


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, February 1, 2023 (6:00 PM)

ROLL CALL

Debra Mason
Linda Mayo
Cherise Khaund
Keisha Nzewi

1.0 Call to Order

President Nzewi called the meeting to order at 4:59pm

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.

Board Vice President McFerrin was not in attendance for the meeting.

2.0 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. Lisa Gonzales, Dr. Wendi Aghily, Jennifer Sachs, Dr. Dan Scudero, and legal counsel; Agencies: MDEA, DMA, MDSPA, CSEA, CST Local 1 and Teamsters Local 856

Recommendation: Information

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 reconvened at 6:00pm

5.1 Reconvene Open Session

The Board of Education will reconvene Open Session.

Recommendation: Reconvene Open Session.

6.0 Preliminary Business

The Board President led the pledge of allegiance

6.1 Pledge of Allegiance

The Board President will lead the Pledge of Allegiance.

Recommendation: Lead the Pledge of Allegiance.

6.2 Review and Potential Approval of Minutes for Regular Board Meeting

Board Meeting Minutes January 18, 2023

Minutes have been prepared for the board meeting on January 18, 2023 and are presented for review and approval.

Recommendation: Move to approve the minutes for the January 18, 2023 Regular Board Meeting.

ORIGINAL - Motion

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve the minutes for the January 18, 2023 Regular Board Meeting'. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **0**. The motion **Carried. 4 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Keisha Nzewi Yes

6.3 Review and Potential Approval of the Agenda

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

Recommendation: Move to approve the agenda.

ORIGINAL - Motion

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve the agenda'. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **0**. The motion **Carried. 4 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Keisha Nzewi Yes

7.0 Report Out 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. Lisa Gonzales, Dr. Wendi Aghily, Jennifer Sachs, Dr. Dan Scudero, and legal counsel; Agencies: MDEA, DMA, MDSPA, CSEA, CST Local 1 and Teamsters Local 856

Recommendation: Information

The Board of Education received an update.

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

Recommendation: Information/action.

The Board of Education received an update.

7.3 Existing Litigation - Conference with Legal Counsel (Government Code 54956) (Multiple Cases): Jane Doe (H) v. Mt. Diablo Unified School District, et al., USDC Action No. 18-cv-02589; Jane Roe (P) v. Mt. Diablo Unified School District, Contra Costa County Superior Court Action No. C14-00262.

Existing Litigation - Conference with Legal Counsel (Government Code 54956) (Multiple Cases): Jane Doe (H) v. Mt. Diablo Unified School District, et al., USDC Action No. 18-cv-02589; Jane Roe (P) v. Mt. Diablo Unified School District, Contra Costa County Superior Court Action No. C14-00262.

Recommendation: Approval of proposed settlement of pending litigation, as defined in § 54956.9, pending final approval by all parties.

In Closed Session the Board voted 4-0 to approve the proposed settlement for Jane Doe (H) v. Mt. Diablo Unified School District, et al., USDC Action No. 18-cv-02589

Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **0**. The motion **Carried. 4 - 0**

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

In Closed Session the Board voted 4-0 to approve the proposed settlement for Jane Roe (P) v. Mt. Diablo Unified School District, Contra Costa County Superior Court Action No. C14-00262.

Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **0**. The motion **Carried. 4 - 0**

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

8.0 Public Comment

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 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

11.0 Public Employee Appointment

11.1 Review and Potential Approval of Classified Personnel Appointment: Chief Accountant

Interviews were conducted and a candidate has been selected to fill the position of Chief Accountant for the 2022-2023 school year.

Recommendation: Move to approve the appointment of Chief Accountant.

AMENDED - Motion

Member **(Linda Mayo)** Moved, Member **(Debra Mason)** Seconded to approve the

AMENDED motion 'Move to approve the appointment of Matthew Fielder as Chief Accountant'. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **0**. The motion **Carried. 4 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Keisha Nzewi Yes

11.2 Review and Potential Approval of Personnel Appointment: Vice Principal, Shore Acres Elementary

Interviews were conducted and a candidate has been selected to fill the position of Vice Principal, Shore Acres Elementary for the 2022-2023 school year.

Recommendation: Move to approve the appointment of Vice Principal, Shore Acres Elementary.

AMENDED - Motion

Member **(Debra Mason)** Moved, Member **(Cherise Khaund)** Seconded to approve the **AMENDED** motion 'Move to approve the appointment of Tiffany Jackson as Vice Principal, Shore Acres Elementary'. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **0**. The motion **Carried. 4 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Keisha Nzewi Yes

12.0 Reports/Information

12.1 Review of Enrollment and Demographic Report from Davis Demographics Demographic Study

Davis Demographics was contracted to support enrollment and data-based decision-making in Mt Diablo Unified. Their analysis includes student population through attendance matrices, careful consideration of birth rates, student yield factors, mobility, residential developments, and student forecasts. Both the Davis Demographics and the MDUSD team carefully review historical data and enrollment trends, leaning heavily on the historical data as recommended by FCMAT in its Fiscal Health Risk Analysis. Staff uses the information from this report, along with current enrollment and typical trends observed to triangulate the data and arrive at enrollment projections. Tonight's presentation is an updated ten year focus on the enrollment study and forecasts, updated to take into account continued impacts of the pandemic on student mobility. We have a three-year contract with Davis Demographics and will receive similar reports over the following years of the contract.

Recommendation: information only

12.2 Governor's Proposed Budget for 2023-24

Governor's Budget Presentation

Governor Gavin Newsom released his Proposed State Budget on January 11, 2023, and School Services of California hosted its review on January 18, 2023. His Proposed Budget component of the MDUSD budget development process but will not be solidified until the Governor's Revised Budget in May. The information presented in the proposal will also be applied to our Second Interim Report in March. A summary of the proposal and the estimated fiscal impacts in MDUSD will be presented.

Recommendation: n/a

13.0 Board Member Reports

13.1 Board Member Reports

Board Members may choose to report out their activities.

Recommendation: Information.

14.0 Superintendent's Report

14.1 Superintendent's Report

The Superintendent may choose to report out on activities.

Recommendation: Information.

15.0 Consent Agenda

15.1 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 **(Cherise Khaund)** Seconded to approve the **ORIGINAL** motion 'Approve all Consent Agenda items'. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **0**. The motion **Carried. 4 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Keisha Nzewi Yes

15.2 Review and Potential Approval of the Recommended Action for Certificated Personnel

List of certificated hires, leaves of absence, resignations, and retirements.

See attached for a detailed list of certificated hires, leaves of absence, resignations, and retirements.

Recommendation: Move to approve the recommended action for certificated personnel.

ORIGINAL - Motion

Member **(Debra Mason)** Moved, Member **(Cherise Khaund)** Seconded to approve the **ORIGINAL** motion 'Move to approve the recommended action for certificated personnel'. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **0**. The motion **Carried. 4 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Keisha Nzewi Yes

15.3 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 **(Cherise Khaund)** 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: **4** Nay: **0**. The motion **Carried. 4 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Keisha Nzewi Yes

15.4 Review and Potential Approval of the 2022-2023 Contract Amendment between Mt. Diablo Unified School District and Life Lab Science Program.

Life Lab will continue to partner with Mt. DIablo Unified School District to implement garden and nutrition education lessons aligned with NGSS, Common Core and CA Health Standards during the school day at 10 elementary sites and 2 middle school sites and maintain outdoor learning gardens. The Independent Contract between Life Lab and MDUSD was approved at the June 22, 2022 board meeting. The amendment adds funds from the USDA Grant.

Recommendation: Move to Approve the contract increase of \$13,200 between Mt. Diablo Unified School District and Life Lab Science Program.

ORIGINAL - Motion

Member **(Debra Mason)** Moved, Member **(Cherise Khaund)** Seconded to approve the **ORIGINAL** motion 'Move to Approve the contract increase of \$13,200 between Mt. Diablo Unified School District and Life Lab Science Program'. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **0**. The motion **Carried. 4 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Keisha Nzewi Yes

15.5 Review and Potential Approval of an Overnight Trip for Concord High School Leadership Students

Concord High School is requesting permission for eight ASB Leadership students and one teacher to attend the CASL HS Conference in Santa Clara, CA on April 15-17, 2023. They will carpool to the location and stay at a local hotel.

Recommendation: Move to approve Concord High School's request for this overnight trip to Santa Clara, CA on April 15-17, 2023.

ORIGINAL - Motion

Member **(Debra Mason)** Moved, Member **(Cherise Khaund)** Seconded to approve the **ORIGINAL** motion 'Move to approve Concord High School's request for this overnight trip to Santa Clara, CA on April 15-17, 2023'. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **0**. The motion **Carried. 4 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Keisha Nzewi Yes

15.6 Review and Potential Approval of an Overnight Trip for College Park High School Robotics Team

College Park High School is requesting permission for 30 students and 10 chaperones to participate in the FIRST Region Competition in Fresno, CA on March 9-12, 2023. They will carpool to the location and stay at a local hotel.

Recommendation: Move to approve College Park High School's request for this overnight trip to Fresno, CA on March 9-12, 2023.

ORIGINAL - Motion

Member **(Debra Mason)** Moved, Member **(Cherise Khaund)** Seconded to approve the **ORIGINAL** motion 'Move to approve College Park High School's request for this overnight trip to Fresno, CA on March 9-12, 2023'. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **0**. The motion **Carried. 4 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Keisha Nzewi Yes

15.7 Review and Potential Approval of Independent Service Contract between Mt. Diablo Unified School District and Westminster Woods for Outdoor Education

Sequoia Elementary School is seeking approval to attend an Outdoor Education Camp at Westminster Woods in Occidental, California. Ninety eight 5th graders would be attending along with 3 classroom teachers and 14 parent volunteers. They will travel by school bus and stay at the camp April 17 - 20, 2023.

Recommendation: Move to approve the Independent Service Contract between Mt. Diablo Unified School District and Westminster Woods.

ORIGINAL - Motion

Member **(Debra Mason)** Moved, Member **(Cherise Khaund)** Seconded to approve the **ORIGINAL** motion 'Move to approve the Independent Service Contract between Mt. Diablo Unified School District and Westminster Woods'. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **0**. The motion **Carried. 4 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Keisha Nzewi Yes

15.8 Review and Potential Approval of Mt. Diablo Unified School District (MDUSD) College Park High School Yearbook Agreement with Herff Jones 2022-2023

CPHS Herff Jones Agreement 2022-23

Herff Jones Printing agreement for College Park High School's student yearbook for 2022-2023.

Recommendation: Move to approve the agreement.

ORIGINAL - Motion

Member **(Debra Mason)** Moved, Member **(Cherise Khaund)** Seconded to approve the **ORIGINAL** motion 'Move to approve the agreement'. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **0**. The motion **Carried. 4 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Keisha Nzewi Yes

15.9 Review and Potential Approval of the Memorandum of Understanding Between Contra Costa County Office of Education (CCCOE) and Mt. Diablo Unified School District for The Early Education Teacher Development (EETD) Grant

This Memorandum of Understanding (MOU) affirms the agreement between the Contra Costa County Office of Education (CCCOE) and Mt. Diablo Unified School District (LEA) for the Early Education Teacher Development (EETD) Grant. Ratification of the MOU supports the recruitment of teachers and instructional assistants to increase the number of highly qualified educators available to serve in transitional kindergarten classrooms, meeting the requirements of California Ed Code Section 48000(g). Funding can be spent over three years and used for stipends, reimbursement for early childhood education courses, professional development and training, coaching, and instructional materials. The County will submit all required documents for the state and the District will invoice the County Office for expenditures twice a year.

Recommendation: Move to Approve the Memorandum of Understanding Between Contra Costa County Office of Education and Mt. Diablo Unified School District for the Early Education Teacher Development Grant.

ORIGINAL - Motion

Member **(Debra Mason)** Moved, Member **(Cherise Khaund)** Seconded to approve the **ORIGINAL** motion 'Move to Approve the Memorandum of Understanding Between Contra Costa County Office of Education and Mt. Diablo Unified School District for the Early Education Teacher Development Grant'. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **0**. The motion **Carried. 4 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Keisha Nzewi Yes

15.10 Review and Potential Approval of Memorandum of Understanding Between Mt. Diablo Unified School District and Central State University's College of Education

Memorandum of Understanding Between Mt. Diablo Unified School District and Central State University's College of Education and certificate of insurance.

Mt. Diablo Unified School District's contractual expectations to Central State University's College of Education, where Mt. Diablo Unified will provide opportunities for candidates and student teachers to work in a learning environment and/or classroom under the supervision of experienced, licensed, professional teachers.

Recommendation: Move to approve MDUSD mentoring participating student interns of the Affiliation Agreement.

ORIGINAL - Motion

Member **(Debra Mason)** Moved, Member **(Cherise Khaund)** Seconded to approve the **ORIGINAL** motion 'Move to approve MDUSD mentoring participating student interns of the Affiliation Agreement'. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **0**. The motion **Carried. 4 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Keisha Nzewi Yes

15.11 Ratification of Memorandum of Understanding among Mt. Diablo Adult Education, Opportunity Junction and Empowered Aging.

MOU

Mt. Diablo Adult Education (MDAE) requests approval to enter into a Memorandum of Understanding (MOU) with Opportunity Junction and Empowered Aging to renew the Health Career Pathway regional partnership and initiative launched in 2019. The terms of this MOU would be effective from January 1, 2023 through June 30, 2024. This Health Career Pathway creates a regional response to significant allied health professional staffing and quality improvement needs for those delivering care to Contra Costa County residents most at-risk for poor health. This proposed MOU supports the continuation of the MDAE Certified Nursing Assistant (CNA) program, nationally accredited by the Council on Occupational Education (COE), in collaboration with these partners, to train low-income individuals for careers in medical assisting, nursing and other medical professions.

Recommendation: Move to approve the ratification of the Memorandum of Understanding among Mt. Diablo Adult Education, Opportunity Junction and Empowered Aging.

ORIGINAL - Motion

Member **(Debra Mason)** Moved, Member **(Cherise Khaund)** Seconded to approve the **ORIGINAL** motion 'Move to approve the ratification of the Memorandum of Understanding among Mt. Diablo Adult Education, Opportunity Junction and Empowered Aging'. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **0**. The motion **Carried. 4 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Keisha Nzewi Yes

15.12 Review and Potential Approval of Mt. Diablo Unified School District's Fieldwork Placement Agreement with Point Loma Nazarene University School of Education.

Fieldwork Placement Agreement

Point Loma Nazarene University School of Education is requesting to enter into an agreement with Mt. Diablo Unified School District in which their student gain fieldwork experience under the supervision of a credentialed district teacher.

Recommendation: Move to approve the Fieldwork Placement Agreement between Point Loma Nazarene University School of Education and Mt. Diablo Unified School District.

ORIGINAL - Motion

Member (**Debra Mason**) Moved, Member (**Cherise Khaund**) Seconded to approve the **ORIGINAL** motion 'Move to approve the Fieldwork Placement Agreement between Point Loma Nazarene University School of Education and Mt. Diablo Unified School District'. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **0**. The motion **Carried. 4 - 0**

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

15.13 Review and Potential Approval of Mt. Diablo Unified School District's Student Teaching/Clinical Practice Agreement with Point Loma Nazarene University School of Education.

Student Teaching/Clinical Practice Partnership Agreement

Point Loma Nazarene University School of Education is requesting to enter into an agreement with Mt. Diablo Unified School District in which their students gain access to District premises and certified teachers for Student Teaching/Clinical Practice.

Recommendation: Move to approve the Student Teaching/Clinical Practice Agreement between Point Loma Nazarene University School of Education and Mt. Diablo Unified School District.

ORIGINAL - Motion

Member (**Debra Mason**) Moved, Member (**Cherise Khaund**) Seconded to approve the **ORIGINAL** motion 'Move to approve the Student Teaching/Clinical Practice Agreement between Point Loma Nazarene University School of Education and Mt. Diablo Unified School District'. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **0**. The motion **Carried. 4 - 0**

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

15.14 Review and Potential Approval of Mt. Diablo Unified School District's Teaching Internship Agreement with Point Loma Nazarene University School of Education.

Teaching Internship Agreement

Point Loma Nazarene University School of Education is requesting to enter into an agreement with Mt. Diablo Unified School District, where the District provides qualified personnel in support of candidates' educational development by way of internship. their student gain fieldwork experience under the supervision of a credentialed district teacher.

Recommendation: Move to approve the Teaching Internship Agreement between Point Loma Nazarene University School of Education and Mt. Diablo Unified School District.

ORIGINAL - Motion

Member (**Debra Mason**) Moved, Member (**Cherise Khaund**) Seconded to approve the **ORIGINAL** motion 'Move to approve the Teaching Internship Agreement between Point Loma Nazarene University School of Education and Mt. Diablo Unified School District'. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **0**. The motion **Carried. 4 - 0**

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

15.15 Review and Potential Approval of Meadow Homes Elementary School Teacher request to attend National Association for Bilingual Education Annual Conference in Oregon.

Theresa Gutierrez, Teacher at Meadow Homes, would like to attend the National Association for Bilingual Education conference in Portland, Oregon on February 22-25, 2023. She will be presenting with St. Mary's professors about the program and curriculum that Meadow Homes is developing.

Recommendation: Move to approve Meadow Homes Elementary School Teacher request to attend National Association for Bilingual Education Annual Conference in Oregon, February 22-25, 2023

ORIGINAL - Motion

Member **(Debra Mason)** Moved, Member **(Cherise Khaund)** Seconded to approve the **ORIGINAL** motion 'Move to approve Meadow Homes Elementary School Teacher request to attend National Association for Bilingual Education Annual Conference in Oregon, February 22-25, 2023'. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **0**. The motion **Carried. 4 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Keisha Nzewi Yes

15.16 Review and Potential Approval of Independent Service Contract between My Other Brother and Mt. Diablo Unified School District for Services at Wren Elementary

Wren is seeking approval of the Independent Service Contract for services with My Other Brother to provide holistic wrap around support services to African American Students through belonging and community by fostering student leadership, scholarship, education and personal growth. This contract places us over the \$25,000 vendor limit and requires board approval.

Recommendation: Move to approve of Independent Service Contract between My Other Brother and Mt. Diablo Unified School District for Services at Wren Elementary

ORIGINAL - Motion

Member **(Debra Mason)** Moved, Member **(Cherise Khaund)** Seconded to approve the **ORIGINAL** motion 'Move to approve of Independent Service Contract between My Other Brother and Mt. Diablo Unified School District for Services at Wren Elementary'. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **0**. The motion **Carried. 4 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Keisha Nzewi Yes

A) Food and Nutrition Services

15.17 Review and Potential Approval of the Payment of Contra Costa County Environmental Health Invoices, for Kitchen and Pool Health Inspections from March 2023 to March 2024

Contra Costa County Health Permit Invoices

Food & Nutrition Services and Maintenance and Operations Departments are seeking approval to make payment to Contra Costa County Environmental Health Inspections for 47 School Site Kitchens, Central Food Warehouse, and 2 pools for part of the 2022-2023 and 2023-2024 school year. This is an annual fee charged to Mt. Diablo Unified School District for inspections starting March 1, 2023, through February 29, 2024. The USDA requires two health inspections annually by county environmental health departments to comply with USDA rules in the National School Lunch Program.

Recommendation: Move to approve the payment of the Contra Costa County Environmental Health invoices totaling \$48,437.00, for District Kitchen and Pool Health Inspections in part of the 2022-2023 and 2023-2024 school year.

ORIGINAL - Motion

Member **(Debra Mason)** Moved, Member **(Cherise Khaund)** Seconded to approve the **ORIGINAL** motion 'Move to approve the payment of the Contra Costa County Environmental Health invoices totaling \$48,437.00, for District Kitchen and Pool Health Inspections in part of the 2022-2023 and 2023-2024 school year'. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **0**. The motion **Carried. 4 - 0**

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

15.18 15.14 Review and Potential Approval for Purchase Requisition #132493, with Titan School Solutions, in the 2022-2023 school year.

Purchase Requisition #132493, for vendor, Titan School Solutions is License Fees for Point of Sale, Purchasing, Inventory, and Nutritional Analysis in the 2022-2023 school year. The total cost is \$78,709.09 and is within the budget for the 2022-2023 school year.

Recommendation: Move to approve Purchase Requisition #132493 with vendor, Titan School Solutions, for Annual License Fees for Point of Sale, Purchasing, Inventory, and Nutritional Analysis in the 2022-2023 school year.

ORIGINAL - Motion

Member **(Debra Mason)** Moved, Member **(Cherise Khaund)** Seconded to approve the **ORIGINAL** motion 'Move to approve Purchase Requisition #132493 with vendor, Titan School Solutions, for Annual License Fees for Point of Sale, Purchasing, Inventory, and Nutritional Analysis in the 2022-2023 school year'. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **0**. The motion **Carried. 4 - 0**

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

15.19 Review and Potential Approval for Increase to Purchase Order #231911, with Fork in the Road, LLC, in the 2022-2023 School Year

Purchase Order #231911 for vendor, Fork in the Road, LLC is for Organic, Grass Fed, Sodium Nitrate and Nitrite "Free" Hot Dogs, Specialty Sausages, and Organic Deli Meat produced locally for the 2022-2023 school year and was originally for \$24,000. Food & Nutrition Services Staff is requesting an increase of \$118,300 for a Purchase Order total of \$132,300 in the 2022-2023 school year.

Recommendation: Move to approve the \$118,300 increase to Purchase Order #231911 with vendor, Fork in the Road LLC, for OrganicGrass Fed Hot Dogs, Specialty Sausages, and Organic Deli Meat in the 2022-2023 school year.

ORIGINAL - Motion

Member **(Debra Mason)** Moved, Member **(Cherise Khaund)** Seconded to approve the **ORIGINAL** motion 'Move to approve the \$118,300 increase to Purchase Order #231911 with vendor, Fork in the Road LLC, for OrganicGrass Fed Hot Dogs, Specialty Sausages, and Organic Deli Meat in the 2022-2023 school year'. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **0**. The motion **Carried. 4 - 0**

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

15.20 Review and Potential Approval for Increase to Purchase Order #230771, with Cream Meat Co. LLC, in the 2022-2023 School Year.

Purchase Order #230771 for vendor, Cream Meat Co. LLC, is for locally produced in California Cooked Grass Fed Beef Patties, Antibiotic and Hormone Free Chicken, and other Meat Products for the 2022-2023 school year and was originally for \$24,000. Food & Nutrition Services Staff is requesting an increase of \$100,000 for Purchase Order total of \$124,000 in the 2022-2023 school year.

Recommendation: Move to approve the \$100,000 increase to Purchase Order #230771 with vendor, Cream Meat Co. LLC, for Cooked Grass Fed Beef Patties, Antibiotic and Hormone Free Chicken, and other Meat Products for the 2022-2023 school year.

ORIGINAL - Motion

Member **(Debra Mason)** Moved, Member **(Cherise Khaund)** Seconded to approve the **ORIGINAL** motion 'Move to approve the \$100,000 increase to Purchase Order #230771

with vendor, Cream Meat Co. LLC, for Cooked Grass Fed Beef Patties, Antibiotic and Hormone Free Chicken, and other Meat Products for the 2022-2023 school year'. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **0**. The motion **Carried. 4 - 0**

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

B) Maintenance and Operations

15.21 Review and Potentially Approve the Increase to the Purchase Order with Roto Rooter for Plumbing Service

Roto Rooter has an open purchase order (PO) for plumbing services for \$109,300.00 for the 2023/2024 school year. This existing open purchase order has been depleted due to the inclement weather, plumbing department vacancies and other maintenance needs at various school sites. Per Public Contract Code Section 20113, an increase of \$65,700.00 is requested, to cover the plumbing support, for routine and emergency maintenance and to meet the needs for the remainder of the 2023/2024 fiscal year. The request of \$64,700 will increase the PO for Roto Rooter from \$109,300 to \$175,000.

Recommendation: Move to approve the increase to the Purchase Order with Roto Rooter for Plumbing Services.

ORIGINAL - Motion

Member (**Debra Mason**) Moved, Member (**Cherise Khaund**) Seconded to approve the **ORIGINAL** motion 'Move to approve the increase to the Purchase Order with Roto Rooter for Plumbing Services'. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **0**. The motion **Carried. 4 - 0**

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

15.22 Review and potentially approve the purchase of Landscape Department Equipment per Sourcewell Grounds Maintenance 031121-DAC (PG NB CG 70) to Belkorp Ag, LLC

John Deere Proposal MDUSD Turf Package

To support the M&O Department restructuring within the Landscape Division and in improve the Grounds and Landscape service for our MDUSD School Sites, the department is moving to a team style maintenance, creating (5) Grounds Maintenance teams of various classifications. To support this change in maintenance service, additional grounds equipment is needed.

Recommendation: Move to approve the purchase of Landscape Department Equipment per Sourcewell Grounds Maintenance 031121-DAC (PG NB CG 70) to Belkorp Ag, LLC

ORIGINAL - Motion

Member (**Debra Mason**) Moved, Member (**Cherise Khaund**) Seconded to approve the **ORIGINAL** motion 'Move to approve the purchase of Landscape Department Equipment per Sourcewell Grounds Maintenance 031121-DAC (PG NB CG 70) to Belkorp Ag, LLC'. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **0**. The motion **Carried. 4 - 0**

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

C) Special Education

15.23 Review and Potential Approval to Increase the Independent Service Contract with Dr. Sherry Burke and Mt. Diablo Unified School District for the 2022/23 School Year.

On September 28, 2022 the Board of Education approved an Independent Service Contract between Dr. Sherry Burke and the Mt. Diablo Unified School District (15.23) for \$45,000.00. Dr. Sherry Burke, Licensed Educational Psychologist, provides independent educational evaluations and district triennial evaluations at the request of the district.

Recommendation: Move to approve the amended Independent Service Contract between Dr. Sherry Burke and Mt. Diablo Unified School District for the 2022/23 school year as presented.

ORIGINAL - Motion

Member **(Debra Mason)** Moved, Member **(Cherise Khaund)** Seconded to approve the **ORIGINAL** motion 'Move to approve the amended Independent Service Contract between Dr. Sherry Burke and Mt. Diablo Unified School District for the 2022/23 school year as presented'. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **0**. The motion **Carried. 4 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Keisha Nzewi Yes

15.24 Review and Potential Approval of an Amendment Increase of the Master Contract between Mt. Diablo Unified School District and SPG Therapy & Education for the 2022/2023 School Year

Amendment #2; Master Contract, Insurance

SPG Therapy & Education is a non-public agency (NPA) that provides speech and language pathologist, occupational therapists, physical therapists, registered behavior technicians, behavior 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. SPG Therapy & Education is a company that is utilized to provide these services to ensure that all of our needed services are covered for the 2022-2023 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 \$800,000.00 between Mt. Diablo Unified School District SPG Therapy & Education for classroom and student support, as well as, related service providers.

ORIGINAL - Motion

Member **(Debra Mason)** Moved, Member **(Cherise Khaund)** Seconded to approve the **ORIGINAL** motion 'Move to approve the contract increase of \$800,000.00 between Mt. Diablo Unified School District SPG Therapy & Education for classroom and student support, as well as, related service providers'. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **0**. The motion **Carried. 4 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Keisha Nzewi Yes

15.25 Review and Potential Approval of Augmentative and Alternative Communication Base Classroom Kits for Special Education Classrooms from AbleNet.

AbleNet Quote

AbleNet is a company that provides assistive technology and augmentative and alternative communication products . This funding request for augmentative and alternative communication equipment and products will be compiled as tool kits for Special Day Classrooms (SDC). These tool kits will provide for more equitable access to curriculum and instruction in classrooms for our SDC students and provide intervention support for students who are limited, unreliable or are nonspeaking. The tools kits will contain a variety of low to

mid tech technology for communication and a variety of methods for access to that communication.

Recommendation: Move to approve the purchase of augmentative and alternative base classroom kits for Mt. Diablo Unified School Districts Special Education classrooms.

ORIGINAL - Motion

Member **(Debra Mason)** Moved, Member **(Cherise Khaund)** Seconded to approve the **ORIGINAL** motion 'Move to approve the purchase of augmentative and alternative base classroom kits for Mt. Diablo Unified School Districts Special Education classrooms'. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **0**. The motion **Carried. 4 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Keisha Nzewi Yes

15.26 Review and Potential Approval of a New Membership Application for Community Advisory Committee (CAC)

The Community Advisory Committee (CAC) is composed of members that represent the range of programs and services offered by the district. This includes parents of students with disabilities enrolled in public or private schools, other parents of students enrolled in school, students with disabilities enrolled in special education programs, general education teachers, special education teachers and other school personnel, representatives of other public and private agencies, and persons connected with the needs of students with disabilities. The majority of the committee is composed of parents of students enrolled in schools participating in the local plan, and at least a majority of the parents are parents of individuals with exceptional needs. The CAC Bylaws provide that the applicant must attend two regular business meetings. The applicant has attended the required number of meetings and completed the Membership Application. The CAC is recommending one new member for consideration by the board. The applicant for consideration is Hannah & Nestor Mauricio.

Recommendation: Move to approve the new membership application for Community Advisory Committee (CAC), appointing Hannah & Nestor Mauricio as members of the Community Advisory Committee.

ORIGINAL - Motion

Member **(Debra Mason)** Moved, Member **(Cherise Khaund)** Seconded to approve the **ORIGINAL** motion 'Move to approve the new membership application for Community Advisory Committee (CAC), appointing Hannah & Nestor Mauricio as members of the Community Advisory Committee'. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **0**. The motion **Carried. 4 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Keisha Nzewi Yes

D) Technology

15.27 Review and Potential Approval of Renewal of the Nutanix Xi Leap Subscription, Implementation Services, and Contingency Overage Charges Through CDW-G for Disaster Recovery Services for a Period of Twelve (12) Months

Nutanix XI Leap Renewal Quote XI Leap Services

Nutanix Xi Leap provides cloud-based disaster recovery services for off-site backups including the ability to quickly recover and operate critical District systems in emergency situations. Included are the base cost of the service and \$5,000 to cover any overages that could be incurred in a disaster recovery situation.

Recommendation: Move to approve Nutanix Xi Leap renewal subscription, implementation services, and contingency overage charges through CDW-G for disaster recovery services for a period of twelve (12) months

ORIGINAL - Motion

Member (**Debra Mason**) Moved, Member (**Cherise Khaund**) Seconded to approve the **ORIGINAL** motion 'Move to approve Nutanix Xi Leap renewal subscription, implementation services, and contingency overage charges through CDW-G for disaster recovery services for a period of twelve (12) months'. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **0**. The motion **Carried. 4 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Keisha Nzewi Yes

16.0 Consent Items Pulled for Discussion

17.0 Consent Items Pulled by Staff

18.0 Business/Action Items

18.1 Review and Potential Approval of Updates to Board Policies and Administrative Regulations (4000s)

Board Policies and Administrative Regulations for the following categories: 4000 - Personnel Staff has partnered with California School Board Association (CSBA) to review all Board Policy (BP) and Administrative Regulations (AR). This policy review was done with the intention of bringing the policies and regulations to an updated legal baseline, understanding there may be further adjustments to be made. Five categories were brought for approval May 11, 2022. Three additional categories were brought for review on October 26, 2022 and staff is bringing the final category forward for review. Board policies and regulations that have been board approved after January 1, 2020 will be included in the completed packets and are attached.

Recommendation: Review updated policies and regulations for the categories 4000 - Personnel bringing these to updated legal baseline per CSBA.

18.2 Review and Potential Approval of the Side Letter with Teamsters, effective February 1, 2023, regarding Landscape Department Job Descriptions (Grounds Worker I, Grounds Worker II, Grounds Worker III, Irrigation Technician and Grounds Senior Leadworker), Salary Schedule Changes, and Abolishment of the positions of Groundskeeper, Grounds Equipment Operator, Groundskeeper/Gardener, Medium Equipment Operator, Sprinkler Maintenance Technician and Senior Grounds Leadworker after all affected employees have been moved into the new job title positions.

1. Side Letter Agreement with Teamsters re M&O Reorganization of Landscape. 2. AB 1200 Document

This reorganization was conducted as a result of the FCMAT Report issued on January 12, 2022. The report found that the Landscape Department needed to be reorganized in order to keep MDUSD school landscaping clean and in good working order. Subsequently a plan was developed to reorganize the Landscape Department. After multiple meetings between the District and Teamsters, it was agreed that Grounds Worker I, Grounds Worker II, and Grounds Worker III job descriptions would be created and the Irrigation Technician and Grounds Senior Leadworker job description would be updated to reflect additional duties for these positions with concurrent salary increases all of which, would additionally help ensure improved landscaping services to the MDUSD community.

Recommendation: Move to Approve the Side Letter with Teamsters, effective February 1, 2023, regarding Landscape Department Job Descriptions (Grounds Worker I, Grounds Worker II, Grounds Worker III, Irrigation Technician and Grounds Senior Leadworker), Salary Schedule Changes, and Abolishment of the positions of Groundskeeper, Grounds Equipment Operator, Groundskeeper/Gardener, Medium Equipment Operator, Sprinkler Maintenance Technician and Senior Grounds Leadworker after all affected employees have been moved into the new job title positions.

ORIGINAL - Motion

Member (**Cherise Khaund**) Moved, Member (**Debra Mason**) Seconded to approve the **ORIGINAL** motion 'Move to Approve the Side Letter with Teamsters, effective February 1, 2023, regarding Landscape Department Job Descriptions (Grounds Worker I, Grounds Worker II, Grounds Worker III, Irrigation Technician and Grounds Senior Leadworker), Salary Schedule Changes, and Abolishment of the positions of Groundskeeper, Grounds Equipment Operator, Groundskeeper/Gardener, Medium Equipment Operator, Sprinkler Maintenance Technician and Senior Grounds Leadworker after all affected employees have been moved into the new job title positions'. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **0**. The motion **Carried. 4 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Keisha Nzewi Yes

18.3 Review Proposed Course of Study for 7th and 8th Grade Accelerated Spanish

7th, 8th grade Accelerated Spanish Course of Study COS 7th, 8th grade Accelerated Spanish pdf

7th and 8th grade Accelerated Spanish courses were designed to continue building biliteracy and bilingualism for students who have completed 6th grade Accelerated Spanish at Oak Grove, Riverview, Foothill and Holbrook Language Academy. Teachers, TOSAs and administrators collaborated to create these courses for the continuation of studies. Students enrolled in these classes will be strong candidates for the SEAL of Biliteracy.

Recommendation: Informational only

18.4 Review and Potential Approval to Restore Prior Board Policy (BP) and Academic Regulation (AR) 5116.1 Intradistrict Open Enrollment

AR 5116.1 Board Approved October 12, 2020 BP 5116.1 Board Approved October 12, 2020 Staff has partnered with California School Board Association (CSBA) to review all Board Policy (BP) and Administrative Regulations (AR). This policy review was done with the intention of bringing the policies and regulations to an updated legal baseline, understanding there may be further adjustments to be made. At the request of the board, staff is presenting the previously approved versions of BP and AR 5116.1 for restoration to the policy manual.

Recommendation: Move to approve the restoration of BP and AR 5116.1 to the October 12, 2020, Board approved version.

ORIGINAL - Motion

Member (**Linda Mayo**) Moved, Member (**Cherise Khaund**) Seconded to approve the **ORIGINAL** motion 'Move to approve the restoration of BP and AR 5116.1 to the October 12, 2020, Board approved version'. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **0**. The motion **Carried. 4 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Keisha Nzewi Yes

18.5 Review and Potential Approval of Update to Board Policy (BP) 5141.21 Administering Medications and Monitoring Health Conditions

Staff has partnered with California School Board Association (CSBA) to review all Board Policy (BP) and Administrative Regulations (AR). This policy review was done with the intention of bringing the policies and regulations to an updated legal baseline, understanding there may be further adjustments to be made. At the request of the board, staff is presenting an updated version of BP 5141.21 for review and approval.

Recommendation: Move to approve the revised version of BP 5141.21

ORIGINAL - Motion

Member (**Cherise Khaund**) Moved, Member (**Linda Mayo**) Seconded to approve the **ORIGINAL** motion 'Move to approve the revised version of BP 5141.21'. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **0**. The motion **Carried. 4 - 0**

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

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

21.1 Future Agenda Items

Future agenda items may be discussed at this time.

Recommendation: Information.

22.0 Adjournment

The president adjourned the meeting at 8:19 pm

22.1 Adjourn Meeting

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

Recommendation: Adjourn the meeting.