



Mt. Diablo Unified School District  
Governing Board

Votes are notated by #yes-#no-#abstain.  
The record of emailed public comments  
is [here](#)

## Approved - Board Meeting Minutes

REGULAR MEETING OF THE BOARD OF EDUCATION  
MT. DIABLO UNIFIED SCHOOL DISTRICT  
Wednesday, January 31, 2024 (6:00 PM)

### 1.0 Call to Order

President McFerrin called the meeting to order at 5:00pm

#### 1.1 Call to Order

The Board President will call the meeting to order.

**Recommendation:** Call the meeting to order.

#### 1.2 Conduct Roll Call

**Recommendation:** The Board President will conduct roll call.

### 2.0 Closed Session Public Comment

There were no public comments.

#### 2.1 Public Comments: The Public May Address the Board Concerning Items That are Scheduled for Discussion during Closed Session Only.

The public may address the Board concerning items that are scheduled for discussion during Closed Session only. These presentations are limited to three minutes each, or a total of thirty minutes for all speakers or the three minute limit may be shortened. Speakers are not allowed to yield their time.

**Recommendation:** Hear public comment(s).

### 3.0 Closed Session Agenda

#### 3.1 Negotiations - The Board May Discuss Negotiations or Provide Direction to its Representatives Regarding Represented Employees, Pursuant to Government Code Section 54957.6

Negotiations - The Board may discuss negotiations or provide direction to its representatives regarding represented employees, pursuant to Government Code Section 54957.6. Agency negotiators: Dr. Adam Clark, Dr. John Rubio, Dr. Wendi Aghily, Jennifer Sachs, Kimberly Vaiana, Ryan Sheehy and legal counsel; Agencies: MDEA, DMA, MDSPA, CSEA, CST Local 1 and Teamsters Local 856

**Recommendation:** Information

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

**Recommendation:** Information/action.

### **3.3 Expulsion of Student #05-24 from the Mt. Diablo Unified School District**

Expulsion of Student #05-24 from regular schools in the Mt. Diablo Unified School District

**Recommendation:** A move to approve the expulsion of Student #05-24 from the Mt. Diablo Unified School District

### **3.4 Expulsion of Student #06-24 from the Mt. Diablo Unified School District**

Expulsion of Student #06-24 from regular schools in the Mt. Diablo Unified School District

**Recommendation:** A move to approve the expulsion of Student #06-24 from the Mt. Diablo Unified School District

## **4.0 Adjourn to Closed Session**

The meeting was adjourned to closed session at 5:01pm

### **4.1 Adjourn to Closed Session**

The Board President will adjourn the meeting to closed session.

**Recommendation:** Adjourn to closed session.

## **5.0 Reconvene Open Session**

Open session was reconvened at 6:01pm

### **5.1 Reconvene Open Session**

The Board of Education will reconvene Open Session.

**Recommendation:** Reconvene Open Session.

## **6.0 Preliminary Business**

**6.1 Land Acknowledgement: We recognize that the Mt Diablo Unified School District sits on the territory of the Confederated Villages of Lisjan, the ancestral and unceded land of the Bay Miwok and Northern Yokut, the successors of the sovereign Verona Band of Contra Costa County. As members of the MDUSD community, it is vitally important that we not only recognize the history of the land on which we learn, but also, we recognize that the land we inhabit and learn on is the ancestral land of these people who are alive and flourishing members of MDUSD and broader bay area communities today.**

**Recommendation:** Read Land Acknowledgement

### **6.2 Pledge of Allegiance**

The Board President will lead the Pledge of Allegiance.

**Recommendation:** Lead the Pledge of Allegiance.

### **6.3 Review and Potential Approval of Minutes for Regular Board Meeting Held January 17, 2024**

Board Meeting Minutes January 17, 2024

Minutes have been prepared for the board meeting on January 17, 2024 and are presented for review and approval.

**Recommendation:** Move to approve the minutes for the Regular Board Meeting held January 17, 2024.

**ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve the minutes for the Regular Board Meeting held January 17, 2024'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

**6.4 Review and Potential Approval of the Agenda**

The Governing Board may reorder or delete items within the agenda.

**Recommendation:** Move to approve the agenda.

**AMENDED - Motion**

Member **(Linda Mayo)** Moved, Member **(Debra Mason)** Seconded to approve the **AMENDED** motion 'Move to approve the agenda moving item 12.1 to be heard at 9.0'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

**7.0 Report Out of Action Taken in Closed Session**

**7.1 Negotiations - The Board May Discuss Negotiations or Provide Direction to its Representatives Regarding Represented Employees, Pursuant to Government Code Section 54957.6**

Negotiations - The Board may discuss negotiations or provide direction to its representatives regarding represented employees, pursuant to Government Code Section 54957.6. Agency negotiators: Dr. Adam Clark, Dr. John Rubio, Dr. Wendi Aghily, Jennifer Sachs, Kimberly Vaiana, Ryan Sheehy and legal counsel; Agencies: MDEA, DMA, MDSPA, CSEA, CST Local 1 and Teamsters Local 856

**Recommendation:** Information

The Governing Board received information.

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

**Recommendation:** Information/action.

The Governing Board received information.

**7.3 Expulsion of Student #05-24 from the Mt. Diablo Unified School District**

Expulsion of Student #05-24 from regular schools in the Mt. Diablo Unified School District

**Recommendation:** A move to approve the expulsion of Student #05-24 from the Mt. Diablo Unified School District

**AMENDED - Motion**

Member **(Linda Mayo)** Moved, Member **(Cherise Khaund)** Seconded to approve the **AMENDED** motion 'A move to approve the Expulsion of Student #05-24 Prior to readmission, Student #05-24 is required to meet the following conditions: Participate in twenty (20) hours of counseling to address anger management and conflict resolution, show evidence of a successful school experience, with no suspendible infractions, maintain a 2.0 GPA or better, and have a 90% attendance rate. The student must remain away from all MDUSD campuses and school activities along with no violation of school rules and Education Code(s) 48900, 48915, or District Rules and Regulations, and also attend the Parent & Teen Anger Management class at Loma Vista 2. Move to approve the Expulsion of Student #05-24. Move to suspend the enforcement of the Expulsion of Student #05-24, school placement will be determined by Student Services'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

**7.4 Expulsion of Student #06-24 from the Mt. Diablo Unified School District**

Expulsion of Student #06-24 from regular schools in the Mt. Diablo Unified School District

**Recommendation:** A move to approve the expulsion of Student #06-24 from the Mt. Diablo Unified School District

**ORIGINAL - Motion**

**AMENDED - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Debra Mason)** Seconded to approve the **AMENDED** motion 'A move to approve the Expulsion of Student #06-24 and to suspend enforcement of the expulsion. Placement to be determined by Student Services Prior to readmission, Student #06-24 is required to meet the following conditions: Participate in twenty (20) hours of counseling to address anger management, racism, and hate speech, show evidence of a successful school experience, with no suspendible infractions, maintain a 2.0 GPA or better, and have a 90% attendance rate. The student must remain away from all MDUSD campuses and school activities along with no violation of school rules and Education Code(s) 48900, 48915, or District Rules and Regulations '. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

**8.0 Public Comment**

There were no public comments

### **8.1 Public Comment: The Public May Address the Board Regarding any Item Not on the Agenda.**

Public Comment: The public may address the Board regarding any item within the jurisdiction of the Board of Education of the Mt. Diablo Unified School District that is not on this agenda. These presentations are limited to three minutes each, or a total of thirty minutes for all speakers, or the three minute limit may be shortened. If there are multiple speakers on any one subject, the public comment period may be moved to the end of the meeting. Speakers are not allowed to yield their time.

**Recommendation:** Listen to Public Comment.

## **9.0 Communications**

### **9.1 (Original 12.1) Staff Report on the Yondr Program at Olympic High School**

Educators have seen the disruptive effects of cell phone use on student engagement, social development, and mental health. Staff from Olympic High School will share about the impact of the Yondr program as their site has become phone-free, from arrival to dismissal.

**Recommendation:** Staff presentation

### **9.2 District Organizations: At Regular Board Meetings, a Single Spokesperson of Each Recognized District Organization May Make a Brief Presentation. Items Are Limited to Those Which are Informational**

At regular Board meetings, a single spokesperson of each recognized District organization may make a brief presentation following the Consent Agenda. Items are limited to those which are informational.

**Recommendation:** Listen to Communications.

## **10.0 Recognitions and Resolutions**

### **10.1 Review and Potential Approval of Resolution 23/24-44: Authorization to Submit a Funding Application to the Bay Area Air Quality Management District for the Carl Moyer Bus Replacement with Supporting Infrastructure Grant**

Staff is requesting approval of Resolution 23/24-44: Authorization to submit a funding application to the Bay Area Air Quality Management District (BAAQMD) for the Carl Moyer School Bus Replacement with Supporting Infrastructure Grant to replace six (6) 24-year-old, high-emitting, heavy-duty school buses with six (6) new zero-emission school buses, and to install supporting infrastructure. The attached resolution is a requirement to submit an application to BAAQMD. We will also provide BAAQMD with a list of vehicles that satisfy the eligibility criteria (age, fuel type, and current emissions equipment). BAAQMD will process our application and supporting documents. Provided there are State funds available, BAAQMD will send the District an award letter with a grant amount for each bus. In some cases, the grant will fund up to 100% of the cost to replace a bus. However, the replacement cost for some zero-emission buses may exceed the grant amount. The current condition of the buses identified for replacement is buses 14,001 pounds or greater, with high emissions, and the cost to maintain them increases as they age. All buses awarded replacement grants will be disposed of by BAAQMD. The replacement buses will have higher safety standards, including seat belts, zero emissions equipment, and increased reliability. The new bus charging stations will expand the District's infrastructure for charging school buses.

**Recommendation:** Move to approve Resolution 23/24-44: Authorization to Submit an Application for the Carl Moyer Bus Replacement with Supporting Infrastructure Grant

**ORIGINAL - Motion**

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve Resolution 23/24-44: Authorization to Submit an Application for the Carl Moyer Bus Replacement with Supporting Infrastructure Grant'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

**10.2 Review and Potential Approval of Resolution 23/24-45 in Recognition of February as Black and African American History Month**

Resolution 23/24-45 in Recognition of February as Black and African American History Month

The MDUSD Governing Board will adopt Resolution 23/24-45 in Recognition of February as Black and African American History Month

**Recommendation:** Move to approve Resolution 23/24-45 in Recognition of February as Black and African American History Month

**ORIGINAL - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Cherise Khaund)** Seconded to approve the **ORIGINAL** motion 'Move to approve Resolution 23/24-45 in Recognition of February as Black and African American History Month'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

**10.3 Review and Potential Approval of Resolution 23/24-46 In Recognition of National School Counseling Week**

Review and Potential Approval of Resolution 23/24-46 In Recognition of National School Counseling Week

The MDUSD Governing Board will adopt Resolution 23/24-46 in Recognition of National School Counseling Week February 5-9, 2024.

**Recommendation:** Move to approve Resolution 23/24-46 in Recognition of National School Counseling Week

\*\*Student Board Member Barrios seconded the motion

**ORIGINAL - Motion**

Member **(Cherise Khaund)** Moved, Member **(Erin McFerrin)** Seconded to approve the **ORIGINAL** motion 'Move to approve Resolution 23/24-46 in Recognition of National School Counseling Week'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes

Keisha Nzewi Yes

#### **10.4 Review and Potential Approval of Resolution 23/24-47 Supporting a Preliminary Offer of Facilities to School of Performing Arts (SPA) Charter School for 2024-25 School Year**

Resolution 23/24-47 Supporting a Preliminary Offer of Facilities M to School of Performing Arts (SPA) Charter School for 2024-25 School Year

The MDUSD Board will be asked to adopt a resolution with the findings required to offer SPA Charter School a multi-site offer under Proposition 39 for the 2024-2025 School Year.

**Recommendation:** Move to approve Resolution 23/24-47 Supporting a Preliminary Offer of Facilities to School of Performing Arts (SPA) Charter School for 2024-25 School Year.

##### **ORIGINAL - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Cherise Khaund)** Seconded to approve the **ORIGINAL** motion 'Move to approve Resolution 23/24-47 Supporting a Preliminary Offer of Facilities to School of Performing Arts (SPA) Charter School for 2024-25 School Year'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion

**Carried. 5 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Erin McFerrin Yes

Keisha Nzewi Yes

### **11.0 Public Employee Appointment**

#### **11.1 Review and Potential Approval of Employment Agreement for General Counsel**

In accordance with Government Code Section 54953, the Board shall orally report a summary of a recommendation for a final action on the salary and contracts for unrepresented executives. This item seeks approval of an Employment Agreement for the position of General Counsel, effective February 28, 2024 through June 30, 2025, on Range 48, Step 9 of DMA Management Schedule.

**Recommendation:** Move to approve the the employment agreement of Susanne Starecki Kim as General Counsel.

##### **ORIGINAL - Motion**

Member **(Cherise Khaund)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve the the employment agreement of Susanne Starecki Kim as General Counsel'. Upon a roll call vote being taken, the vote was: Aye:

**5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Erin McFerrin Yes

Keisha Nzewi Yes

### **12.0 Reports/Information**

Presentation was moved from 12.1 to be heard at 9.1 during agenda approval.

### 13.0 Board Member Reports

The Board President had the Superintendent share a report

#### 13.1 Board Member Reports

Board Members may choose to report out their activities.

**Recommendation:** Information.

### 14.0 Consent Agenda

#### 14.1 Approval of Items listed under Consent Agenda.

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.

**Recommendation:** Approve all Consent Agenda items.

##### **ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Approve all Consent Agenda items'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Erin McFerrin Yes

Keisha Nzewi Yes

#### 14.2 Review and Potential Approval of the Recommended Action for Classified Personnel

List of classified hires, leave of absences, resignations, and retirements.

Information of classified hires, leave of absences, resignations, and retirements for consideration.

**Recommendation:** Move to approve the recommended action for classified personnel.

##### **ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve the recommended action for classified personnel'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Erin McFerrin Yes

Keisha Nzewi Yes

#### 14.3 Review and Potential Approval of the 2024 Summer School One Time Compensation Rate

2024 Summer School One Time Compensation Rate

Staff seeks to increase the 2024 Summer School Compensation Rate, only for the summer of 2024, in order to support our students by significantly increasing the



number of available staff for summer academic learning. Compensation for work not in direct support of Summer School/Extended School Year classes will not receive the higher rate. Any other positions not attached or in addition to the normally contracted summer positions, may be paid at the attached higher compensation rate only if they directly support Summer School/Extended School Year AND from school site funds.

**Recommendation:** Move to approve the 2024 Summer School one time compensation rate.

**ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve the 2024 Summer School one time compensation rate'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

**14.4 Review and Potential Approval of the CalHope SEL Mini-Grant for Restorative Practices**

Staff is requesting approval to apply for the CalHope SEL Mini-Grant for Restorative Practices in collaboration with the Contra Costa County Office of Education. The grant would be for \$20,000 for one year. The goals of the grant would be to; develop a district Restorative Practices Implementation Plan, a district team with members from multiple role groups, increase knowledge of Restorative Practices across the district with stakeholder groups and committees, and train approximately 20 new teachers/staff/administrators on Restorative Practices.

**Recommendation:** Move to approve submission of the CalHope SEL Mini-Grant for Restorative Practices

**ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve submission of the CalHope SEL Mini-Grant for Restorative Practices'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

**14.5 Review and Potential Approval for an Out of State Conference for Teachers at Ygnacio Valley High School and Pine Hollow Middle School.**

Brochure

Ygnacio Valley High School and Pine Hollow Middle School are requesting approval for their teachers to attend the California Association of Directors of Activities Conference (CADA) being held in Reno, Nevada on March 6-9, 2024.

**Recommendation:** Move to approve the out of state conference for four teachers at Ygnacio Valley High School and three teachers and their administrator at Pine Hollow Middle School.

**ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve the out of state conference for four teachers at Ygnacio Valley High School and three teachers and their administrator at Pine Hollow Middle School'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

#### **14.6 Review and Potential Approval of an Out of State Conference for Foothill Middle School's Teacher**

Conference Brochure

Foothill Middle School is requesting approval for one of their teachers to attend the Learning & the Brain conference being held in New York in April 18-20, 2024.

**Recommendation:** Move to approve the out of state conference for a teacher at Foothill Middle School.

##### **ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve the out of state conference for a teacher at Foothill Middle School'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

#### **14.7 Review and Potential Ratification of Renewal of Legal Services Contract with Fagen, Friedman and Fulfroost, LLP**

Fagen Friedman & Fulfroost Agreement for Legal Services, Engagement Letter 23-26, and Case Management and Billing Standards

The District continues to work to keep our legal costs to the lowest possible level, while also ensuring we have experts in different specific legal areas related directly to school districts (e.g. litigation, special education, etc.). Attached is a contract renewal for legal services to be provided by Fagen Friedman & Fulfroost, LLP. The aforementioned firm serves the District at a competitive billable hourly rate and has provided specialized legal services to the District for many years with valuable assistance with a variety of cases and litigation. The billable hourly rates as to the District remain below billable hourly rates in the Bay Area legal community.

**Recommendation:** Move to ratify the legal services contract renewal with Fagen, Friedman & Fulfroost, LLP.

##### **ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to ratify the legal services contract renewal with Fagen, Friedman & Fulfroost, LLP'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes

Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

#### **14.8 Review and Potential Approval of Independent Service Contracts between Mt. Diablo Unified School District and Walker Creek Ranch for Outdoor Education Programs for Westwood and Woodside Elementary Schools**

Walker Creek Ranch provides students with a quality science education, strengthens bonds with their peers and increases their environmental awareness. The program allows each group time to connect with the land, each other and science. Staff are well-versed in social emotional learning and NGSS offering creative lessons that are centered around the land. Westwood will attend March 4-7, 2024 and Woodside will attend April 16-19, 2024.

**Recommendation:** Move to approve Independent Service Contracts between Mt. Diablo Unified School District and Walker Creek Ranch for Outdoor Education Programs for Westwood and Woodside Elementary Schools.

#### **ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve Independent Service Contracts between Mt. Diablo Unified School District and Walker Creek Ranch for Outdoor Education Programs for Westwood and Woodside Elementary Schools'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

#### **14.9 Review and Potential Approval of MDUSD Adult Education Amendment to FolgerGraphics (FG) Contract (RFP 1911) for 2022-26**

Folger Graphics 12-29-23 Invoice #138258 for \$10,306.38 FG Contract Amendment Mt. Diablo USD Adult Education (MDAE) requests to amend its FG contract (RFP 1911) for 2022-26 for the printing of its quarterly catalog. This amendment is to allow Adult Education to draw down Adult Education funds to reimburse FG for postage and a postage advance fee for mailing the Winter Term 2024 quarterly catalog (class schedule). Attached is the FG invoice #138258 dated 12/29/23 in the amount of \$10,306.38 for this reimbursable cost.

**Recommendation:** Move to approve MDUSD Adult Education amendment to FolgerGraphics (FG) contract (RFP 1911) for 2022-26.

#### **ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve MDUSD Adult Education amendment to FolgerGraphics (FG) contract (RFP 1911) for 2022-26'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

#### **14.10 Review and Potential Approval of an Overnight Field Trip for College Park High School**

College Park High School is requesting approval of an overnight field trip to Folsom California. Advanced Drama students will participate in a theatre competition and experience professional workshops and exhibits from the entertainment industry. The event will take place on February 2-4, 2024. Students and chaperones will travel by car and will stay at local hotels.

**Recommendation:** Move to approve the overnight field trip for College Park High School's drama students.

##### **ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve the overnight field trip for College Park High School's drama students'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

#### **14.11 Review and Potential Approval of Amendment #1 for the Hatching Results Contract for Comprehensive School Counseling Program**

MDUSD-Hatching Results Contract 2023-25-Original Contract Hatching Results Amended Contract with Insurance

On June 28, 2023, the Board of Education approved the Independent Service Contract for the Hatching Results Contract for Comprehensive School Counseling Program. The proposed contract amendment will increase the scope to include 3 additional virtual consultation hours with district leadership and/or school counselors for strategic planning, tier 1 instruction, and consultative support.

**Recommendation:** Move to approve the amendment #1 for the Hatching Results Contract for Comprehensive School Counseling Program

##### **ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve the amendment #1 for the Hatching Results Contract for Comprehensive School Counseling Program'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

#### **14.12 Review and Potential Approval of an Overnight Field Trip for College Park High School.**

College Park High School is requesting the approval of an overnight field trip for their FalconX Robotics team to travel to Fresno, California, for a Robotics competition. The competition will take place on March 22-27, 2024. Chaperones and students will carpool and will stay at local hotels.

**Recommendation:** Move to approve the overnight field trip for College Park High School's Robotics team.

##### **ORIGINAL - Motion**

Member (**Debra Mason**) Moved, Member (**Linda Mayo**) Seconded to approve the **ORIGINAL** motion 'Move to approve the overnight field trip for College Park High School's Robotics team'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

#### **14.13 Review and Potential Approval of Ygnacio Valley High School's Quote for the Purchase of New Classroom Furniture.**

Quote

Ygnacio Valley High School is requesting approval of their quote from Hertz for the purchase of new tables and chairs for some of their classrooms.

**Recommendation:** Move to approve Ygnacio Valley High School's quote for classroom furniture.

#### **ORIGINAL - Motion**

Member (**Debra Mason**) Moved, Member (**Linda Mayo**) Seconded to approve the **ORIGINAL** motion 'Move to approve Ygnacio Valley High School's quote for classroom furniture'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

#### **14.14 Review and Potential Approval of an Independent Services Contract (ISC) with Sutter Health for the Mt. Diablo Adult Education Career Technical Education Center Surgical Technologist Program 2023-24**

Independent Service Contract

Sutter Health is an accredited Northern California regional non-profit healthcare institution that Mt. Diablo Adult Education (MDAE) requests to contract with to provide occupational training services by Sutter Health Certified Surgical Technologists (CSTs), to the current MDAE Career Technical Education Center (CTEC) CST Cohort 2023-24. Currently, this Cohort is on an extended Winter Recess and the two (2) primary MDAE CST instructors have resigned to accept other CST positions. To date, MDAE has been unable to backfill these vacancies timely in order to continue the Cohort to its expected original completion date in August 2024. Therefore, Board approval is requested to allow MDAE to procure said services for restarting the current Surgical Technologist Cohort 2023-24 on February 5, or no later than February 29. Said services rendered by Sutter Health will be billed and paid monthly according to the current Adult Education certificated compensation schedule of certificated instructional rates, and according to all terms and conditions set-forth in the attached Independent Services Contract.

**Recommendation:** Move to approve the Independent Services Contract (ISC) with Sutter Health for the Mt. Diablo Adult Education Career Technical Education Center Surgical Technologist Program 2023-24.

#### **ORIGINAL - Motion**

Member (**Debra Mason**) Moved, Member (**Linda Mayo**) Seconded to approve the **ORIGINAL** motion 'Move to approve the Independent Services Contract (ISC) with

Sutter Health for the Mt. Diablo Adult Education Career Technical Education Center Surgical Technologist Program 2023-24'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

## **A) Maintenance and Operations**

### **14.15 Review and Potential Ratification of Cleaning Services for Pine Hollow Middle School per California Public Contract Code § 20113 to Service Master Restoration Services**

MT. DIABLO USD PINE HOLLOW CLEANING

To support the emergency cleaning services at Pine Hollow Middle School per the guidelines by the Contra Costa Health Department the district required the support from an outside vendor. California Public Contract Code § 20113, allows (a) In an emergency when any repairs, alterations, work, or improvement is necessary to any facility of public schools to permit the continuance of existing school classes, or to avoid danger to life or property, the board may, by unanimous vote, with the approval of the county superintendent of schools, do either of the following: (1) Make a contract in writing or otherwise on behalf of the district for the performance of labor and furnishing of materials or supplies for the purpose without advertising for or inviting bids.

**Recommendation:** Move to Approve the Ratification of Cleaning Services for Pine Hollow Middle School per California Public Contract Code § 20113 to Service Master Restoration Services

#### **ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to Approve the Ratification of Cleaning Services for Pine Hollow Middle School per California Public Contract Code § 20113 to Service Master Restoration Services'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

## **B) Special Education and Student Services**

### **14.16 Review and Potential Approval of 2023-2024 School Year Contract Amendment between Mt. Diablo Unified School District and Stepping Stones Group**

Contract amendment ##1 and 2, Initial Master Contract, & Insurance.

The Stepping Stones Group is a non-public agency (NPA) that provides speech and language pathologists for school-based services and instructional assistance that are

identified on Individual Education Plans (IEP's). When Mt. Diablo Unified School District is not able to fill all open positions with district employees, the use of contract agencies is necessary to ensure that we are in compliance with state and federal law that governs special education. The Stepping Stones Group is a company that is utilized to provide these services to ensure that all of our needed services are covered for the 2023-2024 school year. Mt. Diablo Unified School District Human Resources, Student Services and Special Education continues to recruit and hire district employees.

**Recommendation:** Move to approve the contract increase of \$600,000.00 between Mt. Diablo Unified School District The Stepping Stones Group

**ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve the contract increase of \$600,000.00 between Mt. Diablo Unified School District The Stepping Stones Group'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

**14.17 Review and Potential Approval of 2023-2024 School Year Contract Amendment between Mt. Diablo Unified School District and Ed Theory**

Contract amendment, Initial Master Contract, & Insurance

EdTheory LLC is a non-public agency (NPA) that provides Registered Behavior Technicians, Behavior Therapists and and paraprofessionals for school-based services that are identified on Individual Education Plans (IEP's) and 504 Plans. When Mt. Diablo Unified School District is not able to fill all open positions with district employees, the use of contract agencies is necessary to ensure that we are in compliance with state and federal law that governs special education. EdTheory LLC is a company that is utilized to provide these services to ensure that all of our needed services are covered for the 2023-2024 school year. Mt. Diablo Unified School District Human Resources, Student Services and Special Education continues to recruit and hire district employees.

**Recommendation:** Move to approve the contract increase of \$210,000.00 between Mt. Diablo Unified School District and Ed Theory.

**ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve the contract increase of \$210,000.00 between Mt. Diablo Unified School District and Ed Theory'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

**14.18 Review and Potential Approval of Proposals for Furniture for Willow Creek/Student Services per Insidesource (formerly SamClar) Allsteel Omnia Contract R19182, SitOnIt Omnia Contract R191803 AND Maverick TIPS Contract 210305**

Insidesource Proposal CWA Quote 56442 Insidesource 23\_012.e CWA Room SamClar Proposal WCC A4 Office Quote 5648 SamClar Proposal WCC TOSA Desks Quote 5861 This is to support the needs of the Students and Staff of Mt. Diablo Unified School District and to support the recent department reorganization. Staff has received proposals for workstations and chairs for the Student Services Department which includes our CWAs (Child Welfare and Attendance)

**Recommendation:** Move to approve the proposals of furniture from Insidesource (formerly Sam Clar) for Student Services per the Allsteel Omnia Contract R19182, SitOnIt Omnia Contract R191803 AND Maverick TIPS Contract 210305

**ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve the proposals of furniture from Insidesource (formerly Sam Clar) for Student Services per the Allsteel Omnia Contract R19182, SitOnIt Omnia Contract R191803 AND Maverick TIPS Contract 210305'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

**14.19 Review and Potential Approval of Independent Service Contract Between Mt. Diablo Unified School District (MDUSD) and Bylund Clinic for the 2023/2024 School Year**

Bylund Clinic provides independent educational evaluations (IEEs) in the areas of Psychoeducational, Educationally Related Mental Health Services (ERMHS), and Functional Behavioral Analysis (FBA) at the request of the district. The current Independent Services Contract allows for \$42,000.00 during the 2023/2024 school year. MDUSD has spent over \$25,000 with Bylund Clinic for the 2023-24 school year so board approval is needed.

**Recommendation:** Move to approve independent service contract with Mt. Diablo Unified School District and Bylund Clinic, for the 2023/2024 School Year as presented.

**ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve independent service contract with Mt. Diablo Unified School District and Bylund Clinic, for the 2023/2024 School Year as presented'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

**14.20 Review and Potential Approval of Independent Service Contract Between Mt. Diablo Unified School District (MDUSD) and Bylund Clinic for the 2023/2024 School Year**

Bylund Clinic provides independent educational evaluations (IEEs) in the areas of Psychoeducational, Educationally Related Mental Health Services (ERMHS), and Functional Behavioral Analysis (FBA) at the request of the district. The current



Independent Services Contract allows for \$42,000.00 during the 2023/2024 school year. MDUSD has spent over \$25,000 with Bylund Clinic for the 2023-24 school year so board approval is needed.

**Recommendation:** Move to approve independent service contract with Mt. Diablo Unified School District and Bylund Clinic, for the 2023/2024 School Year as presented.

**ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve independent service contract with Mt. Diablo Unified School District and Bylund Clinic, for the 2023/2024 School Year as presented'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

## C) Technology

### **14.21 Review and Potential Approval Out of State Travel for Three (3) IT Staff Members to Attend the International Society for Technology in Education (ISTE) 2024 Conference in Denver, Colorado on June 23 - 26, 2024**

The International Society for Technology in Education (ISTE) is hosting their annual conference in Denver, Colorado June 23 to June 26, 2024. ISTE is a global nonprofit organization that focuses on innovative and creative ways to implement technology into education. The IT Department requests that three (3) IT Staff members attend this conference as it will continue to support the MDUSD's Strategic Technology Plan for engaging in technology strategies in the classroom, modern teaching, and learning. Additionally, it will form the development of professional learning for staff as they incorporate further engaging technology into classroom learning and revolutionizing student learning.

**Recommendation:** Move to approve the out of state travel for three (3) IT Department staff members to attend the ISTE 2024 Conference in Denver, Colorado on June 23 through June 26, 2024.

**ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve the out of state travel for three (3) IT Department staff members to attend the ISTE 2024 Conference in Denver, Colorado on June 23 through June 26, 2024'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

### **14.22 Review and Potential Approval of Contract Extension for Eagle Software Aeries Student Information System (SIS) Software**

**License/Support Subscription, Online Enrollment, and AERIES Analytics for 2024 Calendar Year.**

Eagle Software is the company behind the Aeries Student Information System (SIS), used by Mt. Diablo Unified School District for attendance, grades, transcripts, and data analysis. This is a renewal for continuing services for MDUSD's SIS AERIES. Cost is \$133,558.98

**Recommendation:** Move to approve the renewal for the Eagle Software Aeries Student Information System for January 01 - December 31, 2024.

**ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve the renewal for the Eagle Software Aeries Student Information System for January 01 - December 31, 2024'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

**D) Transportation**

**14.23 Review and Potential Approval to Purchase Two 2023 Blue Bird School Buses**

Staff is requesting permission to purchase two (2) 2023 Blue Bird T3RE 3904 school buses with higher safety standards, including seat belts. The newer buses will replace two (2) 23 year old transit school buses. The older 2001 buses were grandfathered in before seat belts were required on July 1, 2005. These two buses were previously submitted for a grant replacement and were denied. The Transportation Department selected diesel powered school buses to facilitate students' educational and activity trips requiring traveling more than 125 miles. The buses will be used primarily for home-to-school transportation of the District's high school students who live in Bay Point and attend Mt. Diablo High School and Olympic High School. These transit buses will also provide transportation for student educational, activity, and athletic trips throughout the year. The cost of the replacement bus is \$260,480.60 including taxes, per the quote from A-Z Bus Sales based on the Waterford Unified School District "piggyback."

**Recommendation:** Move to approve the purchase two 2023 Blue Bird School Buses

**ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve the purchase two 2023 Blue Bird School Buses'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

**15.0 Consent Item Pulled for Discussion**

## 16.0 Consent Item Pulled by Staff

## 17.0 Business/Action Items

### **17.1 Review and Potential Approval of Changes to Board Policies and Administrative Regulations per California School Board Association (CSBA) Recommendations - September 2023 Quarterly Update**

BP 1160 Political Processes - Review 1/31/24 BP 1330 Use of School Facilities - Review 1/31/24 AR 1330 Use of School Facilities - Review 1/31/24 E(1) 1330 Use of School Facilities - Not being used, delete 1/31/24 AR 3311 Bids -Board Approved 1/17/2024 AR 3311.3 Design-Build Contracts - Board Approved 1/17/2024 BP 3312 Contracts BP 3460 Financial Reports and Accountability BP 3551 Food Service Operations/Cafeteria Fund - Board Approved 1/17/2024 AR 3551 Food Service Operations/Cafeteria Fund - Board Approved 1/17/2024 BP 4151 Employee Compensation BP 4251 Employee Compensation BP 4351 Employee Compensation AR 4217.3 Layoff/Rehire BP 5131.9 Academic Honesty - Board Approved 11/8/23 BP 6154 Homework/Makeup Work - Board Approved 11/8/23 BP 6162.5 Student Assessment - Board Approved 11/8/23 AR 7140 Architectural and Engineering Services BB 9124 Attorney - Review 1/31/24 CSBA provides school districts with a quarterly list of potential updates to review Board Policies (BP) and Administrative Regulations (AR) for revision in order to adapt to state or federal code changes. Revisions for BP 1160, BP 1330, AR 1330, BB 9124 and the deletion of obsolete form E 1330 are being presented for review and will be brought back for approval and a later board meeting. Work continues on the remaining policies. **Recommendation:** Review updates to BP 1160, BP 1330, AR 1330, BB 9124 and the deletion of obsolete form E 1330. These will be brought back for approval and a later board meeting.

## 18.0 Meeting Extension

## 19.0 Closed Session (Carry Over)

### **19.1 Items Not Completed During the First Closed Session will be Carried Over to this Closed Session**

Items not completed during the first closed session will be carried over to this closed session as needed.

**Recommendation:** Reconvene a second closed session as needed.

## 20.0 Reconvene Open Session

### **20.1 Report Out Action Taken During Closed Session**

Report out action taken during closed session.

**Recommendation:** Information.

## 21.0 Future Agenda Items

## **22.0 Adjournment**

President McFerrin adjourned the meeting at 7:38pm

### **22.1 Adjourn Meeting**

The meeting of the Board of Education of the Mt. Diablo Unified School District will adjourn.

**Recommendation:** Adjourn the meeting.