

MINUTES
REGULAR MEETING OF THE BOARD OF EDUCATION
MT. DIABLO UNIFIED SCHOOL DISTRICT
Monday, June 4, 2012 (7:30 PM)

Board Members: Sherry Whitmarsh, Linda Mayo, Gary Eberhart, Lynne Dennler, and Cheryl Hansen

Administrative Staff: Superintendent Steven Lawrence, Assistant Superintendents Julie Braun Martin, Mildred Browne, Rose Lock, General Counsel Gregory Rolan, and Chief Financial Officer Bryan Richards

CALL TO ORDER

The Meeting of the Board of Education of the Mt. Diablo Unified School District was called to order by Sherry Whitmarsh at 6:00 p.m. in the Board room at the MDUSD Dent Center.

ADJOURN TO CLOSED SESSION AT 6:00 P.M.

The Board adjourned to Closed Session at 6:00 p.m. in Room 6 at the Dent Center. In Closed Session the Board discussed expulsions, negotiations, and two cases of anticipated litigation.

RECONVENE OPEN SESSION

The Board returned to open session at 7:35 p.m. in the Board room. President Whitmarsh led the Pledge of Allegiance to the Flag and reported action taken in Closed Session May 29 and June 4.

REPORT OUT ACTION TAKEN IN CLOSED SESSION

Report of Closed Session, June 4, 2012

In Closed Session the Board discussed negotiations, expulsions, and two cases of potential litigation

Report of Closed Session, May 29, 2012

Shortly after the meeting began the Board voted 5-0-0 to table the meeting.

EXPULSION RECOMMENDATIONS

Expulsion Recommendation - Student #35-12

Mayo moved, Eberhart seconded, and the Board voted 5-0-0 that Student #35-12 be expelled from all schools of Mt. Diablo Unified School District and that Student #35-12 may apply for readmission after January 25, 2013. It is required that Student #35-12 participates in a minimum of 20 hours of individual counseling program designed to address anger and decision making skills; completion of 30 hours of community service; completion of the California Offender Program Services (COPS) for Aggressive Offenders; completion of MDUSD's Anger Management Workshop and show evidence of a successful school experience to include 95% attendance, no suspendible behavior infractions, a minimum of a C average, and 50 credits earned, prior to applying for readmission.

Expulsion Recommendation - Student #36-12

Dennler moved, Hansen seconded, and the Board voted 5-0-0 that Student #36-12 be expelled from all schools of Mt. Diablo Unified School District and that Student #36-12 may apply for readmission after January 25, 2013. It is required that Student #36-12 participates in 20 hours of individual counseling program designed to address decision making skills and following school rules; completion of 30 hours of community service; completion of the California Offender Program Services (COPS) for Aggressive Offenders; and show evidence of a successful school experience to include 95% attendance, no suspendible behavior infractions, maintain a minimum of a C average, and 40 credits earned, prior to applying for readmission.

Expulsion Recommendation - Student #37-12

Eberhart moved, Mayo seconded, and the Board voted 5-0-0 that Student #37-12 be expelled from all schools of Mt. Diablo Unified School District and that Student #37-12 may apply for readmission after June 4, 2013. It is required that Student #37-12 participates in a minimum of 20 hours of individual counseling program designed to address substance abuse; completion of 30 hours of community service; completion of the California Offender Program Services (COPS) for Alcohol/Drug Offenders; submit proof of negative drug test and show evidence of a successful school experience to include good attendance, no suspendible behavior infractions, maintain a minimum of a C average, and 30 credits earned per semester, prior to applying for readmission.

Expulsion Recommendation - Student #38-12

Mayo moved, Dennler seconded, and the Board voted 5-0-0 that Student #38-12 be expelled from all schools of Mt. Diablo Unified School District and that Student #38-12 may apply for readmission after January 25, 2013. It is required that Student #38-12 participates in 20 hours of individual counseling to address Anger issues, serve 30 hours of community service, completion of California Offender Program Service (COPS) – Aggressive Offender class, and show evidence of a successful school experience to include good attendance, no suspendible behavior infraction, maintain a minimum of C average, and 30 credits earned, prior to applying for readmission.

Expulsion Recommendation - Student #39-12

Mayo moved, Dennler seconded, and the Board voted 4-0-1 (Eberhart – no) to approve the amended motion that Student #39-12 be expelled from all schools of Mt. Diablo Unified School District until June 4, 2013. The expulsion to be suspended after January 25, 2013 and may be assigned a comprehensive school. Student #39-12 may apply for readmission after June 4, 2013. It is required that Student #39-12 participates in 30 hours of counseling to address drugs and decision making skills; attend California Offender Program Service (COPS) – Alcohol/Drug Offender class; attend MDUSD's Drug and Alcohol Workshop; submit proof of negative drug test; complete 50 hours of community service; and show evidence of a successful school experience to include good attendance, no suspendible behavior infraction, a minimum of 2.0 GPA and completion of additional 80 credits.

Expulsion Recommendation #40-12

Eberhart moved, Mayo seconded, and the Board voted 5-0-0 that Student #40-12 be expelled from all schools of Mt. Diablo Unified School District and that Student #40-12 may apply for readmission after January 25, 2013. It is required that Student #40-12 participates in 20 hours of counseling to address anger and viewing of authority; serve 30 hours of community service; complete California Offender Program Service (COPS) – Aggressive Offender class; complete MDUSD's Teen Anger Management Workshop; and show evidence of a successful school experience to include 95% attendance, no suspendible behavior infraction, maintain a minimum of 2.0 GPA and earn more than 30 credits, prior to applying for readmission.

Expulsion Recommendation - Student #41-12

Mayo moved, Eberhart seconded, and the Board voted 5-0-0 that Student #41-12 be expelled from all schools of Mt. Diablo Unified School District and that Student #41-12 may apply for readmission after January 25, 2013. It is required that Student #41-12 participates in 20 hours of counseling on mental health; serve 30 hours of community service; complete California Offender Program Service (COPS) – Aggressive Offender and Drug/Alcohol Offender classes; complete MDUSD's Drug and Alcohol Workshop; submit proof of negative drug test and show evidence of a successful school experience to include 95% attendance, maintain a minimum of 2.0 GPA, no suspendible infraction, and earn 30 credits, prior to applying for readmission.

CONSENT AGENDA

Eberhart moved, Dennler seconded, and the Board voted 5-0-0 to approve the Consent Agenda as presented, with the exception of Item #24 which was pulled by Hansen, thereby approving the following:

9.2 (Item #2) Minutes of the meeting of April 23, 2012

9.3 (Item #3) Recommended Action for Certificated Personnel

9.4 (Item #4) Release of Temporary Certificated Employees

In accordance with Education Code 44954, the District requests that all certificated employees on temporary contracts for the 2011-2012 school year who have not been re-employed for 2012-2013 be released at the end of the 2011-2012 school year. Education Code 44954 states: Governing boards of school districts may release temporary employees requiring certification qualifications under the following circumstances: (a) At the pleasure of the Board prior to serving during one school year at least 75 percent of the number of days the regular schools of the district maintained. (b) After serving during one school year the number of days set forth in subdivision (a), if the employee is notified before the end of the school year of the District's decision not to reelect the employee for the next succeeding year. This action is taken annually in an effort to provide the District with maximum flexibility in staffing for the next succeeding school year.

9.5 (Item #5) Approval of Variable Term Waiver for CBEST Request for 30-Day Substitute Teacher Permits for the 2012-2013 school year

Approval of the annual resolution of the Governing Board allows the District to recruit and hire day-to-day substitutes teachers who have a Bachelor's Degree but have not yet taken and passed CBEST.

9.6 (Item #6) Request to increase and decrease Full Time Equivalent (FTE) for the 2012-2013 school year.

9.7 (Item #7) Recommended Action for Classified Personnel

9.8 (Item #8) Classified Personnel: Request to Create and Eliminate Positions for the 2012-13 Fiscal Year

9.9 (Item #9) Resolution No. 11/12-47, Authorization to Make Year-End Intra-Budget Transfers

This annual resolution permits the Superintendent or his designee to complete any necessary year-end budget transfers to permit the payment of obligations the District has incurred during the 2011-2012 school year.

9.10 (Item #10) Renewal of Independent Service Contract Between MDUSD and Laurie Gultzan MFT for

Laurie Gultzan has been a counselor with Crossroads High School for the past 12 years. For the first eight of these years she was associated with New Connections. Starting with the 2008 – 2009 school year she was independent of any agency, working under her own license. Laurie is a licensed MFT counselor and holds a Masters in Counseling Psychology from JFK University. She will be employed thirty-five hours per week. Approximately thirty-one hours per week will include counseling, case management, administrative and other services provided at the school. The remainder of time will include consultation, training, and other indirect services. Counseling services have expanded to include couples counseling and family sessions held after school hours. Student success depends on many things. For the students of Crossroads High School a particular area of need is mental health. Helping to alleviate some of life's obstacles enable students to become effective parents in strong relationships and graduate from high school.

9.11 (Item #11) Contract Amendment: 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 those HVAC improvements identified in the 2010 Measure C Facilities Improvement Program and the design of the Board-approved upgrade of the Heating, Ventilating and Air Conditioning system serving the Administrative Wing at Concord High School. As a result of a need to relocate multiple equipment pads at Mt. Diablo and Sun Terrace Elementary Schools staff is recommending approval of a 'not to exceed' contract amendment in the amount of \$18,500.00 for comprehensive design services necessary to address these required system modifications.

9.12 (Item #12) Award of Design Services Contract For Refurbishment/Modification of Existing Auto/Metal Shop at Northgate High School- 'Project Lead The Way' Engineering Pathway

On June 28, 2011 the Board of Education approved facility enhancements for each of the comprehensive high schools and Olympic High School. As part of this greater approval the Board approved funding for facility modifications and technologies necessary to support the 'Project Lead The Way' program at Northgate High School. Staff has negotiated, and is now recommending that a 'not to exceed' contract for \$18,900.00 be awarded to PHd Architects for the provision of comprehensive programming, design development and schematic design services related to this project.

9.13 (Item #13) Award of Inspector of Record (Project Inspector) Contract

The services of a State Certified Inspector of Record (Project Inspector) are required to oversee, inspect and to verify that the installation of the Board-approved electronic marquee at Concord High School is conducted in compliance with all DSA approved drawings, specifications and applicable codes and regulations. Staff is recommending that a contract be awarded to Alisha Jensen for a 'not to exceed' fee of \$850.00 for the provision of said services.

9.14 (Item #14) Award of Bid for Bid #1611

Bid No. #1611 was called to provide Structured Cabling, Adding Ethernet Drops in Classrooms with a Fiber Optic Backbone at College Park HS, Mt. Diablo HS, Oak Grove MS, Riverview MS, Northgate HS, Concord HS, Ygnacio Valley HS, Clayton Valley HS, Sequoia MS, El Dorado MS, Foothill MS, Loma Vista Adult Center, Diablo View

MS, and Valley View MS. The lowest responsible, responsive bidder is Conti Corporation for the base bid amount of \$1,085,000.00 The scope of work includes, but is not limited to: adding additional Ethernet drops in classrooms while connecting IDF's and MDF's with an Ethernet backbone as indicated in the Specifications and Drawings. The engineers estimate for this project is \$1,247,388.00

9.15 (Item #15) Award of Bid for Bid #1612

Bid #1612 was called to provide Electrical, HVAC Upgrades to Main Distribution Frames and Intermediate Distribution Frames at Clayton Valley HS, College Park HS, Northgate HS, Concord HS, Mt. Diablo HS, Ygnacio Valley HS, Diablo View MS, Foothill MS, Riverview MS, and Loma Vista Adult Center. The lowest responsible, responsive bidder is DecoTech Systems, Inc., for the base bid amount of \$156,000.00 The scope of work includes, but is not limited to: site work, demolition and construction necessary for electrical, HVAC upgrades to the main distribution frames and intermediate distribution frames at multiple sites as indicated in the Drawings, Tables and Schedules. The engineer's estimate for this project is \$194,388.00

9.16 (Item #16) Independent Contract for DataWORKS Educational Research to provide instructional support service during a summer intervention program (StepUP Academy)

Bel Air Elementary and Shore Acres Elementary are requesting approval of an Independent Contract with DataWORKS Educational Research. StepUP Remedial Academy: StepUP Remedial Academy is a rigorous program that helps kids catch up on the standards they had difficulty with during the previous school year. StepUP Remedial Academy is special because it: - helps students be more successful and confident at the beginning and throughout the next, regular school year - provides important, extensive vocabulary support to students; the more words students know, the more they can understand what they hear and read, and the better they will be able to speak and write - offers intensive training in developing reading fluency. With automatic word recognition students can read faster and begin to read silently more often. Students who can read silently will be able to learn twice as fast as when they read out loud. - informs and provides parents with useful techniques to help prepare their children for the school year. Contracted services will include: EDI (1) lesson demonstration day, 1 day teacher training, 12 days of classroom coaching, 2 parent involvement sessions

9.17 (Item #17) Adoption of the Human Rights Education course of study

A committee of high school teachers and the Social Sciences Coordinator from the SASS department met to develop the Human Rights Education course of study. This course focuses on giving students an understanding of human rights documents and human rights issues. Students will realize the importance of becoming an informed citizen. This course is designed to empower students to make their community and the world a better place as they learn how they can affect change through direct action.

9.18 (Item #18) Adoption of the Algebra Readiness course of study

A committee of middle school and high school teachers and the Mathematics Coordinator from the SASS department met to develop the Algebra Readiness course of study. Algebra Readiness is a course aligned with the California Common Core Standards for 8th grade mathematics. The emphasis is on transitioning from concrete, basic math skills to abstract algebraic, geometric and statistical concepts. This course is designed to meet the needs of 8th graders who do not need to repeat Pre-Algebra but are not ready for Algebra I.

9.19 (Item #19) Independent Contract for Anita Archer

Anita Archer is a well-known consultant who will present a series of workshops for Elementary, Middle and High School Teachers in September, 2012. These workshops will focus on Academic Language Development and oral language practice. The emphasis of the training is on Long-Term English Language Learners.

9.20 (Item #20) Resolution #11/12-45 Choose Civility Initiative

The Contra Costa County Office of Education is launching a new initiative, Choosing Civility. They have invited the Mt. Diablo Unified School District to participate. The initiative is inspired by the work of Dr. Forni, the author of "Choosing Civility: the 25 Rules of Considerate Conduct". Through a broad-based collaborative effort, the goal is to transform Dr. Forni's concepts into a workable, meaningful plan that can be integrated into the culture of our schools, government, businesses, organizations, neighborhoods, and families throughout the greater Contra Costa County.

9.21 (Item #21) Resolution #11/12-49 Tobacco Use Prevention

Resolution #11/12-49 in support of the California Cancer Research Act which is on the June 2012 ballot would raise the state's tobacco tax by \$1 per pack of cigarettes. If passed, this would provide more than \$156 million annually to the state's existing tobacco control programs to prevent and reduce the use of tobacco. The \$1 tax increase would prevent 228,000 children from becoming smokers in adulthood.

9.22 (Item #22) Increase Contract for translating services between Advanced Interpreting Services and Mt. Diablo Unified School District

Advanced Interpreting Services, an Independent Service Contractor, provides interpreting/translation services for various IEPs and other meetings at school sites throughout the District and translates documents into different languages for IEPs. The current contract is in the amount of \$83,990.00. Based on current projections, it is estimated that we will need an additional \$16,000 to cover services for the remainder of the school year.

9.23 (Item #23) Measure C High School Project Lists

At the April 23, 2012 Board meeting, the Board approved \$40 million to be allocated between the six comprehensive high schools for facilities improvement projects. Attached are the lists for Concord High, College Park High and Ygnacio Valley High.

CONSENT ITEMS PULLED FOR DISCUSSION

10.1 (Item #24) Job Description for S3 Safety Grant Liaison

The District is requesting the approval of a new job description for S3 Safety Grant Liaison. Under the supervision of the school administrator, this position is responsible for supporting the S3 Coordinator with grant services assisting with coordinating all aspects of the S3 safety grant, supporting safety and security guidelines, and assisting with student conflict resolution.

Public Comment

Debbie Hickey, Local One CST, said she believes the job description is similar to the CST, Community School Coordinator job description.

Eberhart moved, Mayo seconded, and the Board voted 5-0-0 to approve as presented.

RECOGNITIONS

The Board recognized Sequoia Middle School student David Leynov, National History Bee Champion. The Board also recognized Riverview Middle School student Bianca Nunez, State Energy Quest Contest award winner.

PUBLIC COMMENT

Margo Connolly, American Cancer Society volunteer, asked the Board for support of the resolution supporting Proposition 29.

COMMUNICATIONS

Mike Langley, President MDEA, introduced President Elect Guy Moore. Lorrie Davis, Community Advisory Committee President, thanked the Board for its support of the Special Education meeting which took place last week at Monte Gardens Elementary School.

REPORTS/INFORMATION

A report on the Teaching American History Grant was presented by Linda Hutcherson, School Support Administrator, and teachers Lauren Weaver and Donna Leary.

SUPERINTENDENT'S REPORT

Superintendent Lawrence shared a PowerPoint presentation on College and Career for the class of 2012. He thanked President Whitmarsh for spearheading the collection of information about graduating seniors. He thanked the teachers and administrators who supported the students as well.

BUSINESS/ACTION ITEMS

16.1 Appointment of Director, Secondary Support

Eberhart moved, Dennler seconded, and the Board voted 4-1-0 (Hansen – no) to appoint Bill Morones to the position of Director, Secondary Support.

16.2 Third Interim Report 2011-2012

Because the District filed a qualified second interim report, it is required to update the county via the third interim report as to its financial status as of April 30, 2012. Chief Financial Officer Bryan Richards shared a PowerPoint presentation.

Eberhart moved, Mayo seconded, and the Board voted to approve the Third Interim Report 2011-12 as presented.

(Note change in order)

16.20 Transportation Changes for 2012-13

Currently, we receive \$2.3 million in state funding and \$0.2 million in other local funding for regular and special education transportation. The District estimated costs for transportation for the 2011-12 school year exceed \$9.7 million dollars. Therefore, the District is redirecting over \$7.2 million in funding from our unrestricted general fund to cover these additional transportation expenses. Last week, the Fiscal Crisis Management Assistance Team (FCMAT) conducted an audit of our transportation department and expenses. A draft report will be submitted to the District by the end of June. In order to notify parents of changes in transportation for next school year, staff is recommending the following items be considered for implementation during the 2012-13 school year. 1. No longer provide regular education transportation to Delta View. This would create an estimated savings of \$150,000. 2. No longer provide overflow transportation for elementary school students unless they are moved to a school that is more than 5 miles from their home. The savings will be determined by the available space in schools with close proximity to schools that are overcrowded in specific grade levels.

Public Comment

Gloria Cowort, Delta View parent, said that she relies on District transportation of her children to Delta View Elementary.

Willie Mims, ECNAACP/BPA shared concerns that Delta View is the only school being negatively and disproportionately affected.

Sheila Pontanares, parent, asked that busing to Delta View continue.

Mariela Vega, parent, asked that that the Board continue busing to Delta View.

This will be brought back as a policy change around overflow and a budget reduction item.

16.3 Public Hearing Utilizing Flexibility Authorized by SBX3 4 and SB70

SB70 has extended the limited flexibility provided under SB3 4 for the fiscal years through 2014-15 to allow school districts to utilize funding received from the state budget act for "Tier 3" categorical programs for any educational purpose. As a condition of receipt of the funding, a public hearing on utilization of the flexibility is required annually concurrent with the adoption of the budget. The following programs are currently suspended and 100% of their funding has been reallocated to the unrestricted general fund to support all K-12 educational purposes: 0900 Morgan Hart CSR 0903 National Board Certification Teacher Incentive 0905 Arts and Music Block 0907 CAHSEE Intensive Instruction 0909 Gifted and Talented Education 0914 Specialized Secondary Supplemental Program 0921 PE Teacher Incentive 0922 Professional Development Block All currently suspended programs will continue to be suspended in the 2012-13 school year.

The Public Hearing opened at 9:17 p.m. There were no speakers. The Public Hearing closed at 9:17 p.m.

16.4 Resolution #11/12-48 on Utilizing Flexibility Authorized by SBX3 4 and SB70

SB70 has extended the limited flexibility provided under SBX3 4 for the fiscal years through 2014-15 to allow school districts to utilize funding received from the state budget act for "Tier 3 categorical programs for any education purpose. As a condition of receipt of the funding, a public hearing on utilization of the flexibility is required annually concurrent with the adoption of the budget.

Mayo moved, Dennler seconded, and the Board voted 5-0-0 to approve the resolution to utilize flexibility authorized by SBX3 4 and SB70 as presented.

16.5 Staff recommendation for the Mt. Diablo Unified School District's continued use and operation of radio station KVHS 90.5 FM for 2012/13 at what will be the Clayton Valley Charter High School (the "Charter School") site
PULLED

16.6 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 2012-2013 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. According to Title 5 Regulations 80026(1)"...the Declaration of Need shall not be adopted by the Board as part of the consent calendar." The Commission on Teacher Credentialing requires there be opportunity for public comments or questions. With this requirement, I am requesting that this item be approved outside the consent calendar.

Eberhart moved, Mayo seconded, and the Board voted 5-0-0 to approve the Declaration of Need as presented.

16.7 Food and Nutrition Services Purchases 2012 - 2013

Davi Produce , \$201,500.00; Foster Farms, \$488,222.00; Hayes Distribution, \$659,700.00; Rubino Produce, \$394,000.00; Sysco Food Service, \$90,000.00.

Mayo moved, Hansen seconded, and the Board voted 5-0-0 to approve purchase order/contract for food and supply purchases for school food service.

16.8 Post Retirement Contract Renewal for Peder Pedersen

To date, Mr. Pedersen has done an outstanding job overseeing the Measure C projects. His knowledge of our school sites and past projects is invaluable. The attached contract is based on the contract the Board approved on August 24, 2010. According to the California Attorney General Opinion in 2004, it is appropriate for Prop 39 bond proceeds to be spent for salaries of school district employees who perform construction management and administrative functions. Therefore, it is appropriate to utilize Measure C funds for Mr. Pedersen's contract.

Mayo moved, Dennler seconded, and the Board voted 5-0-0 to approve the contract for Peder Pedersen.

16.9 Resolution #11/12-50 Specification of Election Order

The Governing Board of the Mt. Diablo Unified School District must advise the County Registrar how the winner will be determined in the event of a tie vote in the November 6, 2012 election. The Board must also specify rules for candidates' statements. A resolution is presented which states that a tie vote will be determined "by lot" and that candidates will pay for their own statements (maximum of 300 words)

Mayo moved, Dennler seconded, and the Board voted 5-0-0 to adopt the resolution as presented.

16.10 Revise 2012-2013 School Calendar

Staff is requesting an adjustment to the school calendar for 2012-2013 in recognition of the fact that the State election in November may affect the number of school days. This change has been reviewed by union leadership.

Public Comment

Guy Moore, MDEA, president elect, said he is in support of the change because this will give the Board maximum flexibility.

Hansen moved, Dennler seconded, and the Board voted 5-0-0 to approve adjustment in 2012-2013 school calendar.

16.11 Holding of a public hearing to adopt the Mt. Diablo Unified School District Special Education Local Plan Area (SELPA) Annual Budget Plan, the Certification of the Annual Service Plan, the California Special Education Management Information System (CASEMIS) Service Descriptions and the Service Plan Forms for the 2012-2013 School Year

As required by Ed Code Sections 56205(b)(1) and 56205(b)(2) and 56195.7, each SELPA Local Plan document requires a service plan component and a budget plan that are updated annually. In submitting the Local Plan documents, the following information is required: the Annual Budget Plan, the Certification of the Annual Service Plan, the CASEMIS Service descriptions and the Service Plan Forms for the 2012-13 school year. These documents are due to the California Department of Education on or before June 30, 2012. Copies of these documents are attached for the Board of Education's review and approval. The completion of the process will be documented by evidence that a SELPA level public hearing has been held to adopt these items. The signed documents will be submitted to the California Department of Education along with evidence that a public hearing was held.

Public Hearing opened at 9:28 p.m. There were no speakers. The Public Hearing closed at 9:28 p.m.

Mayo moved, Dennler seconded, and the Board voted 5-0-0 to adopt as presented.

16.12 Approve Independent Service Contracts for Cherri Duffv and Deiredre Ryan-Booth to Provide Behavior Intervention Services for the 2012/13 School Year

The Mt. Diablo Unified school District, through the Individual Education Plan (IEP) process utilizes Independent Services Contractors to provide services to students with various special needs. Each year the Special Education Department brings contracts to the Board of Trustees which require their authorization. Services include behavioral assessment, behavior intervention services, and behavior and social/emotional support. A list of contractors and their signed contracts are attached. These contracts include Extended School Year 2012.

Mayo moved, Dennler seconded, and the Board voted 5-0-0 to approve contracts as presented.

16.13 Approve NPA Behavioral Service Contract - Psychology, Learning and You (PLAY) for 2012/13 School Year

The Mt. Diablo Unified School District, through the Individual Education Plan (IEP) process utilizes Non-Public Agencies (NPA) to provide services to students with various special needs. Each year the Special Education Department brings contracts to the Board of Trustees which require their authorization. NPA services include assessment, on-going behavioral service, school site consultation and training. This contract includes Extended School Year 2012.

Mayo moved, Hansen seconded, and the Board voted 5-0-0 to approve contract as presented.

PULLED 16.14 Renewal of Memorandum of Understanding with Spectrum Center for Collaborative Program

Development of the Mt. Diablo / Spectrum Collaborative Program Model began in 2001 at a time when the District had not developed autism specific classrooms. The purpose of this model was to provide immediate programs and services for students that were both FAPE (Free and Appropriate Public Education) and LRE (Least Restrictive Environment) by having these classrooms on District comprehensive school sites. As the District implemented its plan for autism classrooms and services, corresponding adjustments to the Spectrum classrooms have occurred. Last year the Spectrum Center and Mt. Diablo were able to reduce one classroom at Fair Oaks Elementary and replace it with a District operated classroom, thus saving the District \$375,000 in Non Public School costs in the 2011-12 budget. This year, Spectrum Center and Mt. Diablo are able to reduce the one remaining classroom at Fair Oaks Elementary, thus saving the District \$216,594 in Non Public School costs in the 2012-13 budget. Mt. Diablo Unified School District is proposing to continue to collaborate with Spectrum Center, a Non-Public School, to serve students on the District campuses for the 2012-2013 school year. Spectrum proposes a contract renewal for 4 collaborative classrooms with a cost reduction of \$216,594. The cost is a fixed price per classroom for one year

16.15 Approve Adjustments to Non-Public School Purchase Order/Contracts for the 2011/12 School Year

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.

Mayo moved, Dennler seconded, and the Board voted 5-0-0 to approve adjustments as presented.

16.16 Approve Adjustments to Independent Service Contracts/Purchase Orders for the 2011/12 School Year

Individualized Education Plan (IEP) process. Dr. Sherry Burke provides Independent Educational Evaluations (IEE) and attends IEP meetings for special education students as needed. The District uses Children's Health Council's services as part of the IEE process when a multi-disciplinary assessment is required. Phoenix Education Specialists provides intervention in core academic areas to students in the Special Education Program. Services are provided to students that are in jeopardy of going into a more restrictive program, through referral by the Special Education Management Team, or as compensatory education through the Alternative Dispute Resolution process.

Dennler moved, Eberhart seconded, and the Board voted 5-0-0 to approve the adjustment as presented.

16.17 Approve Adjustments to Non-Public School Contracts/Purchase Orders for Residential/Mental Health for 2011/12 School Year

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.

Dennler moved, Eberhart seconded, and the Board voted 5-0-0 to approve adjustments as presented.

16.18 Format of the Public Input and Informational Meetings

On February 6, 2012, the Board approved holding six Public Input and Informational Meetings. On February 22, 2012, concerns arose around ensuring that those meetings had specific topics which could be placed on a public agenda. Consequently, on March 12, 2012, the superintendent and general counsel proposed a format for those input meetings that focused only on the strategic plan. The Board defeated the motion to approve the format as presented. However, the six Public Input and Informational Meetings remain approved and the meeting format and dates still need to be determined. In an effort to address expressed concerns that these meetings have a clearly delineated focus, following are proposed topics for the six approved meetings: 1) Two meetings for input on the Strategic Plan to bring it to closure so it can begin implementation in Fall 2012 2) One meeting for input on Bay Point School Planning as well as attendance and boundary issues throughout the District 3) One meeting on Measure C Projects, Planning, and Concerns 4) Two meetings for a State of the District report and discussion

Amended Motion

Whitmarsh moved, Eberhart seconded, and the Board voted 5-0-0 to approve two meetings for input on the Strategic Plan to bring it to closure so it can begin implementation in Fall 2012.

16.19 Athletic Budget

Recently, the Athletic Committee composed of high school principals, athletic directors, members of UMDAF, Board Member Cheryl Hansen, and the superintendent met to review the athletic budget for the 2011-12 school year and develop recommendations for the 2012-13 school year. The Committee is making the following recommendations for the 2012-13 school year: 1) Approve the contribution levels on the attached document; 2) In Cross Country, Wrestling, Swimming, and Track and Field approve contribution caps as indicated on the attached documents; and 3) Approve the coaching distribution on the attached form.

Presented as information

16.21 Joint Use Lease Agreement Between Mt. Diablo Unified School District and Anova Center for Education

Joint Use Lease Agreement Between Mt. Diablo Unified School District and Anova Center for Education for Real Property and Improvements at Holbrook Elementary School Property Located at 3333 Ronald Way, Concord, CA The District wishes to enter into a Joint Use Lease Agreement with Anova Center for Education. The Anova Center for Education is a nonpublic school providing special education services to District students on the autism spectrum. The location of the lease will be Holbrook Elementary School. The Anova Center will share space with the Measure C administrative team. The term of the lease shall be for one year, commencing July 1, 2012 and shall end on June 30, 2013. The District intends to allow the Anova Center to use approximately 5,000 square feet of classroom, office, and outdoor parking space. Anova agrees to pay the sum of \$1.50 per square foot per month. Anova has also agreed to pay utilities, maintain and repair the premises and fully defend and indemnify the District.

Anova founder Andrew Bailey, answered questions from the Board.

Presented as information.

16.22 Mt. Diablo USD Employee Unions' Council

The Board directs the superintendent to hold monthly meetings with the presidents and/or executive directors and/or designees of all Mt. Diablo USD employee unions. The goal is to increase communication and build a culture of mutual trust and respect. The superintendent shall provide a written summary of the Employee Unions' Council's discussions to the Board and public at the first Board meeting following each MDUSD Labor Council meeting.

Presented as information.

16.23 New Job Description for Coordinator of After School Programs

Staff is recommending the addition of a Classified Coordinator of After School Programs to be added to the After School Program Administrative team. This addition is due in large part to the continued growth since 1999 of the CARES after school program with currently 16 K-12 sites. Upon inception of this program, there were only six after school sites K-6. Staff has researched and compared other District staffing structures and feel the addition of the classified position would provide the essential stability the department needs to ensure continued growth, quality and program development. The Classified Coordinator position would provide the essential support and supervision of the sub-contract Para-professional program staff which make up 225+ staff across the District from two recreation partners. Consistency in professional development, staff expectation and high quality program implementation is invaluable. Having a District staff person to ensure this is the norm and that programs are visited on a weekly basis is needed. After School is a challenging department with a combination of academic, recreation and enrichment needs and a diversified staff (Credentialed and Para-professionals) that need consistent supervision, training and coaching. Communication and collaboration among these recreation and community partners is an essential component to the program's success and sustainability. This job description is being brought forward for a new position of Coordinator of After School Programs to implement the program as described above. The Mt. Diablo CARES After School Program has grown from seven K-8 schools serving approximately 840 students daily in 1999 to sixteen K-12 schools serving approximately 2,261 students daily in 2012.

Public Comment

Debra Mason shared concerns regarding the funding of the position.

This job description is being brought forward for information only. It will be returned at a later Board meeting for action.

16.24 Revise Job Description for Administrator, After School Services

Staff is requesting the revision of the job description for Administrator, After School Services as noted on the attached job description. Staff believes the proposed changes will help to strengthen and sustain the After School Program Department to ensure a quality program for students and families and retention of administrative staff. The Mt. Diablo CARES After School Program has grown from seven K-8 schools serving approximately 840 students daily in 1999 to sixteen K-12 schools serving approximately 2,261 students daily in 2012.

This revised job description is being brought forward for information only at this time. It will be returned at the next Board meeting for action.

BOARD MEMBER REPORTS

Board members shared highlights from their recent school site visits and community activities.

The meeting adjourned at 10:36 p.m. in memory of retired teacher Mary Butler.