

MINUTES
REGULAR MEETING OF THE BOARD OF EDUCATION
MT. DIABLO UNIFIED SCHOOL DISTRICT
Wednesday, March 26, 2014 (7:30 p.m.)

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

Administrative Staff: Superintendent Nellie Meyer, Assistant Superintendent Julie Braun Martin, Assistant Superintendent Rose Lock, Assistant Superintendent Kerri Mills, Interim General Counsel Lawrence Schoenke, and Chief Financial Officer Bryan Richards

CALL TO ORDER

The Meeting of the Board of Education of the Mt. Diablo Unified School District was called to order by Barbara Oaks at 6:03 p.m. in the Board Room at the MDUSD Dent Center. President Oaks conducted Roll Call with all Board members present.

ANNOUNCEMENTS

President Hansen announced the items the Board will consider in Closed Session.

PUBLIC COMMENT

None.

ADJOURN TO CLOSED SESSION

The Board adjourned to Closed Session at 6:04 p.m.

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

5.2 Anticipated Litigation – Significant exposure to litigation or claims made pursuant to Gov’t Code Section 54956.9(d)(2)

5.3 Anticipated Litigation – Significant exposure to litigation or claims made pursuant to Gov’t Code Section 54956.9(d)(2)

5.4 Superintendent’s Performance Evaluation

RECONVENE OPEN SESSION

Open Session reconvened at 7:35 p.m.

PRELIMINARY BUSINESS

President Oaks led the Pledge of Allegiance, and conducted Roll Call with all Board members present.

REPORT OUT ACTION TAKEN IN CLOSED SESSION

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

8.2 Anticipated Litigation – Significant exposure to litigation or claims made pursuant to Gov’t Code Section 54956.9(d)(2)

The Board received information.

8.3 Anticipated Litigation – Significant exposure to litigation or claims made pursuant to Gov’t Code Section 54956.9(d)(2)

The Board voted 5-0-0 to approve a settlement on a due process case.

8.4 Superintendent's Performance Evaluation

The Board began the Superintendent's Performance Evaluation, and will continue it at the next Closed Session on April 9, 2014.

STUDENT REPRESENTATIVES

Kaytee Spaulding-Niemi, student at Ygnacio Valley High School, sat at the dais as Student Representative.

BOARD MEMBER REPORTS

Ms. Dennler recently attended a multicultural assembly at Concord High School. She enjoyed watching approximately 12 different acts, mostly dancing, all giving great presentations. She enjoyed seeing the response of the student body at large, which was positive and encouraging. She attended Mt. Diablo's Academy Night which is an opportunity for Riverview and El Dorado Middle School students and their parents to learn about the academies they have to choose from in High School. Ms. Dennler found all of the Academies very interesting. Lastly, she spent a lunch period with noon supervisors at El Dorado Middle School and enjoyed viewing school from that perspective.

Ms. Hansen attended the Pleasant Hill Education Commission's presentation of Common Core State Standards to parents of secondary students in grades 6-12 at the Pleasant Hill Main Library. Presenters included Mt. Diablo Unified School District teachers and coaches demonstrating Common Core lessons. Ms. Hansen enjoyed observing lessons on topics in Science, Math, Social Science and Language Arts. She expressed her appreciation to the teachers who presented, as well as the Pleasant Hill Commission for sponsoring the evening.

Ms. Mayo recently attended the Science Fair which included 240 student participants. She hopes to honor the award winners at a future Board Meeting. Mrs. Mayo urged the Board and audience to review the PTA National Standards for Parent-School Partnership Assessment Guide: A Framework for your School District's Local Control and Accountability Plan. She explained the National PTA worked around six standards of parent engagement, which she finds to be well-tailored for our LCFF/LCAP. Templates, research and information as to what can be expected to be seen at schools around parent engagement and involvement are included. She described the standards addressed in the document.

Kaytee Spaulding-Niemi, student, reported that she is the Service Learning Commissioner in Leadership at Ygnacio Valley High School. One of her responsibilities is anti-bullying awareness. She is enrolled in the Education Academy and her future plans include attending Junior College and a four year University, where she plans to Major in Sociology with a Minor in Political Science and Philosophy. Currently, Ygnacio Valley is preparing for prom. Students are encouraged to fill out "Promposals" sharing how they invited their date to the prom. Winners receive two prom tickets.

Ms. Oaks enjoyed attending College Park High School's Bella Note' Choir Performance recently. The Board met with the Martinez City Council recently, and will meet with Concord City Council on April 2, 2014. MDEA is hosting their Second Annual Academy Awards on May 15, 2014. Last year, Mt. Diablo Unified School District was recognized for trying to improve culture between the teachers union and the District. Guy Moore provided an article on this topic, to Board members.

SUPERINTENDENT'S REPORT

Dr. Meyer shared that schools are working hard to continue to engage students in the second semester heading for Spring Break. Since the last Board Meeting, there have been a series of community events, school visits, and meetings. In the last two weeks, she presented LCAP at a Community Meeting at Concord High School, and she noted, the Community Meeting to be held at College Park has been moved forward to April 3rd at 6:30 p.m. She recently attended the Common Core Advisory meeting, at which time the team looked at the new computerized assessments and reviewed the changes to the Common Core Spending Plan.

Since the last board meeting Dr. Meyer visited Gateway Necessary Small High School in Bay Point, where she had a great discussion with the principal on her experiences with credit recovery. Dr. Meyer also visited Riverview Middle School where she had the opportunity to discuss the Equity and Disproportionality pilot. Also during the visit, met with the team in the Mental Health Collaborative, and discussed the programs at Riverview, Pleasant Hill Middle and Seneca. Dr. Meyer attended the Ygnacio Valley Athletic Booster Dinner, also attended by many coaches, teachers community members and parents. Councilmembers Ron Leone and Edi Bersan, and Principal Stephen Brady were in attendance, as well.

Dr. Meyer welcomed Kaytee Spaulding-Niemi, student from Ygnacio Valley HS to the dais as Student Representative for the evening.

Dr. Meyer shared that the District continued a series of outreach meetings and since the last Board Meeting, meeting with the Martinez City Council on March 24th. During the meeting, held at Hidden Valley Elementary School, discussion included the new Accountability Plan, Common Core State Standards, and shared concerns including traffic and safety. Dr. Meyer shared details about the Pleasant Hill Education Foundation Common Core State Standards evening held March 25th. The event featured an informative presentation from the Foundation, as well as breakout sessions presented by secondary teachers. These Mt. Diablo teachers modeled Common Core lessons and answered questions on how their implementation was going. The attendees had great questions and the conversations were very enthusiastic.

Dr. Meyer shared that Mt. Diablo Unified School District has formed a multi-disciplinary team and joined the Chronic Absences Learning Network. This Network, in partnership with the county and other districts, including Antioch and John Swett, are working to identify students who chronically miss days of school. Lastly, Dr. Meyer shared that the District has received positive certification on the budget from the County Office of Education.

CONSENT AGENDA

Consent Agenda items #12.5-Item #5 and #12.6- Item #6 were pulled for discussion.

Mayo moved, Dennler seconded, and the Board voted 5-0-0 to approve the Consent Agenda as presented, thereby approving the following:

12.1 (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

12.2 (Item #2) Recommended Action for Certificated Personnel

12.3 (Item #3) Recommended Action for Classified Personnel

12.4 (Item #4) Classified Personnel: Request to Increase and Decrease Full Time Equivalent (FTE) for the 2013-14 and 2014-15 School Year

(Items #5 and #6 were pulled from the Consent Agenda for further discussion.)

12.5 (Item #7) Approval of Contract with Exploring New Horizons (ENH) for Ygnacio Valley Elementary School Outdoor Ed Program

Students at Ygnacio Valley Elementary School will participate in the Exploring New Horizons Outdoor Education Program on May 12-16, 2014. Because cumulative costs to Exploring New Horizons will exceed \$25,000, Board approval is required.

12.6 (Item #8) Request for Purchase Order for A to Z Bus Sales

At the Board of Education meeting held December 11, 2013, the Board approved the purchase of 12 new buses. This approved purchase was part of a three year bus replacement program. This purchase order is for the second phase of the three year program. In order to have delivery of these units prior to the start of the 2014-15 school year the Purchase Order must be submitted. The funding will not be released until the 2014-15 budget year. Pricing for these units would be on the "piggyback" bid from Waterford School District.

12.7 (Item #9) Increase in the Open Purchase Order to P & R Paper for 2013 – 2014

Food and Nutrition requests to increase an Open Purchase Order to P & R Paper for the purchase of supplies for meal programs in district schools during the 2013-2014 year. Purchase order not to exceed \$150,000. This purchase order is part of the Bay Area School Nutrition Co-op Bid No.157.

12.8 (Item #10) Increase Contract between Mt. Diablo School District (MSUSD) and Maxim Services, Non Public Agency (NPA) for the 2013-2014 school year

Staff is requesting an increase in the Purchase Order for the contract between Mt. Diablo Unified School District (MDUSD) and Maxim Healthcare Services, Non Public Agency (NPA) for the 2013-2014 school year. The Board approved the Master Contract of Maxim Healthcare Services last August 28, 2013, for \$169,000 for Special Education services for the school year 2013-2014. The NPA contract needs to be increased by \$312,216.29, bringing the Special Education portion of the contract to a total of \$481,216.29.

Since the Purchase Order request was initiated in August, additional students were added to the caseload while other students' medical needs increased. Currently, this contract covers the nursing needs for students who are receiving services

at different schools, three of which are county schools. The health conditions and needs of these students include: Muscular Dystrophy, seizures, mitochondrial defect and tube feedings. Some of the placements require nurses to ride the bus with the students, increasing the hours of service. These nurses also provide support to our medically fragile students when they participate in after school activities and school dances. Student Services also utilizes Maxim to serve students on 504 plans.

12.9 (Item #11) Increase Contract/Purchase Order with Beyond the Words, Inc. for the services of Educational Interpreters for the Deaf for School Year 2013-2014

Due to the difficulty in hiring qualified Educational Interpreters for the Deaf, the District has had to use staff contracted through an agency in order to meet student Individualized Education Program (IEP) requirements. There are currently limited substitutes available in the District for Educational Interpreters for the Deaf, so contracted interpreters are also used as substitutes for absent District staff. This year, we had two interpreters leave the District, which has led to the need to increase the contract by \$181,500.

12.10 (Item #12) Approve Increase to Contract with Non-Public Agency Ed Support Services

Ed Support Services currently provides intensive behavioral services for the Mt. Diablo Unified School District including nine behavioral aides (6.5hrs/day) with clinical supervision and functional behavioral assessments upon District request. These are direct IEP driven services that are provided according to the terms of a Master Contract and Individual Service Agreement. Services are agreed upon through a settlement agreement or approved by the District's Special Education Management Team to maintain a student in the least restrictive environment. The District currently has an approved contract for \$285,000. Additional funds of \$148,300 are requested for the remainder of the 2013-14 school year. The requested amount is in line with previous year's expenditures.

12.11 (Item #13) Independent Audit Contract with Nigro & Nigro, PC

A request for proposals (RFP) was issued for audit services as the District had reached the end of its existing contract and all related extensions. The audit committee and chairperson of the Measure C Citizens' Bond Oversight Committee met to review the responses to the RFP. There were nine proposals received and committee, through its evaluation, decided the top three, one of which was the District's current audit firm, Christy White Accountancy Corporation. The committee opted to recommend changing audit firms, not because of any issues or concerns with the current auditors, but because it is good practice to periodically change audit firms and have a fresh look at the District. The audit committee recommended Nigro & Nigro, PC as the top candidate. Positive references were received from Fremont and Livermore Valley Joint Unified School Districts.

12.12 (Item #14) Financial and Performance Audit Contract with Nigro & Nigro, PC, for the Proposition 39 Bond Funds

A request for proposals (RFP) was issued for audit services as the District had reached the end of its existing contract and all related extensions. The audit committee and chairperson of the Measure C Citizens' Bond Oversight Committee met to review the responses to the RFP. There were nine proposals received and committee, through its evaluation, decided on the top three, one of which was the District's current audit firm, Christy White Accountancy Corporation. The committee opted to recommend changing audit firms, not because of any issues or concerns with the current auditors, but because it is good practice to periodically change audit firms and have a fresh look at the District. The audit committee recommended Nigro & Nigro, PC as the top candidate. Positive references were received from Fremont and Livermore Valley Joint Unified School Districts.

12.13 (Item #15) Contract with WestEd

WestEd (www.wested.org) is a preeminent educational research, development, and service organization with 600 employees and 17 offices nationwide. WestEd has been a leader in moving research into practice by conducting research and development programs, projects, and evaluations; by providing training and technical assistance; and by working with policymakers and practitioners at state and local levels to carry out large-scale school improvement and innovative change efforts. WestEd's mission—to work with education and other communities to promote excellence, achieve equity, and improve learning for children, youth, and adults—is addressed through a full range of projects.

Services WestEd will provide to MDUSD include:

- Pre-planning, including Cabinet member data collection and initial review of MDUSD's current plans that will need to be aligned with the LCAP priority areas.
- Preparation for stakeholder sessions, including identification of critical questions and collection and/or development of necessary planning materials to guide session interactions.
- Be prepared to identify and/or review MDUSD's vision or story, and its most critical goals and outcomes.
- Determine who, in MDUSD, will assist in identifying and collecting relevant data to guide planning decisions.

- Support stakeholder sessions.
- Follow up and response based on stakeholder input.

WestEd will provide MDUSD with sessions to: (1) explore the LCFF/LCAP planning processes for MDUSD LCAP team members, (2) assist in planning and/or facilitating key stakeholder engagement sessions, and (3) facilitate discussions to determine critical planning and resource alignment strategies. Goals for such planning support are to provide LCFF/LCAP background, and facilitate discussions which will assist with the development of MDUSD's LCAP.

12.14 (Item #16) Approve submission of a Kaiser grant for the Mt. Diablo CARES After School Program and Summer Garden Academy

Staff requests approval to submit a grant to Kaiser Permanente's Community Benefit Program to support youth and nutrition education in the Mt. Diablo CARES After School Programs through the Summer Garden Academy at Riverview Middle. This program supports students from Mt. Diablo and Ygnacio Valley High Schools. Mt. Diablo CARES has been the recipient of the Kaiser grant since 2010. During the 2013-14 school year, the Kaiser grant will support 28 Summer Garden Academy youth stipends and supplies for gardening and cooking, photo journals, and community events. If funded, the grant will provide \$14,000 for one year.

12.15 (Item #17) Approve Submission of the Summer Science Program Grant for the Mt. Diablo CARES After School Program

Staff requests approval to submit a grant to the Partnership for Children and Youth (PCY) to implement the Summer Science Program for 2014. The Project was initially implemented in summer 2012 as a pilot project. The Partnership for Children and Youth is requesting to continue to partner with Mt. Diablo Unified School District (MDUSD) for summer learning programs focused on high-quality, project-based science in low-income communities and supported by technical assistance in quality summer programming. The Science, Technology, Engineering, and Mathematics (STEM) Program links the statewide initiatives of the California Afterschool Network (CASN) and the California STEM Learning Network (CLSNet).

The Summer Science Program serves at least 300 elementary school children for at least 120 hours at Cambridge, Delta View, El Monte, Fair Oaks, and Ygnacio Valley Elementary schools. School sites will provide at least 90 minutes of Science activities per day, as well as physical activity, meals, and other enrichment activities. The Summer Science Project is integrated into the Mt. Diablo CARES After School Program Summer program during a six hour day, four week summer session. Program staff receives professional development regarding the project, goals, expectations, and technical assistance in April, May, and June 2014. Staff is trained on a variety of topics including teaching inquiry-based science, promoting Science career exploration, engaging families and community, and supporting equity in Science programming.

The curriculum is tailored to help students build on and expand their knowledge and abilities. Children are able to learn the basics of a topic and extend their understanding with more in-depth projects in subsequent units. Scientific inquiry and engineering design are integral to this framework and are imbedded into the activities. The outcomes of this project are to increase young people's interest in STEM learning and knowledge of specific STEM topics, and to develop a replicable and sustainable system of technical assistance for summer STEM programs in other communities. Progress toward these outcomes is measured through surveys and documents with support and advice from an external evaluator.

If funded, the Mt. Diablo CARES After School Program will receive \$70,000 from the Partnership for Children and Youth to implement the Summer Science Program during Summer 2014 at five elementary school sites.

12.16 (Item #18) Award of Bid 1670: Classroom Furniture 2014

Bid #1670 was called to provide the purchase of furniture for the Mt. Diablo Unified School District Schools and Central Office departments throughout the District. The lowest responsible, responsive bidder is School Specialty, for the Base Bid amount of \$138,748.39.

The scope of work includes, but is not limited to: delivery of all ordered furniture and perform in room delivery, set up and installation. Remove all debris, boxes and shipping materials from sites. Provide a process for pick-up, return and crediting of returned items. Provide itemized and detailed packing list including school site delivery. Packing list must have quantities, brand/model number, and descriptions of items being delivered. Packing list must refer to Bid #1670, list the PO number and site for delivery.

12.17 (Item #19) Award Project Inspector Contract to Support HVAC Modernization at Various Sites

The services of a State Certified Project Inspector are required to oversee, inspect and to verify that installation of the HVAC units at El Dorado MS, Highlands ES, Pine Hollow MS, Wren Avenue ES, Pleasant Hill ES, Sequoia MS, Valhalla ES and Walnut Acres ES is conducted in compliance with all DSA approved drawings, specifications and applicable codes

and regulations. Staff solicited three firms and received two proposals from Project Inspectors for this Project. Staff is recommending that a contract be awarded to Alisha Jensen for a 'not to exceed' fee of \$65,280.00 for the provision of said services. If approved by Board action, the Project Inspector will still require approval/authorization by DSA.

12.18 (Item #20) Award Project Inspector Contract to Support PE Building Renovation for Sports Medicine Classrooms at Mt. Diablo High School

The services of a State Certified Project Inspector are required to oversee, inspect and to verify renovation of PE Building at Mt. Diablo High School is conducted in compliance with all DSA approved drawings, specifications and applicable codes and regulations.

Staff requested proposals from three qualified DSA inspection services and is recommending that a contract be awarded to Alisha Jensen for a 'not to exceed' fee of \$6,120 for the provision of said services. If approved by Board action, Project Inspector still requires approval/authorization by DSA.

12.19 (Item #21) Award Contract to PHd Architects to Complete Building Code Update to District Owned Pre-checked (PC) Classroom

In February 2010, the Board approved design of a high efficiency prototypical classroom which incorporated various District design elements and meeting green-building standards. In April 2011, Board action added configuration(s) to accommodate various District needs. Since building code is revised every four years, these drawings now require architectural/engineering services to incorporate code and new Title 24 revisions to both drawings and specifications.

The District will continue to enjoy full and exclusive re-use rights to a highly efficient and energy conserving classroom design for immediate and future use. As such, the District requires architectural/engineering services to review and implement 2014 Building Code update to DSA approved designs and specifications for multiple iterations/configurations. Once approved, these designs would be deemed 'Pre-checked' by DSA and future approvals for site adaptation would then be significantly expedited.

12.20 (Item #22) Minutes for the Board of Education Meeting held on October 23, 2013

CONSENT ITEMS PULLED FOR DISCUSSION

13.1 (Item #5) Employment of three technicians to render services related to the broadcast of MDUSD Board of Education School Board meetings

Board of Education School Board meetings are broadcast from the KVHS radio station on site at Clayton Valley Charter High School campus. The District requests approval to hire three technicians to render this service on a short term, alternating basis.

Dennler moved, Mayo seconded, and the Board voted 5-0-0 to approve short term employment of three technicians to broadcast MDUSD Board of Education School Board meetings on KVHS radio station.

13.2 (Item #6) Purchase Order Request for Charles Ham Associates

As a requirement of CBC Title 24, an annual inspection of bleachers are required to insure ADA compliance and path of travel for high school and middle school campuses. Staff is requesting a purchase order in the amount of \$9,500 to Charles Ham Associates to perform inspection services.

Public Comment: John Parker questioned whether anyone has looked into getting this service at a lower cost.

Mayo moved, Hansen seconded, and the Board voted 5-0-0 to approve the purchase order request for Charles Ham Associates.

PUBLIC COMMENT

John Ferrante notified the Board that the link to the Measure C website had been removed from the MDUSD home page.

Jillian Kefer and Leila Foster asked the Board to consider purchasing left-handed desks for left-handed students throughout the District.

Dan Reynolds noted that Cesar Chavez Day is celebrated on March 31st. He also invited the Board members to attend events at Northgate High School celebrating the 75th birthday of The Grapes of Wrath on April 14th.

COMMUNICATIONS: DISTRICT ORGANIZATIONS

Lisa A. Davis, CST Local One Business Agent, asked the Board why new administrative positions are being brought back or created in the District when classified employees have not yet had their hours and work year restored.

BUSINESS/ACTION ITEMS

16.1 Request to Approve Tentative Agreement Between Mt. Diablo Education Association (MDEA) and Mt. Diablo Unified School District (MDUSD)

The attached tentative agreement was reached between the bargaining teams. This agreement shall have a three (3) year term of July 1, 2013 through June 30, 2016.

Public Comment: John Ferrante questioned if this agreement includes verbiage stating that employees can never again choose to swap benefits for cash payouts.

Dennler moved, Hansen seconded, and the Board voted 5-0-0 to approve the tentative agreement between Mt. Diablo Education Association (MDEA) and Mt. Diablo Unified School District (MDUSD).

16.2 Public Presentation of the Sunshine Proposals Between Teamsters Union (M&O) and the Mt. Diablo Unified School District (MDUSD)

By law, school districts are required to "sunshine" collective bargaining proposals in an open session of the Board. The attached proposals from Teamsters Union (M&O) and Mt. Diablo Unified School District must first be submitted as an information item and then returned at a later meeting for action.

This item was presented for information.

16.3 Public Presentation of the Sunshine Reopener for California School Employees Association (CSEA)

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

This item was presented for information.

16.4 Public Presentation of the Sunshine Reopener for Public Employees Union, Local One, Clerical, Secretarial & Technical Unit (CST)

By law, school districts are required to "sunshine" collective bargaining proposals in an open session of the Board. At this time, we are presenting the sunshine proposal from MDUSD for both information and action.

Mayo moved, Dennler seconded, and the Board voted 5-0-0 to approve to formally adopt the proposal so negotiations may begin for Public Employees Local 1 CST.

16.5 Create Job Description for Coordinator, Mental Health Services

Assembly Bill 114, signed into law on June 30, 2011, eliminated all statute and regulations related to AB 3632. AB 114 ended the state mandate on county mental health agencies to provide mental health services to students with disabilities and transferred this responsibility to education. With the passage of AB 114, school districts are now solely responsible for providing and funding educationally related mental health services, including residential and other related services.

To ensure that students with mental health-related disabilities are able to effectively access and benefit from District mental health programs and services, Staff is requesting the creation of a job description for Coordinator, Mental Health Services to describe the scope and responsibility of the position under the supervision of the Assistant Superintendent, Pupil Services and Special Education. The salary range of this position will be 25 with a work year of 207 days.

The position will be fully funded by the State Apportionment for Mental Health and the Federal IDEA Mental Health Services Grant. Accordingly, the position will monitor and administer categorical/restricted revenue received for mental health services to ensure that funds are fully and efficiently expended within the grant award period.

This item was presented for information.

Public Comment: Dorothy Weisenberger stated that many parents are concerned that the District's Mental Health Program will become top-heavy. She asked the Board to put money toward helping the children in the program.

16.6 Revise Job Description for Educational Interpreter

Staff is requesting the revision of the job description for Educational Interpreter. The job classification for Education Interpreter is being reclassified. The revised job description will better reflect the increased responsibility of this position.

This item was presented for information.

16.7 Concord High School Choir Trip to Williamsburg

Music Teacher, Christian Emigh, from Concord High School, will be escorting 117 students along with 22 chaperones (Jeff Adams, Sheila Brummett, Linda D'Souza, Cynthia Dean, Cynthia Esposito, Michelle Gill, Anne Kendall, David Kendall, Jeanette Kren, Linda Pass, Richard Stach, Joanne Starkman, Marianne Steiner, Ron Steiner, Kathryn Tooker, Craig Seaton, Joan Cifarelli, Benjamin Stile, Tom Segal & Karen Fish) to the Heritage Music Festival in Williamsburg, Virginia April 9 - 13, 2014.

Hansen moved, Dennler seconded, and the Board voted 5-0-0 to approve Concord High School's trip to Williamsburg, Virginia to compete in the Choral Festival scheduled April 9 - 13, 2014.

16.8 Meeting Extension

No action taken.

16.9 Adoption of New Text for AP World History, "Ways of the World" 2nd Ed. Author: Robert W. Strayer Publisher: Bedford-St. Martin's

Chris Holleran, Student Achievement and School Support administrator, provided an overview of the evaluation process for this textbook adoption.

This item was presented for information.

16.10 Approval of the Common Core State Standards Spending Plan

The enacted State Budget for 2013-14 provides one-time funds to local educational agencies to support the activities required to implement the Common Core State Standards that California adopted. These new standards are required to be in place for the 2014-15 academic year. This new funding is provided specifically to support the following activities:

- Technology equipment and infrastructure to provide technology based instruction using Common Core State Standards and to implement computer-based student assessments
- Instructional materials and supplemental instructional materials aligned to the Common Core State Standards
- Professional development for certified and classified employees involved in the direct instruction of pupils using the Common Core State Standards.

Hansen moved, Mayo seconded, and the Board voted 5-0-0 to approve the Common Core State Standards Spending Plan. Plan was presented at the 2/26/14 Board meeting as Public Hearing.

16.11 MOU with Antioch Unified School District for AB790 Diablo Delta Corridor Linked Learning Pilot Project

MDUSD is in a partnership with Antioch USD and Pittsburg USD, called the Diablo Delta Corridor Project. This is the result of an application to CDE to be recognized as a Linked Learning Pilot Project. Technical Assistance has been provided to MDUSD through ConnectED as a result of this designation. Additionally, CDE has provided funding to Antioch USD, on behalf of all three districts, for additional Linked Learning work. Antioch has provided an MOU to enable MDUSD to invoice for expenses incurred related to these Linked Learning activities. Anticipated expenses include substitute costs for teachers participating in Linked Learning development activities, services from outside organization providing external coaching, mileage expenses for staff participating in Linked Learning activities, and other possible expenses related to convening stakeholders to develop Linked Learning in MDUSD.

Hansen moved, Mayo seconded, and the Board voted 5-0-0 to approve the MOU with Antioch USD for AB790 Diablo Delta Corridor Linked Learning Pilot Project.

16.12 Award Lease-Leaseback Agreement to Taber Construction, Inc. for HVAC Modernization at El Dorado MS, Highlands ES, Pine Hollow MS, Wren Avenue ES, Pleasant Hill ES, Sequoia MS, Valhalla ES and Walnut Acres ES

On October 4, 2013, the District issued a Request for Qualifications (RFQ) soliciting submissions from twelve (12) qualified firms interested in entering into a Lease-Leaseback agreement for the HVAC Modernization at El Dorado MS, Highlands ES, Pine Hollow MS, Wren Avenue ES, Pleasant Hill ES, Sequoia MS, Valhalla ES and Walnut Acres ES. The

District received five (5) qualification packages.

On November 5, 2013, as a result of the RFQ/RFP process, the Mount Diablo Unified School District entered into a no-cost Preliminary Services Agreement (PSA) with Taber Construction, Inc. for the coordination, constructability review, value engineering, and recommendations related to the HVAC Modernization at El Dorado MS, Highlands ES, Pine Hollow MS, Wren Avenue ES, Pleasant Hill ES, Sequoia MS, Valhalla ES and Walnut Acres ES. Under this agreement, Taber worked in conjunction with staff and the architect to prepare value engineering and constructability review. Approval from the Division of the State Architect was received on December 4, 2013 for all sites.

As a result of the PSA process, staff has completed negotiations as well as value-engineering with Taber Construction, Inc. and is recommending that the District enter into a Lease-Leaseback agreement with Taber Construction, Inc. for a Guaranteed Maximum Price of \$14,743,395 for the completion of all specified work per approved plans and specifications for the HVAC Modernization at El Dorado MS, Highlands ES, Pine Hollow MS, Wren Avenue ES, Pleasant Hill ES, Sequoia MS, Valhalla ES and Walnut Acres ES.

The Lease-Leaseback project delivery method is authorized by California Education Code 17406, and authorizes the governing board, without advertising for bids, to enter into a lease with a builder for the purpose of construction, including remodeling and permanent improvements, upon property. Under a Lease-Leaseback, the District leases property under a "site lease" to a builder for \$1. That builder constructs the facility, completes the renovation and then leases the facility back to the District under a "facilities lease." The District makes "tenant improvement payments" during construction and "lease payments" after construction. Titles to facility vests in the District as lease payments are made. The District has the option to make an early payment to the builder to buy out the facilities lease. In addition, the District determines all plans and specifications and uses its own Architect of Record to submit the project to the Division of the State Architect (DSA) for approval.

The scope of work includes, but is not limited to: provide all tools, materials, labor and equipment, demolition of existing units, installation of equipment pads, site work, roof repairs, and other miscellaneous items as it relates to the Drawings and Specifications necessary to complete the installation of HVAC units.

Dennler moved, Mayo seconded, and the Board voted 5-0-0 to approve the award of the Lease-Leaseback Agreement to Taber Construction, Inc. for HVAC Modernization at El Dorado Middle, Highlands Elementary, Pine Hollow Middle, Wren Avenue Elementary, Pleasant Hill Elementary, Sequoia Middle, Valhalla Elementary and Walnut Acres Elementary Schools.

16.13 Terminate Contract with Kenridge Builders, Inc. for the Northgate High School Aquatic Center Project for Kenridge's Failure to Timely Provide a Performance and/or Payment Bond as Required by the Contract Documents

On December 11, 2013, the Board awarded a Lease-Leaseback Contract to Kenridge Builders, Inc. for work associated with completion of Northgate High School Aquatic Center Project. On January 3, 2014, Kenridge Builders, Inc. notified District staff they could not provide bonds.

Hansen moved, Lawrence seconded, and the Board voted 5-0-0 to approve to terminate the contract with Kenridge Builders, Inc. for the Northgate High School Aquatic Center Project for Kenridge's failure to timely provide performance and/or payment bond as required by the contract documents.

16.14 Minutes for the Board of Education Meeting held on March 12, 2014

Dennler moved, Hansen seconded, and the Board voted 5-0-0 to approve the minutes for the Board of Education Meeting held on March 12, 2014.

FUTURE AGENDA ITEMS

No future agenda items were noted.

CLOSED SESSION

The Board did not return to Closed Session.

RECONVENE OPEN SESSION

(Nonapplicable)

ADJOURNMENT

President Oaks declared the meeting adjourned at 9:35 p.m.

Respectfully submitted,

Dr. Nellie Meyer, Ed.D.

DRAFT