

MINUTES
REGULAR MEETING OF THE BOARD OF EDUCATION
MT. DIABLO UNIFIED SCHOOL DISTRICT
Monday, January 11, 2016 (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 Dr. Nellie Meyer, General Counsel Donald Velez

CALL TO ORDER

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

PUBLIC COMMENT

There was no Public Comment.

CLOSED SESSION AGENDA

President Hansen announced that due to the large number of items to consider, the items on the Closed Session agenda will be discussed in two Closed Sessions: Closed Session, and second Closed Session following the conclusion of Open Session.

3.1 (Item #1) Confidential Student Matters Pursuant to Ed. Code 35145.5 - One Case

3.2 (Item #2) Conference with Negotiators - Unrepresented Employees - Diablo Managers Association. Negotiators: Dr. Nellie Meyer, Superintendent, and Donald Velez, General Counsel

3.3 (Item #3) 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: Leyla Benson; Agencies: MDEA, DMA, MDSPA, CST Local 1, and Teamsters Local 856

3.4 (Item #4) Existing Litigation - Conference with Legal Counsel (Paragraph (1) of subdivision (d) of Government Code Section 54956.9): John Does v. Mt. Diablo Unified School District, Contra Costa County Superior Court Action No. C14-00262

3.5 (Item #5) 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

3.6 (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. Contra Costa County Board of Education, SPA Charter, et al., Contra Costa Superior Court Case No. N15-1854

3.7 (Item #7) Existing Litigation - Conference with Legal Counsel pursuant to Gov't. Code Section 54956.9(d)(1) Regarding the Matter of H.W. v. MDUSD MSC13-02080

3.8 (Item #8) Anticipated Litigation - Conference with Legal Counsel pursuant to Gov't. Code Sec. 54956.9(b), Significant Exposure to Litigation: Three Cases

3.9 (Item #9) Expulsion of Student #08-16 from all Regular Schools of the Mt. Diablo Unified School District

The expulsion of Student #08-16 from all regular schools of the Mt. Diablo Unified School District. Student Services will determine the school placement of Student #08-16.

3.10 (Item #10) Expulsion of Student #09-16 from all Regular Schools of the Mt. Diablo Unified School District

The expulsion of Student #09-16 for all regular schools in the Mt. Diablo Unified School District. Student Services will determine the school placement of Student #09-16.

3.11 (Item #11) Readmission of Student #02-15 into the Mt. Diablo Unified School District

Student #02-15 has been reviewed by the Readmission Panel for readmission into the Mt. Diablo Unified School District. Student #02-15 has met all the requirements of his Readmission Plan. Student Services will determine the school placement of Student #02-15.

3.12 (Item #12) Readmission of Student #05-15 into the Mt. Diablo Unified School District

Student #05-15 has been reviewed by the Readmission Panel for readmission into the Mt. Diablo Unified School District. Student #05-15 has met all the requirements of his Readmission Plan. Student Services will determine the school placement for Student #05-15.

3.13 (Item #13) Readmission of Student #A-15 into the Mt. Diablo Unified School District

Student #A-15 has been reviewed by the Readmission Panel for readmission into the Mt. Diablo Unified School District. Student #A-15 has met all the requirements of his Readmission Plan. Student Services will determine the school placement of Student #A-15.

3.14 (Item #14) Readmission of Student #A-16 into the Mt. Diablo Unified School District

Readmission of Student #A-16 into the Mt. Diablo Unified School District. Student #A-16 has met all the requirements of his Readmission Plan.

ADJOURN TO CLOSED SESSION

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

RECONVENE OPEN SESSION

The Board reconvened Open Session at 7:31 p.m. President Hansen announced that the Board would hold a second Closed Session once Open Session has concluded.

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

President Hansen shared that Items 8.2, 8.4, 8.5, 8.6, and 8.9 were discussed during Closed Session. Items 8.1, 8.3, 8.7, 8.8, 8.10, 8.11, 8.12, 8.13, and 8.14 would be discussed during second Closed Session following the conclusion of Open Session.

***8.1 (Item #1) Confidential Student Matters Pursuant to Ed. Code 35145.5 – One Case**

The Board will discuss this item during second Closed Session following the conclusion of Open Session.

8.2 (Item #2) Conference with Negotiators - Unrepresented Employees - Diablo Managers Association. Negotiators: Dr. Nellie Meyer, Superintendent, and Donald Velez, General Counsel

The Board conferenced with negotiator Dr. Nellie Meyer.

***8.3 (Item #3) 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: Leyla Benson; Agencies: MDEA, DMA, MDSPA, CST Local 1, and Teamsters Local 856**

The Board will discuss this item during second Closed Session following the conclusion of Open Session.

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The Board gave direction to legal counsel.

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The Board conferenced with legal counsel.

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The Board conferenced with legal counsel.

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The Board will discuss this item during second Closed Session following the conclusion of Open Session.

***8.8 (Item #8) Existing Litigation - Conference with Legal Counsel pursuant to Gov't. Code Section 54956.9 (d)(1) regarding the matter of H.W. v. MDUSD MSC13-02080**

The Board will discuss this item during second Closed Session following the conclusion of Open Session.

8.9 (Item #9) Expulsion of Student #08-16 from all Regular Schools of the Mt. Diablo Unified School District

The expulsion of Student #08-16 from all regular schools of the Mt. Diablo Unified School District. Student Services will determine the school placement of Student #08-16.

Oaks moved, Mason seconded, and the Board voted 4-1-0 (with Mayo dissenting) to approve the expulsion of Student #08-16 and to suspend the expulsion. During the suspended expulsion from all regular schools of the Mt. Diablo Unified School District. It is required that Student # 08-16 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. School placement for Student #08-16 will be determined by Student Services and school placement for the 2016-17 school year will be determined at a later Board meeting in August 2016.

***8.10 (Item #10) Expulsion of Student #09-16 from all Regular Schools of the Mt. Diablo Unified School District**

The expulsion of Student #09-16 for all regular schools in the Mt. Diablo Unified School District. Student Services will determine the school placement of Student #09-16.

The Board will discuss this item during second Closed Session following the conclusion of Open Session.

***8.11 (Item #11) Readmission of Student #02-15 into the Mt. Diablo Unified School District**

Student #02-15 has been reviewed by the Readmission Panel for readmission into the Mt. Diablo Unified School District. Student #02-15 has met all the requirements of his Readmission Plan. Student Services will determine the school placement of Student #02-15.

The Board will discuss this item during second Closed Session following the conclusion of Open Session.

***8.12 (Item #12) Readmission of Student #05-15 into the Mt. Diablo Unified School District**

Student #05-15 has been reviewed by the Readmission Panel for readmission into the Mt. Diablo Unified School District. Student #05-15 has met all the requirements of his Readmission Plan. Student Services will determine school placement of Student #05-15.

The Board will discuss this item during second Closed Session following the conclusion of Open Session.

***8.13 (Item #13) Readmission of Student #A-15 into the Mt. Diablo Unified School District**

Student #A-15 has been reviewed by the Readmission Panel for readmission into the Mt. Diablo Unified School District. Student #A-15 has met all the requirements of his Readmission Plan. Student Services will determine the school placement of Student #A-15.

The Board will discuss this item during second Closed Session following the conclusion of Open Session.

***8.14 (Item #14) Readmission of Student #A-16 into the Mt. Diablo Unified School District**

Student #A-16 has been reviewed by the Readmission Panel for readmission into the Mt. Diablo Unified School District. Student #A-16 has met all the requirements of his Readmission Plan.

The Board will discuss this item during second Closed Session following the conclusion of Open Session.

BOARD MEMBER REPORTS

Ms. Mason shared that she enjoyed attending the District's holiday events.

Ms. Oaks shared that she attended a basketball game at Concord High School and noted the enthusiasm in the crowd.

Ms. Mayo announced that the Contra Costa County Office of Education is sponsoring mock trials, and they are seeking volunteers to assist with that program. Ms. Mayo shared that the annual Contra Costa County Intel-Affiliated Science & Engineering Fair is seeking judges for that event. Additional information can be found on their websites.

SUPERINTENDENT'S REPORT

Dr. Meyer shared that she and staff continue to work on the Local Control Accountability Plan (LCAP). Dr. Meyer announced that the next feeder pattern meeting will be held on January 20, 2016, at Mt. Diablo High School, and she welcomed everyone to attend.

Dr. Meyer shared that the Board had a joint meeting with the Pleasant Hill City Council on December 14, 2015, where the topics of discussion included school safety and student supports.

Dr. Meyer shared that at the first Community Advisory Committee meeting of the year, the committee discussed the impact of the Every Student Succeeds Act on students with special needs. Dr. Meyer shared that the committee has its first student representative, Nick Lambert.

Dr. Meyer announced that the Every Student Succeeds Act was approved in December. Dr. Meyer noted that the District will have four goals for which it will be accountable, including high school graduation rates.

Dr. Meyer shared that with the end of the No Child Left Behind Act, the District has received many questions regarding student placement and transfers. Dr. Meyer asked Felicia Stuckey-Smith to give a presentation on this topic. Dr. Stuckey-Smith gave a presentation. Dr. Meyer noted that a more detailed report on the Every Student Succeeds Act will be presented at a future Board meeting.

Dr. Meyer shared photos from her visits to Delta View Middle School and Bel Air Elementary School.

Ms. Mason requested information about the impact that the Every Student Succeeds Act will have on the Transportation Department.

REPORTS/INFORMATION

There were no Reports/Information.

PUBLIC EMPLOYEE APPOINTMENT

12.1 Classified Personnel: Appointment of Occupational Therapist

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

Dr. Meyer recommended Brent Lingenfelter for the position.

Mayo moved, Mason seconded, and the Board voted 5-0-0 to approve the appointment of Brent Lingenfelter to the position of Occupational Therapist.

CONSENT AGENDA

Public Comment:

Kristi Buchholz, Bryan McShane, Maritza Cardenas, Gus Bannan, and Stacey Templeman spoke in support of kayaking as an activity for students attending Monterey Bay Camp SEA Lab (13.4 and 13.8).

Students Brynn Bannan, Eddie Cardenas, and Sam Theisen spoke in support of, and presented the Board members with letters from students in support of, kayaking as an activity for students attending Monterey Bay Camp SEA Lab (13.8).

Denise Robello and student Zacheriah Bailey spoke in support of kayaking as an activity for students attending Monterey Bay Camp SEA Lab (13.8).

George Fulmore requested more information about the services provided by the La Cheim Non-Public School. Dr. Meyer provided additional information (13.10).

Mayo moved, Oaks seconded, and the Board voted 5-0-0 to approve all Consent Agenda items, with the exception of 13.4 and 13.8 (which were pulled for discussion), 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) Northgate High School's Junior Statesmen of America Trip, February 20-21, 2016

Northgate High School is requesting permission to attend a Junior Statesmen of America conference at the Sheraton Grand Hotel in Sacramento February 20-21, 2016. Parents will be driving students to the conference and they will stay overnight at the Sheraton Grand in Sacramento.

13.3 (Item #3) Northgate High School's Events to the T Independent Contract for Jr. Prom

Northgate is requesting approval of the attached contract for Events to the T to host their Jr. Prom at the Treasure Island Event Center in San Francisco on March 12, 2016.

13.4 (Item #5) Contract between Mt. Diablo Unified School District-Meadow Homes Elementary School and YMCA Camp Arroyo

Fifth grade students will participate in an Outdoor Education Program at YMCA Camp Arroyo April 4-8, 2016.

13.5 (Item #6) Contract between Mt. Diablo Unified School District-Rio Vista Elementary School and YMCA Camp Arroyo

Fifth grade students at Rio Vista Elementary School are participating in an Outdoor Education at the YMCA Camp Arroyo February 16-19, 2016.

13.6 (Item #7) Contract between Mt. Diablo Unified School District Sequoia Elementary and Westminster Woods

Fifth grade students from Sequoia Elementary are attending Outdoor Education camp at Westminster Woods April 19 - 22, 2016.

13.7 (Item #9) Contract between Mt. Diablo Unified School District Woodside Elementary and Exploring New Horizons

Fifth grade students at Woodside Elementary wish to attend an Outdoor Education at Exploring New Horizons Camp Loma Mar, February 1 - 5, 2016.

13.8 (Item #10) Master Contract with Doctrina Tutoring, a State Approved Provider of Supplemental Educational Services (SES) to provide tutoring services to eligible students at the ten Title I schools in Program Improvement for two years and beyond, as follows: Bel Air, Cambridge, Fair Oaks, Meadow Homes, Rio Vista, Shore Acres, Sun Terrace, Ygnacio Valley Elementary; and Oak Grove and Riverview Middle Schools

Supplemental Educational Services (SES) are additional academic instruction designed to increase the academic achievement of students in Title I schools in the second year or beyond of program improvement, corrective action, or restructuring. Students from low-income families at continuing Program Improvement schools, whose parents did not select a public school choice option, are eligible for free SES. These services are classes or tutoring which occur outside the regular school day with educational providers approved by the State Board of Education.

The goal of SES is to increase eligible students' academic achievement in a subject or subjects that the State includes in its Elementary and Secondary Education Act of 1965 (ESEA) assessments under Section 1111, which must include reading/language arts, mathematics, and science, as well as English language proficiency for students with limited English proficiency (LEP).

13.9 (Item #11) Master Contract with Elevate Learning LLC, a State Approved Provider of Supplemental Educational Services (SES) to provide tutoring services to eligible students at the ten Title I schools in Program Improvement for two years and beyond, as follows: Bel Air, Cambridge, Fair Oaks, Meadow Homes, Rio Vista, Shore Acres, Sun Terrace, Ygnacio Valley Elementary; and Oak Grove and Riverview Middle Schools

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The goal of SES is to increase eligible students' academic achievement in a subject or subjects that the State includes in its Elementary and Secondary Education Act of 1965 (ESEA) assessments under Section 1111, which must include reading/language arts, mathematics, and science, as well as English language proficiency for students with limited English proficiency (LEP).

13.10 (Item #12) Increase to the Purchase Order with La Cheim Non-Public School (N.P.S.)

La Cheim N.P.S. is a day treatment program that provides educational and mental health services to students that have been placed through the IEP process. Since the start of the 2015-16 school year, four additional students have been placed in the program. Additional funds are requested to cover these new placements for the remainder of the 2015-16 school year.

13.11 (Item #13) Addition of SDC Teachers to My Therapy Company Master Contract

Need for six SDC teachers to be brought on through agencies as the positions have gone unfilled to date. My Therapy Company has SDC teacher staff available at a rate of \$70 per hour. The total amount of contract SDC teachers from My Therapy Company will not impact the overall budget of this 2015-16 contract.

13.12 (Item #14) John F. Kennedy University - Independent Service Contract for Behavioral Health Services

JFKU Graduate School of Psychology Interns will provide behavioral health services at designated schools, site funded. MDUSD has a long-standing partnership with JFKU.

13.13 (Item #15) Food and Nutrition Services Purchase 2016

Purchase order for dairy products from Foster Farms for the meal programs in District schools during the 2016 school year. Purchase order not to exceed \$196,000.

13.14 (Item #16) Food and Nutrition Services Purchases 2016

Purchase orders for fresh perishable produce to the following vendors: Davi Produce: \$122,000; Rubino Produce: \$215,000. For meal programs in District schools during the 2016 school year.

13.15 (Item #17) Fiscal Transactions for the Month of December 2015

Payments have been made to the appropriate budgets.

13.16 (Item #18) Term Waiver

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 is not a properly credentialed person available 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.

13.17 (Item #19) Provisional Internship Permit (PIP)

The California Commission on 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 requirements(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. 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.

13.18 (Item #20) Recommended Action for Certificated Personnel

Changes in status of the following certificated employees.

13.19 (Item #21) Certificated Personnel: 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.

13.20 (Item #22) Recommended Action for Classified Personnel

Changes in status of the following classified employees.

13.21 (Item #23) Classified Personnel: Request to Increase/Decrease Full Time Equivalent (FTE) for the 2015/16 School Year

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

13.22 (Item #24) Olympic High School's Mid Term Cycle WASC Report

Attached for your review is Olympic High School's Mid Term Cycle WASC report.

13.23 (Item #25) Disposal of District Surplus Equipment

District staff recommends disposal of a reach truck currently located at the District warehouse. The reach truck is no longer in working condition, over 20 years old, and is obsolete. The brand name is Prime Mover, Model #RR40B, Serial #RR40B182813.

13.24 (Item #26) Award of RFP #1732 Swimming Pool Maintenance Service

RFP #1732 was called to provide Swimming Pool Maintenance Service for Northgate High School, College Park High School, and Mt. Diablo High School. The only responsible, responsive bidder is East Bay Pool Service Inc., for the total amount of \$115,000.

The scope of work includes, but is not limited to: all testing equipment and tools necessary for the maintenance, servicing to the pools, all manufacturers' manuals, including, but not limited to, maintenance manuals for all components specific to each swimming pool circulation and sanitizing system.

13.25 (Item #27) Award of RFQ #1731 Theater Audio Equipment for Concord High School MU

RFQ #1731 was called to provide Theater Audio Equipment for Concord High School MU. The only responsible, responsive bidder is Conti Corporation, for the total amount of \$113,021.09. The scope of work includes but is not limited to: provide theater audio equipment and installation to Concord High School MU.

13.26 (Item #28) Minutes for the Board of Education Meeting Held on December 7, 2015

Minutes for the Board of Education Meeting held on December 7, 2015, are being brought forward for approval.

CONSENT ITEMS PULLED FOR DISCUSSION

14.1 (Item #4) Contract between Mt. Diablo Unified School District-Ayers Elementary and University Corporation at Monterey Bay Camp SEA Lab

Fifth grade students will be attending an outdoor education program at University Corporation at Monterey Bay Camp SEA Lab, March 14-16, 2016. (Formerly 13.4.)

The Board members and Mr. Velez had a discussion which included risk management, reasonable accommodation, and alternative activities.

President Hansen requested that staff return at the next Board meeting on January 25, 2016 with a report on the additional protections put in place. If the Board determines that the additional protections are inadequate, the Board will have the option to revisit this item for action.

Lawrence moved, Oaks seconded, and the Board voted 4-1-0 (with Mayo dissenting) to approve the contract between Mt. Diablo Unified School District-Ayers Elementary and University Corporation at Monterey Bay Camp SEA Lab with instruction to staff to work toward an agreement to allow the students to participate in kayaking as an event.

14.2 (Item #8) Contract between Mt. Diablo Unified School District-Westwood Elementary and University Corporation at Monterey Bay Camp SEA Lab

Fifth grade students at Westwood Elementary are attending Outdoor Education at University Corporation at Monterey Bay Camp SEA Lab March 21-23, 2016. They will be studying Oceanography and Conservation in a marine environment. (Formerly 13.8.)

President Hansen requested that staff return at the next Board meeting on January 25, 2016 with a report on the additional protections put in place. If the Board determines that the additional protections are inadequate, the Board will have the option to revisit this item for action.

Lawrence moved, Mason seconded, and the Board voted 4-1-0 (with Mayo dissenting) to approve the contract between Mt. Diablo Unified School District-Westwood Elementary and University Corporation at Monterey Bay Camp SEA Lab with direction to staff to work toward a reasonable accommodation to allow the students to participate in kayaking as an event.

DISTRICT ORGANIZATIONS

There were no District Organizations.

PUBLIC COMMENT

President Hansen announced that due to the number of speaker cards, the time for each speaker will be reduced to two minutes each. The speakers, who are speaking on the same topic, determined that ten speakers would speak for three minutes each and President Hansen agreed.

Anita Johnson, Shannon Carr, Susan Seeley, Tommy Ortega, Claire Key, Kevin Taylor, Elizabeth Swanson, Lee Cyr, Dan Reynolds, and Erin Flory spoke about the need to increase teacher's salaries in the next contract.

BUSINESS/ACTION ITEMS

17.1 Audit Report 2015 Audit Presentation

The 2014-15 Audit Report will be presented to the Board members by Nigro & Nigro, a Professional Accountancy Corporation. The audit was submitted to the County of Education in accordance to state guidelines. There were no financial adjustments that needed to be made. When findings were identified the District created a response which is in the attached report. The Audit Report is before the Board for acceptance.

Nance Juner gave a presentation and responded to Board member questions.

Mason moved, Lawrence seconded, and the Board voted 5-0-0 to approve the Audit Report for the year ending June 30, 2015.

17.2 Request Authorization to Submit the 2015-18 Technology Plan to the California Department of Education

The Mt. Diablo Unified School District (MDUSD) Technology Plan 2015-18, addresses the Common Core State Standards (CCSS) College and Career anchor standards and the MDUSD LCAP goals by implementing new initiatives in the area of instructional technology, professional development, and digital tool acquisition. The goal is to have all teachers in MDUSD, TK-12, have the digital tools and opportunity to receive training, coaching, and other support in the integration of technology to transform learning in their classrooms. Goals of this plan are: (1) instruction by our MDUSD teachers will have 21st century projects and lessons that engage students, (2) help teachers master the four Cs (communication, collaboration, creativity and critical thinking), (3) prepare students with the digital literacy and citizenship skills to be successful in college, career, and life. The plan outlines how our technology will be upgraded to meet the growing demand for these digital tools in the classroom, and how to prepare teachers for technology integration.

Dr. Meyer explained the changes made to the Technology Plan since the last time it was presented to the Board and responded to Board member questions.

Mayo moved, Lawrence seconded, and the Board voted 5-0-0 to approve the 2015-18 Technology Plan.

17.3 Contract for Maintenance of District's Phone Systems and Voice Mail

Since 2003, Measure C and the Telecommunications budget have installed new NEC phone systems at all schools in the Mt. Diablo School District. The warranty on the systems has or will be expiring, and we need to enter into a contract with Professional Convergence Solutions for Maintenance support. PCS has agreed to extend the same pricing as last year even though they will be maintaining more phone systems.

Maintenance on phone systems \$38,760

Maintenance on voice mail \$10,688

Oaks moved, Lawrence seconded, and the Board voted 5-0-0 to approve the contract for maintenance of the District's phone systems and voice mail.

17.4 Revise Job Description for Day To Day Substitute Teachers

Staff is requesting the revision of the job description for Day to Day Substitute Teachers. The revision will update and align this job description with the current standard being used for job descriptions. This job description is being presented for information only at this time and will be brought back for action at the next Board meeting.

Dr. Meyer responded to Board member questions.

This item was for information only.

17.5 Create Job Description for Chief Business Officer

Staff is requesting the creation of a job description for Chief Business Officer. This position will organize and administer the successful implementation of the Business operations of the District and help ensure that the District remains financially stable. This job description is being brought forward for both information and action at this time.

Dr. Meyer responded to Board member questions.

Hansen moved, Mason seconded, and the Board voted 5-0-0 to approve the creation of a job description for Chief Business Officer with the addition of the Director of Maintenance and Operations under Supervision.

17.6 Classified Personnel: Request to Increase/Decrease Full Time Equivalent (FTE) for the 2015-16 School Year

The attached position is requested to be increase/decreased as described.

Lawrence moved, Mason seconded, and the Board voted 5-0-0 to approve Item #17.6, the request to increase/decrease Full Time Equivalent (FTE) funding for the 2015-16 school year.

17.7 Board of Education Committee Assignments for 2016

Each year, Board members are assigned to serve on several types of committees: Board Policy, Management, and Representation and Liaison Committees. Depending upon the type of committee, these assignments allow Board members the opportunity to provide direction, to contribute advice and Board perspective, or to provide representation with other organizations and agencies.

After a brief discussion, Hansen moved, Mason seconded, and the Board voted 5-0-0 to approve the 2016 Board Committee Assignments with the addition of Cheryl Hansen to the CIA Committee.

17.8 PULLED BY STAFF: Charter School Facilities -- Contra Costa School of Performing Arts ("SPA") Discussion of potential options for facilities offer to SPA

This item was pulled by staff.

17.9 Memorandum of Understanding between Code.org and Mt. Diablo Unified School District

Staff requests approval to enter into a Memorandum of Understanding with Code.org in order to expand access to K-12 computer science to all students within the District. Mt. Diablo Unified School District will participate in a consortium of eight local school districts with the desire to expand access to K-12 computer sciences to all students. Within the consortium, eligible teachers will participate in Professional Development and will be provided Code.org curriculum, lessons and assessments.

Dr. Meyer responded to Board member questions.

Lawrence moved, Mayo seconded, and the Board voted 5-0-0 to approve the Memorandum of Understanding between Code.org and Mt. Diablo Unified School District.

17.10 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.

Mason moved, Lawrence seconded, and the Board voted 5-0-0 to approve to extend the meeting time to no later than 11:30 p.m.

17.11 Execution of Documents

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

FUTURE AGENDA ITEMS

There were no Future Agenda Items.

CLOSED SESSION

The Board adjourned to second Closed Session at 9:52 p.m.**

RECONVENE OPEN SESSION

The Board reconvened Open Session at 11:27 p.m.**

In second Closed Session, the Board consulted with negotiators for several of the District's agencies and received information on the status of negotiations. The Board received updates from staff on two cases of anticipated litigation, and the Board consulted with general counsel on one case of existing litigation and two cases of anticipated litigation.

During Second Closed Session, the Board took action on the following items:

***8.11 (Item #11) Readmission of Student #02-15 into the Mt. Diablo Unified School District**

Student #02-15 has been reviewed by the Readmission Panel for readmission into the Mt. Diablo Unified School District. Student #02-15 has met all the requirements of his Readmission Plan. Student Services will determine the school placement of Student #02-15.

The Board voted 5-0-0 to readmit Student #02-15 into the Mt. Diablo Unified School District.

***8.12 (Item #12) Readmission of Student #05-15 into the Mt. Diablo Unified School District**

Student #05-15 has been reviewed by the Readmission Panel for readmission into the Mt. Diablo Unified School District. Student #05-15 has met all the requirements of his Readmission Plan. Student Services will determine school placement of Student #05-15.

The Board voted 5-0-0 to readmit Student #05-15 into the Mt. Diablo Unified School District.

***8.13 (Item #13) Readmission of Student #A-15 into the Mt. Diablo Unified School District**

Student #A-15 has been reviewed by the Readmission Panel for readmission into the Mt. Diablo Unified School District. Student #A-15 has met all the requirements of his Readmission Plan. Student Services will determine the school placement of Student #A-15.

The Board voted 5-0-0 to readmit Student #A-15 into the Mt. Diablo Unified School District.

***8.14 (Item #14) Readmission of Student #A-16 into the Mt. Diablo Unified School District**

Student #A-16 has been reviewed by the Readmission Panel for readmission into the Mt. Diablo Unified School District. Student #A-16 has met all the requirements of his Readmission Plan.

The Board voted 5-0-0 to readmit Student #02-15 into the Mt. Diablo Unified School District.

***8.10 (Item #10) Expulsion of Student #09-16 from all Regular Schools of the Mt. Diablo Unified School District**

The expulsion of Student #09-16 for all regular schools in the Mt. Diablo Unified School District. Student Services will determine the school placement of Student #09-16.

Oaks moved, Mayo seconded, and the Board voted 5-0-0 (via voice vote) to approve the following:
In considering the expulsion of student #09-16 from all regular schools of the MDUSD, the District agreed to a settlement based on the following terms: the student will have a suspended expulsion through January 1, 2017, and the parents have waived their rights to an expulsion hearing. Parents have withdrawn student from the District and placed student at a school outside of the District. Upon any possible return, notice to the District the family is seeking services again from the District. Upon any return to the District, the student shall attend a school outside of the District through January 1, 2017. Upon any return to the District, agreement the District has the complete right to assess student. During the current placement, District agrees to reimburse parents up to \$7,000 for travel to and from, up to three family visits. District agrees to reimburse parents up to \$12,500 for past educational expenses and/or attorney's fees related to this matter, in waiver of any and all educational claims on behalf of student against the District through January 1, 2017.

ADJOURNMENT

The meeting was adjourned at 11:32 p.m.

**All times indicated are approximate.

Respectfully submitted,

Nellie Meyer, Ed.D.
Superintendent