



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, November 25, 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

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):

December 9, 2008	7:30 p.m.	Regular Board Meeting
December 16, 2008	7:00 p.m.	Public Hearing
January 13, 2009	7:30 p.m.	Regular Board Meeting

Note: Calendar of Future Board and Committee Meetings Attached

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) - Review Administrative Hearing Panel recommendations regarding student expulsions.
3. Existing Litigation
4. Anticipated Litigation
Two potential cases.
5. Conference with Real Property Negotiator
6. Public Employee Discipline/Dismissal/Release/Complaint
One classified employee
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 25, 2008

- Topics
- Negotiations
 - Expulsions
 - 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 October 14, 2008.

3.2 Certificated Personnel

3.2.1 Leaves of Absence, Resignations, Retirements, Employment

3.2.2 Student Teaching Agreement with San Francisco State University for the term of July 1, 2008 through June 30, 2011

This agreement is to provide teaching, clinical, or administrative experience through teaching, clinical, or administrative supervision to students enrolled in teacher and clinical training or administrative internship curricula of San Francisco State University.

3.2.3 Resolution 08/09-29 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.

3.2.4 Resolution 08/09-28 Variable Term Waiver Requests

Variable term waivers provide applicants with additional time to complete certain requirements for the credential that authorizes the service. The waiver request is made when there is not a properly credentialed person available for the position.

3.3 Classified Personnel

3.3.1 Leaves of Absence, Resignations, Retirements, Employment

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

3.5 Fiscal Transactions for October 2008

3.6 Final Change Order to RFQ No. 1518, A and E Emaar

Final change order to RFQ No. 1518, to A and E Emaar in the amount of \$3,561.56 for the renovations to therapy rooms at Shadelands Center. Funding Source: Williams Emergency Funds

3.7 Contract Amendment – MS Environmental Services

Contract amendment to MS Environmental Services in the amount of \$78,467.50 for the provision of professional services related to the hazardous materials management and inspection of the Phase I sites of the District's heating, ventilating and air conditioning (HVAC) improvement program. Funding Source: Proposition 55 funding

3.8 Notice of Completion

Notice of completion to purchase order 49902, RFQ 1518 to A and E Emaar in the amount of \$56,061.56 for renovations to the therapy rooms at Shadelands Center. Funding Source: Williams Emergency Funds

3.9 Installation of Rubberized Surface for Two Playgrounds

Request approval for the installation of rubberized surface playgrounds at Holbrook and Woodside elementary schools due to fire. Robertson Industries is the CMAS contractor approved by the State of California to perform this project. Fiscal Impact: \$96,864.57
Funding Source: Proposition 55

3.10 Grant Application Requests

3.10.1 National Football League (NFL) Northern California Chapter in the amount up to \$1,350 for one year for over head cameras to enhance instruction at Valley View Middle School. There is no cost to the General Fund

3.10.2 Firedoll Foundation Grant in the amount of \$18,500 for additional support services to students in the "On Track" program. There is no impact to the General Fund.

3.11 Independent Contractor Services

Mt. Diablo High School requests an independent services contract with Anne Diskin, Writing Consultant in the amount of \$62,222.24. Funding Source: Quality Education Investment Act (QEIA).

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

8.1 Summer Intervention Program

9. SUPERINTENDENT'S REPORT

10. BUSINESS

Action 10.1 Appointment of Principal, Elementary Education

Interviews have been conducted and a candidate selected to fill the position of Principal, Elementary School.

Recommendation

Approve appointment of recommended.

Public Hearing 10.2

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

Hold public hearing.
Add additional items for consideration.
Provide direction to staff.

Action 10.3

Revision to Administrative Rule 4313.3 – Personnel Work Year and Vacation Accrual
Revision to Administrative Rule 4313.3 to include the Supervisory Unit.

Recommendation

Approve as presented.

Information 10.4

Revision to Board Policy 1700 – Community Relations

Addition to policy regarding business and industry support to district schools and programs.

Recommendation

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

Information 10.5

Revision to Board Policy and Administrative Rule 3513.1 – Use of Cellular Phones

Revision to Board Policy and Administrative Rule 3513.3 so that sites that implement specific student support programs be allowed to have District-purchased cell phones and plans with an IRS approved Active Monitoring component.

Recommendation

This is being 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.

NOVEMBER 2008			
Community Advisory Committee	November	3	7:00 p.m.
Regular Board Meeting	November	12	7:30 p.m.
Public Hearing on Budget Reductions	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.
DECEMBER 2008			
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.
Public Hearing on Budget Reductions	December	16	7:00 p.m.

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