

**MINUTES
REGULAR MEETING OF THE BOARD OF EDUCATION
MT. DIABLO UNIFIED SCHOOL DISTRICT
Tuesday, June 22, 2010**

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

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 6:01p.m. in Room 6 at the Dent Center. Topics discussed included negotiations; expulsion extension; expulsions; and public employee discipline/dismissal/release/complaint.

RECONVENE OPEN SESSION

The Board returned to Open Session at 7:30 p.m. in the Board Room. President Strange led the pledge of allegiance and reported out the action taken in closed session.

Existing Litigation – Timmons vs. MDUSD

The Board voted to authorize up to \$37,500 for the settlement of the case.

Expulsion Extension

The Board voted to extend the district administrative panel hearing regarding Student 50-10.

Public Employee Discipline/Dismissal/Release/Complaint

The Board voted to reassign certificated employee #20090 to a classroom position.

The Board voted to approve a compulsory leave of absence agreement between employee #25779 and the Mt. Diablo Unified School District.

EXPULSION RECOMMENDATIONS

Student #48-10: Whitmarsh moved, Allen seconded, and the Board voted 5-0-0 that Student #48-10 be expelled from all schools and programs in the Mt. Diablo Unified School District and that Student #48-10 may apply for readmission after January 21, 2011. It is also required that Student #48-10 participate in individual counseling, community service, the COPS Program, provide proof of a negative drug test, attend the District's Drug/Alcohol Workshop, and show evidence of a successful school experience with no suspendible behavior infractions prior to applying for readmission.

Student #49-10: Mayo moved, Eberhart seconded, and the Board voted 5-0-0 that Student #49-10 be expelled from all schools and programs of the Mt. Diablo Unified School District and that Student #49-10 may apply for readmission after January 21, 2011. It is required that Student # 49-10 participate in individual counseling, community service, the COPS Program, the District's Anger Management Workshop, and show evidence of a successful school experience and a "C" average prior to applying for readmission.

CONSENT AGENDA

Mayo moved, Allen seconded, and the Board voted 5-0-0 to approve the Consent Agenda as presented with the exception of item 9.22

9.2 (Item 2) Recommended Action for Certificated Personnel

Changes in status of certificated employees.

9.3 (Item 3) Request to increase and decrease Full Time Equivalent (FTE) for the 2010-2011 school year.

9.4 (Item 4) Student Teacher Placement Agreement with Saint Mary's College of California for the term of June 15, 2010 through August 15, 2011.

This agreement is to provide practice teaching to students enrolled in the teacher education program at Saint Mary's College to help them acquire the skills and knowledge needed to become professional teachers. Cooperating teachers who have a student teacher receive a stipend for their services. In order for colleges or universities to pay this stipend, there must be a signed contract on file with each institution.

9.5 (Item 5) Independent Contract for Center for Culturally Responsive Teaching and Learning

Riverview Middle School is requesting approval of an independent contract for Center for Culturally Responsive Teaching and Learning. This contractor will provide foundational professional development, follow-up workshops, and direct classroom support.

9.6 (Item 6) Revision of contract with Alameda County Office of Education

Mount Diablo Unified School District is completing its second year of professional development with coaching in Reading/Language Arts for Special Education teachers. This contract will allow the district to implement the sustainability plan, which completes the Special Education Teachers Professional Development grant assurances.

9.7 (Item 7) Award of Contract for RFP 1566: Special Education Student Supplemental Transportation Services

RFP 1566 was issued in March, 2010, requesting proposals for the provision of Special Education Student Supplemental Transportation Services. On March 24, 2010, Mt. Diablo Unified School District received one proposal for these Special Education Student Supplemental Transportation Services. This single proposal from Pawar Transportation Company was evaluated and was determined to conform with all qualifications and experience per the terms and conditions of RFP 1566. Proposal Summary: Within Contra Costa County: \$40.00 per student, per day - ambulatory; \$120.00 per student, per day - wheelchair. Outside Contra Costa County: \$70.00 per student, per day - ambulatory; \$140.00 per student, per day - wheelchair. Field Trip Rate: \$25.00 per hour, ambulatory; \$40.00 per hour, wheelchair.

9.8 (Item 8) Approval of Post Retirement Contract

A retired administrator will perform duties including the following: organize withdrawal of MDUSD from Spectrum: Encore MIS System; organize, prepare materials, training and support for State SELPA forms; supervise rollout of new electronic MIS system once selected.

9.9 (Item 9) Memorandum of Understanding with Spectrum Center for Collaborative Renewal.

Mt. Diablo Unified School District is continuing to collaborate with Spectrum Center, a Non-Public School, to serve students on the District campuses. Spectrum proposes a contract renewal for 5 of the current 6 collaborative classrooms. The cost is a fixed price per classroom including Related Services. The purpose of this collaborative model is as follows: To give students, whose educational and/or behavioral needs cannot be met in a general education or special day class, the opportunity to integrate into a comprehensive school site with specialized support, the ability to access the curriculum and the ability to participate in general education classes with typical developing peers. To provide a collaborative model that can utilize a behavior analytic approach to help students succeed in a less restrictive setting. To train Mt. Diablo Unified School District staff to operate similar classrooms for Mt. Diablo School District in future years. To work in Collaboration with the Mt. Diablo Unified School District to provide quality educational services to their students using an efficient and effective model.

9.10 (Item 10) Second Contract with MCF Consulting, Inc.

Currently there is an existing contract with MCF Consulting, Inc. in the amount of \$24,000. Staff is now requesting approval of a second contract with MCF Consulting, Inc. in the amount of \$10,000 for services related to Medi-Cal Administrative Activities reporting for the first and second quarters of the 2009-2010 school year.

9.11 (Item 11) Approval of master contract between Mt. Diablo Unified School District (MDUSD) and Augmentative Communication & Technology Services (ACTS) for the 2010-2011 School Year.

Augmentative Communication & Technology Services is a Non-Public Agency (NPA) who will provide consultation services to severely speech impaired students who require augmentative /alternative communication systems and assistive technology for spoken and written communication. Students are served under the terms and conditions of a Master Contract which was approved by the Board on May 11, 2010.

9.12 (Item 12) Adjustment of existing contracts between Mt. Diablo Unified School District (MDUSD) and Non-Public Schools (NPS) for special education students receiving services for the 2009-2010 school year.

Mt. Diablo Unified School District (MDUSD), through the Individualized Education Plan (IEP) process, places students in Non-Public Schools. On June 2, 2009 the Board approved designated amounts for each NPS based on placements known at that time. Due to graduation, discharges, transfers, administrative placements and new IEP placements, NPS contracts need to be decreased, increased, canceled or created. The details of the changes to the existing contracts are reflected in the chart.

9.13 (Item 13) Approve contracts/purchase orders between Mt. Diablo Unified School District (MDUSD) and Independent Service Contractors (Contractors) for the 2010-2011 school year.

The Contractors listed below are used by the Special Education Department to provide services to students as mandated by their Individualized Education Plans (IEP). Cherri Duffy, Gabi Elfenbein and Deirdre Ryan-Booth will provide district-wide behavioral services. Cynthia Peterson will provide district-wide psychological evaluation/assessments. Benjamin Fliehmman will provide district-wide tutoring/instruction. Students are served under the terms and conditions of the Independent Service Contract Agreement. Below lists the Independent Service Contracts, the contract amounts and the program code associated with the contract. • Cherri Duffy - \$99,600 • Gabi Elfenbein - \$99,600 • Benjamin Fliehmman - \$35,000 • Cynthia Peterson - \$60,500 • Deiredre Ryan-Booth - \$99,200

9.14 (Item 14) Adjust existing contracts and add a new contract between Mt. Diablo Unified School District (MDUSD) and Non-Public Agencies (NPA) for special education students receiving services for the 2009-2010 school year.

MDUSD, through the Individualized Education Plan (IEP) process, uses Non-Public Agencies to serve students in various related services. The contracts were originally approved on June 30, 2009 by the Board. Due to the frequent changes in level of services that each student requires by the IEPs, administrative placements and new placements, the services are changed or added. The Resilience School of Health contract will need to be increased by \$5,000 bringing the contract to \$29,663.50 and the P.L.A.Y. contract will need to be increased by \$25,000 bringing the contract to \$110,000.

9.15 (Item 15) Award of Contract for Materials Testing and Geotechnical Engineering Services Related to the Swimming Pool Replacements at Mt. Diablo and College Park High Schools

The replacement of the swimming pools at Mt. Diablo and College Park High Schools requires the services of a certified testing and geotechnical consultant to oversee compliance with all the requirements of the drawings and specifications approved by the Department of the State Architect and the Department of Health. Staff is recommending the award of a professional services contract to Geosphere Consultants, Inc. for a net to exceed fee of \$20,000.00 for the provision of inspection and geotechnical services including, but not limited to all materials testing, geotechnical engineering study, geologic hazards reports and the preparation of all necessary affidavits. The budget for this project, as approved by the Board on March 24, 2009 is \$3,185,000.00.

9.16 (Item 16) Staff request authorization to enter into a contract with Resource Development and Associates (RDA) for evaluation services for the eighteen Mt. Diablo CARES After School Programs.

RDA Contract

Staff request authorization to enter into a contract with Resource Development and Associates (RDA) for evaluation services for the eighteen Mt. Diablo CARES After School Programs. RDA has served as the programs evaluator since 1999. Mt. Diablo CARES receives two grants, the California Department of Education's After School Education and Safety (ASES) grant and the U.S. Department of Education's 21st Century Community Learning Centers (21st CCLC) grant which require a comprehensive annual evaluation to measure program implementation, effectiveness and student growth. RDA will also provide evaluation services to measure the effectiveness of Mt. Diablo CARES Supplemental Education Services (SES) program which offers tutoring to eligible students at schools identified as Program Improvement in year two or more. Mt. Diablo CARES has been an approved SES provider since 2003.

9.17 (Item 17) Contract with Ambrose Recreation & Park District to provide recreation staff and supervision for five Mt. Diablo CARES After School Programs in Bay Point and Pittsburg.

Staff requests authorization to enter into a contract with Ambrose Recreation & Park District (ARPD) to provide recreation staff and supervision for the five Mt. Diablo CARES After School Program schools in Bay Point and Pittsburg (Bel Air, Delta View, Rio Vista and Shore Acres Elementary and Riverview Middle). APRD has served as a recreation partners since 1999. APRD will also provide garden staff and supervision for the Bay Point School Garden located at Riverview Middle School.

9.18 (Item 18) Contract with Bay Area Community Resources (BACR) for recreation staff and supervision for eight Mt. Diablo CARES After School Programs in Concord and Pleasant Hill.

Staff request authorization to enter into a contract with Bay Area Community Resources (BACR) for recreation staff and supervision for eight Mt. Diablo CARES After School Programs in Concord (El Monte, Fair Oaks, Holbrook, Sun Terrace, Wren Avenue, Ygnacio Valley Elementary and Mt. Diablo and Ygnacio Valley High Schools). BACR has served as a recreation partners since 2007.

9.19 (Item 19) Staff request authorization to enter into a contract with City of Concord for recreation staff and supervision for five Mt. Diablo CARES After School Programs in Concord.

Staff request authorization to enter into a contract with City of Concord's Community & Recreation Services Department for recreation staff and supervision for five Mt. Diablo CARES After School Programs in Concord (Cambridge and Meadow Homes Elementary and El Dorado, Glenbrook and Oak Grove Middle Schools). BACR has served as a recreation partners since 1999.

9.20 (Item 20) Staff request authorization to enter into a contract with the City of Concord for a Portable Lease Agreement for the Meadow Homes CARES After School Program.

Staff request authorization to enter into a contract with the City of Concord for a Portable Lease Agreement for the Meadow Homes CARES After School Program. The portable classroom will be used during the school day for the intervention program and other school day activities and during the after school hours for the CARES After School Program.

9.21 (Item 21) Authorization to submit a Keller Mitigation Grant to District V (Bay Point and Pittsburg) for expanded enrichment and nutrition opportunities for the Mt. Diablo CARES After School Program.

Authorization to submit a Keller Mitigation Grant to District V (Bay Point and Pittsburg) for expanded enrichment and nutrition opportunities for students attending the Mt. Diablo CARES After School Programs. Mt. Diablo CARES operates five programs in the Bay Point and Pittsburg communities (Bel Air, Delta View, Rio Vista, Shore Acres Elementary and Riverview Middle Schools). Funding will pay for enhanced and specialized interest classes, assemblies and field trips to the Bay Point Garden. If awarded, the grant will provide \$10,000 for one year.

9.22 (Item 23) Homework Board Policy BP 6154 (a)(b) and AR 6154

The draft of the Mt. Diablo Unified School District homework policy is presented to the Board of Education by the Homework Policy work group. This group of teachers, parents/guardians, Board members and administrators met over a 4 month period to research, discuss, review, edit and finalize these documents. The policy and administrative rule will provide our school sites and parents/guardians with a context and guidelines for the development of a homework plan. Site discussions will be guided by research into best practices pertaining to the nature and purpose of homework and the amount of time that best supports the identified grade levels. Additionally, the administrative rule outlines the responsibilities of administrators, teachers, parents and students pertaining to homework.

9.23 (Item 24) Request approval to adopt the following Courses of Study

A Committee of High School and Middle School Teachers and Curriculum Specialists met to revise and/or write the following Courses of Study: Work Experience Education, English Language Development Mathematics, English Language Development IA, English Language Development IB, English Language Development II, English Language Development IIA, English Language Development III, English Language Development IV, Dance I, Dance II, Dance III, Personal Fitness Level I, Personal Fitness Level II, Woodworking Technology I, Woodworking Technology II, Academic Literacy Level I, Academic Literacy Level II, Aerobics I, Aerobics II, Bowling Level I, Bowling Level II, Individual & Dual Activities Level I, Individual & Dual Activities Level II, Racquetball Level I, Racquetball Level II, Team Sports I, Team Sports II, Weight Training I, Weight Training II, Personal Finance, Geometry, Introduction to Business Finance, Statistics (AP), Algebra II/Trigonometry, Algebra I, Algebra II, Advanced Math Topics, Calculus AB (AP), Introduction to Algebra I, Pre-Calculus Honors, Principles of Engineering, Introduction to Engineering Design, Middle School English Language Development I, Middle School English Language Development II, Middle School English Language Development III, Middle School English Language Development IV, Photography Arts I, Photography Arts II, Computer Information Technology Course of Study.

9.24 (Item 25) CIF/North Coast Representatives for MDUSD High Schools 2010-2011

Ratify position of principal, vice principal, and athletic director from Concord High, Clayton Valley High, College Park High, Mt. Diablo High, Northgate High and Ygnacio Valley High to serve as 12 representatives to California Interscholastic Federation North Coast Section for the 2010-2011 school year.

9.25 (Item 26) Monthly Budget Transfer and/or Budget Increases/Decreases for the month of May 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.

9.26 (Item 27) Request to approve Independent Services Contract for Laurie Gultzan, MFT.

Laurie Gultzan has provided counseling services to Crossroads High School for the past 10 years. For the first 8 years she was associated with New Connections. Starting with the 2008-2009 school year she was independent of any agency, working under her own license. Laurie is a licensed MFT counselor and holds a Masters in Counseling Psychology from JFK University. She will provide services 40 hours per week. Approximately 34 hours per week will include counseling, case management, administrative and other services provided at the school. The remainder of time will include consultation, training, and other indirect services. Counseling services have expanded to include couples counseling and family sessions held after school hours. Student success depends on many things. For the students of Crossroads High School a particular area of need is mental health, enabling students to become effective parents in strong relationships. The total cost of this contract is \$71,000.

9.27 (Item 28) Request contract/purchase order with My Therapy Company for Speech and Language services at Cambridge Elementary and Meadow Homes Elementary for the 2010-2011 School Year.

Due to existing vacancies for speech-language pathologists (SLP), the Special Education Department has had to use Independent Contractors to meet student's Individualized Education Program (IEP) requirements. The contract includes Extended School Year costs.

9.28 (Item 29) Approve contract/purchase order with Marie Wyman for Speech and Language services at Foothill Middle School and Northgate High School for the 2010-2011 School Year.

Due to existing vacancies for speech-language pathologists (SLPs), the Special Education Department continues to use Independent Contractors to meet student Individualized Education Program (IEP) requirements.

9.29 (Item 30) Approve contract between Mt. Diablo Unified School District (MDUSD) and AA-Medtrans to provide transportation during the 2010 extended school year the 2010/11 school year.

This contract is used by the Special Education Department in the provision of transportation services for students participating in programs in Mt. Diablo Unified School District, Contra Costa County and Non-Public Schools. ESY costs equal \$3,000 and the 2010/11 school year costs equal \$27,000.

9.30 (Item 31) Approve contract/purchase order with Beyond the Words, Inc. for the services of Educational Interpreters for the Deaf for school year 2010-2011.

Due to the difficulty in hiring qualified Educational Interpreters for the Deaf, the district has had to use staff contracted through an agency in order to meet student Individualized Education Program (IEP) requirements. There are currently no substitutes available in the district for Educational Interpreters for the Deaf so contracted interpreters are also used as substitutes for absent district staff

9.31 (Item 32) Approval of contract between Mt. Diablo Unified School District (MDUSD) and Progressus Therapy, LLC to provide district-wide Occupational/Physical Therapy Services for the 2010-2011 school year.

Progressus Therapy, LLC has been the primary Non-Public Agency (NPA) provider of Occupational/Physical Therapy services to the MDUSD since the 2001-2002 school year. Registered Occupational/Physical Therapists provide direct treatment, consultation, and evaluations to students according to their Individualized Education Plans (IEP). Students are served under the terms and conditions of a Master Contract/Individual Service Agreement which was approved by the Board on May 11, 2010.

9.32 (Item 33) Approve Mt. Diablo Unified School District's (MDUSD) execution of Non-Public School placements for the 2010 Extended School Year (ESY) and the 2010-2011 school year.

Mt. Diablo Unified School District (MDUSD) through the IEP process, places students in Non-Public Schools who require a more intense, highly structured and at times, secure program. Non-Public School day treatment and residential placements occur for students with serious emotional and behavioral needs and are completed jointly with Contra Costa County Mental Health. Students are placed under the terms and conditions of a Master Contract/Individual Service Agreement which was approved by the Board on May 11, 2010

9.33 (Item 34) Request to Approve Revised Management Job Descriptions

On June 15, 2010, the Board of Education reviewed the following management job descriptions: Director of Personnel Director of Facilities, Operations and Resource Conservation Building and Grounds Manager Assistant Building and Grounds Manager The District is now asking that these revised job descriptions be approved.

9.34 (Item 35) Mt. Diablo High School is requesting approval of an independent contract for DataWORKS Educational Research.

Mt. Diablo High School is requesting approval of an independent contract for DataWORKS Educational Research. This contractor will consult and work with teachers and administrators to demonstrate Explicit Direct Instruction (EDI) lessons, classroom coaching and feedback, and Instructional Effectiveness Classroom Walks. Explicit Direct Instruction is a research based instructional practice that was chosen as one of the strategies for the Restructuring Plan to Transform Mt. Diablo High School.

9.35 (Item 36) Approval of School Site Comprehensive Safety Plans for 2010-2011

In accordance with Education Codes 32280-32288 staff is requesting approval of Comprehensive School Site Safety Plans in order to ensure compliance with California Education Code, Board Policy and Administrative Regulation 0450. All Comprehensive School Site Safety Plans have been approved by School Site Councils. The plans have been reviewed by the Office of Student Services using the attached Safety Plan Rubric. Three Comprehensive Site Safety Plans have been submitted to the Board as examples of the quality and content of the plans. The plans are from Mt. View Elementary School and Clayton Valley High School. Copies of all Comprehensive School Site Safety Plans are kept on file at the Office of Student Services.

9.36 (Item 37) Real Property Lease Agreement Renewals. Dianne Adair Day Care Centers at Monte Gardens and Westwood Elementary Schools; Mt. Diablo Community Child Care Advocates at Holbrook Elementary School; Berkeley-Albany YMCA at Mountain View, Strandwood, Valhalla and Woodside Elementary Schools and YWCA of Contra Costa County at Hidden Valley, Rio Vista Elementary and Riverview Middle.

The District entered into a Real Property Lease Agreement with Dianne Adair Day Care Centers, Mt. Diablo Community Child Care Advocates, YMCA and YWCA for the purpose of providing before and after-school child care services. The agreements terminate on June 30, 2010. The Mt. Diablo Region YMCA has now become a member of the Berkeley-Albany YMCA and all the YMCA Real Property Lease Agreements are being renewed with the new name. The term of these ten (10) land lease renewals will be July 1, 2010 through June 30, 2011 with an automatic renewal each year for five additional years. Not all sites operate in the summer. The dates are reflected in each agreement. Current certificates of insurance are on file in the Office of General Counsel. Approve Real Property Lease Agreement renewals with Dianne Adair Day Care Centers, Mt. Diablo Community Child Care Advocates, Berkeley-Albany YMCA and YWCA of Contra Costa County for continued placement of their relocatable buildings at Hidden Valley, Holbrook, Monte Gardens, Mountain View, Rio Vista, Strandwood, Valhalla, Westwood and Woodside Elementary Schools and Riverview Middle School for the purpose of providing child care at those schools for a period of one (1) year with automatic renewals each year for five (5) additional years.

9.37 (Item 38) Submission of Part I of the 2010-2011 Consolidated Application.

Each year at this time, the district submits Part I of the Consolidated Application for funding Categorical Aid Programs. Part I of the Consolidated Application consists of the district's assurance that all programs of the application are implemented according to state and federal mandates. In January 2011, the district will submit Part II of the Consolidated Application which consists of the district's 2010-2011 categorical program entitlements and allocations to the schools. Programs included on the application are: Title I, Part A,

Basic Grant (Low Income); Title I, Part A (Neglected); Title I, Part D (Delinquent); Title II, Part A (Teacher Quality); Title III, Part A (LEP Students); and Economic Impact Aid.

9.38 (Item 39) Classified Personnel: Eliminate a Vacant Secretary Position and Create a Senior Secretary at CARES After-School Program

CARES After-School Program is requesting the elimination of a Vacant 11.5 month/year; 7.5 hour/day Secretary position and the creation of a Senior Secretary at 11.5 month/year; 7.5 hour/day.

9.39 (Item 40) Recommended Action for Classified Personnel

Changes in status of following classified employees. Please see attached listing of classified personnel actions.

9.40 (Item 41) Classified Personnel: Increase in Hours for a Site Technology Support Tech. I Position at Cambridge Elementary School

Cambridge Elementary School is requesting the increase in hours for a Site Technology Support Technology I position from 12 hour/week; 10 month/year to 18 hour/week; 10 month/year due to addition of computer intervention technology. Incumbent #21250 will remain in the position with the increased hours.

9.41 (Item 42) Approve contract/purchase order between Mt. Diablo Unified School District (MDUSD) and the Non-Public Agency (NPA) for various related services to be provided in the 2010-2011 school year.

MDUSD, through the Individualized Education Plan (IEP) process, uses NPAs to serve students in various related services such as school-based behavioral services, speech, occupational/physical therapy and other specialized interventions and assessments. The level of services each student requires frequently changes throughout the school year based on the intensity of the student's needs. Students are served under the terms and conditions of a Master Contract/Individual Service Agreement which as approved by the Board on May 11, 2010. Listed below is the NPA service provider and the contract amount being requested. - Resilience School of Health - \$30,000

Consent Items Pulled for Discussion

10.1 (Item 22) Revision of Policies and Administrative Rules: AR5123, BP5144, BP6146, BP6146.1, AR6164.2, AR 6184, AR 6184.1

On March 9, 2010, the Board revised the credit requirements for graduation effective for 2010-2011. These revised policies and rules are part of the implementation process for that action.

Mayo moved, Allen seconded and the Board voted 5-0-0 to approve the following Board Policies and Administrative Rules – BP 5144.11, AR 6164.2, AR 6184, and AR 6184.1

Eberhart moved, Allen moved, and the Board voted 3-2-0 (Allen and Mayo – no) to approve AR 5123, BP 6146 and BP 6146.1 as presented.

RECOGNITIONS

11.1 Distinguished Schools - Hidden Valley Elementary and Delta View Elementary

The Board recognized Delta View and Hidden Valley elementary schools for receiving the Distinguished Schools awards for 2010. Principals Susan Petersen (Delta View) and Lori Obrien (Hidden Valley) thanked everyone that has supported their schools.

11.2 Foundation for Pleasant Hill Education

The Foundation for Pleasant Hill Education will be recognized at a later date.

PUBLIC COMMENT

The following shared concerns about the findings in the Environmental Impact Report for the Northgate High School Lighting Project: Carol Lucido, Northgate area resident; Linda Locke, Northgate High School parent; and Roger Miller, Northgate area resident.

Aleeta Slattery, volunteer at the Pleasant Hill Instructional Garden, spoke regarding the boundaries of the Garden and said she hopes the Pleasant Hill Park and Recreation Department and Mt. Diablo Unified School District can work together to save the Garden. Monika Olson, Adult Education Teacher, spoke on behalf of the Pleasant Hill Instructional Garden as well.

James Wogan, Administrator, School Linked Services, thanked retiring Director of Student Services, Margot Tobias, for mentoring him and expressed his appreciation for all she has done for the students of the school district. Melissa Corbeil, parent, thanked Ms. Tobias for the support she received from her while her family was going through hard times recently.

Margot Tobias thanked the District for allowing her the opportunity to be creative and said that she has always felt supported.

COMMUNICATIONS

Mona Ricard, Mt. Diablo Council of PTAs, said the PTAs are working hard to develop communication between schools, parents, staff, and teachers. She shared that the PTA presented eleven \$100 scholarships to students from the Necessary Small High Schools at recent graduations.

Lorrie Davis, vice chair of the Community Advisory Committee submitted their annual report to the Board. The report includes accomplishments for this year and goals for next year. They are currently working with Paul Strange to finalize bylaws.

David Rolley, Local One President, read a statement from the General Manager asking the Board to direct staff to return to the bargaining table with union representatives.

Board Comments

Gary Eberhart said that the District is mandated to provide services and present a balanced budget. The District needs to get through impasse and bring in a mediator to reach an agreement with the union.

Deb Cooksey, Associate Council explained the impasse process.

SUPERINTENDENT'S REPORT

Superintendent Lawrence thanked Associate Superintendent Alan Young and Assistant Superintendent Gail Isserman for their leadership and congratulated them on their retirement.

Ms. Isserman thanked the present and previous Board and Superintendent for giving her the opportunity to serve students, families, and staff.

16.1 Board of Education Reduction in Compensation

In order to be in line with MDUSD administrators who have voluntarily reduced their salary and agreed to a benefit cap, the Board agrees to a 4.372% reduction in their stipend and a cap on benefits. The Board is taking a direct reduction in compensation and not furlough days.

New Motion

Mayo moved, Eberhart seconded and the Board voted 5-0-0 to voluntarily reduce the amount of the Board stipend and implement a health benefits cap for three years in alignment with the cut that the administrators take.

16.2 Approval of Administrative Assignments for 2010-2011

In an attempt to find the best match for each school, District staff has gathered input from site staff members and parents. For those positions that we feel we have a match, we will announce the person filling the position; otherwise, we will continue to search for qualified candidates. The District requests approval of administrative assignments for 2010-11 as announced.

- Diane Sargent, Site Based Program Specialist, assigned to Meadow Homes Elementary School
- Linda Hayes, Vice Principal, assigned to Northgate High School
- Cynthia Goin, Principal, assigned to Wren Elementary School (approved at the June 15 meeting)
- Rhys Miller, Principal, assigned to Valle Verde Elementary School
- Sandy Bruketta, Principal, assigned to Hidden Valley Elementary School
- Spooqmai Habibi, Principal, assigned to Ayers Elementary School
- Christine Huarjado, Principal, assigned to Riverview Middle School
- Ean Ainsworth Vice Principal, assigned to Riverview Middle School
- Kate McClatchy, Principal, assigned to Mt. Diablo High School
- Liane Cismowski, Vice Principal, assigned to Mt. Diablo High School
- Cheryl LeBeouf, Principal, Assigned to Olympic High School
- Katie Gaines, Vice Principal, assigned to Olympic High School

Public Comment

Dan Reynolds, English teacher at Mt. Diablo High, expressed concern that administrative changes were made at the school during the summer without input from staff. He asked the Board how the principal swap will affect the restructure plan as he would like to offer his input and help. Colin Jones, science teacher at Mt. Diablo High said he would like to see the students, parents, and teachers become engaged to help dispel the message that Mt. Diablo High is a failing school.

Allen moved, Eberhart seconded and the Board voted 5-0-0 to approve the administrative assignments for 2010-11 as presented.

16.3 Public Hearing Utilizing Flexibility Authorized by SBX3 4.

SBX3 4 provides limited fiscal flexibility for the fiscal years 2010-11 through 2012-13 to allow school districts to utilize funding received from the state budget act for "Tier 3" categorical programs for any educational purpose. As a condition of receipt of the funding, a public hearing on utilization of the flexibility is required annually concurrent with the adoption of the budget.

President Strange opened the public hearing. As there were no speakers, President Strange closed public hearing.

16.4 Public Hearing Regarding Adoption of the 2010-2011 Budget.

The 2010-2011 proposed budget includes earlier actions taken by the Board of Education for 2010-2011; the Governor's May Revise; and costs associated with moving from one year to the next, such as moving employees' salaries through the salary schedule and changes in employee benefit rates. The Cost-of-Living Adjustment (COLA) at -.39%, and the deficit factor of 22.205% results in a decrease to the revenue limit. The district revenue budget will be revised within 45 days of the state budget adoption to reflect the actual revenue to be received.

Bryan Richards, Director of Fiscal Services gave a report on the budget.

16.5 Resolution to Utilize Flexibility Authorized by SBX3 4

SBX3 4 provides limited fiscal flexibility for the fiscal years 2010-2011 through 2012-13 to allow school districts to utilize funding received from the state budget act for "Tier 3" categorical programs for any educational purpose. As a condition of receipt of the funding, a public hearing on utilization of the flexibility is required annually concurrent with the adoption of the budget.

Eberhart moved, Whitmarsh seconded and the Board voted 5-0-0 to approve the resolution to utilize flexibility authorized by SBX3 4 as presented.

16.6 Adoption of the 2010-2011 Budget.

2010-11 Adopted Budget under separate cover.

The 2010-2011 proposed budget includes earlier actions taken by the Board of Education for 2010-11; the Governor's May Revise; and costs associated with moving from one year to the next, such as moving employees' salaries through the salary schedule and changes in employee benefit rates. The Cost-of-Living Adjustment (COLA) at -.39% and the deficit factor of 22.205% result in a decrease to the revenue limit. The district revenue budget will be revised within 45 days of the state budget adoption to reflect the actual revenue to be received.

Eberhart asked that all vacant positions, specifically M & O, be brought forward for action by the Board prior to the first interim report for 2010-11.

Mayo moved, Allen seconded and the Board voted 5-0-0 to approve the 2010-2011 budget as presented.

16.7 Resolution on Maintenance of Fiscal Solvency

In submitting the 2010/11 Adopted Budget and an implementation plan for budget reductions in 2010/11, that includes negotiable items not yet agreed to, the County Office of Education requires that the Board recognize its fiduciary responsibility to maintain fiscal solvency for the current and subsequent two fiscal years, and pass the attached resolution committing the district to provide detailed reductions at the First Interim Report.

Eberhart moved, Allen seconded and the Board voted 5-0-0 to adopt the resolution 09/10-69 on Maintenance of Fiscal Solvency as presented.

16.8 Request to Allocate Funds Necessary to Reserve Application for Participation in the California Solar Initiative Program

The District has identified the installation of solar facilities as a major facet of the Measure C Facilities Improvement Program. Given the immediate and persistent fiscal benefit derived from the installation and operation of these systems, the construction of these facilities enjoys certain priority. Presently, the District has a limited opportunity to participate in the California Solar Initiative (CSI) Program at 'Incentive Level' 7. Participation at this level will secure incentive payments to the District (based on actual Kwh production) at a rate of \$0.19 per Kwh for a period of five (5) years, or, approximately \$2.8 million per year for five years. In order to reserve our application in the CSI Program it is necessary to submit a refundable application fee with the application. Staff is requesting approval to submit the \$321,250.00 application fee using available, unallocated Proposition 55 funds. Said funds would be restored with Measure C funds after the initial bond sale.

Whitmarsh moved, Mayo seconded and the Board voted 5-0-0 to approve allocation of funds as requested.

16.9 Athletic Fees for 2010-11

At their June 3 meeting, the Athletic Advisory Committee supported the attached fee schedule for the 2010-11 school year. The District will continue to work with the Athletic Advisory Committee and UMDAF to develop creative and effective strategies to fund athletics.

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

16.10 New Job Classification/Description: Assistant Program Manager/Project Manager

District staff is developing a proposal and plan to manage the Measure C Facilities Improvement Program using a core in-house leadership team. This proposal will be shared with the Board at the next Board meeting. A pivotal position in this proposed leadership team will be that of 'Assistant Program Manager/ Project Manager.' Reporting directly to the Measure C Program Manager, the incumbent(s) in this proposed classification will exercise critical leadership in implementing the Facilities Improvement Plan. The job description is being presented for information only. It will be returned at the next Board meeting for consideration/action.

16.11 Administrative Policy - 1325 - Advertising and Promotion

In order to help sites fund raise, the Athletic Advisory Committee has requested that the district consider implementing a policy that will allow sites to fund raise by selling advertising space through banners. The attached proposed policy will become Administrative Regulation 1325 that will complement BP 1325 which governs advertising and promotions on our campuses. This was presented as information only and will be returned for action at a Special Board meeting next week.

BOARD MEMBER REPORTS

Linda Mayo reported that she attended the Budget Advisory Committee on Monday. She thanked outgoing members for their representation on the committee. She announced the 4th of July events that will take place in Pleasant Hill which will include the Fire Cracker Run that benefits the schools in Pleasant Hill.

Dick Allen thanked Gail Isserman for her many years of hard work and commitment to the District.

ADJOURNMENT

The meeting adjourned at 10:10.