

MINUTES
REGULAR MEETING OF THE BOARD OF EDUCATION
MT. DIABLO UNIFIED SCHOOL DISTRICT
Wednesday, June 25, 2014 (6:00 p.m./7:30 p.m.)

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

Administrative Staff: Superintendent Nellie Meyer; Assistant Superintendent Julie Braun-Martin, Assistant Superintendent Rose Lock; Executive Director of Operations Jeff McDaniel and Interim General Counsel Larry Schoenke

CALL TO ORDER

President Oaks called the meeting to order at 6:00 p.m. All Board Members with the exception of Brian Lawrence were in attendance.

PUBLIC COMMENT

There was no Public Comment.

CLOSED SESSION AGENDA

4.1 (Item #1) Expulsion of Student # 10-14 from all regular schools of Mt. Diablo Unified School District.

4.2 (Item #2) Expulsion of Student #11-14 from all regular schools of Mt. Diablo Unified School District.

4.3 (Item #3) Expulsion of Student #12-14 from all regular schools of Mt. Diablo Unified School District.

4.4 (Item #4) Expulsion of Student #13-14 from all regular schools of Mt. Diablo Unified School District.

4.5 (Item #5) Readmission of Student # 24-12 into the Mt. Diablo Unified School District.

4.6 (Item #6) Readmission of Student #20-13 into the Mt. Diablo Unified School District.

4.7 (Item #7) Readmission of Student #21-13 into the Mt. Diablo Unified School District.

4.8 (Item #8) Readmission of Student #2-14 into the Mt. Diablo Unified School District.

4.9 (Item #9) Denial of Readmission of Student # C-14 into the Mt. Diablo Unified School District.

4.10 (Item #10) Denial of readmission of Student #8-13 into the Mt. Diablo Unified School District.

4.11 (Item #11) Denial of Readmission of Student #19-13 into the Mt. Diablo Unified School District.

4.12 (Item #12) 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 Cooksey, Agencies: MDEA, CSEA, Teamsters M&O, Local One CST, MDSPA, and Supervisory.

4.13 (Item #13) Existing Litigation - Conference with Legal Counsel pursuant to Gov't. Code Section 54956.9 (d)(1) regarding the matter of Richard Hever v. MDUSD, Case No. MSC11-01425

4.14 (Item #14) Existing Litigation - Conference with Legal Counsel pursuant to Gov't. Code Section 54956.9 (d)(1) regarding the matter of John Does 1-15 v. MDUSD, Case Nos. MSC14-00262, MSC14-00289, MSC14-00312

4.15 (Item #15) Conference with Legal Counsel - Anticipated Litigation (Gov. Code Sec. 54956.9(b) Significant Exposure to Litigation: 2 cases

4.16 (Item #16) Conference with Negotiators; Unrepresented Employees; Diablo Managers Association and others. Negotiators: Dr. Nellie Meyer and Larry Schoenke, Interim General Counsel

4.17 (Item #17) Superintendent's Evaluation

RECONVENE OPEN SESSION

Open Session reconvened at 7:44 p.m.

PRELIMINARY BUSINESS

President Oaks led the Pledge of Allegiance and conducted Roll Call with all Board Members present with the exception of Brian Lawrence.

REPORT OUT ACTION TAKEN IN CLOSED SESSION

8.1 (Item #1) Expulsion of Student # 10-14 from all regular schools of Mt. Diablo Unified School District.

Mayo moved, Dennler seconded, and the Board voted 4-0-0-1 to approve the expulsion of Student #10-14 from all regular schools of the Mt. Diablo Unified School District and that Student #10-14 may apply for readmission after January 23, 2015. It is required that Student #10-14 participates in 20 hours of counseling program designed to address anger and decision making skills; serve 30 hours of community service; complete the California Offender Program Services (COPS) for Property Offender class; complete MDUSD's Teen Anger Management Workshop and show evidence of a successful school experience to include good attendance, no suspendible behavior infractions, a minimum of a C average, and earn at least 45 credits earned, prior to applying for readmission.

8.2 (Item #2) Expulsion of Student #11-14 from all regular schools of Mt. Diablo Unified School District.

Dennler moved, Mayo seconded, and the Board voted 4-0-0-1 to approve the expulsion of Student #11-14 from all regular schools of the Mt. Diablo Unified School District and that Student #11-14 may apply for readmission after January 23, 2015. It is required that Student #11-14 participates in 20 hours of counseling to address substance abuse and decision making skills; serve 30 hours of community service; complete the California Offender Program Services (COPS) for Alcohol/Drug Offender class; attend MDUSD's Alcohol/Drug Workshop; submit proof of negative drug test and show evidence of a successful school experience to include good attendance, no suspendible behavior infractions, attain a minimum of a C average, and earn 45 credits, prior to applying for readmission.

8.3 (Item #3) Expulsion of Student #12-14 from all regular schools of Mt. Diablo Unified School District.

Hansen moved, Dennler seconded, and the Board voted 4-0-0-1 to approve the expulsion of Student #12-14 from all regular schools of the Mt. Diablo Unified School District and that Student #12-14 may apply for readmission after June 25, 2015. It is required that Student #12-14 participates in 20 hours of counseling program designed to address decision making skills; serve 30 hours of community service; attend the California Offender Program Services (COPS) for Aggressive Offender class; attend MDUSD's Teen Anger Management Workshop and show evidence of a successful school experience to include good attendance, no suspendible behavior infraction, maintain at least a C average, and earn 35.5 credits to graduate.

8.4 (Item #4) Expulsion of Student #13-14 from all regular schools of Mt. Diablo Unified School District.

Dennler moved, Hansen seconded, and the Board voted 4-0-0-1 to approve the expulsion of Student #13-14 from all regular schools of the Mt. Diablo Unified School District and that Student #13-14 may apply for readmission after January 23, 2015. It is required that Student #13-14 participates in 20 hours of counseling to address anger issues; serve 30 hours of community service; and show evidence of a successful school experience with at least 90% attendance, good behavior, maintain at least a C average and earn 30 credits, prior to readmission.

8.5 (Item #5) Readmission of Student # 24-12 into the Mt. Diablo Unified School District.

In Closed Session, the Board voted 4-0-0-1 for readmission.

8.6 (Item #6) Readmission of Student #20-13 into the Mt. Diablo Unified School District.

In Closed Session, the Board voted 4-0-0-1 for readmission.

8.7 (Item #7) Readmission of Student #21-13 into the Mt. Diablo Unified School District.

In Closed Session, the Board voted 4-0-0-1 for readmission.

8.8 (Item #8) Readmission of Student #2-14 into the Mt. Diablo Unified School District.

In Closed Session, the Board voted 4-0-0-1 for readmission.

8.9 (Item #9) Denial of Readmission of Student # C-14 into the Mt. Diablo Unified School District.

In Closed Session, the Board voted 4-0-0-1 to deny readmission.

8.10 (Item #10) Denial of readmission of Student #8-13 into the Mt. Diablo Unified School District.

In Closed Session, the Board voted 4-0-0-1 to deny readmission.

8.11 (Item #11) Denial of Readmission of Student #19-13 into the Mt. Diablo Unified School District.

In Closed Session, the Board voted 4-0-0-1 to deny readmission.

8.12 (Item #12) 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 Cooksey, Agencies: MDEA, CSEA, Teamsters M&O, Local One CST, MDSPA, and Supervisory.

8.13 (Item #13) Existing Litigation - Conference with Legal Counsel pursuant to Gov't. Code Section 54956.9 (d)(1) regarding the matter of Richard Hever v. MDUSD, Case No. MSC11-01425

The Board received information.

8.14 (Item #14) Existing Litigation - Conference with Legal Counsel pursuant to Gov't. Code Section 54956.9 (d)(1) regarding the matter of John Does 1-15 v. MDUSD, Case Nos. MSC14-00262, MSC14-00289, MSC14-00312

The Board gave direction to Counsel.

8.15 (Item #15) Conference with Legal Counsel - Anticipated Litigation (Gov. Code Sec. 54956.9(b) Significant Exposure to Litigation: 2 cases

The Board received information.

8.16 (Item #16) Conference with Negotiators; Unrepresented Employees; Diablo Managers Association and others. Negotiators: Dr. Nellie Meyer and Larry Schoenke, Interim General Counsel

The Board gave the Superintendent authority to give reassignment notice to a certificated administrator.

8.17 (Item #17) Superintendent's Evaluation

President Oaks announced the Board will be returning to Closed Session to discuss items #8.12 and #8.17.

RECOGNITIONS AND RESOLUTIONS

9.1 Recognition of 2014 High School Valedictorians and Salutatorians

The Mt. Diablo Unified School District extends exuberant congratulations to the students of the Class of 2014, graduating with the highest academic honors from District comprehensive high schools. These exceptional students are recognized for their academic achievement, and the talent, dedication and passion which they have contributed to our District's academic communities. The Mt. Diablo Unified School District celebrates Valedictorians from:

- Concord High School
- Mt. Diablo High School
- Ygnacio Valley High School

The Mt. Diablo Unified School District celebrates the Tibulski Award winner from College Park High School.

The Mt. Diablo Unified School District celebrates the Salutatorians from:

- Concord High School
- Mt. Diablo High School

Valedictorians and Salutatorians in the audience were invited to step to the podium for recognition and to share their future plans.

9.2 Recognition of MDUSD's District English Learners Advisory Council (DELAC)

Mt. Diablo Unified School District would like to recognize the contributions of the District English Learners Advisory Committee (DELAC). The DELAC was instrumental to the development of the District Master Plan for English Learners and has established district programs, goals and objectives for programs and services for English Learners. Most importantly, the DELAC continues to encourage the voice of non-English speaking parents - the key factor in students' academic success. We recognize the importance of the participation of the DELAC in the creation of our Local Accountability Plan. As we move forward, the Board of Education of the Mt. Diablo Unified School District fully supports the continued voice of the DELAC, and the need for the ELAC structure at every school to ensure the success of our DELAC coordinating committee. The Board of Education of the Mt. Diablo Unified School District supports the continued role of the DELAC, District English Learner Advisory Council.

Doris Hernandez, President, and Nestor Guadron, Vice President of DELAC (District English Learner's Advisory Council) accepted the recognition by the Board of Education and pledged their commitment to the implementation of the District Master Plan for English Learners.

BOARD MEMBER REPORTS

Mrs. Mayo congratulated all of the graduates and shared she had great experiences at all the graduations. She saw behaved students and supportive parents. She acknowledged the work of school staff to make graduation successful for the students and their families.

Mrs. Dennler shared the same sentiments, noting it was wonderful to see the graduations and an honor for the Trustees to be there to see the accomplishments of the students. She shared that she enjoyed every second of it.

Ms. Hansen responded in agreement, noting that students were well behaved, courteous and mature. She commented that student speakers were spectacular, but was surprised to hear only one Valedictorian speak at the ceremonies. Ms. Hansen shared she would like to see more Valedictorians recognized on stage in the future.

Ms. Oaks visited Mt. Diablo High School and the Sustainable Hospitality Program. She commended the hard work of teachers in the gardening program, encouraging our students to eat healthier fruits and vegetables. Ms. Oaks shared she is very excited about what's going on at Mt. Diablo High School.

SUPERINTENDENT'S REPORT

Dr. Meyer shared that with Board approval tonight, the District will start the work of the LCAP. Resources contained within it are budget, time, staff and focused energy to support students. She thanked the MDUSD team who worked on the Plan which proved to be a puzzle with rules and directions changing until nearly the end. The group was resilient, persevered and presented a product all are proud of.

Dr. Meyer shared that along with graduations, she thinks about students entering middle school, high school, college, career and technical school and those entering the military and thanked all of those individuals behind those scenes.

Since the last Board Meeting, Dr. Meyer shared she went to Sacramento with a strong contingent to meet with Joan Buchanan and Susan Bonilla to discuss the needs of, and to advocate for QEIA (Quality Education Investment Act) schools.

She shared that Districts that do not have enough students to meet required concentration numbers will not be receiving that funding and with QEIA going away, will make it difficult to sustain their results. The group requested that legislators take this into consideration for future funding for Common Core, STEM and other funding.

Recently, State Superintendent Tom Torlakson was in the area to recognize all distinguished schools in the region. Representatives from several counties attended. Mt. Diablo schools recognized were Mt. Diablo, Sequoia, Silverwood, Strandwood and Valle Verde Elementary Schools.

Lastly, Dr. Meyer commended the Board of Education and District staff for the completion of the year; she shared she enjoyed the ceremonies that come at the end of the year, and that everyone's efforts were very much appreciated.

REPORTS/INFORMATION

12.1 Community Advisory Committee Annual Report

Dorothy Weisenberger reported on activities of the CAC (Community Advisory Committee) over the 2013/2014 school year. Highlights included:

- Members of the CAC participated in the hiring process of two program specialists, the administrator of Special Education and Superintendent, Dr. Meyer.
- Presentations at monthly meetings including: program and staff updates, transportation, Common Core Standards, mental health, Special Education Common Core, an ATAAC presentation, a presentation on the new Autism task force website, anticipated program changes for 2014/2015, the Local Control Accountability Plan, and Equity.
- The CAC facilitated a meeting between Transportation and parents. Parents were given questionnaires and problems noted were followed up by members of the CAC.
- CAC members were present at all board meetings.
- CAC representation were on the following committees: Common Core Implementation, Equity, DELAC, Assistive Technology, Budget Advisory, the DHH Taskforce and the State Advisory on Special Education

Work of the subcommittees was described. The CAC continues to reach out to parents and share information with parents of Special Education students to raise awareness of the CAC and increase attendance. The CAC Legislative Committee tracked SELPA bills and reported back to the CAC. They worked with several other school districts to unify support. CAC members met with legislators or their aides; Denise Lambert testified before the Senate regarding AB2057 to eliminate double testing of Special Education students.

To assist student transition to other school sites, parents are taking pictures of school sites, which will then be posted on the Special Education webpage for parents to download for their children. The CAC held a Celebration of Success; You Make A Difference Awards and a summer planning session to establish goals for subcommittees.

Ms. Weisenberger thanked Dr. Meyer and the Board members. She also extended her appreciation to Felicia Stuckey-Smith for her continued support of Special Education students.

12.2 PULLED BY STAFF: Presentation by the Pleasant Hill "Green Team"

PUBLIC EMPLOYEE APPOINTMENT

13.1 Appointment of Principal, High School - Concord High School

Interviews have been conducted and a candidate has been selected to fill the position of Principal, High School - Concord High School. The incumbent in this position is retiring at the end of the 2013-14 school year.

Hansen moved, Dennler seconded, and the Board voted 4-0-0-1 to approve appointment of Rianne Pfaltzgraff to the position of Principal, High School - Concord High School.

13.2 PULLED BY STAFF: Appointment of Vice Principal, High School - Concord High School

13.3 Appointment of Principal, Middle School - Riverview Middle School

A candidate has been selected to fill the position of Principal, Middle School - Riverview Middle School. The incumbent in this position is moving to another position within the District.

Public Comment:

Mona Silveira, parent of a student at Riverview, voiced her support of the current Principal. She shared she heard of the Principal change through rumor and expressed frustration at the lack of information provided parents. She presented the Board with signatures collected in support of the current Principal. An unnamed parent provided examples of positive actions the current Principal is taking at school and in the community.

Debra Mason shared she was dismayed to hear of the Principal change in the same manner. She expressed that moving the current Principal would be a disservice to the community. Ms. Mason commented that since 1980, there have been four Principals at Riverview and they were all good choices. She voiced that the current Principal has been a positive male role model to students. She commented that he has community focus and attends community meetings and events. Ms. Mason encouraged Dr. Meyer and the Board to reconsider moving the Principal and to let the restructured District administrative staff work with him the upcoming year.

Willie Mims, community member and East County NAACP and PBA representative, expressed his disappointment of Jonathan Roselin's departure from the Equity Committee and placement at Riverview. He queried why the current Principal is being moved and questioned the rationale of moving Mr. Roselin. He shared his concern that other dockets on the agenda do not list names, as well.

Mayo moved, Dennler seconded, and the Board voted 4-0-0-1 to approve appointment of Jonathan Roselin to the position of Principal, Middle School - Riverview Middle School.

13.4 PULLED BY STAFF: Appointment of Principal, Middle School - Oak Grove Middle School

13.5 Appointment of Director, School Support and Accountability

The Superintendent recommends Lorie O'Brien be appointed to the position of Director, School Support and Accountability.

Dennler moved, Hansen seconded, and the Board voted 4-0-0-1 to approve appointment of Lorie O'Brien to the position of Director, School Support and Accountability.

13.6 Appointment of Administrator, Equity & Disproportionality

A candidate has been selected to fill the position of Administrator, Equity & Disproportionality. The incumbent in this position is moving to another position within the District.

Hansen moved, Dennler seconded, and the Board voted 4-0-0-1 to approve appointment of Lisa Murphy-Oates to the position of Administrator, Equity & Disproportionality.

13.7 Revise Job Description for School Support Administrator

The job description for School Support Administrator was approved by the Board on May 28, 2014. Staff is requesting to change the job title to School Support Administrator and the salary range to 28. This change will better facilitate the responsibilities of this job.

Dennler moved, Mayo seconded, and the Board voted 4-0-0-1 to approve the revised job description for School Support Administrator.

13.8 Appointment of School Support Administrator

The Superintendent is recommending Chris Holleran be appointed to the position of School Support Administrator.

Mayo moved, Dennler seconded, and the Board voted 4-0-0-1 to approve appointment of Chris Holleran to the position of School Support Administrator.

13.9 Appointment of School Support Administrator

The Superintendent is recommending Bill Morones be appointed to the position of School Support Administrator.

Dennler moved, Mayo seconded, and the Board voted 4-0-0-1 to approve appointment of Bill Morones to the position of School Support Administrator.

13.10 Appointment of School Support Administrator

The Superintendent is recommending Christine Richardson be appointed to the position of School Support Administrator.

Dennler moved, Mayo seconded, and the Board voted 4-0-0-1 to approve appointment of Christine Richardson to the position of School Support Administrator.

13.11 Appointment of School Support Administrator

The Superintendent is recommending Marie Schirmer be appointed to the position of School Support Administrator.

Hansen moved, Mayo seconded, and the Board voted 4-0-0-1 to approve appointment of Marie Schirmer to the position of School Support Administrator.

13.12 Appointment of School Support Administrator

The Superintendent is recommending Julianna Sikes be appointed to the position of School Support Administrator.

Mayo moved, Dennler seconded, and the Board voted 4-0-0-1 to approve appointment of Julianna Sikes to the position of School Support Administrator.

13.13 Appointment of Director, Facilities, Operations and Resource Conservation

A candidate has been selected to fill the position of Director, Facilities, Operations and Resource Conservation.

Dennler moved, Mayo seconded, and the Board voted 4-0-0-1 to approve appointment of John Clark to the position of Director, Facilities, Operations and Resource Conservation.

13.14 Appointment of Interim Manager, Building & Grounds

This position will ensure the grounds and buildings are cleaned, maintained, and that year round service is provided to our school sites. Due to vacancies resulting from inside promotion, the need to fill this position with an interim is immediate. An open recruitment process will follow. This management position is funded with the elimination of a current management position in the transportation department (a bus driver trainer) and will supervise landscaping, custodial and security personnel. There will be a differential in pay of approximately \$25,000 to be offset by Operational department funds. A candidate has been selected to fill the position of Interim Manager, Building & Grounds.

Dennler moved, Mayo seconded, and the Board voted 4-0-0-1 to approve appointment of Rob Greathouse to the position of Interim Manager, Building & Grounds.

13.15 PULLED BY STAFF: Classified Personnel: Appointment of Occupational Therapist

Interviews have been conducted and a candidate has been selected to fill the position of Occupational Therapist.

13.16 Classified Personnel: Appointment of Occupational Therapist

Interviews have been conducted and a candidate has been selected to fill the vacant position of Occupational Therapist.

Public Comment:

Willie Mims, community member and East County NAACP & PBA representative, shared he put a speaker card on the last item to share his thoughts on cultural and ethnic diversity. He voiced his concerns at the lack of diversity in the appointments made. He suggested that the appointments should be reflective of the diversity in the community and that people of color are not representative in the appointments made at this meeting.

Dennler moved, Mayo seconded, and the Board voted 4-0-0-1 to approve appointment of Maria Kovatakis to the position of Occupational Therapist.

CONSENT AGENDA

Mayo moved, Dennler seconded, and the Board voted 4-0-0-1 to approve all Consent Agenda items with the exception of Item #7, #10, #17, #20 and #24, thereby approving the following:

14.2 (Item #2) Recommended Action for Certificated Personnel

14.3 (Item #3) Request to Increase and Decrease Full Time Equivalent (FTE) for the 2014-2015 School Year

14.4 (Item #4) Approval of Variable Term Waiver Request

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.

14.5 (Item #5) Recommended Action for Classified Personnel

14.6 (Item #6) Classified Personnel: Request to Increase/Decrease Full Time Equivalent (FTE) and Change Funding for the 2014-15 School Year

14.7 (Item #8) Fiscal Transactions for the month of May 2014.

Business Plus Vendor Warrant Report and Business Plus Cancellation Warrant Report for the month of May 2014. Payments have been made to meet the District's obligations for salaries, contract services, equipment, capital improvements and other outgo.

14.8 (Item #9) Request to Approve Independent Services Contract with Mt. Diablo Unified School District and Solution Tree, Inc.

Solution Tree, Inc. will provide two-day workshops on August 11-12, 2014 to MDUSD teachers on creating assessments aligned with the Common Core State Standards. Participants will explore the requirements of a balanced assessment system reflective of next generation demands. They will understand formative and summative pathways with Common Core expectations. Participants will also determine alignment for the design, delivery and data analysis for Common Core assessments. They will design and lead balanced assessment systems that increase rigor and relevance.

14.9 (Item #11) Approve Increase to Contract between Mt. Diablo Unified School District (MDUSD) and Paradigm HealthCare Services, Inc. for the 2013-14 Fiscal Year

MDUSD has contracted with Paradigm HealthCare Services, Inc. to prepare and submit Medi-Cal claims to the California Department of Health Care Services (DHCS) for the reimbursement of health care services provided by MDUSD as a Local Education Agency (LEA). The service agreement enables Paradigm to process LEA Medi-Cal claims from July 1, 2010 through June 30, 2013, regardless whether those activities are to be performed during or after the term of the agreement.

The cost of their services is calculated monthly by taking the approved Medi-Cal reimbursements and multiplying the amount by 11% (for gross amounts paid to LEA, up to \$400,000), 10% (for gross amounts paid to LEA, from \$400,001 to \$1 million), or 9% (for gross amounts paid to LEA, above \$1 million). The monthly invoices are paid against the incoming revenue from Medi-Cal reimbursements; therefore, the costs of these services are cost neutral. The Board approved the Service Agreement with Paradigm on October 26, 2010 for the amount of \$122,000 for the period July 1, 2010 until June 30, 2013. The contract was increased by \$50,000 in November 2012 and then increased by \$46,000 in May 2013. Staff requests to increase the purchase order amount for the 2013-14 fiscal year by \$10,000 to cover the cost of Paradigm completing claims for the 2011-12 fiscal year. This will bring the total PO amount from \$24,500 to \$34,500.

14.10 (Item #12) Increase of Independent Services Contract with Martha Pollock, LCSW at Ygnacio Valley High School

On May 14, 2014, the Board approved to increase Martha Pollock's Independent Services Contract by \$3,360 from \$24,480 to \$27,840 to work four additional hours per week beginning on March 11, 2014. This contract increase funded Martha Pollock's services through April 4, 2014. Staff is now requesting an additional \$9,440 to fund counseling, mental health, and student support services provided by Martha Pollock at Ygnacio Valley High School through the end of 2013-14. This contract increase will be funded through the Safe and Supportive School Grant awarded to Ygnacio Valley High School.

14.11 (Item #13) Approve contract increase to independent service contract with Kristin Obrinsky, Physical Therapist

Kristin Obrinsky is an independent contractor that has served MDUSD as a Registered Physical Therapist for the previous four school years. Ms. Obrinsky provides direct treatment, consultation, and evaluations to students according to their Individualized Education Plans (IEP). She also sees students in her clinic as required by settlement agreements. On January 29, 2014, the Board approved her contract in the amount of \$60,000. Due to absences by another physical therapist and the number of preschool assessments, an additional \$7,000 is needed to cover the services she provides. The new contract amount is \$67,000.

14.12 (Item #14) Adjustments to Non Public Agency Ed Support Services for the 2013-14 school year for services rendered

Funds are requested to finalize purchase order adjustment for 2013-14 contract. Since the last purchase order adjustment on March 26, 2014, 3 Functional Behavior Assessments and services for one additional student were added.

14.13 (Item #15) Approve Master Contract/Purchase Order with Non-Public Agency Ed Support Services for the 2014-15 School Year

Ed Support Services currently provides intensive behavioral services for the Mt. Diablo Unified School District including nine behavioral aides (6.5hrs/day) with clinical supervision and functional behavioral assessments upon district request. These are direct IEP driven services that are provided according to the terms of a Master Contract and Individual Service Agreement. Services are agreed upon through a settlement agreement or approved by the District's Special Education Management Team to maintain a student in the least restrictive environment.

14.14 (Item #16) Execution of Master Contracts/Purchase Orders for Non-Public Schools for the 2014-15 school year

Mt. Diablo Unified School District's (MDUSD) Execution of Non Public School Placements for the 2014-2015 School Year Program. Request for funds includes basic education, related services, and room & board/mental health services for students in residential placements.

14.15 (Item #18) Approve contract between Mt. Diablo Unified School District (MDUSD) and AccentCare Home Care Services, Non Public Agency (NPA), for the 2014-2015 school year

MDUSD, through the Individualized Education Plan (IEP) and Section 504 process, uses NPAs to provide specialized health care services. Services include diabetic monitoring, catheterization, and other medically prescribed procedures. NPA assist the District in assuring compliance with all applicable federal and state laws and regulations.

The NPA contract provides the costs required at this time for the 2014-2015 school year. This contract is not to exceed \$108,004.00

14.16 (Item #19) Memorandum of Understanding between Mt. Diablo Unified School District and the Contra Costa County Probation Department

This agreement continues previous agreements for two Deputy Probation Officers. They will be assigned to Mt. Diablo and Ygnacio Valley High School for the 2014-15 school year. The probation officers will increase students' knowledge of and respect for the law, act as an integral part of the campus Crisis Response Team, review and give input regarding the School Safety Plan, report serious crimes that occur on campus and cooperate with law enforcement officials in the investigation of crimes that occur at school.

14.17 (Item #21) Approve Independent Service Contract between Mt. Diablo CARES After School Program and Resource Development Associates (RDA)

Staff requests authorization to enter into a renewal contract with Resource Development Associates (RDA) for evaluation services for the fourteen Mt. Diablo CARES After School Programs. RDA has served as the program evaluator since 1999. Mt. Diablo CARES receives two grants: the California Department of Education's After School Education and Safety (ASES) grant; Network for Health California grant through the County Health Department, which requires comprehensive annual evaluations to measure program implementation, effectiveness, and student growth. In addition, RDA provides evaluation services to measure the effectiveness of Mt. Diablo CARES Supplemental Education Services (SES) program which offers tutoring to eligible students at schools identified as program improvement in year two or more. Mt. Diablo CARES has been a State approved SES provider since 2003.

14.18 (Item #22) Renewal of Independent Service Contract with David H. Costa for Courier Service for Food Services and site pick-up to financial institution

Courier services provided by David H. Costa to pick-up petty cash (twice a week) and food service (daily) monies from various school sites and deliver directly to financial institution at \$6.95 per pick-up for the 2014-2015 school year.

14.19 (Item #23) Resolution #13/14-54 for Authorization to Award Summer Contracts

Pursuant to Section 17604 of the California Education Code, the Board of Education may delegate its authority to the Superintendent and/or her designee to allow for the timely award of various summer bid contracts, which will be returned for ratification at the Board of Education meeting on August 13, 2014. Approval of this Resolution is necessary in order to proceed with contract work during the Board's summer recess. Attached is a list of the known projects that may be awarded during the Board of Education's summer recess.

14.21 (Item #25) Food and Nutrition Services Purchase order 2014-2015

Food and Nutrition Services requests approval to issue an open Purchase Order to Gold Star Foods for the purchase of food, beverages and supplies for meal programs in district schools during the 2014-2015 school year. Purchase order not to exceed \$2,624,000. This agreement renewing Piggy Back contract with Santa Clarita Valley School Food Service Agency proposal RFP# 12-31012012-01. Document attached.

14.22 (Item #26) Food and Nutrition Services Purchases 2014-2015

Purchase orders/contracts for perishable foods and beverages to the following vendors: Davi Produce:\$231,000, Rubino Produce: \$283,000, Foster Farms Dairy: \$514,000, Hayes Distribution: \$650,000 for foods used in the meal programs in district schools.

14.23 (Item #27) Revise Environmental Course of Study

Revise Environmental Course of Study to add Biological Science as an elective. Course would fulfill one year of high school Physical or Biological science requirement for UC "g" requirement.

14.24 (Item #28) Approve 2014-2015 Single Plans for Student Achievement

The Single Plan for Student Achievement (SPSA) identifies and addresses the instructional needs of students and specifies how categorical funds provided through the Consolidated Application will be used to accomplish the goals outlined in the plan. State guidelines require that the SPSA must:

- Identify site-specific achievement goals based on a variety of student performance data.
- Describe specific instructional strategies to accelerate student learning.
- Describe the ways in which student progress will be monitored on a regular basis.
- Identify interventions for students not achieving.
- Determine the necessary professional development for staff.
- Delineate strategies for parent communication and engagement.
- Reflect estimated costs and funding sources.
- Involve consultation with other site advisory groups.

State regulations require that the School Site Council (SSC) be the group responsible for developing and revising the SPSA in collaboration with the site instructional leadership team. Ongoing consultation with site advisory groups about student performance data, student needs, identified goals, appropriate interventions/preventions, and associated budgets is an integral part of the development and monitoring of the SPSA. (Ed Code 64001) This ongoing involvement of the SSC in the review of the SPSA is a critical element of the annual planning cycle and should be reflected in meeting agendas and minutes. This year, Mt. Diablo schools used a new template, aligned with the new Local Control Accountability Plan (LCAP) to create their SPSA's. This alignment supports the required alignment between the two plans.

14.25 (Item #29) Approval of Final (deductive) Change Order to Taber Construction, Inc. for LLB #1644 – New Chemistry Classroom Building at Ygnacio Valley High School

On October 23, 2013 the Board of Education awarded Lease/Leaseback Agreement #1644 to Taber Construction, Inc. for a Guaranteed Maximum Project Cost of \$1,725,275.19 for the provision of all tools, materials, labor and equipment necessary to complete installation of New Chemistry Classroom Building at Ygnacio Valley High School. Work included, but not limited to: demolition, installation of foundation, walls, roof, interior amenities, site work and other items as it related to the Drawings and Specifications. As a result of unused contract contingency, a single, final deductive change order in the amount of (\$101,400.58) is necessary. This single, final change order will result in a final revised contract value of \$1,623,874.61. Final change order represents a decrease of 5.88% to original contract value.

14.26 (Item #30) Award Design Services Contract to Verde Design, Inc. for Athletic Facility Improvements at Mt. Diablo High School

On June 25, 2012 the Board of Education approved a prioritized list of facility enhancement projects for Mt. Diablo High School. One of the major projects identified in this list was the installation of multiple improvements to the athletic stadium facility. The major components of improvements included installation new synthetic track, synthetic field, and replacement of aging lamps on stadium lighting. Staff has negotiated, and is now recommending, that a contract stipulating a 'not to exceed' fee of \$212,700.00 (inclusive of all reimbursable costs) be awarded to Verde Design, Inc. for the provision of comprehensive design, engineering and construction administration support necessary for approval and satisfactory completion of proposed project.

14.27 (Item #31) Notice of Completion for Lease Leaseback #1644: New Chemistry Classroom Building at Ygnacio Valley High School

Lease Leaseback #1644 was called to provide: a New Chemistry Classroom Building at Ygnacio Valley High School. The lowest responsible, responsive request for qualifications was Taber Construction, Inc., for the Guaranteed Maximum Project Cost of \$1,725,275.19. The scope of work included, but was not limited to: provide all tools, materials, labor and equipment necessary to complete construction of New SMART Chemistry Classroom Building including site preparation, selective demolition, site work, building construction, interior amenities and other items as necessary to deliver a complete project as it relates to the Drawings and Specifications.

There was a deductive change order in the amount of (\$101,400.58). Work and services for this project have been satisfactorily completed for a total expenditure of \$1,623,874.61.

14.28 (Item #32) Increase to Independent Services Contract with AA Medtrans

AA Medtrans provides transportation services for students participating in programs in the Mt. Diablo Unified School District, Contra Costa County, State and Non-Public Schools, to/from Home and School Sites for the 2013- 2014 school year. The original service contract was in the amount of \$24,000. A change order for \$550.00 was added on 9/18/13, bringing the contract to \$24,550. On the meeting of 10/9/2013 the Board of Education approved an increase of \$35,000 through the end of November pending Request for Proposals (RFP #1662) This increase brought the current Purchase Order to \$59,550. On 11/13/2013, the Board of Education approved an increase of \$25,000.00 bringing the contract total to \$299,550.00. In order to continue to provide continuity to our students and complete the 2013-14 school year it is requested that the current purchase order be increased an additional \$80,000 and RFP# 1662 be reissued in the Summer of 2014 with a contract to start at the Beginning of the 2014-15 school year. The revised contract amount would be \$379,550 which is budgeted under Transportation Special Education code 5411.

14.29 (Item #33) Request to increase Purchase Order for VeCare Health Services.

VeCare Health Services are to provide home to school transportation for MDUSD Special Education students. On 1/15/2014 the Board approved an increase of \$48,000.00 for increase ridership. In order to provide continuity to our students and complete the 2013-14 school year, including ESY, it is requested that the current purchase order be increase an additional \$15,000.00. The revised contract amount would be \$87,000.00 which is budgeted under Transportation Special Education code 5411.

14.30 (Item #34) Minutes for the Board of Education Special Meeting held on August 21, 2013

14.31 (Item #35) Minutes for the Board of Education Special Meeting held on August 5, 2013

14.32 (Item #36) Minutes for the Board of Education Special Meeting held on July 31, 2013

CONSENT ITEMS PULLED FOR DISCUSSION

15.1 (Item #7) Revision of Administrative Regulation 4317.1

Administrative Regulation 4317.1 is being revised for clarification and to align the retirement ages for Management to be the same as MDEA.

Dennler moved, Mayo seconded, and the Board voted 4-0-0-1 to approve revision of Administrative Regulation 4317.1 to align the retirement ages for Management to be the same as MDEA.

15.2 (Item #10) Approval of School Site Comprehensive School Safety Plans for 2014-15

In accordance with Education Code 32280-32288, staff is requesting approval of Comprehensive School Site Safety Plans in order to ensure compliance with California Education Code Board Policy and Administrative Regulations 0450(a)(b). Comprehensive School Site Safety Plans have been approved by School Site Councils. The plans have been reviewed by the Student Services Department using the attached Safety Plan Rubric. Four (4) Comprehensive Site Safety Plans have been submitted as examples of the quality and content of the plans. The plans are from Pleasant Hill Elementary School, El Dorado Middle School, College Park High School and Mt. Diablo Adult Education. Copies of all Comprehensive School Site Safety Plans are kept on file at the Student Services Office.

Mayo moved, Hansen seconded, and the Board voted 4-0-0-1 to approve the School Site Comprehensive School Safety Plans for 2014-15.

15.3 (Item #17) Approval of Master Contract between Mt. Diablo Unified School District (MDUSD) and Speech Pathology Group for Speech and Language services for the 2014 Extended School Year Program and the 2014-15 school year

Mt. Diablo Unified School District utilizes Independent Service Contractors to provide services established through the Individualized Education Plan (IEP) process. Speech Pathology Group (SPG) provides speech and language pathologists (SLP) for vacant SLP positions in the district, independent speech evaluations, and speech services to Non-Public Schools. The Personnel Services Department and Special Education have worked diligently to find district staff to cover these positions. The district is currently studying ways to attract qualified staff.

Mayo moved, Dennler seconded, and the Board voted 4-0-0-1 to approve the master contract/purchase order with Speech Pathology Group for 2014 ESY Program and 2014-2015 school year.

15.4 (Item #20) Approve Independent Service Contract between Mt. Diablo CARES After School Program and Bay Area Community Resources (BACR)

Staff requests approval to enter into a renewal contract with Bay Area Community Resources (BACR) to hire recreation staff to supervise fourteen Mt. Diablo CARES After School Programs: Bel Air, Cambridge, Delta View, El Monte, Fair Oaks, Meadow Homes, Rio Vista, Shore Acres, Sun Terrace, Wren Avenue Elementary and Ygnacio Valley Elementary Schools and Glenbrook, Oak Grove and Riverview Middle Schools. These fourteen after school programs are funded by the California Department of Education's After School Education and Safety (ASES) grant. An After School Program will also be run at Ygnacio Valley High School but will be supported by other local funding and not the ASES grant. Mt. Diablo CARES and Bay Area Community Resources (BACR) have been collaborative partners since 2007. This collaboration ensures consistency across programs, staffing, supervision, and evaluation among all schools served by the Mt. Diablo CARES After School Program. The After School district staff will continue to work in collaboration with recreation providers to ensure high quality programming, integration of academic, enrichment, nutrition, and physical education opportunities as well as student safety.

Public Comment:

Debra Mason voiced her concerns that this agenda item is not representative of a collaborative partnership, but rather is an independent service agreement. She requested the total budget figure for the CARES Program, and inquired what the secondary funding is. Ms. Mason requested a list of individual sites and their funding and shared that 85% must go to direct services to students; only 15% to indirect. The budget presented indicates more than 15% allocated for indirect services.

Mayo moved, Dennler seconded, and the Board voted 4-0-0-1 to approve the Independent Service Contract between Mt. Diablo CARES After School Program and Bay Area Community Resources (BACR).

14.20 (Item #24) PULLED BY STAFF: Award of RFQ #1683: Supplemental Student Transportation Services

Supplemental Transportation Services for Students participating in programs in the Mt. Diablo Unified School District, Contra Costa County, State and Non-Public Schools to/from home and school sites for the 2014-15 school year.

Ambulatory services: 5 buses (capacity 9 walk-on's) for a minimum 4 hour period, school days only at \$455.00 per bus. (5 buses X 180 days X \$455.00 = \$409,500.00. Non-Ambulatory services: 5 buses (capacity 9 walk-on's and two chairs) for a minimum 4 hour period, school days only at \$455.00 per bus. (5 buses X 180 days X \$455.00 = \$409,500.00 Field Trips - Ambulatory: 78 passenger bus, 3 buses for a minimum 4 hour period, school days only, for 170 days at \$600.00 per bus. (3 buses X 170 days X \$600.00 = \$306,000.00) Funds are reimbursable by site field trip requests. Contract note to exceed \$1,125,000.00 From August 1, 2014 to June 30, 2015

COMMUNICATIONS

Carmen Terrones-Torres, President of CST, personally thanked the Board and Dr. Meyer for listening to CST's issues & concerns, and restoral of the hours and work year to that unit's members. She expressed her appreciation to Julie Braun-Martin as employer relations person working with her over the last three years.

Ms. Terrones-Torres expressed her concern about the appointments this evening; she thought some of the positions had been eliminated yet she saw positions returning with only a word or two changed from the previous position. She expressed her hope that these positions are the last of the higher paid administrative positions brought for Board approval.

PUBLIC COMMENT

Rebecca Jensen, a parent of children attending Concord High School, thanked the Board for appointing a Principal and shared her concern that there are two vacant Vice Principal positions at that school. She shared how these vacancies impact students, staff and parents and encouraged that they be filled before the 2014/15 school year.

Robert Vignalats, parent of a student, shared his concerns about transportation for his son. His son lives at two different homes during the week and requires transportation to/from two households. He voiced his concerns about communication between the Transportation and Special Education departments and requested the Board grant his request for transportation to/from two households.

Dave Wood, a resident living near Woodside Elementary, shared that residents were not informed of the changes to the portable buildings on the school campus. He stated none of the residents in the neighborhood received letters, so when he saw foundations going in, he visited the school where he received information which indicated replacement with similar structures. He expressed concern about containers being placed at the back of the campus near his property, as well.

Willie Mims, East County NAACP & PBA representative, shared his thoughts about construction and the importance of notifying of residents. He voiced his concern that one of the students this evening was expelled as a result of alcoholism, and asked if there were alternatives to expulsion in this case. He also voiced concerns about speakers wishing to comment on items that had been pulled from the agenda before the meeting. Mr. Mims addressed the Board about communities wishing to redistrict due to the large size of the District, and reminded the Board they hired a Superintendent who came from a District three times larger than MDUSD, and expressed his desire that the Board support the Superintendent.

Deb Heinzmann, spoke to an item pulled from the agenda, the Principal position at Oak Grove Middle School, and administrators promoted within the District, in general. She voiced criteria she felt important for a leader to guide Oak Grove to success, and encouraged the Board to look at leadership from within the District before hiring from outside the District. Ms. Heinzmann shared she will forward to the Board other comments she had intended to speak on this evening.

BUSINESS/ACTION ITEMS

18.1 Walnut Creek Sister City International Program

Walnut Creek Sister Cities International involves people and organize groups at all levels of our society in personal diplomacy. It provides a vehicle for planned and continuous contact between school communities to be actively involved in the rewarding field of international relations at the local level. The goal of the Youth Ambassador Exchange Program is to make a significant contribution to global peace through the exchanges of students, ideas and cultures. Through the Student Exchange Program, Foothill Middle School and Pleasant Hill Middle Schools will participate in an exchange of students and teachers with Siofok, Hungary and Noceto, Italy. As part of this program, teachers at Foothill MS and Pleasant Hill MS will be traveling as chaperones to Siofok, Hungary and Noceto, Italy in October 2014. Students from these Sister Cities will visit MDUSD schools during April 2015. During the year, our students will study the host countries and write reports. Board approval is requested for teachers and students to participate in the program.

Public Comment:

Walter Schick, thanked the Board, Superintendent and Council/Cabinet for their support of the Youth Ambassador Exchange Program and provided a brief overview of the program.

Mayo moved, Dennler seconded, and the Board voted 4-0-0-1 to approve participation in the Walnut Creek Sister Cities International Youth Ambassador Exchange Program.

18.2 Authorization to proceed with execution of a short-term agreement with YMCA of the Central Bay Area for temporary facilities at the Strandwood site

YMCA of the Central Bay Area is requesting permission to expand day-care facilities at Strandwood Elementary School. Site staff has concluded additional space is available at southern side of the campus and additional YMCA facilities will not impact the sites day-to-day operations. Based discussions, staff believe additional day care capacity would greatly benefit to both MDUSD and the Strandwood neighborhood. As such, staff requests authorization to proceed with execution of a short-term agreement for temporary facilities at the Strandwood site. A short-term agreement will provide additional time for all interested parties to investigate and program a more permanent solution, while providing immediate relief to Strandwood community. Pending this agreement, the District currently has four (4) interim housing units on site to support new building program. In the effort to certify temporary facilities and ensure spaces is available to support the 2014 – 2015 school year, YMCA is requesting permission to certify and prepare two of these units until a final lease details a temporary buildings is complete. Staff is recommending a three to five year agreement with all costs associated with temporary facilities the responsibility of the YMCA. District will review and approve architectural drawings, facilitate construction and ensure project is certified by DSA. Staff anticipates any agreement would be returned for Board ratification at the August 13th meeting.

Public Comment:

Michael Saenz, of YMCA of the Central Bay Area, shared that the expansion of their facility at Strandwood Elementary will allow their program to support 50+ additional students from MDUSD families.

Lawrence Schoenke explained the process he and Tim Cody, Measure C, are going through to support this project and the purpose of the short-term agreement.

Mayo moved, Dennler seconded, and the Board voted 4-0-0-1 to approve authorization of the execution of a short-term agreement with YMCA of the Central Bay Area for temporary facilities at the Strandwood site.

18.3 Public presentation of an additional proposal to sunshine from Teamsters Local 856

By law, school districts are required to "sunshine" collective bargaining proposals in an open session of the Board. The attached proposal from Teamsters Local 856 must first be submitted as an information item and then returned at a later meeting for action.

The purpose of this item is for the Board to receive the proposal. No action was required on this docket item.

18.4 Opportunity for public response to the additional proposal to sunshine from Teamsters Local 856.

At the June 4, 2014 meeting, an additional proposal to sunshine from Teamsters Local 856 was publicly presented. We are now presenting this proposal for public response.

Mayo moved, Hansen seconded, and the Board voted 4-0-0-1 to approve to accept the proposal to sunshine from Teamsters Local 856 and formally accept the proposal for formal negotiations.

18.5 Meeting Extension

Adjournment time will be no later than 10:30 p.m. for all regular and special meetings unless extended to a specific time as determined by a majority of the Board.

Mayo moved, Hansen seconded, and the Board voted 4-0-0-1 to approve to extend the meeting time to 2:00 a.m. on Thursday, June 26, 2014.

18.6 Update to the Local Education Plan: Title III

An Update of the Title III Plan is necessary to continue to receive federal funding for English Learners. This new requirement came from CDE due to federal oversight of CA monitoring of schools receiving Title III funding. The goals of Title III for English Learners are: 1. to achieve English language proficiency and 2. To meet the same high academic standards required of all students.

Hansen moved, Mayo seconded, and the Board voted 4-0-0-1 to approve the Updated Title III Plan.

18.7 Approve the Submission of the 2014-2015 Consolidated Application for Funding.

Each year the District submits the Consolidated Application for funding Categorical Aid Programs. In 2011 the California Department of Education (CDE) changed the application process to the Consolidated Application and Reporting System (CARS). The Consolidated Application (ConApp) is used by the California Department of Education (CDE) to distribute categorical funds from various state and federal programs to county offices, school districts, and direct-funded charter schools throughout California. Annually, in June, each local educational agency (LEA) submits the Spring application to document participation in these programs and provide assurances that the district will comply with the legal requirements of each program. Program entitlements are determined by formulas contained in the laws that created the programs. The Fall release is submitted in October of each year. The winter release of the application is submitted in January of each year and contains the district entitlements for each funded program. Out of each state and federal program entitlement, districts allocate funds for indirect costs of administration, for programs operated by the district office, and for programs operated at schools. This application for Funding consists of the district's assurance that all programs of the application are implemented according to state and federal mandates. Programs included on the application for Mt. Diablo Unified School District are: Economic Impact Aid (for as long as carryover exists), Title I, Part A; Title II, Part A (Teacher Quality); and Title III Part A LEP.

Hansen moved, Mayo seconded, and the Board voted 4-0-0-1 to approve the submission of the 2014-2015 Consolidated Application for Funding.

18.8 Adoption of Mt. Diablo Unified School District's Local Control Accountability Plan (LCAP)

All California school districts are required to develop a Local Control Accountability Plan (LCAP). This plan identifies district strategies to support learning and is organized from the Eight State Priorities clustered into three categories. Mt. Diablo Unified School District's LCAP focuses on the areas identified through our stakeholder engagement process and district planning efforts. Our LCAP Goals and Identified Needs, grounded in research-based programs and practices, are aligned with our District Strategic Plan. These goals address student achievement, college and career readiness, state standards alignment, interventions for underserved students, enrichment opportunities, family and community engagement, and how a responsive system supports schools and students through operations and infrastructure.

Public Comment:

Willie Mims, East County NAACP & PBA representative, inquired if there would be a staff report on this item. Ms. Oaks shared that the report was given at the last meeting. Mr. Mims thanked Lorie O'Brien for meeting with him to explain aspects of the LCAP in depth. He shared his concern about a tremendous amount of money for classified and certificated salaries paid by Supplemental monies. He commented he did not see a significant amount of money dedicated to counselors needed to address disproportionality, nor could he determine how much was allocated for training teachers to engage students and training administrators to engage parents.

Hansen moved, Dennler seconded, and the Board voted 4-0-0-1 to approve the adoption of the Mt. Diablo Unified School District's Local Control Accountability Plan.

18.9 Public Hearing and Adoption of the 2014-2015 Budget

The 2014-2015 proposed budget includes earlier actions taken by the Board of Education for 2014-2015; the Governor's May Revise; and costs associated with moving from one year to the next, such as moving employees' salaries through the salary schedule and changes in the employee benefit rates, current information the District has with implementing the Local Control Funding Formula (LCFF) and changes in the employee benefit rates. The Cost-of-Living-Adjustment (COLA) is 0.85%. The final draft budget will be available for review at the MDUSD District Office located at 1936 Carlotta Drive, Concord, CA, from 8:00 a.m. until 4:00 p.m., June 23-June 25, 2014.

President Oaks opened the Public Hearing on June 18th and stated it is continuing through June 25th.

Nance Juner presented on the 2014-2015 Budget and answered questions.

Public Comment:

Willie Mims, East County NAACP & PBA representative, voiced his concern that there was not a line item highlighting the Supplemental grant and asked why it is not identified in the budget. He inquired whether sites with carryover funds were using them to appropriately address student needs.

President Oaks declared the Public Hearing closed at *10:53 p.m. on June 25, 2014.

Interim General Counsel, Lawrence Schoenke, addressed the Board sharing there were several items which needed to be edited in the budget document prior to the Board's vote. Those items are near the back of the document:

School District Criteria and Standards Review

- On page 20 of 27, item #2 states the district has a \$100,000 Self Insured Retention on liability; this figure should be changed to \$250,000.
- On page 23 of 27, form 01CS, S8B. Cost Analysis of District's Labor Agreements - Classified (Non-management) Employees, under Classified (Non-management) Salary and Benefit Negotiations, Question #1: Are salary and benefit negotiations settled for the budget year? (2014/2015) The answer indicated on the form is "Yes". As MDUSD has three classified bargaining units, the answer is actually "Yes and No". CSEA has a reopener for 14/15 and Teamsters are currently negotiating 13/14, 14/15 and 15/16. The document will be amended to reflect this.
- Also stated for the record, the State cost of 1% included in salary and statutory benefits for each unit must be included so Teamsters should read \$138,236, and CSEA should read \$112,704. These figures will be entered into the document.

Hansen moved, Dennler seconded, and the Board voted 4-0-0-1 to approve the 2014-2015 Budget with amendments to the document as stated by Lawrence Schoenke. (See above.)

18.10 Public Hearing for Resolution 13/14-42 to Utilize Flexibility of SBX3 4 and SB70

Although SB70 extended the Tier 3 flexibility provided under SBX3-4 through the 2014-15 school year, the Local Control Funding Formula has absorbed all remaining Tier 3 funding. To maximize the flexibility under the LCFF, staff recommends sweeping the remaining Tier 3 balances to the unrestricted general fund after all 2013-14 expenses are paid as part of the closing of the books. Targeted Instructional Improvement Grant, which continues as a separate funding source under LCFF will be exempted. Adult Education, which has a Maintenance of Effort requirement through 2014-15, will cease as a Tier 3 program, but the code will be used to record the contribution to record the Maintenance of Effort. As a condition of receipt of the funding a public hearing on utilization of the flexibility is required annually.

President Oaks opened the Public Hearing at *11:00 p.m. As there were no public speakers, the Public Hearing was closed at *11:01 p.m.

18.11 Resolution 13/14-42 to Utilize Flexibility Authorized by SBX3 4 and SB70

Although SB70 extended the Tier 3 flexibility provided under SBX3-4 through the 2014-15 school year, the Local Control Funding Formula has absorbed all remaining Tier 3 funding. To maximize the flexibility under the LCFF, staff recommends sweeping the remaining Tier 3 balances to the unrestricted general fund after all 2013-14 expenses are paid as part of the closing of the books. Targeted Instructional Improvement Grant, which continues as a separate funding source under LCFF will be exempted. Adult Education, which has a Maintenance of Effort requirement through 2014-15, will cease as a Tier 3 program, but the code will be used to record the contribution to record the Maintenance of Effort. As a condition of receipt of the funding a public hearing on utilization of the flexibility is required annually.

Dennler moved, Hansen seconded, and the Board voted 4-0-0-1 to approve Resolution 13/14-42 to Utilize Flexibility Authorized by SB3 4 and SB70.

18.12 Application for Vendorization for Mt. Diablo Adult Education, Adults with Disabilities TOPS program to the Regional Center of the East Bay

Mt. Diablo Adult Education – TOPS program for adults with cognitive and developmental disabilities would like to apply for vendorization by the Regional Center of the East Bay (RCEB) as a Community Day Program. If approved by the Regional Center of the East Bay, Mt. Diablo Adult Education’s TOPS program would receive \$30.00 per student in attendance each day for students who are clients of the Regional Center. As a vendor, Mt. Diablo Adult Education TOPS program would be responsible for providing life and vocational skills classes, recording daily attendance each day and submitting attendance to the RCEB through their web site. Electronic billing would be done once a month from Mt. Diablo Adult Education to RCEB.

Hansen moved, Mayo seconded, and the Board voted 4-0-0-1 to approve the addition of Mt. Diablo Adult Education's TOPS program to the vendorization agreement with Regional Center of the East Bay.

18.13 PULLED BY STAFF: Request authorization to submit the 2014-2017 Technology Plan to California Department of Education

Request authorization to submit the Mt. Diablo Unified School District 2014-2017 Technology Plan to the California Department of Education (CDE). Mt. Diablo Unified is required by CDE to have an approved Technology Plan to be eligible to receive formula, grant and E-Rate funding. The plan is comprised of nine components: district summary, curriculum, professional development, research-based strategies, stakeholder involvement, collaboration with Adult Education, monitoring and evaluation, infrastructure and budget. A variety of stakeholders were involved in the department, review and modification of the proposed 2014-2017 MDUSD Technology Plan. The Technology Advisory Committee (TAC), made up of a variety of stakeholders, including students, staff, parents and community members, helped to create the plan. The plan was posted on the MDUSD website, and distributed through various committees and groups, including K-Adult and a review team at the Contra Costa County Office of Education (CCCOE).

18.14 Addition of Monthly Board Meeting

Proposal to designate one night per month to be agreed on by the Board as an additional meeting. This meeting will be used for joint meetings with cities and jurisdictions within the boundaries of Mt. Diablo Unified, as well as possible joint meetings with other local Boards such as community colleges.

Board members had a lengthy discussion about how to best schedule these meetings. The suggestion to hold these meetings on the third Monday of each month was made. Board members agreed to continue discussion and fine-tune the date upon return to regular meetings in August.

Dennler moved, Hansen seconded, and the Board voted 4-0-0-1 to approve the addition of one monthly Board meeting to be used as a joint meeting with cities, Boards and jurisdictions within the boundaries of the Mt Diablo Unified School District.

18.15 Second Meeting Extension

If it is anticipated that Adjournment time will be later than the specific extended time as determined by a majority of the Board, an additional meeting extension may be required.

A second meeting extension was not required.

18.16 Resolution No. 13/14-55 in the matter of employment of retired classified employee

Lawrence M. Schoenke

Resolution No. 13/14-55 directs staff to re-employ Lawrence M. Schoenke as Interim General Counsel effective July 1, 2014 - June 30, 2015.

Mayo moved, Hansen seconded, and the Board voted 4-0-0-1 to approve the adoption of Resolution No. 13/14-55 to re-employ Lawrence M. Schoenke as Interim General Counsel effective July 1, 2014 - June 30, 2015.

18.17 Legal Services Contract with Latisha McCray, Contract Attorney

On May 6, 2013, the Board approved a legal services contract through July 31, 2013, with Latisha McCray. On August 28, 2013, the Board approved a contract extension through June 30, 2014. Ms. McCray is skilled in legal research and has conducted workplace investigations and employee training, responded to public records act requests, assessed tort claims, provided legal advice to school sites, and addressed a myriad of other issues. Ms. McCray reports directly to the General Counsel and Associate General Counsel. A new contract is requested through June 30, 2015, to continue Ms. McCray's services.

Dennler moved, Mayo seconded, and the Board voted 4-0-0-1 to approve the Legal Services Contract for Latisha McCray through June 30, 2015.

18.18 Post Retirement Contract for Adult Education Administrator

Mt. Diablo Adult Education requests approval of a Post Retirement Contract for services with Margaret Scott, retired Adult Education Vice Principal, for administrative support to Pleasant Hill based Adult Education programs and intermittent administrative coverage support for the Loma Vista Adult Center programs. The contract would be for a maximum of 775 hours, averaging 21 hours per week. Given budget reductions, Mt. Diablo Adult Education has not filled a vacant Vice Principal position and would utilize Ms. Scott's services at a greatly reduced number of hours and cost.

Mayo moved, Dennler seconded, and the Board voted 4-0-0-1 to approve the Mt. Diablo Adult Education's post retirement contract for Adult Education Administrative support.

18.19 Approval of School Counselor Position and Creation of Six School Counselor Positions

Job Description for School Counselor Position

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 2014-2015 school year to support this effort. Within the Plan, we have identified six Pilot Schools to provide direct support to the target group of students. These counseling positions will support the target group of students at our six pilot schools.

Jonathan Roselin provided an overview of the position description and pointed out new edits made to the document. President Oaks determined that this item will be brought back at a future meeting for action.

18.20 Authorize the Superintendent to Make Interim Appointments to Administrative Positions

Management vacancies

Currently, there are several administrative positions that are open. Staff is requesting that the Superintendent have the authority during the month of July to enter into agreements and make appointments to administrative positions. All positions being filled will follow our current protocol to fill these positions which includes vetting of applicants paper work, interviews, reference checking, and background screening. Only positions that are currently authorized by the Board can be filled. Any appointment made will follow Board Policy 4351, and all candidates will be brought to the August 13 Board meeting to be introduced and ratified by the Board.

Public Comment:

Willie Mims, East County NAACP & PBA representative, spoke in favor of approving this docket to authorize the Superintendent to make interim appointments to administrative position vacancies. He stated that he is on the Contra Costa Community College District Diversity Workforce Committee, working to develop a hiring policy based on diversification. He suggested that screening committees be diversified and the District adopt a similar hiring policy.

Hansen moved, Dennler seconded, and the Board voted 4-0-0-1 to approve the authorization of the Superintendent to enter into contracts for administrative positions prior to the August 13, 2014, Board meeting.

18.21 Independent Services Agreement with Total School Solutions for Consulting Services

The services of a consultant with expertise in budget and fiscal matters is requested to provide transitional support to the Budget & Fiscal Services Department. This agreement would not exceed \$30,000.

Dennler moved, Mayo seconded, and the Board voted 4-0-0-1 to approve to enter into an Independent Services Agreement with Total School Solutions for consulting services.

18.22 Memorandum of Understanding with the City of Concord for the Restoration of School Resource Officers at 3 MDUSD High Schools

School Resource Officers are furnished by the police department, supervised by the police department, and housed on school site campuses. These officers provide school support, supervision, and create a proactive environment to maintain school safety. These positions were eliminated in 2011 with city budget cuts. As a result of joint conversations with the City of Concord, we are recommending an MOU with the city to co fund these positions on the comprehensive high school campuses of Concord. These campuses would include Concord High, Mt. Diablo High School and Ygnacio Valley High School. This position will be evaluated annually to confirm this agreement and to approve resources. Regarding the remaining two high schools, we are interested in pursuing options to support these sites as well. During our community outreach meetings, there were strong discussions about the need for increased school supervision, consistent discipline, and a safe environment for our students. This action is in line with this goal.

Public Comment:

Michael Langley spoke about the proportional cost in relation to time allocated for School Resource Officers. He shared he is in favor of School Resource Officers, but has concerns that the officers' schedule of 10 hours/day and 4 days/week may not cover Friday or Monday at a high school site. He voiced his hope that the MOU would provide for coverage on every school day, by working with their bargaining units to accommodate the needs of the schools. He voiced that officers should be skilled and committed to the concept of School Resource Officers, emphasizing the need for community policing versus patrolling.

Lawrence Schoenke shared that he and the City Manager are still in discussion about the format for the identified issues. This evening, the commitment to provide the funding is requested and the final MOU will be brought back at a future meeting for Board approval.

Willie Mims shared that School Resource Officers may not be needed on campus all day and questioned the cost for officers to be employed on campus all day.

Mayo moved, Dennler seconded, and the Board voted via voice vote 4-0-0-1 to substitute the main motion to approve that the Board of Education fund 1.5 positions, representing \$240,000 for School Resource Officers at three MDUSD high schools and authorize development of an MOU with the City of Concord for School Resource Officers.

18.23 Minutes for the Board of Education Special Meeting held on May 27, 2014

Minutes for the Board of Education Special Meeting held on May 27, 2014, are being brought forward for approval.

Hansen moved, Mayo seconded, and the Board voted 4-0-0-1 to approve the minutes for the Board of Education Special Meeting held on May 27, 2014.

18.24 Minutes for the Board of Education Meeting held on May 28, 2014

Minutes for the Board of Education Meeting held on May 28, 2014, are being brought forward for approval.

Dennler moved, Mayo seconded, and the Board voted 4-0-0-1 to approve the minutes for the Board of Education Meeting held on May 28, 2014.

FUTURE AGENDA ITEMS

President Oaks reminded Board Members to submit future agenda items to the Superintendent.

CLOSED SESSION

The Board of Education returned to Closed Session at 12:07 a.m. on June 26, 2014, to complete Closed Session agenda items #8.12 and #8.17.

RECONVENE OPEN SESSION

The Board reconvened at 1:46 a.m. President Oaks reported out that on item #8.12, the Board gave direction to legal counsel. On item #8.17, the Superintendent’s Evaluation, the Board needs to complete the discussion and the written evaluation which will be done at a Special Board Meeting to be held on Monday, June 30, 2014, at 2:30 p.m.

ADJOURNMENT

The meeting adjourned at 1:47 a.m. on June 26, 2014.

* Times noted are approximate.

DRAFT

Respectfully submitted,

Nellie Meyer, Ed.D.
Superintendent