



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

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

BOARD OF EDUCATION

AGENDA

Tuesday, September 23, 2008
Closed Session 5:00 p.m.
Regular Session 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 C. Nicoll, Ph.D., Administrative Services
Gail Isserman, Personnel Services
Gregory J. Rolen, Esq., General Counsel

WELCOME

- * **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 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):

October 14, 2008	7:30 p.m.	Regular Board Meeting
October 28, 2008	7:30 p.m.	Regular Board Meeting
November 12, 2008	7:30 p.m.	Regular Board Meeting

Note: Calendar of Future Board and Committee Meetings Attached

CALL TO ORDER – 5:00 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.

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. Expulsions(1)/Readmissions(10) - Review Administrative Hearing Panel recommendations regarding student expulsions and readmissions.
3. Existing Litigation
Spieler v. Mt. Diablo Unified School District
4. Anticipated Litigation
Two potential cases.
5. Conference with Real Property Negotiator
6. Public Employee Discipline/Dismissal/Release/Complaint
7. Superintendent's Evaluation

RECONVENE OPEN SESSION – 7:30 p.m.

1. PRELIMINARY BUSINESS

- Pledge of Allegiance
- Roll Call

2. REPORT OF CLOSED SESSION – September 23, 2008

- Topics
- Negotiations
 - Expulsions/Readmissions
 - Existing Litigation
 - Anticipated Litigation
 - Real Estate
 - Public Employee Discipline/Dismissal/Release/Complaint
 - Superintendent's Evaluation

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 August 26, 2008.

3.2 Certificated Personnel

3.2.1 Leaves of Absence, Resignations, Retirements, Employment

3.2.2 Resolution 08/09-17 Approval of Provisional Internship Permit (PIP) Request(s)

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.

3.2.3 Student Teacher Placement Agreement with Saint Mary's College for the Term of August 1, 2008 through August 31, 2009

Cooperating teachers who have a student teacher receive a stipend for their services. In order for colleges or universities to pay this stipend, there must be a signed contract on file with each institution.

3.2.4 Request to Approve Communicative Disorders Student Internship Placement Agreement with San Francisco State University for the Term of September 24, 2008 to June 30, 2011

This agreement provides for the use of the District's facilities to accommodate clinical experience for the University's students in the Communicative Disorders Program.

3.2.5 Recommendation for Preliminary Single Subject – Foundational Level Mathematics with English Learner Authorization for Glenda Bodhi Young of Clayton Valley High School

Upon completion of a District intern credentialing program, the Governing Board of the District must recommend applicants for the preliminary teaching credential.

3.2.6 Increase in Full-Time Equivalent Position (FTE) for the 2008-2009 School Year

Request 1.0 FTE be added to Categorical Funds for 2008-2009. This action will result in an increase in the expenditure budget of Categorical Funds in the amount of \$60,228.

3.3 Classified Personnel

3.3.1 Leaves of Absence, Resignations, Retirements, Employment

3.3.2 Request an Increase in Hours for Three (3) Part-Time Community Service Assistant Positions at Gateway, Nueva Vista and Prospect Necessary Small High Schools

The Alternative Education Department is requesting that three (3) existing 19.75 hour/week, school day only, Community Service Assistant positions be increased to 25 hour/week, school day only. The cost of this proposed increase for the 2008-2009 fiscal year will be \$68,284. This amount will be funded by the Continuation High Foundation Program. The General Fund contribution will be at the same level as 2007-08, \$34,206 with a savings of \$3,468 to the unrestricted General Fund. Funding Source: Continuation High Foundation Program and Continuation High Staffing Program

3.3.3 Increase in Hours for a Part-Time Instructional Assistant Position at Sequoia Elementary School

Sequoia Elementary requests an increase in hours for an existing Instructional Assistant position from 15 hour/week, school day only, to 19.5 hour/week, school day only. There is no impact to the General Fund. The additional cost will be \$3,394.02 for 2008-2009 fiscal year and funded by Sequoia Parent Faculty Association.

3.3.4 Reduction in Hours for a Site Technology Support Technician II at Oak Grove Middle School

Oak Grove Middle School requests that an existing 24 hour/week, 10 month/year Site Technology Support Technician II position be decreased to 16 hour/week, 10 month/year. The savings is \$11,900 and has already been deducted from the expenditures of the Title I budget.

3.4 Monthly Budget Transfers and/or Budget Increases/Decreases for the Month of August 2008

3.5 Fiscal Transactions for July and August 2008

3.6 Grant Application Requests

3.6.1 Mentor-Mentee California Partnership Academy Grant in the amount of \$20,000 over two years to support the implementation of Mt. Diablo High School's Academy for Construction, Manufacturing and Engineering (A.C.M.E.) in its first two years of operation. There is no impact to the General Fund. Funding Source: California Department of Education

3.6.2 California Partnership Academy Grant for College Park High School's Multimedia Production Academy in the amount of \$356,000 over five years. There is no impact to the General Fund. Fiscal Impact: California Department of Education

- 3.7 Contract Amendment Geotechnical Engineering Service for Kleinfelder, Inc.
Contract amendment to Kleinfelder, Inc. in the amount of \$6,500 for the provision of comprehensive geotechnical engineering services associated with the construction (build back) of six (6) classrooms at Olympic High School. Funding Source: Proposition 55 funds
- 3.8 Contract Amendment #8 Harlan Krusemark Architect
Contract amendment to Harlan Krusemark Architect in the amount of \$4,000 for architectural/engineering services for the Group 5 Measure C Facility Improvement Program at Loma Vista Adult Center and Diablo View Middle School. Funding Source: Measure C
- 3.9 Final Change Orders
3.9.1 Change Order Contract 867, Bid 1494, Meadows Construction Services, Inc. in the amount of \$3,594,83, to provide all site/utility work necessary for the construction of additional classrooms at Olympic High School. Funding Source: Proposition 55 funds
3.9.2 Contract C-874, Bid 1505 Galedrige Construction, Inc. in the amount of \$2,739.31 for the installation of a new paved fire access road at Concord High School. Funding Source: Facilities Acquisition and Construction
3.9.3 Contract C-876, Bid 1506 T.D. Brickley Construction in the amount of \$14,151 for the accordion wall replacement at Hidden Valley Elementary School and El Dorado Middle School. Funding Source: Deferred Maintenance
- 3.10 Notices of Completion
3.10.1 to Contract C-867, Bid 1494, Meadows Construction Services, Inc. in the amount of \$638,594.83, who provided the site work, increment #1, additional classrooms at Olympic High School. Funding Source: Proposition 55
3.10.2 to Contract C-874, Bid 1505, Galedrige Construction, Inc. in the amount of \$117,517.31, who provided the paving of fire access at Concord High School. Funding Source: Facilities Acquisition and Construction
3.10.3 to Contract C-876, Bid 1506, T.D. Brickley Construction in the amount of \$111,151.00 who provided the accordion wall replacement at Hidden Valley Elementary School and El Dorado Middle School. Funding Source: Deferred Maintenance
- 3.11 Contract for Architectural Services with PHd Architects
Contract with PHd Architects in the amount not to exceed \$28,000 for window replacement at College Park High School. Funding Source: Pleasant Hill Redevelopment Funds
- 3.12 Surveillance System for Pine Hollow Middle School
A surveillance system is needed to assist with the identification and arrest of suspects responsible for the recent vandalism at Pine Hollow Middle School. Fiscal Impact: \$15,000 from donations; \$1,466.76 Proposition 55. Funding Source: Pine Hollow Middle School PTSA and Proposition 55
- 3.13 Approval of Contract between Mt. Diablo Unified School District and the Contra Costa County YWCA Preschool
For the term of ten (10) months, in accordance with the school calendar, the District will provide bulk lunches to YWCA for family style service. Fiscal Impact: The YWCA will be billed for meals served on a cost reimbursement basis. The estimated contract value is \$11,971.

- 3.14 Approval of Contract between Mt. Diablo Unified School District and the Contra Costa County Office of Education (COE)
 For the term of ten (10) months, in accordance with the school calendar, the District will provide prepack breakfasts and lunches to COE for family style and individual service. The COE will be billed for meals served on a cost reimbursement basis. The estimated contract value is \$38,700.
- 3.15 Annual Renewal of Bi-Tech Services Contract
 The annual support agreement between Mt. Diablo Unified School District and Bi-Tech which provides customer support and software updates for the Integrated Financial Solution System (IFAS) is due for renewal. Fiscal Impact: The cost of the contract is \$59,911.54 and is already budgeted in Program 5088

4. RECOGNITIONS

5. BOARD FORUM

This item is here for the Board of Education to discuss any issues of concern.

5.1 Committee Minutes

5.2 Board Reports (time limit – 3 minutes)

5.3 Issues of Concern

6. 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.

7. COMMUNICATIONS

7.1 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.

8. REPORTS/INFORMATION – None

9. SUPERINTENDENT'S REPORT

10. BUSINESS

Action 10.1 Resolution 08/09-18 Disability Awareness Month – October 2008

October has been designated as Disability Awareness Month. The Mt. Diablo Unified School District recognizes the contributions made by people with disabilities throughout history.

Recommendation

Adopt resolution as presented.

Action 10.2 Increase in Full-Time Equivalent Position (FTE) for the 2008-2009 School Year

Request 11.0 FTE be added to General Fund for the 2008-2009 School Year. Fiscal Impact: \$662,508 Funding Source: General Fund

Recommendation

Approve as recommended.

Action 10.3 Approve Contract between Mt. Diablo Unified School District and the Contra Costa County Office of Education to Provide Transportation with Durham School Services during the 2008-2009 School Year

This contract is used by the Special Education Department in the provision of transportation services for students participating in programs in Contra Costa County and Non-Public Schools. Fiscal Impact: Contract not to exceed \$1,481,387.00. The General Fund impact is \$581,390. \$900,000.00 was placed in the budget for the 2008-09 school year. This increase is due to an increase in ridership and a 3.5% increase allowed by the contract with the County.

Recommendation

Approve contract as presented.

Action 10.4 Community Advisory Committee (CAC) Renewal Membership

The CAC voted at the meeting on September 8, 2008 to recommend that the Board renew membership for the following persons:

Connie Warner (parent)
Jim Warner (parent)
Suzanne Bauer (parent)
Caroline Stimson (parent)
Tricia Tamura-Li (parent)

Recommendation

Approve as recommended.

Information 10.5 Adoption of 10th Grade Novel *Almost a Woman*, by Esmeralda Santiago for the Extended Core Literature List

A Site Literature Committee at Northgate High School read and prepared *Almost a Woman* for adoption for the extended core literature list.

Recommendation

This is presented as information only and will be returned for action.

11. ADJOURNMENT

12. CLOSED SESSION - Items not completed during the first closed session will be carried over to this closed session.

SEPTEMBER 2008			
Budget Advisory Committee	September	18	5:00 p.m.
Regular Board Meeting	September	23	7:30 p.m.
OCTOBER 2008			
Community Advisory Committee	October	6	7:00 p.m.
Safe and Drug Free Schools Task Force	October	8	3:30 p.m.
Regular Board Meeting	October	14	7:30 p.m.
Regular Board Meeting	October	28	7:30 p.m.
NOVEMBER 2008			
Community Advisory Committee	November	3	7:00 p.m.
Regular Board Meeting	November	12	7:30 p.m.
Safe and Drug Free Task Force	November	20	3:30 p.m.
Regular Board Meeting	November	25	7:30 p.m.

Note: This is being provided for information only.
Please call 682-8000 ext. 4000 to confirm meeting dates, times and locations.