

MINUTES
REGULAR MEETING OF THE BOARD OF EDUCATION
MT. DIABLO UNIFIED SCHOOL DISTRICT
Tuesday, January 25, 2011 (7:30 p.m.)

Board Members: Gary Eberhart, Sherry Whitmarsh, Linda Mayo, Lynne Dennler (participated from Club Veles Vallarta, Puerto Vallarta), and Cheryl Hansen

Administrative Staff: Superintendent Steven Lawrence, Assistant Superintendents Julie Braun Martin, Mildred Browne, Rose Lock, General Counsel Gregory Rolan, 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 Gary Eberhart 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 Dent Center. Items discussed were negotiations, three cases of anticipated litigation, one expulsion, readmission of one student and existing litigation: Okendo v. Mt. Diablo Unified School District, and Gonzalez v. Mt. Diablo Unified School District.

RECONVENE OPEN SESSION

The Board reconvened open session in the multi-purpose room at Monte Gardens Elementary School at 7:30 p.m. President Eberhart led the Pledge of Allegiance to the Flag and reported action taken in Closed Session.

Readmission

Mayo moved, Whitmarsh seconded and the Board voted 4-0-1 (Dennler absent) to approve staffs recommendation to readmit one student who met the conditions of the rehabilitation plan.

EXPULSION RECOMMENDATION

Student 08-11: Mayo moved, Whitmarsh seconded and the Board vote 5-0-0 that Student #08-11 be expelled from all schools and programs in the Mt. Diablo Unified School District and that Student #08-11 may apply for readmission after June 17, 2011. It is also required that Student #08-11 participate in individual counseling to address anger management and decision making skills, 30 hours of community service, the COPS Program for aggressive offenders, the District's Teen Anger Management Workshop and show evidence of a successful school experience with no suspendible behavior infractions and maintain a 2.0 minimum GPA prior to applying for readmission.

CONSENT AGENDA

Mayo moved, Hansen seconded and the Board voted 5-0-0 to approve the Consent Agenda with the exception of item 9.8 (pulled from consent by Ms. Hansen) thereby approving the following:

9.2 (Item 2) Minutes of the meeting of December 14, 2010

9.3 (Item 3) Recommended Action of Certificated Personnel

9.6 (Item 4) Request to increase and decrease Full Time Equivalent (FTE) for the 2010-2011 school year

9.5 (Item 5) Recommended Action for Classified Personnel

9.6 (Item 6) Classified Personnel: Create a Part-time Instructional Assistant-Bilingual Position for Bel Air Elementary School

9.7 (Item 7) Classified Personnel: Reduction in Hours of a Community Service Assistant Position at Glenbrook Middle School

9.9 (Item 9) Increase the Contract/Purchase Order with Beyond the Words, Inc. for the Services of Educational Interpreters for the Deaf for School Year 2010-2011

10.0 CONSENT ITEMS PULLED FOR DISCUSSION

(Item 8) Contract for the School Facility Program for 2010-11.

Whitmarsh moved, Mayo seconded, and the Board voted 4-1-1 (Eberhart abstain, Hansen no) to approve the contract for the School Facility Program for 2010-11.

RECOGNITIONS

The Board presented a certificate to Norma Meyerkorth, teacher at Concord High School. Ms. Meyerkorth recently achieved National Board Certification.

STUDENT REPRESENTATIVES

The following student representatives reported on activities at their schools: Ygnacio Valley High, Namja Sadat; Concord High, Mia Pricco; Mt. Diablo High, Zaharina Velazquez-Ramos; and College Park High, Nicole Pettit.

PUBLIC COMMENT

Stacy Wilson, parent at Wren Avenue, asked for clarification on how the lottery funds that the District receives are spent.

Rosa Cabrera, Local 1 CST Business Agent, said that the union members are committed to working together with the District. She asked that union members be treated with respect.

Willie Mims, BPA and NAACP asked that meetings be held in a larger facility to accommodate everyone.

Alicia Minyen, parent, asked if boundary changes that will be made after the school closures will affect those in the "gray area" of Pleasant Hill which would eliminate their choice to attend College Park High School.

COMMUNICATIONS

Lorrie Davis, CAC President, asked parents to contact legislators and asked them to support reinstatement of the AB3632 funding. She suggested that superintendents and board members in Contra Costa County unite and ask the Board of Supervisors to cover the costs for this year.

REPORTS/INFORMATION

Completion of Consent Decree

Dr. Lou Barber reported that the Consent Decree has been successfully completed. It had been extended from Dec 31, 2009 to November 6, 2010. The attorneys will complete the finalization with the courts. He thanked Dr. Mildred Browne as well as the past and present presidents and members of the Citizens Advisory Committee for their help.

Board members Linda Mayo and Gary Eberhart thanked Dr. Barber for his work on the Consent Decree.

SUPERINTENDENT'S REPORT

Superintendent Lawrence thanked MDEA President, Mike Langley, Local One M & O President, Carolyn Inklebarger, and Ms. Mayo who attended the recent School Services of California meeting in Sacramento where they received an update on Governor Brown's proposed budget. He introduced Chief Financial Officer Bryan Richards who gave a report on the governor's proposed budget.

BUSINESS/ACTION ITEMS

17.1 Approval of Resolution - African American History Month

Hansen moved, Mayo seconded and the Board voted 5-0-0 to adopt the resolution as presented.

17.2 Appointment of Director, Personnel Services

Mayo moved, Whitmarsh seconded, and the Board voted 5-0-0 to appoint Lois Peterson to the position of Director, Personnel Services.

17.3 Appointment of Payroll Manager

Whitmarsh moved, Mayo seconded and the Board voted 5-0-0 to appoint Mary Meadows to the position of Payroll Manager.

17.4 Appointment of Program Specialist, Special Education

Mayo moved, Whitmarsh seconded, and the Board voted 5-0-0 to appoint Susan Massey to the position of Program Specialist, Special Education.

17.5 School Closure

Public Comment

The following speakers shared their concerns regarding the school closure options that would affect their school sites.

Speaking on behalf of Silverwood Elementary School remaining open: Eloise Connor, Bryce Pamer, Julie Pamer, Tracy Rivas, Tricia Collins and Suzette Crayton.

Speaking on behalf of Holbrook Elementary School remaining open: Bill Sawyer, Kelly VanBoekhout, Chiara Falcone, Tina Strickland, Fernando Oliva, Johnathan Berg-Eton, and Cynthia Hartmann.

Speaking on behalf of Monte Gardens Elementary School remaining open: Matthew Ware, Christina Bonner, Jenifer White, Danielle Ware, Brian Lawrence, and Marina Ware.

Speaking on behalf of Wren Avenue Elementary School remaining open: Michael Marshall, Tally Kinney, Starr Flores, Hunter Simmevs, Keoni Caban, Sterling Caban, Set. O. Candanosa, Bonnie Matousek, Theresa Dowd, Lorna Gabrysiak, Renee Corey, Yehoshua Gallardo, Roselyn Boateng, Karen Crabtree, Claudia Herrera, Nick Down, and Noell Crosse.

Speaking on behalf of Glenbrook Middle School remaining open: Roberto Bautista, Marisol Centeno, Robert Liu, Leslie Jane Pada, Liz Alofaki, Jennifer Lam, Venessa Martinez, Miriam Zazueta, Alia Cortez, Mike Olson, Cynthia Hartmann, Victoria Trinidad, Mindy Dokken, Shazad, Khan, Tesla Espinosa, Curtis Unger, Tabusem Khan, Libbyanna Nueber, and Kayla Jaimes.

Speaking on behalf of Sequoia Elementary School and Sequoia Middle School remaining open: Rich Howard, Paul Hassel, Michael Holmes, Laura Reed and Joshua Bello.

Sandi Svoboda read a letter on behalf of Gavin O'Connor which stated his concern that two members of the School Closure Committee are employees of Dianne Adair Day Care and may have a financial interest in which schools would be closed.

Dorothy Weisenberger said she would like to see all District schools be neighborhood schools.

Willie Mims, BPA and NAACP, said he is concerned that a traffic study was not done.

Superintendent Lawrence encouraged everyone to look at the school closure data that is posted on the District website. He gave a PowerPoint presentation explaining where students from closed sites would attend and the impact of possibly combining all the Necessary Small High Schools and Crossroads.

17.6 2009-10 Audit Report for the year ending June 30, 2010.

Joe Tarantino of Christy White, A Professional Accountancy Corporation, presented the findings of the audit report.

Mayo moved, Whitmarsh seconded and the Board voted 5-0-0 to approve the audit report as presented.

17.7 Approval of the Title III Year IV Action Plan

Mayo moved, Hansen seconded, and the Board voted 5-0-0 to approve the Title III year IV action plan as presented.

17.8 Williams Quarterly Summary Report, January 31, 2011

Mayo moved, Whitmarsh seconded and the Board voted 5-0-0 to approve the Williams Quarterly Summary report as presented.

17.9 Revised 2011-2012 School Calendar

Hansen moved, Mayo seconded, and the Board voted 5-0-0 to approve the school calendar with the changes proposed by MDEA.

17.10 Request to adopt Board Policy and Administrative Rule 6172.1, Concurrent Enrollment in College Classes. Request to adopt Board Policy 6161.3, Toxic Art Supplies Request to replace Board Policy 6145.4, Public Performances and Exhibitions with new Board Policy 6145.8, Assemblies and Special Events.

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

17.11 Revision Board Policy 6145.3, Publications and Administrative Rule 6143 (a,b) with CSBA recommended updates.

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

7.12 Administering Medication and Monitoring Health Conditions - BP 5141.21 and AP 5141.21

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

17.13 Updates and Revisions to AR 5141.24 - Specialized Health Care Services

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

17.14 School Health Services BP 5141.6 Students

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

17.15 Updates and Revisions to AR 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities)
Public Comment

Willie Mims, BPA and NAACP, shared his concern with the language on suspension.

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

17.16 Updates and Revisions to BP 5145.3 - Nondiscrimination/Harassment

Public Comment

Willie Mims, BPA and NAACP asked if the policy, when approved, would be posted at each site.

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

17.17 Creation of Board Policy - BP 5145.11 - Questioning and Apprehension by Law Enforcement

Public Comment

Willie Mims, NAACP, asked if there is a Board policy governing School Resource Officers. Eberhart asked that he contact the Superintendent's office.

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

17.18 Updates and Revisions to BP 6164.6 and AR 6164.6 - Identification and Education Under Section 504

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

18.0 Board Member Reports

Ms. Mayo reported that she recently visited Rio Vista, Gregory Gardens, and Strandwood Elementary Schools. She also attended the Contra Costa County School Board meeting where a presentation on the state budget was made. She attended the School Services of California budget workshop as well and will have materials from both meetings available.

Ms. Hansen reported that she attended the recent Music Education Foundation Music-A-Thon. She also visited some of the schools on the proposed closure list: Wren Avenue, Monte Gardens, and Silverwood Elementary. She thanked the principals, staff and parents who welcomed her at the sites. She has been invited to be a judge at the upcoming academic decathlon. She would like to see the District move forward toward a global perspective – strategic plan.

Ms. Whitmarsh attended the recent Music-A-Thon as well. She also attended the workshop featuring Dr. Willard Daggett.

The meeting adjourned at 10:39 in memory of Paul Katz, former Local One President.