

MINUTES
REGULAR MEETING OF THE BOARD OF EDUCATION
MT. DIABLO UNIFIED SCHOOL DISTRICT
Wednesday, November 19, 2014 (6:00 p.m./7:30 p.m.)

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

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

CALL TO ORDER

President Oaks called the meeting to order at 6:04 p.m. and conducted Roll Call with all Board members present except Brian Lawrence, who will be arriving shortly.

PUBLIC COMMENT

There was no Public Comment.

CLOSED SESSION AGENDA

The Board adjourned to Closed Session at 6:05 p.m.

4.1 (Item #1) Anticipated Litigation - Conference with Legal Counsel pursuant to Gov't. Code Sec. 54956.9(b), Significant Exposure to Litigation: Two Cases

4.2 (Item #2) Existing Litigation - Conference with Legal Counsel pursuant to Gov't. Code Section 54956.9 (d) (1) regarding the matter of H.W. v. MDUSD MSC13-01899

4.3 (Item #3) Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957(b) (1)

RECONVENE OPEN SESSION

The Board reconvened Open Session at 7:30 p.m.

PRELIMINARY BUSINESS

President Oaks led the Pledge of Allegiance and conducted Roll Call with all Board members present. President Oaks introduced and welcomed Student Representative Abbey Gross from Northgate High School.

REPORT OUT ACTION TAKEN IN CLOSED SESSION

8.1 (Item #1) Anticipated Litigation - Conference with Legal Counsel pursuant to Gov't. Code Sec. 54956.9(b), Significant Exposure to Litigation: Two Cases

The Board received updated information on both cases.

8.2 (Item #2) Existing Litigation - Conference with Legal Counsel pursuant to Gov't. Code Section 54956.9 (d) (1) regarding the matter of H.W. v. MDUSD MSC13-01899

The Board gave authorization to counsel to name a third party as a cross-defendant

8.3 (Item #3) Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957(b) (1)

The Board gave direction to legal counsel.

RECOGNITIONS AND RESOLUTIONS

9.1 Approve Resolution 14/15-24 Native American Heritage Month

November has been designated as Native American Heritage Month. The Mt. Diablo Unified School District also recognizes the contributions made by to the economic, political, and social development of California and the nation.

Mayo moved, Dennler seconded, and the Board voted 5-0-0 to approve to Adopt Resolution 14/15-24 declaring November Native American Heritage Month.

STUDENT REPRESENTATIVES

Student Representatives gave reports on events at their high schools.

BOARD MEMBER REPORTS

Ms. Dennler shared her reflections on the last four years as a Board member, expressing how fortunate she has been to live the American dream. After teaching in the District for 20 years, Ms. Dennler hoped to be the voice of the classroom on the Board, and to represent the voices of teachers, students, and parents. Ms. Dennler emphasized the importance of a good superintendent, and observed that Dr. Meyer is all that a good superintendent should be.

Ms. Dennler shared that it has been an honor to serve with her colleagues on the Board, and emphasized that they have the best interest of the students, parents, and employees in every decision they make. Ms. Dennler offered her best wishes to incoming Board member Debra Mason.

Ms. Hansen shared that it has been a pleasure to work with Ms. Dennler, and observed that she made a difference during her term. Ms. Hansen shared that she had a meeting with Greg Enholm of the Contra Costa Community College District Governing Board to discuss ways to work together in order to smooth the transition for high school students entering college.

Ms. Mayo thanked all of the veterans in the community for their service. Ms. Mayo also thanked Ms. Dennler for her service, and welcomed Ms. Mason to the Board. Ms. Mayo shared that she visited Oak Grove Middle School, Strandwood Elementary School, and Walnut Acres Elementary School. Following up on a recent newspaper article about cafeteria departments carrying forward large sums of uncommitted funds, Ms. Mayo spoke with Anna Fisher, Director of Food and Nutrition Services, who confirmed that MDUSD requires that the department keep three months of operating capital on-hand, which is exactly what the department has. Ms. Mayo reported that Food Services has applied for and received many grants, including an equipment grant for two walk-in refrigerators; funding for two mobile point-of-service carts, and funding for a number of new salad bars. Ms. Mayo thanked Anna Fisher and her department for reaching out and applying for those grants.

Mr. Lawrence recognized that he is halfway through his term, and noted that he is appreciative of the turn that the District has taken in that time. Mr. Lawrence congratulated Ms. Mayo and Ms. Mason on their election to the Board. He also thanked Ms. Oaks and Ms. Hansen for their leadership in the role of Board President. Mr. Lawrence shared that it has been an honor and a pleasure to serve with Ms. Dennler.

Ms. Oaks expressed that it has been a joy to work with Ms. Dennler, and it is sad to see her leave.

SUPERTINTENDENT'S REPORT

Dr. Meyer thanked Ms. Dennler for her service to the District. She noted that after a teaching career is over, many are ready to move on, but that Ms. Dennler chose to take on the challenge of being a Board member. She thanked Ms. Dennler for taking on that challenge, and observed that she has made a big difference by doing so. Dr. Meyer thanked Ms. Dennler for bringing the voice of teachers, aides, custodians, and principals to the Board meetings.

She also noted that Ms. Dennler was a partner with the rest of the Board in bringing back support for students in the District. Dr. Meyer shared that she knows Ms. Dennler will continue to advocate and contribute in new ways, and she looks forward to that partnership.

On behalf of the Board, Dr. Meyer presented Ms. Dennler with a plaque in appreciation of four years of service on the Mt. Diablo Unified School District Board of Education.

Dr. Meyer congratulated Ms. Hansen, Ms. Mayo, and Ms. Mason on their election to the Board, and shared that she looks forward to working with them.

Dr. Meyer observed that this has been an extremely busy time in the schools, and we can begin to see the success of some of the new initiatives put in place, including: Dual Immersion at Bancroft Elementary; Dual Network at Valley View Middle; and the International Baccalaureate Program at Ygnacio Valley High School.

Dr. Meyer shared that she visited Mt. Diablo High School on Challenge Day, where a number of events were scheduled for the teachers to participate in. Dr. Meyer observed that it was a great team-building exercise, and she thanked Principal Liane Cismowski for the invitation.

Dr. Meyer shared that she had the opportunity to meet with the Vice Principals and Co-Administrators at their monthly meeting in order to discuss the new School Counselor position, and how the Counselors will be a supportive part of this new plan.

Dr. Meyer shared that last week she and Rami Muth, Superintendent of the Martinez Unified School District, co-presented to the American Association of University Women (AAUW). Many of the AAUW members were former MDUSD teachers, and they were interested in information on Common Core and the STEM focus. They shared that they are happy with the new direction that the District is taking.

Dr. Meyer shared that at the Community Advisory Committee (CAC) Meeting last month, Samantha Espinoza gave a presentation on how to meet the needs of our students with disabilities through a curriculum program that will support them during the transition to Common Core.

Dr. Meyer announced that the District is entering into a partnership with the City of Pleasant Hill. Michael Harris, City of Pleasant Hill Council Member, is intending to partner with the District and JFK University in order to help support more counseling programs, particularly at the elementary schools.

Dr. Meyer again expressed her pleasure at having worked with Ms. Dennler, and thanked Ms. Dennler for her service.

PUBLIC EMPLOYEE APPOINTMENT

13.1 Appointment of Assistant Superintendent - High School

Interviews have been conducted, and a candidate has been selected to fill the position of Assistant Superintendent - High School.

Hansen moved, Dennler seconded, and the Board voted 5-0-0 to approve the appointment of Chris Holleran to the position of Assistant Superintendent - High School.

13.2 Appointment of Executive Director of Instructional Support

Interviews have been conducted, and a candidate has been selected to fill the position of Executive Director of Instructional Support.

Hansen moved, Mayo seconded, and the Board voted 5-0-0 to approve the appointment of Jonathan Eagan to the position of Executive Director of Instructional Support.

13.3 Appointment of Administrator, Necessary Small High School/Vice Principal - Prospect High School

The Superintendent is recommending Sharon Brockman be appointed to the position of Administrator, Necessary Small High School/Vice Principal - Prospect High School.

Mayo moved, Hansen seconded, and the Board voted 5-0-0 to approve the appointment of Sharon Brockman to the position of Administrator, Necessary Small High School/Vice Principal - Prospect High School.

13.4 Appointment of Vice Principal - Summit High School, Nueva Vista High School, Necessary Small High Schools and Diablo View Middle School

The Superintendent is recommending Samantha Allen be appointed to the position of Vice Principal - Summit High School, Nueva Vista High School, Diablo View Middle School.

Mayo moved, Dennler seconded, and the Board voted 5-0-0 to approve the appointment of Samantha Allen to the position of Vice Principal - Summit High School, Nueva Vista High School, Necessary Small High Schools and Diablo View Middle School.

13.5 Appointment of Social Work Specialist

Interviews have been conducted, and a candidate has been selected to fill the position of Social Work Specialist.

Dennler moved, Mayo seconded, and the Board voted 5-0-0 to approve the appointment of Vivica Taylor to the position of Social Work Specialist.

CONSENT AGENDA

Hansen moved, Dennler seconded, and the Board voted 5-0-0 to approve all Consent Agenda items with the exception of Items 14.14, 14.15, and 14.16, thereby approving the following:

14.1 (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.

14.2 (Item #2) Recommended Action for Certificated Personnel

Changes in status of the following certificated employees.

14.3 (Item #3) Recommended Action for Classified Personnel

Changes in status for the following classified employees.

14.4 (Item #4) Request to Increase Full Time Equivalent (FTE) for the 2014-2015 School Year

The attached position is requested to be increased as described.

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

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

14.6 (Item #6) Fiscal Transactions for the Month of October 2014

Payments have been made to meet the District's obligations for salaries, contracts, equipment, capital improvements and other outgo.

14.7 (Item #7) Non-Public School Adjustments

Non-Public School (NPS) contracts are reviewed and updated several times during the fiscal year. Changes to contracts are required due to changes in residency, students entering and leaving placements, increase/decrease in intensity of services, and corrective actions/settlement agreements to assure a free and appropriate public education. The details for these changes as well as rationale for the changes can be found in the attached documentation.

14.8 (Item #8) STAND! Contract for Meadow Homes Elementary School

STAND! will provide a therapist, 6 hours/day, 4 days/week, to provide counseling and related services for students at Meadow Homes Elementary.

14.9 (Item #9) Contract with Adria Klein for Professional Development Services Provided at Meadow Homes Elementary School During the 2014-15 School Year

Meadow Homes Elementary requests approval to enter into a contract with Adria Klein for professional development services during the 2014-15 school year.

14.10 (Item #10) Contract Between Exploring New Horizons and Monte Gardens Elementary School

Students at Monte Gardens Elementary are participating in an Outdoor Education program at Exploring New Horizons-Loma Mar December 1-5, 2014.

14.11 (Item #11) Contract Between Exploring New Horizons - Loma Mar and Mt. Diablo Elementary School

Students at Mt. Diablo Elementary are participating in an Outdoor Education program at Exploring New Horizons-Loma Mar January 13-16, 2015.

14.12 (Item #12) Independent Contract for Events To The T and Ygnacio Valley High School

Ygnacio Valley High School is requesting approval of the attached Independent Contract for Events to the T for their Junior Prom on May 15, 2015. Events to the T has their insurance attached to the contract. Additionally, we have provided the Coast Guard's Certificate of Inspection along with their insurance.

14.13 (Item #13) Agreement Between Patten University and Mt. Diablo Unified School District to Provide Teaching Experience Through Practice Teaching

This agreement is to provide experience to students enrolled in the teacher training curricula of Patten University.

14.14 (Item #17) College Park Wrestling Tournaments: Sierra Nevada in Reno, NV; The Joe Rios in Chico, CA; and Tim Brown in Sacramento, CA

College Park High School is seeking Board approval for three upcoming Wrestling Tournaments scheduled for December 29-30, 2014; January 9-10, 2015; and January 23-24, 2015. While the varsity teammates haven't been determined yet, they will be accompanied by Head Coach Leroy Rivers, Assistant Coach Bob Welhelm, and Assistant Coach and Certificated Teacher, Corey Salomon.

14.15 (Item #18) Final Change Order 1661-001 (DEDUCTIVE) for Lease/Leaseback #1664 – Taber Construction Inc. for Middle School General Science Buildings 2014, at Diablo View, Pine Hollow, Pleasant Hill and Sequoia Middle Schools

On December 11, 2013, the Board of Education awarded Lease/Leaseback Agreement #1664 to Taber Construction, Inc. for a Guaranteed Maximum Project Cost of \$6,826,871.95. Lease was for provision of all tools, materials, labor and equipment necessary to complete the Middle School General Science buildings 2014 Project at Diablo View, Pine Hollow, Pleasant Hill, and Sequoia Middle Schools. As a result of unused contract contingency, a single, final deductive change order in the amount of <\$62,914.93> is necessary.

This single, final change order will result in a final revised contract value of \$6,763,957.02, and represents a decrease of 0.92% to original contract value.

14.16 (Item #19) Notice of Completion for Lease/Leaseback #1664

Lease/Leaseback 1664 was called to provide Middle School Science Classroom Buildings at Diablo View Middle School, Pleasant Hill Middle School, Pine Hollow Middle School, and Sequoia Middle School. The Lease/ Leaseback agreement was issued to Taber Construction, Inc. for a Guaranteed Maximum Cost of \$6,826,871.95. The scope of work included, but was not limited to, providing all tools, materials, labor, and equipment necessary to complete construction of New Middle School General Science Buildings 2014 at various sites, including: site preparation, selective demolition, site work, building construction, interior amenities and other items as necessary to deliver a complete project as it relates to the Drawings and Specifications. There was a change order on this project in the amount of (credit \$62,914.93). Work and services for this project have been satisfactorily completed, for a total expenditure of \$6,763,957.02.

14.17 (Item #20) Minutes for the Board of Education Meeting held on October 29, 2014

Minutes for the Board of Education Meeting held on October 29, 2014, are being brought forward for approval.

CONSENT ITEMS PULLED FOR DISCUSSION

15.1 (Item #14) College Park High School's Baseball Trip to Cary, NC

College Park High School is requesting Board approval for participation at the National High School Invitational in Cary, NC for the Men's Varsity Baseball team. The school is honored to have received an invitation to participate. The trip is scheduled March 23-28, 2015. A list of returning baseball players is attached along with their proposal. The following coaches would supervise the event: Andy Tarpley, Kyle Gross, Derek Petrak, Marty Soars or Kevin Stanley and Paul Gengler or Steve Nixon.

Dr. Meyer shared that College Park High School was recently recognized along with Northgate High School in the Contra Costa Times for having seven players who were signed for universities in Division 1. Northgate High School was noticed for having two swimmers who will be at the University of California, Santa Barbara.

A College Park baseball coach spoke about what a rare opportunity it is for a public school to be invited to participate in this invitational event, and emphasized that this will be an important life experience for these students.

Dennler moved, Hansen seconded, and the Board voted 5-0-0 to approve the College Park baseball trip to Cary, NC.

15.2 (Item #15) College Park High School Basketball Trip to Antelope, CA

College Park High School is requesting the Board's approval to attend the Titan Holiday Classic Basketball Tournament in Antelope, CA on December 11- 13, 2014. Students will be selected at the upcoming tryouts running November 10-14, 2014. Students will be accompanied by Head Coach Troy Faulk, Assistant Coach Steve Mitchell, Assistant Coach Keith Bruder, and Certificated Teacher Brenda Beteta.

Public Comment:

Troy Faulk, Varsity Basketball Coach, College Park High School, spoke in support of this trip and offered to answer any Board member questions.

Dennler moved, Mayo seconded, and the Board voted 5-0-0 to approve the College Park basketball trip to Antelope, CA.

15.3 (Item #16) College Park Instrumental Music Trip to Florida, April 8-14, 2015

College Park High School is requesting Board approval for their String Orchestra and Symphony Orchestra to perform at the 2015 Orlando Performance Tour/Disney Performing Arts & Universal Orlando Star April 8-14, 2015. An itinerary and list of 69 students and 10 chaperones are attached.

Public Comment:

Jorge Jimenez, Instrumental Music Teacher, College Park High School, spoke in favor of this trip and gave an update on the Instrumental Music program at College Park High.

Hansen moved, Mayo seconded, and the Board voted 5-0-0 to approve the College Park High School Instrumental Music trip to Florida, April 8-14, 2015.

DISTRICT ORGANIZATIONS

James Wogan, Administrator of School Linked Services, and Derek Wang, Social Work Specialist, asked the Board and community to consider contributing to a foster youth or homeless student who attends a MDUSD school. Ways to contribute include: donating gift cards; checks written to Mt. Diablo HOPE; PayPal button on the MDUSD website; donate warm clothing at the Willow Creek Center, the District Office, or the School Linked Services Office; or email HOPE@mdusd.org to sponsor a foster or homeless student.

Mr. Wogan thanked Ms. Dennler for her monthly contributions to homeless children, and responded to Board member questions.

Mr. Lawrence asked Dr. Meyer to make the HOPE donation button more prominent on the District homepage.

Student Representative Abbey Gross inquired if schools can promote these programs. Mr. Wogan responded that they would like to connect with students to increase marketing for the HOPE program.

Mr. Wogan clarified that donations to the HOPE Program are accepted year-round.

PUBLIC COMMENT

Denise Pursche spoke against Common Core Standards.

Lia Bush gave an update on the Unveiling Common Core forum held on November 7, 2014, and spoke against Common Core Standards.

Dan Reynolds emphasized the importance of Native American Heritage Month, and of promoting and celebrating the cultures, languages, and traditions of people who live in our country today. Mr. Reynolds spoke about the concept of Fair Trade, National Buy Nothing Day, Small Business Saturday, World AIDS Day, and International Human Rights Day.

BUSINESS/ACTION ITEMS

18.1 Memorandum of Understanding with PIVOT Learning Partners

This is a recommendation for the approval of a MOU with PIVOT learning partners. This MOU is an acceptance of \$100,000 and technical support to engage and magnify teacher leadership in our implementation of California Common Core Standards. Services will be over the time period of 18 months and will include a partnership with Riverside Unified who is also working on this project. The project will enlist 6-8 volunteers who will form a professional learning community to brainstorm and implement ways to include all partners in our common core implantation. The cost to the District will be staff time. We have the flexibility in this grant to ensure that the focus of the PLC is aligned with the Strategic Plan and the LCAP goals.

Dennler moved, Mayo seconded, and the Board voted 5-0-0 to approve that Mt. Diablo Unified School District enter into a Memorandum of Understanding with PIVOT Learning Partners.

18.2 Approval of increase to Independent Contract for Cherri Duffy, M.S., LMFT

The contract is to support Sun Terrace in their ongoing Counseling Enriched Program. The contract provides consistent academic and behavioral interventions (CEIS PLAN) and the person forms a liaison with parents of at risk students to assist the knowledge around the school system and supporting student learning. Additionally, the consultant provides teacher/staff consultation for best practices.

Mayo moved, Dennler seconded, and the Board voted 5-0-0 to approve to increase the Independent Contract with Cherri Duffy for a total of \$40,000 for the 2014-15 year.

18.3 Purchase of eTriton Point of Sale Software Program for the Food and Nutrition Services Department

The current Point of Sale Software program is out of date and no longer supported by the company it was purchased from. We have chosen to upgrade to the new version from the same company.

Anna Fisher, Director, Food and Nutrition Services, responded to Board member questions.

Dennler moved, Hansen seconded, and the Board voted 5-0-0 to approve the purchase of the eTriton software system and the service agreement.

18.4 Independent Service Contracts for Transportation Vendors

Prior to the 2014-15 school year, RFP #1683 (Request for Proposal) went out for Supplemental Student Transportation Services. On August 13, 2014, the Board approved contracts to First Student, Pawar Transportation, Inc., and Michael's Transportation Services for supplemental transportation services. Due to the large number of field trips and high demand of buses, we are requesting an open order for the following vendors to assist with excess transportation needs that is unable to be covered by our current transportation providers.

We are requesting additional funding to issue Independent Service Contracts for:

- Sierra Pacific Tours \$100,000
- American Stage Tour \$25,000
- Michaels Transportation \$80,000
- United Coach Tours \$10,000

Jeff McDaniel, Executive Director, Operations, responded to Board member questions.

Dennler moved, Mayo seconded, and the Board voted 5-0-0 to approve the Independent Service Contracts to American Stage Tour, Sierra Pacific Tour, Michaels Transportation, and United Coach Tours.

18.5 Meeting Extension

Adjournment time will be no later than 10:30 p.m. for all regular and special meetings unless extended to a specific time as determined by a majority of the Board.

A Meeting Extension was not required.

18.6 Execution of Documents

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

FUTURE AGENDA ITEMS

President Oaks requested that the Board schedule a date in December or early January to hold a special workshop to discuss the Measure C Bond. President Oaks also requested that the Board schedule a date in January to hold a special workshop on Governance. Dr. Meyer’s office will coordinate options for these workshops.

Ms. Dennler asked that the Board review the per student funding allotment that teachers receive across the District.

CLOSED SESSION

The Board did not return to Closed Session.

ADJOURNMENT

The Board adjourned at 9:33 p.m.

DRAFT

Respectfully submitted,

Nellie Meyer, Ed.D.
Superintendent