

BOARD MEETING: March 3, 2009

ATTENDANCE: Board: Gary Eberhart, Paul Strange, Dick Allen, Linda Mayo, Sherry Whitmarsh
Administrative Staff: Interim Superintendent Dick Nicoll; Associate Superintendent Alan Young; assistant superintendents Mildred Browne, Gail Isserman, Rose Lock and Pete Pedersen; General Counsel Greg Rolan

1. **CALL TO ORDER:** President Eberhart called the meeting to order at 6:00 p.m. in the Board Room at the MDUSD Dent Center.

PUBLIC COMMENT: None

CLOSED SESSION: The Board adjourned to Closed Session at 6:01 p.m. in Room 6 at the Dent Center. Topics discussed included superintendent's evaluation; one expulsion, one request for readmission; public employee discipline/dismissal/release/complaint; and negotiations.

Readmission

Mayo moved, Allen seconded, and the Board voted 5-0-0 to approve staff's recommendation to admit one student, who met the conditions of her rehabilitation plan.

Public Employee Discipline/Dismissal/Release/Complaint

Allen moved, Strange seconded, and the Board voted 5-0-0 to non-reelect certificated employees #20441, #24952, and #25590.

2. **RECONVENE OPEN SESSION:** The Board returned to Open Session in the in the Multi-Use Room at Monte Gardens Elementary School at 7:34 p.m. The JROTC Color Guard presented the colors. President Eberhart led the Pledge of Allegiance to the Flag and then reported the topics discussed and action taken in Closed Session.

Expulsion

Student 21-09: Whitmarsh moved, Allen seconded, and the Board voted 5-0-0 that Student 21-09 be expelled from all schools and programs of the Mt. Diablo Unified School District and that Student 21-09 may apply for readmission after January 2010. It is required that Student 21-09 participate in individual counseling, community service, the COPS program, and the District's Teen Anger Management Program, and show evidence of a successful school experience prior to applying for readmission.

3. **CONSENT AGENDA**

Mayo moved, Allen seconded, and the Board voted 5-0-0 to adopt the Consent Agenda, thereby approving the following items:

3.1 Minutes of the meeting of January 27, 2009.

3.2 Certificated Personnel

3.2.1 Leaves of Absence, Resignations, Retirements, Employment

3.2.2 Extension of Post-Retirement Contract for Vivian Boyd

Approved extension of post-retirement contract for Vivian Boyd to complete District Site Liaison Team work. Fiscal Impact: \$6,700 Funding Source: Title I and School and Library Improvement Block Grant.

3.2.3 Post Retirement Contract for Retired Administrator

Approved an additional one day per week to post retirement contract for Carol Snow, who is providing support to math, P.E., and elective teachers at Oak Grove Middle School. Fiscal Impact: \$7,552.80 Funding Source: Title I

3.2.4 Resolution 08/09-52 Variable Term Waiver Requests

Adopted Resolution 08/09-52, authorizing Deborah Burrows to apply for a Variable Term Waiver, giving her additional time in 2008-09 to complete certain requirements for the credential that authorizes her 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 Final Change Orders

3.4.1 Final Change Order to Contract C-877, Bid 1507 to McGuire and Hester in the amount of \$17,575.93 for site utility work for new restroom facilities at Mt. Diablo Elementary; Sequoia Middle; and College Park High School. Funding Source: Measure A

3.4.2 Final Change Order to Contract C-880, Bid 1516 to Opening Technologies in the amount of \$69,772.42 for door replacement at Pleasant Hill Elementary and Northgate High School. Fiscal Impact: Deferred Maintenance

3.5 Notices of Completion

3.5.1 Notice of Completion to Contract C-877, Bid 1507 to McGuire and Hester in the amount of \$292,695.93 for site utilities work in 2008 at Mt. Diablo Elementary; Sequoia Middle; and College Park High School. Funding Source: Measure A

3.5.2 Notice of Completion to Contract C-880, Bid 1516 to Opening Technologies, Inc. in the amount of \$151,062.53 for door replacement at Pleasant Hill Elementary, and Northgate High School. Funding Source: Deferred Maintenance

3.6 Grant Application Request – Kaiser Permanente

Approved submittal of an application by Food and Nutrition Services staff for a grant of up to \$30,000 from the Kaiser Permanente Community Benefit Program. Fiscal Impact: No impact to the General Fund. If awarded, Food and Nutrition Services will receive up to \$30,000 to develop a pilot Staff Wellness Program at Holbrook and Sun Terrace elementary and Glenbrook middle schools.

3.7 Amendment to Mt. Diablo Unified School District Execution of Non Public School (NPS) Placements for the 2008-2009 School Year

Approved amendment to the designated placements of MDUSD students in non-public schools that had been approved by the Board on June 28, 2008. Due to graduation, discharges, transfers, administrative placements, and new placements, some students are no longer in non-public school locations or are at different locations. Contracted amounts needed to be reduced, cancelled, or increased based on signed Individual Education Plans (IEPs). Fiscal Impact: \$212,750, which is already included in the 2008-09 budget.

3.8 Memorandum of Understanding – California Healthy Kids Survey

Approved MOU with the California Healthy Kids Survey (CHKS) Regional Center in regard to the administration of the CHKS. In compliance with the No Child Left Behind Act of 2001, the California Department of Education now requires that all school districts receiving Title IV funds must administer the survey biennially to address their needs and demonstrate accountability. Fiscal Impact: Not to exceed \$3,000. There is no impact to the General Fund. Funding Source: Federal Title IV Safe and Drug Free Schools (3150).

4. COMMUNICATIONS

4.1 District Organizations

Will Bové, MDSPA member, said 25 percent of the school psychologists funded through the District's General Fund will have been cut over the past two years if the two positions on the Budget Reduction List are approved tonight. He described the variety of services school psychologists provide. He said MDSPA supports the parcel tax initiative and hopes that if positions are cut they will be restored with revenue generated through the tax.

Annie Nolen, CSEA vice president, said school campuses will not be safe if campus supervisor positions are cut, particularly given some of the other cuts that impact the schools. She said more attention needs to be given to reducing water and electricity use as a way to cut expenses.

Ron Hansen, Local One, M&O, president, spoke of the “overwhelming challenges faced by classified staff” during budget cutting periods. He listed the 13 Maintenance and Operations positions on the list tonight, the latest of many from his unit that have been cut. He described the duties of each of the 13 positions.

James C. Jones, Business Agent for Local One, CST, said classified units are looking for equity in the positions that are being cut. He reminded the Board that the process started with a goal of cuts being made across the board,.

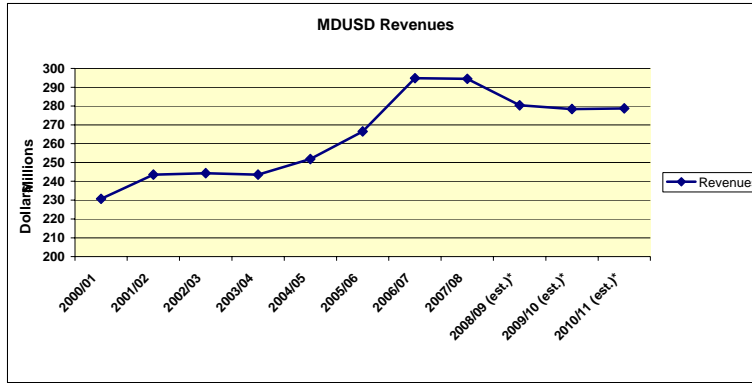
Shel Perham, Community United for Excellent Schools (CUES) treasurer, said the District has an opportunity to counteract the funding cuts that must be made. He encouraged everyone who is upset with budget cuts to support the parcel tax measure that is on the May 19 ballot. He explained the components of the parcel tax and urged the public to volunteer in the campaign. Eberhart, on behalf of the International Brotherhood of Electrical Workers, presented a \$10,000 check to CUES.

5. PUBLIC HEARING

5.1 Public Hearing and Action on Budget Reductions Including Flexibility Transfers Authorized by SBX3 4

Nicoll explained that the Board of Education must consider an additional \$8.1 million in budget reductions to erase a revenue expenditure gap in the current and subsequent school years resulting from the state budget just adopted in February. He provided a report on the impact of the state budget on the District budget.

- District Revenues, 2008-2011



- Reductions to date
 - Last year: \$15.0 million
 - This year: \$8.0 million
- Additional Reductions Needed
 - Unappropriated Balance, June 2011: (\$16,056,194)
 - Still needed: \$8.1 million

Nicoll reviewed the list of possible reductions. He said he's been in the District for more than 30 years and believes this is the worst funding crisis public education in California has experienced.

Public hearing

Individuals spoke on a variety of subjects, as listed below:

- Libraries
 - Middle school librarian positions
 Librarians Jo Carson, Maggie Friend, Nancy Brenner, and Katie Comeaux described the work of the middle school librarian. Acknowledging that cuts are inevitable, they asked the Board to cut only a percentage rather than all of the middle school librarian positions.
 - Instructional Media Assistant (IMA) positions
 IMAs Isabel Cardes and Susan Edmonds explained the tasks they perform. Librarian Carolyn Accatino read a message from fellow librarian Pat McDermont in support of IMAs.
- Adult Education
 Although no cuts to the Adult Education program are on the Budget Reduction List, many teachers, staff, students, and parents spoke on this topic as they are concerned that the recently adopted state budget will allow state revenue currently allocated to Adult Education to be transferred to a school district's General Fund and used for other purposes. They described the range and variety of programs and classes offered. Speakers included:
 Teacher/coordinators Carol Oswald, Rosemary Slavin, Barbara Leal, Eileen Seeburger, MeeYing Coffey, Teri Demmon, Ken Housfeld, Isabel Lara, Jennifer Kearns, and Jim Rodgers
 Other staff: Shirley Morales
 Students Marcie Christensen, Tony Sipes; Masood Ghiasi, Meredith Jaynes, Christina Neves, Callie Cressman, Rachele Marlar, Lamont Lester, Gregorio Lee, and Aleksandra Szarmach
 Parents Gary Hanscom and Tim Finnigan
 Community member Timothy Erickson
- Athletics
 Parents spoke on behalf of the program. Robert Bruder asked "on behalf of the more than 3,000 motivated student athletes in the District" that the Board reduce rather than eliminate funding for the program. Jeff Garzella asked what will happen to students who cannot afford to pay to participate in a sport. Jim Koutoubinas, saying he represented a large group of students and parents who were not at the meeting, stated that if the Board cut the funding for athletic programs it should lift roadblocks, such as corporate sponsorships, to fundraising activities.
- Elementary instrumental music
 Monica Maddern, choral music teacher, described the value of elementary instrumental music. She suggested saving money by not buying new books if old ones are still usable. Vida Lee, middle school parent, says music instruction helps student learn in many other subjects as well.
- Miscellaneous
 Deb Heinzmann, parent, said the Board must do what's necessary to maintain local control of the District and expressed support for the parcel tax. She urged the Board to delineate "sooner rather than later" how it plans to rebuild the District after all the cuts are made. Jennifer Wake, parent of a special needs student, expressed concern about reductions in Special Education staffing. Jackie Glass, District employee, took issue with an article Paul Strange posted on his blog earlier in the day regarding the

Board action that would to be taken at this meeting. Dorothy Weisenberger, parent, said school psychologists are working overtime as a result of cuts last year and not able to meet all student needs. Dawn Winder, site support technician, reported that the District currently maintains 10.333 computers. The present formula is 437 computers per technician; if cuts are approved, that ratio will increase to 612 computers per tech. Dayna Broussard, parent, spoke in support of athletics, music, and libraries.

Board action

Eberhart explained that two items would not be considered at this time: #6, the Employee Assistance Program, as it must be negotiated with each employee bargaining unit; and #66, JROTC, as the District must notify the U.S. Army a year in advance before making changes to the program. Because of the large number of items being recommended by Nicoll at this meeting, Eberhart asked Board members to remove any they wished to discuss and said he would entertain a single motion and vote to cover the remaining recommended items. Mayo asked for the following items to be removed for Board discussion: 16a, 19, 73, 82, 101, 110, 114, 115, 124. The Board then acted on the remainder of the recommended items.

Board action Strange moved, Whitmarsh seconded, and the Board voted 5-0-0 to approve all other items recommended by the Superintendent, which are as follows:

Item #	Item	Fiscal Impact
3	Reduce one (1) Mechanical Service Technician	\$81,201
4	Eliminate all 16 remaining Custodial Supervisor positions. Replace with 6 Area Managers and 11 AM Custodians	\$178,468
11	Suspend Elementary Vice Principal staffing formula AR 4113.11 for 2009-10. Eliminate the 3 remaining Elementary Vice Principals.	\$309,802
11(c)	Amend middle school staffing formula under AR 4113.11 and provide vice principals at middle schools with 800 students. Results in the elimination of four middle school vice principals.	\$401,834
12(a)	Suspend high school vice principal staffing. Schools with enrollment under 1,600 would lose a VP. They are Concord (1,534), Northgate (1,530), and Ygnacio Valley (1,387).	\$331,507
17	Reduce 3 PM Custodians	\$168,246
26(b)	Reduce 4th grade instrumental music. (6.4 FTE)	\$340,039
36(a)	Reduce total General Fund contribution for high school athletics (presently \$721,400). Program is also supplemented by gate receipts, donations and fundraisers.	\$721,400
37	Parent volunteers to pay for fingerprinting. District presently pays this expense.	\$70,000
56	Eliminate 3 Groundskeeper positions and through re-centralization, reassign Groundskeepers/Gardeners from the sites to the Central Landscape Department.	\$179,159
64	Eliminate Resource Specialist by 5.0 FTE because of class size maximum.	\$272,143
65	Reduce five 0.75 FTE special education classroom assistants.	\$188,937
65(a)	Reduce three 0.75 FTE Special Education Classroom Assistants	\$113,362
75a1	Eliminate Supervisor of Technology and Customer Service	\$112,905
75a3	Shift funding for Director of Alternative Education to categorical programs	\$142,464
96	Eliminate Intermediate Account Clerk in Fiscal Services	\$46,193
97	Eliminate Legal Services Auditor and Investigator Budget	\$12,000
98	Increase Self Insurance Retention	\$38,000
99	Eliminate 4 Site Technicians	\$275,051
100	Eliminate Account Clerk in Transportation	\$59,798
102	Reduce Superintendent Office budget	\$20,000
103	Reduce Administrative Post Retirement Contracts	\$19,760
104	Reduce Teacher Post Retirement Contracts	\$10,000
105	Eliminate 5 Campus Supervisor Positions	\$163,773
107	Transfer PE Incentive Grant Revenue to Unrestricted General Fund	\$594,833
108	Transfer District's Discretionary Block Grant revenue to Unrestricted General Fund	\$373,970
109	Transfer District's Art & Music Block Grant revenue to Unrestricted General Fund	\$247,212
111	Eliminate 1 Electronic Technician	\$82,491
112	Eliminate 1 Full Inclusion Teacher	\$46,941
113	Certificated Staff Performance Incentive Bonus	\$1,293
116	Career Tech Ed Equipment/Supplies	\$34,007
117	Alternative Credentialing	\$700
118	School/Law Partnership	\$10
119	Gifted And Talented Education (GATE summer program 2009)	\$12,000

120	Digital High School Educational Technology	\$42
121	Instructional Materials	\$2,395
122	School Improvement Program	\$89
123	Tenth Grade Counseling	\$5,749
125	Teacher Recruitment and Student Support	\$20,148
126	Reduction to District Deferred Maintenance Contribution	\$600,000

The Board then considered the items Mayo had requested be discussed.

Item 16a: Eliminate 10 middle school librarians. Fiscal Impact: \$655,074

Board comment Mayo said library services are critical. She noted that the elementary librarians are protected by contract delineating teacher preparation time and that high school students need experience in research, both by print and via computer. She supports maintaining half the positions being recommended. Whitmarsh said she has a 6th grader and a 9th grader, so this cut personally affects her children. She asked if the cuts could be spread across both the middle and high school libraries. Because high schools serve more students, that may be difficult. Allen noted that every program has supporters and rationale for not being cut. In response to Allen, Nicoll explained that if the state initiatives on the May 19 ballot do not pass it may be necessary to make more cuts. Eberhart suggested that the Board cut the amount of money represented by the middle school librarian positions (\$655,074) and ask staff to make adjustments at both the middle and high schools.

Board action Mayo moved, Strange seconded and the Board voted 2-3-0 (Allen, Strange, Whitmarsh, no; motion failed) to eliminate 5 rather than 10 middle school librarian positions. Whitmarsh moved, Allen seconded, and the Board voted 4-1-0 (Mayo, no) to eliminate \$655,074 in funding for secondary (middle and high school) librarians and for staff to determine how the remaining funds would be allocated at all 16 secondary schools.

Item 19: Eliminate 3 Instructional Media Assistant I positions at elementary schools. Fiscal Impact: ~~\$203,346~~
\$150,000

Whitmarsh moved, Strange seconded, and the Board voted 4-1-0 (Mayo, no) to approve. (In response to Mayo, Fiscal Services Director Bryan Richards said the cost of these positions is \$150,000 rather than the \$203,346 listed. The new amount is based on the salary and health benefits of the actual employees affected.)

Item 73: Eliminate Personnel Coordinator position. Fiscal Impact: \$79,178

Whitmarsh moved, Strange seconded, and the Board voted 4-1-0 (Mayo, no) to approve. (Mayo noted that many individuals have written to the Board and spoken at Board meeting in support of this position, which is crucial to the recruitment of classified staff.)

Item 82: Eliminate two school psychologist positions. Fiscal Impact: \$210,876

Board comment Mayo asked if overtime will double if two positions are cut. Browne said the overtime and/or compensatory time used this year is equivalent to 1 FTE. The reduction of another two psychologists will result in an increased expense for overtime, equivalent to 2 FTE, next year. Strange said he strongly supports school psychologists, but understands that the cuts are necessary. In response to Eberhart, Nicoll said the \$210,876 cost is for two positions; it does not include overtime. Browne said repayment may be made in compensatory time rather than overtime pay.

Board action Mayo moved, Whitmarsh seconded, and the Board voted 4-1-0 (Mayo, no) to approve.

Item 101: Eliminate Warehouse Truck Driver position. Fiscal Impact: \$71,948

Mayo moved, Strange seconded, and the Board voted 5-0-0 to approve. (In response to Mayo, Pedersen said routine deliveries to the sites can be maintained, but staff will have a difficult time providing other support services, such as moving furniture and handling discards.)

Item 110: Reduce non-public school budget. Fiscal Impact: \$400,000

Board comment In response to Mayo's concern as to the District's compliance with the legally required "maintenance of effort," Browne said fewer students are enrolled this year, so staff projects a reduction in costs next year. She does not expect problems with validating "maintenance of effort." Eberhart said the reduction in funding is result of forecasting; students who need services from non-public schools will receive them.)

Board Action Mayo moved, Strange seconded, and the Board voted 5-0-0 to approve.

Item 114: Reduce Arts, Music, and Physical Education Supplies and Equipment Carryover. Fiscal Impact: \$313,201

Mayo moved, Allen seconded, and the Board voted, 5-0-0 to approve.

(In response to Mayo, Young explained that funds carried over in this one-time grant. Funding came in late last year, so schools did not have an opportunity to spend them all.)

Item 115: Reduce School and Library Improvement funds. Fiscal Impact: \$140,000

Board comment In response to Mayo, Assistant Curriculum Director Jennifer Sachs explained that staff anticipated decreased state funding for categorical programs this year so held back 8 percent in categorical spending. That reserve covers this item.

Board action Mayo moved, Allen seconded, and the Board voted 5-0-0 to approve.

Item 124: Reduce Instructional and Library Materials/EdTech funds. Fiscal Impact: \$33,522

Mayo moved, Strange seconded, and the Board voted 5-0-0 to approve.

(Mayo said she has continued concerns for library funding. Sachs explained that this item is an old carryover budget identified during the close examination of department budgets.)

Items brought forward by Board members: None

Board comment Mayo asked what increasing class size to 25 in Grades 1-3 would do for the District. Richards explained the penalties that have been proposed for expanding class sizes in Grades K-3, but said nothing has yet been put in writing. Whitmarsh said many of the programs that the Board has cut, such as athletics and vice principals, will personally impact her children. Strange noted that his children's school is losing a vice principal. Mayo said she has concerns about reductions the Board made to the secondary library program. Had she thought of it, she would have proposed, as an alternative, cutting 5th grade music although people would have been upset about it. She noted that there is still vocal music at the elementary schools and instrumental at middle and high schools. She would like to have looked at the music program K-12 and determined the best method to provide music instruction, both vocal and instrumental, given that music is a priority for the Board. She said the cuts to the middle and high school library programs will impact far more students than cutting 5th grade instrumental music. Allen said he would like the Board to look at the parent's suggestion to consider advertising opportunities to support athletic programs. Eberhart said a parcel tax will offset some of the consequences of these cuts. He provided information about the campaign.

6. REPORTS/INFORMATION - None

7. BOARD FORUM

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

7.1 Committee Minutes

7.2 Board Reports

Whitmarsh gave kudos to the directors of high and middle school orchestras for their musicians' performance at the Honor Band Concert last weekend.

Mayo remarked that at the California State PTA Legislation Conference last week Assemblywoman Joan Buchanan, a former school board member, pointed that when legislators in Sacramento make budget cuts, they do not have to look anyone in the eye. That is not the case for members of school district and county boards, who do have to look people in the eye when making decisions.

Eberhart announced that Linda Mayo received the "Continuing Service Award" from the Mt. Diablo Council PTA at its Founder's Day ceremony on February 26.

7.3 Issues of Concern

8. PUBLIC COMMENT: None

9. SUPERINTENDENT'S REPORT: None

10. BUSINESS

10.1 Appointment of Occupational Therapist

Whitmarsh moved, Mayo seconded, and the Board voted 5-0-0 to appoint Lindsay Grossman as Occupational Therapist, effective March 11, 2009.

10.2 2008-2009 Second Interim Report

Fiscal Services Director Bryan Richards presented the Second Interim Report. Highlights:

- Why an Interim Report?
 - Ed. Code §42130 requires the Board to certify two interim budget and financial reports
 - Certification is either Positive, Qualified or Negative
 - Positive – The district will meet its obligations for 3 years
 - Qualified – The district may not meet its obligations for 3 years
 - Negative – The district will not meet its obligations in current or upcoming year
 - 1st Interim with transactions to October 31 due December 15
 - 2nd Interim with transactions to January 31 due March 15
 - If 2nd Interim qualified or negative, 3rd Interim with transactions through April 30 due June 1
- Unrestricted General Fund Revenue

Revenue Limit Sources.....	\$ 182,909,500
Federal Revenue	146,017
Other State Revenue	16,763,533
Other Local Revenue.....	3,959,792
Total Revenue	203,778,842
Less: Net Contribution to Restricted Gen. Fund	<u>(42,292,562)</u>
Net Available Revenue	\$ 161,486,280
- Unrestricted General Fund Expenditures

Certificated Salaries	\$ 100,391,067
Classified Salaries	21,502,401
Employee Benefits.....	31,339,017
Books & Supplies.....	4,033,909
Services & Operating.....	12,389,598
Capital Outlay	1,860,454
Other outgo.....	934,379
Interfund Transfers Out	<u>155,928</u>
Total Expenditures.....	\$ 172,606,753
- Unrestricted General Fund Summary

Total Revenue	\$ 161,486,280
Total Expenditures.....	172,606,753
Net (decrease) fund balance	(11,120,473)
Beginning Balance, July 1	<u>18,902,671</u>
Projected Ending Balance	\$ 7,782,198
- Restricted General Fund Revenue

Revenue Limit Sources.....	\$ 6,091,483
Federal Revenue	17,714,384
Other State Revenue	50,790,624
Other Local Revenue.....	4,508,424
Interfund Transfers In	39,565
Net Contribution from Unrestricted Gen. Fund	<u>42,941,057</u>
Total Revenue	\$122,085,537
- Restricted General Fund Expenditures

Certificated Salaries	\$ 34,721,063
Classified Salaries	22,143,582
Employee Benefits	20,476,690
Books & Supplies	18,733,942
Services & Other Operating	24,924,377
Capital Outlay	864,721
Other Outgo	2,029,413
Transfers Out	<u>1,573,897</u>
Total Expenditures	\$ 125,467,685
- Summary Restricted General Fund

Total Revenue	\$ 122,148,138
Total Expenditures	125,530,286
Net (decrease) in fund bal.	(3,382,148)
Beginning Balance, July 1	14,827,213
Projected Ending Balance	\$ 11,445,065
- General Outlook for the Future
 - Positive Certification (District will meet its obligations for this year and the next two as a result of the Board's adopting the proposed cuts earlier in the meeting)

- Concerns
 - DEFICIT - Expenditures exceed revenue due to mid-year state revenue cuts. Reductions to date took care of past operating deficit. Now must deal with state revenue cuts for 08/09 and 09/10
 - State fiscal health is still uncertain. More changes may come at the May Revise
 - Health care expense increases still exceeding CPI with no COLA to fund them
 - Declining enrollment at about one half a percent per year in the forecast
- Multi-Year Projections

Unappropriated Balance 6/09	\$ 110,285
Operating Deficit 2009/10	(7,226,692)
Adjustment in 2% reserve	84,220
Unappropriated Balance 6/10	(7,032,187)
Operating Deficit 2010/11	(8,954,409)
Adjustment in 2% reserve	(69,598)
Unappropriated Balance 6/11	(\$16,056,194)
- Impact of Additional Cuts; District Revenue Measure
 - Because of cuts approved at this meeting, Board has cut the \$16,056,194 deficit in half
 - District Revenue Measure on May 19 ballot could offset about \$7,000,000 of the additional cuts

Presented only as information at this time, the Second Interim Report will be brought back to the Board for approval on March 10.

10.3 Resolution 08/09-54 to Decrease the Number of Certificated Employees Due to a Reduction in Particular Kinds of Services

Allen moved, Strange seconded, and the Board voted 5-0-0 to adopt Resolution 08-09/54, stating the need and outlining the process to decrease 97.47 FTE certificated positions in 2009-10 due to a reduction in particular kinds of services.

10.4 Resolution 08/09-53 Temporary Borrowing Between Funds

Whitmarsh moved, Mayo seconded, and the Board voted 5-0-0 to adopt Resolution 08/09-53, allowing for temporary borrowing between funds for the 2008-2009 fiscal year, as per Education Code Section 42603.

10.5 Request Budget for the Construction of Three Additional Classrooms at Riverview Middle School

Allen moved, Strange seconded, and the Board voted 5-0-0 to approve staff's request to create a \$1,760,907 budget for design, engineering, approval, inspection, testing, consulting, and construction costs associated with the installation of three additional classrooms at Riverview Middle School, needed for class size reduction as required under the Quality Education Investment Act (QEIA). Funding Source: Proposition 55

10.6 Contra Costa County Elections Office – Board of Education Election Fees

Whitmarsh moved, Mayo seconded, and the Board voted 5-0-0 to approve payment to the Contra Costa County Elections Department of a bill for the November 4, 2008 Board of Education election expenses. Fiscal Impact: \$205,020.05 Funding Source: \$101,630 from the Board of Education budget; \$35,000 from the Superintendent budget; \$68,390.05 from the Community Relations budget

Board comment: Noting that the election costs are about twice they've been in the past, Mayo said she asked staff for an explanation. She learned that one of the reasons for the cost increase was an increase from 474 to 615 in the number of precincts for MDUSD, and that required more poll workers and other resources. "So the great election of 2008," she said, "was more expensive because of the magnitude and the voter turnout. It's wonderful that we had that voter turnout, but it created more expense for the District."

10.7 Hold Public Hearing and Adopt the Mt. Diablo Unified School District Special Education Local Plan Area (SELPA) Annual Budget, the Certification of the Annual Service Plan, the California Special Education Management Information System (CASEMIS) Service Descriptions, and the Service Plan Forms for the 2008-2009 School Year

Public Hearing Eberhart opened the hearing at 10:50 p.m. With no requests to speak, he closed the hearing.

Board action Mayo moved, Allen seconded, and the Board voted 5-0-0 to adopt the MDUSD Special Education Local Plan Area (SELPA) Annual Budget, the Certification of the Annual Service Plan, the California Special Education Management Information System (CASEMIS) Service Descriptions, and the Service Plan Forms for the 2008-2009 School Year. Ed Code sections 56205, 56205(b)(2) and 56195.7 require each SELPA Local Plan document to include a service plan component and a budget plan that are updated annually.

10.8 Adoption of the Art and Humanities I Course of Study

Whitmarsh moved, Allen seconded, and the Board voted 5-0-0 to adopt a course of study for Art and Humanities I, which was developed by a team of Mt. Diablo High School teachers and a Curriculum Specialist in preparation for a new Art and Humanities Academy, a Specialized Secondary Program, at MDHS. To qualify for grant funding, the academy must offer at least two, preferably more, courses that have never been taught anywhere in the District before. Presented only as information at the February 24 meeting, this item was returned for action at this time.

10.9 Adoption of the Art and Humanities II Course of Study

Strange moved, Whitmarsh seconded, and the Board voted 5-0-0 to adopt a course of study for Art and Humanities II, which was developed by a team of Mt. Diablo High School teachers and a Curriculum Specialist in preparation for a new Art and Humanities Academy, a Specialized Secondary Program, at MDHS. To qualify for grant funding, the academy must offer at least two, preferably more, courses that have never been taught anywhere in the District before. Presented only as information at the February 24 meeting, this item was returned for action at this time.

10.10 Adoption of the Art and Humanities III Course of Study

Allen moved, Strange seconded, and the Board voted 5-0-0 to adopt a course of study for Art and Humanities III, which was developed by a team of Mt. Diablo High School teachers and a Curriculum Specialist in preparation for a new Art and Humanities Academy, a Specialized Secondary Program, at MDHS. To qualify for grant funding, the academy must offer at least two, preferably more, courses that have never been taught anywhere in the District before. Presented only as information at the February 24 meeting, this item was returned for action at this time.

10.11 Adoption of the Introduction to Business Finance Course of Study

Whitmarsh moved, Strange seconded, and the Board voted 5-0-0 to adopt a course of study for an Introduction to Business Finance class as recommended by a committee of secondary teachers and the Mathematics Curriculum Specialist. Presented only as information at the February 24 meeting, this item was returned for action at this time.

10.12 Adoption of the Statistics AP Course of Study

Strange moved, Allen seconded, and the Board voted 5-0-0 to adopt a Statistics AP course of study that a committee of secondary teachers and the Mathematics Curriculum Specialist revised and updated to align with current AP requirements and the District's course of study format. Presented only as information at the February 24 meeting, this item was returned for action at this time.

10.13 Adoption of Personal Finance Course of Study

Strange moved, Mayo seconded, and the Board voted 5-0-0 to adopt a new course of study, Personal Finance, that a committee of secondary teachers and the Mathematics Curriculum Specialist developed to replace Business Math and Senior Math. Presented only as information at the February 24 meeting, this item was returned for action at this time.

10.14 Adoption of the Advanced Math Topics Course of Study

Allen moved, Whitmarsh seconded, and the Board voted 5-0-0 to adopt a course of study, Advanced Math Topics, that a committee of secondary teachers and the Mathematics Curriculum Specialist developed to replace Trigonometry and Advanced Algebra Topics. Presented only as information at the February 24 meeting, this item was returned for action at this time.

10.15 Adoption of Middle School Mathematics Materials

A Curriculum Specialist working with a mathematics committee representing all the middle schools in the District went through an 11-month process to assess mathematics texts and materials and has recommended materials from Holt, Rinehart and Winston for adoption. Presented only as information at this time, this item will be returned for action at a subsequent meeting.

Board comment Mayo acknowledged the hard work of all the staff involved in all of the adoptions approved and recommended at this meeting.

11. ADJOURNMENT

Eberhart adjourned the meeting at 10:55 p.m.

Richard Nicoll, Secretary