



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

Tuesday, March 10, 2009  
Closed Session 7:00 p.m.  
Regular Session 7:30 p.m.

INTERIM SUPERINTENDENT  
Richard C. Nicoll, Ph.D.

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

ASSISTANT SUPERINTENDENTS  
Mildred Browne, Ed.D., Special Education  
Rose Lock, Elementary Education  
Gail Isserman, Personnel Services  
Peder Pedersen, Administrative Services

GENERAL COUNSEL  
Gregory J. Rolan, Esq.

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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, **or the three minute limit may be shortened.** If there are multiple speakers on any one subject, the public comment period may be moved to the end of the meeting. **Speakers are not allowed to yield their time.**
  - \* **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 recorded electronically. 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.
  - \* **Radio** -- For the convenience of the public, Board meetings are broadcast during the school year over the Clayton Valley High School radio station KVHS (90.5 FM) starting at 7:30 p.m.

*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.*

### FUTURE MEETING DATE(S):

March 14, 2009	9:00 a.m.	Study Session
March 24, 2009	7:30 p.m.	Regular Board Meeting
April 7, 2009	7:30 p.m.	Regular Board Meeting

**\*\*Note: Calendar of Future Board and Committee Meetings Attached\*\***

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### CALL TO ORDER – 7:00 p.m.

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 concerning items that are scheduled for discussion during closed session only. These presentations are limited to three minutes each, or a total of thirty minutes for all speakers **or the three minute limit may be shortened.** **Speakers are not allowed to yield their time.**

### 3. ADJOURN TO CLOSED SESSION

#### 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. Public Employee Discipline/Dismissal/Release/Complaint
  - Up to ten (10) probationary I and II certificated employees
  - One certificated permanent employee

#### RECONVENE OPEN SESSION – 7:30 p.m.

##### 1. PRELIMINARY BUSINESS

- Pledge of Allegiance
- Roll Call

##### 2. REPORT OF CLOSED SESSION – March 10, 2009

- Topics
- Negotiations
  - Public Employee Discipline/Dismissal/Release/Complaint

##### 3. CONSENT AGENDA

Items listed under Consent Agenda are considered routine and will be approved/adopted by a single motion. There will be no separate discussion of these items; however, any item may be removed from the consent agenda upon the request of any member of the Board and acted upon separately.

3.1 Minutes of the meeting of February 10, 2009.

3.2 Certificated Personnel

3.2.1 Leaves of Absence, Resignations, Retirements, Employment

3.2.2 Resolution 08/09-57 Provisional Internship Permit (PIP) Request

All requests for a PIP must be presented to the Governing board of a public school district for approval. Every PIP request that is submitted to the Commission on Teacher Credentialing must also include verification that a notice of intent to employ the named applicant in the identified position has been made public.

##### 4. 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, **or the three minute limit may be shortened.** If there are multiple speakers on any one subject, the public comment period may be moved to the end of the meeting. **Speakers are not allowed to yield their time.**

##### 5. COMMUNICATIONS

5.1 Organizations

At regular board meetings, a single spokesperson of each recognized organization may make a brief presentation following the Consent Agenda. Items are limited to those which are informational.

**6. BUSINESS**

Action 6.1 2008-2009 Second Interim Report  
The interim report presents revenue and expenditure projections to the end of the fiscal year and compares these projections to the budget. Based on this information, the Superintendent will recommend that the Board of Education approve a positive certification.

Recommendation

Approval of the District's Positive Certification is recommended.

Action 6.2 Resolution 08/09-56 to Decrease the Number of Certificated Employees Due to a Reduction in Particular Kinds of Service  
As part of the certificated layoff process, Education Code section 44955 permits the Governing Board, through a resolution, to reduce or discontinue particular kinds of services for the next school year.

Recommendation

Adopt resolution as presented.

Action 6.3 Resolution 08/09-59 Relative to Elimination of Classified Positions  
Program modifications and budgetary limitations make it necessary to eliminate and reduce classified positions.

Recommendation

Adopt resolution as presented.

Action 6.4 Resolution 08/09-55 Stand Up for Schools Day of Action  
The Mt. Diablo Education Association (MDEA) and other organizations encourages all education stakeholders to participate in before- and after-school activities to protest continued cuts to education funding and to call on the governor to adequately fund our schools. In Contra Costa County a rally will be held on March 11 in Walnut Creek.

Recommendation

Adopt resolution as presented.

**7. ADJOURNMENT**

**Note:** Board Member Linda Mayo will participate in the meeting via Teleconference from the following location:  
Doubletree Hotel Crystal City  
300 Army Navy Drive  
Arlington, Virginia 22202