

MINUTES
REGULAR MEETING OF THE BOARD OF EDUCATION
MT. DIABLO UNIFIED SCHOOL DISTRICT
Monday, February 22, 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 and 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

3.1 (Item #1) 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

3.2 (Item #2) 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

3.3 (Item #3) Anticipated Litigation - Conference with Legal Counsel pursuant to Gov't. Code Sec. 54956.9(b), Significant Exposure to Litigation: Two Cases

3.4 (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))

3.5 (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))

3.6 (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))

3.7 (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))

3.8 (Item #8) Expulsion of Student #10-16 from All Regular Schools of the Mt. Diablo Unified School District

The expulsion of Student #10-16 from all regular schools of the Mt. Diablo Unified School District. Student Services will determine the school placement for Student #10-16.

3.9 (Item #9) Expulsion of Student #11-16 from All Regular Schools of the Mt. Diablo Unified School District

The expulsion of Student #11-16 from all regular schools of the Mt. Diablo Unified School District. Student Services will determine the school placement of Student #11-16.

3.10 (Item #10) 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: Donald A. Velez and Deborah Cooksey; Agencies: MDEA, DMA, MDSPA, CSEA, CST Local 1 and Teamsters Local 856

ADJOURN TO CLOSED SESSION

The Board adjourned to Closed Session at 5:32 p.m.*

RECONVENE OPEN SESSION

The Board reconvened Open Session at 7:18 p.m.

PRELIMINARY BUSINESS

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

REPORT OUT ACTION TAKEN IN CLOSED SESSION

7.1 (Item #1) 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

The Board conferenced with legal counsel.

7.2 (Item #2) Existing Litigation - Conference with Legal Counsel (Paragraph (1) of subdivision (d) of Government Code Section 54956.9): Mt. Diablo Unified School District v. Clayton Valley Charter High School, et al., Contra Costa Superior Court Case No. MSC15-00574

The Board conferenced with legal counsel.

7.3 (Item #3) Anticipated Litigation - Conference with Legal Counsel pursuant to Gov't. Code Sec. 54956.9(b), Significant Exposure to Litigation: Two Cases

The Board conferenced with legal counsel on one case of anticipated litigation.

The Board will discuss one case of anticipation litigation during second Closed Session following the conclusion of Open Session.

7.4 (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 had a discussion with staff and received information.

7.5 (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 had a discussion with staff and received information.

7.6 (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 had a discussion with staff and received information.

7.7 (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))

The Board had a discussion with staff and received information.

7.8 (Item #8) Expulsion of Student #10-16 From All Regular Schools of the Mt. Diablo Unified School District

The expulsion of Student #10-16 from all regular schools of the Mt. Diablo Unified School District. Student Services will determine the school placement for Student #10-16.

Mayo moved, Lawrence seconded, and the Board voted 4-1-0 (with Mason dissenting) to approve the expulsion of Student #10-16 from all regular schools of the Mt. Diablo Unified School District, and that Student #10-16 may apply for readmission after August 25, 2016. It is required that Student #10-16 participates in 20 hours of individual counseling to address social, emotional, and anger management; complete 30 hours of community service; attend the California Offender Program Services (COPS) - Aggressive Offender class; and show evidence of a successful school experience with good attendance, no suspendible behavior infractions, maintain at least a C average, and earn 30 credits prior to readmission.

7.9 (Item #9) Expulsion of Student #11-16 From All Regular Schools of the Mt. Diablo Unified School District

The expulsion of Student #11-16 from all regular schools of the Mt. Diablo Unified School District. Student Services will determine the school placement of Student #11-16.

Lawrence moved, Oaks seconded, and the Board voted 2-3-0 (with Hansen, Mason, and Mayo dissenting) to approve to reject the expulsion of Student #11-16 from all regular schools of the Mt. Diablo Unified School District.

Mayo moved, Mason seconded, and the Board voted 5-0-0 to approve the expulsion of Student #11-16 from all regular schools of the Mt. Diablo Unified School District, and that Student #11-16 may apply for readmission after June 10, 2016. It is required that Student #11-16 participates in twenty (20) hours of individual counseling to address substance abuse; serve thirty (30) hours of community service; and show evidence of a successful school experience with good attendance, no suspendible behavior infraction, maintain at least a 2.0 grade point average, and earn 45 credits to graduate. I further move that the Board suspend the expulsion, that all terms must be met regarding the suspended expulsion, and that Student Services will determine the placement for the student.

7.10 (Item #10) 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: Donald A. Velez and Deborah Cooksey; Agencies: MDEA, DMA, MDSPA, CSEA, CST Local 1 and Teamsters Local 856

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

RECOGNITIONS AND RESOLUTIONS

8.1 Recognition of the Pleasant Hill Education Commission

The Board of Education wishes to recognize the Pleasant Hill Education Commission for their efforts benefiting students in Pleasant Hill schools.

President Hansen gave an introduction. Dr. Meyer presented a Certificate of Appreciation to Emily Richards, Chair of the Pleasant Hill Education Commission. Ms. Richards gave a presentation and recognized other Commission members in attendance.

8.2 Recognition of National Board Certified Teachers

The Board of Education wishes to recognize teachers Cynthia Novello (Gregory Gardens Elementary), and Susan Seeley (Mt. Diablo High School), for attaining National Board Certification.

President Hansen gave an introduction and recognized Cynthia Novello and Susan Seeley for their achievement. Dr. Meyer presented a Certificate of Appreciation to Ms. Novello and Ms. Seeley.

President Hansen acknowledged Liane Cismowski, Mt. Diablo High School principal, for her National Board Certification.

STUDENT REPRESENTATIVES**

**This item was moved up on the agenda.

Student Representatives reported on activities at their high schools.

8.3 Resolution #15/16-28 Women's History Month

California Education Code section 51204.5 specifically calls for instruction in the social sciences to include the study of the role and contributions of both men and women to the economic, political, and social development of California and our nation. Women have played, and continue to play, critical roles in the economic, cultural, and social spheres of our nation's life.

Oaks moved, Mason seconded, and the Board voted 5-0-0 to approve Resolution #15/16-28 – Women's History Month.

8.4 Resolution #15/16-29 Arts Education Month

Mt. Diablo Unified School District proclaims the month of March as Arts Education Month and encourages all schools to commemorate this occasion with appropriate instructional materials.

Mason moved, Lawrence seconded, and the Board voted 5-0-0 to approve Resolution #15/16-29 proclaiming March 2016 Arts Education Month.

BOARD MEMBER REPORTS

Mr. Lawrence explained that the California Department of Education is currently in litigation and is being required to turn over student data. Mr. Lawrence thanked Dr. Meyer for sending out information regarding the release of student data. Mr. Lawrence pointed out that the District's website, mdusd.org, has a link to where parents can opt out of the data release. Mr. Lawrence shared that he has had conversations regarding pending Measure C-funded projects, and expressed his hope that the Board would look at using the rest of the Measure C money to invest in the District's physical structures.

Ms. Mason shared that she attended the Local Control Accountability Plan (LCAP) Community Meeting at College Park High School, and thanked staff for their work on those meetings. Ms. Mason emphasized the importance of the LCAP meetings, and how much parents appreciate the information that they provide. Ms. Mason shared regrets for missing the most recent District English Learner Advisory Committee (DELAC) meeting.

Ms. Oaks thanked Jonathan Eagan for being the lead organizer of the STEM & EdTech Symposium.

Ms. Mayo shared that she attended the Rocketship charter petition hearing in Sacramento, and thanked the staff, community members, teachers, and parents who attended that meeting. Ms. Mayo shared that she attended the LCAP meeting at College Park High School, and the meeting of the Alameda County School Boards Association which included a presentation on the three adult education and community college consortiums that have been established in Alameda County and their progress toward their goals. Ms. Mayo shared that she attended the Budget Advisory Committee meeting, where a review of the audit findings was presented, noting that one important factor was that there should be no co-mingling of funds. Ms. Mayo shared that in that meeting, concern was expressed about reliable transportation for low income students. Members of the committee learned that state and federal funds do not currently cover the cost of the transportation that the District is required to provide; additional transportation will be funded from the general fund. Ms. Mayo shared information about these upcoming events:

March 3: Council PTA Meeting, MDUSD Board Room

March 6: Adult Education Alternative Fundraiser

March 8: 32nd District PTA Founder's Day Celebration

March 10: Contra Costa County Trustee Awards and California School Board Presentation on the Governor's Budget, County Office of Education

March 11: California State PTA parent training on the California Assessment of Student Performance and Progress (CAASPP) system, San Ramon Community Center

March 15: You Make a Difference Awards

March 18/19: Contra Costa County Science & Engineering Fair Judging and Awards, Los Medanos College

March 24: 32nd District PTA Meeting and Officer Training, County Office of Education

Ms. Hansen shared that she attended the DELAC meeting, which had more than 100 people in attendance. Ms. Hansen thanked Jose Espinosa, Isabel Lara, and Carmen Garces for reaching out to parents and school staff and inviting them to attend. Ms. Hansen announced that the Board will hold a joint meeting with the Clayton City Council on February 29, 2016.

SUPERINTENDENT'S REPORT

Dr. Meyer shared that she visited College Park High School for the LCAP Community Meeting; Valley View Middle School for the STEM & EdTech Symposium; and Ygnacio Valley High School for a Student Voice meeting.

Dr. Meyer shared that February is Black History Month, and noted that it is wonderful to visit the classrooms and see the History, English, and Art projects in support of this celebration.

Dr. Meyer shared photos of the Community Advisory Committee (CAC) meeting, where Nick Lambert, a Concord High School senior in the autism program, gave a presentation which he had previously given at the Legislative Action Day in Sacramento. Mr. Lambert has since been requested to give his speech describing his experiences as a special education student at many other venues. Dr. Meyer shared that the attendees were very moved by Mr. Lambert's presentation.

Dr. Meyer shared that the District held a principal's meeting this month. Dr. Meyer noted that as part of the LCAP, staff have been working to focus on specific goals. Dr. Meyer reported that in the Elementary Schools, the focus was early literacy and writing as well as music and the arts. In the Middle Schools, the focus was on lowering the number of D and F grades to help out student success, as well as student engagement in technology and in behavior. In the High Schools, the focus was on completing A-G courses, increasing the graduation rate, and increasing the depth and breadth of career and college pathways.

Dr. Meyer shared that the District has an LCAP Stakeholder's Group, which has representatives who are parents, staff, principals, and teachers. Dr. Meyer shared that they discussed what the District needs to do to move forward and how the District can synthesize and streamline the LCAP.

Dr. Meyer shared photos from the DELAC meeting, and reported that parents shared their experiences and ideas about what the District can do to improve. Dr. Meyer thanked Isabel Lara, Carmen Garces, and Jose Espinoza for their work bringing a standing room only crowd to that meeting.

Dr. Meyer shared that the winter sports season was coming to an end, with many teams heading for the playoffs.

Dr. Meyer reported on the Student Voice meeting at Ygnacio Valley High School, where students shared their thoughts about Algebra 2 and their interest in looking at different models for scheduling.

Dr. Meyer shared that she attended the College Park High School Talent Show and presented photos from that event.

Dr. Meyer reported that 300 people attended the STEM & EdTech Symposium at Valley View Middle School. In addition to more than 200 District employees, there were attendees from school districts in Antioch, Pittsburgh, Lafayette, Walnut Creek, San Ramon, Livermore, Gridley, and others. Dr. Meyer thanked Jonathan Eagan and Shauna Hawes for being the lead organizers for this event.

PUBLIC EMPLOYEE APPOINTMENT

There was no Public Employee Appointment.

CONSENT AGENDA

Oaks moved, Mason seconded, and the Board voted 5-0-0 to approve all Consent Agenda items, 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.

13.2 (Item #2) Concord High School's Choir Trip to Heritage Music Festival, April 13-17, 2016

Concord High School is requesting approval for 128 Choir students to attend the San Diego Heritage Music Festival, April 13-17, 2016. Students will be traveling with 24 chaperones on Storer Coachways and will be staying at the Courtyard Marriot Hotel.

13.3 (Item #3) Concord High School's trip to San Diego Heritage Music Festival, April 13 - 17, 2016

Concord High School is requesting approval for 85 Instrumental Music students, along with 13 chaperones, to attend the San Diego Heritage Music Festival April 13 - 17, 2016. Students will travel by Storer Coachways and be staying at the Hampton Inn in San Diego.

13.4 (Item #4) Mt. Diablo High School's trip to La Canada, CA, April 15-18, 2016

Mt Diablo High School is seeking approval of their trip to La Canada, CA, to compete in the California High School Sports Medicine competition, April 15-18, 2016. The event is hosted by St. Francis High School. Twelve Sports Medicine II students and one chaperone will be traveling by the JROTC van. They will stay at the Old Town Pasadena Courtyard Marriott on April 15th, and the Anaheim Marriott on April 16-17th.

13.5 (Item #5) Mt. Diablo High School's trip to Riverside, CA, April 16-19, 2016

Mt. Diablo High School is requesting approval to travel to Riverside, CA, with their Serendipity students for the state FHA-HERO Leadership Conference and Competition. Fifteen students will travel with two chaperones via Delta Charter and stay at the Marriott Hotel in Riverside.

13.6 (Item #6) Ygnacio Valley High School's trip to CASL Leadership Conference, at Ontario, CA, April 9-11, 2016

Ygnacio Valley High School is requesting approval to travel by air to the annual California Association of Student Leaders (CASL) State Conference in Ontario, California. Four students will be chaperoned by two adults and staying at the Hyatt in Ontario.

13.7 (Item #7) Mt. Diablo High School's Independent Contract with Hotel Nikko

Mt. Diablo High School is seeking approval of an independent contract with Hotel Nikko to provide services for the Senior Ball on May 7, 2016.

13.8 (Item #8) Contract between Mt. Diablo Unified School District - Highlands Elementary and Marin County Office of Education Walker Creek Ranch, March 22-25, 2016

Fifth grade students from Highlands Elementary are participating in Outdoor Education at Marin County Office of Education, Walker Creek Ranch, March 22-25, 2016.

13.9 (Item #9) Contract between Mt. Diablo Unified School District - Valhalla Elementary and November Learning

November Learning and Lainie Rowell will provide Professional Development for teachers to enhance their use of iPads in the classroom and a whole staff in-service on the SAMR Framework on March 10-11, 2016.

13.10 (Item #10) Contract between Mt. Diablo Unified School District - Valhalla Elementary and Marin County Office of Education

Fifth grade students at Valhalla Elementary are attending Outdoor Education camp at the Marin County Office of Education Walker Creek facility, March 22-25, 2016.

13.11 (Item #11) Increase to the Contract Between Mt. Diablo Unified School District and EMQ Families First

EMQ Families First provides mental health-related services on behalf of MDUSD according to students' Individualized Educational Programs (IEPs). We are requesting this increase due to the fact that past billing procedures were through the county, and now EMQ is billing us directly. The amendment to the original contract is for \$190,000.

13.12 (Item #12) Increase to the Master Contract between Mt. Diablo Unified School District and Analytical Behavior Consultants, a Non-public Agency

Analytical Behavior Consultants is a California certified non-public agency that provides intensive behavioral services at the request of Mt. Diablo Unified. The District currently has an approved contract with the vendor in the amount of \$14,125. Additional funds in the amount of \$56,500 are requested at this time to continue services for one homebound student.

13.13 (Item #13) Application to Steelcase Education for the Active Learning Center Grant for Oak Grove Middle School

Staff requests approval to submit an application to Steelcase Education for the Active Learning Center Grant for Oak Grove Middle School. This grant will support the school's redesign efforts, demonstrate a major shift in learning, and build a strong foundation and conceptual understanding of scientific thinking and 21st century skills. The Active Learning Center grant will pay for furniture, integrated technology, design, installation, and post-occupancy measurement tool for one of four classroom types designed for 24-32 students. Oak Grove will use school-based funds to pay for painting, carpet, and capital projects to support the development of this newly created "Discovery and Exploration space." The planned space for the Active Learning Center, currently referred to as F-5, is a large open space that provides 85 square feet per student and allows for multiple configurations that can support individual quiet spaces with small group and large group collaboration learning simultaneously. It has high ceilings and modern flooring that makes movement easy. The new intended use as a Discovery and Exploration space will be where students develop skills and passions related to how Next Generation Science Standards and Design Thinking support student and staff engagement and learning. Oak Grove Middle is applying for a \$62,000 grant for 2016.

13.14 (Item #14) Revised Single Plans for Student Achievement

The 2015-18 Single Plans for Student Achievement were approved by the Mt. Diablo Unified School District Board of Education on June 22, 2015. Since then, five School Site Councils – El Monte Elementary School, Diablo Day Community School, Rio Vista Elementary, Riverview Middle School, and Olympic Continuation High School – completed material changes to their plans requiring approval by the Mt. Diablo Unified School District Board of Education.

13.15 (Item #15) 2015-2016 Single Plan for Student Achievement Mid-Year Budget Updates

School Site Councils recently updated Single Plans for Student Achievement budgets.

13.16 (Item #16) Budget Revisions Budget Increases/Decreases for November and December 2015

Fund Net Changes to Fund Balance:

General Fund 01: (\$367,722.99)

Eagle Peak Charter School Fund 09: 0

Adult Education Fund 11: .17

Food Services Fund 13: \$6,134.42

Deferred Maintenance Fund 14: 0

Measure C Construction Fund 21: 0

Developer Fee Fund 25: 0

State School Facility Fund 35: 0

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

13.17 (Item #17) Fiscal Transactions for the Month of January 2016

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

13.18 (Item #18) Approval of Provisional Internship Permit (PIP) Request

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 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 credential 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.

13.19 (Item #19) Recommended Action for Certificated Personnel

Changes in status of the following certificated employees.

13.20 (Item #20) 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.

13.21 (Item #21) Recommended Action for Classified Personnel

Changes in status of the following classified personnel.

13.22 (Item #22) 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.

13.23 (Item #23) Minutes for the Board of Education Meeting Held on January 25, 2016

Minutes for the Board of Education Meeting held on January 25, 2016, are being brought forward for approval.

13.24 (Item #24) Minutes for the Board of Education Meeting Held on February 1, 2016

Minutes for the Board of Education Meeting held on February 1, 2016, are being brought forward for approval.

13.25 (Item #25) Minutes for the Special Closed Session Board of Education Meeting Held on February 11, 2016

Minutes for the Special Closed Session Board of Education Meeting held on February 11, 2016, are being brought forward for approval.

Following the Consent Agenda vote, Dr. Meyer recognized and thanked retiring employee Jeff McDaniel for his 22 years of work in the District. President Hansen thanked Mr. McDaniel for his service.

CONSENT ITEMS PULLED FOR DISCUSSION

There were no Consent Items Pulled for Discussion.

DISTRICT ORGANIZATIONS

There were no District Organizations presenting.

PUBLIC COMMENT

Marcela Diaz Engmann, Rocketship Education representative, thanked the Board for the facilities offer and requested a meeting to discuss alternative locations.

Debbie Woods shared her concerns about the co-mingling of funds in the new ASB Works program. Ms. Woods cited information from the 2015 audit report presented at the Budget Advisory Committee meeting.

Kathy Young, teacher, shared her personal decision to stop teaching special education after 34 years, largely due to the number of long meetings held after site time. Ms. Young asked the Board to create a system which decreases the hours of after site meetings and compensates teachers for extra hours.

Linda Stanley shared her concerns about the possibility of Rocketship Education using facilities at Ayers Elementary School and Silverwood Elementary School.

Anita Johnson, Mt. Diablo Education Association (MDEA) Vice President, proposed that teachers be compensated for time spent in meetings after site time in excess of six hours per month. Ms. Johnson noted that the large number of Individual Education Plan (IEP) meetings required for special education teachers is causing inequity among teachers.

Erin Flory, teacher, proposed that teachers be compensated for time spent in meetings after site time in excess of six hours per month. Ms. Flory noted that administrators need to run meetings efficiently and ensure that no teacher is overwhelmed with excessive meetings and trainings.

Mary-Ellen McGrane, special education teacher, shared her personal experiences and asked that the caseload for special education teachers be reduced in order to meet student needs.

Ilana Israel Samuels requested that the Board reschedule the October 24, 2016 Board meeting so that it will not conflict with the Fourth Annual Mt. Diablo Unified School District College Fair. Ms. Samuels explained that the date of the College Fair is set as part of the state-wide college fair calendar, and emphasized the importance of having Dr. Meyer and Board members in attendance at the Fair.

Willie Mims shared his thoughts about Black History Month.

BUSINESS/ACTION ITEM

17.1 Appointment of Summer School Administrators

Interviews have been conducted, and candidates have been selected to fill the Administrative positions for Summer Session 2016.

Dr. Meyer responded to Board member questions.

Mason moved, Mayo seconded, and the Board voted 5-0-0 to approve the appointments of Summer School Administrators.

17.2 Board Policy 6142.7 - Physical Education

The Physical Education Permanent Exemption Board Policy 6142.7 is in need of clarification and discussion.

Public Comment:

Kelly St. Germain, Joann Jacobs, and Mary Gray proposed that the District offer alternatives to high school students to meet the two year Physical Education requirement. Ms. Jacobs pointed out that the District is required by Ed Code to offer alternative means for pupils to complete the prescribed course of study.

Chris Holleran gave a presentation. Dr. Meyer thanked the parents for bringing this to the District's attention, and noted that staff has begun discussing alternative models. The Board members had a discussion. Mr. Holleran responded to Board member questions. President Hansen noted that this item will return for further Board discussion.

This item was for information only.

17.3 Public Presentation of the Initial Successor Agreement Proposal from California School Employees

Association (CSEA) and Mt. Diablo Unified School District's Initial Successor Agreement Proposal to CSEA. By law, school districts are required to "sunshine" collective bargaining proposals in an open session of the Board. The attached proposals from CSEA and Mt. Diablo Unified School District must first be submitted as an information item and then returned at a later meeting for action.

This item was for information only.

17.4 Public Presentation of the Initial Successor Agreement Proposal for Teamsters Local Union No. 856 and Mt. Diablo Unified School District's Initial Successor Agreement Proposal to Teamsters

By law, school districts are required to "sunshine" collective bargaining proposals in an open session of the Board. The attached proposals from Teamsters Local Union No. 856 and Mt. Diablo Unified School District must first be submitted as an information item and then returned at a later meeting for action.

This item was for information only.

17.5 Educator Effectiveness Grant Spending Plan

On September 22, 2015, Governor Brown signed SB103, the Education Trailer Bill, which included Educator Effectiveness funds. The intention of this one-time grant funding is to enhance the effectiveness of classified and certificated staff and administrators. The new funding is to support the following activities: beginning teacher and administrator support, professional development, coaching and support services for teachers identified as needing improvement, professional development for educators on the state standard, and training on how to coach certificated staff to support effective teaching and learning. An Educator Effectiveness Spending Plan must be presented for information at a public meeting before being approved at a subsequent meeting.

President Hansen summarized the Plan. Dr. Meyer noted that the funding must be spent by June 2018 and pointed out that the Plan has been broadened to include both certificated and classified staff training.

Public Comment:

Willie Mims shared his concerns about the use of these funds and a lack of information contained in the plan. Dr. Meyer responded to Mr. Mims concerns and recommended viewing this plan as a supplement to the more detailed Local Control Accountability Plan (LCAP).

Dr. Meyer responded to Board member questions.

Oaks moved, Mayo seconded, and the Board voted 5-0-0 to approve the Mt. Diablo Unified School District Educator Effectiveness Spending Plan.

17.6 2016-17 School Calendar

The attached draft of the 2016-17 school calendar has been approved by the Mt. Diablo Education Association (MDEA) and shared with all bargaining units and department heads. We are now bringing this forward for Board approval.

Notable changes to the 2016-17 calendar are:

Lincoln's Birthday is not observed; instead, Cesar Chavez Day will be observed on March 31st. Spring Break week will no longer be associated with Easter. In 2016-17, Spring Break will take place the week of April 3rd.

Public Comment:

Cindy Darling, spoke on behalf of the Las Lomas High School All-Nighter Foundation, and requested that the Board consider adjusting the 2016-17 school calendar so that Las Lomas could jointly hold their grad night with MDUSD high schools. Ms. Darling shared that Las Lomas was pleased with the experience when they participated in grad night for the first time in 2015.

Ilana Israel Samuels shared her concerns about the proposed school calendar, including the impact it may have on grad night and summer employment for students.

Dr. Meyer and the Board members had a long discussion, on topics including moving spring break to coincide with the end of the third quarter and ending school on June 9th instead of June 17th. President Hansen emphasized that student learning is the most important consideration.

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

Public Comment:

Dorothy Weisenberger shared her concerns about school ending on June 17th instead of earlier in the month.

President Hansen requested that staff return with a revised calendar at the meeting on March 7, 2016.

17.7 Contract Between Bright Path Therapists and Mt. Diablo Unified School District

Bright Path Therapy is a non-public agency providing PT and OT services to students in MDUSD.

Mason moved, Mayo seconded, and the Board voted 5-0-0 to approve the contract between Bright Path Therapists and Mt. Diablo Unified School District.

17.8 Memorandum of Understanding (MOU) Between the Contra Costa County Office of Education and Mt. Diablo Unified School District

California Education Code section 56041 governs which educational agency is responsible for providing special education and related services to qualifying individuals between the ages of 18 and 22 years incarcerated in a county jail.

Under the terms of this MOU, the student remains a resident of the District and the District remains the public agency responsible for making decisions regarding the student.

The District retains all financial and legal responsibilities for the student under the Individuals with Disabilities Education Act (IDEA) and related federal and California laws.

As the student's district of residence and responsible local educational agency (LEA) and public agency, Mt. Diablo Unified School District is responsible for any and all legal disputes, claims, complaints, due process proceedings and/or civil litigation related to a student's special educational program.

The terms of the MOU are from July 1, 2015 through June 30, 2016.

Wendy Aghily responded to Board member questions.

Oaks moved, Mason seconded, and the Board voted 5-0-0 to approve the Memorandum of Understanding (MOU) between Contra Costa County Office of Education and Mt. Diablo Unified School District to service students incarcerated.

17.9 Award of E-rate Contract to Provide High Speed Internet at Thirty Sites

Two proposals in response to an E-rate Form 470 were evaluated and the most responsible bidder was ATT for high speed internet to thirty sites.

Joe Estrada responded to Board member questions.

Mason moved, Mayo seconded, and the Board voted 5-0-0 to approve the award of the E-rate contract to ATT for high speed internet to thirty Mt. Diablo Unified School District sites.

17.10 Contract Extension of CALNET II State Contract to June 30, 2017

On January 29, 2014, the contract with CALNET II expired. CALNET II was a contract awarded to multiple vendors for telecommunications services in 2008 through a State request for proposals. Since 2008, MDUSD has utilized the voice and data provisions of the contract which was awarded to ATT. This contract allows the District to enjoy reduced pricing, and it is recognized by the Schools and Libraries Program for additional E-rate discounts. The state has finalized and awarded contracts for CALNET III, but now the FCC unveiled E-rate II and with it a new funding model for eligible services. Under E-rate II telephone discounts will be phased out over the next three years. For this contract year we will receive 1/3 the discount we enjoyed last year. We are requesting an extension of current pricing until June 30, 2017, with an option to extend until June 30, 2018. This will allow us the time to convert our data and telephone services no longer covered in E-rate II to services that are eligible for E-rate discounts. Since it may take some time to convert to the new services, we are asking for a contract extension until next year's E-rate funding window.

Oaks moved, Mason seconded, and the Board voted 5-0-0 to approve to award the contract extension to ATT until June 30, 2017.

17.11 New Job Description for Administrator, Middle College

Staff is requesting a new job description for Administrator, Middle College. This new position would be responsible for the administration, supervision, and implementation of instructional programs and support services for students attending the Middle College High School. This position would be on the Diablo Managers salary schedule.

Public Comment:

Dan Reynolds inquired about the percentage of time that this position will be appointed for. President Hansen and Dr. Meyer responded to Mr. Reynolds.

Willie Mims shared his concern that the required level of education is not included in the job description. President Hansen addressed Mr. Mims' concerns.

This item was for information only.

17.12 PULLED BY STAFF: New Job Description for District Athletic Director

Staff is requesting a new job description for District Athletic Director. This new position is being established for the purpose of directing the athletics programs and activities.

This position would be on the Diablo Managers salary schedule.

17.13 2016 California School Boards Association (CSBA) Delegate Assembly Election

There are three vacancies in sub region 7-A for membership on the 2016 CSBA Delegate Assembly. The candidates are:

Laura Canciamilla (Pittsburg USD)
Kathy McLaughlin (Martinez USD)
Raymond Valverde (Liberty Union USD)

The Board members had a brief discussion, and Ms. Mayo endorsed the three candidates.

Lawrence moved, Mason seconded, and the Board voted 5-0-0 to approve the three candidates for the California School Boards Association (CSBA) Delegate Assembly: Laura Canciamilla, Kathy McLaughlin, and Raymond Valverde.

17.14 Board Discussion of Communications Position

The Board will consider the need for a dedicated staff position of Communications Liaison.

President Hansen introduced this item for discussion.

Public Comment:

John Ferrante spoke in support of this position.

Dr. Meyer responded to Board member questions. The Board members had a discussion, and agreed unanimously to instruct staff to move ahead with a job description for this position.

This item was for information only.

17.15 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.

After a brief discussion, Lawrence moved, Mason seconded, and the Board voted 5-0-0 to approve to extend the meeting time to 11:00 p.m.

17.16 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 Closed Session at 10:25 p.m.

RECONVENE OPEN SESSION

The Board reconvened open session at 10:58 p.m.*

In Closed Session, the Board approved a settlement agreement between the District and a student and the student's parents to resolve a legal dispute between them on the following material terms: A) Student has withdrawn from the District, and claimants agree student will not ever return to District schools; B) The parties agree that no party is the prevailing party, and claimants waive and release the District from any and all claims or potential claims known or unknown; C) Claimants agree not to publish information regarding the District, District students, or the student's education while enrolled at the District, or about the agreement. Claimants also agree not to assist others in suing the District; D) Claimants agree to accept \$175,000 in exchange for all considerations set forth in the settlement agreement upon submission of required documentation by claimant. The Board voted 5-0-0 to approve that agreement.

In Closed Session, the Board discussed negotiations with negotiators, Superintendent Meyer and Mr. Velez. The Board received an update and exchanged information with negotiators.

ADJOURNMENT

The meeting was adjourned at 11:00 p.m.

*All times indicated are approximate.

Respectfully submitted,

Nellie Meyer, Ed.D.
Superintendent