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):
May 24, 2005 7:30 p.m. Regular Board Meeting
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(7) - Review Administrative Hearing Panel recommendations regarding student expulsions.

3. Existing Litigation

   Spieler v. Mt. Diablo Unified School District

4. Anticipated Litigation

5. Conference with Real Property Negotiator

   Alves Ranch property

6. Public Employee Discipline/Dismissal/Release/Complaint

7. Superintendent’s Evaluation

RECONVENE OPEN SESSION – 7:30 p.m.

1. PRELIMINARY BUSINESS

   • Pledge of Allegiance

   • Roll Call

   Topics
   - Negotiations
   - Expulsions
   - Existing Litigation
   - Anticipated Litigation
   - Real Estate
   - Public Employee Discipline/Dismissal/Release/Complaint
   - Superintendent’s Evaluation

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 April 26, 2005.

3.2 Certificated Personnel

   3.2.1 Leaves of Absence, Resignations, Retirements, Employment

   3.2.2 Recommendation for Preliminary 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.

   3.2.3 Addition/Subtraction of Full-time Equivalent Position (FTE) for the 2005-06 School Year

   Request (62.59) FTE be subtracted from General Fund. This action will result in a decrease in the expenditure budget of the General Fund in the amount of $3,744,716. Request (17.91) be subtracted from Categorical Funds. This requires a decrease to the expenditure budget of Categorical Funds in the amount of $990,358.

3.3 Classified Personnel

   3.3.1 Leaves of Absence, Resignations, Retirements, Employment

   3.3.2 Elimination of Two (2) Instructional Assistant-Computer Positions at Riverview Middle School

   Riverview Middle School requests the elimination of two (2) 30 hour week/school day only Instructional Assistant Computer positions. The leadership of CSEA has been advised of the proposed elimination. Fiscal Impact: There will be a savings of $83,264 to Title I funding for the 2005-06 fiscal year.

   3.3.3 Reduction in Hours of a Site Technology Support Technician II Position at Oak Grove Middle School
Oak Grove Middle School requests an existing Site Technology Support Technician II position be reduced from 40 hour/week, 10 month year to 30 hour/week, 10 month year. Fiscal Impact: There will a savings of $12,683 to Title I and an additional cost of $299 to School Improvement Plans for fiscal year 2005-06. Funding Source: Title I – 50%, School Improvement Plan (SIP) – 50%

3.3.4 Request Approval to Eliminate a Full-time Transportation Shop Supervisor Position

Maintenance, Operations, and Facilities requests the elimination of a full-time, 12 month Transportation Shop Supervisor. There will be a savings of $90,866 to the General Fund.

3.4 Community Based English Tutoring Program (CBET)

Mt. Diablo Adult Education, in collaboration with Mt. Diablo Unified School District elementary schools, wishes to continue participating in the Community Based English Tutoring Program for the school year 2005-06. There is no cost to the General Fund or to the Adult Education Fund. No matching funds are required. Funding Source: Community Base English Tutoring (CBET) Program funds.

3.5 Memorandum of Understanding between St. Mary’s College (SMC) School of Education and the Mt. Diablo Unified School District

Mt. Diablo Unified School District proposed to continue the agreement with St. Mary’s College School of Education to provide coordination and delivery of state required training for new teachers with a preliminary credential to obtain a professional clear credential. There is no impact to the General Fund. The MOU will be funded by Beginning Teacher Support and Assessment categorical funds.

3.6 Grant Application Requests

3.6.1 Firedoll Foundation Grant

Mt. Diablo Adult Education requests permission to submit a grant application to the Firedoll Foundation in the amount of $5,000 for services to students in the “On Track” program. There is no impact to the General Fund. Funding Source: Measure C

3.6.2 Dropout Prevention and Recovery Model Program Grant

Request permission to submit a grant application to the California Department of Education in the amount of $4,000 to fund conference attendance for a leadership team to the Ready to Learn: Helping Students Survive and Thrive conference. Funding Source: California Department of Education

3.7 Amendment #5 to Contract with ATI Architects for Architectural/Engineering Services for Measure C Construction Program

On August 27, 2002 the Board approved a contract with ATI Architects for architectural/engineering services for project groups I-III of the Measure C Construction Program. It is now recommended that the contract value be increased by $92,276. Funding Source: Measure C

3.8 Deductive Change Order to Contract C-796 Bid 1357

Deductive change order in the amount of $23,100 to contract C-796, bid 1357 to Community Playgrounds, Inc. for playground equipment/facilities at Loma Vista Adult Center; Ygnacio Valley and Clayton Valley high schools, and Cambridge Elementary School. There is no impact to the General Fund. Funding Source: Measure A - $16,850; Measure C - $6,250

3.9 Intermediate Change Order No. 1 to Contract C-765, Bid 1339
Intermediate change order no. 1 to contract C-765, bid 1339 to Sierra Bay Contractors, Inc. in the amount of $203,778.75 for new classrooms and modernization work at Wren Avenue Elementary and Olympic High School. Funding Source: Measure C

3.10 Final Change Orders

3.10.1 Final Change Order to Contract C-786, Bid 1344 to Biland Construction Company in the amount of $4,048 for electrical upgrades at Sun Terrace Elementary, Glenbrook Middle, and Olympic High. Funding Source: Measure C

3.10.2 Final Change Order to Contract C-787, Bid 1345 to Biland Construction Company in the amount of $18,830 for electrical upgrades at El Monte, Fair Oaks, and Ygnacio Valley elementary schools. Funding Source: Measure C

3.11 Notices of Completion

3.11.1 Contract C-750, Bid 1292 to Red Top Electric Company in the amount of $177,518 for electrical upgrades, group II at Oak Grove Middle and Concord High. Funding Source: Measure C

3.11.2 Contract C-751 Bid 1293 to Red Top Electric Company in the amount of $361,675 for electrical upgrades, group III at Clayton Valley, Northgate, and Ygnacio Valley high schools. Funding Source: Measure C

3.11.3 Contract C-786, Bid 1344 to Biland Construction Company in the amount of $251,048 for electrical upgrades, group II at Sun Terrace Elementary, Glenbrook Middle, and Olympic High. Funding Source: Measure C

3.11.4 Contract C-787, Bid 1345 to Biland Construction Company in the amount of $295,830 for electrical upgrades, group III at El Monte, Fair Oaks, and Ygnacio Valley elementary schools. Funding Source: Measure C

3.11.5 Contract C-796, Bid 1357 to Community Playgrounds, Inc. in the amount of $175,200 for playground improvements, group III at Cambridge Elementary; Clayton Valley and Ygnacio Valley high schools; and Loma Vista Adult Center. Funding Source: Measure A - $155,000, Measure C - $43,300.

4. RECOGNITIONS

4.1 Teacher of the Year Nominees

The Board of Education will recognize the Mt. Diablo Unified School District nominees for Teacher of the Year: Michael Holmes, Sequoia Middle; Lourdes Hernandez, Shore Acres Elementary.

4.2 California Association of School Transportation Officials Roadeo

The Board of Education will recognize the Mt. Diablo Unified School District School Bus Drivers that participated in the California Association of School Transportation Officials (CASTO) Roadeo.

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 Administrator, Necessary Small High School

As part of the District’s effort to assign staff to schools in a timely manner, a current administrator is being recommended to fill the Administrator, Necessary Small High School position effective July 1, 2005.

Recommendation

Approve appointment as recommended.

Action 9.2 Appointment of Elementary School Principal

As part of the District’s effort to assign staff to schools in a timely manner, a current administrator is being recommended to fill the Elementary School Principal position effective July 1, 2005.

Recommendation

Approve appointment as recommended.

Action 9.3 Appointment of Middle School Principal

As part of the District’s effort to assign staff to schools in a timely manner, a current administrator is being recommended to fill the Middle School Principal position, effective July 1, 2005.

Recommendation

Approve appointment as recommended.

Action 9.4 Appointment of Administrator, School Linked Services

As part of the District’s effort to assign staff to schools in a timely manner, a current administrator is being recommended to fill the Administrator, School Linked Services position, effective July 1, 2005.

Recommendation

Approve appointment as presented.

Action 9.5 Job Description – Chief Financial Officer

Last year, with the retirement of the Director of Fiscal Services, we considered upgrading the position to increase our chances to hire a strong applicant. Through our recruitment efforts, we were able to hire a Director of Fiscal Services, who has resigned effective April 30, 2005. We need to recruit a replacement at a time when many districts are looking for a financial officer. I am therefore recommending that we create a Chief Financial Officer position with increased salary and eliminate the Director of Fiscal Services position.

Recommendation
This was presented as information at the April 25 meeting. It is now being returned for action.

Action 9.6 **Elimination of Director of Fiscal Services Position and Creation of Chief Financial Officer Position**

With the approval of the job description of the Chief Financial Officer, there is a need to establish the position within the budget so that we can coordinate the recruitment and selection process for the position. There is an urgency to do this since we do not have a regular district employee overseeing fiscal services. Fiscal Impact: $25,000 Funding Source: General Fund

**Recommendation**

Approve the creation of the Chief Financial Officer position and elimination of the Director of Fiscal Services position.

Action 9.7 **Resolution #04/05-51 Classified School Employees Week, May 16 – 20, 2005**

The Mt. Diablo Unified School District wishes to adopt a resolution to recognize and honor the contribution of the classified school employee to quality education in the State of California and the Mt Diablo Unified School District and declares the week of May 16 – 20, 2005 as Classified School Employees' Week.

**Recommendation**

Adopt resolution as presented.

Action 9.8 **Resolution #04/05-48 Authorizing the Issuance of Community Facilities District No. 1, Series 2005 Special Tax Bonds Measure A**

Due to current low interest rates, the school district may refinance 1995 Measure A Bonds. As a result, additional funds for Measure A projects may be created at no additional cost to taxpayers.

**Recommendation**

Adopt resolution as presented.

Action 9.9 **Elementary Lunch Price Increase**

Food and Nutrition Services recommend increasing the elementary lunch price from $2.25 to $2.50 for the 2005-06 year. There is no impact to the General Fund.

**Recommendation**

Approve as presented.

Action 9.10 **Resolution #04/05-47 Decision of Administrative Law Judge and Termination of Certificated Employees**

The District is asking for Board consideration of and action regarding adoption of the Proposed Decision of the Administrative Law Judge in the matter of the of the non-reemployment of 12.63 full-time equivalent certificated employees, OAH NO. N2005030493, and direction to Superintendent to notify affected employees of termination.

**Recommendation**

Adopt resolution as presented.
Action   9.11 Resolution #04/05-49 Emergency Contracts to Repair and Clean-up Hazardous Waste Resulting from a Ruptured Sewer Line at Mt. Diablo High School

Public Contract 22050 provides exception to the bid requirements contained in Public Contract Code 22002, when the governing board determines that an emergency will not permit a delay resulting from a competitive solicitation of bids, and that the action is necessary to respond to the emergency.

Recommendation
Adopt resolution as presented.

Action   9.12 Resolution #04/05-50 Approving Second Amendment to Agreement with Clayton Valley High Boosters Club

In October 2003, the Mt. Diablo Unified School District and Clayton Valley High Boosters entered into an agreement which provided that the Boosters would pay for the design, purchase, and installation of a synthetic play field and an all weather track for a stadium at Clayton Valley High School. In June 2004, the Board approved an amendment to the agreement which provided a District contribution of $500,000. The project has now been completed and this resolution will provide a second amendment to the Agreement to contribute an additional amount of $114,811. Funding Source: Proposition 55 Funds

Recommendation
Adopt resolution as presented.

Action   9.13 Consider Approval of Reorganization of Transportation Department

On February 22, 2005, the Board made a decision to eliminate one position in the Transportation Department. In order to facilitate this change, a reorganization is necessary. The reorganization plan would reallocate duties of managers in transportation.

Recommendation
This was presented as information at the April 26 Board meeting. It is now being returned for action.

Action   9.14 Consider Use of Project Labor Agreements (PLAs)

A Board member asked that this be place on the agenda for consideration. The Board needs to determine if it wants to use Project Labor Agreement on construction projects.

Recommendation
Determine whether to use Project Labor Agreement on a pilot construction project.

Information   9.15 Adoption of AP Environmental Science Course of Study

High school science chairpersons worked with a curriculum specialist to develop a course of study for AP Environmental Sciences, which is in its second pilot year.

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

Information   9.16 Adoption of Introduction to Film Study Course of Study
In order to reinstate the Introduction to Film Study Course of Study to its former UC approved status, five high school film studies teachers worked with a curriculum specialist to update this course, return it to a year-long course, and develop key assignments for it.

**Recommendation**

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

**Information 9.17 Adoption of Materials for Introduction to Film Study Course of Study**

Representatives from three high schools worked with a curriculum specialist to develop criteria, review, analyze, and evaluate five sets of materials from publishers on film studies. The one set of materials selected is: *Understanding Movies, 10th Edition*.

**Recommendation**

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

**Action 9.18 Adoption of New Course of Study, AIMS II (Academic Intervention for Math Success) for an Articulated High School Math 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 was presented as information at the April 12 meeting. It is now being returned for action.

**Action 9.19 Adoption of High School Math Textbooks for Courses of Study, Introduction to Algebra, Algebra I, Geometry, and Algebra II**

A committee of high school math teachers and a curriculum specialist met various times during the second semester to develop and implement a process to select textbooks for Introduction to Algebra, Algebra I, Geometry, and Algebra II.

**Recommendation**

This was presented as information at the April 26 Board meeting. It is now being returned for action.

**Action 9.20 Board Policy 6158 – Instruction**

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

**Recommendation**

This was presented as information at the April 12 meeting. It is now being returned for action.

**Information 9.21 Board Policy 6146.1 Regarding High School Graduation Requirements**

Administrative review of board policy 6146.1 has resulted in proposed changes as required by the addition of the Algebra I graduation requirement waiver request for students with disabilities.

**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.
### MAY 2005

<table>
<thead>
<tr>
<th>Committee/Meeting</th>
<th>Date</th>
<th>Time</th>
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<tbody>
<tr>
<td>Community Advisory Committee</td>
<td>May  2</td>
<td>7:00 p.m.</td>
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<tr>
<td>Parent Advisory Committee</td>
<td>May  3</td>
<td>7:00 p.m.</td>
</tr>
<tr>
<td>Regular Board Meeting</td>
<td>May 10</td>
<td>7:30 p.m.</td>
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<tr>
<td>Safe and Drug Free Schools Task Force</td>
<td>May  19</td>
<td>3:30 p.m.</td>
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<tr>
<td>Regular Board Meeting</td>
<td>May 24</td>
<td>7:30 p.m.</td>
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<tr>
<td>Joint meeting with City of Pleasant Hill</td>
<td>May 31</td>
<td>7:00 p.m.</td>
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### JUNE 2005

<table>
<thead>
<tr>
<th>Committee/Meeting</th>
<th>Date</th>
<th>Time</th>
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<tbody>
<tr>
<td>Measure C Advisory Committee</td>
<td>June 2</td>
<td>7:00 p.m.</td>
</tr>
<tr>
<td>Community Advisory Committee</td>
<td>June 3</td>
<td>7:00 p.m.</td>
</tr>
<tr>
<td>Regular Board Meeting</td>
<td>June 7</td>
<td>7:30 p.m.</td>
</tr>
<tr>
<td>Regular Board Meeting</td>
<td>June 21</td>
<td>7:30 p.m.</td>
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<tr>
<td>Safe and Drug Free Schools Task Force</td>
<td>June 23</td>
<td>1:00 p.m.</td>
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### JULY 2005

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<tr>
<th>Committee/Meeting</th>
<th>Date</th>
<th>Time</th>
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<tbody>
<tr>
<td>NO MEETINGS IN JULY</td>
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</table>

Note:  This is being provided for information only.

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