

**MINUTES**  
**REGULAR MEETING OF THE BOARD OF EDUCATION**  
**MT. DIABLO UNIFIED SCHOOL DISTRICT**  
**Wednesday, October 29, 2014 (6:00 p.m./7:30 p.m.)**

Board Members: Barbara Oaks, Brian Lawrence, Lynne Dennler, Cheryl Hansen, and Linda Mayo

Administrative Staff: Superintendent Nellie Meyer; Assistant Superintendent Julie Braun-Martin, Executive Director of Operations Jeff McDaniel, and Interim General Counsel Larry Schoenke

**CALL TO ORDER**

President Oaks called the meeting to order at 6:00 p.m. with all Board members present.

**PUBLIC COMMENT**

There was no Public Comment.

**ANNOUNCEMENTS**

There were no announcements.

**CLOSED SESSION AGENDA**

The Board adjourned to Closed Session at 6:01 p.m.

**4.1 (Item #1) Readmission of Student #10-13 into the Mt. Diablo Unified School District**

Readmission of Student #10-13 into the Mt. Diablo Unified School District and school placement at a District school.

**4.2 (Item #2) Readmission of Student #19-13 into the Mt. Diablo Unified School District**

Readmission of Student #19-13 into the Mt. Diablo Unified School District and school placement at a District school.

**4.3 (Item #3) Readmission of Student #C-14 into the Mt. Diablo Unified School District**

Readmission of Student #C-14 into the Mt. Diablo Unified School District and approval of an interdistrict transfer request to attend Pittsburg Unified School District, per parent request.

**4.4 (Item #4) Anticipated Litigation - Conference with Legal Counsel pursuant to Gov't. Code Sec. 54956.9(b) Significant Exposure to Litigation: Two Cases**

**4.5 (Item #5) Existing Litigation - Conference with Legal Counsel pursuant to Gov't. Code Section 54956.9 (d) (1) regarding the matter of Bay Area News Group (BANG) v. MDUSD, Case No. MSC N13-1551**

Existing Litigation - Conference with Legal Counsel pursuant to Gov't. Code Section 54956.9 (d) (1) regarding the matter of Bay Area News Group (BANG) v. MDUSD, Case No. MSC N13-1551

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

Provide information to the Board of Education and receive direction.

**4.7 (Item #7) Negotiations - The Board may discuss negotiations or provide direction to its representatives regarding represented employees, pursuant to EERA (Govt. Code Section 3549.1) Agency negotiators: Larry Schoenke and Deborah Cooksey, Agencies: MDEA, CSEA, Teamsters M&O, Local One CST, MDSPA, and Supervisory.**

**RECONVENE OPEN SESSION**

Open Session reconvened at 7:39 p.m.

## **PRELIMINARY BUSINESS**

President Oaks 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) Readmission of Student #10-13 into the Mt. Diablo Unified School District**

The Board voted to re-admit Student #10-13 into the Mt. Diablo Unified School District.

### **8.2 (Item #2) Readmission of Student #19-13 into the Mt. Diablo Unified School District**

The Board voted to re-admit Student #19-13 into the Mt. Diablo Unified School District.

### **8.3 (Item #3) Readmission of Student #C-14 into the Mt. Diablo Unified School District**

The Board voted to deny re-admission of Student #C-14 into the Mt. Diablo Unified School District. Student Services will work to develop a plan with the goal of successful transition to a comprehensive high school.

### **8.4 (Item #4) Anticipated Litigation - Conference with Legal Counsel pursuant to Gov't. Code Sec. 54956.9(b, Significant Exposure to Litigation: Two Cases**

The Board received information on both cases, and gave direction on one case.

### **8.5 (Item #5) Existing Litigation - Conference with Legal Counsel pursuant to Gov't. Code Section 54956.9 (d) (1) regarding the matter of Bay Area News Group (BANG) v. MDUSD, Case No. MSC N13-1551**

The Board received information from legal counsel.

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

The Board gave direction to legal counsel.

### **8.7 (Item #7) Negotiations - The Board may discuss negotiations or provide direction to its representatives regarding represented employees, pursuant to EERA (Govt. Code Section 3549.1) Agency negotiators: Larry Schoenke and Deborah Cooksey, Agencies: MDEA, CSEA, Teamsters M&O, Local One CST, MDSPA, and Supervisory.**

There is no report at this time.

## **PUBLIC EMPLOYEE APPOINTMENT**

### **9.1 Appointment of Administrator, Necessary Small High School/Vice Principal - Prospect**

This item was pulled from the agenda by staff.

### **9.2 Appointment of Vice Principal, High School - Northgate High School**

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

Dennler moved, Mayo seconded, and the Board voted 5-0-0 to approve the appointment of Jonathan Fey to the position of Vice Principal, High School - Northgate High School.

## **BOARD MEMBER REPORTS**

Ms. Hansen shared that she attended the Community Advisory Committee's Celebration of Success event, in recognition of Special Education students who have gone above and beyond and done a lot of good work. Teachers spoke on behalf of the students and highlighted their accomplishment, and it was a very positive, moving event. On October 28<sup>th</sup>, Ms. Hansen attended the Career Fair at Ygnacio Valley High School. She noted that it was a well-organized event with many students attending and dozens of colleges participating. Ms. Hansen also visited Rio Vista Elementary School and Riverview Middle School last week.

Ms. Mayo shared that she visited Mt. Diablo Elementary School and Sequoia Elementary School, and commented how exciting it is to see the differences and similarities between the schools in the District. Ms. Mayo discussed the Board of Education joint meeting with the City of Pleasant Hill, and stated that the Board will be looking into some of the questions posed by community members. Ms. Mayo attended the CARES Lights On event for the after school program at Sun Terrace Elementary School, and the College Fair at Ygnacio Valley High School. Ms. Mayo attended the Equity and Diversity Meeting last week, and noted that El Monte Elementary School and Oak Grove Middle School were featured in the presentation highlighting improvement in student engagement at those sites.

Mr. Lawrence shared that he visited Mt. Diablo High School, and spent time with School Resource Officer Rey Valeros. He reported that Officer Valeros wants to stay in that position as long as possible, and that both students and staff are very happy to have him there. Mr. Lawrence discussed ongoing transportation issues at Mt. Diablo High School. Mr. Lawrence has spoken with administration and staff regarding these issues. Mr. Lawrence also attended and enjoyed the College Fair at Ygnacio Valley High School.

Ms. Oaks shared that she visited Concord High School and Oak Grove Middle School, where she found both principals to be enthusiastic and informative. Ms. Oaks attended the Ygnacio Valley High School homecoming rally, and commended the students for their exemplary participation and behavior. Ms. Oaks also attended the CARES Lights On event at Sun Terrace Elementary School, and was impressed by all of the different activities available to students in the after school program.

#### **SUPERINTENDENT'S REPORT**

Dr. Meyer shared that since the last meeting, she has visited Northgate High School for the teacher's Professional Development Day; Ygnacio Valley High School for both their Puente Spanish-speaking College Night, as well as the District-wide College Fair; Concord High School for the Community Advisory Committee's Celebration of Success; Sun Terrace Elementary School for the CARES Lights On after school program event; Pleasant Hill Elementary School for their Halloween celebration and Chili Cook Off; and Riverview Middle School to see their Project Lead the Way classrooms.

Dr. Meyer shared that last week the Board held the first joint city meeting of the year with the Pleasant Hill City Council. The Board discussed joint concerns, including Common Core implementation, student enrollment, and student safety.

Dr. Meyer shared that she attended a STEM conference hosted by Assemblymember Susan Bonilla at Mills College. Panel discussions of business, technology, and education partners were held to learn more about what employers want to see from students in the workplace. Partners also wanted to hear how we can work together to support students with technology. Dr. Meyer noted that the District is trying to catch up with what the business world expects.

Dr. Meyer shared that today the District held an event at John Muir Hospital called BEST Day. Teachers from different career pathways at District high schools were matched with business leaders. The teachers then shadowed their business partner in the workplace. Partners in this event were SunPower, KQED, Diablo Analytical, DOW Chemical, MANEX, and Del Monte. Dr. Meyer thanked Joanne Durkee, who worked to arrange this with the Concord Chamber of Commerce and the Contra Costa Economic Partnership/STEM Workforce Initiative.

Dr. Meyer thanked Hillary Shen and the Community Advisory Committee for hosting the wonderful Celebration of Success event.

Dr. Meyer announced that last week the District offered the Art and Science of Teaching Workshop to many of the teaching teams and their principals. The District is continuing its Common Core implementation with a lot of professional development opportunities.

Dr. Meyer announced that the first DELAC meeting was held this month, where the new English Learner Master Plan was shared with the group. The meeting was very informative, and parents discussed the options that they are interested in seeing more of within the District.

Dr. Meyer shared that the College Fair at Ygnacio Valley High School was wonderful, with many colleges participating and large crowds attending. One goal of the event was to expose students to schools that they were not previously aware of.

Dr. Meyer reported that the District had a fire at the Maintenance and Operations Yard on October 28<sup>th</sup>. The fire was believed to have been started by discarded equipment. Dr. Meyer thanked John Clark, Jeff McDaniel, the City of Concord, and the local fire department for their quick thinking and actions to prevent what could have been a very damaging incident.

### **CONSENT AGENDA**

Mayo moved, Dennler seconded, and the Board voted 5-0-0 to approve all Consent Agenda items, thereby approving the following:

**12.1 (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.**

**12.2 (Item #2) Recommended Action for Certificated Personnel**

**12.3 (Item #3) Request to Increase Full Time Equivalent (FTE) for the 2014-15 School Year**

**12.4 (Item #4) Recommended Action for Classified Personnel**

**12.5 (Item #5) Classified Personnel: Request to Increase/Decrease Full Time Equivalent (FTE) for the 2014-15 School Year**

**12.6 (Item #6) Budget Transfer and/or Budget Increases/Decreases for July through September 2014**

Various Sources:

Fund Net Changes to Fund Balance:

General Fund 01: (\$14,620,253.90)

Eagle Peak Charter School Fund 09: 0

Adult Education Fund 11: (\$41,697)

Food Services Fund 13: (\$171)

Deferred Maintenance Fund 14: \$0

Measure C Construction Fund 21: (\$21,817)

Developer Fee Fund 25: \$0

State School Facility Fund 35: \$49,749

Measure A fund 49: \$0

Measure C Debt Service Fund 51: \$0

Measure A Debt Service Fund 52: \$0

Tosco Environmental Scholarship Fund 73: \$0

**12.7 (Item #7) Adjustments to Contract Amount between Mt. Diablo Unified School District (MDUSD) and Medical Billing Technologies, Inc. (MBT) for the 2014-15 School Year**

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 and Medi-Cal Administrative Activities (MAA) 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. Due to increased activity for the 2014-15 school year, there is a substantial increase in billing.

**12.8 (Item #8) Independent Contracts for the Event Group, Inc. and College Park High School**

College Park High School is requesting approval of the attached Independent Contracts for The Event Group, Inc. for their Junior Prom being held on March 21, 2015 and their Senior Ball being held on May 9, 2015.

**12.9 (Item #9) Northgate Independent Contracts with Events to the T Group, Inc. for Junior Prom and Senior Ball**

Northgate High School is requesting approval of the attached Independent Contracts for Events to the T Group, Inc. for their Junior Prom being held on March 14, 2015 and their Senior Ball held on May 30, 2015.

**12.10 (Item #10) Approve the contract between Exploring New Horizons and Valle Verde Elementary**

Students at Valle Verde Elementary are participating in an Outdoor Education program at Exploring New Horizons Loma Mar, November 18 - 21, 2014

**12.11 (Item #11) Northgate High School's Women's Varsity Basketball Trip to Reno, Nevada**

Northgate High School would like Board approval for their Women's Varsity Basketball team to participate in the Varsity Elite Tournament, December 26-27, 2014 in Reno, Nevada. This trip is a team building event and builds on the team's success model from previous seasons. This trip teaches responsibility and team work. The following coaches will be attending: Dan Middleton, Val Middleton, Mike Casten, Kevin Montero, & Jenny Inoyue. A list of the varsity team members is attached.

**12.12 (Item #12) Williams Quarterly Summary Report**

The Williams legislation is a package of state laws resulting from the settlement of 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. Quarterly reports reflect complaints regarding textbooks and instructional materials, teacher vacancies or misassignments, facilities conditions, and Valenzuela/CAHSEE support. This quarter's report includes the months of July through September 2014.

**12.13 (Item #13) Approve the Purchase of Vehicles for Maintenance and Operations**

Per California Law, all compressed natural gas powered vehicles are required to replace the fuel cylinders after fifteen years of service from the manufactured date. Ford Motor Corporation has discontinued the production of their 5.4L Natural Gas Engine, making it very difficult to obtain engine and fuel components. Vehicle's #217, #266, and #273 will have expired fuel cylinders effective March 2015. We are requesting additional funding to our vehicle replacement budget to replace these three vans, in the amount of \$30,260.19 each. In addition, the Maintenance Department is currently operating without a spare van. We are requesting additional funds to purchase a new van. See attached quote from Downtown Ford in the amount of \$30,260.19.

**12.14 (Item #14) Award of Bid #1685 for Custodial Supplies**

Bid No. 1685 was called to provide Custodial Supplies, District Wide. The lowest, responsive bidder is Sac Val Janitorial Supply for the base bid amount of \$274,964.51. The initial term of the contract is for a period of one (1) year with two (2) one year options to renew.

**12.15 (Item #15) Exercise extension of RFP #1665: Swimming Pool Maintenance Service**

RFP #1665 was called to provide Swimming Pool Maintenance Service. After reviewing proposals, East Bay Pool Services was awarded the contract at the October 23, 2013 Board Meeting. This contract was for a 52-week commitment, with the option to renew for two additional, one year contracts.

We would like to exercise our right to renew the contract for another year, effective 11/18/2014, at the base bid of \$61,620 for a 52-week commitment. Scope of work includes, but is not limited to: materials, labor, supervision, transportation, permits, licenses, equipment and any incidentals necessary for swimming pool maintenance service at College Park High School and Mt. Diablo High School.

**12.16 (Item #16) Approve Open Order for Emergency Pool Repairs**

East Bay Pool Services has a current contract with MDUSD for regular weekly maintenance for pools located at College Park High School and Mt. Diablo High School. An open order in the amount of \$18,000, to East Bay Pool Service, for emergency pool repairs at College Park High School and Mt. Diablo High School as needed.

**12.17 (Item #17) Approve Lease/Leaseback #1663 Final Change Order #1663-001 (DEDUCTIVE) to Taber Construction, Inc. for Portable Replacement 2014 at Eagle Peak Middle School, Gregory Gardens Elementary School, Silverwood Elementary School, and Woodside Elementary School**

On December 11, 2013, the Board of Education awarded Lease/Leaseback Agreement #1663 to Taber Construction, Inc. for a Guaranteed Maximum Project Cost of \$7,998,033.62 for the provision of all tools, materials, labor, and equipment necessary to complete Portable Replacement 2014 Project at Eagle Peak Middle School, Gregory Gardens Elementary School, Silverwood Elementary School, and Woodside Elementary School.

As a result of unused contract contingency, a single, final deductive change order in the amount of (\$491,105.44) is necessary. This single, final change order will result in a final revised contract value of \$7,506,928.18 and represents a decrease of 6.14% to original contract value.

**12.18 (Item #18) Notice of Completion for Lease/Leaseback #1663: Portable Classroom Replacement 2014**

Lease/Leaseback 1663 was called to provide Portable Classroom Replacement at Gregory Gardens, Strandwood, Mtn. View, Silverwood, Woodside, and Eagle Peak. The Lease/Leaseback agreement was issued to Taber Construction, Inc., for a Guaranteed Maximum Cost of \$7,998,033.62. The scope of work included, but was not limited to: All labor, tools, materials and equipment necessary to complete construction of New Portable Replacement Classroom Buildings at various sites, including: site preparation, selective demolition, site work, building construction, interior amenities, and other items as necessary to deliver a complete project as it relates to the Drawings and Specifications. All spoils will be removed from the site. There was a change order on this project in the amount of (credit \$491,105.44). Work and services for this project have been satisfactorily completed for a total expenditure of \$7,506,928.18.

**12.19 (Item #19) Lease/Leaseback #1659 Final Change Order #1659-001 (DEDUCTIVE) to Taber Construction, Inc. for HVAC Modernization at El Dorado Middle School, Highlands Elementary School, Pine Hollow Middle School, Wren Avenue Elementary School, Pleasant Hill Elementary School, Sequoia Middle School, Valhalla Elementary School and Walnut Acres Elementary School**

On March 26, 2014, the Board of Education awarded Lease/Leaseback Agreement #1659 to Taber Construction, Inc. for a Guaranteed Maximum Project Cost of \$14,743,395 for the provision of all tools, materials, labor and equipment necessary to complete HVAC Modernization at El Dorado Middle School, Highlands Elementary School, Pine Hollow Middle School, Wren Avenue Elementary School, Pleasant Hill Elementary School, Sequoia Middle School, Valhalla Elementary School, and Walnut Acres Elementary School. As a result of unused contract contingency, a single, final deductive change order in the amount of (\$327,563) is necessary. This single, final change order will result in a final revised contract value of \$14,415,832 and represents a decrease of 2.22% to original contract value.

**12.20 (Item #20) Notice of Completion for Lease/Leaseback #1659: HVAC Modernization at Various Schools**

Lease/Leaseback #1659 was called to provide HVAC Modernization at El Dorado Middle School, Highlands Elementary School, Pine Hollow Middle School, Wren Avenue Elementary School, Pleasant Hill Elementary School, Sequoia Middle School, Valhalla Elementary School, and Walnut Acres Elementary School. The Lease/Leaseback agreement was issued to Taber Construction, Inc., for a Guaranteed Maximum Cost of \$14,743,395. The scope of work included, but was not limited to: provide all labor, tools, and materials.

There was a change order on this project in the amount of (credit \$327,563). Work and services for this project have been satisfactorily completed for a total expenditure of \$14,415,832.

**12.21 (Item #21) Award Service Contract for Architectural Services to Design the PE Building Improvements at Clayton Valley Charter High School**

On September 10, 2012, the Board of Education approved a prioritized list of facility enhancement projects for Clayton Valley Charter High School. One of the projects identified in this list was Physical Education Facility upgrades, including the upgrade of the girl's locker room and Physical Education offices.

District staff is recommending that a professional services contract for engineering and architectural services to design the PE Building Improvements at CVCHS be approved. Staff negotiated, and is now recommending, that a 'not to exceed' contract in the amount of \$20,500 be awarded to PHd Architects for comprehensive engineering, design, and contract administration services necessary for approval and satisfactory completion of the proposed project.

**12.22 (Item #22) Award Project Inspector Contract for Modular Gymnasium Project # 1631 at Concord High School**

The services of a State Certified Project Inspector are required to oversee, inspect, and to verify the Modular Gymnasium Project #1631 at Concord High School is conducted in compliance with all DSA approved drawings, specifications, and applicable codes and regulations. Staff requested proposals from three qualified DSA inspection services, and is recommending that a contract be awarded to Alisha Jensen for a 'not to exceed' fee of \$65,280 for the provision of said services. If approved by Board action, Project Inspector still requires approval/authorization by DSA.

**12.23 (Item #23) Resolution No. 14/15-21 Compensation for Board Members**

Education Code section 35120 authorizes the District to pay a member who is absent from a District Board Meeting if, at the time or the meeting, the member is performing services outside the meeting for the District, he or she is ill or on jury duty, or the absence is due to a hardship deemed acceptable by the Board. On October 20, 2014, Board Member Lynne Dennler was absent due to an illness.

**12.24 (Item #24) Approval of Variable Term Waiver Request**

Variable term waivers provide applicants with additional time to complete certain requirements for the credential that authorizes the service. The waiver request is made when there are no credentialed candidates for the position. All requests for a Variable Term Waiver must be presented for approval to the governing board of a public school district. Every waiver request submitted to the Commission on Teacher Credentialing must include verification that a notice of intent to employ the named applicant in the identified position has been made public.

**12.25 (Item #25) Approval of Provisional Internship Permit (PIP) Request**

The California Commission of Teacher Credentialing is no longer issuing Emergency Permits. However, the Commission replaced the Emergency Permit with the Provisional Internship Permit (PIP) which provides applicants additional time to meet the subject matter competence requirement(s) needed to enter an internship program. A District may request a PIP only after a diligent search has been conducted and a fully credentialed teacher could not be found. The PIP is issued for one (1) year and is renewable one time only provided the teacher has taken all appropriate subject matter examinations, but has not yet passed those tests. All requests for a PIP must be presented to the Governing Board of a public school district for approval. Every PIP request that is submitted to the Commission on Teacher Credentialing must also include verification that a notice of intent to employ the named applicant has been made public.

**12.26 (Item #26) Minutes for the Special Board of Education Meeting held on April 11, 2013**

Minutes for the Special Board of Education Meeting held on April 11, 2013, are being brought forward for approval.

**12.27 (Item #27) Minutes for the Board of Education Meeting held on April 8, 2013**

Minutes for the Board of Education Meeting held on April 8, 2013, are being brought forward for approval.

**12.28 (Item #28) Minutes for the Special Board of Education Meeting held on April 3, 2013**

Minutes for the Special Board of Education Meeting held on April 3, 2013, are being brought forward for approval.

**12.29 (Item #29) Minutes for the Special Board of Education Meeting held on March 28, 2013**

Minutes for the Special Board of Education Meeting held on March 28, 2013, are being brought forward for approval.

**12.30 (Item #30) Minutes for the Special Board of Education Meeting held on March 27, 2013**

Minutes for the Special Board of Education Meeting held on March 27, 2013, are being brought forward for approval.

**12.31 (Item #31) Ygnacio Valley High School's trip to Southern California on October 29 - November 1, 2014**

YVHS's Puente English class will be traveling to Southern California to visit several colleges in an effort to expose and motivate students to take the next step in their school careers. A list of students is attached. Chaperones are all from YVHS, and include: Socorro Lomas, SSC; Kara Yu and Samantha Hopper, Puente Teachers; and Alejandro Larios, Teacher.

**CONSENT ITEMS PULLED FOR DISCUSSION**

There were no Consent Items Pulled for Discussion.

**DISTRICT ORGANIZATIONS**

Debbie Woods, CST Representative, thanked Mr. Lawrence for coming to visit Mt. Diablo High School. She also thanked the District for recent positive changes, thanking the Superintendent and Personnel Services in particular.

Annie Nolan, CSEA Representative, thanked Dr. Meyer for increasing SEA hours from three to five, and she also thanked Leyla Benson and Lois Peterson in Personnel for making it a smooth process.

**PUBLIC COMMENT**

Ezra Contreras, on behalf of the District English Learning Advisory Committee (DELAC), thanked Dr. Meyer for attending the Spanish Language College Night at Ygnacio Valley High School, as well as for her attendance at many of the DELAC meetings.

Denise Pursche invited the Board to attend a Common Core event on November 7<sup>th</sup> at Calvary Temple Church in Concord. Ms. Pursche voiced her concerns about, and shared her family's personal experiences with, Common Core curriculum.

**BUSINESS/ACTION ITEMS**

**16.1 Create New Job Description for Workers' Compensation Specialist**

Staff is requesting the creation of a new job description for Workers' Compensation Specialist. This position would work directly with District administration and union or association leaders and collaboratively with other District departments and outside agencies regarding workers' compensation. This position administers the workers' compensation program which is a multi-million dollar endeavor. This position would be on the DMA Confidential salary schedule. Staff is requesting that this position go forward for both information and action at this time.

Mr. Schoenke responded to Board member questions.

Dennler moved, Mayo seconded, and the Board voted 5-0-0 to approve the creation of a new job description for Workers' Compensation Specialist.



President Oaks called for a ten-minute break at 8:17 p.m.

The Board reconvened at 8:27 p.m.

**16.2 Creation of Intermediate Typist Clerk Position for Meadow Homes Elementary, Mt. Diablo Elementary, Hidden Valley Elementary, and College Park High School**

Staff is requesting the creation of three (3) Intermediate Typist Clerk positions at .875 FTE each for Meadow Homes Elementary, Mt. Diablo Elementary, and Hidden Valley Elementary, and one (1) Intermediate Typist Clerk position at 1.0 FTE for College Park High School. These positions will provide clerical support at these schools.

Dr. Meyer pointed out that the District should set staff size per the number of students at that school site.

Hansen moved, Mayo seconded, and the Board voted 5-0-0 to approve the creation of Intermediate Typist Clerk positions for Meadow Homes Elementary, Mt. Diablo Elementary, Hidden Valley Elementary, and College Park High School to provide extra clerical support.

**16.3 Public Hearing Resolution 14/15-20 Education Protection Account**

The passage of Proposition 30 created the Education Protection Account. The Act requires the Board declare by resolution its intended use of the funds.

President Oaks opened the Public Hearing at approximately 8:38 p.m. There were no speakers.

President Oaks closed the Public Hearing at approximately 8:39 p.m.

**16.4 Resolution 14/15-20 Education Protection Account 2014-15**

The passage of Proposition 30 created the Education Protection Account. The Act requires the Board declare by resolution its intended use of the funds.

Hansen moved, Dennler seconded, and the Board voted 5-0-0 to approve Resolution 14/15-20 Education Protection Account 2014-15.

**16.5 Principal Salary Schedule**

During a review of the salary schedule for principals of Mt. Diablo Unified School District, there is evidence of both a lack of clarity and a lack of competitiveness within the county. Upon further examination, much of the problem is a result of a convoluted salary schedule that requires upwards of 30 years to reach the top. For site administrators, many of whom hopefully spend a large block of their career in the classroom, this is unattainable. When comparing our daily and annual rate to other districts in the county, we currently are seventh out of eight on the first step and fourth out of eight on the top step (received after 30 years).

This is a recommendation to compress the current site administrative salary schedule from 13 steps to seven. It is also a recommendation to provide salary increments with a step every two years. This step increase incentivizes employees to stay in their positions.

It is also recommended that a weighted rank be applied to each school site. This rank will be determined by number of students enrolled, number of employees supervised, and special programs. Special programs include, but are not limited to: mental health collaboratives, schools within a school, magnet programs, etc.

Dr. Meyer responded to Board member questions.

Dennler moved, Mayo seconded, and the Board voted 5-0-0 to approve to compress the current salary schedule for Principals from 13 steps to seven steps effective November 1, 2014.

### **16.6 Approve Graduate Profile for Mt. Diablo Unified School District**

Staff requests approval to adopt the Graduate Profile for the Mt. Diablo Unified School District. The Graduate Profile is a list of cross-disciplinary student learning outcomes and 21<sup>st</sup> century skills for students to master by the time they graduate from high school in order to demonstrate readiness for success in college, career and civic life. The benefits of having a Graduate Profile helps to focus and align what is being taught Pre-K through Adult with a common outcome. What teacher will teach at each level will be different but will all contribute to building the student learning outcomes outlined in the profile. The student learning outcomes described in the profile are aligned to the Common Core State Standards and focus on 21<sup>st</sup> century learning skills.

Dr. Meyer presented additional information and responded to Board member questions.

This item was for information only.

### **16.7 Procurement of New Firewall/Security/Bandwidth Management Appliance**

Twenty-first century education learning goals, such as Common Core, require 21<sup>st</sup> century protection. Palo Alto Networks offers intrusion prevention, application detection, and network security measures along with bandwidth management tools to provide our schools with secure fast bandwidth to the applications that support 21<sup>st</sup> century learning goals. No other single appliance offers these services, and staff recommends the purchase using the General Services Administration (GSA) contract pricing.

Hansen moved, Mayo seconded, and the Board voted 5-0-0 to approve GSA Contract GS-35F-0511T, piggybacked pricing for procurement of Palo Alto Networks Firewall/Security/Bandwidth Management Appliance from SSP Data.

### **16.8 Award Lease/Leaseback contract #1631 to Meehleis Modular Buildings, Inc. for Construction of the Modular Gymnasium Building project at Concord High School for a Guaranteed Maximum Cost of \$3,698,805**

On September 20, 2013, the District issued a Request for Qualifications (RFQ) soliciting submissions from qualified firms interested in entering into a Lease/Leaseback agreement to construct a Modular Gymnasium Building at Concord High School. In addition to advertising on the District website, the District solicited qualifications from six vendors. As a result of this solicitation, the District received three packages. On November 13, 2013, the District approved a Preliminary Services Agreement with Meehleis Modular Buildings, Inc. for coordination, constructability review, and value engineering. Based on results of work associated with the PSA, staff negotiated a best and final cost, and is now recommending the District enter into a Lease/Leaseback agreement with Meehleis Modular Buildings, Inc. for a guaranteed maximum project cost of \$3,698,805 for completion of all specified new construction per DSA approved plans and specifications.

The Lease/Leaseback project delivery method is authorized by California Education Code 17406, and authorizes the governing board, without advertising for bids, to enter into a lease with a builder for the purpose of construction, including remodeling and permanent improvements, (upon property). Under a Lease/Leaseback, the District leases property under a "site lease" to a builder for \$1. That builder constructs the facility, completes the renovation and then leases the facility back to the District under a "facilities lease". The District makes "tenant improvement payments" during construction and "lease payments" after construction. Titles to the facility vests in the District as lease payments are made. The District has the option to make an early balloon payment to the builder to buy out the facilities lease. In addition, the District determines all plans and specifications and uses its own Architect of Record to submit the project to the Division of the State Architect (DSA) for approval.

The scope of work includes, but is not limited to, providing all tools, materials, labor and equipment necessary to complete construction of a Modular Gymnasium Building at Concord High School, including but not limited to: site preparation, selective demolition, site work, utility work, flat work, building construction, bleacher construction, interior amenities, and other items as necessary to deliver a complete project as it relates to the drawings and specifications.

Tim Cody responded to Board member questions.

Dennler moved, Mayo seconded, and the Board voted 5-0-0 to approve the award Lease/Leaseback contract #1631 to Meehleis Modular Buildings, Inc. for construction of the Modular Gymnasium Building Project at Concord High School for a guaranteed maximum cost of \$3,698,805.

**16.9 Approve Cellular Tower Agreement with Verizon Wireless and Mt. Diablo Unified School for Placement at Mt. Diablo High School and Pleasant Hill Middle School (Oak Park)**

GTE Mobilnet of California Limited Partnership, dba Verizon Wireless would like to enter into an Option and Land License Agreement with Mt. Diablo Unified School District to license real property at Mt. Diablo High School, 2455 Grant Street, Concord, CA, and Pleasant Hill Middle School, One Santa Barbara Rd., Pleasant Hill, CA, to place a cellular tower. The tower location will be placed at an existing light standard. The existing light standard will be removed and a new light standard (pole) will be installed. The terms of the agreement are for five (5) years.

Jeff McDaniel responded to Board member questions.

Dennler moved, Lawrence seconded, and the Board voted 5-0-0 to approve the Cellular Tower Agreements between Verizon Wireless and Mt. Diablo Unified School District.

**16.10 Minutes for the Board of Education Meeting held on October 15, 2014**

Minutes for the Board of Education Meeting held on October 15, 2014, are being brought forward for approval.

Hansen moved, Dennler seconded, and the Board voted 5-0-0 to approve the minutes for the Board of Education Meeting held on October 15, 2014.

**16.11 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.

**16.12 Execution of Documents**

The Superintendent and Board Members executed documents approved during this meeting.

**FUTURE AGENDA ITEMS**

There were no Future Agenda Items.

**RECONVENE CLOSED SESSION**

The Board did not Reconvene Closed Session.

**ADJOURNMENT**

The meeting adjourned at 8:58 p.m.

Respectfully submitted,

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Nellie Meyer, Ed.D.  
Superintendent