

**MINUTES**  
**REGULAR MEETING OF THE BOARD OF EDUCATION**  
**MT. DIABLO UNIFIED SCHOOL DISTRICT**  
**Monday, June 13, 2016 (5:30 p.m./7:00 p.m.)**

Board Members: President Cheryl Hansen, Vice President Debra Mason, Brian Lawrence, Linda Mayo, and Barbara Oaks

Administrative Staff: Superintendent Dr. Nellie Meyer and General Counsel Donald Velez

**CALL TO ORDER**

President Hansen called the meeting to order at 5:30 p.m. and conducted Roll Call with all Board members present with the exception of Barbara Oaks and Brian Lawrence\*. Mrs. Oaks, participated via Teleconference from Port Orleans Resort, 1251 Riverside Drive, Lake Buena Vista, FL, 32830

**PUBLIC COMMENT**

There was no Public Comment.

**CLOSED SESSION AGENDA**

\*Mr. Lawrence arrived during Closed Session.

**3.1 (Item #1) Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957(b)(1))**

**3.2 (Item #2) Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957(b)(1))**

**3.3 (Item #3) Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957(b)(1))**

**3.4 (Item #4) Negotiations - The Board may discuss negotiations or provide direction to its representatives regarding represented employees, pursuant to EERA (Govt. Code Section 3549.1) Agency negotiator: Donald A. Velez and Deborah Cooksey; Agencies: MDEA, DMA, MDSPA, CSEA, CST Local 1 and Teamsters Local 856**

**3.5 (Item #5) Existing Litigation - Conference with Legal Counsel (Paragraph (1) of subdivision (d) of Government Code Section 54956.9): Emmons v. Mt. Diablo Unified School District, Contra Costa Superior Court Case No. MSC15-00761**

**3.6 (Item #6) Anticipated Litigation - Conference with Legal Counsel pursuant to Gov't. Code Sec. 54956.9(b), Significant Exposure to Litigation: 2 cases**

**3.7 (Item #7) Expulsion of Student #18-16 from all regular schools of the Mt. Diablo Unified School District**

**3.8 (Item #8) Expulsion of Student #19-16 from all regular schools of the Mt. Diablo Unified School District**

**ADJOURN TO CLOSED SESSION**

The Board adjourned to Closed Session at 5:32 p.m.

**RECONVENE OPEN SESSION**

The Board reconvened Open Session at 7:16 p.m.

## **PRELIMINARY BUSINESS**

President Hansen led the Pledge of Allegiance and conducted Roll Call with all Board members present with the exception of Barbara Oaks. Mrs. Oaks participated via teleconference from Port Orleans Resort, 1251 Riverside Drive, Lake Buena Vista, FL, 32830.

## **REPORT OUT ACTION TAKEN IN CLOSED SESSION**

### **7.1 (Item #1) Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957(b)(1))**

The Board of Education voted 4-0-1 (Lawrence absent) to non-reelect a first year probationary certificated employee.

### **7.2 (Item #2) Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957(b)(1))**

The Board of Education gave direction to staff.

### **7.3 (Item #3) Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957(b)(1))**

The Board of Education gave direction to staff.

### **7.4 (Item #4) Negotiations - The Board may discuss negotiations or provide direction to its representatives regarding represented employees, pursuant to EERA (Govt. Code Section 3549.1) Agency negotiator: Donald A. Velez and Deborah Cooksey; Agencies: MDEA, DMA, MDSPA, CSEA, CST Local 1 and Teamsters Local 856**

President Hansen read a statement to accept a signed Memorandum of Understanding (MOU) to change the terms of the collective bargaining agreement between the District and Mt. Diablo Educators Association (MDEA) by revising Article 22.7.1, Retiree Spousal Benefits. The revision changes the current deadline to apply for spousal benefits from the second Friday of April of the end of the fiscal year in which the retiree reaches age 63, to the end of the fiscal year the retiree reaches age 63 (June 30). President Hansen reported the Board voted 5-0-0 to accept the MOU, which will be placed in the next successor agreement.

### **7.5 (Item #5) Existing Litigation - Conference with Legal Counsel (Paragraph (1) of subdivision (d) of Government Code Section 54956.9): Emmons v. Mt. Diablo Unified School District, Contra Costa Superior Court Case No. MSC15-00761**

The Board of Education conferred with General Counsel and voted 5-0-0 on direction given to General Counsel.

### **7.6 (Item #6) Anticipated Litigation - Conference with Legal Counsel pursuant to Gov't. Code Sec. 54956.9(b), Significant Exposure to Litigation: 2 cases**

The Board of Education discussed two cases.

In one case, the Board provided direction to staff based on a vote of 5-0-0 by the Board.

In the second case, President Hansen read a statement approving staff enter into a one year Facilities Use Agreement with Rocketship Education Incorporated, also known as Rocketship Charter School for the 2016/17 school year only. This Facilities Use Agreement replaces the parties' rights under Proposition 39. Material terms of the agreement include:

- 1) Rocketship's revised Charter which projects only 150 students;
- 2) Rocketship will be limited to exclusive use of six modular classroom buildings and one restroom co-located on the Ayers campus. The two schools will share the blacktop, playground, turf areas, Multi-Use Room and Library;

3)Most Rocketship students will be transported on buses, with each buses holding up to 25 students. Two buses will arrive at 7:15 a.m., and two will arrive at 7:55 am. The current estimate is less than 120 students;

4)Rocketship will start at 8:05 a.m. and dismiss after 4:00 p.m. most days. Ayers will start at 7:40 a.m. and dismiss at 2:25 p.m. most days. Both schools' principals will work out further details of scheduling, timing and sharing of facilities;

5)Rocketship will deposit \$120,000 to pay for all estimated costs to add one bus turnaround and 9 additional parking spots;

6)Rocketship will pay an initial estimated Facilities Use Fee of \$36,768 based on the square footage of the exclusive space and a portion of the shared space at the location.

President Hansen reported that in Closed Session, the Board voted 5-0-0 to approve this one year Facilities Use Agreement.

**7.7 (Item #7) Expulsion of Student #18-16 from all regular schools of the Mt. Diablo Unified School District**

Lawrence moved, Mason seconded, and the Board voted 5-0-0 via voice vote to approve the expulsion of Student #18-16 from all regular schools of the Mt. Diablo Unified School District and that Student #18-16 may apply for readmission after January 20, 2017. It is required that Student #18-16 participates in 20 hours of individual counseling to address conflict resolution and anger management, to attend MDUSD Saturday Workshop for Anger Management, show evidence of a successful school experience earning 30 credits, and sign a Behavior Contract, where Student will comply with District and School rules. School placement for Student #18-16 will be determined by the Director of Student Services.

**7.8 (Item #8) Expulsion of Student #19-16 from all regular schools of the Mt. Diablo Unified School District**

Mayo moved, Mason seconded, and the Board voted 5-0-0 via voice vote to approve the expulsion of Student #19-16 from all regular schools of the Mt. Diablo Unified School District and that Student #19-16 may apply for readmission after January 20, 2017. It is required that Student #19-16 participate in 20 hours of individual counseling to address anger management, to attend MDUSD Saturday Workshop for Anger Management, and to show evidence of a successful school experience earning 30 credits. School placement for Student #19-16 will be determined by the Director of Student Services.

**PUBLIC COMMENT**

Izzy Triana and Tessa Collins, students attending Sequoia Middle School, shared their concerns about the Pearson Realize Math curriculum piloted and selected for middle school students. A petition containing 125 student signatures was presented to the Board of Education.

Mary Gray shared her concerns about the middle school Math pilot survey and the selection of the proposed adopted curriculum.

George Fulmore shared that he attended Ygnacio Valley High School's graduation ceremony and had hoped to see acknowledgement of Latino students and parents. He also voiced concerns about the information reported about the District at the website [www.greatschools.com](http://www.greatschools.com).

Gina Haynes spoke about the Bancroft feeder pattern and shared her concerns about 2016-17 SBX54 transfers and the transfer lottery process. She urged the district to look at the Bancroft split feeder pattern.

Shannon Collins shared her concerns about Rocketship Charter School locating its campus on the Ayers Elementary School site and requested Ayers school staff and administrator be provided support through the transition and going forward. She requested parents be informed of the supports the District will offer to the school. She voiced the need to provide the school with a track, additional portables and a qualified liaison.

Jack Collins expressed his disappointment of the Rocketship Charter School/Ayers process. He requested additional resources as well as support be provided to Ayers staff and students.

Susan Dupuis voiced her concerns about the Jobulator subscription priority job notification component of the AESOP Substitute Management system which provides immediate access to jobs to paid subscribers.

Jasmine Hernandez shared her experience with administration and teachers at a District high school.

Debbie Woods shared her concerns about fiscal accounts at Mt. Diablo High School and requested support to remedy the concerns.

Brandi deAssis shared her concerns about student achievement and language barriers at Oak Grove Middle School as the feeder middle school for Woodside and Bancroft Elementary Schools.

## **RECOGNITIONS AND RESOLUTIONS**

### **9.1 Board of Education Recognition of Exemplary School Attendance**

The Board of Education recognized Gunnar Oakley, 8<sup>th</sup> grader at Diablo View Middle School, for his exemplary attendance 1<sup>st</sup> through 8<sup>th</sup> grade. Principal Patti Bannister shared positive comments made by Gunnar's teachers at Ayers Elementary and Diablo View through the years. Dr. Meyer presented Gunnar with a certificate of recognition.

### **9.2 Board of Education Recognition of Individuals Serving on Board Committees**

The Board of Education recognized the following individuals for their personal contributions benefiting students: Dorothy Weisenberger (Community Advisory Committee); Denise Lambert (Community Advisory Committee); Jenny Guirola (absent) (District English Learners Advisory Committee); Ileana Flores (District English Learners Advisory Committee).

## **PUBLIC EMPLOYEE APPOINTMENT**

### **10.1 Appointment of Elementary Principal - Bel Air Elementary**

Lawrence moved, Mayo seconded, and the Board voted 5-0-0 via voice vote to approve the appointment of Robert Humphrey to the position of Elementary Principal - Bel Air Elementary.

### **10.2 Appointment of Elementary Principal - Highlands Elementary**

Mayo moved, Mason seconded, and the Board voted 5-0-0 via voice vote to approve the appointment of Ryan Sheehy to the position of Elementary Principal - Highlands Elementary.

### **10.3 Appointment of Elementary Principal - Monte Gardens Elementary**

Lawrence moved, Mayo seconded, and the Board voted 5-0-0 via voice vote to approve the appointment of Erin Fairholm to the position of Elementary Principal - Monte Gardens Elementary.

### **10.4 Appointment of Vice Principal, High School - Concord High School**

Mason moved, Lawrence seconded, and the Board voted 5-0-0 via voice vote to approve the appointment of Heather Veasley to the position of Vice Principal, High School - Concord High School.

**10.5 Appointment of Vice Principal, Middle School - Diablo View Middle School**

Mayo moved, Mason seconded, and the Board voted 5-0-0 via voice vote to approve the appointment of Erin DeMartini to the position of Vice Principal, Middle School - Diablo View Middle School.

**10.6 Appointment of Vice Principal, Middle School - Riverview Middle School**

Mason moved, Mayo seconded, and the Board voted 5-0-0 via voice vote to approve the appointment of Suleyma Moss to the position of Vice Principal, Middle School - Riverview Middle School.

**10.7 Classified Personnel: Appointment of Occupational Therapist**

Mayo moved, Lawrence seconded, and the Board voted 5-0-0 via voice vote to approve the appointment of Megan Giacomino to the position of Occupational Therapist.

**10.8 Classified Personnel: Appointment of Occupational Therapist**

Mason moved, Lawrence seconded, and the Board voted 5-0-0 via voice vote to approve the appointment of Kerry Lamson to the position of Occupational Therapist.

**BOARD MEMBER REPORTS**

Mrs. Mayo thanked parents and faculty of graduating seniors for sharing their children with the District. She shared it was a joy to attend six of the nine ceremonies. Mrs. Mayo provided information on the District's LCAP and special education budgets to Pam Mirabella, County Board member, who traveled to Washington, D.C. for the national California School Boards Association (CSBA) legislative meetings with representatives of congress as she advocates for bills for nutrition and special education.

Mrs. Mayo shared her sadness at the recent violence in Orlando, Florida. She expressed her sympathy to those who lost family members. Lastly, Mrs. Mayo requested the meeting be closed in the memory of Darryl Handy, who passed on June 2, 2016. Mrs. Mayo shared highlights of his many contributions to the District and beyond.

Mrs. Mason shared that she also attended high school graduations. She shared that at two of the graduations, there were bilingual presentations.

Mr. Lawrence shared he attended the Bridge Program and Northgate High School graduations. Mr. Lawrence acknowledged the suggestions made under Public Comment by parents at Ayers Elementary and he reiterated that the District Board of Education and County Board of Education voted against Rocketship Charter School. The charter was approved at the state level, thus presenting the Board and staff with a compressed timeframe to determine facilities.

Ms. Hansen shared she attend eight of the nine graduation ceremonies, which she found to be incredible. She shared she attended the District English Learners Advisory Committee (DELAC) meeting on May 26<sup>th</sup>, where she and many parents heard Dr. Meyer and Jennifer Sachs speak about the District's Local Control Accountability Plan (LCAP). Ms. Hansen spoke about the garden and library dedication at El Monte Elementary which she recently attended along with Mrs. Mayo. She shared that the garden is located in front of the school so that parents and children can visit any time and pick the produce from the garden.

Ms. Hansen acknowledged Amanda Leung for her contributions to the District the past two years by transcribing Board meetings and wished to thank her publically for her tireless hours behind the scenes.

**SUPERINTENDENT'S REPORT**

Dr. Meyer acknowledged the many promotions and graduations at schools around the District. Dr. Meyer shared photos of her recent visit to El Monte Elementary School to attend their garden dedication.



Dr. Meyer shared she served as a panel member at Northgate High School where she heard students present their Senior Projects, including a student who had designed a robotic hand which had been created on a 3-D printer, a student who had created a communal garden in Berkeley, as well as a student who had written a book for elementary aged children highlighting students with disabilities.

Dr. Meyer shared photos and highlights of the various graduation ceremonies held the previous week. Lastly, Dr. Meyer acknowledged Michael Gadd, the District DJ at KCVS who broadcasts Board meetings, by thanking him and wishing him a happy birthday (June 13, 2016).

## **REPORTS/INFORMATION**

### **13.1 District English Learners Advisory Committee (DELAC)**

Jose Espinoza, the Director of English Learner Services introduced Marga Marshall, an English Learner teacher on special assignment and parents members of the DELAC who spoke about the recent CABE conference and the empowerment and benefits to parents attending. Simon Santana, parent and ELD Support teacher at Meadow Homes, shared what he learned at the CABE conference about maintaining a Dual-Language Program.

Dr. Meyer noted that Meadow Homes Elementary School received the prestigious CABE Seal of Excellence and shared that Cambridge Elementary School was visited by CABE. Dr. Meyer presented a certificate of recognition from the Board of Education to Meadow Homes Elementary, which was accepted by Principal Sandra Wilbanks.

### **13.2 Middle School Sports**

Jonathan Eagan, Assistant Superintendent of Middle Schools, John Pamer, parent and community member, and Robert Humphrey, middle school Principal, gave a presentation on the first year of the Middle School Sports Program. The program and transportation were free to students. Sports played in 2015-2016 were basketball, football, soccer and kickball. Sponsors of the program included Diablo Valley Credit Union and SportStars. Principal Humphrey shared about the program at El Dorado Middle School.

### **13.3 Presentation of the ON TRACK Program within the Adults with Disabilities (AWD) Program of Mt. Diablo Adult Education (MDAE)**

The ON TRACK program of Mt. Diablo Adult Education (MDAE) is celebrating 20 years of serving the educational needs of adults with Acquired Brain Injury (ABI) due to incidents during military service, automobile/motorcycle accidents, strokes, etc. This State-recognized program provides training and support to adult students to relearn cognitive skills; develop new coping skills; improve ability to live independently; build self-esteem; set personal goals; and prepare for reentry into the workforce and/or to prepare for further education. On Friday, June 24, 2016, ON TRACK will host at the Loma Vista Adult Center (LVAC), a ceremony celebrating students, staff and community members who have shaped and who support the program.

Vittoria Abbate, Director of College & Career and Adult Education, introduced Debbie McClary, instructor, and Ken Reader, ON TRACK student, who each spoke about the ON TRACK Program.

## **CONSENT AGENDA**

### **Public Comment**

Anita Johnson voiced her concerns about Item #14.17-Certificated Personnel: Request to Increase and Decrease Full Time Equivalent (FTE) for the 2015-2016 School Year and 2016-2017 School Year.

Board member Lawrence requested that Item #14.19 be pulled from the Consent Agenda for discussion.

Mayo moved, Mason seconded, and the Board voted via voice vote 5-1-0 (with Lawrence dissenting) to approve all Consent Agenda items, with the exception of #14.19 (which was pulled for discussion), and #14.27 (which was pulled by staff) thereby approving the following:

**14.1 (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.**

**14.2 (Item #2) College Park High School Cross Country Trip to Hawaii, September 14-18, 2016**

College Park High School is requesting permission to attend the 18th Annual Iolani Cross Country Invitational in Hawaii, September 14-18, 2016. This provides an opportunity for runners to participate in a race against 28 teams and against Hawaii's Division 1 2015 Cross Country Champions. Eighteen students along with 9 chaperones will be staying at the Aston Waikiki Sunset in Honolulu.

**14.3 (Item #3) Concord High School's Overnight Trip to CSU East Bay, July 25-28, 2016**

Concord High School is requesting permission to attend a training at Cal State University, East Bay July 25-29, 2016. Four students and 1 adult would be staying in the dorms in Hayward and be trained in Edesign to create their yearbook.

**14.4 (Item #4) Mt. Diablo High School's Overnight Trip to Patrick's Point State Park, Trinidad, CA, October 6-9, 2016**

Mt. Diablo High School is requesting permission for 35 ACME Seniors to travel to Patrick's Point State Park in Trinidad, CA, October 6-9, 2016. Five chaperones will accompany the students on a bus provided by the district. Students will be camping at the State Park and work on team building and explore college options at Humboldt State.

**14.5 (Item #5) Northgate High School Cross Country Team's trip to Hawaii, September 15-18, 2016**

Northgate High School is requesting permission to attend the 18th Annual Iolani Cross Country Invitational in Hawaii on September 15-18, 2016. This provides an opportunity for runners to participate in a race against 28 teams and against Hawaii Division 1 2015 Cross Country Champions. Fourteen students will be traveling with 3 chaperones and staying at the Aston Waikiki Condos in Honolulu.

**14.6 (Item #6) Northgate High School Cross Country trip to Mt. San Antonio College Invitational in Walnut, CA, October 21-22, 2016**

Northgate High School is requesting permission to attend Mt. San Antonio College's Cross Country Invitational October 21-22, 2016. Forty students and 3 chaperones will be traveling by Sierra Pacific Charter and staying at the Park Inn Radisson Suites, Covina.

\$5,250 has been budgeted for this trip. All expenses will be paid directly from the Northgate Athletic

**14.7 (Item #7) Ygnacio Valley High School's Overnight Trip to Scott's Flat Lake Campground, Nevada City, CA, July 22-24, 2016**

Ygnacio Valley High School is requesting permission for 23 Education Academy Leadership students to travel to Scott's Flat Lake Campground in Nevada City, CA July 22-24, 2016. Students will travel by District provided bussing along with 7 chaperones. On this team building trip, they will participate in leadership skills, cooperative team-building, problem identification and solving.

**14.8 (Item #8) Increase to the Independent Contract, Amendment #1 Between College Park High School and Event Group**

Due to increased ticket sales for the Senior Ball held on May 14, 2016, the Independent Service Contract for the Event Group, needs to be amended from \$40,000 to \$45,900.00. Original contract and board approval on 6/1/15 is attached.

**14.9 (Item #9) Amendment to the Contract between Mt. Diablo Unified School District-Ygnacio Valley Elementary and Exploring New Horizons**

The Board approved the contract between Mt. Diablo Unified School District-Ygnacio Valley Elementary and Exploring New Horizons on April 11, 2016. 16 more students were able to attend camp than in the original contract for an additional cost of \$3,968.00

**14.10 (Item #10) Increase to the Independent Services Contract between Mt. Diablo Unified School District and Dr. Sherry Burke, School Psychologist**

Mt. Diablo Unified School District utilizes Independent Service Contractors to fill needs established through the Individualized Education Program (IEP) process. Dr. Sherry Burke provides Psycho-educational assessments for Non-Public School students per district request. Dr. Burke also performs Independent Educational Evaluations (IEE) if parents disagree with a school district evaluation and request an IEE. Additional funds of \$12,175.00 are requested for the remainder of the 2015-16 School Year to cover current requested assessments.

**14.11 (Item #11) Increase to the Independent Services Contract Between Mt. Diablo Unified School District and California Translation International**

Staff is requesting additional funding for the contract between Mt. Diablo Unified School District (MDUSD) and California Translation International (CTI) for the 2015/2016 school year. The Board approved the CTI contract on September 14, 2015.

**14.12 (Item #12) CIF Representation**

Annual board approval is required for designated staff to vote at league, section and state meetings regarding high school interscholastic athletics.

**14.13 (Item #13) 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 needed additional administrative support for the Loma Vista Adult Center programs. The contract would be for a maximum of 783.00 hours, averaging 21.25 hours per week. Given budget reductions, Mt. Diablo Adult Education has not filled a vacant Vice Principal position and would utilize Mrs. Scott's services at a greatly reduced number of hours and cost.

**14.14 (Item #14) Post Retirement Contract for Adult Education Administrator**

Mt. Diablo Adult Education requests approval of a post-retirement contract with Joanne Durkee (former MDUSD Director, College & Career and Adult Education), July 1, 2016 to June 30, 2017. Mrs. Durkee will help expand and support community partnerships in accordance with the newly-mandated Adult Education Block Grant (AEBG) (as established by recent AB86 and AB104 legislation) regional consortia system for delivery of adult education programs and services. Mrs. Durkee will also provide needed additional adult education program support for the Career Technical Education Center (CTEC) for program planning, enhancement and expansion in alignment with new AEBG regional work and outcome targets. Mrs. Durkee will also assist in monitoring compliance of these programs to the standards set by the Council for Occupational Education (COE), the national accrediting body of MDAE CTEC programs and services.



In addition, Mrs. Durkee will provide administrative support to the current MDUSD Director, College & Career and Adult Education, in her role co-chairing the new AEBG-funded Contra Costa County Adult Education Consortium (CCCAEC), representing the Contra Costa Community Colleges (Diablo Valley, Los Medanos, Contra Costa and CCC District Office), as well as the K-12 adult education programs of Mt. Diablo USD, Acalanes HSD, Martinez USD, Pittsburg USD, Liberty HSD and Antioch USD.

**14.15 (Item #15) Waiver Resolutions**

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 application in the identified position has been made public.

**14.16 (Item #16) Recommended Action for Certificated Personnel**

Changes in status of the following certificated employees.

**14.17 (Item #17) Certificated Personnel: Request to Increase and Decrease Full Time Equivalent (FTE) for the 2015-2016 School Year and 2016-2017 School Year**

The attached positions are requested to be increased and decreased as described.

**14.18 (Item #18) Recommended Action for Classified Personnel**

Changes in status of the following classified personnel.

**14.19 (Item #20) Allocation of Funding and Extension of Terms and Conditions for Fiscal Year 2016/2017 to DecoTech Systems, Inc. as Allowable Under Bid #1686: Classroom Technology Enhancement**

On June 1, 2015, the Board took action to award various contracts anticipated under District solicitation Bid #1686. This solicitation was called to ensure competitive pricing on more than 200 items typically used by the District and necessary to complete Classroom Technology improvements.

The scope of items included, but was not limited to: desktop computers, laptops, printers, wireless audio communication devices, chromebooks, mobile storage carts, switches and components, Microsoft licensing, wireless and network Technology equipment, and support. Lowest responsible bidders were Decotech Systems, Inc., Lightspeed Technology, Inc., and Apple Computer.

As anticipated, District expended allocated funding to complete the first group of schools during fiscal year 2015/2016. Staffs has updated models, confirmed pricing structure and as allowable under the terms of solicitation 1686, recommends allocating additional funding, model changes and extension of terms and conditions for fiscal year 2016/2017.

Once again, District intends to order, by site, as needed for each phase of technology enhancement program.

**14.20 (Item #21) Add Components and Extend Terms and Conditions for Fiscal Year 2016/2017 to Lightspeed Technologies, Inc. as Allowable Under Bid #1686: Classroom Technology Enhancement**

On June 1, 2015, the Board took action to award various contracts anticipated under District solicitation Bid #1686.

This solicitation was called to ensure competitive pricing on more than 200 items typically used by the District and necessary to complete Classroom Technology improvements.

The scope of items included, but was not limited to: desktop computers, laptops, printers, wireless audio communication devices, chromebooks, mobile storage carts, switches and components, Microsoft licensing, wireless and network Technology equipment, and support. Lowest responsible bidders were Decotech Systems, Inc., Lightspeed Technology, Inc., and Apple Computer.

Staff has confirmed pricing structure and as allowable under the terms of solicitation of Bid#1686, recommends extension of terms and conditions for fiscal year 2016/2017. Additionally, sites are typically requesting two (2) add-on components not previously identified during the solicitation process.

Lightspeed has provided pricing and District technology staff negotiated pricing and finds additional components to be fair, reasonable and in the best interest of the District to add to base components of the solicitation.

Once again, District intends to order, by site, as needed for each phase of technology enhancement program. Additional funding is not being requested since procurements are not expected to exceed original funding authorization approved under the June 1, 2015 action.

**14.21 (Item #22) Allocation of Funding and Extension of Terms and Conditions for Fiscal Year 2016/2017 to School Specialties, Inc. as Allowable Under Bid #1707: Furniture Classroom Technology Enhancement**

On June 1, 2015, the Board took action to award delivery of classroom furniture under District Bid Solicitation Bid #1707.

Bid #1707 was called to provide the purchase and delivery of Classroom Furniture consisting of tables, chairs, and workstations used to update and/or add to various libraries, and to convert regular classrooms to support classroom technology program. The lowest, responsive bidder is School Specialty, Inc.

As anticipated, District expended allocated funding for the first group of schools during fiscal year 2015/2016.

Staff has updated models, confirmed pricing structure and as allowable under the terms of solicitation 1707, recommends allocating additional funding and extension of terms and conditions for fiscal year 2016/2017.

Once again, District intends to order, by site, as needed for each phase of technology enhancement program.

**14.22 (Item #23) Award One (1) Option Year to Decker Electric, Inc. for Fiscal Year 2016/2017 as Allowable Under Bid #1704: On-Going Low Voltage Cabling**

On August 24, 2015, the Board took action to ratify award of contract anticipated under District solicitation Bid #1704: On-Going Low Voltage Cabling.

This solicitation was called to ensure competitive pricing for low-voltage electrical services required to support Classroom Technology improvements.

As anticipated, District expended allocated funding to complete the first group of schools during fiscal year 2015/2016. To accommodate prevailing wage increases, the solicitation included terms which allow the vendor to update labor costs annually. Decker Electric has confirmed pricing structure and as allowable under the terms of solicitation, staff recommends exercising one (1) option year and allocating additional funding for fiscal year 2016/2017.

Once again, District intends to issue an open purchase order with services requested by site, as needed to support classroom technology enhancement program.

**14.23 (Item #24) Award One (1) Option Year to DecoTech Systems, Inc. for Fiscal Year 2016/2017 as Allowable Under Bid #1704: On-Going Installation of Electrical Circuits**

On August 24, 2015, the Board took action to ratify award of contract anticipated under District solicitation Bid #1705: On-Going Installation of Electrical Circuits.

This solicitation was called to ensure competitive pricing for electrical services required to support Classroom Technology improvements.

As anticipated, District expended allocated funding to complete the first group of schools during fiscal year 2015/2016. To accommodate prevailing wage increases, the solicitation included terms which allow the vendor to update labor costs annually. DecoTech Systems has confirmed pricing structure and as allowable under the terms of solicitation, staff recommends exercising one (1) option year and allocating additional funding for fiscal year 2016/2017.

Once again, District intends to issue an open purchase order with services requested by site, as needed to support classroom technology enhancement program.

**14.24 (Item #25) Allocation of Funding and Extension of Terms and Conditions to Fiscal Year 2016/2017 to DecoTech Systems, Inc. for Bid #1716: Classroom Technology Enhancement**

On August 24, 2015, the Board took action to ratify award of contract anticipated under District solicitation Bid #1716.

This solicitation was called for purchase and installation of “Mimio” systems, projectors and TV’s and to ensure competitive pricing on items typically used by the District and necessary to complete Classroom Technology improvements. Lowest responsible bidder was Decotech Systems, Inc.

As anticipated, District expended allocated funding to complete the first group of schools during fiscal year 2015/2016. Staffs has updated models, confirmed pricing structure and as allowable under the terms of solicitation 1716, recommends allocating additional funding and extension of terms and conditions for fiscal year 2016/2017.

Once again, District intends to order, by site, as needed for each phase of technology enhancement program.

**14.25 (Item #26) Award RFQ #1744 Window Covering Replacement at Mt. Diablo High School**

RFQ #1744 was called to provide Window Covering Replacement at Mt. Diablo High School. The lowest, responsible, responsive bidder is Contractor Décor, Inc. for the total amount of \$134,000.00.

The scope of work includes but is not limited to: supply and install new window coverings throughout Mt. Diablo High School campus.

**14.26 (Item #28) Award of RFQ #1747: Modular Restroom/Concession Building at Ygnacio Valley High School**

RFQ #1747 was called to supply and install a new approximately 1,600 sq. ft. building at Ygnacio Valley High School. One informal quote was received from Meehleis Modular Buildings, Inc. which was responsible and responsive in the amount of \$829,690.00.

Note that the district has opted to take a deductive alternate of <\$137,800.00> from the base bid amount for the low voltage package.

Recommended Award amount is \$691,890.00.

**14.27 (Item #29) Minutes for the Board of Education Meeting Held on May 9, 2016**

Minutes for the Board of Education Meeting held on May 9, 2016, are being brought forward for approval.

**14.28 (Item #30) Minutes for the Special Board of Education Meeting Held on May 16, 2016**

Minutes for the Special Board of Education Meeting held on May 16, 2016, are being brought forward for approval.

**14.29 (Item #31) Minutes for the Board of Education Meeting Held on May 23, 2016**

Minutes for the Board of Education Meeting held on May 23, 2016, are being brought forward for approval.

**CONSENT ITEMS PULLED FOR DISCUSSION**

**15.1 (Item #19) (Formerly #14.19) Classified Personnel: Request to Increase/Decrease Full Time Equivalent (FTE) for the 2015/16 and 2016/17 School Year**

The attached positions are requested to be increased/decreased as described.

Lawrence moved, Mason seconded, and the Board voted 5-0-0 via voice vote to approve the request to increase/decrease Full Time Equivalent (FTE) funding for the 2015/16 and 2016/17 School Year.

**CONSENT ITEMS PULLED BY STAFF**

**16.1 (Item #27) PULLED BY STAFF: Award of Bid #1746 for Painting at El Dorado Middle School and Bel Air Elementary School**

Bid #1746 was called to provide Painting at El Dorado Middle School and Bel Air Elementary School. The lowest responsible, responsive bidder is D&D Painting Company in the amount of \$160,000.00.

The scope of work includes, but is not limited to: preparation for painting and painting of the exterior of the buildings and interior of Multi Use Room at El Dorado Middle School and exterior painting at Bel Air Elementary.

**COMMUNICATIONS**

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

There were no District organizations represented.

**BUSINESS/ACTION ITEM**

**18.1 Public Hearing for Mt. Diablo Unified 2016-2019 Local Control Accountability Plan (LCAP)**

As required by Education Codes 42103, 42127, and 52062, all school districts that receive Local Control Formula Funding (LCFF) must develop a three year Control Accountability Plan (LCAP). The LCAP must be updated every year and describe how a school district intends to meet annual goals for all pupils, with specific activities to address state and local priorities. Mt. Diablo's LCAP addresses college and career readiness, professional learning, engaging parents and community members, and the targeting of support for special populations. These students include foster youth, English learners, low income, and students with disabilities. Over the past 5 months, Council members, advisory groups, and school sites have facilitated meetings with key stakeholder groups providing opportunities for staff, students and community members to provide input on the district's instructional program. A public hearing must be held to solicit public comment on the 2016-2019 LCAP draft prior to final adoption. Drafts of the LCAP are located on the website at [www.mdusd.org](http://www.mdusd.org) along with a "LCAP: Questions & Answers" webpage where the community can provide input and ask questions about the document. Additionally, copies for review and LCAP comment cards will be available during the hours of 8-4pm at the District Office, 1936 Carlotta Drive, Concord, CA. The LCAP will return for Board approval on June 27, 2016.

Dr. Meyer and Jennifer Sachs gave an in-depth presentation on the District 2016-2019 Local Control Accountability Plan (LCAP), sharing the actions taken toward the District's three primary goals: college and career readiness, professional learning, and engaging parents and community. They explained the process staff took to gain input and gave examples of the information gathered from various stakeholders through community meetings, a Cabinet retreat, Student Voice meetings at high schools, administrators meetings, and a variety of District committee group meetings. The input gathered was utilized to develop the 2016-2019 LCAP.

Jennifer Sachs answered questions posed by Board members.

President Hansen opened the Public Hearing at 10:08 p.m.

George Fulmore commended Board members for their attendance at DELAC meetings, and shared his thoughts on that committee and where he sees English Learners in the future. He stated some parents are confused as to why their children haven't increased in English proficiency and remain classified as English Learners. He shared his opinion that parents are confused by the LCAP and requested someone explain it to them.

John Ferrante shared his concerns that the LCAP does not provide for students entering blue collar vocations and encouraged the District to offer shop classes, business skills classes, and vocational education classes at the high schools. Dr. Meyer invited Mr. Ferrante to accompany her on visits to schools currently offering career technical education courses.

Cherise Khaund, parent and PFC President at Walnut Acres Elementary School, thanked Dr. Meyer and Jennifer Sachs for their efforts in developing the LCAP and for including all stakeholders. She asked several questions which were answered by Dr. Meyer.

President Hansen closed the Public Hearing at 10:19 p.m.

#### **18.14 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, Mason seconded, and the Board voted 5-0-0 via voice vote to approve to extend the meeting time to 11:30 p.m.

\*\*This item was moved forward in the meeting.

#### **18.2 Public Hearing of Proposed Budget 2016-17**

The 2016-17 Proposed Budget includes earlier actions taken by the Board of Education for 2016-17; 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 rate, current information the District has with implementing the Local Control Funding Formula (LCFF) and changes in the employee benefit rates. For information only. Public Hearing for 2016-17 Proposed Budget to be presented for adoption on 6/27/16.

Wayne Oetken, Interim Chief Business Officer, and Nance Juner, Director of Budget and Fiscal Services gave a presentation on the Proposed 2016-17 Budget. Nance Juner answered questions posed by Board members.

President Hansen opened the Public Hearing at 10:32 p.m.



Anita Johnson requested a hard copy of the Proposed Budget and asked Nance Juner to clarify her statements that the amount of budget money received would be declining over time. Nance Juner clarified that new money received yearly will continue to increase until 2021.

Debbie Woods stated she did not receive a copy of the Proposed Budget, nor did she see the presentation on the agenda.

President Hansen closed the Public Hearing at 10:34 p.m.

**18.3 Public Hearing Resolution 15/16-48 Education Protection Account**

The passage of Proposition 30 created the Education Protection Account. The act requires the board declare by resolution its intended use of the funds for 2016-17.

President Hansen opened the Public Hearing at 10:37 p.m.

President Hansen closed the Public Hearing at 10:37 p.m.

**18.4 Public Hearing to Adopt the Mt. Diablo Unified School District Special Education Local Plan Area (SELPA) Annual Budget Plan, Annual Service Plan, Service Plan Forms and the California Special Education Management Information System (CASEMIS) Service Descriptions for the 2016-2017 School Year**

As required by Ed Code Sections 56205, 56205(b)(2) and 56195.7, each SELPA Local Plan document requires a service plan component and a budget plan that are updated annually.

In submitting the Local plan documents, the following information is required: the Annual Budget Plan, the Annual Service Plan, the CASEMIS Service Plan descriptions and the Annual Budget and Service Plans' Certification Forms for the 2016-2017 school year. These documents are due to the California Department of Education on or before June 30, 2016. Copies of these documents are attached for the Board of Education's review and approval.

The completion of the process will be documented by evidence that a SELPA level public hearing has been held to adopt these items. The signed documents will be submitted to the California Department of Education along with evidence that a public hearing was held.

President Hansen opened the Public Hearing at 10:38 p.m.

President Hansen closed the Public Hearing at 10:38 p.m.

**18.5 Authorization to Make Year-End Intra-Budget Transfers**

The annual resolution permits the Superintendent or her designee to complete any necessary year-end budget transfers to permit the payment of obligations the District has incurred during the 2015-16 school year.

Mason moved, Mayo seconded, and the Board voted 5-0-0 via voice vote to approve Resolution 15/16-47: Authorizing Year-End Intra-Budget Transfers.

**18.6 Members Nomination Renewal to Budget Advisory Committee (BAC) for the 2016-2017 School Year**

Renew Nomination of Representatives to BAC whose term will end June 30, 2016: Debbie Woods, representative for Barbara Oaks; Lorie O'Brien, representative for DMA; Anita Johnson, representative for MDEA.

Mayo moved, Mason seconded, and the Board voted 5-0-0 via voice vote to approve the nominations of Debbie Woods, Lorie O'Brien and Anita Johnson.

### **18.7 New Courses of Studies for Long Term English Learners for Middle and High School**

MDUSD has developed specific courses to address the language development needs of long term English Learners. With these courses, students will develop the academic language skills necessary for reclassification. This item is being presented for information and will return to the Board of Education for approval at a later date.

Jennifer Sachs answered questions posed by President Hansen.

### **18.8 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 for the 2016-17 school year.

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 the new employees and the direct payment from volunteers.

Leyla Benson answered questions posed by Board members.

Mason moved, Mayo seconded, and the Board voted 5-0-0 via voice vote to approve an open purchase order in the amount of \$125,000 with the Department of Justice.

\*\*\*Mrs. Oaks left the meeting at 10:53 p.m.

### **18.9 Resolution 15/16-50 regarding Schools Excess Liability Fund ("SELF") Joint Powers Agreement.**

The District's liability insurance program is due for renewal. This Resolution is required for the District to participate in SELF's insurance pool and enter into a Joint Powers Agreement for an excess insurance layer from \$5,000,001 to \$55,000,000. It provides \$5,000,000 greater insurance limits (up to \$55,000,000) and may save the District approximately \$79,084. The District's self-insured retention would remain at \$250,000 and its initial excess layer would remain at \$250,001 - \$5,000,000 with CSAC-EIA.

Donald Velez, General Counsel, provided Board members a spreadsheet detailing the renewal options.

Matt Gowan of Alliant Insurance Services, Inc. answered questions posed by Board members.

Lawrence moved, Mayo seconded, and the Board voted 4-0-1 via voice vote to approve Resolution 15/16-50, regarding Schools Excess Liability Fund (SELF) - the joint powers agreement.

### **18.10 Resolution No. 15/16-51: Specification of Election Order**

The Governing Board of the Mt. Diablo Unified School District must advise the County Registrar how the winner will be determined in the event of a tie vote in the November 8, 2016, election. The Board must also specify rules for candidates' statements. A resolution is presented which states that a tie vote will be determined "by lot" and that candidates will pay for their own statements (maximum of 250 words).

Mason moved, Mayo seconded, and the Board voted 4-0-1 via voice vote to adopt Resolution No. 15/16-51: Specification of Election Order.

**18.11 Public presentation of an addition to the Initial Successor Agreement Proposal from California School Employees Association (CSEA) and Mt. Diablo Unified School District's Initial Successor Agreement Proposal to CSEA**

By law, school districts are required to "sunshine" collective bargaining proposals in an open session of the Board. The attached proposals from CSEA and Mt. Diablo Unified School District are being submitted for both information and action at this meeting.

Provide opportunity for public response to the additional Successor Agreement Proposals for CSEA and Mt. Diablo Unified School District and formally adopt the proposals for formal negotiations to continue.

President Hansen invited the public to respond to the agreement proposals. There were no speakers.

**18.12 Reclassification of Classified Positions for Teamsters Local Union No. 856**

The Reclassification Committee met on March 9, 2016.

Pursuant to Article 39 of the Contractual Agreement between Mt. Diablo Unified School District and Teamsters Local Union No. 856 (Maintenance, Operations and Facilities, Transportation, Landscape, Warehouse, Food and Nutrition Services, Technology and Information Services Unit), a reclassification review has been completed for classifications submitted by the Reclassification Committee to the Director of Personnel Services requesting the following approvals per job descriptions as attached.

These reclassification requests will be effective July 1, 2016.

Recommendation #1: Equipment Mechanic Technician: Reclassify one (1) Equipment Mechanic to Equipment Mechanic Technician with an increase in range from 533 to 565. Increase in cost from current range to new range is a total cost of \$7,769 for one (1) employee. Revised job description for Equipment Mechanic Technician is attached. No change in calendar work year.

Recommendation #2: Reclassify four (4) Security Operations Workers with an increase in range from 412 to 474. Increase in cost from current range to new range is a total cost of \$21,953 (including 17.5% for weekend and night shifts) for four (4) employees. Revised job description for Security Operations Worker is attached. No change in calendar work year.

Lawrence moved, Mason seconded, and the Board voted 4-0-1 via voice vote to approve reclassification of classified positions for Teamsters Local Union No. 856.

**18.13 New Job Description for Coordinator, Workbased Learning**

Staff is requesting the creation of a new job description to support work based learning, internships, externships, guest speakers, job shadowing and pathways in the District.

This job description was brought forward for information at a prior Board meeting. It is now being returned for action.

Lawrence moved, Mason seconded, and the Board voted 4-0-1 via voice vote to approve the new job description for Coordinator, Work Based Learning.

**18.14 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.

Approve to extend the meeting time.

\*\*This item was moved up in the meeting and was considered after 18.1.

**18.15 Execution of Documents**

During this time, the Superintendent and Board Members will execute documents approved during this meeting.

The Superintendent and Board Members will execute documents.

**FUTURE AGENDA ITEMS**

There were no Future Agenda Items.

**CLOSED SESSION**

The Board of Education did not return to Closed Session.

**RECONVENE OPEN SESSION**

Not applicable.

**ADJOURNMENT**

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

Times listed are approximate.

Respectfully submitted,

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Dr. Nellie Meyer, Superintendent