

**West Contra Costa Unified School District
Minutes of the Board of Education Meeting
Pinole Valley High School
2900 Pinole Valley Road
Pinole, CA 94564**

February 4, 2009

A. CLOSED SESSION

B. OPENING PROCEDURES

President Audrey Miles called the meeting to order at 5:30 PM. The Board recessed into Closed Session. President Miles called the Public Session to order at 6:36 PM.

B.1 Pledge of Allegiance

President Miles led those in attendance in the pledge of allegiance.

B.2 Welcome and Meeting Procedures

President Miles offered welcome and instructions to the public regarding the meeting.

B.3 Roll Call

Board Members Present: Madeline Kronenberg, Antonio Medrano, Audrey Miles, Charles Ramsey, Tony Thurmond

Staff Present: Alejandro Alonso, Interpreter; Andre Bell, Executive Director Business Services; Pamala Blake, Director of Adult Alternative Education; Steve Collins, SELPA Director; Martin Coyne, Director Accounting/Audits; Lisa Erwin, Executive Director Business Services; Erin Fleming, Executive Director, Human Resources; Luis Freese, Director Maintenance and Operations; Sheri Gamba, Associate Superintendent for Business Services; Bill Fay, Associate Superintendent for Operations; Wendell Greer, Associate Superintendent K-Adult; Bruce Harter, Superintendent; Debbie Haynie, Executive Secretary to the Superintendent; Joshua Herrera, Electronics Technician; Joe Mayes, Maintenance Supervisor; Ken McDaniel, Electronics Supervisor; Steve Parks, Custodial Supervisor; Nia Rashidchi, Assistant Superintendent Educational Services; Jessica Romeo, Assistant Superintendent for Human Resources; Bill Savidge, District Engineering Officer.

B.4 Presentation of Student Board Representative Val Poquiz, Hercules High School

Ms. Poquiz spoke about the seniors focusing on completing college applications, the Leadership Class and a recent senior college application celebration.

B.5 Report/Ratification of Closed Session

Superintendent Harter asked the Board to ratify the vote taken in Closed Session to expel four (4) students from the West Contra Costa Unified School District, and suspend those four (4) expulsions for placement in district schools.

MOTION: Mr. Medrano moved to ratify the vote taken in Closed Session to expel four (4) students and suspend those expulsions for placement in district schools. Mr. Ramsey seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey and President Miles voted yes, with Mr. Thurmond abstaining. Motion carried 4-0-1-0.

B.6 Agenda Review and Adoption

Board Comment:

Mr. Ramsey asked that the consent calendar be voted upon right away to expedite the remainder of the meeting. He

MOTION: Mr. Thurmond moved approval of the agenda with moving G.1 Public Hearing / Board Discussion

Mr. Ramsey reminded everyone that this is a discussion about the deferral of closing these schools. He continued to say he hoped to see forward plan

D. AWARDS, RECOGNITIONS, AND REPORTS

D.1 Standing Reports

Pixie Hayward Schikele, UTR President, spoke about the state trustee should the Board fail to make a decision. She asked the Board to allow time to work out details in order to keep schools open and teachers teaching.

Ann Marie Marinakis spoke about attending a recent Academic Subcommittee meeting where there was a review of the textbook *Everyday Math* and discussion of first year textbook adoptions.

Cathy Garza spoke about the Bayside Council of PTAs 2,200 members in WCCUSD and John Swett School District. Grant Elementary is a newly formed PTA unit funded by a partnership with Madera Elementary. Kensington Elementary is assisting with the forming of a unit at Downer Elementary. Mr. Ramsey offered \$500 for Stege Elementary to begin a membership drive.

Charley Cowens spoke about the Community Budget Advisory Committee meeting scheduled for February 26 and the many issues to be discussed.

D.2 In Memory of Members of the School Community

Superintendent Harter acknowledged the contributions Dr. W. W. Snodgrass who recently passed away and shared in a moment of silence.

Mr. Thurmond asked for a moment of silence in remembrance of the students from the Kennedy community.

Mr. Ramsey thanked the Kennedy community for coming forward to remember their loss. He continued by recalling memories of former Superintendent and Board Member, Dr. Snodgrass.

E. PUBLIC AND COMMITTEE COMMUNICATIONS

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

E.1 Superintendent's Report

Superintendent Harter deferred his usual report to another meeting.

E.2 WCCUSD Public Comment

Public Comment:

Christina Slamon, Valerie Snider, Greg Whaling

F. ACTION ITEMS

F.1 Charter School Facilities Preliminary Offer to Leadership Public Schools

Superintendent Harter said that at the last meeting, the Board voted to make the Kennedy site as an offer to Leadership Public Schools for 2009-2010. Tonight's recommendation is to reconsider that action by offering the Nystrom site for 2009-10, with consideration for the following year. He

Ms. Kronenberg said she recently visited Nystrom and was impressed at how staff at the elementary school felt that Nystrom and LPS were good neighbors.
Mr. Thurmond said he recently visited the LPS site at the Nystrom campus and saw a good school doing great things. He said the issue of moving Leadership to Kennedy was due to the possibility of losing Kennedy High School and felt that reconsideration of this item was warranted.
Superintendent Harter clarified the recommendation with the possibility of keeping Kennedy open and the need to work in conjunction with LPS to explore the feasibility of moving LPS to Kennedy for 2010-11.

MOTION: Mr. Ramsey moved approval to authorize staff to submit a charter school facilities preliminary offer to Leadership Public Schools for placement at the Nystrom Temporary Campus for the 2009-2010 school year and direct staff to initiate a planning process for the 2010-2011 school year to place LPS at the Kennedy High School campus. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond, Student Representative Poquiz (advisory vote only) and President Miles voted yes, with no absences. Motion carried 5-0-0-0.

F.2 Public Hearing Regarding Request for Bond Waiver

Ms. Gamba provided information regarding the two step process to request a waiver from the State Allocation Board for the Measure J bonding limit. The first step is a public hearing to allow interested parties to comment. The second step is approval by the Board.

President Miles opened the public hearing.

Public Comment:
None

Board Comment:
Mr. Ramsey thanked staff for their work, as well as retaining local council to work on this matter.

President Miles closed the public hearing.

F.3 Resolution No. 59-0809 Requesting the State Board of Education to Waive West Contra Costa Unified School District Measure J Bonding Limit

Public Comment:
None

Board Comment:
None

MOTION: Mr. Ramsey moved approval of Resolution No. 59-0809: Requesting the State Board of Education to Waive West Contra Costa Unified School District's Measure J Bonding Limit. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond, Student Representative Poquiz (advisory vote only) and President Miles voted yes, with no absences. Motion carried 5-0-0-0.

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

Ms. Gamba provided background on behalf of Mr. Collins by saying that school districts throughout the state are being asked to present resolutions in order to settle a statewide lawsuit, which would result in increased revenue through ADA, as well as annual installments of restitution. Mr. Collins was available to answer questions about procedures.

Public Comment:
None

Board Comment:
Mr. Thurmond asked for clarification of a behavioral intervention plan. Mr. Collins responded regarding the behavioral analysis plan involving psychologist observations and development of positive replacement plans for inappropriate behavior.

MOTION: Mr. Ramsey moved approval of Resolution No. 60-0809: Approving Behavior Intervention Plans [Hughes Bill] Mandated Cost Claim Settlement and Agreement to Waive Future Claims. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond, Student Representative Poquiz (advisory vote only) and President Miles voted yes, with no absences. Motion carried 5-0-0-0.

F.5 Resolution No. 61-0809 Temporary Borrowing Between Funds

Ms. Gamba provided background regarding the possible need to utilize cash across funds to allow temporary borrowing due to the impending State delay in releasing funds to school districts. She clarified that this is a cash flow matter to be used only should the district need it and the Board would be alerted should this become necessary if the State shorts district payments.

Public comment:
None

Board comment:
None

MOTION: Mr. Ramsey moved approval of Resolution No. 61-0809: Temporary Borrowing Between Funds. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond, Student Representative Poquiz (advisory vote only) and President Miles voted yes, with no absences. Motion carried 5-0-0-0.

G. DISCUSSION ITEMS

G.1 Public Hearing / Board Discussion School Closures

This item was moved to follow Consent Item C.22.

G.2 Board Review of Vacant Positions

Ms. Romeo provided background about the Human Resources office review of critical positions necessary for the function of schools. Staff has put into place a process for weekly review by Cabinet of each vacancy to determine whether the position is critical to the operation of the district and needs to be filled immediately. If staff determines that the position is critical, it will always be brought to the Board before filling. This item is to look to the Board for direction while staff recommends continuing with

Mr. Thurmond thanked Mr. Fetter for taking the initiative and recommended that the Board look into supporting this idea as a step to save neighborhood schools.

H. UNFINISHED REQUESTS TO ADDRESS THE BOARD

None

I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT

Val Poquiz said she volunteered for this position without knowing much about the Student Board Member. She said it