

MERCED CITY SCHOOL DISTRICT

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SCHOOL BOARD AGENDA

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February 23, 2010

# MERCED CITY SCHOOL DISTRICT

## *Our Mission...*

The mission of the Merced City School District, a community of diverse learners striving for higher achievement, is to ensure that every student excels academically, builds character, and is a productive member of our community; we will do this by delivering exceptional instruction of a well-rounded and relevant curriculum that incorporates innovative practices and partnerships with family and community in a safe learning environment.

## *Beliefs*

### **We believe that:**

Every human being is unique with unlimited potential;

Treating individuals with respect and dignity elevates the human spirit;

Everyone has inherent value and purpose;

Mutual trust is essential to productive relationships;

A challenging environment balanced with support enables individuals to thrive;

Embracing diversity strengthens our community;

Individuals have responsibility for their actions;

Service to others strengthens the character of the individual, and the vitality of community.

## *Strategies*

1. “Fully implement a district-wide user friendly system that monitors student performance and corresponding interventions to measure their effectiveness.”
2. “We will design, implement and monitor ongoing, innovative targeted professional learning approaches in order to achieve our objectives.”
3. “We will, in partnership with our community, develop a facilities plan that incorporates innovative design and common education specifications to optimize utilization of space and community resources, and provide exceptional learning environments district-wide.”
4. “We will, in partnership with family and community, identify core character traits and develop action plans to teach and assess whether students demonstrate those traits.”
5. “We will form a mutually beneficial academic partnership focusing on UC Merced and Merced College that will enable students to achieve academic excellence.”

## *Objectives*

1. “Each student will meet, or exceed established academic performance standards.”
2. “Each student will demonstrate identified character traits that enrich the individual and community.”

**REGULAR MEETING OF THE BOARD OF EDUCATION**

**Tuesday, February 23, 2010**

Reyes Elementary School  
123 South N Street  
Merced, California

**CLOSED SESSION - 6:00 P.M.**

**OPEN SESSION - 7:00 P.M.**

**AGENDA**

**In compliance with the Americans with Disabilities Act**, if you need special assistance to access the meeting room or to otherwise participate in this meeting, including auxiliary aids or services, please contact the Office of the Superintendent at (209) 385-6640. Notification at least 48 hours prior to the meeting will enable the Governing Board to make reasonable arrangements to ensure accessibility to the meeting.

**Any writings or documents that are public records** and are provided to a majority of the Governing Board regarding an open session item on this agenda will be made available for public inspection in the District Office located at 444 West 23<sup>rd</sup> Street, Merced, California, during normal business hours.

The District welcomes Spanish and other language speakers to Board meetings. Anyone planning to attend and needing an interpreter should call (209) 385-6753, 48 hours in advance of the meeting, so arrangements can be made for an interpreter. *El Distrito da la bienvenida a las personas de habla hispana a las juntas de la Mesa Directiva. Si planea asistir y necesita interpretacion llame al (209) 385-6752, 48 horas antes de la junta, para poder hacer arreglos de intepretacion.*

**Community members have two opportunities to address the Board of Education.**

If you wish to address the Board on an agenda item, please do so when that item is called. Some agenda items are designated a specific start time and the Board will consider that item at the designated time or as soon as practical thereafter. ***The start times are only an estimate.*** Presentations will be limited to a maximum of three (3) minutes. Time limitations are at the discretion of the President of the Board.

Individuals have an opportunity to address the Board during the Period for Public Discussion on topics within the subject matter jurisdiction of the Board not listed on this agenda. Presentations will be limited to a maximum of three (3) minutes, with a total of thirty (30) minutes designated for this portion of the agenda. Individuals with questions on school district issues may submit them in writing. The Board will automatically refer requests to the Superintendent.

**I. OPENING BUSINESS - 6:00 P.M.**

- A. Call Public Session to Order
- B. Roll Call

**II. PUBLIC COMMENT PRIOR TO CLOSED SESSION**

- A. Identification of Closed Session Topics
- B. Comments And/Or Questions From The Audience
- C. Adjourn To Closed Session

**III. CLOSED SESSION**

A. PUBLIC EMPLOYEE: APPOINTMENT/DISCIPLINE/DISMISSAL/RELEASE

**IV. OPEN SESSION - 7:00 P.M.**

- A. Call to Order
- B. Roll Call

**V. FLAG SALUTE**

**VI. APPROVAL OF AGENDA**

**VII. ITEMS OF INTEREST**

- A. **Board members and district administrators** may report on activities, such as school visits, meetings, and conferences.
- B. **School Showcase** - Reyes School Principal, Ms. Teresa Saldivar-Morse
- C. **National Council of Negro Women, Merced County Section** - Book Presentation on Behalf of Black History Month - **Ms. Ida Lee Hanson**
- D. **Written Communications**
- E. **Board Reports**  
Board member representatives to various committees may report on actions and discussion at those committee meetings held since the last meeting of the Board of Education. Board representatives may receive direction for future committee meetings.

**VIII. REPORT**

**A-39-09-10 Facilities**

**Mr. Spicer  
Mr. Magnussen**

## IX. CONSENT

Items listed under the Consent Calendar are considered to be routine and are acted on by the Board of Education in one motion. There is no discussion of these items before the Board vote unless a member of the Board, staff, or public requests specific items be discussed and/or removed from the Consent Calendar. It is understood that the Administration recommends approval on all Consent Items. Each item on the Consent Calendar approved by the Board of Education shall be deemed to have been considered in full and adopted as recommended.

### a. Superintendent

<b>S-24-09-10</b>	<b>Meeting Minutes</b>	<b>Dr. P. Duran</b>
	It is recommended that the Board of Education approve the minutes from the regular meeting of February 9, 2010.	

### b. Administrative Services

<b>A-39-09-10</b>	<b>Employment Transactions - Certificated Personnel</b>	<b>Mr. Spicer</b>
	Approval is recommended for certificated personnel items.	

<b>A-40-09-10</b>	<b>Employment Transactions - Classified Personnel</b>	<b>Mr. Spicer</b>
	Approval is recommended for classified personnel items.	

### c. Fiscal Services

<b>F-34-09-10</b>	<b>Warrants</b>	<b>Ms. Cavallero</b>
	It is recommended that the Board of Education ratify the list of warrants issued in the following consecutively numbered warrant registers.	<b>Mr. Spicer</b>

**X. BOARD ACTION**

Members of the public may address the Board on an agenda item when that agenda item is being discussed by the Board.

**a. Superintendent**

**S-25-09-10      Gifts/Grants And Bequests** **Dr. P. Duran**  
It is recommended that the Board of Education accept the gifts/grants and bequests as listed.

**S-26-09-10      2010 CSBA (California School Boards Association)** **Dr. P. Duran**  
**Delegate Assembly Election Ballot - 2 Vacancies**  
It is recommended that the Board of Education vote as a whole using the attached (copy) of a ballot for your region/subregion's election for candidates running for CSBA's Delegate Assembly.

**b. Administrative Services**

**A-41-09-10      Board Policy Update** **Mr. Spicer**  
**Revision To Existing Policy In The 4000 Series**  
**(Personnel) - First Reading**  
It is recommended that the Board of Education accept the attached revisions to Board Policy 4113(a) for a first reading.

**A-42-09-10      Resolution No. A-42-2009-2010** **Mr. Spicer**  
**Reduction Or Elimination Of Particular Kinds Of**  
**Certificated Services**  
It is recommended that the Board of Education adopt Resolution No. A-42-2009-2010 to reduce or eliminate particular kinds of certificated positions.

**XI. COMMUNICATIONS**

**F. Public Comment Period**

Members of the audience may also address the Board on any topic *not* listed on the agenda at this time. Topics not on the agenda, which are brought to the Board's attention, may be investigated by the administration and a report made to the Board, either publicly or privately at a future meeting. Comments from members of the public shall not exceed three (3) minutes or a total of thirty (30) minutes, unless timelines are waived by a majority of the Board.

**XII. BOARD MEMBER ROUNDTABLE**

**XIII. ADJOURNMENT**

**EQUAL OPPORTUNITY EMPLOYER  
DRUG FREE WORK PLACE EMPLOYER**

**POSTED: February 18, 2010**

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**MERCED CITY SCHOOL DISTRICT**

**Board of Education Meeting Schedule  
 2009-2010 School Year**

<u>Date Of Meeting</u>	<u>Time</u>	<u>Location</u>
Tuesday, August 11, 2009	7:00 p.m.	<b>Council Chambers</b>
Tuesday, August 25, 2009	7:00 p.m.	Hoover School
First day of school - (August 17)		
Tuesday, September 8, 2009	7:00 p.m.	Sheehy School
Tuesday, September 22, 2009	7:00 p.m.	<b>Council Chambers</b>
Tuesday, October 13, 2009	7:00 p.m.	<b>Council Chambers</b>
Tuesday, October 27, 2009	7:00 p.m.	Wright School
Tuesday, November 10, 2009	7:00 p.m.	<b>Council Chambers</b>
Nov. 3 – Election Day *Thanksgiving Week - (November 23-27)		
Tuesday, December 1, 2009	7:00 p.m.	Peterson School
Tuesday, December 15, 2009	7:00 p.m.	<b>Council Chambers</b>
*Winter Break - (December 21-January 1)		
Tuesday, January 12, 2010	7:00 p.m.	Chenoweth School
Tuesday, February 9, 2010	7:00 p.m.	<b>Council Chambers</b>
Tuesday, February 23, 2010	7:00 p.m.	Reyes School
*Presidents' Week - (February 15-19)		
Tuesday, March 9, 2010	7:00 p.m.	<b>Council Chambers</b>
Tuesday, March 23, 2010	7:00 p.m.	Fremont School
*Spring Break - (April 2 - 9)		
Tuesday, April 13, 2010	7:00 p.m.	<b>Council Chambers</b>
Tuesday, April 27, 2010	7:00 p.m.	Gracey School
Tuesday, May 11, 2010	7:00 p.m.	<b>Council Chambers</b>
Tuesday, May 25, 2010	7:00 p.m.	Cruickshank School
Graduation - (June 3)		
Tuesday, June 8, 2010	7:00 p.m.	<b>Council Chambers</b>
Tuesday, June 22, 2010	7:00 p.m.	Board Room

Meeting dates may change.  
 (\*Local Recess) - No School

Merced City Council Chambers, 678 West 18<sup>th</sup> Street

**MINUTES OF THE REGULAR MEETING OF THE GOVERNING BOARD OF THE  
MERCED CITY SCHOOL DISTRICT  
Merced City Council Chambers  
February 9, 2010**

CALL TO ORDER: The meeting was called to order by President Churf 6:00 p.m.

MEMBERS PRESENT: Mr. Darrell Churf, Mr. Adam Cox, Ms. Jessica Kazakos, Dr. Susan Walsh  
Mr. Gene Stamm was absent.

CLOSED SESSION: The Board met in closed session from 6:02 p.m. to 7:14 p.m. to discuss:

- Public Employee: Appointment/Discipline/Dismissal/Release
- Conference with Legal Counsel, Mr. Greg Spicer, Anticipated Litigation Significant Exposure to Litigation: Three (3) potential cases, Gov. Code 54956.9(b)

OPEN SESSION: The Board reconvened to open session at 7:15 p.m.

MEMBERS PRESENT: Mr. Darrell Churf, Mr. Adam Cox, Ms. Jessica Kazakos, Dr. Susan Walsh  
Mr. Gene Stamm was absent.

STAFF PRESENT: District Superintendent, Dr. RoseMary Parga Duran; Associate Superintendent, Mr. Greg Spicer; Administrative Assistant to the Superintendent, Ms. Kathie Kubo; Chief Fiscal Officer, Ms. Kris Cavallero; Chief Operations Officer, Mr. Kraig Magnussen; Director of Curriculum/Staff Development, Ms. Annie Dossetti; Director of Special Education and Pupil Services, Dr. Ken Testa; Director of School Nutrition Services, Ms. Terri Soares; Director of Information Technology/Support Services, Mr. Greg Blount; Director of State and Federal Programs, Dr. Tammie Calzadillas; Principal, Ms. Irma Ayala-Olson; Principal, Ms. Tara Bright; Principal, Ms. Elena Bubenchik; Principal, Mr. Brian Ferguson, Principal, Mr. Doug Collins, Principal, Mr. Rojelio Gutierrez; Principal Dr. Connie Hadley; Principal, Ms. Sandi Hamilton; Principal, Mr. Harry Harris; Principal, Mr. Cesar Hernandez; Principal, Ms. Paula Heupel; Principal, Mr. Jose Munoz; Principal, Dr. Dalinda Saich; Principal, Ms. Teresa Saldivar-Morse; Principal, Ms. Lucrecia Sicairos, Principal, Ms. Lori Slaven; Assistant Principal, Ms. Michelle Crider; Assistant Principal, Mr. Jerod Garst; Assistant Principal, Mr. Rick Her; Assistant Principal, Ms. Roxanne Montano; Assistant Principal, Ms. Juanita Pedrozo; Assistant Principal, Mr. Jared Pierce; Assistant Principal, Ms. Jill Settera; Learning Director, Mr. Vance D'Escoto; Learning Director, Ms. Suzanne Fagundes; Learning Director, Ms. Catherine Puckett; Learning Director, Ms. Elaine Smith; Supervisor/School Nutrition Services, Ms. Grace Coronado; Supervisor/Operations and Grounds, Mr. Juan Mendoza; Supervisor/Transportation, Mr. David Perkins; Supervisor/Maintenance, Mr. Bill Rains; Coordinator/Preschool, Ms. Melanie Cole; Coordinator/Curriculum, Ms. Lila Lesly; Coordinator/Early Reading First, Ms. Lisa Slaton; CSEA President, Mr. Eddie Padilla; MCTA President, Mr. Fred Arzamendi

PLEDGE OF ALLEGIANCE: Dr. Susan Walsh, clerk

REPORT OF ACTION TAKEN IN CLOSED SESSION: President Cherf reported that no action was taken in closed session.

APPROVAL OF AGENDA: It was moved by Mr. Cox, seconded by Dr. Walsh, to approve the agenda as presented. Motion carried.

ITEMS OF INTEREST:

BOARD

- Dr. Walsh acknowledged the Tenaya Middle School Band members for their participation on January 18 at the Dr. Martin Luther King, Jr. celebration march.
- Ms. Kazakos attended the January 25 CTA dinner for board members.

SUPERINTENDENT

- Dr. Parga Duran visited Franklin Elementary School's Jump For Heart event on February 1.

REPORTS:

2010-11 BUDGET DEVELOPMENT PROCESS

Associate Superintendent, Mr. Greg Spicer and Chief Fiscal Officer, Ms. Kris Cavallero presented a report to the Board of Education on the budget development process for SY 2010-11.

CONSENT:

It was moved by Dr. Walsh, seconded by Mr. Cox, to approve the Consent Agenda as presented. Motion carried.

Superintendent

Meeting Minutes

- Approval of the regular meeting minutes of January 12 and the special meeting minutes of January 19, 2010

Administrative Services

Employment Transactions -  
Certificated Personnel:

- Approval of the following certificated personnel items:

A. **Employment**

*Substitutes:*

Christopher Busse - Multiple Subject  
Robert Frary - Standard Secondary  
Nancy Hoppe - Single Subject  
Kacy Rosson - Multiple Subject  
Cindy Shannon - Multiple Subject

B. **Unpaid Leave of Absence**

Diedra Liske, Classroom Teacher, Fremont Charter School, Unpaid Leave of Absence from 2/1/2010 through 6/30/2010, effective 2/1/2010

C. **Change of Status**

Kevin Kelly, From Merced City School District Substitute Teacher, District Office, to Clinician, Fremont Charter School, effective 1/11/2010

Employment Transactions -  
 Classified Personnel:

- Approval of the following classified personnel items:

A. **Change of Status**

Carrie H. Cortez, From Instructional Assistant: Spanish Bilingual, Chenoweth School to School Office Clerk, Spanish Bilingual, Chenoweth School, effective 1/7/2010

B. **Resignation**

Marilyn Bessemer, Instructional Assistant, Rivera Middle School, effective 1/22/2010

Fiscal Services

Warrants

- Approval of the ratification of the list of warrants issued in the following consecutively numbered warrant registers:

<u>Warrant Numbers</u>	<u>Dated</u>	<u>Amount</u>
112780-112781	1/5/10	\$ 2,138.52
115853-115955	1/8/10	\$1,521,611.54
120598-120755	1/15/10	\$ 163,460.02
123509-123562	1/22/10	\$ 202,992.47
		\$1,890,202.55

Budget Transfers

- Approval of the ratification of the list of budget transfers completed during the month of January 1 through January 31, 2010

**BOARD ACTION**

SUPERINTENDENT

Gifts/Grants And Bequests

It was moved by Mr. Cox, seconded by Dr. Walsh, to accept the gifts/grants and bequests as listed. Motion carried.

**Burbank School**, monetary donation, donated by PG & E Corporation Foundation, valued at \$40.50.

**Chenoweth School**, monetary donation, donated by PG & E Corporation Foundation, valued at \$219.00

**Galen Clark Preschool**, monetary donation, donated by SaveMart Supermarkets, valued at \$259.68

**Hoover Middle School**, monetary donation, donated by Wal-Mart Foundation, valued at \$1,000.00

**Reyes School**, Transportation grant, donated by Merced County Historical Society, valued at \$200.00

EDUCATIONAL SERVICES:

SCHOOL ACCOUNTABILITY  
REPORT CARDS

It was moved by Dr. Walsh, seconded by Mr. Cox, to approve the School Accountability Report Cards (SARC). Motion carried.

RESOLUTION NO. E-44-2009-10  
EMERGENCY CLOSURE OF  
FRANKLIN PRESCHOOL DUE TO  
POWER OUTAGE

It was moved by Dr. Walsh, seconded by Ms. Kazakos, to approve and adopt Resolution No. E-44-2009-2010 declaring the emergency closure of Franklin Preschool due to power outage on Thursday, January 21, 2010. Motion carried.

ADMINISTRATIVE SERVICES:

2010-2011 SCHOOL YEAR  
CALENDAR

It was moved by Ms. Kazakos, seconded by Dr. Walsh, to adopt the 2010-2011 school year calendar as presented. Motion carried.

CAPITAL PROJECTS NOTICE OF  
COMPLETION - CHENOWETH  
ELEMENTARY SCHOOL

It was moved by Dr. Walsh, seconded by Mr. Cox, to accept as complete the new cooling towers project at Chenoweth Elementary School and to authorize the filing of the Notice of Completion. Motion carried.

FISCAL SERVICES:

RESOLUTION NO. F-33-2009-10  
AUTHORIZING THE ISSUANCE  
AND SALE OF 2009-2010 TAX AND  
REVENUE ANTICIPATION NOTES  
THROUGH THE CALIFORNIA  
SCHOOL CASH RESERVE  
PROGRAM AND REQUESTING  
THE BOARD OF SUPERVISORS OF  
THE COUNTY TO ISSUE AND  
SELL SAID NOTES

It was moved by Mr. Cox, seconded by Ms. Kazakos, to adopt Resolution No. F-33-2009-10 authorizing the issuance and sale of 2009-2010 Tax and Revenue Anticipation Notes through the California School Boards Association Finance Corporation Cash Reserve Program and requesting the Board of Supervisors of the County to issue and sell said notes. Motion carried.

ADJOURNMENT:

The meeting adjourned at 8:04 p.m.

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Secretary

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Clerk

# REPORT

# MERCED CITY SCHOOL DISTRICT

TO: RoseMary Parga Duran Ed.D.  
District Superintendent

FROM: Greg Spicer  
Associate Superintendent, Administrative Services

PREPARED BY: Kraig Magnussen  
Chief of Operations

DATE: February 23, 2010

SUBJECT: **FACILITIES**

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## **Background**

District staff will provide the Board of Education a report on the status of the District's Facility Master Plan. This report will include an update on current projects and needs, enrollment and capacity, need for property acquisition, negative impact of state and local budgets, and direction from the Board given limited resources and staff.

## **Fiscal Impact**

Revenue: None  
Expenditure: None  
Budget Category: None

# CONSENT

# MERCED CITY SCHOOL DISTRICT

TO: Board of Education

FROM: RoseMary Parga Duran, Ed.D.  
District Superintendent

DATE: February 23, 2010

SUBJECT: **MEETING MINUTES**

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## **Recommendation**

It is recommended that the Board of Education approve the minutes from the regular meeting of February 9, 2010.

## **Background**

Meetings of the Governing Board are conducted for the purpose of accomplishing district business. (BP 9320)

## **Fiscal Impact**

Revenue: None  
Expenditure: None  
Budget Category: None

# MERCED CITY SCHOOL DISTRICT

TO: RoseMary Parga Duran, Ed.D.  
District Superintendent

FROM : Greg Spicer  
Associate Superintendent, Administrative Services

PREPARED BY: Denise Hernandez  
Personnel Specialist

DATE: February 23, 2010

SUBJECT: **EMPLOYMENT TRANSACTIONS – CERTIFICATED PERSONNEL**

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## **Recommendation**

Approval is recommended for the following certificated personnel items:

### **A. Retirement**

Jackie Chandler	Preschool Teacher Muir Elementary School Effective 6/4/2010
Marilyn Harvey	Resource Teacher Chenoweth Elementary School Effective 6/4/2010

## **Fiscal Impact**

Revenue: None

Expenditure: None

Budget Category: General Fund

# MERCED CITY SCHOOL DISTRICT

TO: RoseMary Parga Duran, Ed.D.  
District Superintendent

FROM: Greg Spicer  
Associate Superintendent, Administrative Services

PREPARED BY: Elsa Arroyo  
Personnel Specialist

DATE: February 23, 2010

SUBJECT: **EMPLOYMENT TRANSACTIONS – CLASSIFIED PERSONNEL**

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## **Recommendation**

Approval is recommended for the following classified personnel items.

### **A. Unpaid Leave of Absence**

Edita Moreno

Detention Supervisor  
Rivera Middle School  
Unpaid Leave of Absence from 2/1/2010 to 2/26/2010  
Effective 2/1/2010

## **Fiscal Impact**

Revenue: None

Expenditure: None

Budget Category: General Fund

# MERCED CITY SCHOOL DISTRICT

TO: RoseMary P. Duran, Ed.D.  
District Superintendent

FROM: Greg Spicer  
Associate Superintendent

PREPARED BY: Kris Cavallero  
Chief Fiscal Officer

DATE: February 23, 2010

SUBJECT: **WARRANTS**

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## **Recommendation**

It is recommended that the Board of Education ratify the list of warrants issued in the following consecutively numbered warrant registers:

Warrant Numbers	Dated	Amount
128966-128976	1/27/10	\$ 43,387.12
133517-133627	2/5/10	\$ 1,188,494.08
	Total	\$ 1,231,881.20

## **Background**

The warrants listed have been issued in accordance with the District's Purchasing Policy (BP 3314).

## **Fiscal Impact**

Revenue: None  
Expenditure: \$1,231,881.20  
Budget Category: Various

APY2ZOME H.00.02

Merced City School District  
WARRANT REGISTER FOR WARRANTS DATED 01/27/10

WARR NUMBER	VENDOR NUMBER	PAYEE NAME	FUND	AMOUNT	WARR NUMBER	VENDOR NUMBER	PAYEE NAME	FUND	AMOUNT
128966	002541	A-PED INC	03263	194.66	128967	009207	APPLIED INDUST TECHNOLOGIES	03263	1,688.27
128968	010593	CENTRAL RESTAURANT PRODUCTS	03263	928.47	128969	004728	THE DANIELSEN CO	03263	4,904.74
128970	012831	DOLEDEPOT	03263	573.49	128971	009652	EAST BAY RESTAURANT SUPPLY INC	03263	112.96
128972	011178	FEDEX FREIGHT WEST INC	03263	55.85	128973	007428	GOLD STAR FOODS	03263	918.60
128974	005080	PIERRE FROZEN FOODS	03263	3,229.48	128975	008687	PRODUCERS DAIRY FOODS INC	03263	23,967.40
128976	009919	SCHOOL LUNCH PRODUCTS INC	03263	6,813.20					

TOTAL AMOUNT OF ALL WARRANTS \$43,387.12\*\*\*

Merced City School District  
WARRANT REGISTER FOR WARRANTS DATED 02/05/10

APY220ME H.00.02

WARR NUMBER	VENDOR NUMBER	PAYEE NAME	FUND	AMOUNT	WARR NUMBER	VENDOR NUMBER	PAYEE NAME	FUND	AMOUNT
133517	008470	ACTION COMPUTERS	03270	65.20	133518	010718	AFLAC	03270	6,842.92
133519	008564	AG MOBILE TRANSMISSION REPAIR	03270	1,135.21	133520	010577	AGRI-MEX TREE SERVICE	03270	1,150.00
133521	000071	AMERICAN FIDELITY ASSURANCE CO	03270	103.58	133522	002390	AMERICAN FIDELITY ASSURANCE CO	03270	127.13
133523	000127	ATKIN/ANDEL/LOYA/ROUD & ROMO	03270	7,983.14	133524	000167	BARTLETT PETROLEUM PRODUCTS	03270	254.39
133525	003546	BAUDVILLE INC	03270	97.50	133526	000177	BEST ELECTRIC	03270	367.22
133527	007431	RENEE BUNNELL	03270	95.58	133528	003189	CAR PLUS STEREO OUTLET	03270	108.64
133529	000178	CHANNING BETE CO INC	03270	394.04	133530	000376	CITY OF MERCED	03270	6,877.31
133531	011010	CORNER STONE STAFFING	03270	257.07	133532	012840	CPR SAVERS & FIRST AID SUPPLY	03270	777.89
133533	011473	CSEA VICTORY CLUB	03270	239.00	133534	008096	DATAWORKS EDUCATIONAL RESEARCH	03270	12,000.00
133535	005917	DEPT OF TOXIC SUBSTANCES CNTRL	03270	250.00	133536	009357	DON'S MOBILE GLASS INC	03270	272.14
133537	010953	THE FAMILY CLINIC OF MERCED	03270	50.00	133538	004265	T-JODE L FAVIER	03270	300.96
133539	000697	FOLLETT LIBRARY RESOURCES	03270	89.50	133540	000026	FOUNDATION FOR EDUCATIONAL	03270	750.00
133541	005201	FOUNDATION FOR MEDICAL CARE	03270	19,517.55	133542	012337	FOUNDATION FOR MEDICAL CARE	03270	552.32
133543	012632	GOLDEN VALLEY DOOR & MILLWORK	03270	6,263.32	133544	003169	W W GRAINGER INC	03270	772.77
133545	012818	THE HARTFORD	03270	6,321.71	133546	002141	HAZARD MANAGEMENT SVCS INC	03270	5,850.00
133547	012213	HECAT-WEST INC	03270	50.00	133548	012712	KARINA R HERMANDEZ	03270	853.16
133549	000874	HIGHSMITH	03270	57.36	133550	012750	HM RECEIVABLES CO LLC	03270	1,812.32
133551	009170	THE HOME DEPOT	03270	2,425.21	133552	012138	HOME PROFESSIONALS	03270	1,200.00
133553	012071	INKWORKS INC	03270	97.93	133554	011802	IOMLAN CONSTRUCTION SVCS INC	03270	1,500.00
133555	011181	LOYAL AMERICAN LIFE INS CO	03270	1,512.28	133556	008368	LOZANO/SMITH/SMITH/MOLIVER &	03270	466.19
133557	001338	MADERA COUNTY OFFICE OF ED	03270	1,500.00	133558	007886	THE MARKERBOARD PEOPLE	03270	417.68
133559	005223	MCGRAW-HILL COMPANIES	03270	1,124.41	133560	001154	MEADOWBROOK WATER CO OF MERCED	03270	710.24
133561	001171	MERCED COLLEGE	03270	60.00	133562	009224	MERCED COMMERCIAL PEST CONTROL	03270	300.00
133563	000450	MERCED COUNTY HEALTH DEPT	03270	594.40	133564	004898	MERCED COUNTY PARKS & REC DIV	03270	300.00
133565	001179	MERCED FENCE CO	03270	212.61	133566	010170	MESTMAKER/CSEA INSURANCE	03270	268.33
133567	002544	MOBILE MODULAR	03270	493.99	133568	002027	MODESTO DISPOSAL SERVICE	03270	1,241.76
133569	012128	MULCH MADNESS INC	03270	1,817.81	133570	003519	OFFICE DEPOT INC	03270	2,574.48
133571	001353	ORIENTAL TRADING CO INC	03270	34.97	133572	006816	PARADIGM HEALTHCARE SVCS INC	03270	154.48
133573	001368	PG&E	03270	2,500.21	133574	011545	PRO TECH SECURITY	03270	60.00
133575	012537	PROCLEAN	03270	3,187.65	133576	001861	ROTO-ROOTER SEWER SERVICE	03270	255.00
133577	012294	SASS/WESTMAKER INSURANCE	03270	80.64	133578	010952	SCANTRON CORP	03270	7,454.80
133579	001505	SCHOOL SVCS OF CALIFORNIA INC	03270	70.20	133580	004517	PERRY SHIMANOFF	03270	600.00
133581	009634	SHRED IT CENTRAL CA INC	03270	71.50	133582	012349	SIEMENS BUILDING TECHNOLOGIES	03270	1,454.00
133583	012608	SISC III	03270	901,158.35	133584	012362	THE STANDARD	03270	1,523.14
133585	012621	STAPLES BUSINESS ADVANTAGE	03270	418.12	133586	012792	SUB SHOP	03270	160.77
133587	005645	TARGET BANK	03270	37.61	133588	012061	KEN TESTA	03270	374.12
133589	009467	THE BUS	03270	200.00	133590	001894	UNITED PARCEL SERVICE	03270	111.60
133591	011364	US AIR CONDITIONING DIST	03270	590.00	133592	011388	VICTORIASUPPLY INC/TOPBULB.COM	03270	406.75
133593	008697	WESTED	03270	20,000.00	133594	009908	XEROX CORPORATION	03270	18,842.77
133595	001174	MERCED COUNTY ARTS COUNCIL INC	03271	1,070.00	133596	003519	OFFICE DEPOT INC	03271	1,117.19
133597	000327	CASBO	03275	673.00	133598	000376	CITY OF MERCED	03275	239.28
133599	011010	CORNER STONE STAFFING	03275	501.60	133600	003519	OFFICE DEPOT INC	03275	477.02
133601	012537	PROCLEAN	03275	266.95	133602	012593	SEBASTIAN	03275	1,480.72
133603	000005	ACE PIPE & STEEL INC	03263	1,306.35	133604	004128	THE DANIELSEN CO	03263	3,686.16
133605	009652	EAST BAY RESTAURANT SUPPLY INC	03263	1,529.90	133606	003169	W W GRAINGER INC	03263	70.47
133607	010138	HAGUE QUALITY WATER INC	03263	198.00	133608	012820	KINGS RIVER PACKING	03263	1,269.00
133609	005850	LAND O LAKES INC	03263	1,245.00	133610	008331	LUNCHBYTE SYSTEMS INC	03263	6,196.04

Merced City School District  
WARRANT REGISTER FOR WARRANTS DATED 02/05/10

APY220ME H.00.02

WARR NUMBER	VENDOR NUMBER	PAYEE NAME	FUND	AMOUNT	WARR NUMBER	VENDOR NUMBER	PAYEE NAME	FUND	AMOUNT
133611	011151	MADERA PRODUCE INC	03263	1,538.20	133612	009224	MERCED COMMERCIAL PEST CONTROL	03263	611.00
133613	001232	MODERN AIR MECHANICAL INC	03263	472.00	133614	004303	NEXTEL COMMUNICATIONS	03263	160.27
133615	005080	PIERRE FROZEN FOODS	03263	4,745.71	133616	009919	SCHOOL LUNCH PRODUCTS INC	03263	7,653.30
133617	008494	SCHWAN'S FOODSERVICE INC	03263	26,864.72	133618	011698	SERVICE SOLUTIONS	03263	179.43
133619	012474	TERRI SOARES	03263	524.85	133620	012621	STAPLES BUSINESS ADVANTAGE	03263	141.32
133621	011620	SYSCO FOOD SERV OF CENTRAL CA	03263	11,551.56	133622	010808	TYSON FOODS INC	03263	10,524.00
133623	012197	WESTSIDE WATER CONDITIONING	03263	464.95	133624	006270	CALIFORNIA DEPT OF EDUCATION	03277	3,360.55
133625	012699	WLC ARCHITECTS	03277	464.57	133626	005201	FOUNDATION FOR MEDICAL CARE	03267	1,822.00
133627	005241	MERCED CITY SCHOOL DISTRICT	03264	42,343.24					

TOTAL AMOUNT OF ALL WARRANTS \$1,188,494.08\*\*\*

# **BOARD ACTION**

**SUPERINTENDENT**

# MERCED CITY SCHOOL DISTRICT

TO: Board of Education  
FROM: RoseMary Parga Duran, Ed.D.  
District Superintendent  
DATE: February 23, 2010  
SUBJECT: **GIFTS/GRANTS AND BEQUESTS**

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## **Recommendation**

It is recommended that the Board of Education accept the gifts/grants and bequests as listed with acknowledgement and appreciation.

<b><u>School/Department</u></b>	<b><u>Description</u></b>	<b><u>Donated By</u></b>	<b><u>Value</u></b>
Cruickshank Middle School	Monetary donation	Lifetouch National School Studios	\$310.00
Sheehy School	Scholarship donation to Teacher, Mr. Joel Knox	Scholarship America Field Trips Grants Program	\$800.00
Sierra Preschool	Monetary donation	Lifetouch National School Studios	\$217.81

## **Background**

As a result of Board Policy 3290, Gifts/Grants/Bequests, adopted by the Board on October 3, 1989, the items listed above reflect what has been received by a school and/or department in the district.

## **Fiscal Impact**

Revenue: \$1,327.81

Expenditure: None

Budget Category: Instructional Supplies

## MERCED CITY SCHOOL DISTRICT

TO: Board of Education

FROM: RoseMary Parga Duran, Ed.D.  
District Superintendent

DATE: February 23, 2010

SUBJECT: **2010 CSBA (CALIFORNIA SCHOOL BOARDS ASSOCIATION)  
DELEGATE ASSEMBLY ELECTION BALLOT - 2 VACANCIES**

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### **Recommendation**

It is recommended that the Board of Education vote as a whole using the attached (copy) of a ballot for your region/subregion's election for candidates running for CSBA's Delegate Assembly.

### **Background**

Number of vacancies: 2 (Vote for no more than 2 candidates). The candidate with the most votes will serve a **two**-year term beginning April 1, 2010-March 31, 2012; the candidate receiving the next highest number of votes will serve a **one**-year term beginning April 1, 2010 - March 31, 2011.

The board may vote for up to the number of vacancies in the region or subregion, as indicated on the ballot. For example, if there are three vacancies in the region or subregion, the board may vote for up to three individuals. Regardless of the number of vacancies, each board may cast no more than one vote for any one candidate. The ballot also contains a provision for write-in candidates; their name and district must be clearly printed in the space provided. Envelopes with the ballots must be postmarked by the U.S. post office on or before Monday, March 15. *No exceptions allowed.*

The names of the newly elected delegates will be published on CSBA's Web site, no later than Monday, April 5, 2010.

# MERCED CITY SCHOOL DISTRICT

This complete, **ORIGINAL** Ballot must be **SIGNED** by the Superintendent or Board Clerk and returned in the enclosed envelope postmarked by the post office No Later Than **MONDAY, MARCH 15, 2010**. Only ONE Ballot per Board. Be sure to mark your vote "X" in the box.

*A PARTIAL, UNSIGNED, PHOTOCOPIED, OR LATE BALLOT WILL NOT BE VALID.*

*The triennial reapportionment of the Delegate Assembly occurred in 2009. As a result of the reapportionment, Subregion 8-D is entitled to an additional seat. In order to maintain a balance of odd and even expiration dates in the region, the term of office for this additional seat will be for one year (for this year's election only). The one candidate with the most votes will be elected to two-year term; the candidate receiving the next highest number of votes will be elected to the one-year term.*

## OFFICIAL 2010 DELEGATE ASSEMBLY BALLOT SUBREGION 8-D (Merced County)

Number of vacancies: 2 (Vote for no more than 2 candidates)

*The candidate with the most votes will serve a two-year term beginning April 1, 2010 – March 31, 2012; the candidate receiving the next highest number of votes will serve a one-year term beginning April 1, 2010 – March 31, 2011. In the event of a tie, the Delegates will draw lots at the Delegate Assembly meeting in May.*

*\*denotes incumbent*

Ida Johnson (Merced Union HSD)\*

Robert E. Rodarte, Jr. (Delhi USD)

\_\_\_\_\_  
*Provision for Write-in Candidate Name*

\_\_\_\_\_  
*School District*

\_\_\_\_\_  
*Provision for Write-in Candidate Name*

\_\_\_\_\_  
*School District*

\_\_\_\_\_  
*Signature of Superintendent or Board Clerk*

\_\_\_\_\_  
*TITLE*

\_\_\_\_\_  
*School District*

*See reverse side for a current list of all Delegates in your Region.*

# **ADMINISTRATIVE SERVICES**

# MERCED CITY SCHOOL DISTRICT

TO: RoseMary Parga Duran, Ed.D.  
District Superintendent

FROM: Greg Spicer  
Associate Superintendent, Administrative Services

DATE: February 23, 2010

SUBJECT: **REVISED BOARD POLICY IN THE 4000 SERIES (PERSONNEL) -  
FIRST READING**

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## **Recommendation**

It is recommended that the Board of Education accept the attached revisions to Board Policy 4113(a) for a first reading.

## **Background**

It has been a past practice for all series of Board Policies to be reviewed and revised as needed on an annual basis. Revision of Board policies becomes necessary due to changes in the education code, legislative actions, legal decisions and local situations.

## **Fiscal Impact**

Revenue: None

Expenditure: None

Budget Category: General Fund

# MERCED CITY SCHOOL DISTRICT

The basis for revisions that are recommended for your consideration is the California School Boards Association (CSBA) Board Policy Update Services. CSBA maintains a legal staff that develops and distributes sample policy statements to subscribing member districts.

The 4000 series deals with personnel issues related to employment. Within the series the Office of Superintendent is recommending the revision of one policy. Specific changes are summarized on the following pages.

<b>Policy Number</b>	<b>Title</b>	<b>Recommendation</b>
4113(a)	Certificated Personnel - Assignment	A revision to current policy.

# MERCED CITY SCHOOL DISTRICT

## Certificated Personnel

BP 4113(a)

### ASSIGNMENT

**\*\*\*Note: Education Code 35035 gives the Superintendent or designee the authority to assign personnel subject to Governing Board approval. The following optional policy may be revised to reflect district practice.\*\*\***

In order to serve the best interests of students and the educational program, the Governing Board authorizes the Superintendent or designee to assign certificated personnel to positions for which their preparation, certification, experience, and aptitude qualify them.

*(cf. 4112.2 – Certification)*

*(cf. 4112.21 – Interns)*

*(cf. 4112.22 – Staff Teaching Students of Limited English Proficiency)*

*(cf. 4112.23 – Special Education Staff)*

*(cf. 4112.8/4212.8/4312.8 – Employment of Relatives)*

Teachers may be assigned to any school within the district in accordance with the collective bargaining agreement **or Board policy**.

*(cf. 4141/4241 – Collective Bargaining Agreement)*

### Assignment to Courses/Classes

~~The Board encourages the assignment of experienced and fully credentialed teachers, including those who have attained National Board for Professional Teaching Standards certification, to schools with the greatest need to improve student achievement.~~ **The Superintendent or designee shall assign teachers to courses based on the grade level and subject matter authorized by their credentials.**

**When there is no credential authorization requirement for teaching an elective course, the Superintendent or designee shall select the credentialed teacher whose knowledge and skills best prepare him/her to provide instruction in that subject.**

**\*\*\*Note: All teachers assigned to teach core academic subjects are required to fulfill qualifications for “highly qualified teachers” (HQT) specified in the No Child Left Behind Act pursuant to 20 USC 6319 and 7801, 34 CFR 200.55-200.57, and 5 CCR 6100-6126: see BP/AR/E 4112.24 – Teacher Qualifications Under the No Child Left Behind Act.\*\*\***

~~Teachers shall be~~ **who are** assigned to teach core academic subjects ~~in Title I and non-Title I programs in accordance with~~ **shall meet** the requirements of the No Child Left Behind Act (NCLB) pertaining to teacher qualifications **of highly qualified teachers**. (20 USC 6319, 7801; 5 CCR 6100-6126)

## MERCED CITY SCHOOL DISTRICT

*(cf. 4112.24 – Teacher Qualifications Under the No Child Left Behind Act)*  
*(cf. 6171 – Title I Programs)*

**\*\*\*Note: The Commission on Teacher Credentialing’s (CTC) Administrator’s Assignment Manual describes “local teaching assignment options” available to the district when assigning a teacher outside his/her credential authorization. See the accompanying administrative regulation for requirements pertaining to assignments to departmentalized classes in grades K-12 (Education Code 44258.3) or elective courses (Education Code 44258.7).**

**\*\*\* Note: According to the manual, it is inappropriate to use a “local teaching assignment option” for individuals who hold an emergency permit, provisional internship permit (PIP), or short-term staff permit (STSP). For information about the circumstances under which persons holding these permits may be employed, see BP/AR 4112.2 – Certification. If a district uses a local teaching assignment option for a holder of an internship credential, the CTC cautions that the district must ensure that the individual meets the specific requirements of the teaching assignment option as well as the requirements of the internship credential; see BP/AR 4112.21 – Interns for further information about internship programs.\*\*\***

**\*\*\*Note: The CTC manual indicates that the district may use the options at its discretion. The following paragraph may be revised to reflect options available in the district.\*\*\***

The Superintendent or designee may assign holders a teacher, with his/her consent, to a position of a credential other than an emergency permit, with their consent, to teach subjects outside their his/her credential authorization in departmentalized classes when specifically authorized by law or regulation, and in accordance with the local teaching assignment options described in the Commission on Teacher Credentialing’s Administrator’s Assignment Manual. Assignments made pursuant to Education Code 44256, 44258.2 and 44263 shall be annually approved by Board resolution. In such cases, the Superintendent or designee shall, with the assistance of subject matter specialists, develop procedures to verify the subject matter knowledge of the teacher before any such assignment is made. (Education Code 44258.3) reference in district records the statute or regulation under which the assignment is authorized.

*(cf. 3580 – District Records)*

**\*\*\*Note: Education Code 44258.9 provides that the County Superintendent of Schools is responsible for monitoring district assignment practices and vacancies, as defined in Education Code 33126, and reporting the results to the CTC. Pursuant to Education Code 44258.9 the County Superintendent must annually monitor and review assignment practices in (1) schools and districts likely to have problems with teacher misassignment (i.e., placement of a certificated employee in a position for which he/she does not hold a legally recognized certificate or credential or is not otherwise authorized by statute to hold) and vacancies based on past experience and other available information and (2) schools ranked in deciles 1-3 on the statewide Academic Performance Index. In all other schools, such review of assignment practices must be on a four-year cycle. In counties in which**

## MERCED CITY SCHOOL DISTRICT

there is a single school district, the CTC is responsible for monitoring teacher assignments.\*\*\*

\*\*\*Note: Education Code 44265.1, as amended by AB 2302 (Cha. 41, Statutes of 2008), expands the reporting requirement to include a report when students with autism are taught by a teacher whose credential authorizes instruction to students with mild/moderate disabilities rather than moderate/severe disabilities; see AR 4112.23 – Special Education Staff.\*\*\*

\*\*\* Note: Education Code 33126 requires that vacancies and misassignments be reported on the School Accountability Report Card. Also, Education Code 35186 requires districts to develop procedures by which a parent/guardian can file a complaint related to teacher misassignments or vacancies. See AR/E 1312.4 –Williams Uniform Complaint Procedures.\*\*\*

\*\*\*Note: Pursuant to Education Code 44258.9, the County Superintendent is required to notify any certificated administrator responsible for a misassignment and advise him/her to correct it within 30 calendar days. The County Superintendent is also required to notify the Superintendent of any district where five percent or more of the certificated teachers in the secondary schools are misassigned, advising him/her to correct the misassignments within 120 calendar days. If a teacher believes he/she has been misassigned, he/she is authorized, after exhausting any local remedies to file a written notification with the County Superintendent, who must advise the teacher as to the legality of the assignment within 15 working days.\*\*\*

The Superintendent or designee shall periodically report to the Board on any teacher misassignments or and vacancies **including the number and type of assignments made outside a teacher's credential authorization through a local teaching assignment option.** He/she shall report to the Board the results of the County Superintendent's review of district misassignments and vacancies, **Whenever district misassignments and vacancies are reviewed by the County Superintendent of Schools or Commission on Teacher Credentialing, as applicable, the Superintendent or designee shall report the results to the Board** and shall provide recommendations for remedying any identified issues.

*(cf. 1312.4 – Williams Uniform Complaint Procedures)*

### **Committee on Assignments**

~~The Superintendent or designee may establish a committee on assignments which may grant approval for the voluntary assignment of full-time teachers to teach one or more elective courses outside their credential authorization in an area for which they have special skills or preparation. (Education Code 44258.7)~~

### **Equitable Distribution of Qualified Teachers**

\*\*\*Note: Items #1-4 below reflect actions required under California's approved Revised State Plan for the No Child Left Behind Act, developed pursuant to 20 USC 6311, to ensure

## MERCED CITY SCHOOL DISTRICT

that poor, minority, and/or underperforming students are not taught by inexperienced, underqualified, or out-of-field teachers at higher rates than are other students in the district. As a part of these efforts, the California Department of Education (CDE) may require districts to develop a Board policy that addresses the assignment of interns and person holding a PIP or STSP, as provided in items #2 and 3 below.\*\*\*

In order to ensure that highly qualified and experienced teachers are equitably distributed among district schools, including those with higher than average levels of low-income, minority, and/or academically underperforming students, the Superintendent or designee shall:

1. Verify that all teachers of core academic subjects possess the qualifications of highly qualified teachers as required by NCLB or develop immediate and long-term solutions for ensuring that all core academic classes will be taught by highly qualified teachers.
2. Not assign teachers with provisional internship permits, short-term staffing permits, or credential waivers to schools that have 40 percent or higher poverty or are ranked in deciles 1-3 on the statewide Academic Performance Index.
3. Not place interns in high-poverty, low-performing schools in greater numbers than in schools with low poverty or higher academic achievement.
4. Compare teacher retention rates across district schools and develop strategies to recruit and retain experienced and effective teachers in hard-to-staff schools.

*(cf. 4111 – Recruitment and Selection)*

\*\*\*Note: All districts are required to submit to the CDE a worksheet, available on the web site of the Santa Clara County Office of Education's Personnel Management Assistance Team, listing teachers' education levels, years of teaching experience, credential types and authorizations, and compliance with HQT requirements when applicable. Additional worksheets may need to be submitted and additional actions taken depending on whether the district is fully compliant with HQT requirements and has met adequate yearly progress (AYP) requirements; see definitions of AYP in AR 0520.2(a) – Title I Program Improvement Schools. In accordance with criteria developed by the CDE, Level A districts, those that are not fully compliant with HQT requirements but have met AYP, are not required to submit an equitable distribution plan. Level B districts, those that have failed to meet AYP and HQT for two consecutive years, must submit an equitable distribution plan. Level C districts, those that failed to meet AYP and HQT for three consecutive years, must fully implement their equitable distribution plan and must develop a Title II, Part A budget in agreement with CDE.\*\*\*

\*\*\*Note: The following optional paragraph may be revised to reflect district practice.\*\*\*

The Superintendent or designee shall annually report to the Board and the California Department of Education (CDE) comparisons of teacher qualifications across district schools. When required by CDE, the Superintendent or designee shall develop an

## MERCED CITY SCHOOL DISTRICT

equitable distribution plan to identify strategies for recruiting, developing, and retaining highly qualified teachers in low-performing schools. As needed, the Board may direct the Superintendent to transfer teachers to high-need schools in accordance with law and the collective bargaining agreement, and/or may align district resources to improve the skills and qualifications of teachers at those schools.

*(cf. 4114 – Transfers)*

*(cf. 4131 – Staff Development)*

*(cf. 4131.1 – Beginning Teacher Support/Induction)*

*(cf. 4138 – Mentor Teachers)*

**\*\*\*Note: Contingent upon state funding, Education Code 44395 provides a \$20,000 award to teachers who have attained certification from the National Board for Professional Teaching Standards and agree to teach for four years in a high-priority school, defined as one that is in the bottom half of all schools statewide based on the Academic Performance Index; see BP 4112.2(a) – Certification.\*\*\***

*Legal Reference:*

### EDUCATION CODE

33126 School accountability report card

35035 Additional powers and duties of superintendent

35186 Complaint process

37616 Assignment of teacher to year-round schools

44225.6 Commission report to the legislature re: teachers

44250-44277 Credentials and assignments of teachers

**44314 Subject matter programs, approved subjects**

44395-44398 – Incentives for assigning NBPTS-certified teachers to high-priority schools

44824 Assignment of teachers to weekend classes

44955 Reduction in number of employees

### GOVERNMENT CODE

3543.2 Scope of representation

### CODE OF REGULATIONS, TITLE 5

6100-6126 Teacher qualifications, No Child Left Behind Act

**80003-80005 Credential authorizations**

**80020-80020.5 Additional assignment authorization**

**80335 Performance of unauthorized professional services**

**80339-80339.6 Unauthorized certificated employee assignment**

### UNITED STATES CODE, TITLE 20

**6311 State plan**

6319 Highly qualified teachers

**6601-6651 Teacher and Principal Training and Recruiting Fund**

7801 Definitions, highly qualified teacher

### CODE OF FEDERAL REGULATIONS, TITLE 34

200.55-200.57 Highly qualified teachers

# MERCED CITY SCHOOL DISTRICT

*Management Resources:*

**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**

***Revised State Plan for the No Child Left Behind Act, rev. September 2008***

**COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS**

***The Administrator's Assignment Manual, Rev, September 2007***

**U.S. DEPARTMENT OF EDUCATION GUIDANCE**

***Improving Teacher Quality State Grants: ESEA Title II, Part A, rev. October 5, 2006***

**WEB SITES**

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

**Santa Clara County Office of Education, Personnel Management Assistance Team:**  
<http://www.sccoe.org/depts/pmat>

**U.S. Department of Education: <http://www.ed.gov>**

*Policy Adopted: September 23, 2008*

*Policy Revised:*

# MERCED CITY SCHOOL DISTRICT

TO: RoseMary Parga Duran, Ed.D.  
District Superintendent

FROM: Greg Spicer  
Associate Superintendent, Administrative Services

DATE: February 23, 2010

SUBJECT: **RESOLUTION NO. A-42-2009-2010 - REDUCTION OR  
ELIMINATION OF PARTICULAR KINDS OF CERTIFICATED  
SERVICES**

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## **Recommendation**

It is recommended that the Board of Education adopt Resolution No. A-42-2009-2010 to reduce or eliminate particular kinds of certificated positions.

## **Background**

This resolution addresses the need to reduce or eliminate particular kinds of services. The reduction would be eliminating one (1) Community Day School Teacher, twenty (20) Elementary Classroom Teachers, one (1) English Learner-Intervention Support Core Teacher, three (3) Intervention Teacher/Coaches, one (1) Resource Specialist, one (1) Resource Teacher, one (1) Sheltered Core Teacher, four (4) Site Day School Teachers, one (1) Teacher on Special Assignment (Even Start Coordinator), and five (5) Teachers on Special Assignment (Preschool Instructional Coach). The reduction would also eliminate one (1) Coordinator.

## **Fiscal Impact**

Revenue: None

Expenditure: \$3,078,876

Budget Category: Various

# MERCED CITY SCHOOL DISTRICT

## RESOLUTION OF THE MERCED CITY SCHOOL DISTRICT BOARD OF EDUCATION RELATING TO THE REDUCTION OR ELIMINATION OF PARTICULAR KINDS OF CERTIFICATED SERVICES

### RESOLUTION NO. A-42-2009-2010

**WHEREAS**, the Superintendent has recommended to the Board of Education of the Merced City School District that it shall be necessary to reduce or eliminate the particular kinds of services of the District described below not later than the beginning of the 2010-2011 school year; and

**WHEREAS**, Education Code sections 44949 and 44955 require action by the Board of Education to reduce or eliminate particular kinds of services of the District not later than the beginning of the next school year; and

**WHEREAS**, the Board of Education has determined it shall be necessary and in the best interest of the District to reduce or eliminate the particular kinds of services described below and to decrease a corresponding number of certificated employees in the District not later than the beginning of the 2010-2011 school year; and

**WHEREAS**, the Board of Education is required by law to give written notice to all certificated employees to be laid off as a result of a decision to reduce or eliminate particular kinds of certificated services prior to March 15; and

**WHEREAS**, the Board of Education has considered all positively assured attrition, including deaths, resignations, retirements and other permanent vacancies, for 2010-2011 which has occurred to March 2, 2010 in determining the needed services to be reduced or eliminated; and

**WHEREAS**, the Board of Education is authorized by the Education Code section 44955 to establish criteria based upon the needs of the District and the students thereof for determining the order of termination between certificated employees who first rendered paid service to the District on the same date; and

**WHEREAS**, Education Code section 44955 provides that the services of no permanent employee may be terminated while any probationary or any other employee with less seniority is retained to render a service which the permanent employee is certificated and competent to render; and

**WHEREAS**, the Board of Education is authorized by Education Code section 44955 to deviate from terminating certificated employees in order of seniority where the

# MERCED CITY SCHOOL DISTRICT

District demonstrates a specific need for personnel to teach a specific course or courses of study or to provide a service for which the certificated employee has special training and experience.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Education of the Merced City School District:

1. That all of the foregoing recitals are true and correct.
2. That the following particular kinds of certificated services shall be reduced or eliminated not later than the beginning of the 2010-2011 school year, as set forth on the exhibit, attached hereto and incorporated herein by reference, as follows:

K-8 Instructional Services:

<b>Community Day School Teacher</b>	<b>1.00 FTE</b>
<b>Elementary Classroom Teacher</b>	<b>20.00 FTE</b>
<b>English Learner-Intervention Support Core Teacher</b>	<b>1.00 FTE</b>
<b>Intervention Teacher/Coach</b>	<b>3.00 FTE</b>
<b>Resource Specialist</b>	<b>1.00 FTE</b>
<b>Resource Teacher</b>	<b>1.00 FTE</b>
<b>Sheltered Core Teacher</b>	<b>1.00 FTE</b>
<b>Site Day School Teacher</b>	<b>4.00 FTE</b>
<b>TSA Even Start Coordinator</b>	<b>1.00 FTE</b>
<b>TSA Preschool Instructional Coach</b>	<b><u>5.00 FTE</u></b>
	<b>38.00 FTE</b>

Administrative Services:

<b>Coordinator</b>	<b><u>1.00 FTE</u></b>
	<b>1.00 FTE</b>

***TOTAL*** ***39.00 FTE***

3. That as a result of the foregoing elimination or reduction of particular kinds of certificated services it is necessary to terminate at the end of the 2009-10 school year the employment of a corresponding number of full time equivalent probationary and/or permanent certificated employees of the District.

4. That "competency" for the purposes of Education Code section 44955 shall be determined solely upon current possession of a preliminary or clear credential for the subject matter or grade level to which the employee will be assigned at the beginning of the 2009-10 school year.

5. That as between employees who first rendered paid service on the same date, the order of termination shall be based solely on the needs of the District and the students thereof, as determined by the point system described herein. This system shall be applied only where the implementation of layoffs or rehire actually impacts two or more employees with the same first date of paid service and is applied only to those

## MERCED CITY SCHOOL DISTRICT

employees. In the case of each tie, points shall be granted to each affected employee based upon all the following criteria:

- a. Possession of a currently valid preliminary or clear California teaching credential - *1 point*;
- b. Possession of multiple valid preliminary or clear California teaching credentials - *1 point*;
- c. Possession of one or more English Language Development certifications (e.g., LDS, CLAD, SB 1969, SB 395, BCC, BCLAD) or other ELD qualifying credential - *1 point*;
- d. Possession of one or more non-provisional supplemental authorization, permit, certification or other document issued by the Commission on Teacher Credentialing - *1 point*;
- e. Possession of an undergraduate major in: math, science, or special education - *1 point*;
- f. Possession of one or more post graduate degree(s) - *1 point*;
- g. Highest current placement on the certificated salary schedule - *1 point*;
- h. Bilingual competency - *1 point*;
- i. In any case where a tie results after calculating the cumulative points for each the above criteria, then the tie shall be resolved by lottery.

6. That the Superintendent and/or his designee is directed to send appropriate notices to all employees to be affected by virtue of this action in accordance with the provisions of the California Education Code and to afford all such employees all rights to which they are entitled under law.

7. That the Superintendent and/or his designee is directed to make such assignments and reassignments in such manner that certificated employees are retained to render any service which their seniority and qualifications entitle them to render.

