela	5.66% 6.07%	137 23
Public Official Funcionario Público	0.74% 0.53%	43 2
Business Owner/Partner Dueño/Socio de un negocio	1.78% 0.53%	43 2
Non-Profit Staff / Board Personal/Mesa Directiva de una organización sin fines de lucro	2.02% 0.79%	49 3
Total Total de encuestados:		2,422 272

We will also be providing you a link to the survey responses as well as a summary of what we learned. By the way as we have reviewed the responses from the engagement meetings, the survey, and the input from present and future trustees, there's a good degree of consistency.

We have started to work on the position description, a draft of which will be included in the Dec. 16 Board packet. Some parents asked us whether a copy of the description would be available for public review. We said it would be in the Board packet. While our hope is that the Board will approve the description on the 16th, we understand that it may want to delay that until the first meeting in January. In that case our request would be that we post a DRAFT on the District and Leadership websites and ask that any suggestions for improvement be e mailed to us.

Summit Mt. Tamalpais Charter Renewal - Tony Wold (Denise Cifelli)

At the upcoming Board meeting on December 16th, the Board will consider the renewal petition of Summit Tamalpais Charter School. Under AB 1505 the rules and criteria governing approval, denial, and revocation of charter schools have changed to be very aligned with the State dashboard. Short of very specific deficiencies, schools that are middle or high performing on the dashboard are presumed designated for renewal. If renewed, a “middle performing” charter like Summit Tamalpais, is renewed for five (5) years.

Non-renewal requires written findings, with facts to support such findings, that:

- 1) the school failed to meet or make sufficient progress toward meeting standard that benefit students, and,
- 2) that closure is in the best interest of students, and,
- 3) that the decision not to renew gave greater weight to the school’s academic performance.

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(Education Code § 47607.2.)

An authorizer may also deny a petition for renewal if:

- 1) The charter school is demonstrably unlikely to successfully implement the program set forth in the petition due to substantial fiscal or governance factors; or
- 2) The charter school is not serving the pupils who wish to attend, as documented by aggregate data reflecting pupil enrollment patterns at the charter school.

(Ed. Code, § 47607(e).) However, prior to action not to renew, the authorizer must have specified the concern, given the charter school at least 30 days to cure the violation, and make specific findings that the violations have or cannot be remedied.

Recently, our labor partners the United Teachers of Richmond voted unanimously to oppose the renewal of Summit Mt. Tamalpais and identified several areas of concern which were reflected in the staff report including:

- Chronic absenteeism of 13.1%, which increased 5.1%
- Suspension rates in the red category and disproportionate numbers of African American students
- Low reclassification rates of 33.3%
- High teacher turnover rates

The issues raised by our partners in UTR are also of concern to the District and are listed below:

Area of Concern	Summit Mt. Tamalpais Data	WCCUSD Dashboard Data	Staff Review
Chronic Absenteeism (percent of K-8 students who are absent 10% or more of the days they are enrolled)	13.1% (increase of 5.1%) total of 244 students (4 total subgroups all in orange range) The highest groups was African American Students at 16.7% (36 students) followed by Hispanic at 13.4% (134 students)	16.7% (increased 1.2%) total of 20,735 students (13 total subgroups: 6 subgroups red and 7 subgroups orange)	District monitoring will focus specific attention on the improvement of Hispanic and Socioeconomically disadvantaged students, as well as examine ongoing ADA numbers, enrollment numbers, attendance rates and chronic absenteeism rates. The District review determined that while these rates are high they are consistent with the performance of neighboring schools and would not meet the standard set within AB 1505

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<p>Suspension Rates (% of students K-12 suspended at least once in the previous year)</p>	<p>14.4% (increase of 3.5%) total of 368 students (5 total subgroups 3 in red range)</p> <p>The highest groups was African American Students at 33.3% (54 students)</p>	<p>5.5% (decline of 0.4%) total of 29,831 students (13 total subgroups 2 in red, 5 orange, 3 yellow, 3 green)</p> <p>African American Students at 12.7% (4,766 students)</p>	<p>The District requested a detailed written strategies containing specific steps for reducing the suspension rates (beyond what are briefly mentioned in the LCP (Learning Loss) and in Element J Suspension and Expulsion Procedures) and an explanation on how these new and/or improved procedures will reduce its Data Dashboard suspension rates.</p> <p>This is an area of concern that will be subject to District monitoring.</p>
<p>Area of Concern</p>	<p>Summit Mt. Tamalpais Data</p>	<p>WCCUSD Dashboard Data</p>	<p>Staff Review</p>
<p>Reclassification Rate (% of current EL students making progress towards English language proficiency or maintaining the highest level)</p>	<p>33% making progress (total of 57 students) performance level very low</p>	<p>44.5% making progress (total of 6,575 students) performance level low</p>	<p>District oversight will continue to evaluate and monitor the progress of EL students to ensure progress towards English Language proficiency is being met.</p> <p>Staff reviewed the EL individualized plan at the site and compared to District high schools where 3 of 6 also did not meet the standard. This area did not meet the guidelines within AB 1505.</p>
<p>Teacher Credentialing (number of teachers without proper authorizations, required to be fully compliant by 2025)</p>	<p>Standard was met on the dashboard.</p> <p>2 ELL and 1 subject misassignment were listed</p>	<p>Standard was met on the dashboard</p> <p>A total of 8 ELL were listed</p>	<p>District oversight will include monitoring of all teacher credentials, including status of each teacher’s progress towards obtaining a clear certification and yearly staff turnover.</p> <p>The District will also request a yearly up-to-date employee handbook which clearly delineates who the employer is, and whether or not staff (including teachers) are at-will employees.</p> <p>There was not sufficient indication under the AB 1505 criteria to warrant additional consideration.</p>

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Are the above concerns grounds for denial?

While there are concerns about Summit Tamalpais, and areas of improvement needed, it did not meet the criteria not to renew its charter. The standard for denying the renewal of a middle performing charter school is high. In particular, staff did not find that closure is in the best interest of students. Nor did staff find governance or fiscal concerns that could not be remedied.

As the District has built up our review process we now are including leadership from all areas of the organization. Our Special Education Department reviewed their processes and commended the focus, as our English learner leadership reviewed the planned approach to address the performance gap and found a solid operational plan. The biggest area of concern, and one that we will be providing significant oversight and review on is the attendance and discipline process in respect to African American students. The District is providing support to Summit to recognize the systemic intersectionality of this in creating a culture that can disconnect the students from their learning. If the charter fails to remedy these concerns, the District could explore sanction against the charter school, including the potential for revocation.

If denied, the charter school has the right to appeal the District Board's decision to the County Board of Education and, if denied there, to the State Board of Education. There would be a potential for litigation. (The District was sued by Amethod Public Schools last year for the denial of John Henry High School's renewal petition. The attorney's fees incurred by the District for that litigation totaled approximately \$80,000 and was ultimately dismissed because the charter school was authorized by the State Board of Education, on appeal, making the litigation moot.)

If the charter appeals to the County Board, and it is granted, then the District loses all oversight over the school. This would include the ability to decide whether or not to grant a petition to materially revise Summit's charter should it decide it wants to expand its enrollment.

What Options does the Board have to make suggestions to Summit Mt. Tamalpais?

I. Charter Renewal Contingent on Execution of a MOU

The Charter Schools Act of 1992 (Education Code, §§ 47600, et seq.) ("Act") mandates that chartering school districts conduct certain oversight activities to ensure that charter schools ("Charter") under their authority operate in compliance with applicable law and terms of their charter. (See Ed. Code, § 47604.32.) A chartering school district may establish an agreement (i.e., a Memorandum of Understanding ("MOU")) with the charter school regarding the format, frequency, and scope of these oversight activities.

If West Contra Costa Unified School District ("District") does not wish to renew a charter outright, one option would be to renew a charter contingent on the execution of a MOU by all parties within a number of days set by the District and deemed denied if an MOU is not resolved. The ability of a Board to do this – to put conditions on a renewal's approval – may be permitted by law due to the recent reforms made to California's Charter Schools Act.

II. District Representative Serving on Charter School Board of Directors

Pursuant to Education Code section 47604(c), the District is entitled to appoint a single representative on the board of directors (“Board”) of a charter school’s nonprofit public benefit corporation. The authority granted to the District to have a single representative on a Charter’s Board is meant to provide the District with an additional method of oversight. However, it is important to recognize that there may be some legal restrictions on what information the District’s representative may be able to share and certain issues or topics that the representative must recuse him/herself from to avoid conflict of interest.

One reason that certain school districts are reluctant to appoint a representative to serve on a charter school’s board is liability concerns. As a voting board member, the school district representative would be actively participating in a charter’s operational and governance decisions. For example, the representative may vote for the charter school to take on a loan that it fails to pay back.

Further, as both an employee and representative of the District and as a director of the Charter’s Board, the District’s representative owes a duty of loyalty to both. The District representative must be savvy to avoid these conflicts of interest / duty, so as not to incur personal liability.

The Staff Review thoroughly reviewed the data presented by Summit Mt. Tamalpais and has presented the major areas of concern within the report. Based upon the standard outlined in AB 1505 staff presented the recommendation to the board. Should the board believe that other considerations must be made, please reach out directly to Dr. Wold and the Superintendent to express those concerns to ensure that the board has all of the necessary information to make an informed decision.

Advocacy - Tony Wold

In the budget presentation on December 16th we will again discuss the next steps for the District as we move forward. There are several significant pressures on the budget that require intervention at the State legislative level. These include the issue of funding for students that did not get immunizations, the loss of kindergarten enrollment, and the State requirements regarding multipurpose income forms. In addition, the District continues to need to advocate for other flexibilities to be able to offer our robust staff development and maintain focus on race and equity PD into next year as well.

West Contra Costa Unified is poised as a District that receives great attention from the media which allows us a greater platform for advocacy. To do this well, we need a partnership with firms in Sacramento. Now more than ever, we need the voice of WCCUSD heard at the State level and we need to get access to be “in the room” and have our board and stakeholders involved and their voices heard. We have the ability to utilize the services of Capitol Advisors led by Kevin Gordon and Jack O’Connell to do work on behalf of the district. I believe that it is in the best interest of the District to have even greater access to decision making processes at the State and National level and encourage the board to consider directing staff to enter into a contract with them.

This possible option will be brought up when we discuss advocacy as one of the needed five areas of focus at the next board meeting and we would encourage a discussion about moving in this direction. The cost of retaining these services is approximately \$3000 a month and can be cancelled at any time. This is within the operational budget if the board would find this to be of the same value that staff does.

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Facilities Review - Tony Wold

In the budget presentation on December 16th we will again discuss the next steps for the District as we move forward and another part of the five tiers of focus is on Innovation and other opportunities. In addition to looking at the programs we offer, and those that we may want to build or create we also need to continue to review our utilization of district facilities. We are working with School Services of California to complete a review of our current facilities and what options and opportunities exist longterm with our underutilized facilities. In addition, they will be looking at the longer demographic trends and the impacts this may have on our facilities. We will be taking time over the coming weeks to get more information from the board on areas of focus.

Contracts Update – Tony Wold (Mary Kitchen)

The December 16th board summary has 9 items for review

The College & Career / Curriculum & Instruction Department is bringing forward one contract

- The College Board will provide AP assessments for students enrolled in AP classes for the 2019 School Year. AP exams provide a standardized measure of what students have learned in their courses as well as an opportunity to be granted early college credit.

[Link to additional Information](#)

The Community Engagement Department is bringing forward 4 contracts

- Greater Richmond Interfaith Program – Learning Hub:
In response to the COVID 19 Pandemic, GRIP is expanding its services to accommodate unsheltered youth who need a stable learning location to better engage in distant learning. In GRIP's learning HUB, GRIP will provide learning hub access from 10am-3pm for student to drop in and gain support with: charging their computers and tablets to electricity, gain technological support from a supervising staff, again access to lunches as they will be provided, gain academic support to complete homework and class assignments. Along with the educational support, GRIP will provide a safe, stable place for unsheltered students to feel safe and secure as they focus on engaging with their teachers and their academic responsibilities. Students engaged in the learning HUB will also be provided with the option to engage with Families in Transition services which includes case management, academics enrollment and support, school supplies, clothing and services related to accessing basic needs supplies and housing navigation/ placement. GRIP's learning HUB will be available Monday through Friday from 9-2pm located at the Courtyard Marriott (3150 Garrity Way, Richmond, CA 94806) conference room.

[Link to Additional Information](#)

- YMCA – Learning Hub:
The focus of our learning HUB is to provide at risk youth a safe academic environment where they can access distance learning with the support of in-person caring adults. Youth will also be engaged in enrichment activities. The Hilltop YMCA learning HUB will total four classrooms, with the capacity of 40 students in gr 1-8. The learning HUB will be available for youth Monday - Friday from 8:30-4:30pm.

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[Link to Additional Information](#)

- Public Education Fund/Lacy Community Resources Foundation – Learning Hub:
The focus of our learning HUB is to provide at risk youth a safe academic environment where they will have access to wifi, electrical outlets, meal and tutor support to complete classwork. Youth will also be engaged in enrichment activities to promote increased self-esteem, healthy socializing and prevent community violence amongst youth. The LCRF learning HUB, fiscally sponsored by EdFund, will comprise of 2 tutors, with the capacity of 15 students in grades 6-12th. The learning HUB will be available for youth Monday - Friday from 10am-3pm. at the following location: 1160 Brickyard Cove Point Richmond. Transportation will be provided for students at a designated pick up and drop off location. Transportation vouchers may be provided for youth, on a case by case basis, who are unable to use LCRF transportation pick up/drop off services.

[Link to Additional Information](#)

- Seneca:
Will provide Mental Health and Wellness services based on the coordination of services team input and all services will be provided via tele-health. WCCUSD Coordination of Services Team Process. WCCUSD will receive school-based referrals from schools serving students K-12 and facilitate a weekly coordination of services team meeting consisting of: WCCUSD Director of Culture and Climate Seneca direct service staff and program coordinator Identify and triage students in need of service and what service is most appropriate, sometimes including goal identification.

[Link to Additional Information](#)

The Department of English Learner Achievement and Early Literacy is bringing forward one contract

- Ellevation Software:
Ellevation is a supplemental instructional technology solution focused exclusively on improving the language proficiency and academic content achievement of English Learners, by offering technology and professional development to help educators enhance their instruction, productivity, and collaboration. This software will provide information that is readily usable by teachers in the classroom on a daily basis to inform instructional practices. The integration of performance data allows teachers to access professional development and collaborate regarding the individual strands and substrands of need of our English learners. This program will allow us to not only monitor all of our current English learners, but includes longitudinal analysis and monitoring of students who progress to a Fluent English Proficient status as well as a strand that supports our Dual Language Immersion Program.

This funding will come from the ongoing LCAP funding and a transfer will be made from the Read 180 component of the budget to provide additional funds within the 1170 English learners budget within LCAP. This contract will be for the remainder of this school year as well as the following school year as we work to implement the updated 3-year English learner plan. The

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overarching goal is to continue to improve English learner progress toward proficiency to have 50% of students progressing on the State dashboard indicators in comparison to the current levels at 42%. The software in itself will not provide the increase, but it will ensure that our teachers and support staff are better equipped to analyze the needs of our students which will allow them to spend more time on the implementation of curricular practices that will move us toward this goal.

[Link to Additional Information](#)

Ford Elementary School is bringing forward one contract

- Seneca:
We previously sent a contract for Seneca to the board for approval for several schools. This is an increase to that existing contract. Ford Elementary school is adding an additional .2 FTE to provide additional services. Seneca Family of Agencies helps children and families through the most difficult times of their lives. Seneca offers unconditional care, helping children and families through the most difficult times of their lives. Service Philosophy Seneca Family of Agencies is a leading innovator in the field of education, community based and Family focused treatment services for children and families. Seneca's success with the most challenging children rests upon the agency's commitment to five core service principles: Unconditional Care, Parent-Driven, Strength Based Service Planning, Individualized Care, Cultural Competence, and Interagency Collaboration. Seneca will provide services to the following schools Verde, Stege, Montalvin and Ford

[Link to Additional Information](#)

Grant Elementary School is bringing forward one contract

- Seneca:
Seneca will provide a CARE Facilitator role: Role access to view & edit all student plans COST Dashboards, Editing/Managing COST Files, Assign Actions, Supervisory Dashboards/Reports, Auto Alerts for Referrals and Action Steps, Edit/Delete Action Steps CARE member role: access to view all student plans, Review/Add to COST files, Assign Actions (no additional cost) ION database support (ongoing): \$50/hour/25-30 hours for this throughout the year as the CRAE team will receive training; the whole school will receive training; CARE facilitator will receive support; troubleshooting throughout the year. Services will be provided at Grant Elementary School.

[Link to Additional Information](#)

The Business Services Department is bringing forward one contract

- Tyler Technologies:
To provide client selected products and services and access to Tyler's proprietary software products (SaaS). Year 1 of a 5.5-year contract. \$297,787 per year for a 5.5 year total of \$1,637,829. Our current contract expires on 12/31/2020. By adding the half year we are bringing this contract into alignment with our fiscal year. Although we sent the full year cost to the board for approval on 6/10/20 we are bringing this back to the board at this time for full transparency, meaning that this is already board approved and we are aligning the contract. This is within the

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operational budget and is renewed with favorable terms to the district to ensure business continuity.

This is our enterprise system that encompasses Financials: Accounting, Cash Management, Contract Management, Employee Expense, Inventory, Project and Grant Accounting, Purchase Orders, and Requisitions. Human Capital Management for Payroll and ESS. Revenue for Accounts Receivable and General Billing. Productivity: Munis Office, Role Tailored Dashboard, Tyler Content Manager, Tyler Forms and Tyler Reporting. Also included is Human Resources Management, professional development and concurrent users.

[Link to Additional Information](#)

Race & Equity Professional Learning - Rubén Aurelio & Strategic Equity Implementation Team

On Wednesday, the school board approved the contracts for Dr. Rachelle Rogers-Ard and Dr. Chris Knaus. Below are the strategic action steps, timeline, and measurable outcomes this work will generate.

Strategic Action Steps	By When?	Measurable Outcomes
<p>Facilitate and provide Technical Assistance to Equity Strategic Implementation Team</p> <ul style="list-style-type: none"> - Develop and support scope and sequence for Friday district-wide equity sessions - Provide technical assistance to team members around implementing lessons, support documents, and resources to ensure excellence - Support building and strengthening capacity to lead system-wide/district-wide equity efforts 	<ul style="list-style-type: none"> - On-going bi-monthly meetings, November 2020 - August 2021 	<ul style="list-style-type: none"> ● Team members will implement monthly 1st Friday equity sessions to foster district-wide participation and commitments to anti-racist behavior; ● Team members will prepare and disseminate monthly resources to ensure site and equity leads are supported to implement 2nd/3rd Friday equity sessions towards improved school-wide anti-racist behavior; ● As indicated by site and equity lead feedback, team members will demonstrate increased effectiveness in leading district-wide equity initiatives.
<p>Facilitate Professional Learning sessions for site and central office leaders</p>	<ul style="list-style-type: none"> - Monthly 1.5 hour sessions, January - June, 2021 	<p>As indicated by site lead feedback:</p> <ul style="list-style-type: none"> ● Leaders will feel more capable engaging in race-forward equity

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<ul style="list-style-type: none"> - Develop, implement and facilitate training around anti-Blackness/anti-racism at the personal and professional level for all site and central office leads 	<ul style="list-style-type: none"> - 3 ½ day intensive, July-August 2021 	<p>efforts at school sites and within central office departments;</p> <ul style="list-style-type: none"> ● Leaders will demonstrate awareness of anti-Black racism within school sites and central office departments; ● Leaders will seek opportunities to engage with stakeholders, parents, and community members around anti-racist efforts.
<p>Facilitate Professional Learning sessions for site-based Equity Leads</p> <ul style="list-style-type: none"> - Develop, implement, and facilitate training around anti-Blackness/anti-racism at the personal and professional level for all site-based equity leads 	<ul style="list-style-type: none"> - Monthly 1.5 hour sessions, November 2020 - June 2021 - 3 ½ day intensive, July - August 2021 	<p>As indicated by Equity Lead feedback:</p> <ul style="list-style-type: none"> ● Equity Leads will feel more capable to support and/or facilitate race-forward equity efforts at school sites; ● Equity Leads will demonstrate awareness of anti-Black racism within school sites; ● Equity Leads will seek opportunities to support implementation of equity-based initiatives at school sites.
<p>Facilitate professional learning, coach, provide Technical Assistance to various stakeholder groups (i.e. District senior leadership, Board members, etc.) as directed</p>	<ul style="list-style-type: none"> - 20 hours, January - August 2021 	<p>Participant feedback will indicate:</p> <ul style="list-style-type: none"> ● Increased capacity to support race-forward equity efforts across the district ● Increased awareness of anti-black racism and their role ● Demonstrated awareness of structural racism, anti-blackness within schools, and white supremacy

Educational Services IDEAL Team - Rubén Aurelio & team

With grant funding from Chevron and Lawrence Livermore Labs, we've increased the number of sites using school accounts of Zearn Math from 9 to 16! This will provide much needed asynchronous learning through a high-quality curriculum during these distance learning times.

We've received a \$25,000 Bill and Melinda Gates Planning Grant to prepare for sites interested in implementing the Illustrative Mathematics curriculum in middle schools and K-8s in SY 2021-22. Stay tuned as to how to learn more about being a part of positive change in middle school math teaching and learning! Here is a starter:

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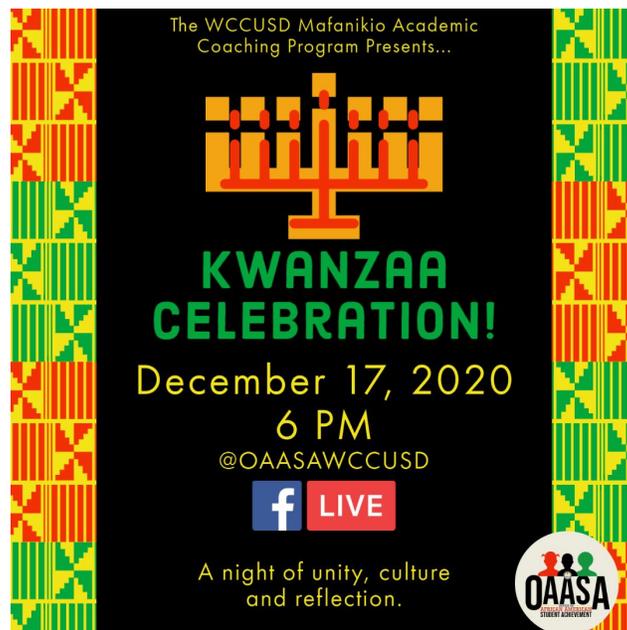
- [What is a problem-based curriculum?](#) (pre-work)
- [Design principles](#)--what Ts would be doing every day...
- [A typical IM lesson](#)-- cycles every day (balcony view)
- [How to use the materials](#)

-Cult of Pedagogy Podcast. Check out the latest from Jennifer Gonzalez with tips on Zooming, Grouping, and Roles: [Connecting Students in a Disconnected World](#)

Library services staff across the district are busy during distance learning! One highlight is a new partnership with Richmond Public Library. Age-appropriate RPL OverDrive eBooks & audiobooks are now available to all WCC students, teachers, and staff through our Clever Sora app. No public library card is needed. You can learn more from this YouTube video: <https://youtu.be/wxrVIbt2a68>
The Library Services Department is also excited about the library at Michelle Obama School. New libraries at new schools are truly special for students. Our department designated the book placement in the new library, and the books will be transferred during the school's move over winter break.

African American Student Achievement - Rubén Aurelio (William McGee & team)

1. The OAASA will sponsor the 1st Annual Kwanzaa Celebration held district-wide via Zoom and Facebook Live on Thursday, December 17, 2020 at 6:00 pm. This is part of our continuing effort of family engagement and in support of the resolution to support Black students.



2. Our monthly newsletter has been sent out via email, and has been placed on line at www.wccusd.net/oaasa. As an effort to reach our families in a variety of ways, we have also sent a hard copy of the newsletter in the USPS. This is part of our continuing effort of family engagement and in support of the resolution to support Black students.

Supplemental School-Based Mental Health Services for Students - Kristen Hardy / Martine Blake / LaShante Smith / Jodi Couick

The social emotional needs of our students have increased significantly during the pandemic due to a complex array of factors including social isolation, loss of critical connections, stress and anxiety of parents and students around an uncertain future. These new factors have exacerbated pre-existing risk factors for many students. There has been an alarming increase in mental health needs even down to the elementary level with increased rates of depression, anxiety, and suicidal ideation across the school-age span. The federal stimulus package acknowledged this critical need and provided specific funding through the CARES Act for mental health services for schools and the district identified funding to be dedicated to support mental health at the unaudited actuals. The district will bring a proposal and contract to the Board on December 16 to utilize these One Time CARES Act Funds to design and implement a school based mental health service program that will be equitably available to all students in the district, focusing on the under-served populations, especially in our upper elementary and middle grades beyond those we are serving in our current model between January and June 2021.

Based on reports from the school psychologists, since March 2020, they have conducted 139 risk assessments (student safety check-ins) on students at 23 elementary schools, all 6 middle schools, and 7 of the high schools. 179 general education students are currently receiving school based counseling and 279 special education students receive Educationally Related Mental Health Services as part of their IEP from a district school psychologist or school psychology interns. Over the past five years, WCCUSD's 5 physical clinics have served between 96-128 Medi-Cal eligible students total per year. Currently the clinics are serving approximately half that number due to several factors including low attendance, barriers to completing Medi-Cal enrollment, and failure to meet the "medical necessity" criteria that is required to access these services.

Our sites estimate that there are at least another 228 students who are currently in need of mental health support based on social emotional needs that impact school and learning. Some identified barriers to accessing school focused mental health services include: lack of Medi-Cal eligibility, access to the physical clinic sites, clinical staffing of our Community Based Organizations, and limited district school psychologist time. Our current service delivery model focuses services at the secondary sites, particularly the high schools, which leaves the middle and elementary schools with limited access. Some individual school sites receive specific services focusing on target student groups. These are primarily provided by our Community Based Organizations. In addition, the district has committed to 6 Full Time Equivalent School Psychologists that are funded through the LCAP to provide services to general education students to include general education counseling, culture / climate and Positive Behavior Intervention and Support. However, this staffing equivalency is divided across many school psychologists and school sites, and thus has limited effectiveness to meet the full need.

The district has designed a pilot program that will supplement current district and community based organization mental health services in order to focus new services on the under-served populations in our current model between January and June 2021. These services will expand our current tier 2 social emotional services and support to address increasing student mental health needs during the pandemic.

Services will be equitably available to students from Kindergarten through 12th grade across all 58 school sites. Students will be identified and referred by their school site Student Problem Solving Team (COST,

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CARE, SST), including parents. These referrals will be reviewed and assigned to clinicians by a team working with the Director of Culture and Climate. Services will include both individual and group counseling format on a 10 week Brief Solution Focused format employing goal and data-driven, evidence-based therapeutic interventions. At the end of each 10 week session, student progress on the goal(s) will be reviewed by the Student Problem Solving team (COST, CARE, SST) to determine next steps. Students may exit from counseling, be referred for additional sessions or other school based interventions, or referred to a community agency to continue work on therapeutic goals not directly associated with school. The district anticipates serving approximately 300 students, including the students that sites have already estimated are in need in this model over the next 6 months.