

**MINUTES**  
**REGULAR MEETING OF THE BOARD OF EDUCATION**  
**MT. DIABLO UNIFIED SCHOOL DISTRICT**  
**Monday, March 23, 2015 (6:00 p.m./7:00 p.m.)**

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

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

**CALL TO ORDER**

President Hansen called the meeting to order at 6:00 p.m. and conducted Roll Call with all Board members present. President Hansen announced that Mr. Lawrence will participate via teleconference from the lobby at the Hyatt Regency Bellevue, 900 Bellevue Way NE, Bellevue, Washington 98004.

**PUBLIC COMMENT**

There was no Public Comment.

**CLOSED SESSION AGENDA**

**4.1 (Item #1) Expulsion of Student #10-15 from all Regular Schools of Mt. Diablo Unified School District**

The expulsion of Student #10-15 from all regular schools of Mt. Diablo Unified School District. Student #10-15 will be placed at Diablo Community Day School.

**4.2 (Item #2) Expulsion of Student #11-15 from all Regular Schools of Mt. Diablo Unified School District**

The expulsion of Student #11-15 from all regular schools of Mt. Diablo Unified School District. School placement for Student #11-15 will be at Golden Gate Community School per parent request.

**4.3 (Item #3) Expulsion of Student #12-15 from all Regular Schools of Mt. Diablo Unified School District**

The expulsion of Student #12-15 from all regular schools of Mt. Diablo Unified School District. Student #12-15 will be allowed to stay at the Extended Suspension Program for the remainder of the second semester. Student Services will determine school placement of Student #12-15 for 2015-16 school year.

**4.4 (Item #4) Discipline, Dismissal, or Release of Public Employee (Gov. Code Sec. 54957 (b) (1))**

Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957 (b) (1)).

**4.5 (Item #5) Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957 (b) (1))**

Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957 (b) (1)).

**4.6 (Item #6) Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957 (b) (1))**

Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957 (b) (1)).

**4.7 (Item #7) Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957 (b) (1))**

Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957 (b) (1)).

**4.8 (Item #8) Negotiations - The Board may discuss negotiations or provide direction to its representatives regarding represented employees, pursuant to EERA (Govt. Code Section 3549.1) Agency negotiator: Deborah Cooksey, Agencies: MDSPA and CSEA**

Provide direction to negotiators on the Board's priorities on monetary issues, and receive information from staff on the most recent bargaining session.

**4.9 (Item #9) Anticipated Litigation - Conference with Legal Counsel Pursuant to Gov't. Code Sec. 54956.9 (b), Significant Exposure to Litigation: Four Cases**

Anticipated Litigation - Conference with Legal Counsel pursuant to Gov't. Code Sec. 54956.9 (b), significant Exposure to Litigation: Four cases.

**ADJOURN TO CLOSED SESSION**

The Board adjourned to Closed Session at 6:02 p.m.

**RECONVENE OPEN SESSION**

The Board reconvened Open Session at 7:06 p.m.

**PRELIMINARY BUSINESS**

President Hansen led the Pledge of Allegiance and conducted Roll Call with all Board members present, except Mr. Lawrence. President Hansen announced that beginning at 8:25 p.m. Mr. Lawrence will participate via teleconference from the lobby at Hyatt Regency Bellevue, 900 Bellevue Way NE, Bellevue, Washington 98004.

**REPORT OUT ACTION TAKEN IN CLOSED SESSION**

**8.1 (Item #1) Expulsion of Student #10-15 from all Regular Schools of Mt. Diablo Unified School District**

The expulsion of Student #10-15 from all regular schools of Mt. Diablo Unified School District. Student #10-15 will be placed at Diablo Community Day School.

Mayo moved, Oaks seconded, and the Board voted 4-0-0 to approve the expulsion of Student #10-15 from all regular schools of the Mt. Diablo Unified School District, and that Student #10-15 may apply for readmission after March 23, 2016. It is required that Student #10-15 participates in twenty (20) hours of individual counseling to address social and emotional issues; complete 30 hours of community service; attend MDUSD's Drug/Alcohol Workshop; submit proof of negative drug test; and show evidence of a successful school experience with good attendance, no suspendible behavior infraction, maintain at least a C average, and earn 60 credits prior to readmission. School placement for Student #10-15 will be determined by Student Services.

**8.2 (Item #2) Expulsion of Student #11-15 from all Regular Schools of Mt. Diablo Unified School District**

The expulsion of Student #11-15 from all regular schools of Mt. Diablo Unified School District. School placement for Student #11-15 will be at Golden Gate Community School, per parent request.

Oaks moved, Mayo seconded, and the Board voted 4-0-0 to approve the expulsion of Student #11-15 from all regular schools of the Mt. Diablo Unified School District, and that Student #11-15 may apply for readmission after January 21, 2016. It is required that Student #11-15 participates in 20 hours of counseling to address anger issues; serve 30 hours of community service; attend California Offender Program Services (COPS) for Aggressive Offender class; attend MDUSD's Teen Anger Management Workshop; and show evidence of a successful school experience with good attendance, no suspendible behavior infraction, and maintain at least a C average prior to readmission. School placement for Student #11-15 will be made by Student Services.

**8.3 (Item #3) Expulsion of Student #12-15 from all Regular Schools of Mt. Diablo Unified School District**

The expulsion of Student #12-15 from all regular schools of Mt. Diablo Unified School District. Student #12-15 will be allowed to stay at the Extended Suspension Program for the remainder of the second semester. Student Services will determine school placement of Student #12-15 for 2015-16 school year.

Mason moved, Mayo seconded, and the Board voted 4-0-0 to approve the expulsion of Student #12-15 from all regular schools of the Mt. Diablo Unified School District, and that Student #12-15 may apply for readmission after March 23, 2016. It is required that Student #12-15 participates in twenty (20) hours of individual counseling to address drug use and academic skills; serve 30 hours of community service; attend California Offender Program Services (COPS) for Alcohol/Drug Offender class; attend MDUSD's Drug and Alcohol Workshop; submit proof of

negative drug test; and show evidence of a successful school experience with good attendance, no suspendible behavior infraction, maintain at least a 2.0 GPA, and earn 60 credits prior to applying for readmission. Student #12-15 will be allowed to stay at the Extended Suspension Program for the remainder of the second semester. Student Services will determine school placement of Student #12-15 for 2015-16 school year.

**8.4 (Item #4) Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957 (b) (1)**

Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957 (b) (1))

The Board gave staff direction on steps to take with the employee.

**8.5 (Item #5) Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957 (b) (1)**

Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957 (b) (1))

The Board gave staff direction on steps to take with the employee.

**8.6 (Item #6) Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957 (b) (1)**

Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957 (b) (1))

The Board gave staff direction on steps to take with the employee.

**8.7 (Item #7) Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957 (b) (1)**

Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957 (b) (1))

This item was not discussed.

**8.8 (Item #8) Negotiations - The Board may discuss negotiations or provide direction to its representatives regarding represented employees, pursuant to EERA (Govt. Code Section 3549.1) Agency negotiator: Deborah Cooksey, Agencies: MDSPA and CSEA**

Provide direction to negotiators on the Board's priorities on monetary issues, and receive information from staff on the most recent bargaining session.

The Board gave direction to the District representative on how to proceed with negotiations.

**8.9 (Item #9) Anticipated Litigation - Conference with Legal Counsel Pursuant to Gov't. Code Sec. 54956.9 (b), Significant Exposure to Litigation: Four Cases**

Anticipated Litigation - Conference with Legal Counsel pursuant to Gov't. Code Sec. 54956.9 (b), Significant Exposure to Litigation: Four cases

The Board reached a consensus on steps for the legal team to take in two cases.

**RECOGNITIONS AND RESOLUTIONS**

There were no Recognitions and Resolutions.

**STUDENT REPRESENTATIVES**

Student Representatives reported on activities at their high schools. President Hansen introduced Student Representative Katie Spaulding Niemi from Ygnacio Valley High School.

**BOARD MEMBER REPORTS**

Ms. Mayo shared that she visited Sun Terrace Elementary School, and reported that there is a lot of enthusiasm there, evidenced by the instructional program and the engagement of the students alike. Ms. Mayo shared that she attended the District English Learner Advisory Committee (DELAC) meeting and the Measure C Bond Oversight

Committee meeting. She noted that the Measure C Bond Oversight Committee expressed their desire for the Board to sell the remaining bonds so that additional projects can be completed that were anticipated by the school sites.

Ms. Oaks shared that she attended the Budget Committee meeting, and she noted that Nance Juner did a fine job of going over the budget and attendees were able to ask individual questions. Ms. Oaks shared that she attended the Bella Notte Italian Dinner and Show performed by the College Park High School Choir.

Ms. Mason shared that she attended the 2015 Institute for New and First Term Board Members, which she found to be very helpful. Ms. Mason attended the Coordinated Health Committee meeting, as well as the DELAC meeting, where she found it interesting to hear parents discuss their experiences at the California Association for Bilingual Education (CABE) conference. Ms. Mason also attended College Night at Gateway Necessary Small High School.

Ms. Hansen shared that she attended the Parent Advisory Council meeting, and noted that recurring topics are school start times and attendance issues. Ms. Hansen attended the Measure C Bond Oversight Committee meeting and the Career Integrated Academics Committee meetings. Ms. Hansen shared that she was contacted by the local Boy Scout leadership about how to expand their partnership with the District. Ms. Hansen also attended the Coordinated Health Committee meeting.

### **SUPERINTENDENT'S REPORT**

Dr. Meyer thanked Student Representative Katie Spaulding Niemi for her report.

Dr. Meyer shared that she had the opportunity to visit Bancroft Elementary School to read to the Dual Immersion class, and she commented that the students were very engaged and excited about their new class. Dr. Meyer shared that she visited Ygnacio Valley High School, where she toured several of the academies, including Education, Economics, and Art/Yearbook. Dr. Meyer shared that she visited Diablo Community Day School, and thanked Principal Linda Pete for arranging for her to speak to the class and ask the questions that she has been asking of the student focus groups at the high schools. Dr. Meyer shared that it was a very honest, positive, and productive conversation. Dr. Meyer also attended the Bella Notte Italian Dinner and Show at College Park High School, and the Ygnacio Valley High School Athletic Booster Annual Fundraiser.

Dr. Meyer shared that the District recently had a full day of professional development for staff, focusing on the implementation of Common Core. Special Education teachers also received training on the concepts around Least Restrictive Environment.

Dr. Meyer shared that the District is continuing to focus on increasing the graduation rate, and how to support students toward graduation and prepare them for college. Dr. Meyer announced that this month the District has implemented a new credit recovery program, which allows students to make up credits in a computer lab at school during the school day. The credit recovery program labs are complete at Ygnacio Valley High School and College Park High School, and one is in progress at Concord High School. The District does plan to implement the program at Northgate High School and Mt. Diablo High School as well.

Dr. Meyer shared that she has been enjoying attending the Parent Advisory Council meetings, and she thanked Felicia Stuckey-Smith for presenting the Discipline Matrix and responding to any questions or concerns.

Dr. Meyer shared that she attended the DELAC meeting, where there were discussions around both the Dual Immersion class and the Local Control Accountability Plan (LCAP).

Dr. Meyer announced the upcoming retirement of Assistant Superintendent, Middle Schools, Rose Lock; School Support Administrator, Marie Schirmer; and Adult Education Director, Joanne Durkee, and recognized all of them for their combined 99.5 years of dedication to the Mt. Diablo Unified School District.

## **REPORTS/INFORMATION**

### **13.1 School Spotlight: Ygnacio Valley High School**

Representatives from Ygnacio Valley High School will make a brief presentation on the International Baccalaureate program and their progress on the IB application process.

Dr. Meyer introduced Principal Stephen Brady and his team, who gave a presentation on the International Baccalaureate program at Ygnacio Valley High School and responded to Board member questions.

## **PUBLIC EMPLOYEE APPOINTMENT**

### **14.1 Appointment of Administrator-Assessment, Research and Evaluation**

Interviews have been conducted, and a candidate has been selected to fill the position of Administrator-Assessment, Research and Evaluation.

Public Comment:

Willie Mims followed up on his request that this job description contain an educational degree requirement.

Mayo moved, Mason seconded, and the Board voted 4-0-0 to approve the appointment of Shannon Orland to the position of Administrator-Assessment, Research and Evaluation.

### **14.2 Classified Personnel: Appointment of Occupational Therapist**

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

The Superintendent is recommending Amelia Steinhauer be appointed to the position of Occupational Therapist.

Oaks moved, Mayo seconded, and the Board voted 4-0-0 to approve ratification of the appointment of Amelia Steinhauer to the position of Occupational Therapist.

## **CONSENT AGENDA**

Mayo moved, Oaks seconded, and the Board voted 4-0-0 to approve all Consent Agenda items, with the exception of Items #7, 12, and 20, thereby approving the following:

**15.1 (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.**

**15.2 (Item #2) College Park High School and Ygnacio Valley High School Trip to California Association of Student Leaders Conference in San Jose, CA, March 28-30, 2015**

Both College Park & Ygnacio Valley High Schools would like to attend the annual California Association of Student Leaders Conference. The program will be held at the DoubleTree Hotel in San Jose and will bring together student leaders from around California for 2 1/2 days of student discussion panels, three general sessions, student-led workshops, and specialized sessions for student leaders. College Park will be sending seven students and one certificated chaperone. Ygnacio Valley will be sending eight students and one certificated chaperone.

**15.3 (Item #3) Concord High School's Junior/Senior Ball, May 21, 2016**

Concord High School is requesting Board approval of the attached Independent Contract with Events to the 'T', Inc. for \$38,000 for the Junior/Senior Ball planned for May 21, 2016 on Treasure Island.

**15.4 (Item #4) Mt. Diablo High School's Trip Change to St. Francis High School, La Canada, CA on 3/27/15**

Mt. Diablo High School's trip was approved by the Board on February 2, 2015. Since that time, the school has been invited by Monte Vista High School in Danville to share their charter bus (Charter Pros) to this competition. Attached please find Charter Pro's insurance.

**15.5 (Item #5) Mt. Diablo High School JROTC trip to Camp San Luis Obispo, April 22-26, 2015**

Christian Taddeo, LTC, US Army will be accompanying 20 students to participate in the JROTC Cadet Leadership Challenge. Students will practice leadership, teamwork, discipline, and camaraderie. Events will challenge the cadets both physically and mentally, and help build their confidence and self-esteem.

**15.6 (Item #6) Mt. Diablo High School's International Hospitality Tourism Academy Trip to New Brighton State Beach, May 11-13, 2015**

Serendipity's Junior class, led by Chef Debbie Allen, will be visiting Cabrillo College, UC Santa Cruz, and Fisherman's Wharf, learning about New Brighton's offsite catering and discovering the history of hospitality at the Boardwalk. Sierra Pacific Charter bus will be transporting the students. Sierra Pacific's Certificate of Liability Insurance and Endorsement is attached. Students will be camping at New Brighton State Beach. Approximately 35 students will be attending, along with four chaperones.

**15.7 (Item #8) Northgate High School's Trip to the Next Generation Jazz Festival, March 27 - 29, 2015**

Director Greg Brown (and six chaperones) will accompany 23 Jazz Band I students to the annual Next Generation Jazz Festival at the Monterey Convention Center. Students will participate in adjudicated performances, evaluations, live sight ready, concerts by professionals, clinics, and student networking.

**15.8 (Item #9) Northgate High School's Spring Instrumental Music Tour to California State University, Long Beach, April 22-26, 2015**

Director Greg Brown, along with 18 chaperones, would like to accompany 140 students to California State University, Long Beach for their annual Spring Music Tour. All arrangements for this trip have been provided by MusicTrip. Students will be traveling by motor coaches provided by American Stage Tours, and staying at the Embassy Suites in Santa Ana. Students will participate in clinics in CSU Long Beach, Backstage Disneyland, and Irvine High School. They will also be performing at Irvine High School and California Adventure Theme Park.

**15.9 (Item #10) Northgate High School's Trip to Ashland, Oregon, May 22-25, 2015**

David Wood, English Teacher, along with six adult chaperones, would like to attend the Shakespeare Festival in Ashland, Oregon, with 49 students from the English IV Honors Class and the English IV AP Class. Students will be able to see a performance, take a backstage tour, and participate in discussions with Festival members and class discussion seminars. The group will be traveling in private vehicles. Parent donations have covered all expenses.

**15.10 (Item #11) Amendment to the Contract Between University Corp/Camp Sea Lab and Highlands Elementary Outdoor Education**

Highlands Elementary attended an Outdoor Education program February 2-4, 2015 at Camp Sea Lab. The original contract was for \$17,510, while actual costs were \$20,210, and an amendment to the original contract approved by the Board 12/10/14, has been submitted.

**15.11 (Item #13) MDUSD Youth Ambassador Exchange Program**

Walnut Creek Sister Cities International involves people and organizes groups at all levels of our society in personal diplomacy to other countries. It provides a vehicle for planned and continuous contact between school communities to be actively involved in the rewarding field of international relations at the local level. The goal of the Youth Ambassador Exchange Program is to make a significant contribution to global peace through the exchanges of students, ideas, and cultures. Through the Student Exchange Program, MDUSD Middle Schools in Walnut Creek and Pleasant Hill, as well as Walnut Creek Intermediate School, will participate in an exchange of students and teachers with our sister cities' students in Siofok, Hungary and Noceto, Italy. As part of this program, a teacher from Foothill Middle School will be traveling as a chaperone to Siofok or Noceto in October 2015. Students from these Sister Cities will visit Walnut Creek schools during April 2016. During the year, our students will study the host countries and will write reports. Board approval is requested for teachers and students to participate in the program.

**15.12 (Item #14) Non-Public School Adjustments**

Non-Public School (NPS) contracts are reviewed and updated several times during the fiscal year. Changes to contracts are required due to changes in residency, students entering and leaving placements, increase/decrease in intensity of services, and corrective actions/settlement agreements to assure a free and appropriate public education. The details for these changes, as well as rationale for the changes, can be found in the attached documentation.

**15.13 (Item #15) Independent Services Contract between Mt. Diablo Unified School District and Nicole Padoan**

Teachers from Walnut Acres, Highlands, Mt. Diablo, Sequoia, Silverwood, Valle Verde, and Pleasant Hill Elementary Schools, and teachers from Diablo View, El Dorado, Foothill, Oak Grove, Pine Hollow, Pleasant Hill, Riverview, Sequoia, and Valley View Middle Schools will be trained on Inquiry in Writing Strategies for the Common Core - Setting up a Writing Workshop Methodology in your classroom. Nicole Padoan's cumulative contract services will exceed \$25,000 in the 2014-15 school year, therefore this contract is being brought to the Board for approval.

**15.14 (Item #16) Contract Increase with Speech Pathology Group**

Mt. Diablo Unified School District utilizes Independent Service Contractors to provide services established through the Individualized Education Plan (IEP) process. Speech Pathology Group (SPG) provides speech and language pathologists (SLP) for vacant SLP positions in the District, independent speech evaluations, and speech services to Non-Public Schools. An increase of \$550,000 is requested at this time, bringing the total contract amount from \$1,115,000 to \$1,665,000.

**15.15 (Item #17) Annual Renewal of Follett Software Company Contract for Destiny Software**

On March 26, 2012, the Board approved a five-year contract with Follett Software Company to continue licensing of Destiny, a centralized library inventory and textbook management system. This is the annual payment on that contract.

**15.16 (Item #18) Contract Extension for Eagle Software Aeries Student Information System for 2015-16**

Eagle Software is the company behind the Aeries student information system. On January 23, 2007, the Board of Education awarded a five-year contract for RFP #1449 to Eagle Software. The first year was \$568,350 and \$181,800 for four years of Maintenance and Software Support. Eagle Software offered to extend the contract for the 2013-2014 school year, in the amount of \$52,500. In 2013-14, there was an increase of \$1,800 from the prior year's maintenance agreement because of price restructuring. The renewal price for 2014-15 remained at the 2013-14 rate. The renewal rate was increased for the 2015-16 school year to \$57,150.

**15.17 (Item #19) Contra Costa County Office of Education Memorandum of Understanding (MOU) - Tobacco Use Prevention Education (TUPE) Consortium Collaborative**

This Memorandum of Understanding (MOU) supports Mt. Diablo Unified's partnership with the Contra Costa County Office of Education (CCCOE). CCCOE is applying as consortium to the California Department of Education for a Tobacco Use Prevention Education (TUPE) grant. If awarded, TUPE will fund implementation of a comprehensive tobacco prevention program, from July 1, 2015 – June 30, 2018.

**15.18 (Item #21) Recommended Action for Certificated Personnel**

Changes in status of the following certificated employees.

**15.19 (Item #22) Request to Increase and Decrease Full Time Equivalent (FTE) for the 2014-15 School Year**

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

Public Comment:

Willie Mims questioned the use of supplemental grant funding for teacher salaries. Dr. Meyer responded to his concerns.

**15.20 (Item #23) Request to Increase and Decrease Full Time Equivalent (FTE) for the 2015-16 School Year**

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

Public Comment:

Willie Mims questioned the use of supplemental grant funding for teacher salaries. Dr. Meyer responded to his concerns.

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

Changes in status for the following classified employees.

**15.22 (Item #25) Classified Personnel: Request to Increase/Decrease Full Time Equivalent (FTE) for the 2014-15 and 2015-16 School Year**

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

Public Comment:

Willie Mims questioned the use of supplemental grant funding for salaries. Dr. Meyer responded to his concerns.

**15.23 (Item #26) Minutes for the Board of Education Meeting held on February 9, 2015**

Minutes for the Board of Education Meeting held on February 9, 2015, are being brought forward for approval.

**15.24 (Item #27) Minutes for the Board of Education Meeting held on February 23, 2015**

Minutes for the Board of Education Meeting held on February 23, 2015, are being brought forward for approval.

**15.25 (Item #28) Minutes for the Board of Education Meeting held on March 2, 2015**

Minutes for the Board of Education Meeting held on March 2, 2015, are being brought forward for approval.

**CONSENT ITEMS PULLED FOR DISCUSSION**

**16.1 (Item #7) Northgate High School's Trip to the Santa Cruz Jazz Festival, March 20-22, 2015**

Director Greg Brown and eight chaperones will accompany 50 students in their Jazz Band I and Jazz Band II groups to Cabrillo College in Aptos, CA to participate in the Santa Cruz Jazz Festival, via Sierra Pacific bus. Sierra Pacific's Certificate of Liability Insurance and Endorsement is attached. Students will be exposed to adjudicated performances, clinics, live sight-reading, listening to student groups and professional guest artists, and student networking.

Ms. Mason pointed out that this trip has already been completed, therefore she will abstain. Board members, Dr. Meyer, the student representative, and Ms. Cooksey discussed what the consequences would be for students if the Board did not approve this trip.

Oaks moved, Mayo seconded, and the Board voted 3-0-1 (with Mason abstaining) to approve ratification of Northgate High School's trip to participate in the Santa Cruz Jazz Festival, March 20-22, 2015.

**16.2 (Item #12) Overnight Camping Trip for Sunrise Elementary School 4<sup>th</sup> and 5<sup>th</sup> grade Students at Mt. Diablo State Park**

The 4<sup>th</sup> and 5<sup>th</sup> grade students at Sunrise Elementary are camping overnight at Mt. Diablo State Park. Students will engage a variety of camping and outdoor experiences along with team building and social skills activities.

Ms. Oaks requested sample curriculums from future camp providers in order to evaluate the consistency of student's experiences at the different camp providers used across the District.

Oaks moved, Mason seconded, and the Board voted 4-0-0 to approve the overnight camping trip for 4<sup>th</sup> and 5<sup>th</sup> grade Sunrise Elementary School students.



**16.3 (Item #20) Fiscal Transactions for the month of February 2015**

Payments have been made to meet the District's obligations to salaries, improvements, and other outgoing expenses.

Public Comment:

Willie Mims questioned the United States Postal Service charges appearing on the transaction list.

Nance Juner responded to Public Comment and Board member questions.

Mr. Lawrence is now participating via teleconference from the lobby at Hyatt Regency Bellevue, 900 Bellevue Way NE, Bellevue, Washington 98004.

Mason moved, Mayo seconded, and the Board voted 5-0-0 to approve the fiscal transactions for the month of February, 2015.

Student Representative Katie Spaulding Neimi departed from the meeting.

**DISTRICT ORGANIZATIONS**

Kim Montano, California School Employees Association (CSEA), shared information about the Para-Educator Conference. Ms. Montano voiced her concern about the conference being accessible to staff at a particular school site, and she commended a number of schools for sending CSEA staff to attend the conference. Ms. Montero thanked Lois Peterson for her work in promoting the conference to school administrators.

Dorothy Weisenberger, Community Advisory Committee (CAC), voiced her concerns about the bullying of special education students within the District and shared a personal story. She requested more bullying awareness education for all students in the District. Ms. Weisenberger announced that March is Disability Awareness Month, and asked that the District have an awareness day to educate students about the different developmental disabilities. Ms. Weisenberger shared that on March 29, The Arc is asking all people with developmental disabilities to be out in public to show that they are people just like everyone else.

**PUBLIC COMMENT**

Jack Walton asked the District to consider installing an all-weather track at Concord High School. Mr. Walton pointed out that Concord High School is the only high school in the District with a dirt track.

Jorge Cardenas V. spoke about issues that concern the Hispanic families in the District, including: grade level advancement without adequate knowledge; lack of communication to parents from the schools and the District; and concern about the number of Hispanic students leaving school because they do not have enough credits to graduate. He requested numbers indicating how many Hispanic students are at risk for not graduating.

George Fulmore voiced his pleasure that the District has permitted the Contra Costa Youth Soccer League to use one of its fields. He noted that the Boy Scouts are the primary funders of this league, and recognized the president of the Contra Costa Youth Soccer League, Gerardo Martinez. Mr. Fulmore also urged the Board to create a new staff position for a liaison between the District and the Hispanic parent community.

Denise Lambert expressed her concern about the bullying of special needs students. She shared that she personally knows of multiple incidents in recent months at one particular school. Ms. Lambert asked the Board, staff, and community to support Dr. Meyer in her efforts to prevent bullying in the District.

Denise Pursche expressed her concerns about Common Core Standards and shared online resources.

Willie Mims shared his opinions on the previous public comments, and announced that he is selling tickets to the East County NAACP Annual Banquet.

Dan Reynolds announced that April is Genocide Awareness Month. He urged people to take the time to learn more about genocide, and to stand up for human rights issues.

Jacqueline Wacker, senior at Mt. Diablo High School, announced that Mt. Diablo High School will have a Day of Silence in April to remember and honor those who have been bullied, and those who have passed, due to Lesbian, Gay, Bisexual, Transgender, Questioning (LGBTQ) discrimination. Ms. Wacker also spoke in support of adding a Psychology class to the school's academy model as one of the four core classes for juniors.

## **BUSINESS/ACTION ITEMS**

### **19.1 Financial and Operational Memorandum of Understanding and Supplemental Charter Agreement Between the Mt. Diablo Unified School District ("District") and the Eagle Peak Montessori Charter School ("EPMS")**

EPMS is an internal charter school of the District. Since the granting of its charter in 2000, the parties have entered into a multi-year memorandum of understanding, outlining the specific funding sources anticipated to be available to EPMS as well as operational relationships. This agreement shall continue in effect until such time that the Parties modify or enter into a subsequent agreement.

Oaks moved, Mayo seconded, and the Board voted 5-0-0 to approve the multi-year Financial and Operational Memorandum of Understanding and Supplemental Charter Agreement between the District and Eagle Peak Montessori School.

### **19.2 Public presentation of the Initial Proposal for the Contract Reopener for California School Employees Association (CSEA) and Mt. Diablo Unified School District**

By law, school districts are required to "sunshine" collective bargaining proposals in an open session of the Board. The attached proposals from California School Employees Association (CSEA) and Mt. Diablo Unified School District must first be submitted as an information item, and then returned at a later meeting for action. Due to the time span between Board meetings, we are requesting that this item be brought forward for information and action at this Board meeting.

#### **Public Comment:**

Michael Langley expressed his concern about differences in the language between the two proposals. Mr. Langley urged the Board to let their bargaining strategy reflect respect for staff in action as well as words.

Mason moved, Oaks seconded, and the Board voted 5-0-0 to accept the Initial Proposals for Contract Reopeners for California School Employees Association (CSEA) and Mt. Diablo Unified School District.

### **19.3 Approve Updated Application for Funding to Include Title III, Part A, Immigrant Funds**

On June 17, 2014, the Mount Diablo Unified School District Board of Education approved the annual application for funding, commonly referred to as the Consolidated Application for Funds, or ConApp. At this time our data indicated we were not eligible for Title III, Part A Immigrant funds. We were recently informed by the California Department of Education of current eligibility. To receive these funds, we need to approve an updated application for funding showing we wish to receive these funds. The original application and the updated application are attached.

Mayo moved, Oaks seconded, and the Board voted 5-0-0 to approve the updated application for funding to include Title III, Part A, Immigrant Funding.

### **19.4 Reclassification of EL Students with Moderate/Severe Disabilities**

Through a collaboration of special education and English learner services, an alternate reclassification model for students with moderate and severe disabilities has been developed in order to accurately assess the student's English language proficiency.

Students with disabilities are to be provided the same opportunities to be reclassified as students without disabilities. Local IEP teams may determine the appropriate measures of English language proficiency and performance in basic skills and minimum levels of proficiency on those measures that would be equivalent to an English proficient peer with similar disabilities, in accordance with local reclassification policies based on the four criteria in state law (EC Section 313[f]). Those criteria include:

- 1-Assessment of English language proficiency using an objective assessment instrument.
- 2-Teacher evaluation
- 3-Parental input and consultation
- 4-Student's score on an assessment of basic skills

Dr. Meyer explained that the District wants to ensure that students are being identified correctly, independent of language. Dr. Meyer commended Jeanne Duarte and Wendy Aghily for identifying appropriate assessment criterion.

Mason moved, Mayo seconded, and the Board voted 5-0-0 to approve the proposed reclassification model of English language proficiency for students with moderate and severe disabilities.

#### **19.5 Carl D. Perkins Vocational and Applied Technology Education Act Funds for 2015-16**

Mt. Diablo Unified School District secondary and adult programs seek Board approval to submit applications for 2015-16 funding through Carl D. Perkins Vocational and Applied Technology. The secondary allocation will be approximately \$213,888 and adult education allocation will be approximately \$43,000. These are supplemental funds for District career technical education. Mt. Diablo Adult Education is required to continue as part of a consortium of adult schools, since MDAE's allocation is less than \$50,000, per attached memorandum of understanding.

Mayo moved, Oaks seconded, and the Board voted 5-0-0 to approve to submit an application for, and accept, Carl D. Perkins funds for the 2015-16 school year.

#### **19.6 Request Ratification of Submission by Mt. Diablo Adult Education of its Annual Application for Adult Education and Family Literacy Act (AEFLA): Workforce Investment Act (WIA), Title II, Section 231 and the English Literacy and Civics Education (EL Civics) supplemental funding for 2015-16**

This annual funding grant supports instruction of students by providing supplementary funding for the purchase of supplementary instructional materials and supplies, expanded support(s) for the scheduling and management of classes, field trip expenses, additional staff development, and childcare for the children of adults attending classes.

Mayo moved, Mason seconded, and the Board voted 5-0-0 to ratify Mt. Diablo Adult Education's submission of application on 3/20/15 for the CDE AEFLA: Workforce Investment Act Title II, Section 231 and EL Civics Education Grant for supplemental funding for the 2015-16 school year.

#### **19.7 Reclassification of Management Positions**

The DMA Reclassification Committee has met, and is requesting approval for the following changes to the Management Salary Schedule:

- Print Shop Supervisor: Increase annual salary for Range 5.
- Warehouse Supervisor: Increase annual salary for Range 5.
- Administrator, School Linked Services: Increase Range from 20 to 25.

These reclassification requests will be effective July 1, 2015.

Public Comment:

Willie Mims questioned why one of the positions is being reclassified at a much higher level than the others.

Dr. Meyer and Layla Benson responded to Board member questions.

This item was tabled until the Board meeting on April 20, 2015.

**19.8 Award of Service Contract to Skyline Engineering for Assessment and Design of 2010 Measure C, Modernization Group 1, Roofing Renovations at Various Sites**

The professional services of an architect are necessary to provide engineering, comprehensive architectural design, and administrative (DSA) services necessary to complete 2010 Measure C, Modernization Group I, Roofing Renovations at Various Sites. Project sites include Bel Air Elementary school, Clayton Valley Charter High School, College Park High School, Concord High School, Mount Diablo High School, Oak Grove Middle School, Rio Vista Elementary School, Riverview Middle School, Shore Acres Elementary School, and Ygnacio Valley High School.

A Request for Proposal was issued, and staff received proposals from two qualified firms. Staff negotiated, and is now recommending, that a 'not to exceed' contract in the amount of \$380,700 be awarded to Skyline Engineering for assessment, comprehensive engineering, design and contract administration services necessary for completion of the proposed project.

Tim Cody responded to Board member questions.

Mayo moved, Mason seconded, and the Board voted 5-0-0 to approve Award of Service Contract to Skyline Engineering for Assessment and Design of 2010 Measure C, Modernization Group 1, Roofing Renovations at Various Sites.

**19.9 Final Change Order 1682-001 to Home Tech Remodeling, Inc. for Bid#1682 – Building E Window Replacement at College Park High School**

On August 13, 2014, the Board of Education awarded Competitive Bid #1682 to Home Tech Remodeling, Inc. for a \$95,400 for the provision of all tools, materials, labor, and equipment necessary to complete Building E Window Replacement at College Park High School.

As a result of the need to remove and reinstall existing window coverings, a single, final change order in the amount of \$1,152.20 is necessary. This single, final change order will result in a final revised contract value of \$96,552.20 and represents an increase of 1.2% to original contract value.

Mason moved, Mayo seconded, and the Board voted 5-0-0 to approve Final Change Order 1682-001 to Home Tech Remodeling, Inc. for Bid #1682 – Building E window replacement at College Park High School.

**19.10 Notice of Completion for Bid #1682: Building E Window Replacement at College Park High School**

Bid No. 1682 was called to provide Building E Window Replacement at College Park High School. The lowest responsible, responsive bidder is Home Tech Remodeling, Inc., for the bid award amount of \$95,400. The scope of work included, but was not limited to: replacement in kind of the exterior window system at Building E (42 windows.) There was a change order in the amount of \$1,152.20. Work and services for this project have been satisfactorily completed for a total expenditure of \$96,552.20.

Oaks moved, Mason seconded, and the Board voted 5-0-0 to approve Notice of Completion for Bid #1682, Building E Window Replacement at College Park High.

**19.11 Final Change Order 1627-001 (DEDUCTIVE) to Taber Construction, Inc. for Lease/Leaseback #1627 – Security System Replacement**

On November 13, 2013, the Board of Education awarded Lease/Leaseback Agreement #1627 to Taber Construction, Inc. for a Guaranteed Maximum Project Cost of \$8,883,760.49 for the provision of all tools, materials, labor and equipment necessary to complete District-wide security system upgrades at all sites.

As a result of unused contract contingency, a single, final deductive change order in the amount of <\$208,254> is necessary. This single, final change order will result in a final revised contract value of \$8,675,506.49 and represents a decrease of 2.34% to original contract value.

Mayo moved, Oaks seconded, and the Board voted 5-0-0 to approve the final Change Order 1627-001 (DEDUCTIVE) to Taber Construction, Inc. for Lease/Leaseback #1627 – Security System Replacement.

**19.12 Notice of Completion for Lease Leaseback #1627: Security System Upgrades at Various Sites**

Lease/Leaseback #1627 was called to provide Security System Upgrades at Various Sites. The Lease/Leaseback agreement was issued to Tabor Construction Inc., for a Guaranteed Maximum Cost of \$8,883,760.49. The scope of work included, but was not limited to: All tools, materials, labor and equipment necessary to complete District-wide security system upgrades as it relates to the Drawings and Specifications.

There was a change order on this project in the amount of (Credit \$208,254.) Work and services for this project have been satisfactorily completed for a total expenditure of \$8,675,506.49.

Mason moved, Oaks seconded, and the Board voted 5-0-0 to approve the Notice of Completion for Lease/Leaseback #1627 for security systems upgrade at various sites.

**19.13 Meeting Extension**

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.

A Meeting Extension was not required.

**19.14 Execution of Documents**

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

**FUTURE AGENDA ITEMS**

President Hansen announced two upcoming meetings to be held on March 30, 2015: Bond Study Session (Open Session) and the Superintendent's Evaluation (Closed Session).

**CLOSED SESSION**

The Board did not reconvene Closed Session.

**ADJOURNMENT**

The meeting adjourned at 9:42 p.m.

Respectfully submitted,

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Nellie Meyer, Ed.D.  
Superintendent