



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, December 16, 2008  
Closed Session 6:00 p.m.  
Study Session 7:00 p.m.

Northgate High  
425 Castle Rock Road  
Walnut Creek

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.*

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### AGENDA

#### **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 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. Superintendent's Evaluation
4. **PRELIMINARY BUSINESS**
  - Pledge of Allegiance
  - Roll Call

**5. BUSINESS**

Action 5.1 Job Descriptions for Special Education/General Education Assistant III and Student Support/Registered Nurse  
These job descriptions are being created to support the specialized health care and instructional needs students of pre K-adult students in general education and special education settings.

Recommendation

This was presented as information at the December 9 meeting. It is now being returned for action.

Action 5.2 Request to Submit Title III Improvement Plan Addendum to the Local Educational Agency Plan (LEAP)  
Pursuant to the Federal No Child Left Behind (NCLB) legislation, Mt. Diablo Unified School District receives Title III funding to help English Language Learners to become proficient in English and to score proficient in reading and mathematics.

Recommendation

This was presented as information at the December 9 meeting. It is now being returned for action.

Action 5.3 Approve Change in the Reporting Relationship and Modify the Job Description of the General Counsel  
The Governing Board or Boards of any school district may appoint a legal counsel of the school district per Education Code 35041.5.

Recommendation

Approve change in reporting relationship and modification of the job description. The General Counsel will report to the Governing Board and Superintendent with primary responsibility to the Governing Board.

Public Hearing & Action 5.4 Public Hearing on Budget Reductions  
To date we have had a series of meetings with various stakeholder groups, a review by district wide committees, Community Advisory Committee, Parent Advisory Committee, Budget Advisory Committee, site and district administrators, and labor leaders. In addition, there were several board meetings where the list of items to be considered was reviewed and updated.

Fiscal Impact: \$573,332 ongoing  
\$480,000 one time

Recommendation

Hold public hearing.  
Add items to the list.  
Remove items from the list.  
Approve the following items:  
21, 24, 27, 29(a), 33, 58, 70  
The Board of Education may make its own recommendation for budget reductions.

Information 5.5

Consider Reorganization of the Office of Legal Counsel

The District is going through the process of budget reductions. One area for possible budget reduction is the addition of Associate General Counsel positions to help reduce legal fees. During the 2008-2009 calendar year the District spent over \$1.6 million on outside law firms. As with the addition of the General Counsel position in 2005, the addition of Associate General Counsel should provide additional fee reductions. The initial projections demonstrate the possibility of between \$250,000 and \$500,000 in initial savings.

It is anticipated that the savings generated by moving legal work from outside vendors to inside attorneys will save between \$750,000 and \$100,000 in contracted legal services.

Funding Source: General Fund

Recommendation

For information and discussion.

Information 5.6  
& Discussion

Consider Pursuing Parcel Tax for June 2009

The District is faced with reducing expenditures by a minimum of \$6.6 million. Depending on what happens at the state level, we may have to reduce expenditures by \$17 million based on the information we have received to date.

Recommendation

For information and discussion.

**6. ADJOURNMENT**