

CONTRA COSTA COUNTY BOARD OF EDUCATION
Serving in the Capacity as the County Committee on School District Organization

Contra Costa County Office of Education
The Ronald L. Stewart Center
77 Santa Barbara Road, Pleasant Hill, California

February 6, 2002

A meeting of the County Committee on School District Organization was called to order at 6:03 p.m. with the recitation of the Pledge of Allegiance.

- ROLL CALL** Pamela Mirabella, Cheryl LeMay, Daniel Gomes, Daniel Borsuk, and Glenn Ruley
- ABSENT** None.
- CHAIR** Glenn A. Ruley
- OTHERS** Joseph Ovick, Ellen Elster, Ray Penning, Susan Magnone, Holly Brownscombe, Peggy Marshburn, Nicki Swenson, Michael Grimes, Bianca Bloom, Marie McClaskey, Catherine Giacalone, Mary Lou Browning, Lindy Khan, Valerie Gilbert, Judy Dawson, Terry Foley, Laura Huerta, Kerry Kilmer, County Office staff; George Delacruz, Bay Point; Gary McHenry, Superintendent, and Trustee Linda Mayo, Mt. Diablo Unified School; Contra Costa County Supervisor Federal Glover
- APPROVAL OF MINUTES** The minutes of January 17, 2001, were approved as presented (M/S: Mirabella/Gomes).
- PUBLIC COMMENT** Prior to receiving public comments, Deputy Superintendent Ellen Elster explained the powers of the Contra Costa County Committee on School District Organization, as follows: The County Committee can establish trustee areas, it can rearrange the boundaries of trustee areas, it can abolish trustee areas, it can increase to seven or decrease to five the number of trustees on a governing board, and it can adopt one of the alternative methods of electing governing board members. She further explained that, to adopt an alternative method of electing governing board members, the Committee may initiate the action, act on a petition, or entertain a resolution by a governing board; in this case, the Committee has received a request from George Delacruz on behalf of the Bay Point Municipal Advisory Council to initiate an action to adopt an alternative method of how the Mt. Diablo Unified School District governing board is elected. Mrs. Elster clarified that the County Committee, this evening, would not be deciding on the merits of the request of whether or not to adopt an alternative method; rather, it would be deciding whether or not to initiate an action based on Mr. Delacruz's request. The County Committee would then have two options: If the Committee approves the request to initiate an action, it would hold a hearing on the matter and follow the process outlined in the *School District Organization Handbook*; if the Committee denies the request to initiate an action, the petition process is still an option available to Mr. Delacruz and the Bay Point Municipal Advisory Council. If the latter occurs, a hearing would be held after the signatures on the petition have been validated.
- Mr. Ruley reminded the audience that speaker cards should be submitted to him and that there is a 3-minute limit per speaker, or a total of 20 minutes on any one subject. He then invited George Delacruz to approach the Board with his comments. In response, Mr. Delacruz requested that the representatives from the Mt. Diablo Unified School District be allowed to speak first because he wished to know their point of view, since they had taken action in opposition to his request. Bill Leal, President of the Mt. Diablo Unified School District approached the Board and encouraged the County Committee not to take action on Mr. Delacruz's request based on the lack of studies or research to validate the request and because the MDUSD board feels that such a change would have the potential to alter the benefit to all district students since the current at-large-elected governing board represents all students rather than a narrow segment of students.

George Delacruz then approached the County Committee and stated that it is his opinion that the students and parents of the Bay Point and western Pittsburg communities are not represented fairly by the Mt. Diablo Unified School District. Further, he stated that those communities presently have approximately 37,000 residents and that the only future growth in the Mt. Diablo Unified School District will take place in Bay Point and western Pittsburg. Additionally, he claimed that the schools in these communities have the worst performing schools in the district, they are not improving, and that nothing is being done to correct the problems. Mr. Delacruz encouraged the County Committee to initiate action to select an alternative method of electing MDUSD governing board members so that the communities of Bay Point and western Pittsburg will be fairly represented.

Linda Mayo, trustee, Mt. Diablo Unified School District, then approached the County Committee and stated that the MDUSD governing board, especially since it reorganized in 1997, has worked hard to represent Bay Point and western Pittsburg in good faith to make changes favorable to Bay Point. She explained that priorities have been established, board members have visited the community, the schools have been placed in first priority for maintenance, and the schools get special funding for new teacher recruitment. She further explained that the board must balance the needs of the rest of the school district and is concerned whether Bay Point alone could sustain a bond measure to have a high school built there. Mrs. Mayo stressed that the board has been striding to achieve greater harmony with the various communities.

Judy Dawson, a resident of Bay Point, spoke in favor of requesting that the County Committee initiate action to select an alternative method of electing MDUSD trustees and described the uniqueness and planned growth of Bay Point. As a member of the education community, she stated that she has not observed as much cooperation from the Mt. Diablo Unified School District and noted that all trustees on that board reside on the "other side of the hill." She stated her opinion that, although the MDUSD board may be trying to represent Bay Point, unless you live in the Bay Point area, it is difficult to know what the needs of the people and students are. She expressed concern for the low test scores and the education of the students in Bay Point and wants to see them have the same opportunities to succeed as the students who live in other parts of the district. Further, she stated that having a representative from Bay Point would enrich the board, since that representative would be able to assist in explaining the needs of the community and would make a meaningful contribution to the entire school district.

MDUSD Superintendent Gary McHenry expressed his concerns over statements in the press and during this hearing that the MDUSD district has done nothing to support or represent the students of Bay Point; he stressed that these statements were not true. He pointed out that the performance of the students has improved over the last two years, that three of the four schools in Bay Point were eligible this year for the Governor's Awards Program for improved performance, and that the Bay Point schools get priority maintenance, priority staffing, and compensatory education funds. He also informed the Committee that when parent conferences are held, the parents from the Bay Point area are provided with busing, something that is not offered to other residents of the district. In addition, he stated that Bay Point students who attend Concord High School or Mt. Diablo High School and who wish to participate in extracurricular activities are provided with an activity bus every day. Mr. McHenry urged the Committee to deny the request from George Delacruz and ask that the Bay Point community submit a petition in order to demonstrate that there is community support for the request.

Contra Costa County District 5 Supervisor Federal Glover, whose district includes the community of Bay Point, addressed the need to have a voice that represents Bay Point and the western part of Pittsburg. He stated that, with the growth that has occurred and what is planned in that area, the question of delivery of services, as well as adequate representation and the need to build new schools or pass bonds, becomes important. He urged the Committee to seriously consider the request of George Delacruz.

Committee Chairman Glenn Ruley asked if there were any more speakers who wished to address the Committee; seeing none, he called for questions from the Committee members. Dr. LeMay asked the Bay Point representatives at the meeting whether or not any candidates from their community have run for a trustee position and what success they have had. Mr. George Delacruz stated that candidates from Bay Point have run campaigns during the past three elections but were not successful due to lack of funds and the smaller percentage of voters in the Bay Point area when compared with the percentage of voters in the rest of the MDUSD district. Mr. Borsuk asked Mr. Delacruz if the driving force behind his request is the interest in having a high school built in the Bay Point area. Mr. Delacruz stated that the issue before the Committee tonight has nothing to do with building a new high school but, rather, it has to do with representation. Mr. Gomes asked Mr. Leal who would do any research that might be necessary in regard to this matter and how long it would take. Mr. Leal responded that the MDUSD board would like to review the effectiveness of K-12 governing boards comprised of representatives who are elected by areas within districts. Mr. Gomes restated his question to inquire about whether any research would be conducted on whether or not Bay Point is being fairly represented in comparison to other parts of the Mt. Diablo Unified School District. Mr. Leal described measures to meet with the Bay Point community to learn of its needs and explained that many of these needs are considered priorities by the district. Mr. Gomes referenced a statement in Mr. Delacruz's letter in which he states that the MDUSD board has a conflict of interest in voting on the issue, and he asked him to explain his reasoning. Mr. Delacruz explained that, if this matter is brought to a vote of the electorate, one of the current MDUSD trustees would no longer be on the board since one post would now be available to a representative from Bay Point. He also noted for the record that the National School Boards Association sent him an e-mail stating that 41% of the school boards in the United States are elected by subdistrict. In response to a question posed by Mrs. Mirabella about which districts currently elect trustees by areas, Mr. McHenry listed the following: the Oakland Unified School District and San Leandro Unified School District in Alameda County; Campbell Unified School District, San Jose Unified School District, and Santa Clara Unified School District in Santa Clara County; and the county board of education and River Delta Unified School District in Sacramento County. Mrs. Mirabella asked how many cities the Mt. Diablo USD encompasses, and Mr. McHenry responded that there are seven clear cities, but parts of other cities are also included (e.g., Clayton, Concord, Walnut Creek, Pleasant Hill, Martinez, Pacheco, and Lafayette). Mr. Borsuk referenced Mrs. Mayo's comment regarding a change in the makeup of the Mt. Diablo governing board and asked her to explain what she had meant. Mrs. Mayo explained that three new board members were elected in 1997, and prior to that time, board meetings had extended until sometimes 1:30 a.m.; as a result of the new board makeup, she further explained, board members now make an effort to cooperate with one another so that board meetings run more smoothly. Mrs. Mirabella asked for clarification on the process before the Committee, and Mrs. Elster outlined all of the potential steps involved. Mr. Gomes asked Mr. Delacruz to estimate how many members of the Bay Point community are concerned about this matter, and he responded that the number may be close to 30,000 of the 37,000 community members, which would represent the number of parents in Bay Point. Dr. LeMay stated that she felt uncomfortable taking action on the request without knowing whether adequate community support exists, especially in light of the absence of a petition; she then proposed a motion that the Committee not act at this time on the request to initiate an action to adopt an alternative method of how the Mt. Diablo Unified School District governing board is elected. Her motion was seconded by Mrs. Mirabella, who agreed with Dr. LeMay's reasons for the motion. Mr. Borsuk indicated his support for the motion and stated that he, too, felt that more input from the community is necessary to gauge citizens' support for the proposed change. Mr. Gomes agreed that he would also like to see a petition before considering action on the request. The Committee then voted unanimously to not act on the request to initiate an action to adopt an alternative method of how the Mt. Diablo Unified School District governing board is elected.

ADJOURNMENT

There being no further business, the meeting was adjourned at 6:43 p.m.

Joseph A. Ovick, Ed.D., Ex Officio Secretary
County Board of Education

These unadopted minutes are summaries and excerpts from the special meeting of February 6, 2002, and are subject to amendment and/or correction prior to the approval of the County Committee on School District Organization.