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# Mt. Diablo Unified School District Governing Board

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## Draft - Board Meeting Minutes

### REGULAR MEETING OF THE BOARD OF EDUCATION MT. DIABLO UNIFIED SCHOOL DISTRICT Wednesday, September 11, 2024 (6:00 PM)

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#### ROLL CALL

Debra Mason  
Linda Mayo  
Cherise Khaund  
Erin McFerrin  
Keisha Nzewi

#### 1.0 Call to Order

President McFerrin called the meeting to order at 5:00pm

##### 1.1 Call to Order

The Board President will call the meeting to order.

**Recommendation:** Call the meeting to order.

##### 1.2 Conduct Roll Call

**Recommendation:** The Board President will conduct roll call.

#### 2.0 Closed Session Public Comment

There were no public comments.

##### **2.1 Public Comments: The Public May Address the Board Concerning Items That are Scheduled for Discussion during Closed Session Only.**

The public may address the Board concerning items that are scheduled for discussion during Closed Session only. Speakers must submit a Speaker's Card to the Board secretary. The Board President will call each speaker to the podium as appropriate. These presentations are limited to three minutes each, or a total of thirty minutes for all speakers or the three minute limit may be shortened. Speakers are not allowed to yield their time.

**Recommendation:** Hear public comment(s).

#### 3.0 Closed Session Agenda

##### **3.1 Negotiations - The Board May Discuss Negotiations or Provide Direction to its Representatives Regarding Represented Employees (Government Code Section 54957.6)**

Negotiations - The Board may discuss negotiations or provide direction to its representatives regarding represented employees, pursuant to Government Code Section 54957.6. Agency negotiators: Dr. Adam Clark, Dr. John Rubio, Dr. Wendi Aghily, Samantha Allen, Kimberly Vaiana, Ryan Sheehy and legal counsel; Agencies: MDEA, DMA, MDSPA, CSEA, CST Local 1 and Teamsters Local 856

**Recommendation:** Information

**3.2 Discipline, Dismissal, Release or Reassignment of Public Employee (Government Code Sec. 54957(b)(1))**

**3.3 Public Employee Performance Evaluation - Superintendent, Pursuant to Government Code § 54957.**

**Recommendation:** Information.

**3.4 Liability Claims (Government Code § 54956.95) Name of Claimant: Kristin & Armando Diaz Name of Agency Against Which the Claim is Made: Mt. Diablo Unified School District**

**4.0 Adjourn to Closed Session**

The meeting was adjourned to closed session at 5:01pm

**4.1 Adjourn to Closed Session**

The Board President will adjourn the meeting to closed session.

**Recommendation:** Adjourn to closed session.

**5.0 Reconvene Open Session**

Open session was reconvened at 6:11pm

**5.1 Reconvene Open Session**

The Board of Education will reconvene Open Session.

**Recommendation:** Reconvene Open Session.

**6.0 Preliminary Business**

**6.1 Land Acknowledgement: We recognize that the Mt Diablo Unified School District sits on the territory of the Confederated Villages of Lisjan, the ancestral and unceded land of the Bay Miwok and Northern Yokut, the successors of the sovereign Verona Band of Contra Costa County. As members of the MDUSD community, it is vitally important that we not only recognize the history of the land on which we learn, but also, we recognize that the land we inhabit and learn on is the ancestral land of these people who are alive and flourishing members of MDUSD and broader bay area communities today.**

**Recommendation:** Read Land Acknowledgement

**6.2 Pledge of Allegiance**

The Board President will lead the Pledge of Allegiance.

**Recommendation:** Lead the Pledge of Allegiance.

**6.3 Review and Potential Approval of Minutes for Regular Board Meeting Held August 28, 2024**

Draft Board Meeting Minutes August 28, 2024

Minutes have been prepared for the board meeting on August 28, 2024 and are presented for review and approval.

**Recommendation:** Move to approve the minutes for the Regular Board Meeting held August 28, 2024

**ORIGINAL - Motion**

Member **(Linda Mayo)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the minutes for the Regular Board Meeting held August 28, 2024'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion

**Carried. 5 - 0**

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

#### **6.4 Review and Potential Approval of the Agenda**

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

**Recommendation:** Move to approve the agenda.

**ORIGINAL - Motion**

Member (**Debra Mason**) Moved, Member (**Linda Mayo**) Seconded to approve the **ORIGINAL** motion 'Move to approve the agenda'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

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

### **7.0 Report Out of Action Taken in Closed Session**

#### **7.1 Negotiations - The Board May Discuss Negotiations or Provide Direction to its Representatives Regarding Represented Employees (Government Code Section 54957.6)**

Negotiations - The Board may discuss negotiations or provide direction to its representatives regarding represented employees, pursuant to Government Code Section 54957.6. Agency negotiators: Dr. Adam Clark, Dr. John Rubio, Dr. Wendi Aghily, Samantha Allen, Kimberly Vaiana, Ryan Sheehy and legal counsel; Agencies: MDEA, DMA, MDSPA, CSEA, CST Local 1 and Teamsters Local 856

**Recommendation:** Information

The governing board received information.

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

**Recommendation:** Information/action.

The governing board received information.

#### **7.3 Public Employee Performance Evaluation - Superintendent, Pursuant to Government Code § 54957.**

**Recommendation:** Information.

The governing board received information.

#### **7.4 Liability Claims (Government Code § 54956.95) Name of Claimant: Kristin & Armando Diaz Name of Agency Against Which the Claim is Made: Mt. Diablo Unified School District**

In closes session, by a vote of 5-0 with no abstentions, the governing board voted to reject the liability claim for damages pursuant to Government Code 54956.96 of Kristin and Armando Diaz against Mt. Diablo Unified School District.

## 8.0 Public Comment

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

Public Comment: The public may address the Board regarding any item within the jurisdiction of the Board of Education of the Mt. Diablo Unified School District that is not on this agenda. Speakers must submit a Speaker's Card to the Board secretary. The Board President will call each speaker to the podium as appropriate. These presentations are limited to three minutes each, or a total of thirty minutes for all speakers, or the three minute limit may be shortened. If there are multiple speakers on any one subject, the public comment period may be moved to the end of the meeting. Speakers are not allowed to yield their time. Public Comment will also be allowed on each specific agenda item prior to board action thereon.

**Recommendation:** Listen to Public Comment.

There were seven (7) public comments made.

## 9.0 Communications

### **9.1 District Organizations: At Regular Board Meetings, a Single Spokesperson of Each Recognized District Organization May Make a Brief Presentation. Items Are Limited to Those Which are Informational**

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

**Recommendation:** Listen to Communications.

There was one (1) comment made.

## 10.0 Recognitions and Resolutions

### **10.1 Review and Potential Approval of Resolution 24/25 -13 Designating the Phoenix as School Mascot for Olympic High School**

Resolution 24/25 (#13) Presentation

Students and staff at Olympic High School have engaged in a mascot selection process to identify a first mascot. The result of this process identified the Phoenix as a unifying and descriptive mascot for the students at Olympic High School.

**Recommendation:** Move to approve Resolution 24/25 -13 Designating the Phoenix as School Mascot for Olympic High School.

Student Board Member Crystal Ochoa made the motion.

#### **ORIGINAL - Motion**

Member **(Erin McFerrin)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve Resolution 24/25 -13 Designating the Phoenix as School Mascot for Olympic High School'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Erin McFerrin Yes

Keisha Nzewi Yes

### **10.2 Review and Potential Approval of Resolution 24/25-14: to Participate in the Cooperative Purchasing Program Administered by OMNIA Partners**

## Resolution 20/21-23 Membership and Cooperative Agreement

OMNIA Partners is a cooperative purchasing organization, including the National Intergovernmental Alliance Company, U.S. Communities and National Cooperative Purchasing Alliance. All cooperative purchasing agreements offered through OMNIA Partners have been awarded via a competitive solicitation by a public agency/governmental entity (such as a state, city, county, public university or school district). By registering with OMNIA through the approval of the Master Intergovernmental Purchasing Agreement, the District is able to piggyback off the competitively procured contract in accordance with California Public Contract Code § 20118. The Purchasing Department requests that the Board of Education find it in the best interests of the District to participate in the cooperative purchasing program administered by OMNIA Partners, which will result in the District having access to competitively procured contracts.

**Recommendation:** Move to approve Resolution 24/25 - 14 Authorizing the District's membership with OMNIA Partners Cooperative through the approval of a Master Intergovernmental Cooperative Purchasing Agreement, effective September 12, 2024.

### **ORIGINAL - Motion**

Member **(Linda Mayo)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve Resolution 24/25 - 14 Authorizing the District's membership with OMNIA Partners Cooperative through the approval of a Master Intergovernmental Cooperative Purchasing Agreement, effective September 12, 2024'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

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

## **10.3 Review and Potential Approval of Board Resolution 24/25-15 for Personnel with Provisional Internship Permits**

### Board Resolution 24/25-15 for Personnel with Provisional Internship Permits

The California Commission on Teacher Credentialing is no longer issuing emergency permits. However, the Commission replaced the Emergency Permit with the Provisional Internship Permit (PIP) which provides applicants additional time to meet the subject matter competence requirement(s) needed to enter an internship program. A District may request a PIP only after a diligent search has been conducted and a fully credentialed teacher could not be found. The PIP is issued for one (1) year. All requests for a PIP must be presented to the Governing Board of a public school district for approval. Every PIP request that is submitted to the Commission on Teacher Credentialing must also include verification that a notice of intent to employ the named applicant has been made public.

**Recommendation:** Move to approve Resolution 24/25-15 Provisional Internship Permits

### **ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Keisha Nzewi)** Seconded to approve the **ORIGINAL** motion 'Move to approve Resolution 24/25-15 Provisional Internship Permits'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

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

## **10.4 Review and Potential Approval of Board Resolution 24/25-16 for Personnel with Variable Term Waivers**

### Board Resolution 24/25-16 for Personnel with Variable Term Waivers

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 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.

**Recommendation:** Move to approve Resolution 24/25-16 Variable Term Waivers

**ORIGINAL - Motion**

Member **(Cherise Khaund)** Moved, Member **(Keisha Nzewi)** Seconded to approve the **ORIGINAL** motion 'Move to approve Resolution 24/25-16 Variable Term Waivers'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

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

## 11.0 Public Employee Appointment

### 11.1 Review and Potential Ratification of Personnel Appointment: Technology User Support Manager

Interviews were conducted and Eric Stephens was appointed to fill the Technology User Support Manager position for the 2024-2025 school year.

**Recommendation:** Move to ratify the appointment of Technology User Support Manager.

**AMENDED - Motion**

Member **(Cherise Khaund)** Moved, Member **(Keisha Nzewi)** Seconded to approve the **AMENDED** motion 'Move to ratify the appointment of Eric Stephens as Technology User Support Manager'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

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

## 12.0 Board Member Reports

### 12.1 Board Member Reports

Board Members may choose to report out their activities.

**Recommendation:** Information.

## 13.0 Superintendent Report

### 13.1 Superintendent's Report

The Superintendent may choose to report out on activities.

**Recommendation:** Information.

## 14.0 Consent Agenda

Trustee Mason commented on item 14.6 that she continues to be impressed by how we are trying meeting the needs of all of our adults and children and offer a wide variety of courses/job training. Same for 14.7 for the CTEIG, where we continually adapt to meet the needs of our kids. We see a need for our kids want training in a certain area, we do what we can to meet those needs.

#### **14.1 Approval of Items listed under Consent Agenda.**

Items listed under Consent Agenda are considered routine and will be approved/adopted by a single motion. There will be no separate discussion of these items; however, any item may be removed from the consent agenda upon the request of any member of the Board and acted upon separately.

**Recommendation:** Approve all Consent Agenda items.

#### **ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Approve all Consent Agenda items'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Erin McFerrin Yes

Keisha Nzewi Yes

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

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

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

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

#### **ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve the recommended action for certificated personnel'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Erin McFerrin Yes

Keisha Nzewi Yes

#### **14.3 Review and Potential Approval of the Recommended Action for Classified Personnel**

List of classified hires, leave of absences, resignations, and retirements.

Information of classified hires, leave of absences, resignations, and retirements for consideration.

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

#### **ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve the recommended action for classified personnel'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Erin McFerrin Yes

Keisha Nzewi Yes

#### **14.4 Review and Potential Approval of Radio Tower Transmission Expenses for American Tower License Lease Agreement Fiscal Year 2024-2025**

American Tower License Lease Agreement and American Tower Lease Payment Invoice

The license agreement with American Tower for the radio transmitting tower lease for KVHS was originally entered on 7/1/2005, with the initial term of five years and automatically renewing for three additional periods of five years each. Lease payments are monthly and escalate on a 4% increase on an annual basis. Fiscal year 2024-2025 monthly payments are scheduled at \$2,422.85, for an annual cost of \$29,074.20 plus any Common Area Maintenance (CAM) charges, such as repairs and utilities fees, expensed and billed annually on a pro-rata share basis. 2022-2023 CAM charges totaled \$3,345.00 for our share of 11.3% expenses. We estimate a maximum of \$34,000 to cover lease payments and CAM charges for Fiscal Year 2024-2025. This lease is necessary to maintain the KVHS radio station transmissions.

**Recommendation:** Move to approve lease payments and CAM charges to American Tower for the KVHS radio transmitting tower site license for an estimated total of \$34,000 for Fiscal Year 2024-2025.

**ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve lease payments and CAM charges to American Tower for the KVHS radio transmitting tower site license for an estimated total of \$34,000 for Fiscal Year 2024-2025'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

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

**14.5 Review and Potential Approval of an Independent Service Contract Between Mt. Diablo Unified School District and Events To The T Inc. on Behalf of Northgate High School.**

Independent Service Contract

Northgate High School is requesting approval of the contract with Events to the T Inc. for the planning of their Senior Ball taking place at San Francisco City Hall on Saturday, May 24, 2025.

**Recommendation:** Move to approve the Northgate High School Independent Service Contract with Events to the T Inc.

**ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve the Northgate High School Independent Service Contract with Events to the T Inc'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

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

**14.6 Review and Potential Approval of the 2024-2025 Adult Education CDE-Approved A-22 Course List, Adult Education Fee-Based Lifelong Education Program Courses and Classes, and the CTE COE-Approved Programs and Courses of Mt. Diablo Adult Education**

A-22 CDE Approval Letter, Lifelong Education Courses, CTE Center Occupational Courses Mt. Diablo Adult Education (MDAE) requests review and approval by the MDUSD Governing Board of Trustees of its proposed 2024-2025 school-year Adult Education list of programs and classes, known as the A-22 Course List, approved by the California Department of Education (CDE) on August 23, 2024, and the MDAE fee-based Lifelong Education Program list of classes. Additionally, for MDUSD Governing Board review and potential approval,



attached is the Career Technical Education Center (CTE Center) Occupational Training Programs list, approved by the Council on Occupational Education (COE) Commission for the nationally-accredited CTE programs and courses of the MDAE CTE Center.

**Recommendation:** Move to approve the 2024-2025 Adult Education CDE-Approved A-22 Course List, Adult Education Fee-Based Lifelong Education Program Courses and Classes, and the CTE COE-Approved Programs and Courses of Mt. Diablo Adult Education.

**ORIGINAL - Motion**

Member (**Debra Mason**) Moved, Member (**Linda Mayo**) Seconded to approve the **ORIGINAL** motion 'Move to approve the 2024-2025 Adult Education CDE-Approved A-22 Course List, Adult Education Fee-Based Lifelong Education Program Courses and Classes, and the CTE COE-Approved Programs and Courses of Mt. Diablo Adult Education'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

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

**14.7 Review and Potential Approval of the Career Technical Education Incentive Grant (CTEIG)**

The Career Technical Education Incentive Grant (CTEIG) Incentive program is a two year grant established as a state education, economic, and workforce development initiative with the goal of providing pupils in kindergarten through grade twelve (K-12) inclusive, with the knowledge and skills necessary to transition to employment and postsecondary education. The purpose of this program is to encourage, maintain, and strengthen the delivery of high-quality career technical education (CTE) programs, requiring 2:1 match funds. Funds must be spent on the 12 elements of a high quality CTE program: Leadership at all levels, high-quality curriculum and instruction; career exploration and guidance; student support and student leadership development; industry partnerships; system alignment and coherence; effective organizational design; system responsiveness to changing economic demands; skilled faculty and professional development; evaluation, accountability and continuous improvement; and CTE promotion, outreach, marketing, and communication. Mt. Diablo Unified has been awarded \$10,654,545 over the past 10 year (2015-2024) to support development, expansion and enhancement of CTE programs. Staff requests approval to apply for \$2,000,000 of the CTEIG grant beginning July 1, 2024 and ending December 31, 2026. MDUSD will spend the grant funds to continue supporting pathway development, work based learning opportunities, career exploration, purchase CTE equipment, supplies and materials, and staff to support programming and implementation. Actual grant amount will be determined based on matching funds and funding available through CDE.

**Recommendation:** Motion to approve the submission of the Career Technical Education Incentive Grant (CTEIG), and acceptance if awarded.

**ORIGINAL - Motion**

Member (**Debra Mason**) Moved, Member (**Linda Mayo**) Seconded to approve the **ORIGINAL** motion 'Motion to approve the submission of the Career Technical Education Incentive Grant (CTEIG), and acceptance if awarded'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

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

**14.8 Review and Potential Approval of Independent Service Contract between Mt. Diablo Unified School District and Walker Creek Ranch for the Outdoor Education Program for Valhalla Elementary School**

Walker Creek Ranch provides students with a quality science education, strengthens bonds with their peers and increases their environmental awareness. The program allows each group time to connect with the land, each other and science. Staff are well-versed in social emotional learning and NGSS offering creative lessons that are centered around the land. Valhalla will attend March 17-20, 2025.

**Recommendation:** Move to approve the Independent Service Contract between Mt. Diablo Unified School District and Walker Creek Ranch for the Outdoor Education Program for Valhalla Elementary School.

**ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve the Independent Service Contract between Mt. Diablo Unified School District and Walker Creek Ranch for the Outdoor Education Program for Valhalla Elementary School'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

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

## A) Food and Nutrition Services

### **14.9 Review and Potential Approval of an Increase to the Purchase Order for Danielson Company to \$114,000**

Food and Nutrition Services is seeking to increase the Purchase Order with Danielson Company for the purchase of various foods and supplies for the school meal program including scones, muffin batter, hot dog buns, pupusas, and tamales. FNS solicited quotations from three firms and Danielson Company provided the lowest quotes on the above items.

**Recommendation:** Move to approve an increase to the purchase order for Danielson Company to \$114,000.

**ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve an increase to the purchase order for Danielson Company to \$114,000'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

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

## B) Maintenance and Operations

### **14.10 Review and Potential Approval to Increase the Purchase Order with Bel Air Mechanical, for Heating, Ventilation & Air Conditioning Service Calls (work orders) per RFP 1924**

Bel Air Mechanical, Inc., has an open purchase order (PO) for Heating, Ventilation & Air Conditioning Repairs and Service Calls (work orders) in the amount of \$114,500.00 for the 2024/2025 Fiscal Year to support necessary maintenance work. The Original PO was issued for \$114,500.00 but needs to be increased. This existing open purchase order will be depleted soon due to the amount of work completed to support the District. An increase of \$100,000.00 is requested, to cover the needs of the 2024/2025 fiscal year. The request

of \$100,000.00 will increase the PO for Bel Air Mechanical from \$114,500.00 to \$214,500.00. The District is receiving outside support from several HVAC Maintenance Contractors, including those on the approved HVAC Contractor Pool List per RFP 1924. **Recommendation:** Move to approve to Increase the Purchase Order with Bel Air Mechanical, Inc., for Heating, Ventilation & Air Conditioning Service Calls (work orders) per RFP 1924.

**ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve to Increase the Purchase Order with Bel Air Mechanical, Inc., for Heating, Ventilation & Air Conditioning Service Calls (work orders) per RFP 1924'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

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

### C) Purchasing

#### **14.11 Review and Potential Approval of the Auctioning of Surplus District Vehicles and Equipment and the Use of Auction Company GovDeals.**

List of Surplus Equipment and Vehicles to be Auctioned in September 2024

In accordance with Board Policy Section 3270, Sale and Disposal of Books, Equipment and Supplies, and Education Code Sections 17545, 17547, 60501, and 60510; District staff requests the Board's approval to auction and/or dispose of the obsolete equipment and vehicles listed and attached to this docket. District staff recommend the disposal of the surplus and obsolete equipment and vehicles by means of a public auction due to the condition of the equipment and vehicles. The equipment and vehicles are no longer suitable for District use, as they are no longer used or no longer working. These items are all valued under \$2,500 per item. District staff recommend the continued use of auction company GovDeals to publish, conduct auction, process payments of all sold items, and submit proceeds check to the District upon the successful sale of items. The buyers pay a 10% premium directly to GovDeals. There is no charge to the District. GovDeals specializes in government surplus auctions, and is compliant with the above mentioned Board Policy, and Education Codes.

**Recommendation:** Move to approve the auctioning of the Surplus District Vehicles and Equipment as listed by auction company GovDeals

**ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve the auctioning of the Surplus District Vehicles and Equipment as listed by auction company GovDeals'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

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

#### **14.12 Review and Potential Ratification of Contracts and Amendments to Contracts Under \$25,000 for August 17-31, 2024.**

- 15 Contracts and Amendments from August 17-31, 2024 under \$25,000 - Purchase Order ("PO") Summary Report for all Contracts from August 17-31, 2024

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

**Recommendation:** Move to ratify fifteen Contracts and Amendments under \$25,000 for August 17-31, 2024

**ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to ratify fifteen Contracts and Amendments under \$25,000 for August 17-31, 2024'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

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

**14.13 Review and Potential Approval Purchase Order Summary Report for August 2024**

Purchase Order Summary Report for August 2024 Technology Purchase Order Summary Report for August 2024

District staff is bringing forward Purchase Order (PO) Summary Report for the month of August 2024. This report shows the Purchase Orders for said month, including the amounts, vendors, and budgets used. The PO report is presented in accordance with Education Code Section 17604, and in an effort to be transparent in District orders and smaller contracts under \$25,000. This report will also include larger orders and service agreements previously submitted to the Board or individual approval. To continue our transparency with technology purchases, staff has also provided a breakout of computer/technology, and software purchases for August 2024. This total is included in the master Purchase Order Summary list.

**Recommendation:** Move to approve Purchase Orders for the month of August 2024

**ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve Purchase Orders for the month of August 2024'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

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

**D) Special Education and Student Services**

**14.14 Review and Potential Approval of Master Contract with Behavior Management Solutions for the 2024/25 School Year**

Behavior Management Solutions is a California certified non-public agency provider of behavioral services including student support from behavior technicians and board certified consultants. Requested funds are to cover anticipated costs for the 2024/25 school year. Services are provided according to the terms of an individual educational program and individual service agreement.

**Recommendation:** Move to approve master contract with Behavior Management Solutions for the 2024/25 school year as presented.

**ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve master contract with Behavior Management Solutions for the 2024/25 school year as presented'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

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

**14.15 Review and Potential Approval of Master Contract with Spectrum Center for the 2024/25 School Year**

Spectrum Center is an operator of California certified non-public day schools that offer a comprehensive educational program for school-age students with autism, emotional/behavioral disabilities, intellectual disabilities, and other disabilities which require focused academic, behavioral, communication, and transition services. Requested funds are to cover projected student placements and services for the 2024/25 school year.

**Recommendation:** Move to approve master contract with Spectrum Center for the 2024/25 school year as presented.

**ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve master contract with Spectrum Center for the 2024/25 school year as presented'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

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

**E) Technology**

**14.16 Review and Potential Approval of Phase IV of the Promethean Boards Procurement Through CDW-G**

CDW Quote PBQW879 Promethean Phase IV Scope of Work

At the April 12, 2023, May 10, 2023, and November 8, 2023 meetings, the Board of Education approved Phase I, II, and III respectively of the Promethean Boards Project. Staff is now bringing forward, for approval, the anticipated completion of this plan, Phase IV of the Promethean Boards Project. It is anticipated that this will be the final phase of this project. This project is per the updated Facilities Plan approved by the Board of Education at the March 22, 2023 meeting, including the deployment of Interactive Flat Panels (IFPs) across District learning spaces. A contract to extend one (1) Promethean Education Consultant, to provide for staff training and resource development through the 2024-25 school year, will be brought to the next board meeting.

**Recommendation:** Move to approve Phase IV of the Promethean Boards procurement through CDW-G

**ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve Phase IV of the Promethean Boards procurement through CDW-G'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

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

#### **14.17 Review and Potential Approval of Contract with StreamFine Consulting for the 2024-2025 School Year.**

Streamfine Preferred Client Service Agreement

Business Plus is MDUSD's Enterprise Resource Planning (ERP) system for the management of HR/Fiscal/Benefits/Purchasing functions. Streamfine provides technical support and services for the Information Technology, Human Resource and Fiscal Services Departments.

**Recommendation:** Move to Approve the Contract with StreamFine Consulting for the 2024-2025 School Year.

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

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to Approve the Contract with StreamFine Consulting for the 2024-2025 School Year'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

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

#### **14.18 Review and Potential Approval of Renewal of Contract with Aeries Software for Aeries Communications (ParentSquare) Parent Messaging Software**

AERIES ParentSquare Renewal Quote

ParentSquare is a communications platform associated with the Aeries student information system. ParentSquare facilitates District and site notifications and classroom communications directly with families and students, including two-way communication in over 100 languages. Using a single communications platform District-wide allows streamlined communication and support for school sites.

**Recommendation:** Move to approve renewal of contract with Aeries Software for Aeries Communications (ParentSquare) parent messaging software

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

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve renewal of contract with Aeries Software for Aeries Communications (ParentSquare) parent messaging software'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

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

## **F) Transportation**

#### **14.19 Review and Potential Approval of the Independent Service Contract for Supplemental Student Transportation with Pawar Transportation, LLC., for July 1, 2024 – September 30, 2024.**

Pawar Transportation, LLC (Contractor) will furnish the District with the required number of appropriately licensed/permitted vehicles, administrative and support staff, facilities,

special equipment and supplies for transporting special education students to and from school sites within surrounding areas, at such time and places as assigned by the District. The contractor will also provide transportation to and from student related services and other school activities as specified in student IEP. This is a month-to-month independent service contract issued to Pawar Transportation, LLC. for the period of July 1, 2024 - September 30, 2024.

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

**ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve the Special Education Individualized Education Program student transportation independent service contract, with Pawar Transportation, LLC for July 1, 2024 through September 30, 2024'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

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

## 15.0 Consent Item Pulled for Discussion

## 16.0 Consent Item Pulled by Staff

## 17.0 Business/Action Items

### 17.1 Review and Potential Approval of Certification of the District's 2023-24 Unaudited Actuals Financial Report

Unaudited Actuals 2023-24 Unaudited Actuals Presentation 2023-24  
Per Education Code 42100(a), the governing board of each school district shall approve an annual statement of all receipts and expenditures of the district for the preceding fiscal year. The unaudited actuals financial report represents the financial position and results of operations of the Mt. Diablo Unified School District for the fiscal year of 2023-24.

**Recommendation:** Move to approve certification of the Mt. Diablo Unified School District's 2023-24 Unaudited Actuals Financial Report.

**ORIGINAL - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve certification of the Mt. Diablo Unified School District's 2023-24 Unaudited Actuals Financial Report'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

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

### 17.2 Review and Potential Approval of Resolution 24/25-9 Adopting the District's 2024-25 Appropriations Limit Calculation (Gann Limit)

Resolution 24/25-9 (Gann Limit) 2023-24 Unaudited Actuals GANN Form

The Gann Limit is intended to constrain the growth in state and local government spending by linking year-to-year changes in expenditures to changes in inflation. Established in 1979 following the enactment of Proposition 13 and subsequently amended by Proposition 111, the Gann Limit has become a largely pro forma calculation that no longer constrains governmental expenditures. Current law (Education Code section 42132) requires that the governing board of each school district adopt a resolution to identify the appropriations limit for the district for the preceding fiscal year. School agencies complete these calculations to identify how much state aid counts toward the local agency's Gann Limit, so that the State of California knows how much state aid counts toward its own Gann Limit. Mt. Diablo Unified is within our limit.

**Recommendation:** Move to approve Resolution 24/25-9 adopting the 2023-24 appropriation limit calculation (Gann Limit).

**ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve Resolution 24/25-9 adopting the 2023-24 appropriation limit calculation (Gann Limit)'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

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

**17.3 Review and Potential Approval of Resolution 24/25-10 Designating Certain General Funds as Committed Fund Balance**

Resolution 24/25-10

Board policy 3100 provides for the classification of fund balances in the general fund in compliance with Governmental Accounting Standards Board (GASB). Once the committed fund-balance constraints are imposed, revisions need to be approved in the same manner as originally made. In addition to the Commitments approved by the Governing Board at the June 26, 2024 board meeting, these are being brought forth for board approval.

**Recommendation:** Move to Approve Resolution 24/25-10 Designating Certain General Funds as Committed Fund Balance.

**ORIGINAL - Motion**

Member **(Linda Mayo)** Moved, Member **(Keisha Nzewi)** Seconded to approve the **ORIGINAL** motion 'Move to Approve Resolution 24/25-10 Designating Certain General Funds as Committed Fund Balance'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

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

**17.4 Review Changes to Board Policies and Administrative Regulations per California School Board Association (CSBA) Recommendations - December 2023 Quarterly Update**

BP 0460 Local Control and Accountability Plan - Approved 3/6/2024 AR 0460 Local Control and Accountability Plan - Approved 3/6/2024 BP 0150 Accountability - Approved 6/12/2024 BP 0520 Intervention in Underperforming Schools - Review 8/14/2024 AR 1220 Citizen Advisory Committees - Approved 6/12/2024 BP 1431 Waivers - Review 6/26/2024 BP 3400 Management of District Assets/Accounts - Approved 4/24/2024 AR 3400 Management of District Assets/Accounts - Approved 4/24/2024 BP 5116.2 Involuntary Student Transfers - Approved 6/12/2024 BP 5131.2 Bullying - Approved 6/12/2024 AR 5131.2 Bullying - Approved 6/12/2024 AR 5141.21 Administering Medication and Monitoring Health Conditions



- Approved 6/12/2024 BP 5148.3 Preschool/Early Childhood Education -n/a AR 5148.3 Preschool/Early Childhood Education - n/a BP 6142.8 Comprehensive Health Education - Approved 2/21/2024 AR 6142.8 Comprehensive Health Education - Approved 2/21/2024 BP 6146.1 High School Graduation Requirements - Approved 2/21/2024 BP 6146.4 Differential Graduation and Competency Standards for Students with Disabilities - Approved 2/21/2024 BP 6170.1 Transitional Kindergarten - Approved 2/21/2024 AR 6173.3 Education for Juvenile Court School Students - Approved 2/21/2024 BB 9321 Closed Session - Approved 3/27/2024 E(1) 9321 Closed Session - Approved 3/27/2024 E(2) 9321 Closed Session - Approved 3/27/2024

CSBA provides school districts with a quarterly list of potential updates to review Board Policies (BP) and Administrative Regulations (AR) for revision in order to adapt to state or federal code changes. Revisions to BP 0520 were presented for review at the 8/14/24 meeting and is being presented for approval.

**Recommendation:** Move to approve changes to Board Policy 0520 as presented.

**ORIGINAL - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Cherise Khaund)** Seconded to approve the **ORIGINAL** motion 'Move to approve changes to Board Policy 0520 as presented'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

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

**17.5 Review of Changes to Board Policies and Administrative Regulations per California School Board Association (CSBA) Recommendations - June 2024 Quarterly Update**

BP 0420.41 Charter School Oversight - Review 9/11/2024 E(1) 0420.41 Charter School Oversight - Review 9/11/2024 BP 1113 District and School Websites - Review 9/11/2024 AR 1113 District and School Websites - Review 9/11/2024 E(1) 1113 District and School Websites BP 1260 Educational Foundation - Review 9/11/2023 BP 2121 Superintendent's Contract - Review 9/11/2024 BP 4112.9 Employee Notifications BP 4212.9 Employee Notifications BP 4312.9 Employee Notifications E(1) 4112.9 Employee Notifications BP 4121 Temporary/Substitute Personnel AR 4121 Temporary/Substitute Personnel BP 4127 Temporary Athletic Team Coaches BP 4227 Temporary Athletic Team Coaches AR 4227 Temporary Athletic Team Coaches BP 4327 Temporary Athletic Team Coaches BP 4161 Leaves AR 4161 Leaves BP 4261 Leaves AR 4261 Leaves BP 4361 Leaves AR 4361 Leaves AR 4161.1 Personal Illness/Injury Leave AR 4261.1 Personal Illness/Injury Leave AR 4361.1 Personal Illness/Injury Leave AR 4161.2 Personal Illness/Injury Leave AR 4261.2 Personal Illness/Injury Leave AR 4361.2 Personal Illness/Injury Leave BP 4218.1 Dismissal/Suspension/Disciplinary Action (Merit System) BP 5113 Absences and Excuses AR 5113 Absences and Excuses BP 5145.6 Parent/Guardian Notifications E (1) 5145.6 Parent/Guardian Notifications BP 6000 Concepts and Rolls BP 6164.2 Guidance/Counseling Services BP 6177 Summer Learning Programs BP 7214 General Obligation Bonds AR 7214 General Obligation Bonds BB 9220 Governing Board Elections E(1) 9220 Governing Board Elections BB 9223 Filing Vacancies

CSBA provides school districts with a quarterly list of potential updates to review Board Policies (BP), Administrative Regulations (AR), Board Bylaws (BB) and Exhibits (E) for revision in order to adapt to state or federal code changes. Revisions for BP 0420.41, 1113, 1260 and 2121, AR 1113 and E 0421.41 have been made and are being brought forward for review. These will be brought back for approval at a later meeting. Work continues on the remaining policies

**Recommendation:** Review of changes.

**18.0 Meeting Extension**

## **19.0 Closed Session (Carry Over)**

### **19.1 Items Not Completed During the First Closed Session will be Carried Over to this Closed Session**

Items not completed during the first closed session will be carried over to this closed session as needed.

**Recommendation:** Reconvene a second closed session as needed.

## **20.0 Reconvene Open Session**

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

Report out action taken during closed session.

**Recommendation:** Information.

## **21.0 Future Agenda Items**

Trustee Mayo requested an item be brought at a future meeting, a board resolution in support of Proposition 2, which is a school bond and will approve 10 billion dollars for K 12 educational facilities. This will be on the November general election ballot.

## **22.0 Adjournment**

President McFerrin adjourned the meeting at 8:01pm

### **22.1 Adjourn Meeting**

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

**Recommendation:** Adjourn the meeting.