

**REGULAR MEETING OF THE BOARD OF EDUCATION
MT. DIABLO UNIFIED SCHOOL DISTRICT
Tuesday, October 11, 2011 (7:00 PM)**

Board Members: Sherry Whitmarsh, Linda Mayo, Lynne Dennler, and Cheryl Hansen. Absent: Gary Eberhart

Administrative Staff: Superintendent Steven Lawrence, Assistant Superintendents Julie Braun Martin, Mildred Browne, Rose Lock, General Counsel Gregory Rolen, and Chief Financial Officer Bryan Richards

CALL TO ORDER

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

ADJOURN TO CLOSED SESSION

The Board adjourned to Closed Session at 6:01p.m. in Room 6 at the Dent Center. In Closed Session the Board discussed negotiations. In Closed Session the Board voted to readmit one student who met his conditions of rehabilitation.

RECONVENE OPEN SESSION

The Board returned to open session at 7:00 p.m. in the Board room. Vice President Whitmarsh led the Pledge of Allegiance and reported action taken in Closed Session.

CONSENT AGENDA

Mayo moved, Dennler seconded, and the Board voted 4-0-1 (Eberhart – absent) to adopt the Consent Agenda as presented, there by approving the following

8.2 (Item #2) Minutes of the meeting of August 23, 2011

8.3 (Item #3) Recommended Action for Certificated Personnel

8.4 (Item #4) Approval of 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. All requests for a Variable Term Waiver must be presented for approval to the governing board of a public school district. Every waiver request submitted to the Commission on Teacher Credentialing must include verification that a notice of intent to employ the named applicant in the identified position has been made public.

8.5 (Item #5) Request to increase and decrease Full Time Equivalent (FTE) for the 2011-2012 school year

8.6 (Item #6) Recommended Action for Classified Personnel

8.7 (Item #7) Approve Kaiser grant for Mt. Diablo CARES After School Programs

Staff requests permission to submit a grant request to Kaiser Permanente to transfer the existing grant from its current fiscal agency Ambrose Recreation and Park District (ARPD) to Mt. Diablo Unified School District. In July 2011, the ARPD Board voted to not continue an annual contract with MDUSD to provide after school programming in Bay Point due to fiscal constraints. Both ARPD and MDUSD continue to work collaboratively to ensure that resources previously appropriated to ARPD can continue to reach the youth in the Bay Point After School Programs. If the grant transfer is approved this grant will continue to support the implementation of the Summer Teen Garden Corp program in the Bay Point Garden. These funds would pay for \$500 student stipends for 20 participating youth. If funded, the grant will provide \$10,000 annually.

8.8 (Item #8) Approve Community Development Block Grant (CDBG) contract for the Mt. Diablo CARES After School Programs

Staff requests permission to submit a grant request to Contra Costa County to transfer the existing Community Development Block Grant (CDBG) from its current fiscal agency Ambrose Recreation and Park District (ARPD) to

Mt. Diablo Unified School District. In July 2011, the ARPD Board voted to not continue an annual contract with MDUSD to provide after school programming in Bay Point due to fiscal constraints. Both ARPD and MDUSD continue to work collaboratively to ensure that resources previously appropriated to ARPD can continue to reach the youth in the Bay Point After School Programs. If the grant transfer is approved this grant will continue to provide increased enrichment services to five eligible CARES After School sites in Bay Point (Bel Air, Delta View, Rio Vista and Shore Acres Elementary and Riverview Middle school). These funds would pay for additional specialized outside enrichment services and instructors, field trips and assemblies. If funded, the grant will provide \$10,000 annually for a total of \$20,000 over two years. This would be the second year of funding.

8.9 (Item #9) Approval of contract between Napa County Office of Education CalSERVES and Mt. Diablo Unified School District CARES After School Program

Staff requests authorization to enter into a contract with the Napa County Office of Education CalSERVES to serve as a subcontractor to implement the Carol White Physical Education Program (PEP) grant. CalSERVES was awarded a three-year PEP grant from the U.S. Department of Education and will serve as the grants fiscal agent. Mt. Diablo Unified School District (MDUSD) CARES After School Program will serve as a subcontractor to CalSERVES to provide expanded physical activity and nutrition education programs within the after school program. In 2004, Mt. Diablo CARES After School Program and Cal SERVES (Sonoma) were identified as two of fourteen Healthy Behavior Initiative (HBI) after school centers in California by the Center for Collaborative (CCS) Solutions. Under the Healthy Behaviors Initiative, afterschool programs have been transformed into environments that support and encourage healthy behaviors and offer the afterschool community a guide to Developing Exemplary Practices in Nutrition, Physical Activity and Food Security in Afterschool Programs. The Centers coach and support other programs in their regions with resources and tools inspired by the Practices that result in healthier behaviors among students and help reverse the childhood obesity trend. As an HBI after school program, the PEP grant will further support these two after school programs: CalSERVES and Mt. Diablo CARES in strengthening programming and services to students and families. Funds will be used for program staff and coordination, supplies and materials. MDUSD is eligible for \$132,480 over three years (2010-13) and a total of \$39,200 for 2011-12 which is the second year of the grant.

8.10 (Item #10) Award of Bid #1582 for Custodial Supplies

Bid No. 1561 was called to provide Custodial Supplies, district wide. The lowest, responsive bidder is Cole Supply for the base bid amount of \$285,174.75. The initial term of the contract is for a period of one (1) year with two (2) one year options to renew. The custodial budget is \$397,000.00.

8.11 (Item #11) Create Job Description and Position for Administrator Related Services

At the September 27, 2011 Board meeting, the Administration brought forward a job description for Administrator Related Services for information only to request the creation of the position and elimination of the position of Occupational and Physical Therapy Manager. In June 2010 the Board of Education eliminated the position of Administrator for Special Education Resource Program and Related Services. This elimination was based on a recommendation of the MGT study in which it was recommended that administrative duties relating to oversight and support for related services be consolidated with support for the special education management system. The Administration is requesting the position's salary range be changed to Range 19 due to the increase in responsibility and breadth of the new position.

8.12 (Item #12) Create Job Description and Position for Administrator Special Education

At the September 27, 2011 Board meeting, the Administration brought forward a job description for Administrator Special Education for information only to request the creation of the position and elimination of the position of Administrator Special Day Class. In Spring, 2010, the Board of Education eliminated the position of Administrator for Special Education Resource Program and Related Services. This elimination was based on a recommendation of the MGT Study where it was recommended that some of the duties of Administrator for Special Education Resource Program and Related Services be added to the position of Administrator Special Day Classes. During the 2010-11 school year, Mary Ann Tucker was reassigned duties related to the oversight of Resource Specialist Programs in the district. Therefore, with this increase in duties, the title of Administrator Special Education more appropriately captures the actual tasks of the position. Over the last six years, the Administrator for Special Day Classes, while only a 207 day position, worked a summer schedule on a time sheet basis. Every year, work in the summer is necessary to assure students are placed, staff is recruited, and student transportation documentation is updated for the start of the new school year. For the 2011 school year, Ms. Tucker already worked a summer schedule on a time

sheet. This position requires a 248 day calendar and will commence with the next incumbent who assumes the position. This position will remain at salary range 25. The funding will shift from a time sheet status during the summer to an annual salary.

8.13 (Item #13) Proclamation of October 23-31, 2011 as "Red Ribbon Week"

During Red Ribbon Week, schools and many community agencies throughout California will join together to highlight their commitment of a drug and tobacco free society. Through this proclamation, the MDUSD Board of Education urges all students, staff, parents, and members of our community to wear a red ribbon during Red Ribbon Week and to support efforts to make our schools and community drug and tobacco free.

8.14 (Item #14) Resolution 11/12-18 Disability Awareness Month

October has been designated as Disability Awareness Month. The Special Education Department and the Mt. Diablo Unified School District wish to affirm its support of the importance of an appreciation for the diversity of all people. The Mt. Diablo Unified School District also recognizes the contributions made by people with disabilities throughout history and encourages schools to participate in activities that enhance awareness of and sensitivity to individuals with disabilities.

8.15 (Item #15) Request to increase Special Day Class Full Time Equivalent (FTE) for the 2011-2012 school year

PUBLIC COMMENT

The following spoke in support of implementing the Fair Education Act SB48 : Chloe Babcock, Isabella Mireles, Savannah Ridgley, Daniel Reynolds, and Jake Cooper.

Willie Mims expressed concern about the District-wide API scores and the two major subgroups (Hispanic and African American) that did not test proficient in English Language Arts or Math. He commended the District and Superintendent for addressing disproportionality of African American students in Special Education.

SUPERINTENDENT'S REPORT

Superintendent Lawrence reported that of the 15,600 students that needed the Tdap, only 46 students did not meet the requirement by the end of September. On October 9, 2011 UMDAF held their annual 5K Fun Run.

Rose Lock introduced the three schools that were not able to make it to the last Board meeting to be recognized for their gains in API scores: Hidden Valley Elementary increased from 851 to 895; Holbrook Elementary increased from 777 to 816; and Olympic Continuation High School increased from 477 to 500.

BUSINESS/ACTION ITEMS

13.1 Public Hearing and Adoption of Resolution of Dedication of Easement at Pleasant Hill Education Center

The Contra Costa Water District is requesting a grant of easement at Pleasant Education Center. This easement is required for the installation, operation and maintenance of a new 4" domestic water meter to be installed on MDUSD property. Pursuant to the process prescribed under Section 15556 of the Education Code regarding dedication of easements to any public entity, the Board of Education approved the Resolution of Intent to Dedicate this easement to the Contra Costa Water District as detailed above on September 27, 2011. A public hearing and Board adoption are now required to formally execute the grant of easement.

Vice President Whitmarsh opened the public hearing at 7:24 p.m. There were no speakers. Vice President Whitmarsh closed the public hearing at 7:24 p.m.

Mayo moved, Dennler seconded, and the Board voted 4-0-1 to adopt Resolution #11/12-21 as presented.

13.2 Review of and Update on the Clayton Valley High School Charter Petition and Motion to Rescind

Review of and Update on the Clayton Valley High School Charter Petition. This shall include: A review of the conditions required of the Charter School petitioners Reports on all meetings that have been held or are in progress between the Board, district representatives, and the charter school representatives around this petition, covering the period between September 13th and October 11th Board meetings. Motion to Rescind: At the October 11th Board

meeting, Ms. Hansen shall introduce a motion to rescind the Board's action on the Charter School approval with conditions that occurred on September 13, 2011.

Deborah Cooksey, Assistant General Counsel, reported on the meetings that the District has had with the charter petitioners.

Public Comment

Speaking in support of the Clayton Valley High School charter petition:

Leigh Kirmsse, Neil McChesney, Christine Reimer, Dana H. Deely, Megan Kommer, Margaret Ljepava, April Winship, Debi Branich, Dylan Perreira, Joe Medrano, Jennifer DeAngelis, Pat Middendorf, Paul Minney, David Shuey, Julie Pierce, Gary Swanson, Grant Bazair, Linda Loza, Ron Loza, Amber Lineweaver, and Carlyn Obringer.

Speaking in opposition to the Clayton Valley High School charter petition:

Cheryl Kolano, Sequoia Elementary School Principal; and Willie Mims.

Motion

Hansen moved, Dennler seconded, and the Board voted 2-2-1 (Hansen and Dennler – no) to deny rescinding the September 13, 2011, motion that approved, with conditions, the Clayton Valley High School Charter School petition. Motion failed.

13.3 Revision of Job Description for Benefits Specialist

The District is requesting a revision of the job description for Benefits Specialist and to change the job from the CST Bargaining Unit to the Confidential Unit. The incumbent in this position performs highly technical and confidential work including working with each bargaining units on their health benefits. Moving this position to the Confidential Unit more accurately describes the duties involved with this position.

Presented as information only. This will be returned for action.

13.4 Revision of Administrative Rule: AR 6184.1

Draft Administrative Rules: AR 6184.1 are presented to the Board of Education as information only. Mt. Diablo Unified has transitioned to Aeries and SEIS, electronic student information databases. This administrative rule has been revised to reflect use of these systems and will provide more security for student cumulative files. This item will be returned at a subsequent board meeting for approval.

Presented as information only. This will be returned for action.

BOARD MEMBER REPORTS

Ms. Dennler reported on her site visit to Diablo Day Community School.

Ms. Mayo visited Silverwood and Westwood elementary schools; Valley View Middle School; and Diablo Community Day School's Open House. She attended the Community Advisory Committee meeting and the Parent Advisory Council meeting. She also attended the site council training.

Ms. Whitmarsh attended the site council training, Parent Advisory Council, and UMDAF 5K Run. She thanked Felicia Stuckey-Smith for organizing Red Ribbon week.

The meeting adjourned at 9:39 p.m.