WELCOME

* **Addressing the Board** – To assure an orderly meeting and an equal opportunity for each speaker, persons wishing to address the Board must fill out a speaker card. Cards are available at the meeting and must be turned in to the president of the Board prior to the beginning of the meeting. In the interest of time, speakers are limited to three minutes each, or a total of thirty minutes for all speakers. If there are multiple speakers on any one subject, the public comment period may be moved to the end of the meeting.

* **Meeting Ending Time** -- Adjournment time will be no later than 11:00 p.m. for all regular and special meetings unless extended to a specific time as determined by a majority of the Board.

* **Record Keeping** -- For accuracy, all regular meetings of the Board of Education are tape recorded. Tape recordings are kept on file for a period of no less than thirty days.

* **Closed Session** -- The Board of Education may meet in closed session for discussion of labor negotiations, student discipline, personnel matters, litigation, and other matters as provided for under California state law.

* **Radio** -- For the convenience of the public, Board meetings are broadcast during the school year over the Clayton Valley High School radio station KVHS (90.5 FM) starting at 7:30 p.m.

FUTURE MEETING DATE(S):
CALL TO ORDER – 6:00 p.m.

1.  **ANNOUNCEMENT**: In closed session, the Board will consider the items listed on the closed session agenda that follows.

2.  **PUBLIC COMMENT** – The public may address the Board concerning items that are scheduled for discussion during closed session only. These presentations are limited to three minutes each, or a total of thirty minutes for all speakers.

3.  **ADJOURN TO CLOSED SESSION**

CLOSED SESSION

1.  **Negotiations** - The Board may discuss negotiations or provide direction to its representatives regarding represented employees, pursuant to the EERA (Govt. Code Section 3549.1)

   Agency negotiators: Gail Isserman, Sheila Beauchamp, and Julie Braun-Martin.

   Agencies: MDEA, CSEA, Local One M & O, Local One CST, MDSPA, and Supervisory.

2.  **Expulsions(6)/Readmissions(12)**

   - Review Administrative Hearing Panel recommendations regarding 6 student expulsions and 12 readmissions.
   - Consider request for extension of timeline.

3.  **Existing Litigation**

   Spieler v. Mt. Diablo Unified School District

4.  **Anticipated Litigation**

   Two potential cases.

5.  **Conference with Real Property Negotiator**

   Alves Ranch property.

6.  **Public Employee Discipline/Dismissal/Release/Complaint**

RECONVENE OPEN SESSION – 7:30 p.m.

1.  **PRELIMINARY BUSINESS**
2. REPORT OF CLOSED SESSION – April 12, 2005.

Topics
- Negotiations
- Expulsions/Readmissions
- Existing Litigation
- Anticipated Litigation
- Real Estate
- Public Employee Discipline/Dismissal/Release/Complaint

3. CONSENT AGENDA

Items listed under Consent Agenda are considered routine and will be approved/adopted by a single motion. There will be no separate discussion of these items; however, any item may be removed from the consent agenda upon the request of any member of the Board and acted upon separately.

3.1 Minutes of the meeting of March 22, 2005.

3.2 Certificated Personnel

3.2.1 Leaves of Absence, Resignations, Retirements, Employment

3.2.2 Resolution #04/05-42 Education Code 44258.2 – Board Authorization

Under Ed. Code 44258.2, holders of single subject or secondary credentials who have 12 lower division units or 6 upper division units in a subject can be authorized, by Board authorization, to teach that subject(s) in a middle school for the current school year.

3.2.3 Student Teaching Agreement with Chapman University for the Term of July 1, 2005 through June 30, 2006

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.

3.2.4 Reduction of Full-time Equivalent Position (FTE) for the 2004-05 School Year

Request (2.00) certificated positions be eliminated from Categorical Programs. Fiscal Impact: This action will result in a decrease in the expenditure budget of Categorical Funds in the amount of $166,222.

3.2.5 Addition of Full-time Equivalent Position (FTE) for the 2004-05 School Year

Request 3.00 certificated positions be eliminated from Categorical Funds. Fiscal Impact: This action will result in a decrease in the expenditure budget of Categorical Funds in the amount of $159,462.

3.2.6 Reduction of Full-time Equivalent Position (FTE) for the 2004-05 School Year
Request (.50) certificated position be eliminated from Categorical Funds. Fiscal Impact: This action will result in a decrease in the expenditure budget of Categorical Funds in the amount of $27,870.

3.2.7 Recommendation for Professional Clear Single Subject Teaching Credential

Upon completion of a two-year district intern program, the holder of a district intern certificate must have the formal recommendation of the governing school board to apply for their Preliminary or Professional Clear Teaching Credential pursuant to California Education code section 44328.

3.3 Classified Personnel

3.3.1 Leaves of Absence, Resignations, Retirements, Employment

3.4 Deductive Change Order No.1, Contract C-784, Bid 1341

Deductive change order no.1 to contract C-784 bid 1341 to McNabb Construction Inc, in the amount of $28,500 for installation of landscape improvements at Bancroft and Shore Acres elementary schools; Oak Grove and Riverview middle schools; and Clayton Valley and Ygnacio Valley high schools. Funding Source: Measure C

3.5 Intermediate Change Orders

3.5.1 Contract C-797, Bid 1358

Intermediate change order, contract C-797, bid 1358 to AMAC Construction Inc., in the amount of $189,412.95 for fire repairs to Wing D at Ayers Elementary School. Funding Source: Fire Fund and Measure C

3.5.2 Contract C-724, Bid 2004

Intermediate change order, contract C-724, bid 2004 to N.V. Heathorn, Inc. in the amount of $310,353 for new school at San Marco Development (Delta View Elementary). Funding Source: Developer Fees, City of Pittsburg Redevelopment, and State Building Fund

3.6 Final Deductive Change Order, Contract C-742, Bid 1297

Deductive change order, contract C-742, bid 1297 to Sierra Bay Contractors in the amount of $36,471.81 for modernization and new classrooms at Shore Acres Elementary School. Funding Source: Measure C

3.7 Final Change Order, Contract C-772, Bid 1326

Change order, contract C-772, Bid 1326 to Arntz Builders, Inc. in the amount of $247,316.06 for modernization and new classrooms at Rio Vista and Sun Terrace elementary schools; and Glenbrook Middle School.

3.8 Contract Amendment – Beals Sport

As a result of expanded scope of work, it is necessary to increase the value of the design contract with Beals Sport to $97,750. This contract is for high priority athletic facility improvement projects at College Park, Concord, Mt. Diablo, and Ygnacio Valley high schools; and Riverview Middle School. Funding Source: $44,530 Northgate Community Pride Foundation. $53,220 Proposition 55 Funds.

3.9 Award of Contracts

3.9.1 Award of Contract to Wilsey Ham Engineering, Planning and Surveying Services in the amount not to exceed $28,870 for civil engineering necessary for summer 2005 asphalt paving projects. Funding Source: $18,842 Measure C. $10,028 Measure A Operating Fund.
3.9.2 Award of Contract to Golden Bay Fencing in the amount not to exceed $28,544 for security fencing at Clayton Valley High School. Funding Source: Personal donation. There is no impact to the General Fund.

3.9.3 Award of Contract to DCM Engineering in the amount not to exceed $61,797.78 for comprehensive geotechnical engineering services for Proposition 55 athletic facilities improvement projects at Concord, College Park, Northgate, and Ygnacio Valley high schools and Riverview Middle School. Funding Source: $50,820.64 Proposition 55 Funding. $10,977.14 Northgate Community Pride Foundation

3.10 Award of Inspector of Record (Project Inspectors) Contracts

Award of contracts of state certified Inspectors of Record (project inspectors) to support DSA approved Group III Construction Projects as follows:

Alisha Jensen – not to exceed $123,370 for Holbrook Elementary; and El Dorado and Foothill middle schools.

Nathan Valech – not to exceed $145,275 for Highlands and Mt. Diablo elementary; and Pine Hollow Middle School

Todd Anderson, ITS Enterprises, Inc. – not to exceed $102,830 for Hidden Valley and Valley View elementary; and Sequoia Middle School.

Total cost not to exceed $371,475. Funding Source: Measure C

3.11 Notices of Completion

3.11.1 Notice of Completion to contract C-742, bid 1297 to Sierra Bay Contractors in the amount of $3,532,204.09 for modernization and prototypical classrooms at Shore Acres Elementary School. Funding Source: Measure C

3.11.2 Notice of Completion to contract C-784, bid 1341 to McNabb Construction in the amount of $369,500 who provided landscaping improvements at Bancroft and Shore Acres elementary schools; Oak Grove and Riverview middle schools; and Clayton Valley, Northgate, and Ygnacio Valley high schools. Funding Source: Measure C

3.11.3 Notice of Completion to contract C-772, bid 1326 to Arntz Builders in the amount of $6,898,016.16 who provided the new classrooms and modernization at Rio Vista and Sun Terrace elementary schools; and Glenbrook Middle School. Funding Source: Measure C

4. RECOGNITIONS

5. PUBLIC COMMENT

The public may address the Board regarding any item within the jurisdiction of the Board of Education of the Mt. Diablo Unified School District that is not on this agenda. These presentations are limited to three minutes each, or a total of thirty minutes for all speakers. If there are multiple speakers on any one subject, the public comment period may be moved to the end of the meeting.

6. COMMUNICATIONS

6.1 Organizations

At regular board meetings, a single spokesperson of each recognized organization may make a brief presentation following the Consent Agenda. Items are limited to those which are informational.

7. REPORTS/INFORMATION – None

8. SUPERINTENDENT’S REPORT
9. BUSINESS

Action  9.1  Appointment of Coordinator, Student Services 6-8

As part of the District’s effort to ensure that high priority schools are staffed in a timely manner, the District is recommending an internal candidate for the position of Coordinator, Student Services 6-8 effective July 1, 2005.

Recommendation

Approve appointment as recommended.

Action  9.2  Renaming of Gymnasium at Pine Hollow Middle School – Shirley J. Hanson

Pine Hollow Principal Marcie Brown and members of the Pine Hollow Middle School community is requesting to name the gymnasium at Pine Hollow "the Shirley J. Hanson Gymnasium".

Recommendation

This was presented as information at the March 22 meeting. It is now being returned for action.

Action  9.3  Disclosure of Proposed Collective Bargaining Agreement with California School Employees Association (CSEA) as Required by AB1200 and AB2756

The District and California School Employees Association (CSEA) Chapter 43 have reached a tentative agreement for salary increase for July 1, 2004 through June 30, 2007. The agreement is for a 1% salary increase effective July 1, 2005, a 1.2% salary increase effective January 1, 2006, and a 1% salary increase effective July 1, 2006.

Fiscal Impact: There will be no fiscal impact to the budget of the General Fund for 2004-05. There will be a fiscal impact of $360,358.23 in 2005-06 and an additional $362,331.27 in 2006-07.

Recommendation

Approve disclosure of tentative agreement.

Action  9.4  Tentative Agreement Between California School Employees Association (CSEA), Chapter 43, and Mt. Diablo Unified School District

A tentative agreement was reached between the bargaining teams. This tentative agreement represents "re-opener and successor negotiations" and includes all updated contract language. Fiscal Impact: 2004-2005 No fiscal impact beyond what is already budgeted. 2005-2006 Fiscal impact of $360,358.23. 2006-2007 Additional fiscal impact of $362,331.27

Recommendation

Approve tentative agreement as presented.

Action  9.5  Change of Status – Home and Hospital

Recommend closing Home and Hospital as a school and retaining it as a program. Student would continue to receive services as needed.

Recommendation
Approve as recommended.

**Action 9.6 Resolution #04/05-41 Authorizing Reduction of Retention Amount on the Delta View School Project to 5% as Needed**

As required by the original contract, the District has maintained a retention fund which was created by withholding 10% of every progress payment on the project. Since the school has been released to the District, the vast majority of the contract is completed. As a result, the District does not need to keep the entire 10% retention until final close out. Staff seeks authority to release up to one half of the retention to pay off claims by N.V. Heathorn which are legally appropriate.

**Recommendation**

Adopt resolution as presented.

**Discussion 9.7 Continuation of Budget Reduction and Revenue Enhancement Strategies**

On March 8, the Board approved the Second Interim Report which shows a total budget of $249,480,774. The Board also completed another budget reduction process reducing the District’s expenditures by over $4 million for the 2005 school year. This brings the total budget reduction over the last 3 years to $14 million. We need to continue discussion of budget reduction and/or revenue enhancements.

**Recommendation**

Discuss and provide direction to staff.

**Action 9.8 Award of Contract**

Award of contract to Placer County in the amount of $92,951.00 for developing, preparing, conducting, and evaluating drills and exercises for emergency operations systems for various schools in the Mt. Diablo Unified School District. Funding Source: Emergency Response Crisis Management (ERCM) Grant award

**Recommendation**

Approve as presented.

**Action 9.9 Resolution #04/05-42 Relative to Elimination of Classified Positions**

Program modifications and budgetary limitations make it necessary to eliminate or reduce hours of certain classified positions. The leadership of CSEA and Local One CST and M & O has been advised regarding this matter. Fiscal Impact: Reduction in programs will occur because of federal, state, or district fiscal constraints.

**Recommendation**

Adopt resolution as presented.

**Action 9.10 Job Description for Roving Custodial Leadworker II**

On January 11, 2005 the Board approved a custodial roving crew comprised of one (1) Leadworker II and two (2) custodians. This job description is being presented to implement the creation of the roving crew effective July 1, 2005. The leadership of M & O has been advised and supports this recommendation. There is no impact to the General Fund.
Recommendation

This was presented as information at the March 22 meeting. It is now being returned for action.

Information  9.11  Adoption of Ethnic Studies Course of Study

A committee of high school teachers representing three high schools and a curriculum specialist met to develop the Ethnic Studies course of study after one and one-half years of pilot. The course is intended to serve as a 9-12 history/social science elective.

Recommendation

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

Information  9.12  Adoption of Courses of Study for Student, School, and Support Services (Academy Plus I in ClaytonArts Academy) and Student and Community Support Services (Academy Plus II in ClaytonArts Academy)

A committee of teachers and a Curriculum Specialist met to develop two courses of study for courses on extended pilots in the ClaytonArts Academy.

Recommendation

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

Information  9.13  Adoption of International Relations Course of Study

High school history/social science teachers worked with a curriculum specialist to develop a course of study of International Relations, which is in its second pilot year.

Recommendation

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

Information  9.14  Adoption of AIMS II (Academic Intervention for Math Success) for an Articulate Math High School Program

A curriculum specialist and five high school math teachers met to develop this new course of study for the high school math program. This course of study is a support class for Algebra I.

Recommendation

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

Information  9.15  Adoption of the Updated 6th and 7th Grade World History I and II, and 8th Grade U.S. History Courses of Study

A teacher on a post retirement contract worried with a curriculum specialist to update the 6th and 7th grade World History I and II, and 8th grade U.S. History courses of study.

Recommendation

This is being presented as information only and will be returned for action.
Information 9.16 Adoption of *Speak*, Laurie Halse Anderson, Penguin Putnam Publisher (1999) a Novel to be included on the Extended Core Literature List

The literature committee at one high school, along with a curriculum specialist, piloted and reviewed the novel *Speak* and voted to add it to the 9-12 core and extended core literature list.

**Recommendation**

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

Information 9.17 Board Policy 6158 – Instruction

Board policy 6158 pertaining to Independent Study is being updated to reflect District and California School Board Association language and to incorporate recent California Education Code legislation.

**Recommendation**

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

Information 9.18 Board Policy 5132 (a) AR 5132 (a) Dressing and Grooming

Board Policy 5132 (b) AR 5132 (b) Uniforms

The Board policies regarding Students, 5000 series are being updated to reflect District and California School board Association language and to incorporate recent California Education Code legislation.

**Recommendation**

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

10. DISCUSSION OF REPORTS

10.1 Committee Minutes

10.2 Board of Education

11. ADJOURNMENT

12. CLOSED SESSION - Items not completed during the first closed session will be carried over to this closed session.
<table>
<thead>
<tr>
<th>APRIL 2005</th>
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<tbody>
<tr>
<td>Community Advisory Committee    April  4         7:00 p.m.</td>
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<tr>
<td>Parent Advisory Committee       April  6         7:00 p.m.</td>
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<tr>
<td>Regular Board Meeting           April 12        7:30 p.m.</td>
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<tr>
<td>Safe and Drug Free Schools Task Force April 21        3:30 p.m.</td>
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<tr>
<td>Regular Board Meeting           April 26        7:30 p.m.</td>
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<tr>
<th>MAY 2005</th>
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<tbody>
<tr>
<td>Community Advisory Committee    May   2          7:00 p.m.</td>
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<tr>
<td>Parent Advisory Committee       May   4          7:00 p.m.</td>
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<tr>
<td>Regular Board Meeting           May  10         7:30 p.m.</td>
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<tr>
<td>Joint Meeting with City of Pleasant Hill (tentative) May  17        7:30 p.m.</td>
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<tr>
<td>Safe and Drug Free Schools Task Force May  19         3:30 p.m.</td>
</tr>
<tr>
<td>Regular Board Meeting           May  24         7:30 p.m.</td>
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<tr>
<th>JUNE 2005</th>
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<tbody>
<tr>
<td>Measure C Advisory Committee    June  2         7:00 p.m.</td>
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<tr>
<td>Community Advisory Committee    June  3         7:00 p.m.</td>
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<tr>
<td>Regular Board Meeting           June  7         7:30 p.m.</td>
</tr>
<tr>
<td>Regular Board Meeting           June 21        7:30 p.m.</td>
</tr>
<tr>
<td>Safe and Drug Free Schools Task Force June 23       1:00 p.m</td>
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Note: This is being provided for information only.

Please call 682-8000 ext. 4000 to confirm meeting dates, times and locations.