

**West Contra Costa Unified School District  
Board of Education  
Meeting Agenda  
February 4, 2009**

---

**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: [http://www.wccusd.net/board/APM\\_index.shtml](http://www.wccusd.net/board/APM_index.shtml)

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

---

**Viewing and Listening to the Board Meetings:**

**Radio:** Station KECG 88.1 and

**Television:** Regular Board meetings are also broadcast by the City of Pinole on PCTV Channel 26 and HCTV Channel 25, and the Hercules city cable channel 28.

Audio tapes of Board meetings are kept on file in the Communications Office, Room 215, 1108 Bissell Avenue, Richmond, CA 94801 (510-231-1132). The Board of Education would like to acknowledge the City of Pinole for their generosity in helping to televise WCCUSD Board of Education meetings.

---

**Attending Board Meetings:**

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

**Location:** *Note the temporary change in location will allow broadcast by cable television and radio.*

**PINOLE VALLEY HIGH SCHOOL - CAFETERIA  
2900 Pinole Valley Road  
Pinole, CA 94564**

**Time:** The **Board of Education's Open Session meeting will begin at 6:30 PM.** The Board will convene at **5:30 PM** in the Cafeteria to receive comments from anyone wishing to address the Board regarding closed session items (see 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.

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

---

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



**\*CI C.3 Acceptance of Donations**

Comment:

The District has received donations as summarized dated February 4, 2009. The estimated values for any non-cash donations are those provided by the donor. Staff recommends acceptance of these donations.

Recommendation: Recommend Approval

Fiscal Impact: As noted per donations summary

**\*CI C.4 Notification of Claims Rejected**

Comment:

The District has received claims requesting compensation for personal injury and property damage. The District's risk management firm has investigated the claims and is requesting the School Board to ratify the authorized claim rejections.

Recommendation: Ratify the rejection of claims

Fiscal Impact: None

**\*CI C.5 2008-2009 Consolidated Application for Funding Categorical Aid Programs, Part II**

Comment:

The Consolidated Application is the vehicle used by the California Department of Education to gather routine data regarding categorical programs and compliance with NCLB requirements.

Part I is submitted each June and serves as the District's application for categorical funding for the following academic year for both public and non-public schools. This report also includes a summary of participation in the NCLB Supplemental Educational Services (SES) program and the choice option. Expulsion, suspension and truancy data, as well as progress towards meeting the Highly Qualified Teacher and Highly Qualified Paraprofessional requirements are included.

Part II is submitted at the end of January. It contains information, in specified programs, related to entitlements, allocations, carryover, number of participants, and legal assurances of compliance, as required by State and Federal statute. A copy of the document is available for review at the Administration Building and at the State and Federal Programs office located at the Seaview Campus.

Recommendation: Recommend Approval

Fiscal Impact: Categorical Revenue

**\*CI C.6 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



Fiscal Impact:

**\*CI C.15 Resolution No. 62-0809: Arts in Education Month – March 2009**

Comment:

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

Recommendation: Approval

Fiscal Impact: None

psychology (as it relates to sports participation), and ethics. The lists of coaches from each of the high schools for winter sports is provided.

Recommendation: Approval

Fiscal Impact: None

**\*CI C.20 Board Assignments**

Comment:

At the December reorganization meeting, Board President Audrey Miles made preliminary appointments for various subcommittees pending the opportunity for the Board to discuss these more fully at the Board retreat. At the January 24, 2009 governance retreat, the Board discussed various options for appointments and protocols as follows:

High School Assignment Preferences

El Cerrito High School – Madeline Kronenberg  
Hercules High School – Charles Ramsey  
Kennedy High School – Audrey Miles  
Pinole Valley High School – Charles Ramsey  
Richmond High School – Antonio Medrano  
DeAnza High School – Tony Thurmond

Middle College – Antonio Medrano  
Adult Education – Madeline Kronenberg  
Gompers-North Campus – Tony Thurmond  
Vista High – Audrey Miles

Committee Assignments

Special Education CAC – Audrey Miles  
Community Budget Advisory Committee – Tony Thurmond

Liaison to Five City Councils

El Cerrito – Audrey Miles  
Hercules – Madeline Kronenberg  
Pinole – Charles Ramsey  
Richmond – Tony Thurmond  
San Pablo – Antonio Medrano

Recommendation: That the Board President make the subcommittee and liaison appointments

Fiscal Impact: None

**\*CI C.21 Citizens Bond Oversight Committee Member Appointment**

Comment:

There is currently a vacancy in the membership of the Citizen's Bond Oversight Committee for the statutorily-required representative of Parent/Guardian of a student in the District. The Superintendent recommends the appointment of Cheryl Sudduth to fill the position. Ms. Sudduth is a parent at Valley View Elementary School.

Recommendation: Confirm the appointment of Cheryl Sudduth as the Superintendent's appointee to the Citizens Bond Oversight Committee representing Parent/Guardian of a student.

Fiscal Impact: None





Recommendation: For Information Only

Fiscal Impact: None

**E. PUBLIC AND COMMITTEE COMMUNICATIONS**

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

\* **E.1 Superintendent’s Report**

\* **E.2 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 Charter School Facilities Preliminary Offer to Leadership Public Schools**

Comment:

At the meeting of January 21, 2009, the Board directed staff to modify the proposed Charter School Facilities Preliminary Offer to Leadership Public Schools (“LPS”) and prepare a new offer for placement at the Kennedy High School campus. Since that meeting, staff has reviewed options for placement at the site and engaged in dialogue with both Leadership and Kennedy staff to consider the proposal. The resultant of those planning meetings was a consensus of both staffs that the proposed offer of facilities at Kennedy High School for the 2009/2010 school year would cause an extreme hardship to the respective educational programs. Pursuant to the provisions of Proposition 39, LPS would be obligated to vacate district facilities in the event that they did not accept the District’s offer for 2009/2010. Both groups are requesting the Board to reconsider the action. This would allow additional time for planning and preparation, giving the District and its Charter partner time to develop an appropriate shared facilities model at the Kennedy High site. Both LPS and the District have jointly agreed to waive the statutory deadline of February 1<sup>st</sup> for the preliminary offer, in anticipation that the Board would agree to reconsider. The Charter School Facilities Preliminary Offer to Leadership Public Schools for the Nystrom Temporary Campus is attached.

Recommendation: Reconsider previous action and authorize staff to submit Charter School Facilities Preliminary Offer to Leadership Public Schools for placement at the Nystrom Temporary Campus for the 2009/2010 school year. Direct staff to initiate a planning process for the 2010/2011 school year to place LPS at the Kennedy High School campus.

Fiscal Impact: Not known at this time



submit the waiver request to the State Board, and to work with them as required to document and support the request.

Recommendation: Recommend approval of Resolution 59-0809

Fiscal Impact: None

\* **F.4 Resolution No. 60-0809 Approving Behavioral Intervention Plans [Hughes Bill] Mandated Cost Claim Settlement and Agreement to Waive Future Claims**

Comment:

The Behavioral Intervention Plans [Hughes Bill] Mandated Cost Claim Settlement settles the test claim CSM-4464 initiated by San Diego Unified School District, Butte County Office of Education, and San Joaquin County Office of Education, and the related Sacramento Superior Court case, Case No. 03CS01432, regarding reimbursement for costs associated with behavioral intervention plans required by the Hughes Bill statute and regulations under state law. If approved, it ends a fourteen-year dispute with the State of California regarding funding for state behavioral intervention plan requirements that are in excess of federal law. The settlement provides reimbursement for past costs associated with behavioral intervention plans and certain funding for ongoing costs. are in excmst Claimj0cer17 12 122.64 5747



The purpose of this agenda item is to provide the board an opportunity to discuss the topic and provide direction to staff.

Recommendation: For Discussion

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**

February 11, 2009 - Location to be determined

**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**

**February 4, 2009**

**1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

1. Negotiator: Superintendent / Dr. Bruce Harter
2. Property: Land located on either side of Lexington Avenue between Stockton Avenue and Eureka Street in El Cerrito, CA. Price and all terms of agreement.
3. Property: 1021 Navellier Street, El Cerrito, CA. Price and all terms of agreement.

**2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION**

[Government Code Section 54956.9(a)]

1. WCCUSD v. RDS Architects
2. Lumagbas et al. v. WCCUSD et al.
3. S.H. 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**      **Tf-0.0009**      **Tc**      **2.0009RaE.0002**      **Tc**      **0.0014**      **Tw**      **283305**