

West Contra Costa Unified School District
Office of the Superintendent

Friday Memo
January 15, 2021

Upcoming Events – Matthew Duffy

January 18: Martin Luther King Jr. Holiday, Schools and Offices Closed
January 19: AASAT Committee Meeting, 6:00 PM
January 20: Board of Education COVID-19 Study Session, 5:30 PM
January 22: Budget Committee Meeting, 3:00 PM
January 25: Charter Committee Meeting, 4:00 PM
January 27: Board of Education Meeting, 6:30 PM

Next Week’s Study Session January 20 - Matthew Duffy

The Study Session will begin at 5:30 PM, with no closed session prior to the meeting.

Juan Crespi Middle School Renaming - Matthew Duffy

The Juan Crespi Middle School community has started a process to explore a new name for Juan Crespi Middle School. Students, teachers and community will be involved as part of the process. The Board will be kept updated of the process. No action will be taken without Board approval.

Financial Impact of AB 218 - Tony Wold (Phyllis Rosen)

AB 218, known as The California Child Victims Act, went into effect on January 1, 2020, and will expire on December 31, 2022. The bill encompasses a three-year period during which a claim for childhood sexual assault can be filed regardless of how long ago an alleged event may have occurred. In addition, it extended the general statute of limitations for filing a childhood sexual assault claim from age 26 to age 40.

These revival claims have been occurring statewide and the cost of the additional litigation must be funded. Liability coverage for these claims is based on a school district’s insurance program in place during the year the event occurred.

From 1987 through 2007, the District was a member of Schools Excess Liability Fund (SELF) Excess Liability Program. SELF is a not-for-profit Joint Powers Authority (JPA) providing excess liability coverage to its members beyond the primary coverage they purchased from an underlying JPA, covering claims that exceed \$1 million or \$5 million. As a member, we agreed to pay contributions set by the SELF Board in exchange for coverage to fund liabilities. Those included liabilities retroactively imposed by laws, such as AB 218.

In June 2020, SELF’s Board approved the AB 218 Revived Liability Funding Plan, declaring a special assessment of \$46.6 million, based on a preliminary actuarial analysis of the fiscal impact. SELF developed per-year funding amounts calculated as a pro-rata share of each district’s original contributions and identified four program years for which funding will be collected: 96-97, 99-00, 06-07 and 16-17. Our District participated in three of those four years and has received an invoice for \$251,058.28. SELF calculated the District’s portion of the overall assessment as follows:

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Participating YR	96/97	99/00	06/07	Total
Audited Lottery ADA	31,685	32,969	32,621	
K-12 Excess 1M	\$3.58	\$3.65	--	
K-12 Excess 5M	--	--	\$0.53	
Total Due	\$113,432.30	\$120,336.85	\$17,289.13	\$251,058.28

The District anticipated this increased liability cost as part of our adopted budget and this invoice will be paid from the Risk Management budget that was set up at the start of the year. We are providing this information to ensure that the Board is aware of the cost that is incurred even without any claims being filed against the District due the new laws.

Bonding Capacity Waiver Approved - Tony Wold

On Wednesday, January 13th the State Board of Education unanimously approved our waiver of the bonding capacity limit from 2.50% to 4.05% to be able to issue Measure R funds for our facilities program. We are currently monitoring the bond market to determine the appropriate timing for our first issuance of Measure R projects to ensure that we are able to continue to improve our facilities based upon the master plan and priorities.

Donation of Personal Protection Equipment (PPE) - Tony Wold (Martine Blake, David Johnson & Eric Moreno)

Good news!! We wanted to recognize Vivien Feyer who is the Refurbishing N95 Masks For All Project Coordinator with the Healthy Richmond Steering Committee for an extremely generous partnership of PPE including N95 masks and face shields to be used by our staff. Martine Blake brought this partnership to the District’s attention and David Johnston and Eric Moreno from the Warehouse are coordinating the donation.

We will be immediately receiving 10 cases (2100) of N95 masks this week. In addition we will be receiving hundreds of face shields as well. This support will be ongoing and we appreciate the ability to continue to access quality PPE to protect our staff through this new partnership.

California Public Records Act (CPRA) Data Requests - Tony Wold (Phyllis Rosen, Bobby Jordan)

The District has been working diligently to create processes and procedures that provide timely information to the public about the workings of the District. To this end, the District, and the Board, operate numerous committees, advisory groups, and stakeholder input sessions. Inevitably, however, there always is the request for more information and the goal to make it transparent. We continue to strive to do just that, but there are other vehicles as well that the public can request information, and many due use these vehicles. One of these is the California Public Records Act (CPRA) process of requesting information.

The **California Public Records Act** (Statutes of 1968, Chapter 1473; currently codified as Chapter 3.5 of Division 7 of Title 1 of the California Government Code) was a law passed by the [California State](#)

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Legislature and signed by then-governor Ronald Reagan in 1968 requiring inspection or disclosure of governmental records to the public upon request, unless exempted by law.

The law is similar to the Freedom of Information Act, except that "the people have the right of access to information concerning the conduct of the people's business" is enshrined in Article 1 of the California Constitution due to California Proposition 59 (the Sunshine Amendment, 2004).

The challenge for the District is that the definition of the requirement allow multiple requests and can consume significant time from staff responding to information that has been presented previously. In the Act public records are broadly defined to include "any writing containing information relating to the conduct of a public's business prepared, owned, used or retained by any state or local agency regardless of physical form or characteristic."

This definition is intended to cover every conceivable kind of record that is involved in the governmental process and will pertain to any new form of record-keeping instrument as it is developed. Only purely personal information unrelated to 'the conduct of the public's business' could be considered exempt from this definition, i.e., the shopping list phoned from home, the letter to a public officer from a friend which is totally void of reference to governmental activities.

Moreover, unless the public records of a local agency are exempt from the provisions of the CPRA, they must be made available for public inspection. Exemptions must be narrowly construed and the public agency bears the burden of proving that an exemption applies. Most of the exemptions under the CPRA are set forth under Section 6254 and are specific as to certain records or types of records, but under Section 6255 a general exemption exists where, on the facts of the particular case, "the public interest served by not making the record public clearly outweighs the public interest served by disclosure of the record".

One area of note relevant to the Board of Education is that the [California Supreme Court](#) held that when a public official or employee uses a *personal* account and/or device to communicate about the conduct of public business, such as emails or text messages, the applicable writings may be subject to disclosure under the California Public Records Act.

We are working on creating both a database of completed requests and a tracking system of the types of requests that do create a burden on staff to respond. Our goal is to create open communication and make information available. The following is a listing of the requests that have been received and processed this current fiscal year. As the process of tracking is just being established again, not every request may be in the grid as some emails direct to employees may not have been handled within the CPRA realm as they should.

We have created an email address publicrecords@wccusd.net to receive and send these requests will periodically update the board on the types of requests that are received and maintain a depository of them for future reference.

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California Public Records Act (CPRA) Requests		7/1/20 to 1/15/21		
Government Code §6250—6270.7				
Date Received	Requestor	Request	Responsible Department	Date/Documents Provided
7-17-20	Leisa Johnson	The numbers involving teacher layoffs this spring. Summary document(s) that confirms: 1) How many teacher layoff notices were sent out in late winter/early spring of 2020; 2) # teachers retired early and received a \$2,000 bonus; 3) # teachers resigned; 4) # teachers were laid off; 5) # teacher notices were ultimately rescinded as of 7/17/20.	Marci Williams Sylvia Greenwood	8-21-20 Response document provided.
8-12-20	Y'Anad Burrell	Any and all contracts, subcontracts, 3P contracts, and memorandums of understanding, with contractors, vendors, consultants, current employees, former employees, labor unions, and labor representatives that were active between 9/1/19 to 8/10/20.	Marci Williams Mary Kitchen	8-31-20 Contracts Provided via Google Link
8-31-20	Don Gosney	Nixon Peabody Letter	Silvia Garfield	9-8-20 Beck Graham Email dated 8-14-20
9-15-20	Y'Anad Burrell	Documents related to COCID-19 or CARES Act 1/2020 to Present.	Tony Wold	9-25-20 Initial Response. 14 Day Extension Letter to 10-9-14. 10-9-14 Response Letter w/Attachment: 2019-20 Unaudited Actuals.
9-15-20	Jeffery Butler	All full-time employees' first, middle (if available) and last names, including job title/position, campus/office location, date of hire and email address.	Marci Williams	10/15/20 Records Provided
9-17-20	Angela Caputo	Copies of accountability report cards for the overall district and each individual elementary school for FY16-FY20. An example of the type of document I'm seeking can be found here: https://tinurl.com/y5f5vkeg · Complete financial records (accounting statements, invoices, etc.) related to payments for elementary-level reading, writing and phonics instruction during FY16-20. Please be sure to include all expenditures for professional development, staff training, textbooks, instructional materials, interventions, assessments and consultants.	Tony Wold	9-28-20 Initial Response. 14 Day Extension letter to 10-12-20.

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9-18-20	Anton Jungherr	Request referenced the term "Task Orders" that were identified in the letter to define the percentage that could be paid from the bond funds at that time for that audit. Specifically, the requested data was for: 1. Copies of 303 Task Orders, all relating to the recent and ongoing projects. 2. Copies of the 184 Task orders relating to past and completed projects.	Tony Wold	9-24-20 Response Letter
10-8-20	Christopher Hair	Electronic Links to annual audits back to 2000	Tony Wold	10-14-20 Email Response with clarification w/Attachment: Links to Audits on Webpage.
10-12-20	Natalie Tovani-Walchuk	Federal Program Monitoring 19-20 Notification of Findings Full Report	Tony Wold	10-22-20 Response Letter and Notice of Availability on 10-30-20.
10-14-20	Audrey Shields	1. Attendance – by grade level, how many African American students have not checked in for synchronous learning? 2. Access – How many African American students lack the use of a computer/tablet? 3. Access – How many African American students do not have internet access? 4. Extended Learning – How many non-special education African American students are receiving social emotional support in small group or individual sessions? 5. Mental Health – How many non-special education African American students are receiving small group instruction? 6. How many students are attending Hubs, the names, locations, and grade levels of such Hubs?	Tony Wold	10-21-20 Response Letter
10-16-20	Jackson Reese California Policy Center	Records that state how many employees of the district had union dues withheld and paid to each and every government employee union and any other collective bargaining unit / union with the district for each and every month between July 2020 and October 2020.	Tony Wold	10-23-20 Initial Response. 14-Day Extension to 2020.
10-18-20	Tanner K12 Transportation research	1. Confirm if the district owns its own yellow bus fleet provides in-house transportation for general education and special needs students. 2. Provide student transportation expense ledger information for FY19 and FY20 summarized by vendor and by total annual spend with each vendor. 3. If the district outsources transportation services to private bus operators, please provide a copy of the current contract (as well as any amendments) with yellow bus operators.	Tony Wold	10-18-20 Response Letter

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10-18-20	Steep Steel Records	All active leases/licenses for cell towers, rooftop antennas or other wireless installations on WCCUSD properties with 24 months payment histories.	Luis Freese	10-28-20 Records Provided
10-23-20	Chris Peak APM Reports	1. Any evaluations, either internal or external, since 2019 about schools' use of the following products: (a) Fountas & Pinnell products, including the Benchmark Assessment System; F&P Classroom; F&P Phonics, Spelling, and Word Study System; or Leveled Literacy Intervention, or (b) Teachers College Reading and Writing Project products including the Units of Study for Teaching Reading, Units of Study for Teaching Writing or Units of Study for Teaching Phonics. 2. Any email correspondence, including all attachments, since 2019 between administrators (such as the superintendent, curriculum supervisors and instructional leaders, textbook adoption committee members, etc.) and reading program vendors with the following email domains: (a) @heinemann.com, (b) @hmhco.com, (c) @tc.edu, (d) @tc.columbia.edu, (e) exchange.tc.columbia.edu, (f) @readingandwritingproject.com, (g) @osu.edu and (h) @lesley.edu.	Tony Wold	11-2-20 Response Letter w/Link: State Board Adopted Instructional Materials report
10-26-20	Mike Hatter	District Employees: First and Last Names, Current Salaries, Email Addresses, Positions.	Tony Wold	11-9-20 Response Letter w/Attachment
11-03-20	Johanna Epperson MDR	All Staff at administrative and school sites for 2020-21 school year with Name, location, position, description, Teacher subjects, email, years' experience, salary highest degree.	Tony Wold	11-9-20 Response Letter w/Attachment
11-2-20	Y'Anad Burell Glass House Communications	1. Payroll for Demetrio Gonzales-Hoy 6/2019 – 9/2020. 2. Payroll for all teachers on Special Assignment. 3. All documents/agreements between WCCUSD and UTR.	Tony Wold	11-10-20 Response Letter w/Attachments: Payroll Records for Gonzales-Hoy and staff working out of classroom assignments. UTR Agreement.
11-6-20	Scott Rafferty	Applications submitted for redistricting commission and copies of communications to promote them. Documents stating the fees and costs associated with the Ruiz-Lozito litigation and communication with insurance authority regarding claims for payment of fees.	Tony Wold	11-13-20 Response Letter 11-20-20 Response Letter w/Attachments re Insurance Coverage and Fees. 12-3-20 Response Letter w/Attachments: Communications re: redistricting applications. 1-7-21 Final Response Letter w/Attachments.

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11-6-20	Ernest Bustos	District staff in Excel digital format: First Name, Last Name, Organizational Unit, Name, Position Title, Latest Hire Date, Total West Contra Costa Unified School District Experience and Official Email ID.	Tony Wold	11-9-20 Response Letter w/Attachment: Staff data.
11-9-20	Ernest Bustos	Request for incomplete data from 11-6-20. First Name, Last Name, Organizational Unit Name, Position Title, Latest Hire Date, Total West Contra Costa Unified School District Experience and Official Email ID.	Tony Wold	11-17-20 Response Letter w/Additional Attachment.
11-9-20	Chris Peak	Revised Request from 10-23-20.	Tony Wold	11-23-20 Response Letter with links to information w/Attachment: 5-8-19 Board Presentation: TK-6 ELA Instructional Materials Review.
11-17-20	Deysi Ortega City of Hercules	Annual request for teacher and student attendance at schools in Hercules 2010 to present.	Tony Wold	11-18-20 Data spreadsheet updated via email.
11-19-20	Craig Alexander	Approved annual and/or semi-annual Budgets from 1/1/18 to present. Documents regarding receipt of and use by WCCUSD of all funds under the CARES Act from 1/1/20 to present. Documents related to WCCUSD's findings of allowed Direct Costs per Govt. Code §6253(B) from 1/1/10 to present.	Tony Wold	11-20-20 Email Acknowledgement & Response Letter w/Budget links and 14 Day Extension to 12-14-20. 12-14-20 Response Letter w/Attachments: Records created re CARES Act funds. CDE Letter dated 8/21/20
12-2-20	Mathew Miller	List of business entities that submitted prequalification documents for Design Build Construction Services for the Lake ES Replacement Project.	Luis Freese	12-15-20 List of Business Names provided.
12-9-20	Arturo Sainz FFC California	Dryco Construction Certified Payroll/Statement of Employer	Luis Freese	1-11-21 Response Email w/Attachment
12-22-20	John Irminger	Documents and responses from the WCCUSD staff to any and all Board member's questions regarding Summit Charter Renewal are not available on the Agenda for the Special Board Meeting of 12/22/20.	Tony Wold	12-22-20 Response Letter w/Attached written responses to questions.
12-29-20	Robert Feraru	Natural gas usage for the whole of WCCUSD for each month starting January 2019 until the present and the natural gas usage at Korematsu school for the same time period.	Luis Freese Tony Wold	1-13-21 Response Letter Extension to 1-22-21
12-28-20	Anton Jungherr	Summit Charter Alternate Motion Information for Charter Renewal Item E.5 – 12/22/20 WCCUSD Board meeting. (Part 1)	Tony Wold	1-9-21 Response Letter w/Attachment

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12-28-20	Anton Jungherr	Contact information for Michael Bishop (Part 2)	Tony Wold	1-9-21 Response Letter
1-5-21	Anton Jungherr	Inter-district permit requests 2018, 2019, 2020	Tony Wold Anne Shin Julio Franco	1-14-21 Response Letter Extension to 1-29-21
1-6-21	Janie Jordan Data Research Partners	Employee Names, Positions, Departments, Emails.	Tony Wold	1-9-21 Response Letter w/Attachment
1-11-21	Anton Jungherr	1/13/21 Closed Session Case – Roebbelen v. WCCUSD.	Tony Wold	1-14-21 Response Letter w/Attachment

Family & Community Engagement - Rubén Aurelio (Martine Blake & team)

The District's 30 expanded learning programs continue to provide students with access to a myriad of virtual enrichment programming including arts, STEM, physical activity, and leadership development. A number of programs have also been working closely with classroom teachers to provide students with additional supports during the ELD/WIN block. The Expanded Learning Office would like to recognize the efforts of the expanded learning program at Dover which has 5 dedicated staff supporting students during the instructional day. Students and families interested in participating in Expanded Learning or would like additional support should contact Maria Resendiz at Maria.Resendiz@wccusd.net.

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

The OAASA is working on providing books highlighting Black characters and topics to Black students. This is an opportunity for students to increase their reading. We have reviewed the STAR data and will provide books to children based on their reading level. We are working on a plan to provide books for more students. This is in line with the resolution In Support of the Achievement and Success of African American / Black Students In The West Contra Costa Unified School District, section G and a portion of section C.

The AASAT will be hosting a meeting on Tuesday, January 19, 2021 at 6:00 pm via [zoom](#).

We were happy to be able to provide our families with a turkey and pie for our giveaway during the Winter break. Families that signed up were also able to receive a book for their child. We are strengthening our family engagement.

OAASA's January newsletter can be found at www.wccusd.net/oaasa.

Please join the OAASA and community for our virtual Black History Month celebration on Thursday, February 25, 2021, via zoom. More information to come.

Partnering with Higher Ed to Provide College & Career Experiences for Students - Rubén Aurelio (Allison Huie & team)

Last week, we talked about how critical it is to develop strong relationships with our business and industry partners. The same holds true for our partners in postsecondary education. Through our relationships with postsecondary institutions, our teachers get additional professional development

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opportunities and collaboration with postsecondary educators. Students come to understand direct pathways from K-12 education to postsecondary education and beyond. In many cases, students also have opportunities to earn early college credit.

Working together to implement the State's Strong Workforce initiatives, we have developed very strong relationships with our regional California Community College, Contra Costa College (CCC). With the support of CCC staff, we have been able to get many of our high school Career and Technical Education (CTE) classes approved as either dual-enrolled or articulated courses that offer high school students the opportunity to earn college credit. Some of our high school CTE teachers have even been hired as adjunct CCC instructional staff. In addition to these courses taken as part of the high school day, students also have the option to co-enroll in college courses outside of the high school day.

CCC's Certified Nursing Assistant program is one such program that is popular with our students in our Health Pathway programs. This is a seven-unit course approved by the California Department of Public Health. Each year, several WCCUSD Health Pathway students apply to and are admitted to the small cohort and begin their journey toward becoming fully Certified Nursing Assistants.

Another great example of partnering with postsecondary institutions is our partnership with the University of California's Lawrence Berkeley National Laboratory (LBNL). Several LBNL employees serve on a few of our sector-based Advisory Committees. Prior to our COVID-related distance learning model, LBNL was a frequent study trip destination to see science and scientists in action. This year, we are excited to announce that Pathway students will have the opportunity to participate in the LBNL Experiences in Research program.

This program will provide summer internships for students to gain hands-on experience with professionals at Berkeley Lab. Students will be working directly on cutting edge projects alongside experts in various STEM fields. Projects will be focused on different aspects of STEM including experimental research, administration, communications, and more.