

**MINUTES**  
**REGULAR MEETING OF THE BOARD OF EDUCATION**  
**MT. DIABLO UNIFIED SCHOOL DISTRICT**  
**Monday, May 23, 2016 (5:30 p.m./7:00 p.m.)**

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

Administrative Staff: Superintendent Dr. Nellie Meyer and General Counsel Donald Velez

**CALL TO ORDER**

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

**PUBLIC COMMENT**

There was no Public Comment.

**CLOSED SESSION AGENDA**

**3.1 (Item #1) Existing Litigation - Conference with Legal Counsel (Paragraph (1) of subdivision (d) of Government Code Section 54956.9): Mt. Diablo Unified School District v. Contra Costa County Board of Education, SPA Charter, et al., Contra Costa Superior Court Case No. N15-1854**

**3.2 (Item #2) Existing Litigation - Conference with Legal Counsel (Paragraph (1) of subdivision (d) of Government Code Section 54956.9): Emmons v. Mt. Diablo Unified School District, Contra Costa Superior Court Case No. MSC15-00761**

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

**3.4 (Item #4) Negotiations - The Board may discuss negotiations or provide direction to its representatives regarding represented employees, pursuant to EERA (Govt. Code Section 3549.1) Agency negotiator: Donald A. Velez and Deborah Cooksey; Agencies: MDEA, DMA, MDSPA, CSEA, CST Local 1 and Teamsters Local 856**

**3.5 (Item #5) Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957(b)(1))**  
Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957(b)(1))

**3.6 (Item #6) Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957(b)(1)) - Three Cases**  
Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957(b)(1)) - 3 cases

**ADJOURN TO CLOSED SESSION**

The Board adjourned to Closed Session at 5:31 p.m.

Mr. Lawrence arrived during Closed Session.

**RECONVENE OPEN SESSION**

The Board reconvened Open Session at 7:12 p.m.

**PRELIMINARY BUSINESS**

President Hansen led the Pledge of Allegiance and conducted Roll Call with all Board members present. President Hansen introduced Student Representative Katie Spaulding-Niemi from Ygnacio Valley High School.

**REPORT OUT ACTION TAKEN IN CLOSED SESSION**

**7.1 (Item #1) Existing Litigation - Conference with Legal Counsel (Paragraph (1) of subdivision (d) of Government Code Section 54956.9): Mt. Diablo Unified School District v. Contra Costa County Board of Education, SPA Charter, et al., Contra Costa Superior Court Case No. N15-1854**

The Board members discussed next steps with General Counsel.

**7.2 (Item #2) Existing Litigation - Conference with Legal Counsel (Paragraph (1) of subdivision (d) of Government Code Section 54956.9): Emmons v. Mt. Diablo Unified School District, Contra Costa Superior Court Case No. MSC15-00761**

The Board members had a discussion with General Counsel.

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

The Board discussed one case of Anticipated Litigation, and will return to Closed Session following the conclusion of Open Session to discuss item 7.3.

**7.4 (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: Donald A. Velez and Deborah Cooksey; Agencies: MDEA, DMA, MDSPA, CSEA, CST Local 1 and Teamsters Local 856**

The Board discussed negotiations with their representatives.

**7.5 (Item #5) Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957(b)(1))**

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

The Board dealt with one case of Discipline, Dismissal or Release of Public Employee. This item will return at the next Board meeting on June 13, 2016.

**7.6 (Item #6) Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957(b)(1)) - Three Cases**

Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957(b)(1)) - 3 cases

The Board received information on two cases of Discipline, Dismissal or Release of Public Employee.

**PUBLIC COMMENT**

Laurie Arbour, Emalee Warren, and Katy Anderson shared their concerns about the District's ability to attract and retain Speech Pathologists, and emphasized the importance of having staff Speech Pathologists rather than contract employees.

Claire Weer shared her concerns about a proposed change in the enrollment process for Monte Gardens Elementary School.

Liz Despina shared her concerns about Woodside Elementary School students feeding into Oak Grove Middle School, and volunteered to form a committee to work with the District on improving the performance of Oak Grove Middle School.

Diana Shelton shared her personal story and spoke in support of District Speech Pathologists.

Emily Millar Olds shared her concerns about Woodside Elementary School students feeding into Oak Grove Middle School.

Amy Kumar spoke in support of District Speech Pathologists and shared her concerns about a proposed change in the enrollment process for Monte Gardens Elementary School.

Anita Johnson noted that the District's revenues exceeded expenditures last year, and encouraged the Board to pay teachers a competitive salary.

Taresa Nudo shared her concerns about Oak Grove Middle School and Ygnacio Valley High School.

Jason Cosetti shared his concerns about Oak Grove Middle School and emphasized that parents want to work with the District to improve performance at that school.

Belma Eldridge shared her concerns about the feeder pattern for students attending Bancroft and Woodside Elementary Schools.

Anita Osmakiexicz-Chung shared her concerns about the feeder pattern for her neighborhood and proposed that the District reconsider attendance boundaries in that area.

Brandi deAssis shared her personal story about school placement and asked for more Special Education teachers at Pleasant Hill Middle School.

Paige Mainer shared her concerns about Oak Grove Middle School and Ygnacio Valley High School.

#### **RECOGNITIONS & RESOLUTIONS**

There were no Recognitions & Resolutions.

#### **\*\*STUDENT REPRESENTATIVES**

\*\*This item was moved up on the agenda.

The student representative from Concord High School gave a report on activities at her high school.

President Hansen paused the Student Representative reports in order to complete the Public Employee Appointments.

#### **\*\*PUBLIC EMPLOYEE APPOINTMENT**

\*\*This item was moved up on the agenda.

#### **10.1 Appointment of Director of Innovation and Technology**

Interviews have been conducted and a candidate has been selected to fill the position of Director of Innovation and Technology.

Dr. Meyer recommended Adam Welcome for the position.

Mayo moved, Mason seconded, and the Board voted 5-0-0 to approve the appointment of Adam Welcome to the position of Director of Innovation and Technology.

#### **10.2 Appointment of Principal, Middle School - El Dorado Middle School**

Interviews have been conducted and a candidate has been selected to fill the position of Principal, Middle School - El Dorado Middle School.

Lawrence moved, Mayo seconded, and the Board voted 5-0-0 to approve the appointment of Christopher Clausen to the position of Principal, Middle School - El Dorado Middle School.

## **STUDENT REPRESENTATIVES**

This item was resumed.

Student Representatives reported on activities at their high schools.

## **BOARD MEMBER REPORTS**

Ms. Mayo complimented the Mt. Diablo Education Association (MDEA) for their Academy Awards celebration. Ms. Mayo shared that she visited Ygnacio Valley High School with Dr. Meyer where they discussed the International Baccalaureate Program, as well as Bancroft Elementary School where they visited the Dual Immersion Program. Ms. Mayo shared that the Board had a joint meeting with the Martinez City Council, and acknowledged that Contra Costa County Board of Education Trustee Daniel Gomes attended that event. Ms. Mayo shared that she attended the Capital Advisors Budget Overview, the District's retirement reception, and the Meet Your Legislators event. Ms. Mayo provided the Board members with a copy of her report of the California School Boards Association (CSBA) Delegate Assembly. Ms. Mayo shared information about activities at that event, including a celebration of the 70<sup>th</sup> anniversary of the Mendez v. Westminster court case.

Ms. Mason shared that she attended the CSEA event recognizing staff, and the Concord Chamber Pathways Exhibit of District students. Ms. Mason shared that she visited Ayers Elementary School at Olympic High School with Dr. Meyer, as well as the College Park High School Career Fair. Ms. Mason shared that she volunteered at the Contra Costa County Youth Summit and attended the Healthy and Active Before Five leadership meeting. Ms. Mason noted that the District needs to continue to work on the Wellness Policy for schools.

Mr. Lawrence thanked Ms. Mayo and Ms. Mason for their reports, and complimented the Mt. Diablo Education Association (MDEA) Academy Awards event. Mr. Lawrence advised the speakers concerned with District Speech Language Pathologists to contact MDEA, as the District cannot negotiate with a subset of a union. Mr. Lawrence shared his thoughts about the difference between transparency vs. active transparency. Mr. Lawrence pointed out that active transparency gives stakeholders the ability to be heard and allows people to actively help shape the decision. Mr. Lawrence shared his belief that active transparency is key to keeping parent involvement high. Mr. Lawrence shared that he appreciated the comments from parents concerned about Oak Grove Middle School, and expressed his feelings that the way to create change is through a combination of support and participation from parents, teachers, and the District.

Ms. Hansen thanked MDEA for continuing their Academy Awards celebration, and noted the breadth of the recognition that the awards offer. Ms. Hansen thanked the Martinez City Council for meeting with the Board to discuss issues of mutual interest. Ms. Hansen shared that she attended the District's retirement reception and the Northgate High School concert at the Leshner Center. Ms. Hansen shared that she attended a meeting of the Holbrook community, and noted that they are a very active community.

## **SUPERINTENDENT'S REPORT**

Dr. Meyer shared that she visited Ayers Elementary School, Olympic High School, Ygnacio Valley High School, Bancroft Elementary School, Strandwood Elementary School, Hidden Valley Elementary School, Concord High School, and Valhalla Elementary School.

Dr. Meyer shared that she attended the California School Employees Association (CSEA) appreciation event at Olympic High School, and announced that Annie Nolan was recognized state-wide as CSEA Member of the Year.

Dr. Meyer shared that the District is part of an education consortium called CALLI, comprised of districts across California working together focusing on different topics of need. Dr. Meyer noted that MDUSD is currently focusing on secondary mathematics.

Dr. Meyer shared photos of her visit to a transitional kindergarten class at Ayers Elementary School.

Dr. Meyer shared that she attended the 3<sup>rd</sup> Annual MDEA Academy Awards, where teachers, staff, and community members were recognized for their contributions to the District. Dr. Meyer noted that this was a wonderful event, which celebrated what the District is doing right.

Dr. Meyer shared that she attended the Northgate High School Instrumental Band concert at the Leshner Center for the Performing Arts, and noted that it felt like a professional event. Dr. Meyer shared that the band is invited annually to compete and perform at the Monterey Jazz Festival, and she shared that one student wrote a 10-part song for 30 instruments, and she played four of the instruments herself during the performance of her piece.

Dr. Meyer shared that she visited the Physics program at Ygnacio Valley High School, where they held a science fair competition showcase. Dr. Meyer shared examples of student projects and shared photos of the event.

Dr. Meyer shared that she attended the District's retirement reception at Serendipity Restaurant at Mt. Diablo High School, where it was exciting to hear about all of the retiree's plans.

Dr. Meyer shared that the District had the opportunity, in partnership with John Muir, to highlight high school career technical education. Dr. Meyer shared photos and examples of different high school pathways and student projects.

Dr. Meyer shared photos from her visit to Valhalla Elementary School, where a visiting artist from Oakland was guiding the students through drawing elephants with chalk on the blacktop.

Dr. Meyer reported that she participated in a Superintendent's panel at California State University, East Bay where teachers, administrators, principals, vice principals, and counselors looking at future careers in administration asked interesting questions.

Dr. Meyer thanked the student representatives, Board members, and staff for their hard work and a great year, and noted that at the next Board meeting the District will have graduated the senior class of 2016.

The Student Representative departed the meeting.

## **REPORTS/INFORMATION**

There were no Reports/Information.

## **CONSENT AGENDA**

Public Comment:

Dan Reynolds (Item #20) expressed his concern about lack of access to the Single Plan for Student Achievement for members of the school site council at Mt. Diablo High School. Mr. Reynolds noted that the links to the items referenced in this agenda item were not available until today.

Dr. Meyer and Jennifer Sachs responded to Board member questions.

Jeannine Owens, Bonnie Brooke, Anitra Rossetti, Amanda Bennefield, Jen Mucha, Kristi Buchholz, and Tiffany Chinn shared their concerns about the placement of the Rocketship Charter School on the Ayers Elementary School Campus. Their concerns included safety issues, traffic congestion, non-credentialed or fingerprinted adults on campus, lack of space, and losing playground area to house the portable classrooms.

Mayo moved, Lawrence seconded, and the Board voted 5-0-0 to approve all Consent Agenda items, with the exception of items #18, 25, 29, 30, and 32 (which were pulled for discussion), 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.**

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 Overnight Trip to Big Basin State Park, September 11-13, 2016**

Mt. Diablo High School is requesting permission to travel to Big Basin State Park with 60 Digital Safari Academy Seniors for academy community building and nature photography September 11-13, 2016. Four adults will be accompanying the seniors and they will travel by a bus provided by the District. They will be camping at the State Park.

**15.3 (Item #3) Northgate High School's Trip to Iowa State University, May 25-27, 2016**

Northgate High School is requesting permission for seven students and nine chaperones to fly to Iowa to attend the Odyssey of the Mind World Finals. Students will be staying in the Iowa State dorms and participate in the academic competition.

**15.4 (Item #4) Mt. Diablo Unified School District Independent Service Contract with Events to the 'T' for Northgate High School's Senior Ball on May 27, 2017**

Northgate High School is requesting approval of their Independent Service Contract with Events to the 'T' to reserve the Bently Reserve in San Francisco for their Senior Ball on May 27, 2017.

**15.5 (Item #5) Independent Service Contract Between Mt. Diablo Unified School District - Northgate High School and Events to the 'T' to provide Jr. Prom services on March 25, 2017**

Northgate High School is requesting approval of an Independent Service Contract with Events to the 'T' to provide Jr. Prom services on March 25, 2017 on the SF Spirit Yacht. The cruise will disembark from Jack London Square and cruise through the Bay.

**15.6 (Item #6) Independent Service Contract Between Mt. Diablo Unified School District - Olympic High School and Sarah Baltazar**

Ratify Mt. Diablo Unified School District's Independent Service Contract with Sarah Baltazar to provide Professional Development Services on Motivational Value Systems and Conflict Sequencing on March 11, 2016 for the Olympic High School staff.

**15.7 (Item #7) Increase to the Master Contract with Non-Public Agency Community Options for Families & Youth**

Community Options for Families & Youth (COFY) is a certified non-public agency that provides mental health related services for students of the Mt. Diablo Unified School District according to the terms of their Individualized Educational Program (IEP). Services include counseling, family therapy, and case management services for students placed in residential programs. Additional funds in the amount of \$90,000 are requested for the remainder of the school year to continue programs and services identified through the IEP process.

**15.8 (Item #8) Increase to the Master Contract with Non-Public Agency Ed Support Services**

Ed Support Services currently provides intensive behavioral services for the Mt. Diablo Unified School District including 13 behavioral aides (6.5 hours/day) with clinical supervision and functional behavioral assessments upon District request. These are direct IEP driven services that are provided according to the terms of a Master Contract and Individual Service Agreement. Services are agreed upon through a settlement agreement or approved by the District's special education management team to maintain a student in the least restrictive environment. At this time, additional funds in the amount of \$202,000 are requested due to an increase of two students and to cover district vacancies at the Special Education Assistant position.

### **15.9 (Item #9) Adjustments to Non-Public School Master Contracts**

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.

### **15.10 (Item #10) Contract Between Mt. Diablo Unified School District - Mt. Diablo Adult Education and Contra Costa County Employment and Human Services Department**

Contra Costa County Employment and Human Services Department (EHSD) would like to enter into an Interagency Agreement (#19-745-9) with Mt. Diablo Unified School District - Mt. Diablo Adult Education (MDAE) for 2016-17 for the purpose of providing adult education programs and services (known as Focus) for workforce development training for CalWorks, Welfare-to-Work clients. This is an annual renewal of an Interagency Agreement for development and delivery of the Focus program initially contracted for and delivered in 2010-11.

### **15.11 (Item #11) Memorandum of Understanding Between Mt. Diablo Unified School District - Mt. Diablo Adult Education and Workforce Development Board of Contra Costa County (WDBCCC) One Stop/American Job Corps Centers (AJCC)**

The Workforce Development Board of Contra Costa County (WDBCCC) One Stop/American Job Corps Centers (AJCC) would like to enter into an Memorandum of Understanding (MOU) with Mt. Diablo Adult Education (MDAE) for the purpose of formalizing the long-time collaboration between the WDBCCC One Stop/AJCC and MDAE in the delivery of workforce development adult education programs and services. This MOU is a new requirement of all Workforce Investment and Opportunity Act (WIOA) grant recipients and is to be in place by June 30, 2016. The MOU will be for an initial period of three (3) years from July 1, 2016 through June 30, 2019. Initial services to be rendered by MDAE for clients of the WDBCCC One Stop/AJCC in Concord are outlined in the Addendum attached.

### **15.12 (Item #12) Independent Contract Between Mt. Diablo Unified School District and US Math Recovery Council**

US Math Recovery will provide training courses at Mt. Diablo Unified School District for elementary teachers in the area of mathematics. The early level trainings will consist of four days at Willow Creek Center. The workshops will provide teachers with efficient and effective assessment tools to recognize their students' current understandings of number concepts, and to support data-driven instruction.

### **15.13 (Item #13) Contract between Mt. Diablo Unified School District and Karen Junker**

Karen Junker will come to Willow Creek Center for Professional Development for Restorative Practices on June 15-16, 2016. Mt. Diablo Unified School District has spent in excess of \$25,000 with this vendor for the 2015-16 school year and therefore this contract requires Board approval.

### **15.14 (Item #14) Non-Public Agency Adjustments**

Non-Public Agency (NPA) contracts are reviewed and updated several times during the fiscal year. Changes to contracts are required due to changes in staffing needs at the site, hiring new District employees to fill contractor positions, and student needs. The attachments will show no overall funding increase.

### **15.15 (Item #15) Non-Public Agency Adjustments**

Non-Public Agency (NPA) contracts are reviewed and updated several times during the fiscal year. Changes to contracts are required due to changes in staffing needs at the sites, hiring new District employees to fill contractor positions, and student needs.

### **15.16 (Item #16) Agreement of Understanding between Bay Path University and Mt. Diablo Unified School District**

Bay Path University is seeking to enter into an Agreement of Understanding with Mt. Diablo Unified School District to provide fieldwork education experience for Occupational Therapy students enrolled in their program.

**15.17 (Item #17) Memorandum of Understanding between Touro University California and Mt. Diablo Unified School District**

Touro University is requesting to enter into an agreement with Mt. Diablo Unified School District to provide student teachers enrolled in the Graduate School of Education with field experience.

**15.18 (Item #19) Adult Education Block Grant (AEBG) Contra Costa County Regional Consortium Memorandum of Understanding (MOU) between Mt. Diablo USD/Mt. Diablo Adult Education and Contra Costa Community County Office of Education (CCCOE)**

The 2014-15 Adult Education Block Grant (AEBG), established by AB86/Section 76/Article 3, provides local funding to statewide regional consortia of K-12 and community college districts to regionally serve adults.

The AEBG Contra Costa County Regional Consortium also known as Contra Costa County Adult Education Consortium (CCCAEC) is comprised of the following members: Mt. Diablo USD, Martinez USD, Acalanes HSD, Antioch USD, West Contra Costa USD, Liberty HSD, Contra Costa Community College District (CCCCD) and Contra Costa County Office of Education (CCCOE).

As part of the Contra Costa County regional planning for adult education in designated program areas addressing existing gaps in programs and services, this Consortium has received a funding allocation for 2015-16 for its institutional members. Currently, the CCCOE serves as the Consortium Fiscal Agent. The Adult Education division of MDUSD (also known as Mt. Diablo Adult Education, MDAE) wants MDUSD to enter into an MOU with the CCCOE for the purpose of receiving funds the AEBG has approved and allocated to MDUSD/MDAE. This is as outlined in the first annual budget development process and plan of the CCCAEC by and for its member institutions, for implementation of the CCCAEC Annual Plan 2015-16 for Contra Costa County for delivery of adult education programs and services by its member institutions.

**15.19 (Item #20) Single Plans for Student Achievement with Material Changes**

The 2015-16 Single Plans for Student Achievement (SPSA) were approved by the Mt. Diablo Unified School District Board of Education on June 22, 2015. Due to increased funding for Title I, Part A, the Single Plans for the twenty schools receiving Title I, Part A funds experienced a material increase in funds. Single Plans with a material change require approval by the School Site Council and the local Board of Education. The updated plans and related budgets are approved by each site's School Site Council.

Sites include: Bel Air Elementary, Cambridge Elementary, El Monte Elementary, Fair Oaks Elementary, Meadow Homes Elementary, Rio Vista Elementary, Shore Acres Elementary, Sunrise Elementary, Sun Terrace Elementary, Wren Avenue Elementary, Ygnacio Valley Elementary, Oak Grove Middle, Riverview Middle, Diablo Community Day, El Dorado Middle, Mt. Diablo High, Ygnacio Valley High, Gateway Continuation High, Crossroads Continuation High, Olympic Continuation High.

**15.20 (Item #21) Fiscal Transactions for the Month of April 2016**

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

**15.21 (Item #22) Budget Transfers and/or Budget Increases/Decreases, and Donations for April 2016**

Some revisions are a result of prior Board actions, changes in grant awards and changes in funding. Donations have been made to the District by private individuals and businesses. The appropriate revenue and expenditure budgets have already been increased by the amount of the donations.

**15.22 (Item #23) Variable Term Waiver for CBEST for 30-Day Substitute Teaching Permits for the 2016-17 School Year**

The California Commission on Teacher Credentialing authorizes the issuance of a Variable Term Waiver for CBEST for 30-Day Substitute Teaching Permits to those individuals who have a Bachelor's Degree but not have taken and passed the California Basic Educational Skills Test (CBEST). The Governing Board of Mt. Diablo Unified School District declares that the district has been unable to recruit enough day-to-day substitute teachers who have had an opportunity to take and pass the (CBEST). The District anticipates employing 150 day-to-day substitutes on variable term CBEST waivers for the 2016-17 school year.

**15.23 (Item #24) Recommended Action for Certificated Personnel**

Changes in status of the following certificated employees.

**15.24 (Item #26) Recommended Action for Classified Personnel**

Changes in status of the following classified personnel.

**15.25 (Item #27) Classified Personnel: Request to Increase/Decrease Full Time Equivalent (FTE) for the 2015/16 and 2016/17 School Year**

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

**15.26 (Item #28) Award of Request for Quotation #1736: Unleaded Gasoline and Diesel Fuel**

Request for Quotation (RFQ) No. 1736 was called to provide Unleaded Gasoline and Diesel Fuel district wide. The lowest responsible bidder is Ramos Oil Company.

The Mt. Diablo Unified School District maintains a fleet of vehicles in excess of 248 which uses unleaded gasoline and diesel fuel. The fleet composition consists of automobiles, both large and small; large trucks; school buses; and heavy motorized equipment.

Two (2) proposals were received. A bid summary is attached with proposal pricing.

The contract period will be effective from July 1, 2016 through June 30, 2017 with two (2) one year options to renew for the 2017-18 and 2018-19 fiscal years. (July 1- June 30)

**15.27 (Item #31) Amendment to the Bylaws of the 2010 Measure C Citizens' Bond Oversight Committee**

2010 Measure C Citizens' Bond Oversight Committee Bylaws, Section 6, Item 6.1 states: "The Committee shall establish a schedule for the date and time of regular meetings to be held periodically to include an annual organizational meeting to be held in July."

Based on discussion with the CBOC membership, staff is recommending changing this section to add "June or". The purpose of this recommendation is to allow the organizational meeting to coincide with the regularly scheduled meeting typically held the third week of June.

**15.28 (Item #33) Minutes for the Board of Education Meeting Held on April 11, 2016**

Minutes for the Board of Education meeting held on April 11, 2016 are being brought forward for approval.

**15.29 (Item #34) Minutes for the Board of Education Meeting Held on April 25, 2016**

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

## **CONSENT ITEMS PULLED FOR DISCUSSION**

### **16.1 (Item #18) Food and Nutrition Services Purchase Order 2016-17**

Food and Nutrition Services requests approval to issue an open Purchase Order to Gold Star Foods for the purchase of food, beverages and supplies for meal programs in District schools during the 2016-17 school year. The purchase order is not to exceed \$3,100,000. This agreement is incorporating a Piggy Back contract with Santa Clarita Valley School Food Service Agency proposal RFP# 11-12-31012012-1. Documents attached.

Mr. Lawrence requested additional information on the selection process for this vendor. Anna Fisher provided information and answered Board member questions.

Mayo moved, Lawrence seconded, and the Board voted 5-0-0 to approve the purchase order to Gold Star Foods for the 2016-17 school year.

### **16.2 (Item #25) Certificated Personnel: Request to Increase and Decrease Full Time Equivalent (FTE) for the 2015-16 School Year and 2016-17 School Year**

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

Ms. Mason requested information on the funding for the position at Walnut Acres Elementary School. Dr. Meyer suggested pulling that item only from this list and bringing it back at a future date.

Mayo moved, Mason seconded, and the Board voted 5-0-0 to approve the request to increase and decrease Full Time Equivalent (FTE) for the 2015-16 school year and 2016-17 school year with the exception of the item for Walnut Acres Elementary which will be returned at a future date.

### **16.3 (Item #32) 2010 Measure C Audit Report for Fiscal Year Ending June 30, 2015**

The California Constitution requires that the District conduct an annual performance audit and an annual financial audit of the 2010 Measure C Bond program. The Audit Report for the fiscal year ending June 30, 2015 was conducted by Nigro & Nigro. The Audit Report is submitted to the Board for acceptance.

Ms. Mayo shared her concerns about the timing of the audit reports and requested information about the refinanced Measure A bonds. Dr. Meyer will work with staff on the timing of the report and to obtain additional information.

Mayo moved, Lawrence seconded, and the Board voted 5-0-0 to approve to accept the 2010 Measure C Audit Report for the fiscal year ending June 30, 2015.

### **16.4 (Item #29) Contract with McGrath Corporation dba Mobile Modular Management Corporation for the Lease of Interim Housing Units at Ayers Elementary School**

It has been determined necessary for the District to install a limited number of DSA-approved temporary housing units at Ayers Elementary School.

Units to include:

4-960 square foot classrooms

2-1440 square foot classrooms

1 – boy/girls/staff restroom facility.

To accommodate District needs, staff recommends lease agreements be executed with Mobile Modular Management Corporation for the delivery, rental, take-down and removal of these DSA modular buildings. These agreements will be processed through a valid, existing "piggyback" contract between the Franklin-McKinley School District and McGrath Rent Corporation dba Mobile Modular Management Corporation.

The Board members had a discussion about topics including their concerns about the Rocketship program, the requirements of Prop 39, and the District's obligation to mitigate any issues that arise at the site where Rocketship is placed. Ms. Oaks asked everyone to remember that the children attending the Rocketship Charter School are still students in the District.

Mayo moved, Oaks seconded, and the Board voted 5-0-0 to approve the contract with McGrath Corporation dba Mobile Modular Management Corporation for the lease of interim housing units at an elementary school in the Mt. Diablo School District.

**16.5 (Item #30) Design Services Contract for Nacht and Lewis Architects to Facilitate Interim Housing at Ayers and/or Elementary School**

The services of a professional architect are required to provide site adaptive design services and secure DSA approval for installation of interim housing units at Ayers Elementary School.

A 'not to exceed' contract in the amount of \$51,125 is necessary for the comprehensive design and administrative services necessary for the successful installation of these interim housing units.

Mayo moved, Mason seconded, and the Board voted 5-0-0 to approve award of a design services contract to Nacht and Lewis Architects to facilitate interim housing at an elementary school in the District.

**CONSENT ITEMS PULLED BY STAFF**

There were no Consent Items Pulled By Staff.

**DISTRICT ORGANIZATIONS**

There were no District Organizations presenting.

**Public Comment:**

George Fulmore provided information about an organization that he has formed to support the Latino community in Concord.

**BUSINESS/ACTION ITEMS**

**19.1 Mt. Diablo Unified School District's Independent Service Contract with McGraw Hill School Education LLC**

Requesting approval of the attached Independent Service Contract to provide support to our teachers and students in conjunction with Algebra 1 AB. Contract covers a 2 year subscription for 1300 students in addition to a full day of professional development. This will allow teacher to implement blended learning and flipped classroom strategies.

Oaks moved, Mason seconded, and the Board voted 5-0-0 to approve the Independent Service Contract with McGraw Hill School Education LLC to provide instructional support and professional development for Algebra 1 AB.

**\*\*The Board added a motion to extend the meeting.**

Lawrence moved, Mason seconded, and the Board voted 5-0-0 (via voice vote) to extend the meeting time to 11:00 p.m.

**19.2 Award of Copier Contract**

Being presented is a 5-year contract for MRC a Xerox Company for the lease of the Xerox C60 color copier/printer for the Print Shop, at a cost of \$585.58 per month for a term of 60 months. Currently the District pays \$499.97 per month per the attached proposal before tax. The District will realize a savings of document preparation time with a slight increase from \$499.97 per month in the previous contract. The District will utilize the terms and conditions of the South San Francisco Unified July 2013 RFQ attached.

Mr. Lawrence commented that the District should try to eliminate paper whenever possible.

Mason moved, Mayo seconded, and the Board voted 5-0-0 to approve the contract with MRC for the lease of a Xerox C60 color copier/printer.

### **19.3 Comprehensive School Safety Plan Approval**

In accordance with Education Code 32280-32288 staff is requesting approval of Comprehensive School Site Safety Plans in order to ensure compliance with California Education Code Board Policy and Administrative Regulations 0450(a)(b).

All Comprehensive School Site Safety Plans have been approved by School Site Councils. The plans were reviewed by the assistant superintendents of elementary, middle, and high school education. Three Comprehensive Site Safety Plans have been submitted as examples of the quality and content of the plans. The plans are from Mountain View Elementary School, Valley View Middle School and Northgate High School. Information that could affect campus security has been retracted for student and staff safety. Copies of all Comprehensive School Site Safety Plans are kept on file at each site and at the District office.

The Board members and Dr. Meyer had a discussion about alternatives for posting some or all of the Comprehensive School Safety Plans on school websites.

Mayo moved, Oaks seconded, and the Board voted 5-0-0 to approve Comprehensive School Site Safety Plans.

### **19.4 Declaration of Need for Fully Qualified Educators**

Regulations from the Commission on Teacher Credentialing require the District to submit an annual Declaration of Need form indicating the number of teachers we anticipate hiring under emergency permits for the 2016-2017 school year. In the past a Declaration of Need form was filed with each emergency permit submitted by the district. The annual filing will eliminate paperwork both for us and for the Commission. Attached is the form indicating the number of teachers we anticipate hiring or rehiring with emergency permits, the credentials and subject areas in which we may have need to hire. We have anticipated numbers by credential type larger than our anticipated need so as not to request from the Board a second identical action later in the year. The number of teachers hired or rehired under emergency permits includes substitutes, current employees required to reapply for a permit, and summer school teachers.

Public Comment:

Anita Johnson shared her opinion that the District should offer higher salaries to qualified teachers.

The Board members had a brief discussion, and Dr. Meyer pointed out that the District's goal is to hire credentialed teachers.

Mason moved, Oaks seconded, and the Board voted 5-0-0 to approve the Declaration of Need.

### **19.5 New Job Description for Coordinator, Workbased Learning**

Staff is requesting the creation of a new job description to support work based learning, internships, externships, guest speakers, job shadowing and pathways in the District.

This job description was brought forward for information at the last Board meeting. It is now being returned for action.

Ms. Oaks shared her concern about the phrase "extraordinary situations." After a brief discussion, this item was pulled and moved to the meeting on June 13, 2016.

### **19.6 New Job Description for Occupational Therapist - Special Education**

Staff is requesting a new job description for Occupational Therapist - Special Education. At this time, the standard Occupational Therapist position is a classified 261 day position which includes 24 vacation days and 12 holidays at Range 7. In addition to the current job description, we are requesting a new job description for an Occupational Therapist - Special Education. This position would be at the same range on the salary schedule but would be 238 days and would not include vacation days. Duties and responsibilities would be comparable but the work year would be shorter. Currently, the 261 day Occupational Therapist position provides for coverage for extended school year. These new positions will allow the District to employ Occupational Therapists for the regular school year only. This is needed due to fewer students attending school during the extended school year period. All of the current 261 day positions will remain in place.

This job description was brought forward for information only at the last Board meeting. It is now being presented for action.

Mayo moved, Mason seconded, and the Board voted 5-0-0 to approve the new job description for Occupational Therapist - Special Education.

#### **FUTURE AGENDA ITEMS**

There were no Future Agenda Items.

#### **CLOSED SESSION**

The Board adjourned to second Closed Session at 9:56 p.m.

#### **RECONVENE OPEN SESSION**

The Board reconvened Open Session at 11:51 p.m.\*

#### **REPORT OUT ACTION TAKEN IN CLOSED SESSION**

In second Closed Session, the Board gave direction to staff and discussed one case of anticipated litigation.

#### **ADJOURNMENT**

The meeting was adjourned at 11:52 p.m.

\*All times indicated are approximate.

Respectfully submitted,



Nellie Meyer, Ed.D.  
Superintendent