

**MINUTES**  
**REGULAR MEETING OF THE BOARD OF EDUCATION**  
**MT. DIABLO UNIFIED SCHOOL DISTRICT**  
**Monday, August 10, 2015 (5:30 p.m./7:00 p.m.)**

Board Members: President Cheryl Hansen, Vice President Debra Mason, Brian Lawrence, Linda Mayo, and Barbara Oaks

Administrative Staff: Superintendent Nellie Meyer, Associate General Counsel Deborah Cooksey

**CALL TO ORDER**

President Hansen called the meeting to order at 5:30 p.m., and conducted Roll Call with all Board members present except Mr. Lawrence.

**PUBLIC COMMENT**

There was no Public Comment.

**CLOSED SESSION AGENDA**

**4.1 (Item #1) Expulsion of Student #01-16 From All Regular Schools of the Mt. Diablo Unified School District**

The expulsion of Student #01-16 from all regular schools of the Mt. Diablo Unified School District. Per parent request, school placement of Student #01-16 will be at Golden Gate Community School.

**4.2 (Item #2) Expulsion of Student #02-16 from All Regular Schools of the Mt. Diablo Unified School District**

The expulsion of Student #02-16 from all regular schools of the Mt. Diablo Unified School District. Student Services will determine the school placement of Student #02-16.

**4.3 (Item #3) Superintendent's Evaluation**

In Closed Session, the Board will consider the Superintendent's evaluation.

**4.4 (Item #4) Public Employee Appointment (Gov. Code Sec. 94957(b)(1): General Counsel**

Public Employee Appointment (Gov. Code Sec. 94957(b)(1): General Counsel

**4.5 (Item #5) Conference with Legal Counsel-Anticipated Litigation: Initiation of Litigation Pursuant to Paragraph (4) of Subdivision (d) of Section 54956.9: 7 Cases**

Conference with Legal Counsel-Anticipated Litigation: Initiation of Litigation Pursuant to Paragraph (4) of Subdivision (d) of Section 54956.9: 7 Cases.

**4.6 (Item #6) Existing Litigation - Conference with Legal Counsel (Paragraph (1) of Subdivision (d) of Government Code Section 54956.9): Mt. Diablo Unified School District v. Clayton Valley Charter High School, et al., Contra Costa Superior Court Case No. MSC15-00574**

Existing Litigation - Conference with Legal Counsel (Paragraph (1) of Subdivision (d) of Government Code Section 54956.9): Mt. Diablo Unified School District v. Clayton Valley Charter High School, et al., Contra Costa Superior Court Case No. MSC15-00574

**ADJOURN TO CLOSED SESSION**

Mr. Lawrence arrived at 5:33 p.m.

The Board adjourned to Closed Session at 5:33 p.m.

**RECONVENE OPEN SESSION**

The Board reconvened Open Session at 7:10 p.m.

**PRELIMINARY BUSINESS**

President Hansen led the Pledge of Allegiance and conducted Roll Call with all Board members present.

**REPORT OUT ACTION TAKEN IN CLOSED SESSION**

**8.1 (Item #1) Expulsion of Student #01-16 From All Regular Schools of the Mt. Diablo Unified School District**

The expulsion of Student #01-16 from all regular schools of the Mt. Diablo Unified School District. Per parent request, school placement of Student #01-16 will be at Golden Gate Community School.

Oaks moved, Mayo seconded, and the Board voted 5-0-0 to approve the expulsion of Student #01-16 from all regular schools of the Mt. Diablo Unified School District and that Student #01-16 may apply for readmission after January 21, 2016. It is required that Student #01-16 participates in 20 hours of counseling to address anger and decision making skills, serve 30 hours of community service, attend California Offender Program Service (COPS) – Aggressive Offender class, attend MDUSD’s Teen Anger Management Workshop, and show evidence of a successful school experience to include 90% attendance, no suspendible behavior infractions, maintain a minimum of C average and earn at least 30 credits, prior to applying for readmission. Participation in Parent Project recommended. Placement of Student #01-16 will be determined by Student Services.

**8.2 (Item #2) Expulsion of Student #02-16 from All Regular Schools of the Mt. Diablo Unified School District**

The expulsion of Student #02-16 from all regular schools of the Mt. Diablo Unified School District. Student Services will determine the school placement of Student #02-16.

Mason moved, Mayo seconded, and the Board voted 5-0-0 to approve the expulsion of Student #02-16 from all regular schools of the Mt. Diablo Unified School District and that Student #02-15 may apply for readmission after August 10, 2016. It is required that Student #02-16 participates in 20 hours of counseling to address drugs and decision making skills, serve 30 hours of community service, attend California Offender Program Service (COPS) – Alcohol/Drug Offender class, attend MDUSD’s Alcohol/Drug Workshop, submit proof of negative drug test and show evidence of a successful school experience to include 90% attendance, no suspendible behavior infractions, maintain a minimum of C average and earn at least 60 credits, prior to applying for readmission. Participation in Parent Project recommended. Student Services will determine the school placement of Student #02-16.

**8.3 (Item #3) Superintendent's Evaluation**

In Closed Session, the Board will consider the Superintendent's evaluation.

The Board members signed the Superintendent’s evaluation, which was completed at the Board meeting on June 25, 2015.

**8.4 (Item #4) Public Employee Appointment (Gov. Code Sec. 94957(b)(1): General Counsel**

Public Employee Appointment (Gov. Code Sec. 94957(b)(1): General Counsel

The Board had a conversation with their attorney about the General Counsel position. No action was taken.

**8.5 (Item #5) Conference With Legal Counsel-Anticipated Litigation: Initiation of Litigation Pursuant to Paragraph (4) of Subdivision (d) of Section 54956.9: 7 Cases**

Conference With Legal Counsel-Anticipated Litigation: Initiation of Litigation Pursuant to Paragraph (4) of Subdivision (d) of Section 54956.9: 7 Cases

The Board gave direction to staff and their attorney about these cases.

**8.6 (Item #6) Existing Litigation - Conference with Legal Counsel (Paragraph (1) of Subdivision (d) of Government Code Section 54956.9): Mt. Diablo Unified School District v. Clayton Valley Charter High School, et al., Contra Costa Superior Court Case No. MSC15-00574**

Existing Litigation - Conference with Legal Counsel (Paragraph (1) of Subdivision (d) of Government Code Section 54956.9): Mt. Diablo Unified School District v. Clayton Valley Charter High School, et al., Contra Costa Superior Court Case No. MSC15-00574

The Board held conference with legal counsel about this case.

**BOARD MEMBER REPORTS**

Ms. Mayo welcomed everyone back to the new school year, and commended the Superintendent and staff for the administrator training event held last week.

Ms. Oaks welcomed everyone back, and noted that she is looking forward to all of the new appointments the Board will be making at this meeting. Ms. Oaks thanked staff for their hard work over the summer.

Ms. Mason shared that she participated in the making of a teen garden in Bay Point, and thanked Tim Cody, Jeff McDaniel, and Rachelle Buckner for their support of that project. Ms. Mason also shared that three students from Bay Point participated in a cooking competition at the California State Fair and took second place.

Mr. Lawrence deferred his comments until Item 11.1.

Ms. Hansen thanked Dr. Meyer, Jeff McDaniel, and the Maintenance & Operations staff for their rapid response and work renovating the football fields at Ygnacio Valley and College Park High Schools. Ms. Hansen shared that she attended Northgate High School's open house for their new aquatic center, and she thanked the Northgate Pride parents for their fundraising efforts to supplement the Measure C funds which paid for that project. Ms. Hansen attended the District's administrator training last week, and thanked staff for their work on that event.

**SUPERINTENDENT'S REPORT**

Dr. Meyer welcomed everyone back, and shared that the District had a very productive summer. The summer school program was brought back after many years in hiatus, and served 3,100 students. The summer school graduation ceremony will be held on August 11, 2015 at Loma Vista Adult Center, and all are welcome to attend.

Dr. Meyer announced that the District is holding a Welcome Back Conference for Parents on Saturday, August 22, 2015 from 8:30-11:30 a.m. at Loma Vista Adult Center. Topics of discussion will include Common Core, technology, and information for new parents. Dr. Meyer shared that the District has been working with local political supporters to collect donated school supplies, which will be available to parents at the conference.

Dr. Meyer shared that the District reinstated the AVID (Advancement Via Individual Determination) program this year. Training took place this summer, with a number of teachers and staff attending and learning about how to bring AVID back to their campus to support students.

Dr. Meyer shared that there was a teacher summit held last week, which allowed teachers to decide what they wanted to talk about rather than prescribing it. Dr. Meyer thanked Mt. Diablo High School Principal Liane Cismowski, St. Mary's College, and others who participated.

Dr. Meyer shared a photo of the Personnel staff, and noted how hard they worked over the summer to fill vacant positions. Dr. Meyer reported that over the summer, the Personnel team hired 22 new administrators, 15 re-hired teachers, 85 new teachers, 13 classified managers, and over 50 classified employees. Dr. Meyer pointed out that there are just a few management positions still open, as well as 10 elementary teaching positions and 11 secondary teaching positions, far fewer than at this time last year.

Dr. Meyer shared that the District hosted a two-day welcome back meeting for site leaders and administrators at Northgate High School and Oak Grove Middle School. Among the topics discussed were District-wide goals and training in the District's new data dashboard system. On the second day, they met as a leadership team to discuss their work around equity and analyzing data. Dr. Meyer thanked Northgate High School and Oak Grove Middle School for hosting this event.

Dr. Meyer shared that the summer school program this year emphasized literacy, and she shared photos from Cambridge Elementary School.

Dr. Meyer announced that Meadow Homes Elementary School was honored a second time to participate in the White House Turnaround Arts Initiative. A team went to the White House to work on teacher training in the arts, and they were invited by Francis Ford Coppola to his ranch to participate in work in arts and theater.

Dr. Meyer shared that over the summer, Isabel Lara was selected to fill the new position of Community Liaison. President Hansen spoke in support of Ms. Lara, and thanked her for dedicating herself to MDUSD. Ms. Lara spoke briefly to the Board in both English and Spanish.

## **REPORTS/INFORMATION**

### **11.1 Mt. Diablo High School's Model Program, "Change the Food, Change the Future"**

Cindy Gershen and Pam Singh, educators from Mt. Diablo High School, will report on their model program, "Change the Food, Change the Future."

Pam Singh, Anna Fisher, and Cindy Gershon gave a presentation.

Brian Lawrence gave a Power Point presentation in conjunction with Cindy Gershon, discussing the future goals of this program.

Concord City Council member Laura Hoffmeister expressed the City Council's support for this program, emphasizing that this is nutrition science and appropriate to the STEM (Science, Technology, Engineering, and Math) program.

President Hansen thanked the Concord City Council for their support of this program.

#### **Public Comment:**

Willie Mims voiced his concern about the nutritional content of the milk served at District schools.

## **PUBLIC EMPLOYEE APPOINTMENT**

### **12.1 Appointment of Assistant Director, College & Career, Adult Education**

Interviews have been conducted, and a candidate has been selected to fill the position of Assistant Director, College & Career, Adult Education.

Dr. Meyer recommended Jonathan Roselin for the position.

Mayo moved, Oaks seconded, and the Board voted 5-0-0 to approve the appointment of Jonathan Roselin to the position of Assistant Director, College & Career, Adult Education.

### **12.2 PULLED BY STAFF: Appointment of School Support Administrator**

Interviews have been conducted, and a candidate has been selected to fill the position of School Support Administrator.

**12.3 Appointment of Administrator, Student Services**

Interviews have been conducted, and a candidate has been selected to fill the position of Administrator, Student Services.

Dr. Meyer recommended Linda Pete for the position.

Oaks moved, Mason seconded, and the Board voted 5-0-0 to approve the appointment of Linda Pete to the position of Administrator, Student Services.

**12.4 Appointment of Administrator, Special Education**

Interviews have been conducted, and a candidate has been selected to fill the position of Administrator, Special Education.

Dr. Meyer recommended Jodi Allen for the position.

Mayo moved, Oaks seconded, and the Board voted 5-0-0 to approve the appointment of Jodi Allen to the position of Administrator, Special Education.

**12.5 Appointment of Administrator, Compliance and Training**

Interviews have been conducted, and a candidate has been selected to fill the position of Administrator, Compliance and Training.

Dr. Meyer recommended Lorie O'Brien for the position.

Mr. Lawrence asked several questions of Ms. O'Brien prior to the vote.

Oaks moved, Mayo seconded, and the Board voted 4-1-0 (with Lawrence dissenting) to approve the appointment of Lorie O'Brien to the position of Administrator, Compliance and Training.

**12.6 Appointment of Administrator, Community Day School**

Interviews have been conducted, and a candidate has been selected to fill the position of Administrator, Community Day School.

Dr. Meyer recommended Thom Kwiatkowski for the position.

Ms. Mason spoke in support of Mr. Kwiatkowski.

Mason moved, Oaks seconded, and the Board voted 5-0-0 to approve the appointment of Thom Kwiatkowski to the position of Administrator, Community Day School.

**12.7 Appointment of Principal, Elementary - Bel Air Elementary**

Interviews have been conducted, and a candidate has been selected to fill the position of Principal, Elementary - Bel Air Elementary.

Dr. Meyer recommended Marco Franco for the position.

Mayo moved, Mason seconded, and the Board voted 5-0-0 to approve the appointment of Marco Franco to the position of Principal, Elementary - Bel Air Elementary.

**12.8 Appointment of Vice Principal, High School - College Park High School**

Interviews have been conducted, and a candidate has been selected to fill the position of Vice Principal, High School - College Park High School.

Dr. Meyer recommended Gary Jensen for the position.

Mason moved, Lawrence seconded, and the Board voted 5-0-0 to approve the appointment of Gary Jensen to the position of Vice Principal, High School - College Park High School.

**12.9 Appointment of Vice Principal, High School - Concord High School (.60 FTE) and Vice Principal, Middle School - Pleasant Hill Middle School (.40 FTE)**

Interviews have been conducted, and a candidate has been selected to fill the .60 FTE position of Vice Principal, High School, at Concord High School and the .40 FTE position of Vice Principal, Middle School, at Pleasant Hill Middle School.

Dr. Meyer recommended Lorena Soto for the position.

Oaks moved, Mason seconded, and the Board voted 5-0-0 to approve the appointment of Lorena Soto to the position of Vice Principal, High School at Concord High School and Vice Principal, Middle School at Pleasant Hill Middle School.

**12.10 Appointment of Vice Principal, High School - Mt. Diablo High School**

Interviews have been conducted, and a candidate has been selected to fill the position of Vice Principal, High School - Mt. Diablo High School.

Dr. Meyer recommended Jamie Colly for the position.

Mason moved, Lawrence seconded, and the Board voted 5-0-0 to approve the appointment of Jaime Colly to the position of Vice Principal, High School - Mt. Diablo High School.

**12.11 Appointment of Vice Principal, High School - Mt. Diablo High School**

Interviews have been conducted, and a candidate has been selected to fill the position of Vice Principal, High School - Mt. Diablo High School.

Dr. Meyer recommended Nichole Hackett for the position.

Ms. Oaks spoke in support of Ms. Hackett.

Oaks moved, Lawrence seconded, and the Board voted 5-0-0 to approve the appointment of Nichole Hackett to the position of Vice Principal, High School - Mt. Diablo High School.

**12.12 Appointment of Vice Principal, High School - Necessary Small High Schools**

Interviews have been conducted, and a candidate has been selected to fill the position of Vice Principal, High School - Necessary Small High School.

Dr. Meyer recommended Rachel Mainelli for the position.

Mayo moved, Mason seconded, and the Board voted 5-0-0 to approve the appointment of Rachel Mainelli to the position of Vice Principal, High School - Necessary Small High Schools.

**12.13 Appointment of Vice Principal, Middle School - Oak Grove Middle School**

Interviews have been conducted, and a candidate has been selected to fill the position of Vice Principal, Middle School - Oak Grove Middle School.

Dr. Meyer recommended Seth Feldman for the position.

Oaks moved, Mayo seconded, and the Board voted 5-0-0 to approve the appointment of Seth Feldman to the position of Vice Principal, Middle School - Oak Grove Middle School.

**12.14 Appointment of Vice Principal, Middle School - Oak Grove Middle School**

Interviews have been conducted, and a candidate has been selected to fill the position of Vice Principal, Middle School - Oak Grove Middle School.

Dr. Meyer recommended Roger Smith-Truss for the position.

Oaks moved, Mason seconded, and the Board voted 5-0-0 to approve the appointment of Roger Smith-Truss to the position of Vice Principal, Middle School - Oak Grove Middle School.

**12.15 Appointment of Vice Principal, Middle School - Riverview Middle School**

Interviews have been conducted, and a candidate has been selected to fill the position of Vice Principal, Middle School - Riverview Middle School.

Dr. Meyer recommended Christopher Chenault for the position.

Mason moved, Lawrence seconded, and the Board voted 5-0-0 to approve the appointment of Christopher Chenault to the position of Vice Principal, Middle School - Riverview Middle School.

**12.16 Appointment of Vice Principal, Middle School - Riverview Middle School**

Interviews have been conducted, and a candidate has been selected to fill the position of Vice Principal, Middle School - Riverview Middle School.

Dr. Meyer recommended Carolyn Hull for the position.

Mayo moved, Mason seconded, and the Board voted 5-0-0 to approve the appointment of Carolyn Hull to the position of Vice Principal, Middle School - Riverview Middle School.

**12.17 PULLED BY STAFF: Appointment of Vice Principal, Middle School - Valley View Middle School**

Interviews have been conducted, and a candidate has been selected to fill the position of Vice Principal, Middle School - Valley View Middle School.

**12.18 Appointment of Vice Principal, Elementary - Bel Air Elementary**

Interviews have been conducted, and a candidate has been selected to fill the position of Vice Principal, Elementary - Bel Air Elementary.

Dr. Meyer recommended Aurelia Buscemi for the position.

Oaks moved, Lawrence seconded, and the Board voted 5-0-0 to approve the appointment of Aurelia Buscemi to the position of Vice Principal, Elementary - Bel Air Elementary.

**12.19 Appointment of Vice Principal, Elementary School - Rio Vista Elementary and Ygnacio Valley Elementary**

Interviews have been conducted, and a candidate has been selected for the position of Vice Principal, Elementary School - Rio Vista Elementary and Ygnacio Valley Elementary.

Dr. Meyer recommended Martha Thomas for the position.

Mayo moved, Lawrence seconded, and the Board voted 5-0-0 to approve the appointment of Martha Thomas to the position of Vice Principal, Elementary School - Rio Vista Elementary and Ygnacio Valley Elementary.

**12.20 Appointment of Vice Principal, Elementary/Program Specialist, Categorical Programs, Site Based - Meadow Homes Elementary**

Interviews have been conducted, and a candidate has been selected to fill the position of Vice Principal, Elementary/Program Specialist, Categorical Programs, Site Based - Meadow Homes Elementary.

Dr. Meyer recommended Liza Rios Dinoffer for the position.

Oaks moved, Mason seconded, and the Board voted 5-0-0 to approve the appointment of Liza Rios Dinoffer to the position of Vice Principal, Elementary/Program Specialist, Categorical Programs, Site Based - Meadow Homes Elementary.

**12.21 Appointment of Program Specialist, Special Education**

Interviews have been conducted, and a candidate has been selected to fill the position of Program Specialist, Special Education.

Dr. Meyer recommended Sheri Jepperson for the position.

Mayo moved, Lawrence seconded, and the Board voted 5-0-0 to approve the appointment of Sheri Jepperson to the position of Program Specialist, Special Education.

**12.22 Appointment of Social Work Specialist**

Interviews have been conducted, and a candidate has been selected to fill the position of Social Work Specialist.

Dr. Meyer recommended Vanessa Castillo for the position.

Mason moved, Lawrence seconded, and the Board voted 5-0-0 to approve the appointment of Vanessa Castillo to the position of Social Work Specialist.

**12.23 Appointment of Social Work Specialist**

Interviews have been conducted, and a candidate has been selected to fill the position of Social Work Specialist.

Dr. Meyer recommended Diosa Diaz for the position.

Mason moved, Oaks seconded, and the Board voted 5-0-0 to approve the appointment of Diosa Diaz to the position of Social Work Specialist.



### **12.24 Appointment of Social Work Specialist**

Interviews have been conducted, and a candidate has been selected to fill the position of Social Work Specialist.

Dr. Meyer recommended Denise Martell for the position.

Oaks moved, Mason seconded, and the Board voted 5-0-0 to approve the appointment of Denise Martell to the position of Social Work Specialist.

### **12.25 Classified Personnel: Appointment of Database Administrator**

Interviews have been conducted, and a candidate has been selected to fill the position of Database Administrator.

Public Comment:

Willie Mims commended the Board for hiring a diverse group of people for all of these positions.

Dr. Meyer recommended Raymond Tjen-A-Looi for the position.

Oaks moved, Lawrence seconded, and the Board voted 5-0-0 to approve the appointment of Raymond Tjen-A-Looi to the position of Database Administrator.

President Hansen inquired if all of these employees have begun working for the District. Dr. Meyer shared that most have started, and all participated in the welcome back conference for administrators. Mr. Lawrence commended Dr. Meyer, Leyla Benson, and Personnel staff for putting together a strong group of candidates.

### **CONSENT AGENDA**

Public Comment (Item #6):

Willie Mims suggested natural methods for eliminating rodents at school sites.

Mayo moved, Mason seconded, and the Board voted 5-0-0 to approve all Consent Agenda items with the exception of Item #15, thereby approving the following:

### **13.1 (Item #1) 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.**

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.

### **13.2 (Item #2) Concord High School's Student Leadership Retreat, August 17-18, 2015**

Concord High School is requesting approval of an overnight retreat for their Leadership group in Concord High School's gym. The retreat is necessary for students to get to know one another and learn about the government side of leadership (including Robert's Rules of Order and Parliamentary procedures), effective delegation and collaboration techniques as well as rules and regulations specific to CHS Leadership.

### **13.3 (Item #3) Mt. Diablo High School's Trip to Big Basin State Park, September 13-15, 2015**

Mt. Diablo High School is requesting permission to take the Digital Safari Academy Seniors to Big Basin State Park to practice their photography skills (landscape in different lighting environments, properly expose photos using natural light with both black & white and color) and conduct onsite research for a photo essay. Fifty students will be attending with four chaperones. Students will travel by busses provided by the District's Transportation Department and will be camping at Big Basin State Park.

### **13.4 (Item #4) Mt. Diablo High School's Trip to Morro Bay State Park, September 21-23, 2015**

Mt. Diablo High School's Serendipity senior class is requesting permission for an overnight trip to Morrow Bay State Park. Debbie Allen will take 42 students and four chaperones on this trip that will include a visit to Hearst Castle (historical/tourism), off site catering, and teambuilding. Students will be traveling by Sierra Pacific and will be camping at Morro Bay State Park.

### **13.5 (Item #5) Mt. Diablo High School's Trip to Salt Point State Park, April 24-26, 2016**

Mt. Diablo High School is requesting approval to take the Digital Safari Academy Seniors to Salt Point State Park to complete a documentary about the history of state parks and natural conservation inspired by John Muir. Fifty students will be attending along with four chaperones. Students will travel on buses provided by our District and camp at the Salt Point State Park in Jenner, California.

### **13.6 (Item #6) Williams Quarterly Summary Report**

The Williams legislation is a package of state laws resulting from the settlement of a class action lawsuit filed in San Francisco County Superior Court in 2000, Eliezer Williams et al, vs. State of California.

The basis of the lawsuit was that agencies failed to provide public school students with equal access to instructional materials, safe and decent school facilities, and qualified teachers. The Contra Costa County Office of Education has requested quarterly reports on specific complaints designated in the Williams lawsuit settlement.

Quarterly Reports reflect complaints regarding textbooks and instructional materials, teacher vacancies or mis-assignments, facilities conditions, and Valenzuela/CAHSEE support. This quarter's report includes the months of April through June, 2015.

### **13.7 (Item #7) District Adoption of New Text for High School US History Course**

A new textbook has been selected for the US History course by a District committee of teachers. The text was on display from June 23 to 30 at the Dent Center and Willow Creek for public review and comment.

### **13.8 (Item #8) Sports Medicine II Course of Study**

Sports Medicine II has completed a two-year pilot process at Mt. Diablo and Northgate High Schools and staff is requesting approval as a new course of study for Mt. Diablo Unified School District high school students. This Sports Medicine II course is designed to be the capstone course as part of a sports medicine pathway in a medical based academy. The focus of this course is to serve as an application based course that allows students to apply knowledge, theory and skills learned in Sports Medicine I and Sports Medicine II through a variety of hands-on activities including a 150-hour on campus internship with the school's athletics teams.

Students will continue to learn more advanced skills in sports medicine and athletic training that will continue to build skills that will be beneficial in future endeavors along any path in healthcare.

### **13.9 (Item #9) Firedoll Foundation Grant Application**

Mt. Diablo Adult Education requests approval to submit its annual grant application to the Straus Family Fund, a Donor-Advised Fund of the San Francisco Foundation in the amount of \$24,011.99 to continue providing services to adult students with acquired brain injuries, who enrolled in the "On Track" program. This funding will continue supporting a one hour per week intensive class for adult students afflicted with aphasia by paying the cost of a Lead Instructor, a Student Support Specialist (for the period of September 17, 2015 to July 31, 2016) and for purchase of classroom instructional equipment.

### **13.10 (Item #10) Amendment to the Master Contract Between Mt. Diablo Unified School District (MDUSD) and !!! Apple iPad & Android Tablet Tutoring !!!**

The original Master Contract was approved by the Board on December 10, 2014 for \$46,959. Additional qualified students were assigned to the SES Provider to receive tutoring services.

**13.11 (Item #11) Extension of the Contra Costa County Employment and Human Services Department Contract with Mt. Diablo Adult Education**

Contra Costa County Employment and Human Services Department would like to extend the 2014-15 contract with Mt. Diablo Adult Education to provide a program (FOCUS) specifically for CalWorks clients, Welfare-to-Work clients. The original termination date was June 30, 2015; the new termination date will be September 30, 2015.

**13.12 (Item #12) Contract with Talk Solutions/Pleasant Hill Middle School and Mt. Diablo Unified School District**

Talk Solutions will provide services to all grades at Pleasant Hill Middle School with an emphasis on 6<sup>th</sup> grade students. Support services will include:

- In-class workshops/lessons
- Lunch time activities
- Leading students in conflict resolution strategies
- Situational/urgent conflict resolutions
- Small group support with an emphasis on positive behaviors that reflect Pleasant Hill Middle School's Citizenship standards

**13.13 (Item #13) Contract between Mt. Diablo Unified School District - Monte Gardens Elementary, and Exploring New Horizons (ENH), Camp Loma Mar, September 21-25, 2015**

Students at Monte Gardens Elementary are participating in an Outdoor Education Programs at ENH Camp Loma Mar September 21-25, 2015.

**13.14 (Item #14) Contract between Mt. Diablo Unified School District - Strandwood Elementary, and Exploring New Horizons Sempervirens Outdoor Education Camp, November 2-6, 2015**

Students at Strandwood Elementary are participating in an Outdoor Education program at ENH Sempervirens camp November 2 - 6, 2015.

**13.15 (Item #16) Contract With Ellen Hoke (NPA provider) as a Teacher of the Visually Impaired for the 2015-16 School Year**

Mt. Diablo Unified School District utilizes Non-Public Agencies to provide services established through the Individualized Education Plan (IEP) process. Ellen Hoke is a Teacher of the Visually Impaired (TVI) for students in the District who are visually impaired.

**13.16 (Item #17) Contract Between Mt. Diablo Unified School District (MDUSD) And AccentCare Home Care Services, Non- Public Agency (NPA), for the 2015-16 School Year**

MDUSD, through the Individualized Education Plan (IEP) and Section 504 process, uses NPA's to provide specialized health care services. Services include diabetic monitoring, catheterization , and other medically prescribed procedures. NPA assist the District in assuring compliance with all applicable federal and state laws and regulations. The NPA contract provides the costs required at this time for the 2015-16 school year. This contract is not to exceed \$200,000.

**13.17 (Item #18) Contract between Mt. Diablo Unified School District - Rio Vista Elementary and Soul Shoppe**

Soul Shoppe on will provide student assemblies focused on building character and creating a safe school community throughout the 2015-16 school year. This contract will cause the vendor to exceed the \$25,000 for the school year, and therefore requires Board approval.

**13.18 (Item #19) Contract between Mt. Diablo Unified School District (MDUSD) and Maxim Healthcare Services, Non-Public Agency (NPA) for the 2015-16 School Year**

Non-Public Agencies (NPA) are used by Special Education in the provision of specialized health care services. Services include diabetic monitoring, catheterizations, and other medically prescribed procedures. NPAs assist the District in assuring compliance with all applicable federal and state laws and regulations. These services are provided across the District and at multiple sites outside of District boundaries. The attached NPA contract provides for the costs required for the 2015-16 school year and 2015 ESY.

**13.19 (Item #20) Funding For The Last Year (2015-16) Of Three-Year Contract Between Mt. Diablo Unified School District (MDUSD) and Medical Billing Technologies, Inc. (MBT)**

On October 9, 2013, the Board approved a three-year contract between Mt. Diablo Unified School District and Medical Billing Technologies, Inc. for Local Education Agency (LEA) Medi-Cal Claims reimbursement services to file actual and estimated claims with the California Department of Health Care Services and/or Local Consortium (LEC). MBT is a vendor that assists with the process of drawing down federal funds and claims a percentage of total revenue we receive.

**13.20 (Item #21) Student Teaching Agreement between UC Berkeley and Mt. Diablo Unified School District**

This agreement is to provide students in the Graduate School of Education at UC Berkeley teaching experience through student teaching.

**13.21 (Item #22) Fiscal Transactions for the Month of June 2015**

Payments have been made to meet the District's obligations for salaries, contract services, equipment, capital improvements, and other outgo.

**13.22 (Item #23) Recommended Action for Certificated Personnel**

Changes in status of the following certificated employees.

**13.23 (Item #24) Recommended Action for Classified Personnel**

Changes in status for the following classified employees.

**13.24 (Item #25) Request to Increase and Decrease Certificated Full Time Equivalent (FTE) for the 2015-16 School Year**

The attached positions are requested to be increased and decreased as described.

**13.25 (Item #26) Classified Personnel: Request to Increase/Decrease Full Time Equivalent (FTE) Funding for the 2015-16 School Year**

The attached positions are requested to be increased/decreased as described.

**13.26 (Item #27) Abolish the Position of Building Inspector**

The position of Building Inspector has not been used since early 2000. The former functions of the job are now performed by a State Certified Inspector. This was a DMA position.

**13.27 (Item #28) PULLED BY STAFF: Award of RFQ 1713: Flooring Improvements at Various Sites**

RFQ #1713 was called to provide flooring improvements at Concord High, Ygnacio Valley High, Mt Diablo High, Foothill Middle, Valhalla Elementary, Sequoia Elementary, Bancroft Elementary, and Administration. The lowest responsible, responsive bidder is Harry L. Murphy, Inc. for the total amount of \$64,995. The scope of work includes, but is not limited to: Furnish all labor, materials and equipment, for the installation of resilient tile flooring along with cove base.

**13.28 (Item #29) Disposal of District Surplus Vehicles**

Attached is a list of obsolete vehicles located in the Transportation Department. These vehicles are no longer working or suitable for school use. Due to the condition and extensive wear, the District recommends that all the units be scrapped and not resold, eliminating potential liability for the District.

**13.29 (Item #30) Ratification of Award of Summer Contracts - Operations Department**

At the June 22, 2015 Board of Education meeting, the Board authorized Resolution No. 14/15-62, for the time award of the following contracts/projects.

Purchase Order C936, to Best Contracting Services Inc., for roof replacement at Mt. View Elementary, Sequoia Middle School, Foothill Middle School, and Valley View Middle School in the amount of \$885,423.

Purchase Order 98399, to Harry L. Murphy, Inc., for VCT tile floor installations at Mt. Diablo High School, Sequoia Elementary, Valhalla Elementary, Ygnacio Valley High School, Dent Center, and Bancroft Elementary in the amount of \$25,500.

**13.30 (Item #31) Ratification of Award – Inspector of Record (Project Inspector) Contract (MDUSD Bid #1700)**

The services of a State Certified Inspector of Record (Project Inspector) are required to oversee, inspect, and verify that the Modernization Group I Restroom Renovations at Various Sites (MDUSD Bid #1700) is conducted in compliance with all DSA approved drawings, specifications and applicable codes and regulations.

Pursuant to the June 22, 2015 'Resolution for Authorization to Award Summer Contracts – Measure C,' staff requested proposals from four qualified inspectors and is recommending ratification of a contract to Alisha Jenson Inspection Services for a 'not to exceed' fee of \$20,700 for the provision of said services.

**13.31 (Item #32) Final Change Order 1643-001 (DEDUCTIVE) to Taber Construction Inc. for Lease/Leaseback #1643 for New Aquatics Center Project at Northgate High School**

On February 26, 2014, the Board of Education awarded Lease/Leaseback Agreement #1643 to Taber Construction, Inc. for construction of New Aquatics Center Project at Northgate High School for a guaranteed maximum cost of \$6,529,901 for provision of all tools, materials, labor and equipment necessary to complete construction of restroom, pool, pool support facilities, and sports medicine building at Northgate High School.

As a result of unused contract contingency, a single, final deductive change order in the amount of <\$71,704.78> is necessary. This single, final change order will result in a final revised contract value of \$6,458,196.22 and represents a decrease of 1.10% to original contract value.

**13.32 (Item #33) Notice of Completion for Lease/Leaseback #1643: New Aquatic Center at Northgate High School**

Lease/Leaseback 1643: was called to provide New Aquatic Center at Northgate High School. The L/LB agreement was issued to Taber Construction, Inc., for a Guaranteed Maximum Cost of \$6,529,901. The scope of work included, but was not limited to: All labor, tools, materials, and equipment necessary to complete the construction of new Aquatic Center at Northgate High School including demolition, grading, concrete, new swimming pool, new sports medicine classroom building, new restroom building, underground utilities and other miscellaneous items as it relates to the drawings and specifications. There was a deductive change order on this project in the amount of \$71,704.78. Work and services for this project have been satisfactorily completed for a total expenditure of \$6,458,196.22.

**13.33 (Item #34) Amendment to the Bylaws of the 2010 Measure C Citizens' Bond Oversight Committee**

On July 10, 2012, the Governor signed AB 1199 into law. Prior to approval of this law, members of a citizens' oversight committee could serve a term of two (2) years without compensation and for no more than two (2) consecutive terms. AB 1199 modified the term limits so that members of a citizens' oversight committee serve for a minimum of two (2) years without compensation and for no more than three (3) consecutive terms. While AB 1199 identified a minimal term length, in effort to further clarify, staff is recommending bylaws of the 2010 Measure C Citizens' Oversight Committees be amended to define a term length as three (3) years.

**13.35 (Item #36) Minutes for the Board of Education Meeting held on June 22, 2015**

Minutes for the Board of Education Meeting held on June 22, 2015, are being brought forward for approval.

**13.36 (Item #37) Minutes for the Special Board of Education Meeting held on June 25, 2015**

Minutes for the Special Board of Education Meeting held on June 25, 2015, are being brought forward for approval.

**13.37 (Item #38) Minutes for the Special Board of Education Meeting held on June 29, 2015**

Minutes for the Special Board of Education Meeting held on June 29, 2015, are being brought forward for approval.

**13.38 (Item #39) Minutes for the Special Board of Education Meeting held on July 15, 2015**

Minutes for the Special Board of Education Meeting held on July 15, 2015, are being brought forward for approval.

**CONSENT ITEMS PULLED FOR DISCUSSION**

**14.1 (Item #15) Contract with Resource Development Associates, Inc., to Administer the Title I Parent/Family Involvement Survey for the 20 Title I Schools**

Resource Development Associates, Inc. (RDA) will work with MDUSD staff to administer a survey at the 20 Title I schools to solicit feedback on opportunities for parental involvement. This survey will be administered online in English and Spanish, with opportunities for parents to participate remotely or from MDUSD computer labs; we will also offer paper-based surveys as needed. RDA will analyze survey results both in the context of the current year and in comparison with the previous years' surveys, and will compile reports summarizing the results at the District level as well as by site.

Ms. Mason stated that the questions that she raised previously regarding the collection of data for this survey were never satisfactorily addressed.

Mayo moved, Oaks seconded, and the Board voted 4-1-0 (with Mason dissenting) to approve the contract with Resource Development Associates, Inc., to revise and administer the Title I Parent/Family Involvement Survey for the 20 Title I schools.

**DISTRICT ORGANIZATIONS**

Dorothy Weisenberger, Community Advisory Committee (CAC), announced that the CAC is holding a summer planning meeting on August 11, 2015, and that the first CAC meeting of the school year will be held on September 1, 2015.

**PUBLIC COMMENT**

Lia Bush and Denise Pursche expressed their concerns about the Common Core Standards.

Willie Mims shared his concerns about the District's Local Control Accountability Plan and the Local Control Funding Formula.

**BUSINESS/ACTION ITEMS**

**17.1 Rocketship Education Mt. Diablo Charter School Petition under Education Code section 47605(b)**

On June 17, 2015, the District received a petition to form the Rocketship Education Mt. Diablo Charter School. Pursuant to E.C. §47605(b), the School Board held a public hearing on July 15, 2015, to hear community input regarding the petition.

On Friday, August 7, 2015, District Staff finalized and publically posted its evaluation of the petition with reference to the criteria and grounds stated in the Education Code. Tonight, the Board will be asked to take action to either (1) grant the petition, or (2) deny the petition, under Education Code section 47605(b).

John Yeh (Burke, Williams, & Sorensen), Mary Louise Newling, Carmen Garces, Wendy Aghily, Shannon Ortlund, and Brianna Garcia (School Services of California) presented the District's evaluation and findings. The evaluation team found that under the criteria set forth in the education code, the petition had significant deficiencies. It was their recommendation that the Board deny the petition.

President Hansen announced that due to the number of speaker cards submitted, individual speaker time is reduced to one minute.

Public Comment:

Pat Noonan and Sandra Wilbanks spoke against this petition.

Silvia Barajas, Beatris Navarro, and Cristina Gutierrez spoke in support of this petition.

Genevieve Thomas and Adam Nadeau, Rocketship staff, spoke on behalf of the Rocketship organization.

Andre Coleman spoke in support of this petition.

Barret Burkett, Rocketship staff, spoke on behalf of the Rocketship organization.

Jennifer Perez spoke in support of this petition.

Daiana Lambrecht, Rocketship staff, spoke on behalf of the Rocketship organization.

George Fulmore spoke in support of passing this petition.

Houng Ayanyan McCray, Hilary Harmssen, Salvador Ramirez spoke in support of this petition.

Suzy Hall-Whitney, Guy Moore, and Nestor Guadron spoke against this petition.

Karen Boone, Alison Blair, and Alexandra Martinez spoke in support of this petition.

Willie Mims, Dan Reynolds, Denise Lambert, and Dorothy Weisenberger spoke against this petition.

Ms. Mason and Mr. Lawrence expressed their views on the petition. Mr. Yeh responded to Board member questions.

The Board paused discussion about Item #17.1 for a meeting extension.

**\*\*17.12 Meeting Extension**

\*\*This item was moved up on the agenda.

Adjournment time will be no later than 10:30 p.m. for all regular and special meetings unless extended to a specific time as determined by a majority of the Board.

Mason moved, Oaks seconded, and the Board voted 5-0-0 to approve to extend the meeting time to 12:00 a.m.

The Board resumed discussion about Item #17.1.

Ms. Oaks, Ms. Mayo, and Ms. Hansen expressed their views on the petition. Mr. Yeh responded to Board member questions.

Lawrence moved, Oaks seconded, and the Board voted 5-0-0 to deny the Rocketship Education Mt. Diablo Charter School under Education Code, Section 47605(b), and adopt the Resolution and inclusion of the rubric as findings.

**17.2 Nomination of New Member to the Budget Advisory Committee (BAC) 2015-16 School Year**

Approve the nomination of Mike Langley, representative for Brian Lawrence to the BAC.

Lawrence moved, Mayo seconded, and the Board voted 5-0-0 to approve the nomination of Mike Langley as new BAC Member.

**17.3 Community Facilities District # 1 (Measure A)**

Resolution No. 15/16-1 is necessary to approve the annual Community Facilities District #1 tax report and to levy and apportion the special (Measure A) tax for fiscal year 2015-16. The current Mt. Diablo Mello-Roos Tax, Measure A, was passed in November 1989 by a favorable vote of 71 percent. Almost \$90,000,000 of projects ranging from new multi-use buildings, new gymnasiums, new turf, repaired heaters, and restored restrooms have made the physical facilities for our students much more attractive and functional.

Mayo moved, Oaks seconded, and the Board voted 5-0-0 to approve the adoption of Resolution #15/16-1 for the annual Community Facilities District #1 tax report.

**\*\*\*17.6 Reopening of Glenbrook Middle School and Holbrook Elementary School**

\*\*\*This Item was moved up on the agenda.

This item is to allow Board discussion on the feasibility of reopening Glenbrook Middle School and Holbrook Elementary School.

Public Comment:

Berta Shatswell voiced her support for reopening Glenbrook and Holbrook, and volunteered to serve on a committee if one is formed.

Guy Moore spoke in favor of reopening Glenbrook and Holbrook, indicating the large enrollment at El Dorado Middle School as one important factor.

Laura Hoffmeister encouraged the Board to maintain good communication with the Concord City Council on this issue.

Dorothy Weisenberger shared her experience of serving on the original closure committee.



Denise Lambert spoke in favor of reopening Glenbrook and Holbrook, and expressed her concern over special interest groups and education decisions being made at the county level.

Edi Birsan encouraged the Board to maintain good communication with the Concord City Council on this issue.

Dr. Meyer and the Board members had a long discussion. Dr. Meyer shared that staff will be prepared to present a report to the Board in late September.

#### **17.4 Chevron Funding For Continued Support For Project Lead The Way (PLTW)**

Chevron has supported the implementation of Project Lead the Way Engineering at Mt. Diablo High School, Concord High School, Ygnacio Valley High School, and Riverview Middle School. All of these schools, as well as two additional middle schools (El Dorado and Oak Grove) have been notified of their eligibility to receive funding for 2015-2016 as follows: Mt. Diablo High School \$8,000; Concord High School \$5,000; Ygnacio Valley High School \$9,000; Oak Grove Middle School \$20,750; El Dorado Middle School \$22,750 and Riverview Middle School \$5,750. Funds will be used for additional PLTW modules, instructional materials and teacher training. Each school was presented with a PLTW Grant Agreement form, indicating all requirements for receipt of funds (see attached).

Mason moved, Mayo seconded, and the Board voted 5-0-0 to approve Mt. Diablo High School, Concord High School, Ygnacio Valley High School, Oak Grove Middle School, El Dorado Middle School, and Riverview Middle School to receive funding from Chevron for Project Lead the Way for 2015-16.

#### **17.5 PSAT Test/College Board Contract for 2015-16**

This contract continues PSAT testing for 10<sup>th</sup> graders. Testing dates are scheduled for October 14, 2015; a make-up date is scheduled for October 28, 2015.

Dr. Meyer responded to Board member questions.

Mason moved, Lawrence seconded, and the Board voted 5-0-0 to approve the College Board contract for PSAT testing.

#### **17.7 Increase Substitute Teacher Daily Rates**

Due to a low substitute teacher pool, many substitute jobs go unfilled during peak times. In March 2015, staff surveyed the substitute teacher daily rates of surrounding districts. We discovered that Mt. Diablo's daily rate was significantly below that of the major districts in the area. Based on this information, we are requesting to simplify the compensation and increase the substitute teacher daily rate as follows:

Daily Rate: \$120

Special Circumstances Rate: \$145

Certificated Retirees: \$145

Dr. Meyer explained the District's need for high-quality substitute teachers. Leyla Benson responded to Board member questions.

Mason moved, Oaks seconded, and the Board voted 5-0-0 to approve the increase in Substitute Teacher daily rates.

#### **17.8 PULLED BY STAFF: Change Position Description for Supervisor, Transportation Shop**

This position is being presented to the Board to update the current job description to better reflect the duties and responsibilities as they relate to the current position. In order to maintain a full staff of bus drivers, trainings and increased mandatory testing, along with the increased size of District Fleet maintenance, and with California Highway Patrol and Department of Motor Vehicle additional requirements, this upgraded position is necessary.

**17.9 Board Policy BP/AR 0460**

Due to recent changes in Ed Code, Board Policy BP/AR 0460 must be created to address the legal mandates regarding the Local Control Accountability Plan. A sample from the California School Board Association was used as a model for this policy. This policy will be brought back on September 14, 2015 for approval.

Public Comment:

Willie Mims asked for clarification whether or not this is the Board adoption of the Local Control Accountability Plan (LCAP). Dr. Meyer confirmed that it is.

This item was for information only.

**17.10 Board Policy BP/AR/E 1312.3**

Due to the upcoming Federal Program Monitoring audit and to recent changes in Ed Code, Board Policy BP/AR/E 1312.3 must be revised to provide language regarding the Local Control Accountability Plan and to provide clarity surrounding the Uniform Complaint Process. A sample from the California School Board Association was used to make revisions. These policies will be brought back on September 14, 2015 for approval.

This item was for information only.

**17.11 Execution of Documents**

During this time, the Superintendent and Board Members will execute documents approved during this meeting.

**FUTURE AGENDA ITEMS**

Ms. Mason proposed looking at alternative ways for the Board to vote on employee appointments.

President Hansen noted that Ms. Mayo had previously proposed discussing the creation of a position for a Public Information Officer.

**CLOSED SESSION**

The Board did not reconvene Closed Session.

**ADJOURNMENT**

The meeting was adjourned at 11:33 p.m.

Respectfully submitted,

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Nellie Meyer, Ed.D.  
Superintendent