

West Contra Costa Unified School District  
*Office of the Superintendent*

**Friday Memo**  
**August 5, 2016**

**Upcoming Events –**

This is the first time a resolution of this nature has been presented to the Board. The California Education Code has been recently amended to allow retired teachers to return to the classroom prior to the mandated 180 waiting period. The new education code allows this exemption in what is designed to assist in filling positions in high need areas and provides a very narrow scope. The State of California recognizes the teacher shortage in the state and is allowing the retiree to return before the 180 days as one way to address that shortage.

**Variable Term Waivers – Ken Whittemore**

In the upcoming Board packet, the Board of Education will be asked in Action Item number 6 to approve variable term waivers. Variable term waivers provide applicants with additional time to complete the requirements for the credential that authorizes the service or provide employing agencies with time to fill the assignment with an individual who either holds an appropriate credential or qualifies under one of the assignment options.

Many of our variable term waiver requests are for our out-of-state hires as we assist them in transitioning to California.

**Provisional Internship Permits**

In the upcoming Board packet, the Board of Education will be asked in Action Item number 7 to approved Certificated Provisional Internship Permit (PIP) requests. The Provisional Internship Permit (PIP) was created in response to the phasing out of emergency permits and became effective on July 1, 2005. It allows an employing agency to hire an individual who has not yet met the subject matter competence requirement needed to enter an internship program. Prior to requesting a PIP, the employing agency must verify that a diligent search has been made, and a fully-credentialed teacher cannot be found.

If you have any questions on the above three items, please contact me.

**Health and Safety Incentive Program – Ken Whittemore**

West Contra Costa Unified School District was notified by the Contra Costa School Insurance Group (CCSIG) that for the 2015-16 school year the District met all of the Health and Safety Goals.

This marks the third year in a row that the District has met the (CCSIG) Health and Safety Goals. This accomplishment is made possible by the leadership of Darlene Thompson, the Health and Safety Coordinator, and our outstanding district employees who work with her.

**Public Records Log – Marcus Walton**

Included in this week's memo is the log of public records requests received by the district. If you have any questions, please contact me.

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**A Professional Corporation**

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MEMORANDUM

TO: Liz Block, Chair  
Clay Investigation Subcommittee

From: James K. Kawahara, Special Legal Counsel

Date: August 1, 2016

Subject: Process for Finalizing and Publishing Report of the Clay  
Investigation Subcommittee

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For the purpose of planning how the Subcommittee may complete its report to the Board, I have prepared the following timeline with proposed deadlines and tasks to be completed. In addition, Vicenti, Lloyd and Stutzman LLP (VLS) prepared an overall outline of the forensic accounting report, so the Subcommittee can appreciate the type of information that will be presented.

As a reminder, VLS was retained to conduct a phase 2 forensic accounting of the risk areas identified in the phase 1 risk assessment. There were sixteen areas where VLS was asked to test accounting controls (i.e. "TC"s), and eleven forensic investigation items (i.e. "FI"s).

In addition to retaining VLS to conduct the forensic audit, the Subcommittee was tasked by the Board with the assignment of "assisting the special counsel and audit firm in combining the findings from the forensic audit with a report of legal findings to the Board of Education." [Motion - Board Meeting. F.1, July 21, 2015.] Part of our discussion today will be used to decide the best approach for the Subcommittee to carry out this duty to the Board.

Proposed Timeline

Time frame	Task
July 14 to August 1	Draft recommendations to address findings from "Testing of Controls" ("TCs") have been prepared by VLS and sent to Kawahara Law and District staff for comment per standard operating procedures for this type of audit.
August 12 to August 15	Draft recommendations to address findings from the "Forensic Investigation" ("FIs") to be prepared by VLS and sent to Kawahara Law and District staff for comment per standard operating procedures for this type of investigation.
August 17 August 17 to August 30	VLS to present remaining sections of draft report to Kawahara Law (see report outline). VLS and Kawahara Law to revise draft report and to address District staff comments; prepare "final



**Public Records Request Log 2016-2017**  
**Week Ending August 5, 2016**

	<b>Date of Receipt</b>	<b>Requestor</b>	<b>Requested Records/Information</b>	<b>Current Status</b>
32	10/12/15	Fatima Alleyne	Lozano Smith Attorneys / All Invoices, Contracts and Expenses paid beginning January 1, 2014 – December 31, 2014	<b>Available documents ready for review</b>
38	10/16/15	Fatima Alleyne	Parcel Tax Measure D for 2012-2013 School Year / All financial and bank statements, invoices, receipts and salaries	<b>Available documents ready for review</b>
40	10/23/15	Fatima Alleyne	Parcel Tax Measure D for 2009-2010 School Year / All financial and bank statements, invoices, receipts and salaries	<b>Available documents ready for review</b>
41	10/26/15	Fatima Alleyne	Parcel Tax Measure D for 2008-2009 School Year / All financial and bank statements, invoices, receipts and salaries	<b>Available documents ready for review</b>

		Schoenfeld LLP	Portola Middle School Project / Various records and documents	<b>Acknowledgement letter sent</b> <b>6/9/16 Letter of Extension sent</b>
114	5/20/16	Lillian Chen Public Counsel	Madera Middle School / For 2014-15 and 2015-16 School Year – Suspensions, Expulsions and Transfers	<b>COMPLETED</b>
115	6/16/16	Barbara Glendenning	WCCUSD Communication(s) with Caliber Schools	<b>Gathering / Reviewing Documents</b>
116	6/17/16	Don Driscoll Driscoll & Omens	CAL200 v. SFUSD Settlement Documents, Agreements and/or Reports	<b>Gathering / Reviewing Documents</b>
117	6/23/16	Patricia Ann Watt	Prop 39 Documents related to Caliber Schools	<b>Gathering Documents</b>
118	6/27/16	Lillian Chen Public Counsel	Madera Elementary School / Student Office Referrals for 2014-15 and 2015-16 School Years	<b>Acknowledgement email sent</b>
119	6/27/16	Lisa Vorderbrueggen Building Industry Assoc.	School Facility Needs Analysis / Fee Resolution Developer Fee Report for last 5 years	<b>Acknowledgement email sent</b>

	Date of Receipt	Requestor	Requested Records/Information	Current Status
			District	
2	7/5/2016	Charla Shaughnessy NTEU/Staff Attorney	WCCUSD Proposed sale of Adams Middle School to Caliber / Documents and/or communications during course of 2 negotiations	