

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

**BOARD OF EDUCATION
LOVONYA DEJEAN MIDDLE SCHOOL
3400 Macdonald Avenue
Richmond, CA 94805**

ADDENDUM

May 12, 2010

The following is a revision to the agenda of the May 12, 2010, Board of Education Meeting:

ACTION ITEMS

*** F.6 Honor Roll Recognition**

Comment:

The Board would like to host a recognition for honor roll students for the first three quarters of the year on Saturday, June 5, 2010. The cost for this picnic and recognition would be underwritten by private funding. The specifics, including the location and time, would need to be determined.

Recommendation:

Recommend Approval

Fiscal Impact:

To Be Determined

Complete Board meeting packets are available for review at the Administration Building, the District's six high schools, and at public libraries throughout West CAvenue, Richmond, CA 94801 during normal business hours. In addition, such writings are available on the District's website as noted above.

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.

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

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

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

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

B. OPENING PROCEDURES

- B.1 Pledge of Allegiance**
- B.2 Welcome and Meeting Procedures**
- B.3 Roll Call**
- B.4 Presentation of Student Board Representative**

Comment:

Student Board Representative Ramiah Davis will be representing Hercules High School at the Board of Education on May 12, 2010. We would like to recognize and commend her participation.

Recommendation:

For Information Only

Fiscal:

None

- B.5 Report/Ratification of Closed Session**
- * **B.6 Agenda Review and Adoption (Public Comment)**
- * **B.7 Minutes: April 28, 2010**

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

Recommendation:
Recommend Approval

Fiscal Impact:
As noted per donations summary

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

Comment:
The planned fund-raising events for the 2009-10 school year are summarized as dated May 12, 2010.

Recommendation:
Recommend Approval

Fiscal Impact:
Additional revenue for schools

***CI C.4 Acceptance of Contracts for Placement of Student Teachers**

Comment:
Teachers in this district provide supervision and evaluation for students seeking credentials to teach in California public school classrooms. These arrangements are made between the institution of higher
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***CI C.6 Notification of Claims Rejected**

Comment:

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

Recommendation:

Ratify the rejection of claim

Fiscal Impact:

None

***CI C.7 Notification of Claim Approval and Settlement Payment**

Comment:

The District received a claim regarding compensation for personal injury. The District's risk management firm has investigated the claim and is requesting the School Board to ratify the authorized settlement payment.

Recommendation:

Ratify the authorized approval of claim and payment for personal injury

Fiscal Impact:

Self-Insurance Program

***CI C.8 Notification of Claim Approval and Settlement Payment**

Comment:

The District received a claim regarding compensation for property damage. The District's risk management firm has investigated the claim and is requesting the School Board to ratify the authorized settlement payment.

Recommendation:

Ratify the authorized approval of claim and payment for property damage

Fiscal Impact:

Self-Insurance Program

***CI C.9 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

Recommendation:
Recommend Approval

Fiscal Impact

***CI C.17 Master Plan Contracts for Measure “D”**

Comment:

Measure “D,” a General Obligation Bond, is on the ballot for June, 2010. The District has made a

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Fiscal Impact:

\$325,000. Funded by the Measure J Bond, Portola Middle School project budget.

***CI C.21 Portola Middle School Temporary Campus Modulars Award of Contract**

Comment:

The Board approved a Temporary Campus at the Portola Lower Pad at its meeting of February 10, 2010.

WLC Architects completed plans and specifications for the project. The District conducted a public bid of the project. Bids were opened on May 5, 2010. Three Contractors submitted bids. The Total Base Bids (Main Stadium + Allowance) are as follows: Tennyson Electric \$598,000; WBE \$579,000; and, Bleyco \$572,000. The lowest responsive, responsible bidder is Bleyco at \$572,000. All bidders submitted pricing for the Bid Alternate #1 to light all of the remaining campus fields. It is recommended only to award the main stadium work in the Base Bid at this time. We can then coordinate with the City of Hercules for their approval of the Bid Alternate #1 work and award that portion at a future date.

This item is being presented prior to the expiration of the 5 working day Bid Protest period. In consideration of this timing, and in order to expedite the project, the Board's action will be to authorize staff to issue the Notice of Award effective at the end of the Bid Protest period to the lowest responsive, responsible bidder. This award by staff will then be brought back for ratification at a future meeting.

Recommendation:

Authorize staff to issue Notice of Award upon successful completion of the Bid Protest period, to the lowest responsive, responsible bidder.

Fiscal Impact:

\$572,000. Funded from the Capital Facilities Fund, Fund 25.

***CI C.23 Richmond High School Emergency Repair Program HVAC Systems Repair Contract Award**

Comment:

The District has received funding from the state Emergency Repair Program ("ERP") to replace seriously deteriorated HVAC Systems at the Richmond High site. The work includes replacement of all main classroom building HVAC systems, new controls systems, repairs to the roof, and associated work.

HMR Architects prepared bid documents for the state-approved project. The District conducted a public bid process for the project. Bids were opened on April 20, 2010. Seven Contractors submitted bids. The bids included two Bid Alternates. Bid Alternate #1 is Roofing Repairs. Bid Alternate #2 is Ceiling replacements at the interior of the building. The bids received, including both Bid Alternates and a small-unforeseen conditions allowance are as follows: DL Falk \$5,469,000; Bell Products \$5,442,418; Alten Construction \$5,362,141; West Coast Contractors \$4,786,000; AJF/BHM \$4,778,790; and, KMS \$4,304,641. After receipt of the bids, and within the period allowed by Public Contract Code, the low bidder, KMS withdrew its bid citing mathematical error. The District has accepted this action. Therefore, the lowest responsive, responsible bidder is West Coast Contractors at \$4,786,000. Unfortunately, the overall price, with both Bid Alternates included is in well excess of the amount provided by the state under the ERP funding grant. The condition of the roof of the main building is such that the award of Bid Alternate #1: Roof Repairs is critical to the project. Therefore, it is recommended that the Board award the Base Bid and Bid Alternate #1. Even this award will require supplemental funding from the Measure J Bond using funds approved by the Board under the Deferred Capital Projects. Finally, the project is set to complete back check approval by the Division of State Architect ("DSA") on May 13th. This action by the Board will therefore be to authorize staff to award the contract pending approval of the documents by the DSA.

Recommendation:

Authorize staff to award contract to lowest responsive, responsible bidder after DSA approval is received.

Fiscal Impact:

\$4,166,000.

High School Teacher of the Year

Ms. Michele Lamons a teacher of English and Sign Language at Pinole Valley High School is widely recognized by peers, parents, and especially students, for consistently ensuring that all young people in her care achieve at the highest levels, and are fully prepared to be successful in college and later life. Her enthusiasm for teaching makes learning fun and exciting for her students who are eager to praise her classes. She consistently uses a variety of culturally responsive approaches to teaching and learning that

Jan Etingoff has been an amazing asset to Murphy Elementary. Teachers, staff, students, and parents love her for her caring dedication to the students and her many contributions as a yard supervisor, traffic controller, and conflict mediation supervisor.

Margaret Morkowski is a volunteer at Washington who works with a special needs student on a regular basis. She also supports other classrooms, and dedicates her time to the PTA, Many Hands Program, and the community at large.

We want to recognize and congratulate our honorees for all the wonderful work they carry out with our students on a daily basis.

Recommendation:

For Information Only

Fiscal Impact:

None

* **D.4 Multilingual District Advisory Committee Report**

Comment:

The Multilingual District Advisory Committee (MDAC) is comprised of a represerescnmp2(r)(o..mC)-5(e0.27)2

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Hatziri Nieva, age 17 and Ramon Prado-Santamaria, age 18, were tragically killed on April 28, 2010. Ms. Nieva and Mr. Prado-Santamaria were Vista High School students. Both were model students who their teachers spoke of very highly.

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

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 Petition for Charter Renewal of Manzanita Charter School**

Comment:

On March 30, 2010, the petitioner submitted to West Contra Costa Unified School District a petition to renew the charter for the independent charter school known as Manzanita Charter School (“Charter School”) for an additional five years. The Charter School has been operating in the District for ten years. It serves students in grades six through eight in a parent cooperative program with a standards based curriculum that seeks to provide a well-rounded academic program that includes art, music, technology and physical education. Pursuant to the Charter Schools Act of 1992 (the “Act”), Education Code section 47600 **et seq** the Legislature has charged local school boards with the responsibility for reviewing and acting on petitions for renewal by charter schools.

Renewal of an existing charter petition is governed by the requirements of Education Code section 47605 and 47607. Education Code section 47605(b) requires the Board, within 30 days of receiving a

* **F.2 Revision of Board Policy 5141 Students – Health Care and Emergencies**

Comment:

The District would like to revise current policy to further clarify and provide guidelines for the existence and use of automated external defibrillators (AEDs).

Recommendation:

Recommend Approval

Fiscal Impact:

None

* **F.3 Resolution No. 88-0910: Declaration to Hire 30-Day Substitutes on CBEST Waivers**

Comment:

There is a statewide shortage of qualified substitutes. The requirement that each 30-day substitute CBEST waiver request be approved by the Board of Education before the waiver request is submitted has been relaxed by the Commission on Teacher Credentialing (CCTC). Instead, they will require a governing board to declare that the district has hired teachers from the substitute pool to implement the Class Size Reduction Program and is now experiencing difficulty in recruiting individuals who qualify for the 30-day Substitute Teaching Permit. This declaration need be approved only once for all CBEST waiver requested in 2010-2011. This item may not appear on the consent calendar for the governing board meeting. Our District will continue to recruit and search for fully credentialed teachers while using this assignment option.

Recommendation:

Recommend Approval

Fiscal Impact:

None

* **F.4 Resolution No. 90-0910: Resolution to Terminate Certificated Employees**

Comment:

Pursuant to Education Code, the Board of Education must adopt a resolution to Terminate Certificated Employees as a result of a reduction of particular kinds of services so that those affected employees may be notified prior to May 15, 2010. This action is necessary for the District to make the needed budget cuts for the 2010-2011 school year.

Recommendation:

Recommend Approval

Fiscal Services:

To Be Determined

* **F.5 Resolution No. 81-0910: Authorization to Eliminate Classified Positions and Layoff Classified Employees**

Comment:

A lack of work and/or funds necessitates the elimination of classified positions.

Recommendation:

Recommend Approval

Fiscal Impact:

To be determined

G. DISCUSSION ITEMS

* **G.1 Status Reports – Facilities Planning and Construction**

Comment:

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

- f* Engineering Officer's Report—Verbal Presentation
- f* 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 – June 2, 2010

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 (*).

- c. Unrepresented Employees
 - Confidential and Management

6. PUBLIC EMPLOYEE APPOINTMENT

- a. Administrative Appointments for the 2010-2011 School Year

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

8. STUDENT DISCIPLINE (Education Code Section 35146)

- a. Expulsions

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

Teacher
Custodian
Secondary Site Supervisor

10. REPORT OF CLOSED SESSION ACTIONS