



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

Wednesday, November 12, 2008  
Closed Session 6:00 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

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## 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):

November 18, 2008	7:00 p.m.	Study Session
November 25, 2008	7:30 p.m.	Regular Board Meeting
December 9, 2008	7:30 p.m.	Regular Board Meeting

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

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### CALL TO ORDER – 6:00 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(1) - Review Administrative Hearing Panel recommendations regarding student expulsions and readmissions.
3. Existing Litigation
4. Anticipated Litigation  
Three 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 – November 12, 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 – none.

3.2 Certificated Personnel

3.2.1 Leaves of Absence, Resignations, Retirements, Employment

3.2.2 Resolution 08/09-27 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 Reduction of Full-Time Equivalent Positions (FTE) for the 2008-2009 School Year

Reduce (.50) FTE from Categorical Funds. This action will result in a decrease in the expenditure budget of Categorical Funds in the amount of \$30,114. Funding Source: High Priority School Grant

3.2.4 Increase in Full-Time Equivalent Position (FTE) for the 2008-2009 School Year Request .40 FTE be added to Categorical Funds for the 2008-2009 school year. This action will result in an increase in the expenditure budget of Categorical Funds in the amount of \$21,710. Funding Source: Parent Faculty Club

3.3 Classified Personnel

3.3.1 Leaves of Absence, Resignations, Retirements, Employment

3.3.2 Increase in Hours for a Campus Supervisor I Position at Mt. Diablo High School

Mt. Diablo High requests an existing 15 hour/week, school day only, Campus Supervisor I position be increased to 30 hour/week, school day only position. There is no impact to the General Fund. The impact to Quality Education Investment Act funds will be \$27,245.89 for 2008-2009 fiscal year.

3.3.3 Elimination of One (1) Vacant Instructional Assistant–Computer Position at El Monte Elementary School

El Monte requests the elimination of one vacant 19.5 hour/week, school day only, Instructional Assistant-Computer position. There is no impact to the General Fund. There will be a savings of \$14,354 to School Improvement Plan funds.

3.4 Contract Amendment #3, Capital Engineering Consultants

Contract amendment #3 to Capital Engineering Consultants in the amount of \$9,950 for the comprehensive design services related to the installation of DSA approved interim classroom facilities required at Pleasant Hill Education Center during the heating, ventilating, and air conditioning retrofit. Funding Source: Proposition 55 funds

3.5 Contract Amendment for Western Construction Services/California (WCS/Ca) for Provision of Comprehensive Labor Compliance Program Administration of Proposition 55 and Measure C Projects

Contract amendment to Western Construction Services/California (WCS/Ca) in the amount of \$111,590 for the provision of comprehensive labor compliance services for Phase II of the Proposition 55 heating, ventilating, and air conditioning project (Pleasant Hill Education Center, Shore Acres, and Fair Oaks elementary schools; and Olympic High School). Funding Source: Proposition 55 funds

3.6 Final Change Orders

3.6.1 Bid 1504, Contract C-875, Harry L. Murphy, Inc. in the amount of \$61,560 for flooring improvements at various sites. Funding Source: Deferred Maintenance Funds

3.6.2 Bid 1515, Contract C-878, McGuire and Hester in the amount of \$121,513.19 for landscape and irrigation improvements at Monte Gardens, Mountain View, and Bancroft elementary schools; and Foothill Middle School. Funding Source: Measure C

3.7 Notices of Completion

3.7.1 Contract C-873, Bid 1501 to D & D Pipelines, Inc. in the amount of \$308,598, who provided the fire line laterals at Pleasant Hill Education Center. Funding Source: Measure C

3.7.2 Contract C-875, Bid 1504 to Harry L. Murphy, Inc. in the amount of \$221,560, who provided the floor improvements 2008 at various sites. Funding Source: Deferred Maintenance

3.7.3 Contract C-878, Bid 1515 to McGuire and Hester, in the amount of \$1,610,513.19 who provided landscape and irrigation improvements at various schools sites. Funding Source: Measure C

3.8 Additional Surveillance Cameras for Mt. Diablo High School

Staff recommends the installation of eighteen additional cameras in key areas of the campus to further enhance safety and security at the site. Fiscal Impact: \$36,633.24 as budgeted. Funding Source: Redevelopment program 3912

- 3.9 Beginning Teacher Support and Assessment (BTSA) Induction Program to Private School Teachers  
BTSA Induction Program will receive \$4,000 per agreement to serve private school teachers in our region. There is no impact to the General Fund. Funding will be provided by individual private institutions seeking support for eligible BTSA Induction teachers.
- 3.10 Exchange Rate Letter 2008 from Contra Costa Special Education Local Plan Area to Mt. Diablo Unified School District Special Education Local Area Plan (SELPA)  
Request approval of the Exchange Rate Letter from Contra Costa Special Education Local Plan Area (SELPA). The Exchange Rate Letter is a summary of the cost for Contra Costa SELPA exchanging services for special education students with Mt. Diablo Unified School District SELPA. Fiscal Impact: \$615,940 was placed in the budget for the 2008-09 school year for this expenditure. Funding Source: Program Code 1680

**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**

8.1 Summer Intervention Program

**9. SUPERINTENDENT'S REPORT**

**10. BUSINESS**

Public Hearing 10.1 Public Hearing and Plan of Action to Reduce Expenses

The Board of Education has to consider budget reductions to erase a revenue expenditure gap of over \$6.6 million in the 2009-10 school.

Recommendation

Review all information presented. What items should we consider in terms of reductions and expenditures? Add items to the list for consideration. Provide direction to staff on any other information that is needed. Establish timelines to make a decision.

Action 10.2 Williams Quarterly Report – October 2008

Quarterly reports reflect complaints regarding textbooks and instructional materials, teacher vacancies or misassignments, facilities conditions and Valenzuela/CAHSEE support. This quarter's report includes the months of August through October 2008.

Recommendation

Ratify the Williams Quarterly Summary Report – October 31, 2008 on Williams Uniform Complaints.

Action 10.3 Membership Recommendation for Community Advisory Committee  
The Community Advisory Committee (CAC) is recommending two (2) new members for consideration by the Board of Education. They are Vi Ibarra and Dorothy Weisenberger

Recommendation

Approve new members as presented.

**11. ADJOURNMENT**

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

<b>NOVEMBER 2008</b>			
Community Advisory Committee	November	3	7:00 p.m.
Regular Board Meeting	November	12	7:30 p.m.
Study Session	November	18	7:00 p.m.
Safe and Drug Free Task Force	November	20	3:30 p.m.
Regular Board Meeting	November	25	7:30 p.m.
<b>DECEMBER 2008</b>			
Community Advisory Committee	December	1	7:00 p.m.
Measure C Advisory Committee	December	4	7:00 p.m.
Regular Board Meeting	December	9	7:30 p.m.
Budget Advisory Committee	December	11	5:00 p.m.

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