

**MINUTES**  
**REGULAR MEETING OF THE BOARD OF EDUCATION**  
**MT. DIABLO UNIFIED SCHOOL DISTRICT**  
**Wednesday, August 14, 2013 (7:30 p.m.)**

Board Members: Cheryl Hansen, Barbara Oaks, Brian Lawrence, Lynne Dennler, and Linda Mayo

Administrative Staff: Interim Superintendent John Bernard, Assistant Superintendent Julie Braun Martin, Assistant Superintendent Rose Lock, Assistant Superintendent Kerri Mills, Interim General Counsel Jayne Williams, and Chief Financial Officer Bryan Richards

**CALL TO ORDER**

The Meeting of the Board of Education of the Mt. Diablo Unified School District was called to order by Cheryl Hansen at 6:03 p.m. in the Board Room at the MDUSD Dent Center.

President Hansen conducted Roll Call with Ms. Hansen, Ms. Oaks, and Ms. Mayo present. Ms. Dennler is out of town with no phone or web connection. Mr. Lawrence is out of town and plans to return later in the meeting. President Hansen noted that there will be three Board members in Closed Session, which is a quorum.

**PUBLIC COMMENT**

Karen Anthony, Local One Business Agent, asked the Board to instruct the negotiating team to return to the bargaining table.

Guy Moore, MDEA President, asked the Board to instruct the negotiating team to comply with the spirit of good faith negotiations.

**ADJOURN TO CLOSED SESSION**

The Board adjourned to Closed Session at 6:15\* p.m.

**4.1 Negotiations - The Board may discuss negotiations or provide direction to its representatives regarding represented employees, pursuant to EERA (Govt. Code Section 3549.1) Agency negotiators: Julie Braun Martin and Deborah Cooksev. Agencies: MDEA, CSEA, Local One M&O, Local One CST, MDSPA, and Supervisory**

**4.2 Conference with Labor Negotiators pursuant to Govt. Code Section 54957.6 Designated District representatives: President Cheryl Hansen, Interim General Counsel Jayne Williams; Unrepresented employee: Superintendent**

**4.3 Public Employee Appointment pursuant to Govt. Code Section 54957 (b) (1): Superintendent**

**4.4 Anticipated Litigation - Conference with Legal Counsel regarding the initiation of litigation in one (1) matter pursuant to Govt. Code Section 54956.9 (c)**

**4.5 Potential litigation based on facts and circumstances (one matter) pursuant to Govt. Code Section 54956.9 (3) (c): Claim filed on behalf of J.Doe**

**RECONVENE OPEN SESSION**

Open Session reconvened at 7:42 p.m.

**PRELIMINARY BUSINESS**

President Hansen led the Pledge of Allegiance, and conducted Roll Call with all Board members present except Ms. Dennler.

**REPORT OUT ACTION TAKEN IN CLOSED SESSION**

In Closed Session, the Board gave direction to staff regarding negotiations. The Board had a conference with a labor negotiator regarding an unrepresented employee, and will return to Closed Session at the end of the meeting to resume this conference. The Board gave direction to staff on potential litigation, and no reportable action was taken on anticipated litigation.

## **CONSENT AGENDA**

Mayo moved, Oaks seconded, and the Board voted 4-0-1 via voice vote to approve the Consent Agenda as presented, thereby approving the following:

**8.1 (Item #1) 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.**

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

**8.3 (Item #3) Request to Increase and Decrease Full Time Equivalent (FTE) for the 2013-2014 School Year**

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

**8.5 (Item #5) Classified Personnel: Request to Increase Positions**

**8.6 (Item #6) Education Code 44258.2 – Board Authorizations**

Under Ed. Code 44258.2, holders of Single Subject or Secondary credentials who have 12 lower division units or six upper division units in a subject can be authorized, by Board Authorization, to teach that subject(s) in a middle school for the current school year.

**8.7 (Item #7) Approval of Variable Term Waiver Requests**

Variable term waivers provide applicants with additional time to complete certain requirements for the credential that authorizes the service. The waiver request is made when there is not a properly credentialed person available for the position. All requests for a Variable Term Waiver must be presented for approval to the governing board of a public school district. Every waiver request submitted to the Commission on Teacher Credentialing must include verification that a notice of intent to employ the named applicant in the identified position has been made public.

**8.8 (Item #8) IFAS Vendor Warrant Report and IFAS Vendor Warrant Cancellations Report for the Months of June and July 2013**

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

**8.9 (Item #9) Approve Adjustments to Special Education/Student Services Contracts for the 2012-13 School Year for Services Rendered**

Funds are requested to finalize purchase order adjustments for 2012-13 contracts in Special Education and Student Services. Please refer to the attached documentation for contracts, insurance, and a spreadsheet that details a breakdown of the costs.

**8.10 (Item #10) Resolution Rendering Local Ordinances Inapplicable: Northgate High School Aquatics Center Project**

At the May 21, 2012 Board of Education meeting, the Board approved facility enhancements for Northgate High School. As part of this greater approval the Board approved the New Sports Medicine Facility, New Restroom Building, and Pool, known as the Northgate Aquatics Center. Because the installation of the Aquatics Center will be inspected by the Department of the State Architect, staff requests that the Board adopt a resolution, pursuant to Government Code Section 53094(b), to render inapplicable the City of Walnut Creek zoning ordinances which would otherwise apply to the Northgate High School Aquatics Center project. Government Code section 53094(b) provides that a school district, by a vote of two-thirds of its members, may render city or county zoning ordinances inapplicable to a proposed use of property when such use is not for non-classroom facilities. The proposed Aquatics Center project will serve an important function in the instruction, educational and extra curricular activities of the students and staff thereby supporting the District's educational purpose and mission. Accordingly, the exemption permitted by Government Code section 53094(b) is appropriate for the proposed use.

**8.11 (Item #11) Resolution, Disposition of Surplus Property**

Education Code Section 17546 provides that the surplus personal property owned by the District may be disposed of at a private sale without advertising if the Board, by a unanimous vote by those Board members present, determine that the value of the surplus property is insufficient to defray the cost of arranging a sale. District staff have determined through

independent market research that each piece of equipment listed in Exhibit "A" is valued less than \$2,500 and is suitable for disposal at a private sale without advertising.

**8.12 (Item #12) Ratification of Award of Summer Contract**

At the June 17, 2013 Board of Education meeting, the Board authorized Resolution No. 12/13-48, for the timely award of the following contracts/projects:

Purchase Order #88670, to DecoTech, for computer equipment and software supplies for Diablo View Middle School in the amount of \$71,274.36.

Purchase Order #88677, to DecoTech, for computer equipment and software supplies for Riverview Middle School in the amount of \$71,274.36.

Purchase Order #88678, to DecoTech, for computer equipment and software supplies for Pine Hollow Middle School in the amount of \$71,274.36.

Purchase Order #88679, to DecoTech, for computer equipment and software supplies for El Dorado Middle School in the amount of \$71,274.36.

Pricing based on State of California Standards - HP WSCA/NASPO Contract #B27164.

Budget for this project is \$1,500,000.

**8.13 (Item #13) Ratification of Award of Summer Contracts**

At the June 17, 2013 Board of Education meeting, the Board authorized Resolution No. 12/13-48, for the timely award of the following contracts/projects:

Purchase Order #88898, to DecoTech Systems, for Security Cameras to support Technology Classroom Enhancements for El Dorado Middle School, Diablo View Middle School, Foothill Middle School, Oak Grove Middle School, Sequoia Middle School, and Valley View Middle School. Purchase Order amount of \$9,359.04. Funding Source: Measure C 2010 Classroom Enhancements/Technology.

Purchase Order #88688, to DecoTech Systems, for Security Cameras to support Technology Classroom Enhancements for 15 Elementary Schools. Purchase Order amount of \$28,105.13. Pricing based on MPA Contract #B27164/PA #B27164/CA. Funding Source: Measure C 2010 Classroom Enhancements/Technology.

Purchase Order #88687, to DecoTech Systems, for TIS Equipment to support Technology Classroom Enhancements. Purchase Order amount of \$2,624,881.91. Pricing based on MPA Contract #B27164/PA #B27164/CA. Funding Source: Measure C 2010 Technology Infrastructure.

Purchase Order #88796, to DecoTech Systems, for Surveillance System Upgrades for Clayton Valley Charter High School. Purchase Order amount of \$67,940.41. Funding Source: Measure C 2010 High School Enhancement.

Bid #1638 to the lowest responsible bidder, Life Fitness, for Weight Room Equipment at Clayton Valley Charter High School. Purchase Order amount \$100,727.01. Funding Source: Measure C 2010 High School Enhancement.

**8.14 (Item #14) Ratification of Award of Summer Contracts**

At the June 17, 2013 Board of Education meeting, the Board authorized Resolution No. 12/13-48 for the timely award of the following contracts/projects:

Purchase Order #88852, to Ironwood Specialties Inc., in the amount of \$24,990, for Exterior Stucco Repairs at Delta View Elementary. Funding Source: Proposition 55

Purchase Order #88685, to C A M Construction, Inc., in the amount of \$30,100, for Interior Remediation work at Delta View Elementary. Funding Source: Proposition 55

Purchase Order #88861, to C A M Construction, Inc., in the amount of \$24,221 for Door Replacements at Mt. Diablo High School. Funding Source: Measure C 2010 Classroom Enhancement.

Purchase Order #88692, to C A M Construction, Inc., in the amount of \$30,150 for Equipment Storage Door Upgrades including wall in-fill for El Dorado Middle School and Sequoia Middle School Testing Labs.

**8.15 (Item #15) Final Change Order for Bid #1618/Contract C-914 for Structured Cabling, Adding Ethernet Drops in Classrooms with Fiber Optic Backbone at Various School Sites**

On November 5, 2012, the Board of Education awarded Bid #1618 to Walker Communication, Inc. for \$1,094,141 for the provision of all tools, materials, labor and equipment necessary to provide Structured Cabling, Adding Ethernet Drops in Classrooms with Fiber Optic Backbone at College Park HS, Mt. Diablo HS, Oak Grove MS, Riverview MS, Northgate HS, Concord HS, Ygnacio Valley HS, Clayton Valley HS, Sequoia MS, El Dorado MS, Foothill MS, Loma Vista Adult Center, Diablo View MS, and Valley View MS. Due to additional scope for site use changes, unforeseen conditions and non-functioning portions of the existing backbone at multiple sites a final change order in the amount of \$63,676.88 is necessary. The single, final change order will result in a revised contract value of \$1,157,817.88.

**8.16 (Item #16) Notice of Completion for Bid #1618/C-914**

On November 5, 2012, the Board of Education awarded Bid #1618 to Walker Communication, Inc. for \$1,094,141 for the provision of all tools, materials, labor and equipment necessary to provide Structured Cabling, Adding Ethernet Drops in Classrooms with Fiber Optic Backbone at College Park HS, Mt. Diablo HS, Oak Grove MS, Riverview MS, Northgate HS, Concord HS, Ygnacio Valley HS, Clayton Valley HS, Sequoia MS, El Dorado MS, Foothill MS, Loma Vista Adult Center, Diablo View MS, and Valley View MS. Due to additional scope for site use changes, unforeseen conditions and non-functioning portions of the existing backbone at multiple sites a final additive change order in the amount of \$63,676.88 was necessary. Work and services for this project have been satisfactorily completed. The single, final change order will result in a revised contract value of \$1,157,817.88.

**8.17 (Item #17) Ratification of Award - Inspector of Record (Project Inspector) Contract**

The services of a State Certified Inspector of Record (Project Inspector) are required to oversee, inspect, and verify that the modernization of the S-Wing at Mt. Diablo High School is conducted in compliance with all DSA approved drawings, specifications and applicable codes and regulations. Pursuant to the June 17, 2013 'Resolution for Authorization to Award Summer Contracts', staff is recommending ratification of an award of a contract to Alisha Jenson Inspection Services for a 'not to exceed' fee of \$32,640 for the provision of said services.

**8.18 (Item #18) Independent Contract for The Event Group**

Ygnacio Valley High School is requesting approval of an independent service contract for The Event Group to provide planning services for their prom, to be held on May 17, 2014.

**8.19 (Item #19) Independent Contract for STAND! For Families Free of Violence**

Meadow Homes Elementary is requesting approval of an independent service contract for STAND! For Families Free of Violence to provide therapists and psychotherapy to students referred for service.

**8.20 (Item #20) 2013-14 Contract for Sierra Pacific Tours**

Sierra Pacific Tours will provide transportation for MDUSD students for fieldtrips and athletic events that MDUSD cannot provide. This contract will be on an as needed basis. The contract will be for \$60,000 and will be reimbursed by field trip and athletic funding.

**8.21 (Item #21) 2012 Contract 2012-13 for Michaels Transportation**

Michael's Transportation will provide transportation for MDUSD students for fieldtrips and athletic events that MDUSD can not provide. This will be on an as needed basis. The contract will be for \$120,000 and will be reimbursed by athletic groups and field trip revenue.

**8.22 (Item #22) Williams Quarterly Summary Report**

The Williams legislation is a package of state laws resulting from the settlement of class action lawsuit filed in San Francisco County Superior Court in 2000, Eliezer Williams et al, vs. State of California. The basis of the lawsuit was that agencies failed to provide public school students with equal access to instructional materials, safe and decent school facilities, and qualified teachers. The Contra Costa County Office of Education has requested quarterly reports on specific complaints designated in the Williams lawsuit settlement. Quarterly reports reflect complaints regarding textbooks and instructional materials, teacher vacancies or misassignments, facilities conditions and Valenzuela/CAHSEE support. This quarter's report includes the months of April through June 30, 2013.

**CONSENT ITEMS PULLED FOR DISCUSSION**

There were no Consent Items Pulled for Discussion.

#### **PUBLIC COMMENT**

John Ferrante voiced his concern over campus air conditioning units running in empty classrooms.

Dan Reynolds shared his hopes that the Board had a restful summer break, and stated that was not the case for everyone.

#### **DISTRICT ORGANIZATIONS**

There were no District Organization speakers.

#### **REPORTS/INFORMATION**

There were no Reports/Information presented.

#### **BUSINESS/ACTION ITEMS**

##### **13.1 Appointment of Principal, Elementary School**

Interviews have been conducted, and Jose Espinoza has been selected to fill the vacant position of Principal, Cambridge Elementary School. The incumbent in this position has taken another position within the District.

Mayo moved, Oaks seconded, and the Board voted 4-0-1 via voice vote to approve the appointment of Jose Espinoza to the position of Principal, Cambridge Elementary School.

##### **13.2 Appointment of Vice Principal, High School**

Interviews have been conducted, and Akilah Byrd has been selected to fill the vacant position of Vice Principal, Mt. Diablo High School. The incumbent in this position has accepted another position outside the District.

Oaks moved, Mayo seconded, and the Board voted 4-0-1 via voice vote to approve the appointment of Akilah Byrd to the position of Vice Principal, Mt. Diablo High School.

##### **13.3 Appointment of Vice Principal, High School**

Interviews have been conducted, and Christopher Beischel has been selected to fill the vacant position of Vice Principal, Mt. Diablo High School. The incumbent in this position has left the District.

Mayo moved, Oaks seconded, and the Board voted 4-0-1 via voice vote to approve the appointment of Christopher Beischel to the position of Vice Principal, Mt. Diablo High School.

##### **13.4 Appointment of Vice Principal, Middle School**

Interviews have been conducted, and Jane Abell has been selected to fill the vacant position of Vice Principal, Pleasant Hill Middle School. The incumbent in this position has taken another position within the District.

Oaks moved, Mayo seconded, and the Board voted 4-0-1 to approve the appointment of Jane Abell to the position of Vice Principal, Pleasant Hill Middle School.

##### **13.5 Appointment of Administrator, Equity and Disproportionality**

Interviews have been conducted, and Jonathan Roselin has been selected to fill the new position of Administrator, Equity and Disproportionality. This is a new position in the District.

Mayo moved, Oaks seconded, and the Board voted 4-0-1 to approve the appointment of Jonathan Roselin to the position of Administrator, Equity and Disproportionality.

##### **13.6 Appointment of Program Specialist, Categorical Programs, Site Based**

Interviews have been conducted, and Jennifer Molino has been selected to fill the vacant position of Program Specialist, Categorical Programs, Site Based at El Monte Elementary School. The incumbent in this position has taken another position within the District.

Oaks moved, Mayo seconded, and the Board voted 4-0-1 to approve the appointment of Jennifer Molino to the position of Program Specialist, Categorical Programs, Site Based at El Monte Elementary School.

##### **13.7 Appointment of Program Specialist, Categorical Programs, Site Based**

Interviews have been conducted, and Margo Peckham has been selected to fill the vacant position of Program Specialist, Categorical Programs, Site Based at Meadow Homes Elementary School. This is a new position in the District.

Mayo moved, Oaks seconded, and the Board voted 4-0-1 to appoint Margo Peckham to the position of Program Specialist, Categorical Programs, Site Based at Meadow Homes Elementary School.

### **13.8 Appointment of Program Specialist, Special Education**

Interviews have been conducted, and Avriilo Moumoutjis has been selected to fill the vacant position of Program Specialist, Special Education. The incumbent in this position has taken another position outside the District.

Mayo moved, Oaks seconded, and the Board voted 4-0-1 to approve the appointment of Avriilo Moumoutjis to the position of Program Specialist, Special Education.

### **13.9 Appointment of Program Specialist, Special Education**

Interviews have been conducted, and Cynthia Remis has been selected to fill the vacant position of Program Specialist, Special Education. The incumbent in this position has left the District.

Oaks moved, Mayo seconded, and the Board voted 4-0-1 to appoint Cynthia Remis to the position of Program Specialist, Special Education.

### **13.10 Appointment of Coordinator, Student/Community Services 9-12**

Interviews have been conducted, and Heather Morelli has been selected to fill the vacant position of Coordinator, Student/Community Services 9-12 at Mt. Diablo High School. The incumbent in this position has taken another position outside the District.

Mayo moved, Oaks seconded, and the Board voted 4-0-1 to appoint Heather Morelli to the position of Coordinator, Student/Community Services 9-12 at Mt. Diablo High School.

### **13.11 Classified Personnel: Appointment of Assistant Construction Manager**

Interviews have been conducted, and Rhonda Abreu has been selected to fill the position of Assistant Construction Manager.

Mayo moved, Oaks seconded, and the Board voted 4-0-1 to appoint Rhonda Abreu to the position of Assistant Construction Manager.

### **13.12 Classified Personnel: Appointment of Educational Consultant/Behavior Management Specialist**

Interviews have been conducted, and Karen Miller has been selected to fill the position of Educational Consultant/Behavior Management Specialist.

Oaks moved, Mayo seconded, and the Board voted 4-0-1 to approve the appointment of Karen Miller to the position of Educational Consultant/Behavior Management Specialist.

### **13.13 Classified Personnel: Appointment of Interim Transportation Coordinator**

Interviews have been conducted, and Tom Bishop has been selected to fill the position of Interim Transportation Coordinator.

Mayo moved, Oaks seconded, and the Board voted 4-0-1 to appoint Tom Bishop to the position of Interim Transportation Coordinator.

### **13.14 Public Hearing and Adoption of Resolution Accepting Final Environmental Impact Report for the Ygnacio Valley High School Sports Field Lighting Project**

The District's consultant prepared and circulated a Draft Environmental Impact Report (EIR) pursuant to the provisions of the California Environmental Quality Act (CEQA). Public Resources Code Section 21000, et seq. (CEQA) for the proposed Ygnacio Valley High School Sports Field Lighting Project. An Initial Study/Environmental Checklist was included in the EIR. Public comments received during the public review period are addressed in the Responses to Comments document. Together, the Draft EIR and the Responses to Comments document comprise the Final EIR.

President Hansen opened the Public Hearing at 8:05 p.m.

Ken Goodreau expressed his concern that his neighborhood on the westernmost boundary of the EIR was left out of the plans and notifications. He reminded the Board that there is a human element to this project.

Cindy Walker voiced her concern over issues not addressed in the EIR, including how to handle additional crime, how a first responder will be able to access the neighborhood, and inadequate parking.

Michael Miracle discussed a case of current litigation in San Diego involving a similar project at a high school.

Mark Tran, teacher, coach, and athletic director at YVHS, urged the Board to adopt the EIR. He asserted that the stadium lights are needed to allow students to participate in sports without missing class time.

William Cooke stated that the Board will face legal action if the project is approved.

Robert Gotto voiced his concern about the management of events at the stadium and the quality of life impact on the neighborhood.

Jim MacMillan asked the Board to be a good neighbor and reach a compromise with the community.

Judith Girard, neighbor, expressed her concern about the scale of the project and the impact on the quality of life in the neighborhood. She suggested having a smaller project and focusing the rest of the money toward education.

Matt Bolender commented that school sports keep kids off the streets, active, and focused.

Tara Howell, YVHS Senior Class President, noted that YVHS is the only high school in the District without stadium lights. She observed that this negatively impacts the sense of spirit and community at the school.

Joe P. (name illegible) stated that no matter how many mitigations are added, the sound level will never be tolerable. He asked the Board to sit down and talk with the neighbors.

Monica Medina-Campos, parent of a YVHS student athlete, believes that the students at YVHS should have stadium lights for field activities and community building. She encouraged the neighbors to go to YVHS and walk around the campus.

Rosemary Ramirez, parent of a YVHS student athlete, asked the Board to adopt the EIR. She asserted that lights will allow students to stay in class longer.

President Hansen reminded the audience that the Board is not making a decision tonight. The intent is to put this on the agenda for action on August 28<sup>th</sup>. The Board will use that time to investigate this matter further.

Tim Cody introduced Mr. David Clore, Principal with LSA Associates, Inc., the environmental consultants for this project. Mr. Clore gave a presentation including the following topics: the purpose of tonight's meeting; project information; purpose of the EIR; the process and timeline; noticing and distribution of documents; content and findings of the EIR; and comments received on the draft EIR.

The Board members had a lengthy discussion about various issues, including: field use by outside users; days of use; community outreach; and sound mitigation. Questions related to sound mitigation were addressed by Mr. Phillip Alt, acoustical specialist, who conducted the noise analysis for this project.

President Hansen closed the Public Hearing at 10:06 p.m.

### **13.15 Community Facilities District # 1 (Measure A)**

A resolution is necessary to approve the annual Community Facilities District #1 tax report and to levy and apportion the special (Measure A) tax for fiscal year 2013-2014. The current Mt. Diablo Mello-Roos Tax, Measure A, was passed in November 1989 by a favorable vote of 71 percent. Almost \$90,000,000 of projects ranging from new multi-use buildings, new gymnasiums, new turf, repaired heaters, and restored restrooms have made the physical facilities for our students much more attractive and functional.

Mayo moved, Oaks seconded, and the Board voted 4-0-1 to approve as presented.

### **13.16 Solar Energy Savings and District Cost Update**

With the exception of the solar installation at Meadow Homes, District has enjoyed a general cost avoidance and savings associated with installation of solar systems. Additionally, District has received PG&E “true-up” data and would like to provide update the Board concerning:

1. District-wide real-time data related to solar production
2. One year summary of cost avoidance and savings
3. Status of carbon credit program

Tim Cody gave a presentation. This item was for information only.

### **13.17 Department of Justice - Open Purchase Order**

In order to efficiently process fingerprinting costs for all new employees and volunteers, the Personnel Services Department is requesting an open purchase order in the amount of \$125,000 to facilitate payment of the billings from the Department of Justice. All new employees reimburse the District for the cost of their fingerprinting through a payroll deduction. Effective with the 2009-10 school year, volunteers began paying for their own fingerprinting at the time of service. This open purchase order is necessary in order to pay the invoice from the Department of Justice as it is received each month. The District is then reimbursed by the payroll deduction from new employees and the direct payment from volunteers.

Mayo moved, Oaks seconded, and the Board voted 4-0-1 to approve as presented.

### **13.18 Diablo Valley Community College, Contra Costa Community College District, Agreement for MDUSD High Schools Funding, Effective July 1, 2013 to May 30, 2014**

Staff requests Board approval to enter into a contract with Contra Costa Community College District, Diablo Valley College to continue work in developing Science, Technology, Engineering and Math (STEM) CTE related career pathways. Mt. Diablo Unified School District will receive \$25,000 in funding from Diablo Valley Community College’s SB70 funding.

Mayo moved, Lawrence seconded, and the Board voted 4-0-1 to approve as presented.

### **13.19 Request to approve MDUSD/Solution Tree Marzano Research Lab Contract**

As a district in Program Improvement, we are required to annually spend 10% of Title I funds on professional development (PD). The PD must meet a variety of criteria including alignment with the District’s Local Education Agency Plan Addendum (LEA Plan Addendum). Mt. Diablo’s LEA Plan Addendum identifies the need to provide District-wide professional development for administrators, coaches, and teachers focusing on the instructional program, high quality first instruction, collaboration, and the development of a District-wide intervention plan with a focus on response to intervention. (LEA Plan Addendum D.4.1.1, D.4.1.2, D.5.1.1, D.5.3.1, D.6.1.1, D.8.1.2). Student Achievement and School Support, in conjunction with Personnel, Student Services, Special Education, and the PAR/BTSA coach program developed an extensive two year professional development plan that includes work with Solution Tree and the Marzano Research Laboratory to address the areas identified in the MDUSD LEA Plan Addendum. These contracts provide ongoing, research-based strategies that support identified needs with instructional strategies and collaboration. This contract involves training teacher leaders, coaches, and administrators in group settings as well as site-based consultation and is designed to meet the varied needs of elementary and secondary sites.

Oaks moved, Mayo seconded, and the Board voted 4-0-1 to approve as presented.

### **13.20 Multi-Disciplinary Team for Equity and Disproportionality**

In July 2012, MDUSD was identified as Significantly Disproportionate for the over-identification of African American students for Emotional Disturbance. As such, MDUSD is responsible for creating a Coordinated Early Intervening Services (CEIS) Plan outlining how the district will address disproportionality and will re-allocate 15% of existing Individuals with Disabilities Education Act (IDEA) funds for the 2013-2014 school year to support this effort. This Plan has been approved by CDE. The Plan includes the creation of a multi-disciplinary team of approximately five (5) staff members to provide direct support to site level staff and to assist in the development of appropriate practices and strategies that can be implemented district wide. Staff is recommending three positions to be approved:

- 1) Teacher on Special Assignment
- 2) School Psychologist
- 3) Senior Secretary.

Two additional positions will be presented at a subsequent meeting after the new job descriptions are presented and approved by the Board.



Oaks moved, Lawrence seconded, and the Board voted 4-0-1 to approve as presented.

### **13.21 Meeting Extension**

Adjournment time will be no later than 11:00 p.m. for all regular and special meetings unless extended to a specific time as determined by a majority of the Board.

Oaks moved, Mayo seconded, and the Board voted 4-0-1 to approve a meeting extension to 11:30 p.m.

### **BOARD MEMBER REPORTS**

Mr. Lawrence shared that his third child starts kindergarten in the District this year. Mr. Lawrence thanked Dr. Bernard and Ms. Williams for stepping in to assist the District, and noted that he is excited about the finalist in the search for the new superintendent. He also announced plans to bring a future agenda item forward regarding protocol for providing Board members with biographical information on candidates.

Ms. Mayo remarked that she is looking forward to future discussions around the Local Control Funding Formula, and encouraged individuals to participate in the hearings being held around the state to provide input on the regulations.

Ms. Oaks shared that she visited all five of the District's special education summer school sites. She would like to have further discussions about opening up summer school programs for more of the student population.

Ms. Hansen announced that she is continuing to work on scheduling joint meetings with city councils. Walnut Creek mayor Cindy Silva has offered two dates, October 7<sup>th</sup> or October 21<sup>st</sup>. Ms. Hansen shared about the passing of her friend Howard Cohen, a former superintendent of two different school districts and, most recently, a French teacher at Mt. Diablo High School.

### **RECONVENE CLOSED SESSION**

The Board reconvened Closed Session at 10:36 p.m.

### **4.3 Public Employee Appointment pursuant to Govt. Code Section 54957 (b) (1): Superintendent**

### **RECONVENE OPEN SESSION**

The Board reconvened Open Session at 11:17 p.m. President Hansen stated that no reportable action was taken during Closed Session.

### **ADJOURNMENT**

The meeting was adjourned at 11:18 p.m.

\*All times marked are approximate.

Respectfully submitted,

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Dr. Nellie Meyer, Ed.D.

DRAFT