

MINUTES
REGULAR MEETING OF THE BOARD OF EDUCATION
MT. DIABLO UNIFIED SCHOOL DISTRICT
Tuesday, April 27, 2010 (7:30 p.m.)

Board Members: Paul Strange, Gary Eberhart, Richard Allen, Linda Mayo and Sherry Whitmarsh
Administrative Staff: Superintendent Steven Lawrence, Associate Superintendent Alan Young, Assistant Superintendents Gail Isserman, Rose Lock, Pete Pedersen and General Counsel Greg Rolan

CALL TO ORDER

The Meeting of the Board of Education of the Mt. Diablo Unified School District was called to order by Paul Strange at 6:00 p.m. in the Board Room at the MDUSD Dent Center.

CLOSED SESSION

The Board adjourned to Closed Session at 6:01 p.m. in Room 6 at the MDUSD Dent Center.

RECONVENE OPEN SESSION

The Board returned to Open Session in the Board Room at 7:30 p.m. President Strange reported action taken in closed session.

REPORT OF CLOSED SESSION

In closed session the Board considered information and gave recommendations to staff regarding negotiations, one (1) expulsion and two (2) readmissions.

Employee Discipline/Dismissal/Release/Complaint

Readmissions

Allen moved, Whitmarsh seconded and the Board voted 5-0-0 to readmit two students.

EXPULSION RECOMMENDATION

Expulsion Recommendation for Student #39-10

Whitmarsh moved, Mayo seconded, and the Board voted 5-0-0 that Student #39-10 be expelled from all schools and programs in the Mt. Diablo Unified School District and that Student #39-10 may apply for readmission after January 21, 2011. It is also required that Student #39-10 participate in individual counseling, community service, the District's Anger Management Workshop, the District's Drug and Alcohol Workshop, provide proof of a negative drug test, the COPS Program, and show evidence of a successful school experience with no suspendible behavior infractions prior to applying for readmission.

CONSENT AGENDA

Mayo moved, Allen seconded and the Board voted 5-0-0 to approve Consent Agenda as presented with the exception of Resolution 09/10-57 Compensation for Board Members.

9.2 Minutes of the April 13 meeting.

9.3 Recommended Action for Certificated Personnel.

Changes in status of certificated employees.

9.4 Request to increase and decrease various certificated positions funded by categorical funds for the 2010-2011 school year.

Positions requested to be increased or decreased as described.

9.5 Request to increase and decrease various certificated positions funded by categorical and general funds for the 2009-2010 school year.

Positions requested to be increased or decreased as described.

9.6 Recommended Action for Classified Personnel.

Changes in status of classified employees.

9.7 Classified Personnel: Adopt Job Description for Educational Interpreter.

The job description has been updated to include new regulations that were established on July 1, 2008 by the Office of Administrative Law, American Sign Language (ASL) Interpreter Certification Legislation Bill Number: AB 2912. This position is on the CSEA Salary Schedule at Range 506A (\$19.62/hour - \$23.84/hour). This was brought forward at the April 13, 2010 Board meeting for the first reading, and we are now presenting this job description for Board approval.

9.8 Classified Personnel: Create a Part-time Assistant to the Hearing Impaired Position at Strandwood Elementary School.

Special Education has requested the creation of a part-time, 30 hours/week, school day only, Assistant to the Hearing Impaired to support a student who has re-enrolled in our District.

9.9 Fiscal Transactions for the month of March 2010.

IFAS Vendor Warrant Report and IFAS Vendor Cancellations Warrant Report for March 2010. Payments have been made to meet the District's obligations for salaries, benefits, supplies, contract services, equipment, capital improvements and other outgo.

9.10 Monthly Budget Transfer and/or Budget Increases/Decreases for the month of March 2010.

Budget Revisions for the month of March 2010. Some revisions are a result of prior Board Actions, changes in grant awards and changes in funding. Donations have been made to the District by private individuals and businesses. There are also deposits for payments to school sites for lab fees and other items for which the sites collect money. The appropriate revenue and expenditure budgets have already been increased by the amount of the donations.

9.11 Request approval to submit a grant to the United Way of the Bay Area to continue providing support services for transitioning foster youth post high school graduation.

Foster Youth's Transition Program United Way of the Bay Area (UWBA) Extension Grant Budget Staff requests permission to submit a grant to the United Way of the Bay Area to continue providing support services for transitioning foster youth post high school graduation. Mt. Diablo Unified School District Foster Youth Services (MDUSD FYS) provides counseling and tutoring services to over 400 foster youth annually in the District through funding provided by the California Department of Education (CDE). In 2009, MDUSD FYS was awarded a two-year grant from United Way of the Bay Area to develop and implement a program to support foster youth as they transition out of foster care toward careers and higher education. MDUSD FYS seeks to extend this program for one more year. The transitional services objectives include lowering rates of unemployment and homelessness. Funding will provide direct support services and case management to transition-age foster youth, 16-19 years old to develop and monitor individualized case plans that address current educational needs, higher education, career and vocational training, obtaining housing, employment opportunities and community resources. The grant will pay for staff to support foster youth as they prepare to transition out of the foster care system. If funded, the grant will provide \$17,500 for one additional year.

9.12 Contra Costa County Family and Children's Trust (FACT) Grant.

Staff requests permission to submit an application to Contra Costa County Family and Children's Trust (FACT) for the Contra Costa County FACT Grant in the amount of \$80,000 to provide support services for teen parents at Crossroads High School. These funds will be used to encourage continued school enrollment, improve academic performance, promote an understanding of child development and the adoption of positive parenting practices. This grant supports student learning by providing a program that includes mentoring and tutoring, parenting and life skills education. Services will include reading support, math support, career exploration, counseling, and strengthening parenting skills. This is a one year renewable grant.

9.13 Contra Costa County Community Services/Early Head Start Program Enhancement Services.

Staff requests permission to submit an application to Contra Costa County Community Services for funding from Early Head Start Program Enhancement Services in the amount of \$143,500 to provide support for the child care services offered to the teen parents at Crossroads High School.

9.14 Request approval to submit the Region 4 After School Programs Mini-grant to Alameda County Office of Education to document College and Career Readiness Activities at Mt. Diablo and Ygnacio Valley CARES After School Programs.

Staff requests authorization to submit the Region 4 After School Programs Mini-grant to Alameda County Office of Education to document College and Career Readiness Activities at Mt. Diablo and Ygnacio Valley High School CARES After School Programs. The programs will plan and conduct a digital media project highlighting the development of students' college readiness and workplace and career readiness skills through participation in the after school program projects. If awarded, the grant will provide \$5,000 to implement the after school activities for one year.

9.15 Carl D. Perkins Vocational and Applied Technology Education Act Funds for 2010-2011.

Mt. Diablo secondary and adult programs seek board approval to submit applications for 2010-2011 funding through Carl D. Perkins Vocational and Applied Technology. The secondary allocation will be approximately \$200,000 and adult education allocation will be approximately \$67,000. These are supplemental funds for District career technical education.

9.16 Addendum to additional contract with Alameda County Office of Education for a reading/language arts professional development for special education teachers.

The Mt. Diablo Unified School District and the Alameda County Office of Education (ACOE) have a number of joint projects and staff development activities. SB472 Houghton Mifflin Reading training is a basic component of the Special Education Teachers Professional Development Grant. This contract is being presented for approval because the total vendor cost exceeds the allowable \$25,000 limit due to multiple sites requesting services.

9.17 Award of Bid for Bid #1561.

Bid No. 1561 was called to provide the SMART Classrooms at Concord and College Park High Schools. The lowest responsible, responsive bidder is Magnum Construction, Inc., for the total amount of \$1,654,725.00. The scope of work includes, but is not limited to: site work, demolition and metal stud construction necessary for new modular classroom(s) and laboratory buildings, including associated civil, architectural, structural, plumbing, mechanical and/or electrical work. Generally, these categories of work involve new finishes, adaptive re-use and modification of certain selected areas, new cabinetry (including laboratory), handicap accessibility, roofing, and photovoltaic systems and pertain to changing and expanding selected infrastructure utilities, and/or extensive modifications. The project may involve "phasing" and barricading of work areas. Contractor shall be responsible for all work, as well as wiring, system integration, data terminations, connections and photovoltaic systems. The three (3) lowest bids received for this project are as follows: B Bros Construction for \$1,458,300.00 (bid withdrawn); Taber Construction, Inc. for \$1,638,000.00 (bid withdrawn); and Magnum Construction, Inc., for \$1,654,725.00. The budget for this project is \$2,293,850.00.

9.18 Request to revise Administrative Rule 4113.11 (Staffing Ratios) to reflect reductions made through Board actions through 2009.

Over the past several years, the Board has taken action to adjust staffing ratios. The revisions to Administrative Rule 4113.11 (Staffing Ratios) reflect the most updated Board actions through 2009. Administrative Rule 4113.11 (Staffing Ratios) was brought before the Board on February 9, 2010 for information only. It is now being returned for action.

Consent Items Pulled for Discussion

10.1 Resolution 09/10-57 Compensation for Board Members.

Education Code section 35120 authorizes the District to pay a member who is absent from a District Board Meeting if, at the time of the meeting, the member is performing services outside the meeting for the District, he or she is ill or on jury duty, or the absence is due to a hardship deemed acceptable by the Board. On April 13, 2010 Board Member Sherry Whitmarsh was absent due to an illness.

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Eberhart moved, Mayo seconded and the Board voted 4-0-1 (Whitmarsh abstained) to approve.

RECOGNITIONS

The Board of Education recognized six teachers nominated as Teacher of the Year: Kelly Cooper, Ygnacio Valley High; Deborah Huaco, Mt. Diablo Elementary; Nancy Kracjar, Olympic High; Daniel Reynolds, Mt. Diablo High; Christine Stodola, Silverwood Elementary; and Stephen Willner, Sequoia Middle. Superintendent Lawrence announced Nancy Kracjar and Daniel Reynolds will move forward to the Contra Costa County competition for Teacher of the Year.

COMMUNICATIONS/ORGANIZATIONS

Annie Nolen, CSEA Vice President, asked the Board to verify the number of hours for each of the recently approved positions of her members.

STUDENT REPRESENTATIVES

Students reported on the activities at their high schools.

Cristian Bonjean, Prospect

Jordyn Kanoa, Olympic

Jennie Butler, Clayton Valley

Gianna Faulk, Concord High

Michael Sullivan and Morgan Vlanancic, College Park

Board Comment

Per the request of student representative, Michael Sullivan, Gary Eberhart asked staff to include student representatives on the School Closure Committee.

SUPERINTENDENT'S REPORT

Superintendent Lawrence announced that all administrators have agreed to take 3-4 furlough days this year (depending on their number of work days). He thanked all the administrators for showing leadership.

Superintendent Lawrence announced that Margot Tobias has been recognized by the Juvenile Justice Commission and Delinquency Prevention Commission with the 2009 Juvenile Justice Commission Award for Outstanding Service by a non law enforcement individual. He also mentioned nine District administrators that were recognized at the recent ACSA Region 6 awards dinner. Two administrators will be moving forward to compete statewide for Administrator of the Year: Pam Neudecker, Crossroads, is moving forward for Alternative Education Administrator of the Year and Susan Petersen, Delta View, is moving forward for Elementary School Principal of the Year. Superintendent Lawrence thanked the three administrators honored for their contributions to the District and the focus they put on the children of Mt. Diablo Unified School District.

BUSINESS/ACTION ITEMS

16.1 Resolution 09/10-56 Day of the Teacher, May 12, 2010

The Mt. Diablo Unified School District Board of Education wishes to adopt a resolution acknowledging the lifelong influence that teachers can have on the lives of our children and to express its appreciation for the creativity, dedication, and talent of teachers in the Mt. Diablo Unified School District.

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

16.2 Approval of Resolution - Asian Pacific Heritage Month

The California Department of Education has designated May as Asian Pacific Heritage Month. This resolution recognizes the many contributions made by the people from the Asian Pacific lands to the growth and development of California's Heritage.

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

16.3 Approval of Resolution - National Foster Care Month

The United States Government and the State of California designate the month of May as National Foster Care Month. This resolution recognizes May as Foster Care month in Mt. Diablo Unified School District.

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

16.4 Classified Personnel: Budget Reduction Proposals and Corresponding Resolutions for Local One, Clerical, Secretarial and Technical (CST) Bargaining Unit.

At the April 13, 2010 Board meeting, the Board of Education requested District staff bring back four (4) different proposals for budget reductions for the Local One, Clerical, Secretarial and Technical (CST) bargaining unit. The approximate dollar amount of the reduction was approved by the Board on March 9, 2010 as part of the overall reduction process. The four (4) proposals and corresponding Resolutions were presented.

Public Comment

Carmen Terrones-Torres spoke regarding the increase in some salaries for administrators and the reduction of all CST positions by 2 weeks per year and ½ hour per day.

Jean Sabolevsky thanked the Board and stated sharing the burden made the fear tolerable and she would be watching to see what other cuts the Board will decide to make.

Eberhart moved, Allen seconded the original motion to adopt resolution #09/10-59 (J) New Proposed Revision to Budget Reduction relative to the elimination of classified Clerical, Secretarial and Technical (CST) and the Board voted 5-0-0 to approve.

16.5 Classified Personnel: Resolution Relative to Elimination/Reduction of Classified Positions.

Program modifications and budgetary limitations make it necessary to eliminate/reduce certain classified positions.

Public Comment

Ronald Edmonds asked for clarification of the Instructional Media Assistant positions being cut.

Susan Edmonds spoke about the Instructional Media Assistant positions to be cut and the loss of support at the middle school level.

Eberhart moved, Mayo seconded the new motion to adopt resolution relative to the elimination of classified positions limiting the FTE reduction of the IMA positions from 1.925 to 1.525 and the Board voted 5-0-0 to approve.

16.6 Opportunity for public response to Public Employees Union, Local One, Clerical, Secretarial & Technical Unit (CST) Successor Agreement proposal.

At the April 13, 2010 meeting, Public Employees Union, Local One, Clerical, Secretarial & Technical Unit (CST) requested the opportunity to add additional items to their original Successor Agreement proposal.

Public Comment

Debbie Hickey said the salary cuts to CST members have been emotional.

Anne Kendall asked if the resolution approved in March had to be rescinded.

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

16.7 Opportunity for public response to the Board's Successor Agreement proposal for Mt. Diablo Education Association (MDEA).

At the April 13, 2010 meeting, the Board's Successor Agreement proposal for Mt. Diablo Education Association (MDEA) was publicly presented. This proposal is now being presented for public response.

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

16.8 Approve Bond Underwriting Team

In consideration of putting Measure C on the June ballot the District needs to select underwriters to purchase the District's General Obligation Bonds. Upon successful passage of Measure C a proposed underwriting team

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consisting of Stone & Youngberg, George K. Baum & Company, and Brandis Tallman LLC will serve as the District's underwriting team. Final terms and conditions will be brought forward in a master contract at the next Board meeting.

Eberhart moved, Whitmarsh seconded and the Board voted 5-0-0 to approve.

Board Member Reports

Linda Mayo reported on her last elementary school site visit. She will be attending the annual California State PTA Annual Convention during the upcoming weekend. She thanked MDEA and the District for participating in the Education Coalition press event held on April 15 about the affect of budget reductions and the impact on the loss of libraries throughout the State of California.

Meeting adjourned at 8:50 p.m.

Steven Lawrence, Secretary