

**MINUTES**  
**REGULAR MEETING OF THE BOARD OF EDUCATION**  
**MT. DIABLO UNIFIED SCHOOL DISTRICT**  
**Monday, August 22, 2016 (5:30 p.m./7:00 p.m.)**

**CALL TO ORDER**

President Hansen called the meeting to order at 5:33 p.m., and conducted Roll Call with all Board members present.

**PUBLIC COMMENT**

There was no Public Comment.

**CLOSED SESSION AGENDA**

**3.1 (Item #1) Negotiations - The Board may discuss negotiations or provide direction to its representatives regarding represented employees, pursuant to EERA (Govt. Code Section 3549.1) Agency negotiators: Leyla Benson; Agencies: MDEA, DMA, MDSPA, CSEA, CST Local 1 and Teamsters Local 856**

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

**3.3 (Item #3) Anticipated Litigation - Conference with Counsel: Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: One Case Clayton Valley Charter High School v. Mt. Diablo Unified School District - Contra Costa Superior Court Case No. MSC16-13-56**

**3.4 (Item #4) Existing Litigation - Conference with Legal Counsel (Paragraph (1) of subdivision (d) of Government Code Section 54956.9) Clayton Valley Charter High School v. Mt. Diablo Unified School District - Contra Costa Superior Court Case No. MSC16-13-56**

**3.5 (Item #5) Anticipated Litigation - Conference with Legal Counsel pursuant to Gov't. Code Sec. 54956.9(b), Significant Exposure to Litigation: 5 cases**

**3.6 (Item #6) Confidential Student Matters Pursuant to Ed. Code 35145.5 - 1 case**

**3.7 (Item #7) Expulsion of Student #01-17 from all regular schools in the Mt. Diablo Unified School District**

**3.8 (Item #8) Expulsion of Student #02-17 from all regular schools in the Mt. Diablo Unified School District**

**3.9 PULLED BY STAFF: (Item #9) Readmission of Student #11-15 to regular schools in Mt. Diablo Unified School District**

**ADJOURN TO CLOSED SESSION**

The Board adjourned to Closed Session at 5:30 p.m.

## RECONVENE OPEN SESSION

The Board reconvened Open Session at \*7:00 p.m.

## PRELIMINARY BUSINESS

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

## REPORT OUT ACTION TAKEN IN CLOSED SESSION

### **7.1 (Item #1) Negotiations - The Board may discuss negotiations or provide direction to its representatives regarding represented employees, pursuant to EERA (Govt. Code Section 3549.1) Agency negotiators: Leyla Benson; Agencies: MDEA, DMA, MDSPA, CSEA, CST Local 1 and Teamsters Local 856**

The Board received an update about the various bargaining units and held a discussion.

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

The Board conferenced with legal counsel.

### **7.3 (Item #3) Anticipated Litigation - Conference with Counsel: Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: One Case Clayton Valley Charter High School v. Contra Costa Superior Court Case No. MSC16-13-56**

The Board voted 5-0 in Closed Session in the matter of Superior Court Case No. MSC16-13-56 to file a cross complaint against Clayton Valley Charter High School to recover the pro rata facilities fee for both the 2015/2016 and 2016/2017 school years.

### **7.4 (Item #4) Existing Litigation - Conference with Legal Counsel (Paragraph (1) of subdivision (d) of Government Code Section 54956.9) Clayton Valley Charter High School v. Mt. Diablo Unified School District - Contra Costa Superior Court Case No. MSC16-13-56**

The Board conferenced with legal counsel.

### **7.5 (Item #5) Anticipated Litigation - Conference with Legal Counsel pursuant to Gov't. Code Sec. 54956.9(b), Significant Exposure to Litigation: 5 cases**

The Board conferenced with legal counsel.

### **7.6 (Item #6) Confidential Student Matters Pursuant to Ed. Code 35145.5 - 1 case**

### **7.7 (Item #7) Expulsion of Student #01-17 from all regular schools in the Mt. Diablo Unified School District**

Oaks moved, Mayo seconded, and the Board voted 5-0-0 to approve the expulsion of Student #01-17 from all regular schools of the Mt. Diablo Unified School District and that Student #01-17 may apply for readmission after January 20, 2017. It is required that Student #01-17 participates in 20 hours of individual counseling to address anger, attend California Offender Program Service (COPS), to attend MDUSD Saturday Workshop for Teen Anger Management, and show evidence of a successful school experience to include 90% attendance, no suspendible behavior infractions, maintain a minimum of a C average and earn at least 30 credits, prior to applying for readmission. Participation in Parent Project recommended.

**7.8 (Item #8) Expulsion of Student #02-17 from all regular schools in the Mt. Diablo Unified School District**

Lawrence moved, Oaks seconded, and the Board voted 4-1-0 (Mason dissenting) to approve that the Board of Education expel Student #02-17 from all regular schools in the Mt. Diablo Unified School District School and that Student #02-17 may reapply for after January 20, 2016. It is required that Student #02-17 participates in 20 hours of counseling to address drug abuse, 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 C average and earn 30 credits. Placement of Student #02-17 will be determined by Student Services.

**7.9 PULLED BY STAFF: (Item #9) Readmission of Student #11-15 to regular schools in Mt. Diablo Unified School District**

**PUBLIC COMMENT**

Gina Haynes spoke about the Bancroft Feeder Pattern and requested a boundary study be conducted.

Brandi deAsis spoke about her son's experience at Pleasant Hill Middle School.

George Fulmore spoke about the upcoming election and the School Board vacancies. He shared he attended the English Learner Workshop at the Welcome Back Parent Conference on August 20, 2016. Mr. Fulmore shared his experience with two acquaintances choosing schools primarily based on their perception of the language being spoken at their home schools. Mr. Fulmore commented that the testing scores will be published shortly and he will begin looking at those. He stated that annual test scores should not be the primary indicator of the value of a school and the future of its students.

**RECOGNITIONS AND RESOLUTIONS**

**9.1 Proclamation of September 2016, as Attendance Awareness Month**

September is Attendance Awareness Month. Mt. Diablo Unified School District will stand with the nation in recognizing September as Attendance Awareness Month. We are committed to reducing chronic absenteeism to give all children an equitable opportunity to learn, grow and thrive academically, emotionally and socially.

Oaks moved, Mason seconded, and the Board voted 5-0-0 to approve to adopt Resolution No. 16/17-3 recognizing September 2016, as Attendance Awareness Month.

**9.2 Hispanic Heritage Month**

The California State Board of Education recognizes in its Multicultural Education Policy that each student needs an opportunity to understand the common humanity underlying all people; and MDUSD proclaims the month beginning September 12 and ending October 12 as Hispanic Heritage Month.

Mayo moved, Lawrence seconded, and the Board voted 5-0-0 to approve Resolution No. 16/17-5 proclaiming September 12-October 12, 2016, as Hispanic Heritage Month.

**PUBLIC EMPLOYEE APPOINTMENT**

**10.1 Appointment of Vice Principal, High School - College Park High School**

Mayo moved, Mason seconded, and the Board voted 5-0-0 to approve the appointment of David Saucedo to position of Vice Principal, High School - College Park High School.

## **10.2 PULLED BY STAFF: Appointment of Social Work Specialist**

## **10.3 PULLED BY STAFF: Appointment of Social Work Specialist**

## **10.4 Classified Personnel: Appointment of Area Facility Manager**

Lawrence moved, Mason seconded, and the Board voted 5-0-0 to approve the appointment of Jeff West to the position of Area Facility Manager.

### **BOARD MEMBER REPORTS**

Mrs. Mayo shared that she attended the Parent Welcome Back Conference held at Loma Vista Adult Center on Saturday, August 20, 2016. Comments from parents about the workshops, backpacks and lunches were positive. On the first day of school, Mrs. Mayo shared she visited five schools; all reported a calm start day. At Pleasant Hill Elementary, she spoke with crossing guard Sonny, a parent and former MDUSD employee, who meets and greets our students daily. She spoke with Principal Aurelia Buscemi, Vice Principal Christopher Olsen, Office Manager Lorraine Helton, and the day custodian. Mrs. Mayo noted the campus was in great shape. At Pleasant Hill Middle School, counselors handed out class schedules while Principal Terry McCormick dashed in and out of classrooms. At Fair Oaks Elementary, Mrs. Mayo and Principal Jon Pierce visited several classrooms. While there, Mrs. Mayo spoke with Sara Machado, the office manager, Erin Flory and Brandi Armas, teachers, as well as Kamala, the custodian. Mrs. Mayo reported the school kitchen was bright and clean, and put to bed for the day. While visiting Oak Grove Middle School, Mrs. Mayo shared she spoke with Martha Potts, Community School Coordinator, and the campus supervisor. Administrative staff were busy adjusting the schedule and adding classes to student schedules. Mrs. Mayo noted that a quick walk of the campus found it to be well-maintained. Lastly, Mrs. Mayo visited Cambridge Elementary, where students were in classrooms and the principal was meeting with staff and parents. The classroom doors had been painted to match the colorful mural at the end of the buildings. Last year's Teacher of the Year, Lourdes Beleche, was sorting books for classroom libraries and for a book give-away to students. The Contra Costa County Health Department mobile health van was on site and their staff members were seeing patients, and assisting adults with health insurance paperwork. In all, 8 individuals were served in the short time Mrs. Mayo was there.

Mrs. Oaks shared that she enjoyed the Parent Welcome Back Conference held on August 20, 2016. Mrs. Oaks commented she visited eight schools on the first day, where she saw many students being joyful – so happy to be back in school. Mrs. Oaks noted every office person she spoke with shared that there were very few students who had not had their immunizations.

Mrs. Mason shared she too, attended the Parent Welcome Back Conference. On the first day, she visited Bel Air Elementary, Shore Acres Elementary, Rio Vista Elementary, Riverview Middle and Mt. Diablo High schools. All schools looked as if it were the middle of the year and not the first day. At Riverview Middle, Mrs. Mason encountered an upset parent whose child did not have a schedule. She commended Principal Eric Wood for his handling of the situation. Mrs. Mason noted that MDUSD staff are serving “Every Family, Every Day”.

Mr. Lawrence clarified his expectation on a boundary study, and acknowledged the role Student Services would play in the study. Mr. Lawrence noted that Student Services had been working hard the last two weeks to place students in school and that would be taken into consideration for any timeline for a study. On the first day, Mr. Lawrence shared he visited Ayers Elementary to observe the start of school with Rocketship Charter School on the site. He shared he saw both sides making adjustments.

Mr. Lawrence commented that there appeared to be a discrepancy between the time it took parents to go through the registration process; at some schools parents waited hours to go through the process and others shared it took only 15 minutes. Lastly, Mr. Lawrence shared that his oldest child is off to middle school and his youngest child entered Kindergarten. He shared a proud moment taking his Kindergartener to the public library after the first day of school to obtain her very own library card.

Ms. Hansen shared she attended the Parent Welcome Back Conference at Loma Vista Adult Center, and noted this was the second year for this event. She shared it was a great event for parents with two sessions of relevant parent workshops to choose from. Ms. Hansen noted that she and Dr. Meyer joined Assistant Superintendent Chris Holleran for the summer school graduation event. Ms. Hansen acknowledged the students' determination to finish high school. Ms. Hansen shared that recently, she attended a District Visual and Performing Arts (VAPA) meeting at Northgate High School, where teachers worked as a district-wide team to look for opportunities to collaborate, plan and fund raise. Ms. Hansen shared she visited Ayers Elementary the Friday before school started and thanked the principal and school staff for the extra efforts put forth throughout the summer. Lastly, Ms. Hansen commended Leyla Benson, Director of Personnel, for her department's successful efforts to have teachers in place at the start of the school year. Ms. Hansen shared she appreciated the early hiring this year and noted that teachers are attracted to our District.

### **SUPERINTENDENT'S REPORT**

Dr. Meyer shared that today was the best start to school that she has seen. She commended the MDUSD team for making sure all students were served, and for a smooth start to the year. Dr. Meyer commented that she is very proud to be part of this group that cares so much. Dr. Meyer shared pictures taken at the recent summer graduation ceremony.

Dr. Meyer stated that the previous week, 210 new teachers met for New Teacher Orientation, where they attended workshops on a number of topics including How to Start the Year Off Right, Social Media and Who to Go to For...

Dr. Meyer noted she recently attended the Mayors' Cookoff – an annual community event held in Concord. Local city mayors select a restaurant from their locale, and along with the restaurant chef and students from Mt. Diablo High School, prepare recipes for judging.

Dr. Meyer shared that Mt. Diablo Unified School District's middle college program, College Now, started last week at Diablo Valley College. As juniors, College Now students will receive high school and college credit simultaneously. Credits earned by these high school students will transfer to community college or a university after graduation.

Dr. Meyer shared that Saturday's Parent Welcome Back Conference was well attended. Dignitaries included The Mayor of Concord, members of the City Council, the Chief of Police, District, and Board members. Workshops offered included Positive Behavior Intervention and Supports (PBIS), Social Media, Student Services, English Learner Services, Advocating For Your Student, Common Core – Math, Common Core - English Language Arts, and Homelink. After a healthy lunch prepared by the Food & Nutrition Services team, backpacks were handed out for students.

Lastly, Dr. Meyer shared that on the first day of school, she visited Riverview Middle, Bel Air Elementary, Silverwood Elementary, Gateway Necessary Small High School, Mountain View Elementary, and Ayers Elementary.

## **CONSENT AGENDA**

Mayo moved, Mason seconded, and the Board voted 5-0-0 to approve all Consent Agenda items with the exception of Items #14, #15, and #18 which were pulled for discussion, thereby approving:

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

### **13.2 (Item #2) College Park High School's Water Polo Retreat, August 27-28, 2016**

College Park High School's Girls Water Polo team is requesting permission to attend a Water Polo Retreat at the UC Berkeley Lair of the Golden Bear family camp, August 27-28, 2016. Six chaperones will be driving 24 students to Pinecrest, CA, for the opportunity for players to form cohesive bonds and build team chemistry.

### **13.3 (Item #3) Contract Between Mt. Diablo Unified School District (MDUSD) and Maxim Healthcare Services for the 2016-2017 School Year**

Maxim Healthcare Services provides specialized healthcare services to MDUSD students. Services include diabetic monitoring, catheterizations, and other medically prescribed procedures. This contract will cover services for Section 504 and IEP students. Healthcare contractors assist the District in assuring compliance with all applicable federal and state laws and regulations.

### **13.4 (Item #4) Request to use TCPN Contract #R141703: Office Supplies and Classroom Supplies District Wide for High Speed Copy Paper**

Per The Cooperative Purchasing Network (TCPN) contract #R141703 awarded December 9, 2014, Office Depot, Inc. was awarded a national "piggyback" contract for office and classrooms supplies. The term of this agreement is for two (2) years with an option of two (2) years in one (1) year increments. Term of Contract 3-1-15 to 2-28-18.

### **13.5 (Item #5) Contract between Mt. Diablo Unified School District-Ayers Elementary School and Soul Soul Shoppe will provide a number of Peace Program Presentations, grade level workshops, a staff-in service and parent night throughout the 2016-17 school year. Mt. Diablo Unified School District has already spent in excess of \$25,000 with Soul Shoppe for the 2016-17 school year and Board approval is needed.**

Soul Shoppe will provide a number of Peace Program Presentations, grade level workshops, a staff-in service and parent night throughout the 2016-17 school year. Mt. Diablo Unified School District has already spent in excess of \$25,000 with Soul Shoppe for the 2016-17 school year and Board approval is needed.

### **13.6 (Item #6) Math 180 - Math Intervention Program**

Math 180 is for our students who are two or more grade levels behind and offers on-line and teacher-led interventions. This is to purchase the licenses (195 students), teacher materials, and professional development including classroom coaching. The sites served will be Riverview Middle and Oak Grove Middle.

### **13.7 (Item #7) Professional Services Agreement between The Regents of the University of California and Mt. Diablo Unified School District for the History-Social Science Project**

The UC Berkeley History-Social Science Project will be offering a second year of our afternoon professional development series. This year will focus on close reading of non-fiction information text. Additionally, this work is open to all teachers. This work would be especially useful for History, English, CORE, Science, ELD, Special Education/Resource and all K-5 teachers.

The series will plan for integration of close reading of non-fiction/informational text and content literacy in CCSS-aligned units, will develop lessons that integrate UCBHSSP literacy strategies and adapt as appropriate for increased student success and will reflect on demands of Common Core and student needs based on a cycle of inquiry that centers student work.

This course is being offered for credit. Upon successful completion, the teacher will receive 2 units on the MDUSD step and column salary schedule.

**13.8 (Item #8) Execution of Master Contract with Phillips Academy, a Certified Non-Public School**

Mt. Diablo Unified School District's (MDUSD) Execution of Non Public School Placements for the 2016-2017 school year. Request for funds includes basic education, related services, and room & board/mental health services for students in day treatment programs/residential placements.

**13.9 (Item #9) Execution of Non-Public School/Agency Contract with Seneca Center for the 2016-17 School Year**

Seneca Center provides mental health related services for the District's mental health collaborative programs and operates the Seneca Olivera non-public school at the Glenbrook Middle school site. The requested funds are for the 2016-17 school year costs associated with the provision of these programs and services

**13.10 (Item #10) Execution of Non-Public School Contract with Star Academy for the 2016-17 School Year**

Mt. Diablo Unified School District's (MDUSD) execution of non-public school placements for the 2016-2017 school year. Request for funds includes basic education, related services, and room & board/mental health services for students in day treatment programs/residential placements.

**13.11 (Item #11) Approval of Non-Public Agency Master Contract with Analytical Behavioral Consultants for the 2016-17 School Year**

Analytical Behavior Consultants is a California certified non-public agency that provides intensive behavioral services at the request of Mt. Diablo Unified. The request for funds is to continue providing a highly specialized in home program for one home-bound student.

**13.12 (Item #12) Contract Addendum to the Professional Services Agreement for Legal Services Between Atkinson, Andelson, Loya, Rudd Y Romo and Mt. Diablo Unified School District**

Staff seeks approval of the contract addendum to the Professional Services Agreement for legal services between Atkinson, Andelson, Loya, Rudd & Romo and Mt. Diablo Unified School District for the period of September 1, 2015 through June 30, 2018.

**13.13 (Item #13) Food and Nutrition Service Purchases 2016-2017**

Food and Nutrition Services requests approval to issue an open Purchase Order to Bunzl Distribution for the purchase of paper goods and supplies for meal programs in district schools during the 2016-2017 school year. This agreement extends the Award Bid No. 157-2014. As part of the Bay Area School Nutrition Co-Op: 2016-2017. The purchase order amount is not to exceed \$120,000.

**13.14 (Item #16) Recommended Action for Certificated Personnel**

**13.15 (Item #17) Provision Internship Permit**

The California Commission of Teacher Credentialing is no longer issuing Emergency Permits. However, the Commission replaced the Emergency Permit with the Provisional Internship Permit (PIP) which provides applicants additional time to meet the subject matter competence requirement(s) needed to enter an internship program. A District may request a PIP only after a diligent search has been conducted and a fully credentialed

teacher could not be found. The PIP is issued for one (1) year and is renewable one time only provided the teacher has taken all appropriate subject matter examinations, but has not yet passed those test. All request for a PIP must be presented to the Governing Board of a public school district for approval. Every PIP request that is submitted to the Commission on Teacher Credentialing must also include verification that a notice of intent to employ the named applicant has been made public.

### **13.16 (Item #19) Recommended Action for Classified Personnel**

### **13.17 (Item #20) Classified Personnel: Request to Increase/Decrease Full Time Equivalent (FTE) for the 2016/17 School Year**

### **13.18 (Item #21) Ratification of Award of Summer Contracts - Measure C**

At the June 27, 2016 Board of Education meeting, the Board authorized Resolution No. 15/16-52, for the timely award of the following Measure C projects.

Purchase Order #103547, to Bay City Mechanical, for labor and material for mechanical repairs at Valhalla Elementary in the amount of \$99,480.00.

Purchase Order #104010, 104012, 104020, 104021 to Playpower Lt Farminton Inc. C/O All About Play for materials and installation of playground replacement at Sun Terrace Elementary, Fair Oaks Elementary, and Strandwood Elementary in the \$292,577.52.

Purchase Order #104047 to Innerspace Engineering for tools, materials, labor, and equipment necessary for locker replacements at Northgate High School in the amount of \$220,000.00.

Purchase Order #103740 to Air Associates for restroom exhaust fans for Riverview Middle School, Rio Vista Elementary, Wren Avenue Elementary, Fair Oaks Elementary, Ygnacio Valley Elementary, and Meadow Homes Elementary in the amount of \$14,337.35.

### **13.19 (Item #22) Ratification of Intermediate Change Order #1730-002 to Silicon Valley Paving, Inc., for Temporary Housing Work at Concord High School**

On February 1, 2016 the Board of Education awarded Bid 1730/Contract C-938 to Silicon Valley Paving, Inc. for \$576,933.96 for Modernization Group II Hardscape Repairs at Various Sites.

As a result of District need to 1) complete building pad development to facilitate temporary housing cluster at Concord High School, an intermediate change order in the amount of \$49,346.00 is necessary.

This intermediate change order will result in a revised contract value of \$789,391.96.

Pursuant to the June 27, 2016 'Resolution for Authorization to Award Summer Contracts', staff is recommending ratification of Intermediate Change Order #1730-002 to Silicon Valley Paving, Inc. for the provision of said services.

### **13.20 (Item #23) Ratification of Award for Project Inspector Contract to Support Concord High School Temporary Housing Project**

The services of a State Certified Inspector of Record (Project Inspector) are required to oversee, inspect and verify that the installation of temporary housing facilities at Concord High School is conducted in compliance with all DSA approved drawings, specifications and applicable codes and regulations.

Pursuant to the June 27, 2016 'Resolution for Authorization to Award Summer Contracts', staff is recommending ratification of an award of contract to Alisha Jenson Inspection Services for a 'not to exceed' fee of \$4,000.00 for the provision of said services.

**13.21 (Item #24) Ratification - Award of Design Contract for Professional Design Services for Mt. Diablo High School, HE6 Improvements**

Pursuant to the June 27, 2016 'Resolution for Authorization to Award Summer Contracts', staff is recommending ratification of a 'not to exceed' contract in the amount of \$40,000.00 to PHd Architects, Inc. for the provision of comprehensive engineering and design services necessary and satisfactory completion of this project.

**13.22 (Item #25) Architectural and Engineering Services Contract with PHd Architects Inc. for Temporary Housing at Bancroft Elementary School**

The services of a professional architect are required to provide architectural and engineering services to secure DSA approval for installation of two temporary modular buildings at Bancroft Elementary School.

The scope of services includes work required to connect the modular buildings to the existing District systems (i.e. electrical and fire alarm) and work to meet compliance with Access Code, Fire Protection and T-24 regulations.

**13.23 (Item #26) Contract to Project Inspector for Temporary Housing at Northgate High School**

The services of a State Certified Inspector of Record (Project Inspector) are required to oversee, inspect and verify that the installation of temporary housing facilities at Northgate High School is conducted in compliance with all DSA approved drawings, specifications and applicable codes and regulations.

**CONSENT ITEMS PULLED FOR DISCUSSION**

**14.1 (Item #14) Fiscal Transactions for the Month of June 2016**

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

Oaks moved, Lawrence seconded and the Board voted 5-0-0 to approve to pull Item 14.1: Fiscal transactions for the month of June, 2016.

**14.2 (Item #15) Fiscal Transactions for the Month of July, 2016**

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

Oaks moved, Lawrence seconded, and the Board voted 5-0-0 to approve to pull Item 14.2: Fiscal transactions for the month of July, 2016.

**14.3 (Item #18) Certificated Personnel: Request to Increase and Decrease Full Time Equivalent (FTE) for the 2016-17 School Year**

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

Mayo moved, Oaks seconded, and the Board voted 4-1-0 (with Mason dissenting) to approve the New motion 'Approve the request to increase and decrease Full Time Equivalent (FTE) for the 2016-17 school year.

## **COMMUNICATIONS**

James Wogan spoke about the MDUSD Homeless Program and Foster Youth Services citing that last school year 502 homeless and 198 foster youth were served, with additional students coming in over summer. Additionally, the School Linked Services Department supports foster families through interagency collaboration such as CARE team, wellness centers, suicide prevention, support for transgender youth, LGBTQ youth, and preventing human trafficking. Mr. Wogan shared that MDUSD School Linked Services also worked with and in support of, sexually exploited children and youth. Additionally, access to grief counseling and bringing dental services to campuses is in the works.

## **BUSINESS/ACTION ITEM**

### **17.1 Reopening Holbrook Elementary School**

At the April 11, 2016, Board Meeting, staff was directed to begin exploratory planning to reopen Holbrook Elementary School. Data has been collected and continued planning is in process. Based upon our current data, staff concludes it is fiscally feasible to reopen Holbrook Elementary for the 2017-18 school year.

A timeline has been developed and in order to meet the 2017-18 school opening, we require Board approval at this time. Upon Board approval, our next steps include creating a welcoming Elementary site, as well as a strong instructional plan.

#### **Public Comment:**

Turtle Pfeiffer thanked the Board for considering reopening Holbrook Elementary, and emphasized that it must become an outstanding academic school.

Linda Loza shared her concerns about reopening Holbrook and asked the Board what had changed since the original decision to close Holbrook and Glenbrook.

John Parker expressed his concerns about the HVAC at Holbrook, the possibility of lease/leaseback and inquired what the timeline is for the project.

Dr. Meyer provided an overview of the reopening planning, community outreach conducted, the estimated budget, and funding sources for the Holbrook project. She shared that staff and community are continuing to dialogue about the style of school: university partnership, magnet school, or themed school (art; STEM-science, technology, engineering and math; or Project Lead the Way-based). There continues to be a universal desire for technology and the importance of language – dual immersion or bilingual program.

Dr. Meyer noted that community meetings have been conducted since last year and Board presentations occurred last September, October, November, and March. Dr. Meyer reminded the audience that an item brought to the Board in April approved seed money. Dr. Meyer noted that MDUSD staff continues conversations with other schools, and are looking at survey materials to get a sense of the theme for the school.

Dr. Meyer referred to a project management spreadsheet showing a timeline of tasks included in the agenda docket. She stated that Holbrook would receive the Measure C upgrades previously scheduled for other schools in the District. Other funding sources include routine maintenance and Measure A funding for technology.

Tim Cody and Dr. Meyer answered questions posed by Mr. Lawrence, Mrs. Mason and Mrs. Oaks regarding timeline, financing of the project if the final Measure C bonds are not sold, development in nearby areas, projected enrollment, grade levels that will be served by the school, and how this project will fit into the District's class size reduction plan.

Hansen moved, Mason seconded and the Board voted 4-1-0 (with Mayo dissenting) to approve the reopening of Holbrook Elementary for the 2017-18 school year; including the Project Budget as presented in attachment #1; and the authorization for staff to take all actions necessary to do so.

**\*\*17.7 Interim Appointment to Regular Appointment Status**

In May, 2015, Robert Greathouse was appointed to the position of Director, Facilities, Operations and Resource Conservation on an interim basis. We are recommending that this be changed to regular appointment status.

Mason moved, Lawrence seconded and the Board voted 5-0-0 to approve the recommendation to change the status of Robert Greathouse from Interim to Regular appointment.

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

**17.2 Contract Amendment Number Eleven to Capital Engineering Consultants, Inc.**

On May 9, 2006 the Board of Education awarded a design services contract to Capital Engineering Consultants, Inc. for the comprehensive engineering and design of the first thirteen (13) district sites identified to be retrofitted with new high efficiency Heating, Ventilating and Air Conditioning (HVAC) systems. Since this original Board approval in 2006 the contract has been amended multiple times, most recently for the provision of design services for HVAC improvements identified in the 2010 Measure C Facilities Improvement Program.

Holbrook Elementary School was originally included, however de-scoped from this contract when the school was closed. As such, Holbrook is the only District site that has not received HVAC improvements. In order to facilitate re-opening of Holbrook and delivery of the same air conditioning services to the site, an engineering and design services are required as soon as possible. As such, staff is recommending approval of a 'not to exceed' contract amendment in the amount of \$134,200.00 for comprehensive design and construction administration services necessary to complete required modifications.

Mayo moved, Mason seconded, and the Board voted 5-0-0 to approve Contract Amendment Number Eleven to Capital Engineering Consultants, Inc.

**17.3 Contract Amendment #3 to MISA0096-1724, PHd Architects, Inc. to Facilitate Restroom Renovations at Holbrook Elementary Schools**

On September 14, 2015 the Board of Education awarded a design services contract to PHd Architects for \$128,530.00 for the provision of comprehensive architectural design and administrative (DSA) services necessary to complete restroom renovations at various sites.

Since original Board approval the contract has been amended twice. Most recently for the design services associated with the Group III Modernization Phase of 2010 Measure C Facilities Improvement Program.

Holbrook Elementary School was originally included, however de-scoped from the program when the school was closed. In order to facilitate re-opening of Holbrook, design services are required as soon as possible. As such, staff negotiated and is recommending approval of a 'not to exceed' contract amendment in the amount of \$21,944.00 for comprehensive design and construction administration services necessary to complete modifications anticipated under the original scope of work.

Mayo moved, Lawrence seconded, and the Board voted 5-0-0 to approve Contract Amendment #3 to MISA0096-1724, PHd Architects, Inc. to facilitate restroom renovations at Holbrook Elementary School.

**17.4 Contract Amendment #1 to MISA0100-1742, PHd Architects, Inc. to Facilitate Playground Improvements at Holbrook Elementary School**

On April 11, 2016 the Board of Education awarded a design services contract to PHd Architects for \$151,300.00 for the provision of comprehensive architectural design and administrative (DSA) services necessary to complete playground improvements at various sites.

Holbrook Elementary School was de-scoped from the program when the school was closed. In order to facilitate re-opening of Holbrook, design services are required as soon as possible. As such, staff negotiated and is recommending approval of a 'not to exceed' contract amendment in the amount of \$16,000.00 for comprehensive design and construction administration services necessary to complete modifications anticipated under the original scope of work.

Mason moved, Oaks seconded, and the Board voted 5-0-0 to approve Contract Amendment #1 to MISA0100-1742, PHd Architects, Inc. to facilitate playground improvements at Holbrook Elementary School.

**17.5 STEM Tesoro Grant for College Park High School**

Staff requests approval to submit a grant to Tesoro to fund a new FIRST Robotics Competition team at College Park High School (CPHS). The FIRST Robotics Competition is a nine month project where teams across the country construct robots in response to a design challenge (<http://www.firstinspires.org/robotics/frc>). The CPHS STEM Tesoro grant will promote teacher professional development and collaboration, STEM learning opportunities for students and a STEM culture at CPHS. In addition, it complements and aligns to the other existing Tesoro grants; Middle School STEM After School Clubs, Summer Girl Camp Summit and STEM & Ed Tech Symposium.

The funding will support the development of the new FIRST Robotics Competition team (\$25,000) for 30 students. Grant funding would support materials, staffing, planning/collaboration time, professional development and other related program expenses.

Lawrence moved, Mayo seconded, and the Board voted 5-0-0 to approve application for, and acceptance of funds if awarded, for the STEM Tesoro Grant for College Park High School.

**17.6 Opportunity for public response to the Initial Successor Agreement Proposals from Mt. Diablo School Psychologists Association (MDSPA) and Mt. Diablo Unified School District**

At the August 8, 2016 meeting, the Successor Agreement Proposals for MDSPA and Mt. Diablo Unified School District were publicly presented. We are now presenting these proposals for public response.

Oaks moved, Mayo seconded, and the Board voted 5-0-0 to approve to formally adopt the proposals for formal negotiations for Mt. Diablo School Psychologists Association and Mt. Diablo Unified School District.

\*\*17.7 was moved up in the agenda following 17.1.

**17.8 Annual Renewal of Sungard-Bi-Tech Services Contract**

The Annual Support Agreement between Sungard-Bi-Tech and the District which provides for customer support and software updates for Business Plus, formerly the Integrated Financial Administrative Solution System Business Plus(Formerly IFAS) is due for renewal. The contract covers service from October 1, 2016 through September 30, 2017.

Mason moved, Mayo seconded, and the Board voted 5-0-0 to approve the annual renewal agreement with Sungard-Bi-Tech.

**17.9 LCAP Goals as Primary Plan: Transition from Strategic Plan**

The Strategic Plan provided a foundation on which Mt. Diablo Unified School District created targeted actions to support our students and schools. The Strategic Plan was a strong transition document prior to the State Mandated LCAP document.

MDUSD is now ready to streamline our planning documents. Staff is recommending the transition away from the Strategic Plan to the LCAP.

Desired actions as well as the feedback used to create the Strategic Plan will not be lost. The Strategic Plan was used as a foundational document as our staff facilitated multiple opportunities for outreach and refinement in the creation of the LCAP. The LCAP has incorporated the work within the Strategic Plan and will support our district by defining our targeted student goals as well as aligning the resources necessary to achieve success.

The Board members held a conversation about transitioning from the Strategic Plan to the LCAP Plan.

Mason moved, Oaks seconded, and the Board voted 5-0-0 to approve the Local Control Accountability Plan as our primary guiding document in lieu of our Strategic Plan.

**17.10 Approve the College and Career Access Pathways Partnership Agreement (CCAP Agreement) between Mt. Diablo Unified School District, Diablo Valley College and Contra Community College District**

Approve the College and Career Access Pathways Partnership Agreement (CCAP Agreement) between Mt. Diablo Unified School District, Diablo Valley College and Contra Community College District. The CCAP Agreement is designed for the purpose of offering or expanding dual enrollment opportunities, such as the College Now Program at DVC, consistent with the provisions of AB 288, for high school students who may not already be college bound or who are underrepresented in higher education. The goal of AB 288 is developing seamless pathways from high school to community college for career technical education or preparation for transfer improving high school graduation rates, and assisting high school pupils to achieve college and career readiness.

AB 288 establishes the College and Career Access Pathways Act to authorize California Community College districts to enter into formal partnership agreements with local school districts to expand access to concurrent enrollment opportunities for high school students. The partnership agreement outlines the terms of the partnership, such as the schedule of eligible courses offered, thresholds for the academic readiness of pupils, protocols for sharing and joint facilities use, etc....

The CCAP seeks to build upon existing concurrent enrollment efforts, new and expanded opportunities for district students, the Career Pathways Trust and Diablo Gateways to Innovation grant, and the Mt. Diablo Unified School District pathways and Career Technical Education (CTE) focus to better prepare high school students for college and career success.

Stephanie Roberts answered questions posed by Board members.

Mason moved, Lawrence seconded, and the Board voted 5-0-0 to approve the College and Career Access Pathways Partnership Agreement (CCAP Agreement) between Mt. Diablo Unified School District, Diablo Valley College and Contra Community College District.

**17.11 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.

**17.12 Execution of Documents**

During this time, the Superintendent and Board Members will execute documents approved during this meeting.

**FUTURE AGENDA ITEMS**

Mrs. Mason requested that the Bancroft feeder pattern topic be placed on a future agenda.

**CLOSED SESSION**

The Board did not return to Closed Session.

**RECONVENE OPEN SESSION**

N/A

**ADJOURNMENT**

President Hansen closed the meeting in memory of Ted Brekke, a long-time District employee who recently passed, and declared the meeting adjourned at \*9:30 p.m.

\*Times noted are approximate.

Respectfully submitted,



Nellie Meyer, Ed.D.

Superintendent