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Mt. Diablo Unified School District  
Governing Board

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## Draft Board Meeting Minutes

### REGULAR MEETING OF THE BOARD OF EDUCATION MT. DIABLO UNIFIED SCHOOL DISTRICT Wednesday, October 16, 2024 (6:00 PM)

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#### ROLL CALL

Debra Mason  
Linda Mayo  
Cherise Khaund  
Erin McFerrin  
Keisha Nzewi

#### 1.0 Call to Order

President McFerrin called the meeting to order at 4:32pm

##### 1.1 Call to Order

The Board President will call the meeting to order.

**Recommendation:** Call the meeting to order.

##### 1.2 Conduct Roll Call

**Recommendation:** The Board President will conduct roll call.

#### 2.0 Closed Session Public Comment

There were no public comments.

##### 2.1 Public Comments: The Public May Address the Board Concerning Items That are Scheduled for Discussion during Closed Session Only.

The public may address the Board concerning items that are scheduled for discussion during Closed Session only. Speakers must submit a Speaker's Card to the Board secretary. The Board President will call each speaker to the podium as appropriate. These presentations are limited to three minutes each, or a total of thirty minutes for all speakers or the three minute limit may be shortened. Speakers are not allowed to yield their time.

**Recommendation:** Hear public comment(s).

#### 3.0 Closed Session Agenda

##### 3.1 Negotiations - The Board May Discuss Negotiations or Provide Direction to its Representatives Regarding Represented Employees (Government Code Section 54957.6)

Negotiations - The Board may discuss negotiations or provide direction to its representatives regarding represented employees, pursuant to Government Code Section 54957.6. Agency negotiators: Dr. Adam Clark, Dr. Wendi Aghily, Samantha Allen, Kimberly Vaiana, Ryan Sheehy and legal counsel; Agencies: MDEA, DMA, MDSPA, CSEA, CST Local 1 and Teamsters Local 856

**Recommendation:** Information

**3.2 Discipline, Dismissal, Release or Reassignment of Public Employee (Government Code Sec. 54957(b)(1))**

**Recommendation:** Information/action.

**3.3 Conference with Legal Counsel-Anticipated Litigation**

The Board will meet in closed session to discuss the following matter(s): CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Significant Exposure to Litigation (Government Code § 54956.9(b)): Student OA v. MDUSD

**Recommendation:** N/A

**ORIGINAL - Motion**

**3.4 Liability Claims (Government Code § 54956.95) Name of Claimant: Gilma Molina Name of Agency Against Which the Claim is Made: Mt. Diablo Unified School District**

**Recommendation:** N/A

**3.5 Liability Claims (Government Code § 54956.95) Name of Claimant: Tony Molina Name of Agency Against Which the Claim is Made: Mt. Diablo Unified School District**

**Recommendation:** N/A

**3.6 Liability Claims (Government Code § 54956.95) Name of Claimant: Angelo Montes Name of Agency Against Which the Claim is Made: Mt. Diablo Unified School District**

**Recommendation:** N/A

**ORIGINAL - Motion**

**3.7 Liability Claims (Government Code § 54956.95) Name of Claimant: Kaidenz Juarez Name of Agency Against Which the Claim is Made: Mt. Diablo Unified School District**

**Recommendation:** N/A

**3.8 Conference with Legal Counsel-Anticipated Litigation**

Summary: The Board will meet in closed session to discuss the following matter(s): Significant exposure to litigation pursuant to Government Code § 54956.9(d)(2) or (3): One Matter. Initiation of litigation pursuant to Government Code § 54956.9(d)(4): The Governing Board is deciding whether to initiate litigation on one matter.

**Recommendation:** N/A

**ORIGINAL - Motion**

**3.9 Public Employee Performance Evaluation - Superintendent, Pursuant to Government Code § 54957.**

**Recommendation:** Information.

#### 4.0 Adjourn to Closed Session

The meeting was adjourned to closed session at 4:34pm

##### 4.1 Adjourn to Closed Session

The Board President will adjourn the meeting to closed session.

**Recommendation:** Adjourn to closed session.

#### 5.0 Reconvene Open Session

Open session was reconvened at 6:08pm

##### 5.1 Reconvene Open Session

The Board of Education will reconvene Open Session.

**Recommendation:** Reconvene Open Session.

#### 6.0 Preliminary Business

**6.1 Land Acknowledgement: We recognize that the Mt Diablo Unified School District sits on the territory of the Confederated Villages of Lisjan, the ancestral and unceded land of the Bay Miwok and Northern Yokut, the successors of the sovereign Verona Band of Contra Costa County. As members of the MDUSD community, it is vitally important that we not only recognize the history of the land on which we learn, but also, we recognize that the land we inhabit and learn on is the ancestral land of these people who are alive and flourishing members of MDUSD and broader bay area communities today.**

**Recommendation:** Read Land Acknowledgement

##### 6.2 Pledge of Allegiance

The Board President will lead the Pledge of Allegiance.

**Recommendation:** Lead the Pledge of Allegiance.

##### 6.3 Review and Potential Approval of Minutes for Regular Board Meeting Held September 25, 2024

Board Meeting Minutes September 25, 2024

Minutes have been prepared for the board meeting on September 25, 2024 and are presented for review and approval.

**Recommendation:** Move to approve the minutes for the Regular Board Meeting held September 25, 2024

##### **ORIGINAL - Motion**

Member (**Cherise Khaund**) Moved, Member (**Debra Mason**) Seconded to approve the **ORIGINAL** motion 'Move to approve the minutes for the Regular Board Meeting held September 25, 2024'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Erin McFerrin Yes

Keisha Nzewi Yes

##### 6.4 Review and Potential Approval of the Agenda

The Governing Board may reorder or delete items within the agenda.

**Recommendation:** Move to approve the agenda.

##### **ORIGINAL - Motion**

Member (**Debra Mason**) Moved, Member (**Linda Mayo**) Seconded to approve the **ORIGINAL** motion 'Move to approve the agenda'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

## **7.0 Report Out of Action Taken in Closed Session**

### **7.1 Negotiations - The Board May Discuss Negotiations or Provide Direction to its Representatives Regarding Represented Employees (Government Code Section 54957.6)**

Negotiations - The Board may discuss negotiations or provide direction to its representatives regarding represented employees, pursuant to Government Code Section 54957.6. Agency negotiators: Dr. Adam Clark, Dr. Wendi Aghily, Samantha Allen, Kimberly Vaiana, Ryan Sheehy and legal counsel; Agencies: MDEA, DMA, MDSPA, CSEA, CST Local 1 and Teamsters Local 856

**Recommendation:** Information

The Governing Board received information.

### **7.2 Discipline, Dismissal, Release or Reassignment of Public Employee (Government Code Sec. 54957(b)(1))**

**Recommendation:** Information/action.

In closed session and by a vote of 5-0, the Board took action to approve the resignation of two employees per the separation agreements.

### **7.3 Conference with Legal Counsel-Anticipated Litigation**

The Board will meet in closed session to discuss the following matter(s): CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Significant Exposure to Litigation (Government Code § 54956.9(b)): Student OA v. MDUSD

**Recommendation:** N/A

In closed session, by a vote of 5-0 in the matter of student OA the board approved the agreement up to the stipulated amount.

### **7.4 Liability Claims (Government Code § 54956.95) Name of Claimant: Gilma Molina Name of Agency Against Which the Claim is Made: Mt. Diablo Unified School District**

**Recommendation:** N/A

The board met in closed session and by a vote of 5-0 voted to reject the liability claim for damages pursuant to Government Code Section 54956.95 by Gilma Molina against the Mt. Diablo Unified School District

### **7.5 Liability Claims (Government Code § 54956.95) Name of Claimant: Tony Molina Name of Agency Against Which the Claim is Made: Mt. Diablo Unified School District**

**Recommendation:** N/A

The board met in closed session and by a vote of 5-0 voted to reject the liability claim for damages pursuant to Government Code Section 54956.95 by Tony Molina against the Mt. Diablo Unified School District

**7.6 Liability Claims (Government Code § 54956.95) Name of Claimant: Angelo Montes Name of Agency Against Which the Claim is Made: Mt. Diablo Unified School District**

**Recommendation:** N/A

The board met in closed session and by a vote of 5-0 voted to reject the liability claim for damages pursuant to Government Code Section 54956.95 by Angelo Montes against the Mt. Diablo Unified School District

**7.7 Liability Claims (Government Code § 54956.95) Name of Claimant: Kaidenz Juarez Name of Agency Against Which the Claim is Made: Mt. Diablo Unified School District**

**Recommendation:** N/A

The board met in closed session and by a vote of 5-0 voted to reject the liability claim for damages pursuant to Government Code Section 54956.95 by Kaidenz Juarez against the Mt. Diablo Unified School District

**7.8 Conference with Legal Counsel Regarding Anticipated Litigation.**

Summary: The Board will meet in closed session to discuss the following matter(s): Significant exposure to litigation pursuant to Government Code § 54956.9(d)(2) or (3): One Matter. Initiation of litigation pursuant to Government Code § 54956.9(d)(4): The Governing Board is deciding whether to initiate litigation on one matter.

**Recommendation:** N/A

In the matter of one case of anticipated litigation, the board by a vote of 5-0 gave direction to the General Counsel. In the matter of one case of anticipated litigation, by a vote of 5-0 authorized the General Counsel to initiate litigation.

**7.9 Public Employee Performance Evaluation - Superintendent, Pursuant to Government Code § 54957.**

**Recommendation:** Information.

The board received information.

**8.0 Public Comment**

**8.1 Public Comment: The Public May Address the Board Regarding any Item Not on the Agenda. Public Comment Will Also be Allowed on Each Specific Agenda Item Prior to Board Action Thereon.**

Public Comment: The public may address the Board regarding any item within the jurisdiction of the Board of Education of the Mt. Diablo Unified School District that is not on this agenda. Speakers must submit a Speaker's Card to the Board secretary. The Board President will call each speaker to the podium as appropriate. These presentations are limited to three minutes each, or a total of thirty minutes for all speakers, or the three minute limit may be shortened. If there are multiple speakers on any one subject, the public comment period may be moved to the end of the meeting. Speakers are not allowed to yield their time. Public Comment will also be allowed on each specific agenda item prior to board action thereon.

**Recommendation:** Listen to Public Comment.

Eleven (11) comments were heard. Due to the number of comments and to ensure all comments would be heard, comments were limited to two (2) minutes each.

## 9.0 Communications

### 9.1 District Organizations: At Regular Board Meetings, a Single Spokesperson of Each Recognized District Organization May Make a Brief Presentation. Items Are Limited to Those Which are Informational

At regular Board meetings, a single spokesperson of each recognized District organization may make a brief presentation following the Consent Agenda. Items are limited to those which are informational.

**Recommendation:** Listen to Communications.

Two (2) comments were heard.

## 10.0 Recognitions and Resolutions

### 10.1 Review and Potential Approval of Resolution 24/25-26 In Support of Red Ribbon Week 2024

Resolution 24/25-26 In Support of Red Ribbon Week 2024

Our children are in danger of being harmed by drugs in America. Since 1988 there has been an ongoing commitment across the nation to raise awareness of the killing and destruction caused by drugs in America. We must educate and support our children to avoid drugs or seek help if they are suffering from substance abuse.

**Recommendation:** Move to approve Resolution 24/25-26 In Support of Red Ribbon Week 2024

#### **ORIGINAL - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve Resolution 24/25-26 In Support of Red Ribbon Week 2024'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Erin McFerrin Yes

Keisha Nzewi Yes

### 10.2 Review and Potential Approval of Board Resolution 24/25-27 for Local Assignment Option(s) EC 44258.2

EC 44258.2 Board Resolution

Education Code 44258.2 authorizes the Governing Board to assign an employee holding a Single Subject or a Standard Secondary credential to teach, with his or her consent, any subject in a departmentalized class in trades 5-8 provided that the teacher has completed 12 semester units or 6 upper division or graduate units of coursework in that subject.

**Recommendation:** Move to approve Resolution 24/25-27 Local Assignment Option(s) EC 44258.2

#### **ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve Resolution 24/25-27 Local Assignment Option(s) EC 44258.2'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

### **10.3 Review and Potential Approval of Board Resolution 24/25-28 to Authorize Local Assignment Option(s) EC 44256(b)**

Resolution 24/25-28 to Authorize Local Assignment Option(s) EC 44256(b)  
Education Code 44256(b) authorizes the Governing Board to assign an employee holding a Multiple Subject or a Standard Elementary credential to teach, with his or her consent, any subject in a departmentalized class below Grade 9 provided that the teacher has completed 12 semester units or 6 upper division or graduate units of coursework in that subject.

**Recommendation:** Move to approve Resolution 24/25-28 Local Assignment Option(s) EC 44256(b)

#### **ORIGINAL - Motion**

Member **(Cherise Khaund)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve Resolution 24/25-28 Local Assignment Option(s) EC 44256(b)'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

## **11.0 Board Member Reports**

### **11.1 Board Member Reports**

Board Members may choose to report out their activities.

**Recommendation:** Information.

## **12.0 Superintendent Report**

### **12.1 Superintendent's Report**

The Superintendent may choose to report out on activities.

**Recommendation:** Information.

## **13.0 Consent Agenda**

### **13.1 Approval of Items listed under Consent Agenda.**

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.

**Recommendation:** Approve all Consent Agenda items.

#### **ORIGINAL - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Approve all Consent Agenda items'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

### **13.2 Review and Potential Approval of the Recommended Action for Certificated Personnel**

List of certificated hires, leave of absences, resignations, and retirements  
See attached for detailed list of certificated hires, leave of absences, resignations, and retirements.

**Recommendation:** Move to approve the recommended action for certificated personnel.

#### **ORIGINAL - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the recommended action for certificated personnel'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

### **13.3 Review and Potential Approval of the Recommended Action for Classified Personnel**

List of classified hires, leave of absences, resignations, and retirements.  
Information of classified hires, leave of absences, resignations, and retirements for consideration.

**Recommendation:** Move to approve the recommended action for classified personnel.

#### **ORIGINAL - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the recommended action for classified personnel'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

### **13.4 Review and Potential Approval of Increase to Purchase Order for Continental Athletic Supply**

Change Order  
Requesting approval for a change order to add funds to purchase order for Continental Athletic Supply for football helmet reconditioning services.

**Recommendation:** Move to approve the increase to the purchase order for Continental Athletic Supply.

#### **ORIGINAL - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the increase to the purchase order for Continental Athletic Supply'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes



Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

### **13.5 Review and Potential Approval of the Marathon Corporations Grants**

Staff is requesting the approval of the Marathon Corporation grants to increase access, expanded learning opportunities, and professional development in Science Technology Engineering and Math (STEM) and Robotics for Mt. Diablo Unified School District (MDUSD) students. The following programs would be served by these three grants. The grants would include; \$75,000.00 to continue offering the Robotics and STEM after school clubs at the nine MDUSD middle schools; \$75,000 to offering the High School FIRST Robotics Teams at College Park, Concord, Mt. Diablo, Northgate, and Ygnacio Valley High Schools; and \$35,000 to host Summer 2025 STEM Camps. These grants will inspire innovative student and adult learners by fostering community, personalizing learning, infusing technology, developing leadership, and advocating educational opportunities. The total grant amount would be \$185,000 for the 2024-2025 school year.

**Recommendation:** Move to approve the Marathon Corporation Grants 39632 & 39633  
**ORIGINAL - Motion**

Member (**Keisha Nzewi**) Moved, Member (**Debra Mason**) Seconded to approve the **ORIGINAL** motion 'Move to approve the Marathon Corporation Grants 39632 & 39633'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

### **13.6 Review and Potential Approval of the 2024-2025 Firedoll Foundation Grant Application**

Firedoll Foundation Grant Application

Since 1986, Mt. Diablo Adult Education (MDAE) has received annual grant funding from the Firedoll Foundation supporting its Adults with Disabilities (AWD) "On Track" program for adults with acquired traumatic brain injury. MDAE therefore again requests approval to submit a grant proposal to the Firedoll Foundation for an amount of \$23,539.00. Funding from the Firedoll Foundation pays for students' consumable instructional materials and for a Student Support Services Specialist hourly position, 10 hours per week and 46 weeks per year.

**Recommendation:** Move to approve the 2024-2025 Firedoll Foundation Grant application.  
**ORIGINAL - Motion**

Member (**Keisha Nzewi**) Moved, Member (**Debra Mason**) Seconded to approve the **ORIGINAL** motion 'Move to approve the 2024-2025 Firedoll Foundation Grant application'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

### **13.7 Review and Potential Approval of Overnight Field Trips for Northgate High School.**

Northgate High School is requesting approval for their Boys and Girls Wrestling teams to travel on overnight field trips and participate in tournaments on the following dates: January

3, 2025, January 16, 2025, February 20, 2025, and February 26, 2025. Students and chaperones will carpool and will stay at local hotels.

**Recommendation:** Move to approve the overnight field trips for Northgate High School's Wrestling teams

**ORIGINAL - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the overnight field trips for Northgate High School's Wrestling teams'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

**13.8 Review and Potential Approval of an Independent Service Contract Between Events to the T and Mt. Diablo Unified School District on Behalf of Northgate High School.**

Contract

Northgate High School is requesting approval of their contract with Events to the T for their Homecoming Dance on October 19, 2024.

**Recommendation:** Move to approve Northgate High School's Independent Service Contract with Events to the T.

**ORIGINAL - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve Northgate High School's Independent Service Contract with Events to the T'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

**13.9 Review and Potential Approval of Wonders/Maravillas Decodables for Grades Kindergarten Through Second Grade**

In 2017, the Board approved Wonders/Maravillas as the ELA adoption. As part of the adoption, supplemental decodable readers were purchased. We are asking to purchase additional Wonders/Maravillas decodables for grades kindergarten through second grade to ensure that each class has these materials, as they align with our science of reading professional development as they align with our science of reading professional development and instructional practices.

**Recommendation:** Move to approve the purchase of Wonders/Maravillas decodable readers for grades kindergarten through second grade.

**ORIGINAL - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the purchase of Wonders/Maravillas decodable readers for grades kindergarten through second grade'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes

Erin McFerrin Yes  
Keisha Nzewi Yes

### **13.10 Review and Potential Approval of Out of State Travel to the National Alliance of Black School Educators (NABSE) for Dr. Lamont Francies and Dr. Diane Fitzpatrick**

The National Alliance of Black School Educators (NABSE) will hold its 50th National Conference from November 20-23, 2024 at Atlanta, GA. The National Alliance of Black School Educators (NABSE) is the nation's premiere non-profit organization devoted to furthering the academic success for the nation's children – particularly children of African descent. NABSE boasts an outreach to a distinguished group of preeminent educators including teachers, administrators, superintendents as well as corporate and institutional members. This year I plan to present on the latent effects of Brown v. Board.

**Recommendation:** Move to approve the out of state travel to the NABSE conference for Dr. Lamont Francies and Dr. Diane Fitzpatrick.

#### **ORIGINAL - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the out of state travel to the NABSE conference for Dr. Lamont Francies and Dr. Diane Fitzpatrick'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

### **13.11 Review and Potential Ratification of the Independent Contractor Agreement between Mt. Diablo Unified School District and Ernest C. Cooper for Forensic Financial Audit**

ICA Ernest C. Cooper

This item seeks Board ratification of a contract entered into under the bid limit identified in Public Contract Code § 20111, pursuant to Education Code § 17604 and Board Policy 3312. Contractor shall perform a forensic financial audit of the District's CARES (Collaborative of Academics Recreation Enrichment for Students) program, including its contracts with outside vendors.

**Recommendation:** Move to ratify an Independent Contractor Agreement between Mt. Diablo Unified School District and Ernest C. Cooper for forensic financial audit.

#### **ORIGINAL - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to ratify an Independent Contractor Agreement between Mt. Diablo Unified School District and Ernest C. Cooper for forensic financial audit'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

### **13.12 Review and Potential Approval of Independent Service Contract and Contract Amendment between Mt. Diablo Unified School District and Delta Bay Impact for Meadow Homes Elementary School**

Staff at Meadow Homes Elementary is requesting approval of an amendment to extend work with with Delta Bay Impact for the 2024-25 school year. Delta Bay Impact is focused on

advancing educational enrichment by actively addressing the achievement gap for African American Scholars. The initial contract was for \$5,000 and services are being extended to bring the contract total to \$25,000.

**Recommendation:** Move to approve the Independent Service Contract and amendment to the Independent Service Contract between Mt. Diablo Unified School District and Delta Bay Impact for services provided to Meadow Homes Elementary School in the 2024-25 school year.

**ORIGINAL - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the Independent Service Contract and amendment to the Independent Service Contract between Mt. Diablo Unified School District and Delta Bay Impact for services provided to Meadow Homes Elementary School in the 2024-25 school year'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

## A) Maintenance and Operations

### **13.13 Review and Potential Approval to Increase the Purchase Order with Bay City Mechanical Service, Inc. for Heating, Ventilation & Air Conditioning Service Calls (work orders)**

Bay City Mechanical Service, Inc., has an open purchase order (PO) for Heating, Ventilation & Air Conditioning Repairs and Service Calls (work orders) in the amount of \$114,500.00 for the 2024/2025 Fiscal Year to support necessary maintenance work. This existing open purchase order will be depleted soon due to the amount of work completed to support the District. An increase of \$100,000.00 is requested, to cover the needs for the remainder of the 2024/2025 fiscal year. The request of \$100,000.00 will increase the PO for Bay City Mechanical from \$114,500.00 to \$214,500.00. The District is receiving outside support from several HVAC Maintenance Contractors, including those on the approved HVAC Contractor Pool List per RFP 1924.

**Recommendation:** Move to approve to increase the purchase order with Bay City Mechanical, Inc., for heating, ventilation & air conditioning service calls (work orders).

**ORIGINAL - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve to increase the purchase order with Bay City Mechanical, Inc., for heating, ventilation & air conditioning service calls (work orders)'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

### **13.14 Review and Potential Approval of Amendment #2 to Master Agreement Contract with 19-6 Architects for the Architectural Services to Facilitate the Elementary School Modernization at Rio Vista Elementary, Meadow Homes Elementary and Mt. Diablo Elementary**

19-6 Architect Agreement Elementary School Modernization Amendment #2 with supporting documents Original Agreement with Amendment #1 COI  
On or about August 17, 2022, following a competitive Request for Qualifications (RFQ #1912) for Architectural Services to establish an updated pool of architect firms, the Board of Education approved 19-6 Architects to be part of the District's pool. At the June 14, 2023 meeting, the Board of Education approved a Master Agreement Contract with 19-6 Architects for the Architectural Services to facilitate the Elementary School Modernization at Rio Vista Elementary, Meadow Homes Elementary & Mt. Diablo Elementary. On November 8, 2023, Amendment #1 was presented. Staff is bringing forward Amendment #2 to this Master Contract to incorporate design scope to assess and replace the Clock and Intercom devices in all rooms being modernized; and relocate the Intrusion Alarm panel and add new wall sensors for new/added doors.

**Recommendation:** Move to approve Amendment #2 to Master Agreement with 19-6 Architects for the architectural services to facilitate the elementary school modernization at Rio Vista Elementary, Meadow Homes Elementary and Mt. Diablo Elementary schools.

**ORIGINAL - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve Amendment #2 to Master Agreement with 19-6 Architects for the architectural services to facilitate the elementary school modernization at Rio Vista Elementary, Meadow Homes Elementary and Mt. Diablo Elementary schools'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

**13.15 Review and Potential Approval of Three Year Contract with APTIM Environmental & Infrastructure, Inc. for Environmental Compliance Services for September 1, 2024 through August 31, 2027**

**APTIM PROPOSAL 2024 - 2027**

The District is seeking approval for a three-year contract in the amount of \$165,000.00 for continued services from September 1, 2024 through August 31, 2025, with APTIM Environmental & Infrastructure, Inc., for storm water compliance support, SPCC Plan updates, sanitary sewer Industrial Users Permit compliance support, dry weather inspections, project management and Health and Safety Plan (HASP) throughout district sites. The yearly fee will be in the amount of \$55,000.00 for 9/1/24 – 8/31/25; \$55,000.00 for 9/1/25 – 8/31/26; \$55,000.00 for 9/1/26 – 8/31/27. Per Government Code 53060, the District is authorized to contract out services that require specialized training, experience and competent persons to perform special services that are not provided by District Staff.

**Recommendation:** Move to approve the three year contract with APTIM Environmental & Infrastructure, Inc. for environmental compliance services for September 1, 2024 through August 31, 2027

**ORIGINAL - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the three year contract with APTIM Environmental & Infrastructure, Inc. for environmental compliance services for September 1, 2024 through August 31, 2027'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes

Erin McFerrin Yes  
Keisha Nzewi Yes

## B) Purchasing

### **13.16 Review and Potential Ratification of Contracts and Amendments to Contracts Under \$25,000 for September 1-30, 2024**

- 24 Contracts and Amendments from September 1-30, 2024 under \$25,000 - Purchase Order ("PO") Summary Report for all Contracts from September 1-30, 2024

This item seeks Board ratification of the attached contracts. Pursuant to Board Policy 3312, Contracts, the Board has delegated to the Superintendent or their designee the authority to enter into contracts on behalf of the District, not to exceed the amounts specified in Public Contract Code § 20111 except as otherwise provided by law. Contracts entered into by delegated authority must be ratified by the Board of Education at an open session meeting of the Board within 60 days of the date the contract was approved by delegated authority. (Education Code § 17604; Public Contract Code § 20111). The attached contracts comply with Board Policy 3312.

**Recommendation:** Move to ratify 24 Contracts and Amendments under \$25,000 for September 1-30, 2024

#### **ORIGINAL - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to ratify 24 Contracts and Amendments under \$25,000 for September 1-30, 2024'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

### **13.17 Review and Potential Approval Purchase Order Summary Report for September 2024**

Purchase Order Summary Report for September 2024 Technology Purchase Order Summary Report for September 2024

District staff is bringing forward Purchase Order (PO) Summary Report for the month of September 2024. This report shows the Purchase Orders for said month, including the amounts, vendors, and budgets used. The PO report is presented in accordance with Education Code Section 17604, and in an effort to be transparent in District orders and contracts. This report includes all larger orders and service agreements previously submitted to the Board or individual approval. To continue our transparency with technology purchases, staff has also provided a breakout of computer/technology, and software purchases for September 2024. This total is included in the master Purchase Order Summary list.

**Recommendation:** Move to approve Purchase Orders for the month of September 2024

#### **ORIGINAL - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve Purchase Orders for the month of September 2024'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes



Keisha Nzewi Yes

### C) Special Education and Student Services

#### **13.18 Review and Potential Approval of Master Contract with Oakland Hills Academy: Avalon School for the 2024/25 School Year**

Fred Finch Youth & Family Services, dba Oakland Hills Academy: Avalon School, is a California certified non-public school located in Oakland, CA that serves students who have been unsuccessful in less restrictive special education placements. Requested funds are to cover anticipated student placements for the 2024/25 school year.

**Recommendation:** Move to approve master contract with Oakland Hills Academy: Avalon School for the 2024/25 School Year as presented.

#### **ORIGINAL - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve master contract with Oakland Hills Academy: Avalon School for the 2024/25 School Year as presented'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Erin McFerrin Yes

Keisha Nzewi Yes

#### **13.19 Review and Potential Approval of 2024-2025 School Year Contract between Mt. Diablo Unified School District and Covelo Group**

Covelo Group is a non-public agency (NPA) that provides Licensed Vocational Nurses, Health Aids, Behavior Therapists and paraprofessionals for school-based services that are identified on Individual Education Plans (IEP's) and 504 Plans. When Mt. Diablo Unified School District is not able to fill all open positions with district employees, the use of contract agencies is necessary to ensure that we are in compliance with state and federal law that governs special education. Covelo Group is a company that is utilized to provide these services to ensure that all of our needed services are covered for the 2024-2025 school year. Mt. Diablo Unified School District Human Resources, Student Services and Special Education continues to recruit and hire district employees.

**Recommendation:** Move to approve the contract between Mt. Diablo Unified School District and Covelo Group for \$50,000.00.

#### **ORIGINAL - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the contract between Mt. Diablo Unified School District and Covelo Group for \$50,000.00'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Erin McFerrin Yes

Keisha Nzewi Yes

#### **13.20 Review and Potential Approval of 2024-2025 School Year Contract between Mt. Diablo Unified School District and Language Services Associates**

Independent Service Contract - Language Services Associates, LSA Insurance  
Language Services Associates provides translation services by phone in various languages to staff to communicate with parents. RFP #1941

**Recommendation:** Approve the contract between Mt. Diablo Unified School District and Language Services Associates for 2024-2025.

**ORIGINAL - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Approve the contract between Mt. Diablo Unified School District and Language Services Associates for 2024-2025'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

**13.21 Review and Potential Approval of Increase to Master Contract with A Better Chance School for the 2024/25 School Year**

A Better Chance School is a California certified non-public school located in San Pablo, CA. Requested funds are to cover anticipated student placements for the 2024/25 school year.

**Recommendation:** Move to approve increase to master contract with A Better Chance School for the 2024/25 school year as presented.

**ORIGINAL - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve increase to master contract with A Better Chance School for the 2024/25 school year as presented'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

**13.22 Review and Potential Approval of Independent Service Contract with Hope Academy for Dyslexics for the 2024-2025 School Year**

Hope Academy for Dyslexics is a small integrated school program in Concord, CA, that serves students K-8 who exhibit language based learning differences and require a small highly specialized program to be successful. Requested funds will cover anticipated student placements in the program for the 2024-2025 school year.

**Recommendation:** Move to approve independent service contract with Hope Academy for Dyslexics for the 2024-2025 school year as presented.

**ORIGINAL - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve independent service contract with Hope Academy for Dyslexics for the 2024-2025 school year as presented'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

**13.23 Review and Potential Approval of an Out of State Conference for One Staff Member to Attend American Speech-Language-Hearing Association (ASHA) Convention**



Special Education is requesting approval for one staff member to attend the ASHA Convention in Seattle, Washington taking place December 4-6, 2024.

**Recommendation:** Move to approve the out of state conference for one Special Education staff member.

**ORIGINAL - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the out of state conference for one Special Education staff member'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

**13.24 Review and Potential Approval of the 2024-2025 Contract Amendment between Mt. Diablo Unified School District and EdTheory**

Master Contract, Insurance and Amendment

EdTheory LLC is a non-public agency (NPA) that provides Registered Behavior Technicians, Behavior Therapists and and paraprofessionals for school-based services that are identified on Individual Education Plans (IEP's) and 504 Plans. When Mt. Diablo Unified School District is not able to fill all open positions with district employees, the use of contract agencies is necessary to ensure that we are in compliance with state and federal law that governs special education. EdTheory LLC is a company that is utilized to provide these services to ensure that all of our needed services are covered for the 2024-2025 school year. Mt. Diablo Unified School District Human Resources, Student Services and Special Education continues to recruit and hire district employees.

**Recommendation:** Move to approve the contract total of \$100,000 between Mt. Diablo Unified School District and EdTheory.

**ORIGINAL - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the contract total of \$100,000 between Mt. Diablo Unified School District and EdTheory'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

**13.25 Review and Potential Approval of 2024-2025 School Year Independent Service Agreement between Mt. Diablo Unified School District and Holistic Speech Therapy**

Independent Service Agreement, Insurance

Holistic Speech Therapy provides Speech-Language Pathologists for school-based services that are identified on Individual Education Plans (IEP's). When Mt. Diablo Unified School District is not able to fill all open positions with district employees, the use of contract agencies is necessary to ensure that we are in compliance with state and federal law that governs special education. Holistic Speech Therapy is a company that is utilized to provide these services to ensure that all of our needed services are covered for the 2024-2025 school year. Mt. Diablo Unified School District Human Resources, Student Services and Special Education continues to recruit and hire district employees.

**Recommendation:** Move to approve the contact of \$50,000.00 between Mt. Diablo Unified School District and Holistic Speech Therapy

**ORIGINAL - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the contact of \$50,000.00 between Mt. Diablo Unified School District and Holistic Speech Therapy'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

**13.26 Review and Potential Approval of the 2024-2025 Contract Amendment between Mt. Diablo Unified School District and Communication Across Barriers**

Master Contract, Insurance and Amendment

Communication Across Barriers is a non-public agency (NPA) that provides speech and language pathologists and speech and language pathologist assistance for school-based services that are identified on Individual Education Plans (IEP's). When Mt. Diablo Unified School District is not able to fill all open positions with district employees, the use of contract agencies is necessary to ensure that we are in compliance with state and federal law that governs special education. Communication Across Barriers is a company that is utilized to provide these services to ensure that all of our needed services are covered for the 2024-2025 school year. Mt. Diablo Unified School District Human Resources, Student Services and Special Education continues to recruit and hire district employees.

**Recommendation:** Move to approve the contract total of \$165,000 between Mt. Diablo Unified School District and Communication Across Barrier

**ORIGINAL - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the contract total of \$165,000 between Mt. Diablo Unified School District and Communication Across Barrier'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

**D) Technology**

**13.27 Review and Potential Approval of Annual Renewal of Subscription for Business Plus with PowerSchool**

PowerSchool Quote # Q-865620-1

This is the annual support agreement renewal with PowerSchool for Mt. Diablo Unified School District's finance system, Business Plus. The agreement provides for customer support and software updates. The contract covers services from 10/1/24 through 9/30/25.

**Recommendation:** Move to approve annual renewal of subscription for Business Plus with PowerSchool

**ORIGINAL - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve annual renewal of subscription for Business Plus with

PowerSchool'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

## **E) Transportation**

### **13.28 Review and Potential Approval of Out of State Travel for One (1) Transportation Department Supervisor to Attend the Transporting Students with Disabilities & Special Needs Conference in Frisco, Texas.**

The Transportation Department is requesting approval for a Transportation of Operations Special Education Route Supervisor, to travel, stay, and attend the Transporting Students with Disabilities & Special Needs Conference in Frisco, Texas. The conference takes place from November 8, 2024 to November 12, 2024. Travel will take place on November 7, 2024 and on November 12, 2024

**Recommendation:** Move to approve the out-of-state travel expenses and lodging to attend the Transporting Students with Disabilities & Special Needs Conference for the Transportation of Operations Special Education Route Supervisor.

#### **ORIGINAL - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the out-of-state travel expenses and lodging to attend the Transporting Students with Disabilities & Special Needs Conference for the Transportation of Operations Special Education Route Supervisor'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

### **14.0 Consent Item Pulled for Discussion**

### **15.0 Consent Item Pulled by Staff**

### **16.0 Business/Action Items**

#### **16.1 Review and Potential Approval of Changes to Board Policies and Administrative Regulations per California School Board Association (CSBA) Recommendations - March 2024 Quarterly Update**

BP 0450 Comprehensive Safety Plan - Review 9/25/2024 AR 0450 Comprehensive Safety Plan BP 0470 COVID-19 Mitigation Plan - Approved/deleted 6/12/2024 BP 3516 Emergencies and Disaster Preparedness Plan - Review 9/25/2024 AR 3516 Emergencies and Disaster Preparedness Plan BP 3550 Food Service/Child Nutrition Program - Approved 8/14/2024 AR 3550 Food Service/Child Nutrition Program - Approved 8/14/2024 BP 3551 Food Service/Child Nutrition Program - Approved 8/14/2024 AR 3551 Food Service/Child Nutrition

Program - Approved 8/14/2024 BP 3553 Free and Reduced Price Meals - Approved 8/14/2024 AR 3553 Free and Reduced Price Meals - Approved 8/14/2024 BP 4111 Recruitment and Selection - Review 9/25/2024 BP 4211 Recruitment and Selection - Review 9/25/2024 BP 4311 Recruitment and Selection - Review 9/25/2024 AR 4112.5 Criminal Record Check - Review 9/25/2024 AR 4212.5 Criminal Record Check - Review 9/25/2024 AR 4312.5 Criminal Record Check - Review 9/25/2024 E(1) 4112.5 Criminal Record Check - Review 9/25/2024 E(1) 4212.5 Criminal Record Check - Review 9/25/2024 E(1) 4312.5 Criminal Record Check - Review 9/25/2024 BP 4118 Dismissal/Suspension/Disciplinary Action AR 4118 Dismissal/Suspension/Disciplinary Action - Review 9/25/2024 BP 4140 Bargaining Units BP 4240 Bargaining Units BP 4320 Bargaining Units BP 4157 Employee Safety BP 4257 Employee Safety BP 4357 Employee Safety AR 4157 Employee Safety AR 4257 Employee Safety AR 4357 Employee Safety AR 4157.1 Work-Related Injuries AR 4257.1 Work-Related Injuries AR 4357.1 Work-Related Injuries BP 4218 Dismissal/Suspension/Disciplinary Action - Review 9/25/2024 AR 4218 Dismissal/Suspension/Disciplinary Action - Review 9/25/2024 BP 5126 Awards for Achievement - Approved 8/28/2024 AR 5126 Awards for Achievement - Approved 8/28/2024 BP 5141.21 Administering Medication and Monitoring Health Conditions- Approved 6/12/2024 BP 5144 Discipline - Approved 6/12/2024 AR 5144 Discipline - Approved 6/12/2024 BP 6115 Ceremonies and Observances- Approved 6/12/2024 AR 6115 Ceremonies and Observances- Approved 6/12/2024 BP 6141.2 Recognition of Religious Beliefs and Customs - Approved 6/12/2024 AR 6141.2 Recognition of Religious Beliefs and Customs - Approved 6/12/2024 BP 6175 Migrant Education Program- Approved 6/12/2024 AR 6175 Migrant Education Program- Approved 6/12/2024 BB 9320 Meetings and Notices - Approved 6/12/2024 BB 9323.2 Actions by the Board - Approved 6/12/2024 E(1) 9323.2 Actions by the Board - Approved 6/12/2024 E(2) 9323.2 Actions by the Board - Deletion Recommended-no such adopted exhibit - Approved 6/12/2024

CSBA provides school districts with a quarterly list of potential updates to review Board Policies (BP), Administrative Regulations (AR), Board Bylaws (BB) and Exhibits (E) for revision in order to adapt to state or federal code changes. Revisions were made to BP 0450, 3516, 4111, 4211, 4218, 4311 and AR 4112.5, 4118, 4212.5, 4218, 4318, 4312.5 and E 4112.5, 4212.5, 4312.5 and were presented for review 9/25/2024 and are now being brought for approval. Work continues on the remaining policies.

**Recommendation:** Move to approve BP 0450, 3516, 4111, 4211, 4218, 4311 and AR 4112.5, 4118, 4212.5, 4218, 4318, 4312.5 and E 4112.5, 4212.5, 4312.5 as presented

**ORIGINAL - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Cherise Khaund)** Seconded to approve the **ORIGINAL** motion 'Move to approve BP 0450, 3516, 4111, 4211, 4218, 4311 and AR 4112.5, 4118, 4212.5, 4218, 4318, 4312.5 and E 4112.5, 4212.5, 4312.5 as presented'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
 Linda Mayo Yes  
 Cherise Khaund Yes  
 Erin McFerrin Yes  
 Keisha Nzewi Yes

**16.2 Review and Potential Approval of Changes to Board Policies and Administrative Regulations per California School Board Association (CSBA) Recommendations - June 2024 Quarterly Update**

BP 0420.41 Charter School Oversight - Approved 9/25/2024 E(1) 0420.41 Charter School Oversight - Approved 9/25/2024 BP 1113 District and School Websites - Approved 9/25/2024 AR 1113 District and School Websites - Approved 9/25/2024 E(1) 1113 District and School Websites BP 1260 Educational Foundation - Approved 9/25/2024 BP 2121 Superintendent's Contract - Approved 9/25/2024 BP 4112.9 Employee Notifications BP 4212.9 Employee Notifications BP 4312.9 Employee Notifications E(1) 4112.9 Employee Notifications BP 4121

Temporary/Substitute Personnel AR 4121 Temporary/Substitute Personnel BP 4127  
Temporary Athletic Team Coaches BP 4227 Temporary Athletic Team Coaches AR 4227  
Temporary Athletic Team Coaches BP 4327 Temporary Athletic Team Coaches BP 4161  
Leaves AR 4161 Leaves BP 4261 Leaves AR 4261 Leaves BP 4361 Leaves AR 4361 Leaves AR  
4161.1 Personal Illness/Injury Leave AR 4261.1 Personal Illness/Injury Leave AR 4361.1  
Personal Illness/Injury Leave AR 4161.2 Personal Illness/Injury Leave AR 4261.2 Personal  
Illness/Injury Leave AR 4361.2 Personal Illness/Injury Leave BP 4218.1  
Dismissal/Suspension/Disciplinary Action (Merit System) BP 5113 Absences and Excuses -  
Review 9/25/2024 AR 5113 Absences and Excuses - Review 9/25/2024 BP 5145.6  
Parent/Guardian Notifications - Review 9/25/2024 E (1) 5145.6 Parent/Guardian  
Notifications - Review 9/25/2024 BP 6000 Concepts and Rolls - Review 9/25/2024 BP 6164.2  
Guidance/Counseling Services - Review 9/25/2024 BP 6177 Summer Learning Programs -  
Review 9/25/2024 BP 7214 General Obligation Bonds AR 7214 General Obligation Bonds BB  
9220 Governing Board Elections - Review 9/25/24 E(1) 9220 Governing Board Elections -  
Review 9/25/24 BB 9223 Filing Vacancies - Review 9/25/24

CSBA provides school districts with a quarterly list of potential updates to review Board Policies (BP), Administrative Regulations (AR), Board Bylaws (BB) and Exhibits (E) for revision in order to adapt to state or federal code changes. Revisions for BP 5113, 5145.6, 6000, 6164.2, 6177 AR 5113 BB 9220, 9223 and E(1) 5145.6 and 9220 were presented at the 9/25/24 meeting and are now being brought for approval. Work continues on the remaining policies

**Recommendation:** Move to approve changes to BP 5113, 5145.6, 6000, 6164.2, 6177 AR 5113 BB 9220, 9223 and E(1) 5145.6 and 9220 as presented.

**ORIGINAL - Motion**

Member **(Linda Mayo)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve changes to BP 5113, 5145.6, 6000, 6164.2, 6177 AR 5113 BB 9220, 9223 and E(1) 5145.6 and 9220 as presented'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

**16.3 Review and Potential Approval of Changes to Board Policies and Administrative Regulations per California School Board Association (CSBA) Recommendations - July 2024 Special Update**

BP 0410 Non Discrimination in District Programs and Activities - Review 9/25/2024 BP 1312.3 Uniform Complaint Procedures - Review 9/25/2024 AR 1312.3 Uniform Complaint Procedures BP 4030 Non Discrimination in Employment - Review 9/25/2024 AR 4030 Non Discrimination in Employment BP 4033 Lactations Accommodation - Review 9/25/2024 BP 4119.11 Sex Discrimination and Sex Based Harassment - Review 9/25/2024 AR 4119.11 Sex Discrimination and Sex Based Harassment BP 4219.11 Sex Discrimination and Sex Based Harassment - Review 9/25/2024 AR 4219.11 Sex Discrimination and Sex Based Harassment BP 4319.11 Sex Discrimination and Sex Based Harassment - Review 9/25/2024 AR 4319.11 Sex Discrimination and Sex Based Harassment AR 4119.12 Title IX Sex Discrimination and Sex Based Harassment Complaint Procedure E(1)4119.12 Title IX Sex Discrimination and Sex Based Harassment Complaint Procedure AR 4219.12 Title IX Sex Discrimination and Sex Based Harassment Complaint Procedure E(1)4219.12 Title IX Sex Discrimination and Sex Based Harassment Complaint Procedure AR 4319.12 Title IX Sex Discrimination and Sex Based Harassment Complaint Procedure E(1)4319.12 Title IX Sex Discrimination and Sex Based Harassment Complaint Procedure BP 5145.3 Non Discrimination/Harassment - Review 9/25/2024 AR 5145.3 Non Discrimination/Harassment BP 5145.7 Sex Discrimination and Sex Based Harassment - Review 9/25/2024 AR 5145.7 Sex Discrimination and Sex Based

Harassment AR 5145.71 Title IX Sex Discrimination and Sex Based Harassment Complaint Procedure E(1) 5145.71 Title IX Sex Discrimination and Sex Based Harassment Complaint Procedure BP 5146 Married/Pregnant/Parenting Students - Review 9/25/2024  
CSBA provides school districts with a quarterly list of potential updates to review Board Policies (BP), Administrative Regulations (AR), Board Bylaws (BB) and Exhibits (E) for revision in order to adapt to state or federal code changes. On April 19, 2024, the Department of Education released revised federal regulations implementing Title IX of the Education Amendments Act of 1974 (20 U.S.C. §§ 1681 et seq.). Board Policies 0410 (Nondiscrimination in Programs and Activities), 1312.3 (Uniform Complaint Procedures), 4030 (Nondiscrimination in Employment), 4033 (Lactations Accommodation), 4119.11/4219.11/4319.11 (Sex Discrimination and Sex Based Harassment), 5145.3 (Nondiscrimination/Harassment), 5145.7 (Sex Discrimination and Sex Based Harassment); and 5146 Married/Pregnant/Parenting Students, have been revised to comply with the new regulations and were originally presented at the 9/25/2024 board meeting. These policies are being brought back for approval. The revisions are based upon the CSBA's model policies with some amendments based upon CSBA's recommendation to consult with legal counsel in determining standards. Updates to the District's regulations will also be made to comply with the new regulations. Of note, any Title IX complaint for incidents before August 1, 2024, will be address under the old policies and procedures.

**Recommendation:** Move to approve revisions to BP 0410, 1312.3 4033 ,4119.11, 4219.11, 4319.11, 5145.3, 5145.7, and 5146 as presented.

**ORIGINAL - Motion**

Member (**Cherise Khaund**) Moved, Member (**Keisha Nzewi**) Seconded to approve the **ORIGINAL** motion 'Move to approve revisions to BP 0410, 1312.3 4033 ,4119.11, 4219.11, 4319.11, 5145.3, 5145.7, and 5146 as presented'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

**16.4 Review and Potential Approval of Minor Changes to Board Policy (BP) 13612.1, 1312.2 6153 and Administrative Regulations (AR) 1313.1, 3311, 5112.2**

BP 1312.1 Complaints Concerning District Employees AR 1313.1 Complaints Concerning District Employees BP 1312.2 Complaints Concerning Instructional Materials AR 3311 Bids AR 5112.2 Exclusions from Attendance BP 6153 School Sponsored Trips  
Staff is continuing to update the existing District Board Policies (BPs) and Administrative Regulations (ARs) for consistency and to align with District practices. Changes to these BP and AR add a consistent 10 day timeframe for the appeal process.

**Recommendation:** Move to approve the revisions to BPs 13612.1, 1312.2 6153 and ARs 1313.1, 3311, 5112.2 as presented.

**ORIGINAL - Motion**

Member (**Cherise Khaund**) Moved, Member (**Debra Mason**) Seconded to approve the **ORIGINAL** motion 'Move to approve the revisions to BPs 13612.1, 1312.2 6153 and ARs 1313.1, 3311, 5112.2 as presented'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes



## **17.0 Meeting Extension**

## **18.0 Closed Session (Carry Over)**

### **18.1 Items Not Completed During the First Closed Session will be Carried Over to this Closed Session**

Items not completed during the first closed session will be carried over to this closed session as needed.

**Recommendation:** Reconvene a second closed session as needed.

## **19.0 Reconvene Open Session**

### **19.1 Report Out Action Taken During Closed Session**

Report out action taken during closed session.

**Recommendation:** Information.

## **20.0 Future Agenda Items**

Board Trustee Khaund suggested there be a presentation at either the November or December board meeting by Sogorea Te Land Trust, in honor of Native American Heritage Month.

## **21.0 Adjournment**

President McFerrin adjourned the meeting at 7:35pm

### **21.1 Adjourn Meeting**

The meeting of the Board of Education of the Mt. Diablo Unified School District will adjourn.

**Recommendation:** Adjourn the meeting.