

**MINUTES  
REGULAR MEETING OF THE BOARD OF EDUCATION  
MT. DIABLO UNIFIED SCHOOL DISTRICT  
Monday, October 22, 2012 (6:30 PM)**

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

Administrative Staff: Superintendent Steven Lawrence, Assistant Superintendents Julie Braun Martin, Rose Lock, Interim Assistant Superintendent Kerri Mills, 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 President Whitmarsh at 6:00 p.m. in the Board room at the MDUSD Dent Center.

**ADJOURN TO CLOSED SESSION**

The Board adjourned to Closed Session at 6:02 p.m. In Closed Session the Board discussed: One potential case of anticipated litigation and Public Employee Discipline/Dismissal/Release/Complaint - one certificated employee.

**RECONVENE OPEN SESSION**

Open Session reconvened at 6:45 p.m. in the multi-use room at Monte Gardens Elementary School. President Whitmarsh led the Pledge of Allegiance and reported action taken in Closed Session.

**EXPULSION RECOMMENDATIONS**

Dennler moved, Mayo seconded, and the Board voted 5-0-0 that Student #06-13 be expelled from all schools of Mt. Diablo Unified School District and that Student #06-13 may apply for readmission after October 22, 2013. It is required that Student # 06-13 participates in 20 hours of individual counseling to address aggressive behavior and decision making skills; attend COPS Aggressive Offender class; complete 30 hours of community service; attend MDUSD's Teen Anger Management Workshop; and show evidence of a successful school experience with 2.0 GPA, good attendance and behavior, prior to applying for readmission.

**CONSENT AGENDA**

Mayo moved, Eberhart seconded, and the Board voted 5-0-0 to approve the Consent Agenda, with the exception of Item #17 (pulled by Mayo), thereby approving the following:

**9.2 (Item #2) Recommended Action for Certificated Personnel**

**9.4 (Item #4) Recommended Action for Classified Personnel**

**9.5 (Item #5) Classified Personnel: Request to Create Positions for the 2012-2013 Fiscal Year**

**9.6 (Item #6) Fiscal Transactions for the month of September 2012**

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

**9.7 (Item #7) Final Change Order: Bid #1599-HVAC Renovations at Ayers Elementary, Mt. Diablo Elementary and Foothill Middle Schools**

On March 12, 2012 the Board of Education awarded Bid #1599 to Bell Products, Inc. for \$3,480,000.00 for the provision of all tools, materials, labor and equipment necessary to complete the installation of new heating, ventilation and air conditioning systems at Ayers Elementary, Mt. Diablo Elementary and Foothill Middle Schools. As a result of a need to 1) relocate/re-rout low voltage circuitry; 2) address unforeseen abatement needs; 3) implement minor electrical and mechanical design modifications; 4) perform minor carpentry work and implement size/configuration changes for equipment pads, a single, final change order in the amount of \$115,821.00 is necessary. This single, final change order will result in a final, revised contract value of \$3,595,821.00. This final change order represents a 3.33% increase to original contract value.

**9.8 (Item #8) Final Change Order: Bid #1600-HVAC Renovations at Loma Vista Adult and Concord High School**

On March 12, 2012 the Board of Education awarded Bid #1600 to Bell products, Inc. for \$2,850,000 for the provision of all tools, materials, labor and equipment necessary to complete the installation of new heating, ventilation and air conditioning systems at Concord High School and Loma Vista Adult Center. As a result of a need to 1) relocate/re-rout low and high voltage circuitry; 2) implement minor mechanical design modifications; 3) perform additional demolition work; 4) Implement modifications for relocation of equipment pad; and 4) address unforeseen abatement needs, a single, final change order in the amount of \$49,004.00 is necessary. The single, final change order will result in a final, revised contract value of \$2,899,004.00. The final change order represents a 1.72% increase to original contract value.

**9.9 (Item #9) Notice of Completion for Bid #1599/Contract C-903, HVAC Renovations at Ayers Elementary, Mt. Diablo Elementary and Foothill Middle School**

Bid No. 1599 was called to provide HVAC Renovations at Ayers Elementary, Mt. Diablo Elementary and Foothill Middle School. The lowest responsible bidder was Bell Products, Inc., for the bid award amount of \$3,480,000.00. The scope of work included, but was not limited to: HVAC renovations at various sites. There was an additive change order on this project in the amount of \$115,821.00. Work and services for this project have been satisfactorily completed for a total expenditure of \$3,595,821.00. Budget for this project: \$3,900,000.00

**9.10 (Item #10) Notice of Completion for Bid #1600/Contract C-904, HVAC Renovation at Loma Vista Adult Center and Concord High School**

Bid No. 1600 was called to provide HVAC Renovation at Loma Vista Adult Center and Concord High School. The lowest responsible bidder was Bell Products, Inc., for the bid award amount of \$2,850,000.00. The scope of work included, but was not limited to: HVAC renovation (mechanical program) at Loma Vista Adult Center and Concord High School. There was an additive change order on this project in the amount of \$49,004.00. Work and services for this project have been satisfactorily completed for a total expenditure of \$2,899,004.00 Budget for this project: \$2,600,000.00

**9.11 (Item #11) Notice of Completion for Bid #1613/C-912, Asphalt Paving Play Yard Improvements at Pleasant Hill Elementary, Walnut Acres Elementary, Meadow Homes Elementary and Cambridge Elementary**

Bid No. 1613 was called to provide Asphalt Paving Play Yard Improvements at Pleasant Hill Elementary, Walnut Acres Elementary, Meadow Homes Elementary and Cambridge Elementary. The lowest responsible bidder was R & M Paving Contractors, for the bid amount of \$288,000.00. The scope of work included, but was not limited to: the preparation of surface including demo and removal, installation of 2" x 6" pressure treated header-board, 6" depth new base rock and 2" depth new asphalt. Budget for this project: \$312,000.00

**9.12 (Item #12) Award of Design Services Contract: Renovation of Science Wing at Ygnacio Valley High School**

On September 24, 2012 the Board of Education approved a revised Facility Improvement Project List for Ygnacio Valley High School. Included in this greater list was the remodel of the 100 wing to create six(6) general science labs. Staff has negotiated a 'not to exceed' fee of \$196,510.00 with Community Architecture for the provision of comprehensive design, engineering and administrative services necessary for the satisfactory approval, construction and certification of this project.

**9.13 (Item #13) Award of Design Services Contract: Renovation of Shop 1300 Wing at Ygnacio Valley High School**

On September 24, 2012 the Board of Education approved a revised Facility Improvement Project List for Ygnacio Valley High School. Included in this greater list were specified renovations to the Shop 1300 Wing. Staff has negotiated a 'not to exceed' fee of \$71,480.00 for the provision of comprehensive design, engineering and administrative services necessary for the satisfactory approval, construction and certification of this project.

**9.14 (Item #14) Filing of Amended Certificate of Signatures**

Due to recent personnel changes, an amended certificate of signatures needs to be filed with the Contra Costa County Office of Education.

**9.15 (Item #15) Approval of Contract with Exploring New Horizons (ENH for Strandwood Elementary School)**

Students at Strandwood Elementary School will participate in the Exploring New Horizons Outdoor Education Program at Sempervirens Camp, November 5-9, 2012. Several elementary schools contract with Exploring New Horizons, exceeding the \$25,000 limit, thus Board Approval is required.

**9.16 (Item #16) Clayton Valley High School Attendance Area**

At the February 6, 2012 Board Meeting, staff presented a recommendation to designate the Clayton Valley High School attendance area as an open attendance area for the 2012-13 school year. The Board approved the staff recommendation and requested staff to return at the October Board meeting to provide an update on the Option Transfer process. Eighty-eight students living in the CVHS attendance area were placed at one of our high schools based on their first choice selection. Staff recommends the Board designate the Clayton Valley High School attendance area as an open attendance area for the 2013-2014 school year, and allow families to complete and submit the attached CVHS Option Form. Students will be assigned a resident high school based on their selection.

**CONSENT ITEMS PULLED FOR DISCUSSION**

10.1 (Item #17) Approval of Resolution #12/13-16: Native American Heritage Month

The California Department of Education has designated November as Native American Heritage Month. The attached resolution recognizes the many contributions made by Native Americans to the American Heritage.

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

**STUDENT REPRESENTATIVES**

The following students reported on recent activities at their schools: Jake Kronquist, Concord High, Janelle Winn, Gateway, Mason Chen, College Park; Genesis Velasquez-Ramos, Mt. Diablo High; Aubrey Michna, Nueva Vista;/Summit/TLC; Cookieey Ropat & Lexy Soria, Olympic/Alliance; and Sarah Cefalu, Ygnacio Valley High.

**RECOGNITIONS**

**12.1 School Improvement Grant (SIG) - Cohort 1 Report**

The School Improvement Grant has been in place at Bel Air Elementary, Rio Vista Elementary and Shore Acres Elementary for two years, 2010-2011 and 2011-2012. These schools successfully wrote individual grants for their sites that would provide adequate resources to substantially raise the achievement and enable the schools to make adequate yearly progress, ultimately to exit Program Improvement. Lisa Boje, School Support Administrator, gave a presentation highlighting SIG activities and student outcomes as a result of the implementation of SIG activities.

**12.2 Recognition of Improvement on the Academic Performance Index (API)**

The following schools were recognized for their improvement on the Academic Performance Index:

**Elementary**

Bel Air	672	730	58
Delta View	823	837	14
El Monte	800	824	24
Fair Oaks	722	753	31
Highlands	877	888	11
Mt. Diablo	902	931	29
Pleasant Hill	869	894	25
Rio Vista	733	759	26
Shore Acres	672	733	61
Valle Verde	926	947	21
Woodside	847	862	15
Wren Avenue	741	757	16

**Middle Schools**

Diablo View	871	890	19
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**High Schools**

College Park	786	815	29
Concord	709	750	41

**Alternative**

Crossroads	468	566	98
Horizons	696	742	46

**PUBLIC COMMENT**

Jessica Preciado, teacher thanked the Board, Superintendent and staff for helping her with the recent error in her pay.

The following spoke in support of Christina Ballard, former Northgate High soccer coach: Tracy Daly, Megan Coyle, Hannah Carter, Beth Coyle, Carol Carter, Lauren Valla, Katelyn Daly, Samantha Hebing, and René Conroy.

**COMMUNICATIONS**

Guy Moore, President, MDEA, thanked the Board for tackling the problem regarding Ms. Preciado's difference pay.

**BUSINESS/ACTION ITEMS**

**16.1 Approval of Adult Education Course Titles for 2012-2013**

Mt. Diablo Adult Education wishes to offer the attached list of classes to meet the needs of our communities' adult learners. The California Department of Education requires that course titles supported by State revenue be approved annually; CDE approval for 2012-2013 has been received and is attached. Job market surveys justify the continuation of various career technical education classes. Course outlines are on file for all courses currently being offered. Also attached for approval are Lifelong Education courses to be provided on a fee basis.

Hansen moved, Dennler seconded, and the Board voted 5-0-0 to approve the list of course titles as provided.

**16.2 College Park Attendance Area**

At the September 12, 2006 Board meeting, the Board supported Superintendent McHenry implementing directives around the gray area giving families a choice between College Park and Ygnacio Valley High School. Over the past several years a vast majority of the families in this attendance area have requested College Park and staff has not had to deny any of these requests. Currently, several families in the College Park/Ygnacio Valley gray area have requested that they permanently become part of the College Park feeder pattern. Staff supports this recommendation. Families that would like to attend YVHS can be accommodated through the Intradistrict transfer process.

**Public Comment**

The following spoke in support of the College Park/Ygnacio Valley gray area permanently becoming part of the College Park feeder pattern: Gregory Santos, Matt Lovett, and Cindy Rubin.

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

**BOARD MEMBER REPORTS**

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

The meeting adjourned at 9:07 p.m.