



MT. DIABLO UNIFIED SCHOOL DISTRICT
James W. Dent Education Center
1936 Carlotta Drive
Concord, CA 94519-1397

BOARD OF EDUCATION
Gary L. Eberhart, President
Paul P. Strange, Vice President
Linda K. Mayo
Sherry Whitmarsh
Richard W. Allen

BOARD OF EDUCATION

AGENDA

REVISED

Tuesday, January 6, 2009
Closed Session 5:30 p.m.
Special Board Meeting
7:30 p.m.

SUPERINTENDENT
Gary McHenry

ASSOCIATE SUPERINTENDENT
Alan Young, Ed.D., Educational Services

ASSISTANT SUPERINTENDENTS
Mildred Browne, Ed.D., Special Education
Rose Lock, Elementary Education
Richard Nicoll, Ph.D., Administrative Services
Gail Isserman, Personnel Services
Gregory J. Rolen, Esq., General Counsel

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- * **Addressing the Board** -- To assure an orderly meeting and an equal opportunity for each speaker, persons wishing to address the Board must fill out a speaker card. Cards are available at the meeting and must be turned in to the president of the Board prior to the beginning of the meeting. In the interest of time, speakers are limited to three minutes each, or a total of thirty minutes for all speakers. If there are multiple speakers on any one subject, the public comment period may be moved to the end of the meeting.
 - * **Meeting Ending Time**
Adjournment time will be no later than 11:00 p.m. for all regular and special meetings unless extended to a specific time as determined by a majority of the Board.
 - * **Record Keeping** -- For accuracy, all regular meetings of the Board of Education are tape recorded. Tape recordings are kept on file for a period of no less than thirty days.
 - * **Closed Session** -- The Board of Education may meet in closed session for discussion of labor negotiations, student discipline, personnel matters, litigation, and other matters as provided for under California state law.

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 Superintendent's office located at 1936 Carlotta Drive, Concord, California during normal business hours.

AGENDA

CALL TO ORDER – 5:30 p.m.

Board Member Sherry Whitmarsh will participate via teleconference.

1. **ANNOUNCEMENT:** In closed session, the Board will consider the items listed on the closed session agenda that follows.
2. **PUBLIC COMMENT** – The public may address the Board regarding any item within the jurisdiction of the Board of Education of the Mt. Diablo Unified School District that is not on this agenda. These presentations are limited to three minutes each, or a total of thirty minutes for all speakers. If there are multiple speakers on any one subject, the public comment period may be moved to the end of the meeting.
3. **ADJOURN TO CLOSED SESSION**
 1. Negotiations - The Board may discuss negotiations or provide direction to its representatives regarding represented employees, pursuant to the EERA (Govt. Code Section 3549.1)
Agency negotiators: Gail Isserman, Julie Braun-Martin and Dorothy Epps.
Agencies: MDEA, CSEA, Local One M & O, Local One CST, MDSPA, and Supervisory.
 2. Anticipated Litigation
One potential case.
 3. Public Employee Discipline/Dismissal/Release/Complaint

4. Superintendent's Evaluation

4. **PRELIMINARY BUSINESS**

- Pledge of Allegiance
- Roll Call

5. **BUSINESS**

Action

5.1 Annual Audit Report for Fiscal Year 2007-08

The Board's Audit Committee met with the auditor from Perry-Smith & Co. and reviewed the audit for fiscal year 2007-08. There were audit findings and recommendations regarding fixed assets, student body funds, time certifications, Proposition 20 lottery funds, instructional materials and attendance accounting. District staff has reviewed these findings and recommendations and provided a written response to each finding.

Recommendation

Public Review of the Annual Audit Report as presented.

Action

5.2 Approval of Summary of Tentative Agreement with Mt. Diablo Educators Association (MDEA) under AB 1200

On December 18, 2008 MDEA members ratified the tentative agreement reached between Mt. Diablo Unified School District and MDEA. On December 19, 2008, the enclosed summary of the tentative agreement was forwarded to the Contra Costa County Office of Education for their review. The 10 day review period ends January 5, 2009.

Recommendation

Approve as presented.

Action

5.3 Request to Approve Tentative Agreement between Mt. Diablo Education Association (MDEA) and Mt. Diablo Unified School District (MDUSD)

The tentative agreement was reached between the bargaining teams. This tentative agreement represents "Re-opener and Successor Negotiations": and includes contract language that was not previously approved by the Board of Education

Recommendation

Approve recommendation as presented.

6. **ADJOURNMENT**

Note: Board of Education member Sherry Whitmarsh will participate in the meeting via teleconference from the following location:

**Mariott Hotel, Room 715
5150 Westheimer
Houston, Texas 77056 USA**