

MINUTES
SPECIAL BOARD MEETING OF THE BOARD OF EDUCATION
MT. DIABLO UNIFIED SCHOOL DISTRICT
Tuesday, March 08, 2011 (6:30 PM)

Board Members: Gary Eberhart, Sherry Whitmarsh, Lynne Dennler, and Cheryl Hansen. Board Member Linda Mayo participated via teleconference from 78-261 Manukai Street, Kailua-Kona, Hawaii, 96740

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 was called to order by Gary Eberhart at 6:00 p.m. in the Board Room at the MDUSD Dent Center.

PUBLIC COMMENT

Mike Langley, MDEA President asked the Board to give consideration to the offer that is currently on the negotiations table.

ADJOURN TO CLOSED SESSION

The Board adjourned to Closed Session at 6:02 p.m.

RECONVENE OPEN SESSION

Open session reconvened at 7:11 p.m. in the Board Room at the Dent Center. President Eberhart led the Pledge of Allegiance and reported action taken in Closed Session.

REPORT OF CLOSED SESSION

In Closed Session the Board discussed negotiations. The Board voted to approve the release of employee #15018. The Board voted to reverse the non-reelection of employee #25677 and accept resignation in lieu of non-reelection. The Board voted to reverse the non-reelection of employee #25732.

PUBLIC COMMENT

The following asked the Board to rescind it's decision to close Holbrook Elementary School: Terry Garrison, Stephanie Delanoy, Martha Vasquez, Kelly Van Boekhout, Beth Hernandez, David Avila, Marta Vanegas, Ashley Keffler-Roa, Greg Arend, Alvaro Espinoza, Nelita Freitas, Nicola Slater, Elisa Pasillas, Jocelyn Cuesta-Siu, Carol Wallis, Ann Lockyer, Buddy Wright, Cecilia Soares, Tina Strickland, Sharon Weiller, Trent Strickland, Veronica Salcedo, Ricardo Cuellar, Van Hoang, Terry Oelschlaeger, Cynthia Gutierrez, Daisy Mirrella Gutierrez, Lynnette Harmon, Jessica Harmon,

Willie Mims, BPA/NAACP said he protests the meeting area being too small to accommodate all the attendees. He stated that he is opposed to the shortened public comment time limit.

ORGANIZATIONS

Lorrie Davis, CAC, Chairperson, spoke to the items on the potential budget reduction list that pertain to the Special Education Department.

Dawn Winder, President, Local One M & O expressed disappointment that employees who received a layoff notice were not informed individually beforehand as has been the past practice.

Rosa Cabrera, Business Agent, Local One, said that the bargaining units that she represents have moved on to fact finding. They would like to move fact finding back a few days to they can evaluate the recent changes to the offer on the table.

7.1 Amended Resolution #10/11-49 to Decrease the Number of Certificated Employees Due to a Reduction or Elimination of Particular Kinds of Services

Resolution No. 10/11-44 was brought to the Board on February 22, 2011 as part of the certificated layoff process to reduce or discontinue particular kinds of services for the next school year. We are bringing an amended resolution to the Board increasing the numbers previously presented due to recent budget considerations. This resolution will supersede Resolution No. 10/11-44 approved on February 22, 2011. Resolution No. 10/11-49 directs the Superintendent or his/her designee to send appropriate notices to all employees whose positions may be lost by virtue of the reduction or elimination of the particular kinds of services listed in the Resolution.

Public Comment

Jenny Boucher, President of the Northgate High School Music Boosters said she hopes the Board can come up with budget cuts other than the elimination of music at the elementary school level. Willie Mims, BPA/NAACP, said that potentials reducing so many library and adult education positions could wipe out those programs.

Whitmarsh moved, Mayo seconded, and the Board voted 3-2-0 (Hansen and Eberhart - no) to adopt amended Resolution #10/11-49 to decrease the number of certificated employees due to a reduction or elimination of particular kinds of service.

7.2 Public Hearing and Resolution of Dedication of Easement: Diablo View Middle School

The City of Clayton is requesting an easement for public ingress and egress as well as the construction and maintenance of a new driveway/parking lot access and associated drainage improvements at Diablo View Middle School. Pursuant to the process and obligations specified under Section 17556 of the California Education Code regarding dedication of easements to any public entity, the Board of Education approved the Resolution of Intent to Dedicate an Easement to the City of Clayton on March 1, 2011.

The Public Hearing was opened at 8:09 p.m. There were no speakers. The Public Hearing was closed at 8:09 p.m.

Mayo moved, Hansen seconded and the Board voted 4-1-0 (Whitmarsh - no) to adopt the resolution as presented.

7.3 Potential Budget Reductions for 2011-12

The 2011-12 Governor's Proposed Budget was submitted with an estimated 18-month budget shortfall of \$25.4 billion, comprised of an \$8.2 billion shortfall in 2010-11 and a \$17.2 billion shortfall in 2011-12. The Governor's proposal addresses the shortfall in three ways: (1) reducing expenditures by \$12.5 billion over two years (2010-11 and 2011-12); (2) enhancing revenue by \$12 billion over the same two-year period to be achieved through a June ballot measure to extend the temporary taxes enacted in 2009-10 by five years (.25 percent surcharge on income tax, 1 percent increase in the sales tax, .5 percent increase in the vehicle license fee); and (3) borrowing \$1.9 billion from special funds and other one-time measures. Currently, a budget is moving forward in Sacramento that utilizes the Governor's recommendations. However, it is very unclear whether or not it will receive the two-thirds support necessary to put the continuation of the revenue enhancements on the June ballot. In a letter from the Contra Costa County Office of Education (CCCOE), all districts in Contra Costa County are being directed to submit a Second Interim Budget in March that assumes the tax extension fails and districts' budgets are reduced by \$350 per student. This would amount to a reduction of approximately \$11.5 million for the Mt. Diablo USD. Given our current level of deficit spending and projected decreased enrollment we will need to reduce \$21.9 million from our 2011-12 budget. Attached to the agenda item is a menu of potential cuts to address the cut in State revenue. The Board will not vote on any specific reduction at this Board meeting. At this meeting, the Board will have an opportunity to review the options, ask for clarification, and recommend any additional reductions be placed on the list. The Board will vote on reduction items at the March 15th Board meeting when the Second Interim Budget is considered for adoption. We need community support to ensure the budget recommendations made by the Governor will come to fruition, and that these recommended reductions are only an exercise necessary to meet the Second Interim Budget expectations put forth by the County Office of Education.

Public Comment

Susan Welence, Instructional Media Assistant (IMA), Olympic High/Alliance asked the Board to look beyond the immediate savings when cutting Librarian and IMA positions.

Berta Shatswell, Office Manager, Glenbrook Middle School, said she believes the savings of closing Holbrook Elementary and Glenbrook Middle is inaccurate. She asked Board to rescind its decision to close those schools.

Monica Maddern, asked that the Board reconsider cutting music programs.

Janet Fitzpatrick, Instructional Media Assistant shared her job responsibilities.

Board direction to staff: Prepare list of those working on post retirement contracts. Look into the particulars of selling the Willow Creek Center and having the County take over Diablo Day School. Explore the option of closing more schools.

Board additions to the reduction list: Department of Student Achievement and School Support (SASS). Cost of using paper for communications. Testing that is not mandated. Freeze all travel for all employees that includes planes and/or overnight stays.

This was presented as information only and will be returned for action at a future Board meeting.

7.4 Boundary Options for Holbrook Elementary School and Glenbrook Middle School

Power Point with attendance boundary changes that were shared at the January 25th Board meeting. The Board will establish the new attendance boundaries for students currently at Holbrook and Glenbrook. If the Board adopts the attached boundaries students currently in the Glenbrook attendance areas 2 and 3 would attend El Dorado, and areas 1 and 4 would attend Valley View. Neither El Dorado nor Valley View is in Program Improvement; therefore, students could not request a transfer under No Child Left Behind (NCLB). This includes students living in the Glenbrook attendance areas that are currently on NCLB school of choice transfers. It is recommended that we allow these students to remain at their current middle schools; however, the District will no longer provide transportation. Currently, we provide three buses: one goes to Pleasant Hill, one goes to Pine Hollow and Diablo View, and one goes to Valley View and Sequoia. The students in the new El Dorado and Valley View attendance areas would be provided a 30 day window to submit a new Intradistrict Transfer Application (attached) to attend another middle school. Again, students currently on school of choice would not need to reapply. Students in attendance area 5 who will attend Oak Grove can apply for a transfer under the No Child Left Behind school of choice process and we would provide transportation through Title I funds. Holbrook students currently living in areas 1 and 4 would attend Sun Terrace and students living in areas 2 and 3 would attend Wren. If students wish to attend a different elementary school families will be provided the same 30 day Intradistrict Transfer Application window as mentioned above. Transition meetings with Holbrook and Glenbrook families and representatives from their newly assigned schools will be scheduled once the Board approves new boundaries. When the 30 day transfer window closes and we assign students to schools, we will have the data necessary to determine the following: 1. Reallocation of staffing. 2. Reallocation of Title I – III and EIA/LEP funds. 3. Reallocation of resources such as instructional materials, library materials, furniture, technology equipment, etc. 4. We will continue to work with Concord City personnel and Police personnel to work on traffic and safety issues. 5. Transportation -- At the February 22 Board meeting, information was shared that it would cost \$21,500 to create a bus run from Glenbrook to either El Dorado or Valley View. The regional transportation staff is analyzing new bus routes based on the attached boundaries being adopted. Currently, there is no funding to start new bus routes; however, we will continue to work with them to analyze transportation needs throughout the district. 6. At the February 22 Board meeting it was indicated that School Improvement Grant funds would be lost for Glenbrook. We are still waiting for the California Department of Education to provide directions around transferring the after school program funding. We are currently analyzing the best uses for the Glenbrook and Holbrook facilities. At this time, we do not recommend forming a 7-11 committee to consider selling either property.

Public Comment

Berta Shatswell, Office Manager, Glenbrook Middle School said that Glenbrook Middle and Holbrook were closed without a strategic plan in place. She expressed concern regarding transportation and safety issues.

Katie Norlen, shared concerns surrounding transportation and traffic issues.

Willie Mims, BPA/NAACP, said he believes that transportation issues have not been looked at.

Whitmarsh moved, Dennler seconded, and the Board voted 4 -1-0 (Mayo - no) to table this item until March 29, 2011.

7.5 Development of a Long Term Plan for School Closure

Establish a new School Closure Committee to conduct a comprehensive evaluation of MDUSD schools and facilities to develop a long-term (3-year minimum), comprehensive plan to identify and address potential school/facilities closures and openings. • Here are just some of the key components to be researched, evaluated, and addressed in the plan: 1. An analysis of continuing growth and/or declining enrollment trends • The School Closure Committee's report still needs in-depth analysis and reflection. 2. Redrawing attendance boundaries to establish balanced feeder patterns 3. Transportation issues (e.g., availability) 4. Traffic and safety issues 5. Relocation or redistribution of special education/after school/support programs at schools to be closed 6. Transition and support plan for students at schools to be closed 7. Staffing impact and needs 8. Redistribution of revenue/funding sources at the closing schools 9. Use of Measure C facilities monies 10. Maintenance and security of closed facilities and/or possible use of closed facilities 11. Explicit accounting of actual money saved from school closures, not just a best guess. In addition, use the CDE's "Closing a School Best Practices Guide" as a resource.

Hansen moved to develop a long term plan for school closure. The item died for lack of a second.

7.6 Review Board Bylaw 9322 - Agenda Meeting Materials

Review Board Bylaw 9322 to determine if the Board would like to make changes to the Policy particularly in the area of Agenda Development. Board will provide direction whether or not they would like to make recommended changes.

The Board discussed making changes to Board Bylaw. No action was taken.

Public Comment

Willie Mims, BPA/NAACP said that a one week time limit to put an item on the agenda would put a lot of stress on staff. He asked that a printed copy of the agenda be available for public review and that the public be allowed to fill out speaker cards during the meeting.

BOARD REPORTS

Ms. Hansen attended the recent College Park High School WASC visit.

Ms. Mayo attended the recent Northgate High WASC visit.

Ms. Whitmarsh attended the Northgate High WASC visit. She announced that feeder pattern music events are taking place during the month of March.

Mr. Eberhart asked for possible dates to hold the follow up Board workshop.

The meeting adjourned at 10:55 p.m.