

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION  
MEETING AGENDA  
AUGUST 1, 2012**

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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 tapes 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 **5:45 PM** in the Multi-Purpose Room to receive comments from anyone wishing to address the Board regarding closed session items (Exhibit A). The Board will then adjourn to closed session and reconvene in open session to address the regular agenda (Exhibits B-G) at 6:30 PM.

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

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

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"of children be more careful than anything."  
e.e. cummings

**B. OPENING PROCEDURES**

**B.1 Pledge of Allegiance**

**B.2 Welcome and Meeting Procedures**

**B.3 Roll Call**

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

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

\* **B.6 Minutes: July 11, 2012**

**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 August 1, 2012. Staff recommends acceptance of these donations.

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 2012-13 school year are summarized, dated August 1, 2012.

Recommendation:

Recommend Approval

Fiscal Impact:

Additional revenue for schools

**\*CI C.3 Contracted Services**

Comment:

Permission is requested of the Board of Education to approve the following contracts for services as detailed, dated August 1, 2012.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per contacts summary

**\*CI C.4 Notice of Completions: Bid J1180095 Portola Middle School Shade Structure, Bid J068232 Portola Middle School Reconditioned Portable Purchase, Bid J068158 Ford Elementary School Increment 2 New School Building**

Comment:

Substantial completion notices has been received for: Bid J1180095, Bid J068232, and Bid J068158.

Major construction projects are subject to acceptance by the governing board before a Notice of Completion can be processed, and final payment of the contract made. (BP 7470)

Staff recommends acceptance of the work completed by the following contractors:

USA Shade and Fabric Structure Inc. Bid J1180095 Portola Middle School Shade Structure  
Mobile Modular Bid J068232 Portola Middle School Reconditioned Portable Purchase  
Alten Construction, Bid J068158 Ford Elementary School Increment 2 New School Building

Recommendation:

Recommend approval of these notices of completion

Fiscal Impact:

None

**\*CI C.5 Acceptance of Contracts for Placement of Student Teachers**

Comment:

Teachers in this district provide supervision and evaluation for student teachers seeking credentials to teach in California public school classrooms. These arrangements are made between the institution of higher education and the individual classroom teacher.

Staff requests approval from the Board of Education to accept Contracts for Placement of Student Teachers as detailed, dated August 1, 2012.

Recommendation:

Recommend Approval

Fiscal Impact:

None

**\*CI C.6 Recommendation for Preliminary Teaching Credential**

Comment:

Pursuant to Education Code 44830.3 (d), District Interns, upon completion of service sufficient to meet program standards and performance assessments, maybe recommended by the governing board, recommend to the Commission on Teacher Credentialing, be credentialed in the manner prescribed by Section 44328 of Ed. Code.

Recommendation:  
Recommend Approval

Fiscal Impact:  
None

**\*CI C.7 Certificated Board Authorization - Education Code 44285.3**

Comment:  
Ed Code 44285.3 allows the Governing Board of a school district to authorize the holder of a multiple subject, standard elementary, single subject or standard secondary, credential with his or her consent, to teach departmental classes in grades K-12 provided the teacher has adequate knowledge of subject matter.

Recommendation:  
Recommend Approval

Fiscal Impact:  
None

**\*CI C.8 Routine Personnel Changes - Certificated**

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

Recommendation:  
For Information Only

Fiscal Impact:  
None

**\*CI C.9 Routine Personnel Changes – Classified**

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

Recommendation:  
For Information Only

Fiscal Impact:  
None

**\*CI C.10 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 as noted

Fiscal Impact:

Total for this action: \$ 1,628,621. Funding sources as noted.

**\*CI C.11 Ratification and Approval of Negotiated Change Orders**

Comment:

Staff is seeking ratification of Change Orders on the following current District construction projects: Richmond HS Fiber Optic and Dover ES Increment 2. Change Orders are fully executed by the District upon signature by the Superintendent's designee. Board ratification is the final step required under state law in order to complete payment and contract adjustment.

Recommendation:

Ratify negotiated Change Orders as noted

Fiscal Impact:

Total ratification and approval by this action: \$31,890.90

**\*CI C.12 Approval of Board Member Attending Conferences**

Comment:

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

- Bond Buyer Annual Conference, October 2012, San Francisco
- NALEO National Institute on School Governance, August 17-19, 2012, Washington, D.C.
- NALEO 8<sup>th</sup> Annual National Summit on the State of Latino Education, October 2012, Washington, D.C.

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

Recommendation:

Recommend Approval

Fiscal Impact:  
General Fund

**\*CI C.13 Masonic Lodge Request to Lay Symbolic Cornerstone at DeAnza High School**

Comment

The Grand Lodge of Masons in California has requested permission to lay a symbolic cornerstone at DeAnza High School. If approved the ceremony would take place on April 12, 2013.

According to information provided by the California Grand Lodge, Masonry is the world's first and largest fraternal organization, and is based on the belief that each man has a responsibility to help make the world a better place. The mission of the Masons of California, to foster personal growth and improve the lives of others, is carried out through Masonic principles and tradition. The Cornerstone Ceremony has been carried out at many public school sites throughout California and the United States.

The Masonic cornerstone ceremony was used at the start of the construction of the United States White House in 1792, and later at the building of the nation's Capitol in Washington, D.C. in 1793. This ceremony was also used at the start of construction of the Supreme Court building and the State Capitol in Sacramento in 1861.

The most important stone was the very first stone laid. It was called the cornerstone because it was set in the northeast corner of what would eventually become the finished building. If this cornerstone were not perfectly shaped and level, no other stone above it would be perfectly level either. The cornerstone was therefore the most important stone in the building, and its placement was a time for much ceremony and celebration.

Recommendation:

That the Board approve the Mason's request to lay a symbolic cornerstone at DeAnza High School.

Fiscal Impact:  
None

**\*CI C.14 Resolution No. 15-1213: Resolution in Support of Propositions 30 and 38**

Comment

Two ballot propositions 30 and 38 are on the November ballot and passing one of them is essential to prevent huge reductions in services to students and possible shortening of the school year. Governor Brown's measure, *The Schools and Local Public Safety Protection Act of 2012*, would prevent the loss of more than \$12 million in state revenue for the 2012-13 school year. Proposition 38, *Our Children/Our Future*, would bring an estimated \$30 million for WCCUSD in 2012-13. The California School Boards Association is on record as supporting both measures.

Recommendation:

That the Board adopt Resolution 15-1213 urging voters to pass Propositions 30 and 38.

Fiscal Impact:  
\$12 Million in Revenue for WCCUSD

**\*CI C.15 Resolution 19-1213: Special Exemptions Act Resolution Proposition 32**

Comment:

Proposition 32, the "Special Interest Money" Initiative, is on the November 6, 2012 ballot in California as an initiated state statute. If approved, Proposition 32 will:

- Prohibit the government from deducting union dues from government employee paychecks that will be used for political purposes.
- Ban contributions to candidate-controlled committees by corporations and labor unions.
- Ban contractors who receive government contracts from donating to the officeholder who awarded the contract.

The proposition will not constrain the spending of political action committees but will inhibit the political activity of those organizations representing working citizens.

Recommendation:

That the Board approve Resolution 19-1213: Special Exemptions Act Resolution Proposition 32

Fiscal Impact:

Unknown at this time

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

**\* D.1 Recognition of Seville Group for 10 Years of Service**

Comment:

Over the last ten years, the Seville Group (SGI) has provided service to the District as Program Manager for the bond program. During that time the majority of schools in the District have been transformed into beautiful and functional learning places that bring pride to the surrounding communities. The District deeply appreciates the expertise and commitment that SGI has brought to the effort.

Recommendation:

For Information Only

Fiscal Impact:

None

**\* D.2 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  
Bayside Parent Teacher Association  
Citizens' Bond Oversight Committee  
Community Budget Advisory Committee

Safety Committee  
Select Committee on High Schools  
Youth Commission  
Public Employees Local 1

Facilities Subcommittee  
Ivy League Connection  
Linked Learning – Multiple Pathways

School Supervisors Association  
United Teachers of Richmond

**E. PUBLIC AND COMMITTEE COMMUNICATIONS**

(Education Code 35145.5; Government Code 54950 et seq.)

\* **E.1 Superintendent’s Report**

\* **E.2 Request to Address the Board – Ben Steinberg**

Comment:

Mr. Steinberg has requested to address the Board regarding a parcel tax.

Recommendation:

For Information Only

Fiscal Impact:

None

\* **E.3 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.

**F. ACTION ITEMS**

\* **F.1 Resolution No. 17-1213: Resolution of the Board of Education of the West Contra Costa Unified School District Ordering a School Bond Election, and Establishing Specifications of the Election Order**

Comment:

The resolution before the Board calls an election within the District for the purpose of approving school bonds, to request the County Registrar of Voters to conduct the election on behalf of the District, and to authorize the preparation of election materials including ballot arguments and tax rate statement, to be included in the ballot pamphlet.

State law requires the Governing Board to order school district elections. The Contra Costa County Registrar of Voters will conduct the election on behalf of the District, including publishing all required notices. This resolution meets the statutory requirements for describing the projects to be funded with the proceeds of the bonds, which is included as Exhibit B to the resolution. A 75-word summary of the



measure, as it will appear on the ballots, is also included in the resolution as Exhibit A. The resolution also contains a form of “tax rate statement”, which must be included in the ballot pamphlet, describing the anticipated rates of tax throughout the life of the bond issue. The resolution also authorizes, but does not commit, the Board and individual members of the Board to prepare and sponsor a ballot argument in support of the bond measure. No more than five (5) persons may sign the ballot argument.

This election will be called under constitutional and statutory provisions that require fifty-five percent (55%) voter approval, and certain accountability requirements, including annual independent financial and performance audits of how funds are spent, and an extension of the Citizens’ Bond oversight committee. Following adoption, the resolution (including the signed tax rate statement) must be delivered to the Registrar of Voters and the Board of Supervisors. State law requires that 2/3<sup>rd</sup> of a school board support the resolution calling an election requiring 55% voter approval. At least four (4) Board members must be present and vote “Yes” in order to call the election.

Recommendation:

That the Board approve the resolution authorizing a bond election for November 6, 2012.

Fiscal Impact:

The \$360 million bond will generate an estimated additional \$40 million in state funding.

\* **F.2 Resolution No. 18-1213: Resolution of the Board of Education of the West Contra Costa Unified School District Calling and election, Establishing Specifications of the election Order and Requesting Consolidation with Other Elections Occurring on November 6, 2012**

Comment:

In 2004, the voters approved a parcel tax that has helped to fund reduced class sizes, counselors, librarians, custodial services, and athletics. This parcel tax, which annually brings \$9.6 million into the district, was renewed in 2008 with 79% of voters supporting it. Over the past four years, the District has spent the parcel revenue prudently and in alignment with the measure with full accountability through annual audits and review by the Community Budget Advisory Committee.

Since the approval in 2008, the State of California has dramatically reduced funding for K-12 education. The total loss of revenue to WCCUSD is more than \$40 million annually. The Board has demonstrated financial stewardship in making expenditure reductions including closing schools, capping employee health benefits, requiring employees to take furlough days, raising class sizes, and reducing or eliminating many programs that had served the students of the District. In June of this year, a measure to renew and extend by 3¢ per square foot was narrowly defeated by fewer than 400 votes out of more than 36,000 cast.

At a special meeting on July 23, 2012, Bryan Godbe from Godbe Research presented the results of a survey that the Board had authorized earlier in the month. The survey results show the voters are willing to support a renewal of the current parcel tax and that would help the District continue to fund key programs and services to get through the current financial hardship.

Recommendation:

That the Board approve ballot language and Resolution No. 18-1213 authorizing a parcel tax renewal on the November 6, 2012 ballot.

Fiscal Impact:

Provide \$9.6 million each year for 5 years for programs and services to students.

**G. DISCUSSION ITEMS**

**\* G.1 Project Status Report**

Comment:

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

- Engineering Officer's Report – Verbal Presentation
- Construction Status Reports – Current Construction Projects

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 – August 15, 2012

**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**

**August 1, 2012**

**1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

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

- a. WCCUSD v. Orrick
- b. Srago v. WCCUSD

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

Four cases

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

**5. CONFERENCE WITH LABOR NEGOTIATORS**

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

- c. Unrepresented Employees
  - Confidential and Management

**6. PUBLIC EMPLOYEE APPOINTMENT**

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

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

Expulsions

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

Certificated / Classified Employee Dismissal

**10. REPORT OF CLOSED SESSION ACTIONS**