

## Approved - Board Meeting Minutes

### REGULAR MEETING OF THE BOARD OF EDUCATION MT. DIABLO UNIFIED SCHOOL DISTRICT Wednesday, August 28, 2024 (6:00 PM)

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#### ROLL CALL

Debra Mason  
Linda Mayo  
Cherise Khaund  
Erin McFerrin  
Keisha Nzewi

#### 1.0 Call to Order

President McFerrin called the meeting to order at 5:01pm

##### 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. Speakers must submit a Speaker's Card to the Board secretary. The Board President will call each speaker to the podium as appropriate. 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 (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, Samantha Allen, 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 (Government Code Sec. 54957(b)(1))**

**Recommendation:** Information/action.

**3.3 Conference with Legal Counsel-Anticipated Litigation**

Special Education Alternative Dispute Resolution Mediation Budget The Board will meet in closed session to discuss the following matter(s): CONFERENCE WITH LEGAL COUNSEL - Anticipated Litigation (Government Code § 54956.9(b)): Student BV v. MDUSD

**Recommendation:** N/A

**3.4 Conference with Legal Counsel Regarding Anticipated Litigation. Significant exposure to litigation pursuant to Government Code § 54956.9(d)(2) or (3): There is one potential matter. Initiation of litigation pursuant to Government Code § 54956.9(d)(4): The Governing Board is deciding whether to initiate litigation on one matter.**

**Recommendation:** N/A

**3.5 Confidential Student Matter (20 U.S.C. § 1232g; Education Code §§ 35146 & 49060 et seq.)**

**Recommendation:** N/A

**4.0 Adjourn to Closed Session**

The meeting was adjourned to closed session at 5:02pm

**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 6:03pm

**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 August 14, 2024

Draft Board Meeting Minutes August 14, 2024

Minutes have been prepared for the board meeting on August 14, 2024 and are presented for review and approval.

**Recommendation:** Move to approve the minutes for the Regular Board Meeting held August 14, 2024.

### **ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Cherise Khaund)** Seconded to approve the **ORIGINAL** motion 'Move to approve the minutes for the Regular Board Meeting held August 14, 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 **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **AMENDED** motion 'Move to approve the agenda pulling item 11.1'. 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 (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, Samantha Allen, 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 (Government Code Sec. 54957(b)(1))**

**Recommendation:** Information/action.

In closed session by a vote of 5-0 the Board took action to approve the resignation of one employee per the separation agreement.

### **7.3 Conference with Legal Counsel-Anticipated Litigation**

Special Education Alternative Dispute Resolution Mediation Budget The Board will meet in closed session to discuss the following matter(s): CONFERENCE WITH LEGAL COUNSEL - Anticipated Litigation (Government Code § 54956.9(b)): Student BV v. MDUSD

**Recommendation:** N/A

The Board approved the settlement agreement as presented.

**7.4 Conference with Legal Counsel Regarding Anticipated Litigation. Significant exposure to litigation pursuant to Government Code § 54956.9(d)(2) or (3): There is one potential matter. Initiation of litigation pursuant to Government Code § 54956.9(d)(4): The Governing Board is deciding whether to initiate litigation on one matter.**

**Recommendation:** N/A

The Board received information.

**7.5 Confidential Student Matter (20 U.S.C. § 1232g; Education Code §§ 35146 & 49060 et seq.)**

**Recommendation:** N/A

The Board received information.

## **8.0 Public Comment**

**8.1 Public Comment: The Public May Address the Board Regarding any Item Not on the Agenda. Public Comment Will Also be Allowed on Each Specific Agenda Item Prior to Board Action Thereon.**

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. Speakers must submit a Speaker's Card to the Board secretary. The Board President will call each speaker to the podium as appropriate. 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. Public Comment will also be allowed on each specific agenda item prior to board action thereon.

**Recommendation:** Listen to Public Comment.

There were no public comments

## **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.

There was one comment.

## **10.0 Recognitions and Resolutions**

**10.1 Review and Potential Approval of Resolution 24/25-1 in Recognition of Suicide Prevention Month**

Suicide is a serious public health problem that affects people of all ages. Each year, nearly 50,000 Americans take their own lives. It is one of the leading causes of death in children ages 10-14, suicide is preventable.

**Recommendation:** Move to approve Resolution 24/25-1 declaring September 2024 Suicide Prevention Month in Mt. Diablo Unified School District.

**ORIGINAL - Motion**

Member (**Cherise Khaund**) Moved, Member (**Linda Mayo**) Seconded to approve the **ORIGINAL** motion 'Move to approve Resolution 24/25-1 declaring September 2024 Suicide Prevention Month in Mt. Diablo Unified School District'. 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 24/25-2 in Recognition of Deaf Awareness Month, International Week of Deaf People September 23-29, 2024, and International Day of Sign Languages September 23, 2024**

September is Deaf Awareness Month, a time to celebrate the rich cultural history of the Deaf community, and continue the work of advocating for the rights of Deaf people everywhere. The purpose is to create a stronger community of learners and to understand that being deaf and hard of hearing is not a handicap or disability. Rather we are all capable and intelligent individuals that have multiple ways in which we communicate. International Week of the Deaf People (IWDP) September 23-29, 2024 is celebrated throughout the world. These activities and events welcome the participation of all members of deaf communities, which include families of deaf people, professional and accredited sign language interpreters, peers, as well as the involvement of various stakeholders such as national governments, national and international human rights organizations, and Organizations of Persons with Disabilities. The UN General Assembly has proclaimed September 23, 2024 as the International Day of Sign Language in order to raise awareness of the importance of sign language in the full realization of the human rights of people who are deaf.

**Recommendation:** Move to approve Resolution 24/25-2 Deaf Awareness Month, International Week of Deaf People, and International Day of Sign Languages

**ORIGINAL - Motion**

Member (**Keisha Nzewi**) Moved, Member (**Cherise Khaund**) Seconded to approve the **ORIGINAL** motion 'Move to approve Resolution 24/25-2 Deaf Awareness Month, International Week of Deaf People, and International Day of Sign Languages'. 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 24/25-8 in Recognition of Attendance Awareness Month**

Resolution 24/25-8 Attendance Awareness Month

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

**Recommendation:** Move to approve Resolution 24/25-8 recognizing September as Attendance Awareness Month.

**ORIGINAL - Motion**

Member (**Debra Mason**) Moved, Member (**Linda Mayo**) Seconded to approve the **ORIGINAL** motion 'Move to approve Resolution 24/25-8 recognizing September as

Attendance Awareness 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

#### **10.4 Review and Potential Approval of Resolution 24/25-11 Proclaiming September 15, 2024 - October 15, 2024 as Hispanic Heritage Month**

The California State Board of Education recognizes in its Multicultural Education Policy that each student needs an opportunity to understand all people. Mt. Diablo Unified School District proclaims September 15, 2024 through October 15, 2024 as Hispanic Heritage Month.

**Recommendation:** Move to approve Resolution 24/25 (11) proclaiming September 15, 2024 through October 15, 2024 as Hispanic Heritage Month.

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

Member **(Linda Mayo)** Moved, Member **(Keisha Nzewi)** Seconded to approve the **ORIGINAL** motion 'Move to approve Resolution 24/25 (11) proclaiming September 15, 2024 through October 15, 2024 as Hispanic Heritage 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

### **11.0 Public Employee Appointment**

#### **11.1 (PULLED DURING APPROVAL OF AGENDA) Review and Potential Approval of Certificated Personnel Appointment: Vice Principal at College Park High School**

Interviews were conducted and a candidate has been selected to fill the position of Vice Principal at College Park High School for the 2024-2025 school year.

**Recommendation:** ~~Move to approve the appointment of Vice Principal at College Park High School.~~ Item was pulled.

### **12.0 Reports/Information**

#### **12.1 Annual Report by the 2018 Measure J Citizens Bond Oversight Committee**

Education Code Section 15280(b) requires that the 2018 Measure J Citizens Bond Oversight Committee must at least annually provide a report of its activities. A report on committee activities for 2022-2023 fiscal year will be presented. Presented by Committee Chair, Ms. Gina Haynes

**Recommendation:** Receive Annual Report by the 2018 Measure J Citizens Bond Oversight Committee

#### **12.2 Annual Report by the 2010 Measure C Citizens Bond Oversight Committee**

Measure C CBOC Report to BOE FY2022-2023

Education Code Section 15280(b) requires that the 2010 Measure C Citizens Bond Oversight Committee must at least annually provide a report of its activities. A report on committee activities for 2022-2023 fiscal year will be presented. Presented by Committee Chair, Mr. John Ferrante

**Recommendation:** Receive Annual Report by the 2010 Measure C Citizens Bond Oversight Committee

## 13.0 Board Member Reports

### 13.1 Board Member Reports

Board Members may choose to report out their activities.

**Recommendation:** Information.

## 14.0 Superintendent 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 (**Cherise Khaund**) Moved, Member (**Debra Mason**) 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

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

List of certificated hires, leave of absences, resignations, and retirements

See attached for detailed list of certificated hires, leave of absences, resignations, and retirements.

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

#### **ORIGINAL - Motion**

Member (**Cherise Khaund**) Moved, Member (**Debra Mason**) 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: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Erin McFerrin 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 (**Cherise Khaund**) Moved, Member (**Debra Mason**) 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

#### **15.4 Review and Potential Approval of the Independent Service Contract between Mt. Diablo Unified School District and Active Education for Services at Fair Oaks Elementary School for the 2024-25 School Year**

Fair Oaks Elementary would like to renew their contract with Active Education for the upcoming school year. This program provides a structured activity program which encompasses fun and healthy activities with an emphasis on social and emotional learning and PBIS Best Practices. The curriculum has been designed using evidence based research and data in alignment with CASEL's Core Competency Framework. The program provides character development to students through a combination of activities and monthly character education focuses.

**Recommendation:** Move to approve the Independent Services Contract between Mt. Diablo Unified School District and Active Education for services at Fair Oaks Elementary for the 24.25 school year.

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

Member (**Cherise Khaund**) Moved, Member (**Debra Mason**) Seconded to approve the **ORIGINAL** motion 'Move to approve the Independent Services Contract between Mt. Diablo Unified School District and Active Education for services at Fair Oaks Elementary for the 24.25 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

#### **15.5 Review and Potential Approval of an Overnight Field Trip for Northgate High School's Varsity Dance and Cheer Team.**

Northgate High School is requesting approval for their Varsity Dance and Cheer Team to travel on an overnight field trip to support the Northgate Broncos Varsity Football team as they play at La Playa Stadium at Santa Barbara City College. The overnight field trip will take place on September 13 and 14, 2024 in Santa Barbara, CA. Students and chaperones will travel by car and will stay at local hotels.

**Recommendation:** Move to approve the overnight field trip for Northgate High School's Cheer and Dance Varsity team.

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

Member (**Cherise Khaund**) Moved, Member (**Debra Mason**) Seconded to approve the **ORIGINAL** motion 'Move to approve the overnight field trip for Northgate High School's Cheer and Dance Varsity 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

#### **15.6 Review and Potential Approval of ESGI Software Licenses for the 2024-25 School Year**



To continue to target several areas of improvement, Educational Services is presenting a contract for ESGI to address the assessment and monitoring needs of students in grades TK and K. The licenses will support the standardized use of data to drive cycles of improvement throughout the District, holding itself accountable to the improvement of student outcomes, particularly for Foster Youth, African American students, and students experiencing homelessness. These licenses will support multiple measures to address consistent use and understanding of student progress data across the district. Principal and site leadership teams will use common data analysis protocols to monitor student success in literacy and math in grades TK and K which will be shared with the Board as a performance metric on a regular basis.

**Recommendation:** Move to Approve the annual contract with ESGI software licenses for 2024-2025.

**ORIGINAL - Motion**

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to Approve the annual contract with ESGI software licenses for 2024-2025'. 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

**15.7 Review and Potential Approval of Resolution 24/25-7 in Support of Fentanyl Prevention and Awareness Day August 21, 2024**

This resolution was brought to the board on August 14, 2024 as "info" in error and is being brought back for formal approval. The resolution was circulated to school sites in advance of the August 21st date.

**Recommendation:** Move to approve Resolution 24/25-7 in Support of Fentanyl Prevention and Awareness Day August 21, 2024.

**ORIGINAL - Motion**

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve Resolution 24/25-7 in Support of Fentanyl Prevention and Awareness Day August 21, 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

**15.8 Review and Potential Approval of the Independent Service Contract between Mt. Diablo Unified School District and Active Education for Services at Pleasant Hill Elementary School for the 2024-25 School Year**

Pleasant Hill Elementary would like to renew their contract with Active Education for the 2024-2025 school year. This program provides a structured activity program with encompasses fun and healthy activities with an emphasis on social and emotional learning and PBIS Best Practices. The curriculum has been designed using evidence based research and data in alignment with CASEL's Core Competency Framework. The program provides character development to students through a combination of activities and monthly character education focuses.

**Recommendation:** Move to approve the Independent Services Contract between Mt. Diablo Unified School District and Active Education for services at Pleasant Hill Elementary School for the 2024-2025 school year.

**ORIGINAL - Motion**

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the Independent Services Contract between Mt. Diablo

Unified School District and Active Education for services at Pleasant Hill Elementary School for the 2024-2025 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

### **15.9 Review and Potential Approval of the Memorandum of Understanding Between Mt. Diablo Unified School District and San Joaquin Delta College**

San Joaquin Delta College is requesting to enter into a Memorandum of Understanding with Mt. Diablo Unified School District to assist in the placement of Speech Language Pathology Assistant Students who are working towards earning hours to obtain their Speech Language Pathology, Audiology and Hearing Aid Dispensers Licensing. This agreement will be for five years from September 1, 2024 through August 31, 2029.

**Recommendation:** Move to approve the Memorandum of Understanding Between Mt. Diablo Unified School District and San Joaquin Delta College.

#### **ORIGINAL - Motion**

Member (**Cherise Khaund**) Moved, Member (**Debra Mason**) Seconded to approve the **ORIGINAL** motion 'Move to approve the Memorandum of Understanding Between Mt. Diablo Unified School District and San Joaquin Delta College'. 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

### **15.10 Review and Potential Approval of New Job Description for Expanded Learning Assistant Coordinator**

Proposed New Job Description

Staff seeks to create a classified Expanded Learning Program Assistant Coordinator position to support school and program based expanded learning programs for youth in Mt. Diablo Unified School District (MDUSD). The assistant program coordinator position would be a DMA position. Expanded learning programs take place during the school year, intersession (school breaks), and summer. The program coordinator position will support MDUSD's high school, garden, nutrition, and enrichment programs in preparing students for college and career.

**Recommendation:** Move to approve new job description for Expanded Learning Assistant Coordinator.

#### **ORIGINAL - Motion**

Member (**Cherise Khaund**) Moved, Member (**Debra Mason**) Seconded to approve the **ORIGINAL** motion 'Move to approve new job description for Expanded Learning Assistant Coordinator'. 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

### **15.11 Review and Potential Approval of New Job Description for Expanding Learning Program Coordinator**

New Job Description

Staff seeks to create a classified Expanded Learning Program Coordinator position to support school and program based expanded learning programs for youth in Mt. Diablo Unified

School District (MDUSD). The program coordinator position would be a DMA position. Expanded learning programs take place during the school year, intersession (school breaks), and summer. The program coordinator position will support MDUSD's high school, garden, nutrition, and enrichment programs in preparing students for college and career.

**Recommendation:** Move to approve new job description for Expanding Learning Program Coordinator.

**ORIGINAL - Motion**

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve new job description for Expanding Learning Program Coordinator'. 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

**15.12 Review and Potential Approval of New Job Description for Legal Division Confidential Analyst**

New Job Description

This position is needed in the Legal Department to provide comprehensive administrative and operational support to the General Counsel. The role will manage the Department's budget, handle legal and public records requests, and oversee special projects and programs. Additionally, the position supports the Civil Rights Officer/Title IX Coordinator with complex tasks, such as complaint intake and procedural compliance. Overall, this position helps maintain the Department's effectiveness, ensuring legal and administrative processes are handled accurately, timely, and within budget.

**Recommendation:** Move to approve new job description for Legal Division Confidential Analyst.

**ORIGINAL - Motion**

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve new job description for Legal Division Confidential Analyst'. 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) Fiscal**

**15.13 Review and Potential Approval of the Fiscal Transactions for the Months of June and July 2024.**

Detail Warrants June 2024 Warrant Cancellations June 2024 Detail Warrants July 2024 Warrant Cancellations July 2024

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

**Recommendation:** Move to approve fiscal transactions for the months of June and July 2024.

**ORIGINAL - Motion**

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve fiscal transactions for the months of June and July 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

## B) Maintenance and Operations

### 15.14 Review and Potential Ratification of Award for Summer Projects per Board Resolution 23/24-78

Summer Resolution Ratification 8.28.24 Back Up Docs

At the June 26, 2024 meeting, the Board of Education authorized Resolution No. 23/24-78 for the timely award of Summer Projects. The below project(s) was completed under this resolution. Fencing Improvements at Fair Oaks Elementary Soft Surface Playground Replacement at Multiple Schools Air Conditioning Install at CHS Auto Shop Classrooms Gym Floor Resurfacing at Multiple Schools Furniture Purchase for MDHS Art Building

**Recommendation:** Move to approve the ratification of the award for summer projects per board Resolution 23/24-78/

#### **ORIGINAL - Motion**

Member (**Cherise Khaund**) Moved, Member (**Debra Mason**) Seconded to approve the **ORIGINAL** motion 'Move to approve the ratification of the award for summer projects per board Resolution 23/24-78/'. 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) Purchasing

### 15.15 Review and Potential Ratification of Contracts and Amendments to Contracts Under \$25,000 for August 1-16, 2024.

- Sixteen (16) Contracts and Amendments from August 1-16, 2024 under \$25,000 - Purchase Order ("PO") Summary Report for all Contracts from August 1-16, 2024

This item seeks Board ratification of the attached contracts. Pursuant to Board Policy 3312, Contracts, the Board has delegated to the Superintendent or their designee the authority to enter into contracts on behalf of the District, not to exceed the amounts specified in Public Contract Code § 20111 except as otherwise provided by law. Contracts entered into by delegated authority must be ratified by the Board of Education at an open session meeting of the Board within 60 days of the date the contract was approved by delegated authority. (Education Code § 17604; Public Contract Code § 20111). The attached contracts comply with Board Policy 3312.

**Recommendation:** Move to ratify sixteen (16) and Amendments under \$25,000 for August 1-16, 2024

#### **ORIGINAL - Motion**

Member (**Cherise Khaund**) Moved, Member (**Debra Mason**) Seconded to approve the **ORIGINAL** motion 'Move to ratify sixteen (16) and Amendments under \$25,000 for August 1-16, 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

**15.16 Review and Potential Award of the Informal Paper Request for Quote for Purchase Requisition No. R143771: High Speed Copy Paper for the Supply Warehouse and for District-Wide Use**

Summary of Request for Quotes Top 3 Responses to Request for Quotes

Mt. Diablo Unified School District issued an informal Request for Quotation (RFQ) for to purchase 1,680 cases of high speed copy paper for the Purchasing Warehouse supply inventory and for district-wide use. Eight quotes were received for the Purchase Requisition, #R143771. The lowest responsive, responsible quote received is from Liberty Paper, in the amount of \$29.12 per case for a total of \$53,691.46 all taxes included.

**Recommendation:** Move to approve the purchase of copy paper Request for Quotation for PR# R143771: High Speed Copy Paper for the Supply Warehouse and for District-Wide Use to Liberty Paper

**ORIGINAL - Motion**

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the purchase of copy paper Request for Quotation for PR# R143771: High Speed Copy Paper for the Supply Warehouse and for District-Wide Use to Liberty Paper'. 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) Special Education and Student Services**

**15.17 Review and Potential Approval of Amendment to Increase Master Contract with Building Connections Academy for the 2024/25 School Year**

Building Connections Academy is a California certified non-public school located in Concord, CA. Requested funds are to cover anticipated student placements for the 2024/25 school year. Services are provided according to the terms of students' individualized educational programs and individual service agreements.

**Recommendation:** Move to approve amendment to increase the master contract with Building Connections Academy for the 2024/25 school year as presented.

**ORIGINAL - Motion**

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve amendment to increase the master contract with Building Connections Academy for the 2024/25 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

**15.18 Review and Potential Approval of the 2023-2024 Contract Amendment between Mt. Diablo Unified School District and Child's Play Therapy Services**

Independent Service Agreement, Insurance and Amendment

Child's Play Therapy Services is a non-public agency (NPA) that provides Speech-Language Pathologists and Occupational Therapists 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. Child's Play Therapy Services is a company that is utilized to provide

these services to ensure that all of our needed services are covered for the 2024-2025 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 contact increase and total amount of \$86,441.25 between Mt. Diablo Unified School District and Child's Play Therapy Services

**ORIGINAL - Motion**

Member (**Cherise Khaund**) Moved, Member (**Debra Mason**) Seconded to approve the **ORIGINAL** motion 'Move to approve the contact increase and total amount of \$86,441.25 between Mt. Diablo Unified School District and Child's Play Therapy 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

**15.19 Review and Potential Approval of the Independent Service Contract between Mt. Diablo Unified School District and The Regents of the University of California on behalf of the Herbert Wertheim School of Optometry and Vision Science.**

Independent Service Contract

The UC Berkeley School of Optometry will provide vision screening to Mt. Diablo Unified School District Kindergarten, 2nd grade and selected pre-school and special education students for the 2024-2025 school year.

**Recommendation:** Move to ratify the Independent Service Contract between Mt. Diablo Unified School District and the Regents of the University of California on behalf of the Herbert Wertheim School of Optometry and Vision Science.

**ORIGINAL - Motion**

Member (**Cherise Khaund**) Moved, Member (**Debra Mason**) Seconded to approve the **ORIGINAL** motion 'Move to ratify the Independent Service Contract between Mt. Diablo Unified School District and the Regents of the University of California on behalf of the Herbert Wertheim School of Optometry and Vision Science'. 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

**15.20 Review and Potential Approval of the Amendment to the 2024-2025 All Staff, Non-Public Agency Contract**

Amendment 1, Master Contract and Insurance

24/7 Allstaff is a non-public agency (NPA) that provides registered behavior technicians, behavior therapists, licensed vocational nurses, health aides, and Paraprofessionals for school-based services that are identified on Individual Education Plans (IEPs) and Section 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. 24/7 Medstaff is a company that is utilized to provide these services to ensure that all of our needed services are covered for the 2024-2025 school year. Mt. Diablo Unified School District Human Resources, Student Services and Special Education continue to recruit and hire district employees.

**Recommendation:** Move to approve the contract increase of \$76,000.00 between Mt. Diablo Unified School District and 24/7 Allstaff.

**ORIGINAL - Motion**

Member (**Cherise Khaund**) Moved, Member (**Debra Mason**) Seconded to approve the **ORIGINAL** motion 'Move to approve the contract increase of \$76,000.00 between Mt.

Diablo Unified School District and 24/7 Allstaff'. 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

### **15.21 Review and Potential Approval of Increase to Master Contract with Alpine Academy for the 2024/25 School Year**

Alpine Academy is a California certified therapeutic residential non-public school located in Erda, Utah. Requested funds are to cover program and services for one student placement for the 2024/25 school year. Services are provided according to the terms of an individualized educational program and individual service agreement.

**Recommendation:** Move to approve amendment to increase master contract with Alpine Academy for the 2024/25 school year as presented.

#### **ORIGINAL - Motion**

Member (**Cherise Khaund**) Moved, Member (**Debra Mason**) Seconded to approve the **ORIGINAL** motion 'Move to approve amendment to increase master contract with Alpine Academy for the 2024/25 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

### **15.22 Review and Potential Approval of 2024-2025 School Year Contract between Mt. Diablo Unified School District and Ensemble Therapy**

Master Contract, Amendment #1 and Insurance

Ensemble Therapy is a non-public agency (NPA) that provides Behavior Therapists 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. Ensemble Therapy is a company that is utilized to provide these services to ensure that all of our needed services are covered for the 2024-2025 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 amended contract between Mt. Diablo Unified School District and Ensemble Therapy for a total of \$224,000.00

#### **ORIGINAL - Motion**

Member (**Cherise Khaund**) Moved, Member (**Debra Mason**) Seconded to approve the **ORIGINAL** motion 'Move to approve the amended contract between Mt. Diablo Unified School District and Ensemble Therapy for a total of \$224,000.00'. 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

## **E) Transportation**

**15.23 Review and Potential Approval of the Independent Service Contract for Supplemental Student Transportation with HopSkipDrive, Inc. for July 1, 2024 – September 30, 2024.**

HOPSkipDrive, Inc. (Contractor) will furnish the District with the required number of appropriately licensed/permitted vehicles, administrative and support staff, facilities, special equipment and supplies for transporting special education students to and from school sites within surrounding areas, at such time and places as assigned by the District. The contractor will also provide transportation to and from student related services and other school activities as specified in student IEP. This is a month-to-month independent service contract issued to HopSkipDrive for the period of July 1, 2024 - September 30, 2024.

**Recommendation:** Move to approve the Special Education Individualized Education Program student transportation independent service contract, with HopSkipDrive, Inc for July 1, 2024 through September 30, 2024.

**ORIGINAL - Motion**

Member (**Cherise Khaund**) Moved, Member (**Debra Mason**) Seconded to approve the **ORIGINAL** motion 'Move to approve the Special Education Individualized Education Program student transportation independent service contract, with HopSkipDrive, Inc for July 1, 2024 through September 30, 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

**16.0 Consent Item Pulled for Discussion**

**17.0 Consent Item Pulled by Staff**

**18.0 Business/Action Items**

**18.1 Hold a Public Hearing on Developer Fee Justification Study Report and Adopt Resolution 24/25-12, Approving and Adopting Report and Increasing the Statutory Fees ("Level I Developer Fees") on Residential and Commercial/Industrial Development**

RESOLUTION 24/25-12 MDUSD Developer Study

On January 24, 2024, the State Allocation Board approved an increase to Level 1 developer fees for school districts. The fee increased to \$5.17 per square foot for residential properties and to \$0.84 per square foot for commercial properties. The government code states that before fees can be levied, a justification study needs to be conducted to determine the need for the fee. King Consulting has completed the justification study. The completed study shows justification for our District to increase our Level 1 developer fees to the amounts stated above. There is a resolution before the Board that will enforce the new charges per square foot of \$5.17 for residential and \$0.84 for commercial. After the resolution is signed by the Board, there will be a 60-day waiting period before the District can start charging these fees.

**Recommendation:** Adopt Resolution No. 24/25-12, Approving and Adopting Report and Increasing the Statutory Fees ("Level I Developer Fees") on Residential and Commercial/Industrial Development

A Public Hearing was opened at 6:52pm and closed at 6:55pm. There were no comments.



**ORIGINAL - Motion**

Member **(Linda Mayo)** Moved, Member **(Keisha Nzewi)** Seconded to approve the **ORIGINAL** motion 'Adopt Resolution No. 24/25-12, Approving and Adopting Report and Increasing the Statutory Fees ("Level I Developer Fees") on Residential and Commercial/Industrial Development'. 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

**18.2 Review and Potential Approval of the Revised 2024-2027 Local Control Accountability Plan (LCAP)**

After a review of the District's 2024-2027 Local Control Accountability Plan (LCAP) by the Contra Costa County Office of Education, the County Office is recommending revisions to several metrics, expenditure narratives, and budget tables based on recently released CA Dashboard data and adjustments to the Local Control Funding Formula approved in the state budget. Recommended revisions to the document have been highlighted.

**Recommendation:** Move to approve revised 2024-2027 Local Control Accountability Plan (LCAP).

**ORIGINAL - Motion**

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve revised 2024-2027 Local Control Accountability Plan (LCAP)'. 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

**18.3 Review and Potential Approval of Updated Salary Schedule for Diablo Managers Association (DMA)**

In order to ensure continuous service and support for secondary level sites with after school activities, the DMA salary schedule has been changed to reflect two new job descriptions at the bottom ranges of 1 and 2 to allow MDUSD to hire up to seven staff members directly (instead of using outside contractors for our secondary sites).

**Recommendation:** Staff recommends the approval of the Updated Salary Schedule for Diablo Managers Association (DMA)

**ORIGINAL - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Staff recommends the approval of the Updated Salary Schedule for Diablo Managers Association (DMA)'. 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

**18.4 Review and Potential Approval of Changes to Board Policies and Administrative Regulations per California School Board Association (CSBA) Recommendations - March 2024 Quarterly Update**

BP 0450 Comprehensive Safety Plan AR 0450 Comprehensive Safety Plan BP 0470 COVID-19 Mitigation Plan - Approved 6/12/2024 BP 3516 Emergencies and Disaster Preparedness Plan

AR 3516 Emergencies and Disaster Preparedness Plan BP 3550 Food Service/Child Nutrition Program - Approved 8/14/2024 AR 3550 Food Service/Child Nutrition Program - Approved 8/14/2024 BP 3551 Food Service/Child Nutrition Program - Approved 8/14/2024 AR 3551 Food Service/Child Nutrition Program - Approved 8/14/2024 BP 3553 Free and Reduced Price Meals - Approved 8/14/2024 AR 3553 Free and Reduced Price Meals - Approved 8/14/2024 BP 4111 Recruitment and Selection BP 4211 Recruitment and Selection BP 4311 Recruitment and Selection AR 4112.5 Criminal Record Check AR 4212.5 Criminal Record Check AR 4312.5 Criminal Record Check E(1) 4112.5 Criminal Record Check E(1) 4212.5 Criminal Record Check E(1) 4312.5 Criminal Record Check BP 4118 Dismissal/Suspension/Disciplinary Action AR 4118 Dismissal/Suspension/Disciplinary Action BP 4140 Bargaining Units BP 4240 Bargaining Units BP 4320 Bargaining Units BP 4157 Employee Safety BP 4257 Employee Safety BP 4357 Employee Safety AR 4157 Employee Safety AR 4257 Employee Safety AR 4357 Employee Safety AR 4157.1 Work-Related Injuries AR 4257.1 Work-Related Injuries AR 4357.1 Work-Related Injuries BP 4218 Dismissal/Suspension/Disciplinary Action AR 4218 Dismissal/Suspension/Disciplinary Action BP 5126 Awards for Achievement - Review 8/14/2024 AR 5126 Awards for Achievement - Review 8/14/2024 BP 5141.21 Administering Medication and Monitoring Health Conditions- Review 5/8/2024 BP 5144 Discipline - Approved 6/12/2024 AR 5144 Discipline - Approved 6/12/2024 BP 6115 Ceremonies and Observances- Approved 6/12/2024 AR 6115 Ceremonies and Observances- Approved 6/12/2024 BP 6141.2 Recognition of Religious Beliefs and Customs - Approved 6/12/2024 AR 6141.2 Recognition of Religious Beliefs and Customs - Approved 6/12/2024 BP 6175 Migrant Education Program- Approved 6/12/2024 AR 6175 Migrant Education Program- Approved 6/12/2024 BB 9320 Meetings and Notices - Approved 6/12/2024 BB 9323.2 Actions by the Board - Approved 6/12/2024 E(1) 9323.2 Actions by the Board - Approved 6/12/2024 E(2) 9323.2 Actions by the Board - Deletion Recommended-no such adopted exhibit - Approved 6/12/2024

CSBA provides school districts with a quarterly list of potential updates to review Board Policies (BP), Administrative Regulations (AR), Board Bylaws (BB) and Exhibits (E) for revision in order to adapt to state or federal code changes. BP 5126 and AR 5126, have been updated and were brought for review at the August 14, 2024 meeting. This BP and AR are being brought back at for approval. Work continues on the remaining policies.

**Recommendation:** Move to approve changes to Board Policy and Administrative Regulation 5126 Awards for Achievement

**ORIGINAL - Motion**

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve changes to Board Policy and Administrative Regulation 5126 Awards for Achievement'. 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

## 19.0 Meeting Extension

## 20.0 Closed Session (Carry Over)

### 20.1 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.

## 21.0 Reconvene Open Session

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

Report out action taken during closed session.

**Recommendation:** Information.

### **22.0 Future Agenda Items**

### **23.0 Adjournment**

President McFerrin adjourned the meeting at 7:05pm

#### **23.1 Adjourn Meeting**

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

**Recommendation:** Adjourn the meeting.