

**MINUTES**  
**REGULAR MEETING OF THE BOARD OF EDUCATION**  
**MT. DIABLO UNIFIED SCHOOL DISTRICT**  
**Monday, April 20, 2015 (5:30 p.m./7:00 p.m.)**

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

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

**CALL TO ORDER**

President Hansen called the meeting to order at 5:40 p.m. and conducted Roll Call with all Board members present except Mr. Lawrence.

**PUBLIC COMMENT**

Annie Nolan expressed her frustration with current union negotiations.

**CLOSED SESSION AGENDA**

**4.1 (Item #1) Expulsion of Student #13-15 from all Regular Schools of Mt. Diablo Unified School District**

The expulsion of Student #13-15 from all regular schools of Mt. Diablo Unified School District. School placement of Student #13-15 will be at Diablo Community Day School.

**4.2 (Item #2) Anticipated Litigation - Conference with Legal Counsel pursuant to Gov't. Code Sec. 54956.9(b), Significant Exposure to Litigation: Two Cases**

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

**4.3 (Item #3) Discipline, Dismissal or Release of Public Employee**

Staff is seeking approval of the Settlement Agreement and Release for a certificated employee.

**4.4 (Item #4) Negotiations - The Board may discuss negotiations or provide direction to its representatives regarding represented employees, pursuant to EERA (Govt. Code Section 3549.1) Agency negotiator: Deborah Cooksey, Agency: CSEA**

**4.5 (Item #5) Superintendent's Evaluation**

In Closed Session, the Board will consider the Superintendent's evaluation.

**ADJOURN TO CLOSED SESSION**

The Board adjourned to Closed Session at 5:46 p.m. Mr. Lawrence arrived as Closed Session began.

**RECONVENE OPEN SESSION**

The Board reconvened Open Session at 7:10 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**

**8.1 (Item #1) Expulsion of Student #13-15 from all Regular Schools of Mt. Diablo Unified School District**

The expulsion of Student #13-15 from all regular schools of Mt. Diablo Unified School District. School placement of Student #13-15 will be at Diablo Community Day School.

Mayo moved, Oaks seconded, and the Board voted 5-0-0 to approve the expulsion of Student #13-15 from all regular schools of Mt. Diablo Unified School District, and that Student #13-15 may apply for readmission after January 21, 2016. It is required that Student #13-15 participates in twenty (20) hours of individual counseling to address anger management, serve 30 hours of community service, attend California Offender Program Services (COPS) Aggressive Offender class, attend MDUSD's Drug and Alcohol Workshop, submit proof of negative drug test, and show evidence of a successful school experience with good attendance, no suspendible behavior infraction, maintain at least a 2.0 GPA and earn 30 credits, prior to applying for readmission. School placement for Student #13-15 will be determined by Student Services.

**8.2 (Item #2) Anticipated Litigation - Conference with Legal Counsel pursuant to Gov't. Code Sec. 54956.9(b), Significant Exposure to Litigation: Two cases**

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

The Board gave direction to staff on two cases of anticipated litigation.

**8.3 (Item #3) Discipline, Dismissal or Release of Public Employee**

Staff is seeking approval of the Settlement Agreement and Release for a certificated employee.

The Board gave direction to staff on two cases.

**8.4 (Item #4) Negotiations - The Board may discuss negotiations or provide direction to its representatives regarding represented employees, pursuant to EERA (Govt. Code Section 3549.1) Agency negotiator: Deborah Cooksey, Agency: CSEA**

The Board gave direction to agency negotiator Deborah Cooksey.

**8.5 (Item #5) Superintendent's Evaluation**

In Closed Session, the Board will consider the Superintendent's evaluation.

The Board will return to Closed Session after Open Session in order to complete the Superintendent's evaluation.

**RECOGNITIONS AND RESOLUTIONS**

**9.1 Recognition of Association of California School Administrators (ACSA) California Elementary Principal of the Year**

The Mt. Diablo Unified School District Board of Education and Superintendent will recognize Dr. Mary-Louise Newling, Principal of Meadow Homes Elementary School, who has been selected as the California Elementary Principal of the Year by ACSA (Association of California School Administrators).

Dr. Meyer recognized Dr. Newling and her achievements. Dr. Newling thanked Board members for their support.

**STUDENT REPRESENTATIVES**

Student Representatives reported on activities at their high schools.

**BOARD MEMBER REPORTS**

Ms. Mayo shared that she attended the meeting between the Contra Costa County Board of Education and the Alameda County Board of Education. Ms. Mayo shared that she attended the PTA Advocacy Day held in the San Ramon Valley, and noted that the discussion was primarily focused on determining the adequacy of funding in California, and the importance of defining what is needed to support student learning. Presenters included Evolve California, Educate Our State, California Forward, Congressman Mark DeSaulnier, and Assemblywoman Susan Bonilla. Ms. Mayo shared that people interested in more information about the presentations at the event may contact her for a list of links to all sites referenced.

Ms. Mason attended the Pleasant Hill Education Foundation's Common Core presentation at the Pleasant Hill Library, and shared that the Bay Point Community Foundation hosted a Science Week for children during spring break. Ms. Mason visited Concord High School to attend both the "Every 15 Minutes" presentation and Dr. Meyer's LCAP presentation. Ms. Mason shared that she is a member of the Bay Area Community Schools Advisory Committee, which discussed making more schools "community schools," as well as a member of the Food Consortium, which may be impacted by several upcoming bills. Ms. Mason shared that she toured the Diablo Valley College campus with President Hansen, and participated in the Beautification Day at Bel Air Elementary School.

Mr. Lawrence shared how nice it is to see Dr. Newling being recognized, and observed it is an indication of a turnaround in the District over the past few years. Mr. Lawrence noted that the District strives to go from good to great, and to have a principal the caliber of Dr. Newling in every school. Mr. Lawrence requested that Dr. Meyer provide an update on the Clayton Valley Charter School at the next meeting.

Ms. Hansen thanked the City of Concord for the joint meeting, and applauded the Concord City Council for their ongoing commitment to education. Ms. Hansen also acknowledged Concord Police Chief Swanger for his work. Ms. Hansen shared that she visited the Family Justice Center in Concord, and thanked Derek and Adelaide, two MDUSD social workers, for giving her a personal tour. Ms. Hansen noted that Chief Swanger brought this model to open up services for families in need of confidential, no-cost services, from San Diego. Ms. Hansen shared that she went on a tour of Diablo Valley College, and noted that the Board will hold a joint meeting with the Contra Costa Community College District Governing Board on May 11. Ms. Hansen shared that they have a strong culinary program at DVC, and are excited to partner with our nutrition and health academies. Ms. Hansen shared that teacher, Cindy Gershon, and director of Food Services, Anna Fisher, escorted a group of students to Washington, DC to present their programs to the U.S. Department of Agriculture.

### **SUPERINTENDENT'S REPORT**

Dr. Meyer shared that she visited Ygnacio Valley, Concord, Northgate, College Park, and Mt. Diablo High Schools. Dr. Meyer shared that she has been holding student focus groups, as well as attending the feeder-pattern hosted events spotlighting K-12 accomplishments. Events have been held to highlight the successes at all of the campuses throughout the District in the areas of academics, arts, and athletics. Dr. Meyer shared that she completed her last high school student focus group at Northgate High School, where the students contributed the concept that if they do not complete something correctly, they would like to continue working on it until they have completed it successfully, rather than moving on to the next subject and accepting a low score. Dr. Meyer noted that this is a complex concept in education, and something that successful educational systems do.

Dr. Meyer shared that some schools are currently going through the Western Association of Schools and Colleges (WASC) accreditation process, and are hosting welcome nights as part of that process.

Dr. Meyer shared that the District continues to work on the implementation of its Local Control Accountability Plan (LCAP). Dr. Meyer shared that she is meeting with the Parent Advisory Council every two months, and that she recently spent a day with a focus group comprised of parents, teachers, administrators, and other stakeholders to help the District update the LCAP for Board approval in late May or early June.

Dr. Meyer shared that the District is reaching out to local educational foundations to discuss distributing information to the community about Common Core State Standards. Dr. Meyer mentioned that the partnership with the Pleasant Hill Education Foundation to put on the Common Core presentation at the Pleasant Hill Library was a nice partnership, and noted that she will be meeting with that particular foundation to discuss how the Common Core information can be shared across the District.

Dr. Meyer shared that at the District English Learners Advisory Committee (DELAC) meeting there was a discussion of the LCAP, and a conversation about the things that students need in order to be ready for college and career. Dr. Meyer noted that Felicia Stuckey-Smith gave a presentation on the Discipline Matrix at that same meeting.

Dr. Meyer shared highlights of the joint meeting with the Concord City Council, including: a heartfelt description of how School Resource Officers (SROs) are supporting students; the District partnership with the City of Concord around sharing fields with community organizations; and presentations from Meadow Homes Elementary, Pine Hollow Middle, and Concord High School. Dr. Meyer noted that last year the Concord City Council offered many suggestions about what the District could be doing better, while this year they noticed many reinstatements that were products of that conversation. Dr. Meyer shared that the City Council would like to see the District emphasize getting the message out to the community about things happening in the Mt. Diablo Unified School District.

Dr. Meyer gave a reminder that Smarter Balanced testing, the computer-based assessments for Common Core, will take place for grades 3-8 and 11 from April 27-May 29. Dr. Meyer noted that this is the first year that the District will go through the new testing process.

## **REPORTS/INFORMATION**

### **13.1 School Spotlight: Northgate High School / Link Crew**

Teachers Todd Bauleke and Melanie Scott are excited to share their successes as leaders of Northgate's Link Crew. Their efforts continue to support incoming freshman as they transition into high school life and is changing culture in the process.

Northgate High School Principal Michael McAlister introduced Todd Bauleke and Melanie Scott, who gave a presentation.

## **PUBLIC EMPLOYEE APPOINTMENT**

### **14.1 Classified Personnel: Appointment of Transportation Services Coordinator**

Interviews have been conducted, and a candidate has been selected to fill the position of Transportation Services Coordinator.

Mason moved, Lawrence seconded, and the Board voted 5-0-0 to approve the appointment of Cynthia Tillitz to the position of Transportation Services Coordinator.

## **CONSENT AGENDA**

Mayo moved, Oaks seconded, and the Board voted 5-0-0 to approve all Consent Agenda items, with the exception of Items #6, 9, and 25, thereby approving the following:

**15.1 (Item #1) Items listed under Consent Agenda are considered routine and will be approved/adopted by a single motion. There will be no separate discussion of these items; however, any item may be removed from the consent agenda upon the request of any member of the Board and acted upon separately.**

### **15.2 (Item #2) Mt. Diablo High School's trip to Yosemite National Park April 26-29, 2015**

The Academy instructor is requesting approval for a trip to Yosemite with 15 International Hospitality & Tourism Academy students. Students will experience Hospitality Tourism & Recreation Standards (C1.3 to C12.5) directly in the field, and meet career professionals. Students will be traveling in private vehicles. In addition to the instructor, three adults will chaperone the trip.

### **15.3 (Item #3) Mount Diablo High School's Trip to Sugarloaf Ridge State Park on May 18-19, 2015**

The Biology teacher would like to take 11 of her AP Biology students to Sugarloaf Ridge State Park located in Kenwood, CA to study the local ecosystem and ecosystem interactions. Students will be traveling via private vehicles.

**15.4 (Item #4) Mt. Diablo High School's Trip to Mt. Diablo State Park on May 29-30, 2015**

Two academy instructors are seeking approval to take 29 International Hospitality & Tourism Academy students to Mt. Diablo State Park to study ecotourism, outdoor recreation, and environmental science in the field. Additionally, one parent will accompany the group as a chaperone. Students will travel by District-provided bus.

**15.5 (Item #5) Northgate High School's Action Learning Systems, Inc. Independent Contract**

Please approve the attached contract with Action Learning Systems, Inc. to provide professional development to the Northgate staff. While this contract is \$11,050, it is their third contract with this vendor, placing the total spent at \$26,450.

**15.6 (Item #7) Contract between November Learning LLC and Monte Gardens Elementary**

Lainie Rowell of November Learning will demonstrate classroom lessons integrating technology with students in grades K-5 on April 22-23, 2015. Mt. Diablo Unified School District has done more than \$25,000 business with November Learning in 2014-15, requiring Board approval.

**15.7 (Item #8) Contract between November Learning LLC/Lainie Rowell and Hidden Valley Elementary**

Lainie Rowell of November Learning will provide in-class coaching and after school Professional Development on innovative ways to improve teaching and learning on April 29-30, 2015. Mt. Diablo Unified School District has done more than \$25,000 business with November Learning in 2014-15, requiring Board approval.

**15.8 (Item #10) Master Contract between EMQ Families First and MDUSD**

On January 1, 2015, the District changed the manner in which it is processing billing for mental health services. Prior to this time, the billing was processed through Contra Costa County Mental Health (CMH). As of January 1, 2015, the agencies involved will directly bill with the District. This will eliminate the billing surcharge from CMH to remain fiscally responsible, while still maintaining quality service to students.

**15.9 (Item #11) Increase to Master Contract with Non-Public Agency LindaMood Bell Learning Processes**

LindaMood Bell Learning Processes is a certified Non-Public Agency that provides compensatory reading and math intervention services for MDUSD students that have been agreed to through legal settlement agreements and the Alternative Dispute Resolution process. The District currently has an approved contract in the amount of \$22,250. Additional funds in the amount of \$44,000 are requested for the remainder of the school year.

**15.10 (Item #12) Independent Services Contract Between Mt. Diablo Unified School District and Marzano Research Laboratory, LLC for the 2015-16 School Year**

As a district in Program Improvement, we are required to annually spend 10% of Title I funds on professional development (PD). The PD must meet a variety of criteria, including alignment with the District's Local Education Agency Plan Addendum (LEA Plan Addendum). Mt. Diablo's LEA Plan Addendum identifies the need to provide District-wide professional development for administrators, coaches, and teachers focusing on the instructional program, high quality first instruction, collaboration, and the development of a District-wide intervention plan with a focus on responsive to intervention. (LEA Addendum D.4.1.1, D.4.1.2, D.5.1.1, D.5.3.1, D.6.1.1, D.8.1.2). Staff identified Dr. Robert Marzano's "The Art and Science of Teaching" three years ago as the District focus to support instruction in the implementation of Common Core State Standards. This contract will cover the fourth year of training. All school teams with principals and teachers will participate in either the Year 2 or Year 3 training. All co-administrators will also receive this training during the year.

**15.11 (Item #13) Request to Approve Independent Services Contract with Mt. Diablo Unified School District and Marzano Research Laboratory**

Associate Tammy Heflebower of Marzano Research will conduct professional development workshops for teachers at Pleasant Hill Middle School on June 12, 2015 and August 24, 2015 with emphasis on the following:

- Building relationships with students
- Creating student friendly learning environments and routines

- Learning goals
- Student engagement

Contract work with Marzano Research Laboratory for 2014-15 has exceeded \$25,000; therefore we are requesting Board approval.

**15.12 (Item #14) Request to Increase Award of Software License Agreement, RFP #1579 to Red Schoolhouse Software (OARS)**

We would like to increase the Red Schoolhouse (OARS) Software License Agreement by \$30,000. This increase is to update the elementary report cards so it will be aligned with the Common Core State Standards.

**15.13 (Item #15) First 5 Contra Costa School-Readiness Grant**

Mt. Diablo Adult Education requests approval to submit an application for funding from First 5 Contra Costa in the amount of \$106,080 to implement family literacy program-based preschools at Meadow Homes and Cambridge from 7/1/2015 to 6/30/2016.

**15.14 (Item #16) Contra Costa County Family and Children's Trust (FACT) Grant to Support the Crossroads Program**

Staff requests permission to submit an application to Contra Costa County Family and Children's Trust (FACT) for the Contra Costa County FACT Grant in the amount of \$79,570 to provide support services for teen parents at Crossroads High School. MDUSD has been the recipient of the FACT grant since 2005. These funds will be used to support the mental health and well-being of Crossroads students and their children, strengthen family relationships, encourage continued school attendance, improve academic performance, and promote understanding of child development and the adoption of positive parenting practices. This grant supports student learning by providing a program that includes mentoring and tutoring, parenting and life skills education. Services will include reading support, math support, career exploration, mental health services, and strengthening parenting skills. This is a two year grant, renewable each year (2015-17).

**15.15 (Item #17) Williams Quarterly Summary Report**

The Williams legislation is a package of state laws resulting from the settlement of class action lawsuit filed in San Francisco County Superior Court in 2000, Eliezer Williams et al, vs. State of California.

The basis of the lawsuit was that agencies failed to provide public school students with equal access to instructional materials, safe and decent school facilities, and qualified teachers. The Contra Costa County Office of Education has requested quarterly reports on specific complaints designated in the Williams lawsuit settlement.

Quarterly Reports reflect complaints regarding textbooks and instructional materials, teacher vacancies or misassignments, facilities conditions and Valenzuela/CAHSEE support. This quarter's report includes the months of January through March, 2015.

**15.16 (Item #18) Fiscal Transactions for the month of March 2015**

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

**15.17 (Item #19) Recommended Action for Certificated Personnel**

Changes in status of the following certificated employees.

**15.18 (Item #20) Request to Increase and Decrease Full Time Equivalent (FTE) for the 2014-15 School Year**

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

**15.19 (Item #21) 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.

**15.20 (Item #22) Recommended Action for Classified Personnel**

Changes in status for the following classified employees.

**15.21 (Item #23) Classified Personnel: Request to Increase/Decrease Full time Equivalent (FTE) for the 2014-15 and 2015-16 School Year**

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

**15.22 (Item #24) Classified Personnel: Resolution of Reduction or Discontinuance of Classified Employees (Classified Layoff) Resolution No. 14/15-44**

Under state law, school districts are required to provide not less than 60 days' notice to classified employees of a layoff. The notice includes the effective date of the layoff, and the displacement and reemployment rights of the noticed employees. Resolution No. 14/15-44 lists the classified positions that are ending due to the expiration of funding. With the adoption of Resolution No. 14/15-44, the Director of Personnel Services will be directed to send notices to affected classified employees informing them that their services will not be required for the 2015-16 school year. The resolution also adopts the criteria that Personnel Services will use to determine whether employees whose services are being eliminated have sufficient experience and qualifications to bump less senior employees. Finally, the resolution directs that layoff notices be sent to the appropriate classified employees in order to effectuate a reduction of the classified staff in an amount equal to the number of full-time equivalent positions listed on the resolution in accordance with Education Code.

**15.23 (Item #26) Minutes for the Board of Education Meeting held on March 23, 2015**

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

**CONSENT ITEMS PULLED FOR DISCUSSION**

**16.1 (Item #6) Ygnacio Valley High School's Independent Contract with Events to the T, Inc.**

Please approve the attached Independent Contract with Events to the T, Inc. to provide services for YVHS's Jr. Prom at Hs. Lordships Restaurant in Berkeley on May 14, 2016.

Ms. Mason pointed out that it is unclear whether the security guards at the event will be fingerprinted. Dr. Meyer shared that staff is awaiting confirmation from Events to the T, Inc. regarding whether their security guards are fingerprinted.

This item was tabled until the Board meeting on May 4, 2015.

**16.2 (Item #9) Independent Service Contract between Walnut Acres Teaching Staff and Nicole Padoan**

Nicole Padoan will provide the Walnut Acres staff with workshops entitled "Writer's Workshop" and provide an exploration of the "Reader's Workshop" programs between April and June 30, 2015. Nicole Padoan's cumulative contract services will exceed \$25,000 in the 2014-15 school year, therefore this contract is being brought to the Board for approval. This contract is for additional services not covered in prior contracts.

Mr. Lawrence requested that staff include a listing of the cumulative cost of services in future Board items.

Oaks moved, Mayo seconded, and the Board voted 5-0-0 to approve the contract between Nicole Padoan and the Mt. Diablo Unified School District Walnut Acres Elementary.

**16.3 (Item #25) Professional Services Contract to J.M. King Consulting, Inc. for Department of the State Architect (DSA) Legacy Project Close-out/Certification Services**

The California Building Standards Administrative Code defines 'Additions' and 'Alterations' as applying only to existing Department of the State Architect (DSA) "certified" buildings. Therefore, the DSA cannot approve plans for additions or alterations to existing non-DSA certified buildings. Although the DSA has, in the past, been somewhat flexible in enforcing this policy, they have advised school districts that all new facility work involving uncertified projects cannot be approved until the issue of the underlying certification is resolved. Moreover, the

DSA will no longer approve plans and specifications for alteration and/or addition projects or utilizing portions of uncertified projects except when the new project is solely for the purpose of upgrading fire-life safety aspects of the building/campus. A DSA approved project can be “closed” without certification by the DSA for any number of reasons including, but not limited to, failure to properly complete and submit all DSA-6 forms (Inspector’s Affidavit Report, Architect’s Affidavit Report, Engineer’s Affidavit Report or Contractor’s Affidavit Report), Laboratory Affidavits, Special Inspection Affidavits or Notice of Completion and fees.

In December 2010, the Board of Education awarded a time and materials contract to address DSA “closed without certification” projects. As noted at that time, staff was concerned that DSA was not sharing/posting all project data, especially those projects that are very old. Since 2010, DSA has added approximately forty-five (45) projects to the “uncertified” list. As the planned 2010 Measure C work clearly involves work which must be submitted to the DSA for approval, it is imperative that all outstanding projects be identified and all required close-out/certification documents be submitted as soon as practicable so as not to delay planned facility improvements.

This process continues to necessitate a laborious project by project investigation, meetings with the DSA and the preparation and submission of requisite documents. In those cases where the original Architect of Record (AOR), engineers, inspectors and professionals are no longer living or no longer conducting business it is necessary that a certified architect formally assume the role of AOR, close out the project for certification and assume all liability associated with the project including that associated with structural, mechanical and electrical engineering as well as inspection services.

As previously expected, the progress has been tedious. As we quickly approach the modernization work, staff feels it necessary to supplement the work in progress. As such, District recommends the services of an additional firm to close/certify outstanding projects added to the DSA list. Staff has negotiated a Not-to-Exceed contract fee of \$105,000 with J.M. King Consulting, Inc. for the provision of closeout-certification services for forty-two (42) additional DSA “legacy” projects which have been “closed” without certification. Per the terms of the new agreement, firm will be paid per engagement with payment only due upon verification of certification by DSA.

**Public Comment:**

John Ferrante and J. Parker spoke against moving forward with this item.

No motion was made, this item did not move forward.

**DISTRICT ORGANIZATIONS**

John Ferrante, Measure C Bond Oversight Committee, expressed his opinion of the presentation by the DS&C at the recent Study Session.

Carmen Terrones, CST, commented on the huge improvement in the relationship between CST and the District. Ms. Terrones shared her concern about staff safety at a school site, and requested that an SRO be placed on that campus.

Annie Nolan, CSEA, expressed her opinion that this has been a good year. Ms. Nolan shared her concerns about lack of respect and low pay for her members, and spoke in favor of paraprofessional assistants attending CSEA conferences and trainings.

**PUBLIC COMMENT**

Joe Medrano, Marcia Mason, and Olga Brick voiced their concerns about President Hansen’s correspondence regarding Clayton Valley Charter High School.

John Ferrante pointed out that when a Board member attends a meeting via teleconference, voting is required to be taken via roll call vote.



Stephanie Nocerino voiced her concern about President Hansen's correspondence regarding Clayton Valley Charter High School.

Colin Jones shared that Mt. Diablo High School students received awards and scholarships from the Contra Costa County Science and Engineering Fair. Mr. Jones announced that four student groups were invited to the California State Science Fair in Los Angeles, and he is advocating for approval of that trip as it is happening short of the six week required timeline for Board approval.

Iana Samuels voiced her concerns over administrative support at Oak Grove Middle School while the principal is on maternity leave.

Willie Mims suggested that Board Member Reports be moved to the end of the meeting agenda. Mr. Mims encouraged the District to keep diversity in mind when hiring new staff members.

## **BUSINESS/ACTION ITEMS**

### **19.1 Creation of Job Description for Program Specialist, Career Pathways/Linked Learning**

Staff has created a new job description to provide coordination, oversight and direction of District-wide Career Pathways/Linked Learning initiatives. The Program Specialist Career Pathways/Linked Learning position is being created to support the Diablo Gateways to Innovation (DGI) grant which is part of California's Department of Education's Career Pathways Trust grant. This position will serve as the District representative with community, local, and state organizations and programs, and will support schools in the development and implementation of career pathways/linked learning. The position will assist with staff development, and provide leadership to District and site staff in developing/maintaining a vision of student learning as it relates to career pathways/linked learning.

Dr. Meyer gave an introduction of the position. Joanne Durkee described this new position, and responded to Board member questions. Dr. Meyer announced that the District is holding a joint showcase of its career pathways in partnership with Antioch and Pittsburgh Unified School Districts on May 14.

This item was for information only.

### **19.2 Appointment of Summer School Administrator and Change in Assignment for Summer School Administrator**

Gatee Esmat has been selected to fill the position of Principal at Cambridge Elementary for Summer Session 2015.

Dr. Meyer announced that staff recommends that Jose Espinosza be appointed Summer School High School Principal, and Gatee Esmat has been selected to fill the position of Principal at Cambridge Elementary for Summer Session 2015.

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

### **19.3 Tentative Agreement between Mt. Diablo Unified School District and Mt. Diablo School Psychologists Association (MDSPA) for 2015-16 Re-Opener for Benefits**

MDUSD and MDSPA have entered into a tentative agreement dated March 24, 2015 on a benefits reopener for the 2015-16 school year. This agreement provides for a change in Article XIII as outlined in the attached Tentative Agreement.

Beginning July 1, 2015, the District will pay up to 80% of the 2015 Kaiser rate for each applicable tier. Newly hired employees as of September 26, 2011 or current employees who move from non-benefited to a benefited position and who work between 4-5.9 hours per day and 20-29.5 hours per week qualify for pro-rated District paid health benefits using a divisor of six hours.

Dr. Meyer described the tentative agreement.

Oaks moved, Mason seconded, and the Board voted 5-0-0 to approve the tentative agreement between Mt. Diablo Unified School District and Mt. Diablo School Psychologists Association for the 2015-16 re-opener for benefits.

**19.4 Public Hearing: Contra Costa School of Performing Arts' Charter School Petition under Education Code section 47605(b)**

On March 26, 2015, the District received a petition to form the Contra Costa School of Performing Arts Charter School. Tonight, the School Board will hold a public hearing to receive input on the Petition. At a public meeting on or before May 26, the Board will take action to grant or deny the petition. Staff, in consultation with legal counsel, is conducting a review and analysis of the petition against the legal criteria set forth in Education Code section 47605, and will provide its written analysis of the petition, and discussion of potential options, to the School Board before the determination meeting. The School Board will take no action tonight, but will receive public input on the Petition during the public hearing.

President Hansen gave a brief synopsis of the process. Neil McChesney, lead petitioner, gave a presentation.

The Public Hearing was opened at 9:01 p.m. President Hansen announced that due to the large number of speaker cards submitted, each speaker will be allotted one minute.

Public Comment:

Kelly Cooper and Anna Rad voiced their concerns about the charter school petition.

Rob Seitelman, Stacey Wickware, and Kristyn Pullen spoke in support of the charter school petition.

Joan Miller, Jeff Hagerstrand, Shuleen Martin, Ilana Samuels, Julie Fong, Josiah Cisler, Guy Moore, and Willie Mims voiced their concerns about the charter school petition.

Joe Medrano spoke in support of the charter school petition.

Kipp Penovich, Dorothy Weisenberger, Denise Lambert, and Dan Reynolds voiced their concerns about the charter school petition.

The Public Hearing was closed at 9:37 p.m. This item was for information only.

**19.5 PULLED BY STAFF: Reclassification of Management Positions**

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

Classified Positions – Print Shop Supervisor and Warehouse Supervisor. Increase annual amount in Range 5. Range 5 is currently \$56,311 - \$76,340. The work year will remain the same.

Certificated Position – Administrator, School Linked Services. Increase Range from 20 to 25 and the number of days in the work year from 215 to 248 in order to provide services to students throughout the year. Range 20 is \$84,535 - \$114,594. Range 25 is \$88,077 - \$119,397.

These reclassification requests will be effective July 1, 2015.

**19.6 Purchase of Computers for School Cafeteria's new Point of Service Program**

At the November 19, 2014 Board of Education meeting, the purchase of software components for the Point of Service upgrade for various school sites was approved. Staff is now requesting the purchase of computer upgrades to use with the new software for various secondary school cafeteria sites with multiple points of service at each site

and elementary sites with a single point of service. Sites will be determined by need. The upgrades will eventually be at every school site. This purchase will also be made through The Interlocal Purchasing System (TIPS).

After a brief discussion, Mason moved, Mayo seconded, and the Board voted 5-0-0 to approve the purchase of computers for the cafeteria POS system from Harris Computer Systems through the TIPS bid.

### **19.7 Request for Replacement of Outdated Warrants (2)**

County warrant issued to 1) Patricia Nivens for reimbursement for order and 2) Patricia Spada for outdated payroll check not presented to the County Treasurer for payment within six months of date of issue and consequently void. Replacement is limited to two years from the date the original warrant was issued. It then becomes void as per Government Code 29802, unless the Board directs reissuance of the warrant(s).

Nance Juner responded to Board member questions.

Mayo moved, Mason seconded, and the Board voted 5-0-0 to approve new warrants to be issued to replace the voided warrants.

### **19.8 Contract extension for Reliance Communications to Continue to Provide District Automated Parental Notification Services**

On April 16, 2009, the District accepted proposals from ten (10) vendors for a new Automated Parental Notification System. Proposals were evaluated and vendors interviewed in accordance with the criteria specified in the RFP. Reliance Communications' School Messenger was deemed the most comprehensive parental notification system, and as such staff recommended that Reliance Communications be awarded a contract of \$75,651.68 per year. This contract price represents a savings of \$54,365.12 per year as compared to the annual costs for the previous system used by the District. The scope of work in this contract includes the provision of an automated communication system with the ability to deliver voice, e-mail, or text-based messages to telephones, smart phones, or any internet-enabled device. The system will support multiple languages, create reports and is compatible with the Aeries Student Information System. Staff would like to extend the current contract one more school year at the price of \$51,907.90.

Joe Estrada responded to Board member questions.

Oaks moved, Mayo seconded, and the Board voted 5-0-0 to approve the contract extension with Reliance Communications to continue to provide District automated parental notification services.

### **19.9 Creation of Administrative Regulation 0430 (Comprehensive Local Plan for Special Education - Philosophy, Goals, Objectives and Comprehensive Plans)**

Administrative Regulation AR 0430, aligning with BP 0430 does not currently exist in MDUSD. This AR is being added in order to provide definitions for terms used in BP 0430 and throughout special education policies, procedures and practices within the District and SELPA.

This item was for information only.

### **19.10 Bond Sales**

After two board presentations on a possible bond sale, many options were considered regarding our remaining bond funds. With the support of the voters from 2010, we were able to pass the bond measure to support new classrooms, solar panels, athletic facilities, air conditioning in every school and technological upgrades. Our primary goals include supporting our students and their needs, maintaining safe and functioning facilities, and honoring our commitments to our community with the 2010 bond approval.

The following options are proposed:

Option 1: Do not sell the remaining 77 million dollars of general obligation bonds.

Option 2: Sell the remaining 77M in general obligation bonds. 77M in principal and 92M in interest with a debt ratio of 2.20; final repayment in 2038.

Option 2.5: Sell the remaining 77M in general obligation bonds and raise the tax rate to \$100 per \$100,000 assessed property value. 77M in principal and 50 Million in interest with a debt ratio of 1.65; final repayment in 2038.

Option 3: Sell only half of the bonds (those that are CIB not CAB) 38M in principal and 6M in interest with a debt ratio of 1.17; final repayment in 2038.

Staff recommends approval of Option 3.

Public Comment:

John Ferrante voiced his support of Option 2 and Option 2.5.

The Board members had a discussion. Dr. Meyer responded to Board member questions.

Board members requested that staff pull this item and return with more information at the meeting on May 4.

**19.11 PULLED BY STAFF: Resolution No. 14/15-45 of the Board of Education of the Mt. Diablo Unified School District Authorizing the Issuance and Sale of its General Obligation Bonds, 2010 Election, 2015 Series F in an Aggregate Principal Amount Not to Exceed Thirty-Eight Million Dollars and No Cents**

Consideration of a Resolution authorizing the issuance of the sixth series of Bonds under the June 8, 2010, bond election (the "Election"). The proceeds of the Bonds would be used to finance capital improvements as approved by the voters at the Election. Currently low interest rates make it an optimal time to issue additional bonds so that the District can lock in low interest rates and minimize the interest to be paid on the bonds.

The Bonds are repaid from property taxes levied by the county on real property within the boundaries of the district, not from the District's General Fund. Issuing the Bonds will increase the tax rate on property owners within the District from \$85.30 per \$100,000 of assessed property value (current) to no more than approximately \$89 per \$100,000 of assessed property value (based on conservative 3% growth), but the District is taking advantage of historically low interest rates in an effort to keep the total tax levy as low as possible.

**19.15 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.

This item was moved up on the agenda.

Mason moved, Oaks seconded, and the Board voted 4-1-0 (with Lawrence dissenting) to approve to extend the meeting time to 12:00 a.m.

**19.12 Revision of Board Policy 0430 (Comprehensive Local Plan for Special Education - Philosophy, Goals, Objectives and Comprehensive Plans)**

Board Policy 0430 approved by MDUSD Board of Education on June 19, 2007, is being revised and updated to remove references of expired Education Code that was repealed. The revision also expands the definition of special education students to include those students placed in non-public schools.

This item was for information only.

**19.13 Revision of Board Policy 6146.4 (Differential Graduation and Competency Standards for Students with Disabilities)**

Changes to state law created a process by which students with disabilities may meet CAHSEE requirements through one of three means. The first is passing with a score of 350 or more in each section. The second is through passing with the use of modifications, in which case the student would apply for a waiver of the requirement from the Board. The third is through a statewide exemption to the requirement for students with disabilities. The manner in which each student will meet the requirement will be documented on each student's IEP.

This item was for information only.

**19.14 First Reading of Board Policy and Administrative Policy 6153-Field Trips**

This policy and administrative regulation will provide direction to staff regarding District-sponsored field trips and procedures for securing approvals.

Public Comment:

Dan Reynolds asked for clarification on a phrase included in the policy. Dr. Meyer clarified that the phrase has already been removed.

Chris Holleran presented the policy and responded to Board member questions.

This item was for information only.

**19.16 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 reconvened Closed Session at 10:10 p.m.

**RECONVENE OPEN SESSION**

The Board reconvened Open Session at 11:55 p.m.

President Hansen reported that in Closed Session, the Board completed the Superintendent's interim evaluation. President Hansen indicated that the Board is very pleased with the Superintendent's progress on building community relationships and working on student achievement.

**ADJOURNMENT**

The meeting adjourned at 11:55 p.m. in memory of Dr. Alpha Quincy.

Respectfully submitted,

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Nellie Meyer, Ed.D.  
Superintendent