

Votes are notated by #yes-#no-
#abstain. The record of emailed public
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Mt. Diablo Unified School District Governing Board

DRAFT - Board Meeting Minutes

REGULAR MEETING OF THE BOARD OF EDUCATION MT DIABLO UNIFIED SCHOOL DISTRICT Wednesday, November 8, 2023 (6:00 PM)

ROLL CALL

Debra Mason
Linda Mayo
Cherise Khaund
Erin McFerrin
Keisha Nzewi

1.0 Call to Order

Vice President McFerrin called the meeting to order at 5:02pm. President Nzewi arrived at 5:03pm

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 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. 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, pursuant to 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, Jennifer Sachs, 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 (Gov. Code Sec. 54957(b)(1))

Recommendation: Information/action.

3.3 Expulsion of Student #01-24 from the Mt. Diablo Unified School District

Expulsion of Student #01-24 from the Mt. Diablo Unified School District

Recommendation: A move to approve the expulsion of Student #01-24 from the Mt. Diablo Unified School District

3.4 Expulsion of Student #02-24 from the Mt. Diablo Unified School District

Expulsion of Student #02-24 from the Mt. Diablo Unified School District

Recommendation: A move to approve the expulsion of Student #02-24 from the Mt. Diablo Unified School District

ORIGINAL - Motion

3.5 Public Employee Performance Evaluation - Superintendent. Pursuant to Government Code §54957

Recommendation: Information.

4.0 Adjourn to Closed Session

The meeting was adjourned to closed session at 5:03pm

4.1 Adjourn to Closed Session

The Board President will adjourn the meeting to closed session.

Recommendation: Adjourn to closed session.

5.0 Recovene Open Session

Open session reconvened at 6:02pm

5.1 Reconvene Open Session

The Board of Education will reconvene Open Session.

Recommendation: Reconvene Open Session.

6.0 Preliminary Business

6.1 Pledge of Allegiance

The Board President will lead the Pledge of Allegiance.

Recommendation: Lead the Pledge of Allegiance.

6.2 Review and Potential Approval of Minutes for Regular Board Meeting

Board Meeting Minutes October 25, 2023 Board Study Session Minutes October 30, 2023

Minutes have been prepared for the board meeting on October 25, 2023 and board study session held October 30, 2023 and are presented for review and approval.

Recommendation: Move to approve the minutes for the Regular Board Meeting held October 25, 2023 and the Board Study Session held October 30, 2023.

ORIGINAL - Motion

Member **(Linda Mayo)** Moved, Member **(Erin McFerrin)** Seconded to approve the **ORIGINAL** motion 'Move to approve the minutes for the Regular Board Meeting held October 25, 2023 and the Board Study Session held October 30, 2023'. 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

6.3 Review and Potential Approval of the Agenda

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

Recommendation: Move to approve the agenda.

AMENDED - Motion

Member **(Debra Mason)** Moved, Member **(Cherise Khaund)** Seconded to approve the **AMENDED** motion 'Move to approve the agenda with Item 18.6 to be heard before 8.1'. 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 Action Taken in Closed Session

7.1 Negotiations - The Board may discuss negotiations or provide direction to its representatives regarding represented employees, pursuant to 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, Jennifer Sachs, 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 (Gov. Code Sec. 54957(b)(1))

Recommendation: Information/action.

The Governing Board received information.

7.3 Expulsion of Student #01-24 from the Mt. Diablo Unified School District

Expulsion of Student #01-24 from the Mt. Diablo Unified School District

Recommendation: A move to approve the expulsion of Student #01-24 from the Mt. Diablo Unified School District

The Governing Board received information.

AMENDED - Motion

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **AMENDED** motion 'Move to approve the expulsion of Student #01-24 from the Mt. Diablo Unified School District. Prior to readmission, Student #01-24 is required to meet the following conditions: Participate in twenty (20) hours of counseling to address anger management and conflict resolution, show evidence of a successful school experience, with no suspendible infractions, earn 30 credits, maintain a 2.0 GPA or better, and have a 90% attendance rate. Student must remain away from all MDUSD campuses and school activities along with no violation of school rules and Education Code(s) 48900, 48915, or District Rules and Regulations '. 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

7.4 Expulsion of Student #02-24 from the Mt. Diablo Unified School District

Expulsion of Student #02-24 from the Mt. Diablo Unified School District

Recommendation: A move to approve the expulsion of Student #02-24 from the Mt. Diablo Unified School District

AMENDED - Motion

Member **(Cherise Khaund)** Moved, Member **(Linda Mayo)** Seconded to approve the **AMENDED** motion 'Move to approve the Expulsion for Student #02-24. Prior to readmission, Student #02-24 is required to meet the following conditions: Participate in twenty (20) hours of counseling to address decision making, show evidence of a successful school experience , with no suspendible infractions, earn 60 credits, maintain a 2.0 GPA or better, and have a 90% attendance rate. Student must remain away from all MDUSD campuses and school activities along with no violation of school rules and Education Code(s) 48900, 48915, or District Rules and Regulations '. 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

7.5 Public Employee Performance Evaluation - Superintendent. Pursuant to Government Code §54957

Recommendation: Information.

The Governing Board received information.

8.0 Public Comment

8.1 (Original Item 18.6) Review and Potential Approval of Instructions to Staff to Negotiate a District-Wide Project Labor Agreements with the Contra Costa Building Trades Council.

Staff presented to the Board of Education at the October 25, 2023 meeting a presentation for information only regarding the pros and cons of entering into a Project Labor Agreement ("PLA"), and a summary of the District's prior efforts in the matter. The item is being brought back as an action item for potential instructions by the Board to staff to negotiate a PLA to be brought to the Board for Review and potential approval at a future date.

Recommendation: Move to instruct staff to negotiate a district-wide Project Labor Agreements with Contra Costa Building Trades Council to be reviewed and potentially approved by the Board at a future date.

ORIGINAL - Motion

Member **(Linda Mayo)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to instruct staff to negotiate a district-wide Project Labor Agreements with Contra Costa Building Trades Council to be reviewed and potentially approved by the Board at a future date'. 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

8.2 Public Comment: The Public May Address the Board Regarding any Item Not on the Agenda.

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. 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.

Recommendation: Listen to Public Comment.

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.

10.0 Recognitions and Resolutions

10.1 Review and Potential Approval of Board Resolution 23/24-29 for Personnel with Variable Term Waivers

Board Resolution 23/24-29 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 23/24-29 for Personnel with Variable Term Waivers.

ORIGINAL - Motion

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve Resolution 23/24-29 for Personnel with 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

10.2 Review and Potential Approval of Resolution 23/24-30 Recognizing November as Runaway and Homeless Youth Prevention Month

November has been designated as Homeless Youth Awareness Month. The Mt. Diablo Unified School District also recognizes the need for increased attention and support for these students.

Recommendation: Move to approve Resolution 23/24-30, recognizing November 2023, as Runaway and Homeless Youth Prevention Month.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve Resolution 23/24-30, recognizing November 2023, as Homeless Youth Awareness Month'. 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 Approval of Certificated Personnel Appointment: Vice Principal at College Park High School

Interviews were conducted and a candidate has been selected to fill the position of Vice Principal, College Park High School, for immediate hire.

Recommendation: Move to approve the appointment of Vice Principal at College Park High School.

AMENDED - Motion

Member **(Linda Mayo)** Moved, Member **(Debra Mason)** Seconded to approve the **AMENDED** motion 'Move to approve the appointment of Dr. Michael Miller Vice

Principal at College Park 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

12.0 Reports/Information

12.1 Staff report on Dual Enrollment Opportunities for Mt. Diablo Unified Students

California's Governor, Gavin Newsom's, 2023-2024 budget demonstrated his commitment to supporting community colleges and the expansion of dual enrollment programs. In response to this support, California Community College recently developed Vision 2030 which is their framework describing how to advance student success, access, and support socio-economic mobility with equity. One of the tools to achieve this will be increasing access to dual enrollment programs, with the goal of students graduating from high school with 12 college credits. In response to this work, MDUSD is working with Diablo Valley College to expand dual enrollment opportunities for MDUSD students. In addition to the expansion of College Now, MDUSD and DVC will offer at least one college class at each of the comprehensive high schools in the district.

Recommendation: Staff report

13.0 Board Member Reports

13.1 Board Member Reports

Board Members may choose to report out their activities.

Recommendation: Information.

14.0 Superintendent's Report

14.1 Superintendent's Report

The Superintendent may choose to report out on activities.

Recommendation: Information.

15.0 Consent Agenda

15.1 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 (**Cherise Khaund**) Moved, Member (**Debra Mason**) 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

15.2 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 (**Cherise Khaund**) Moved, Member (**Debra Mason**) 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

15.3 Review and Potential Approval of the Memorandum of Understanding Between San Francisco State University and Mt. Diablo Unified School District for Student Teaching

MOU San Francisco State University Student Teaching Agreement

San Francisco State University is requesting to enter into an agreement to place student teachers within Mt. Diablo Unified School District. This agreement shall be from October 1, 2023 to June 30, 2028. The District shall provide practicum experience through practice teaching or administrative experience in schools and classes of the District in accordance with California Commission on Teacher Credentialing Standards.

Recommendation: Move to approve the Memorandum of Understanding between San Francisco State University and Mt. Diablo Unified School District for Student Teaching.

ORIGINAL - Motion

Member (**Cherise Khaund**) Moved, Member (**Debra Mason**) Seconded to approve the **ORIGINAL** motion 'Move to approve the Memorandum of Understanding between San Francisco State University and Mt. Diablo Unified School District for Student Teaching'. 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

15.4 Review and Potential Approval of 2023-2024 Purchase Order for Lozano Smith Attorneys at Law

Professional Services Agreement for Legal Services_Lozano Smith Lozano Smith
Engagement Letter Case Management and Billing Standards_Lozano Smith

The District continues to work to keep our legal costs to the lowest possible level, while also ensuring we have additional K-12 legal educational experts in different specific legal areas related directly to school districts. This firm, which was a firm used often in the past by the District, in year 3 of our current agreement, continues to be critical and reliable in keeping the District in a position to avoid liability or errors in Human Resources.

Recommendation: Move to approve the 2023-2024 Purchase Order with Lozano Smith Attorneys at Law.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the 2023-2024 Purchase Order with Lozano Smith Attorneys at Law'. 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

15.5 Review and Potential Approval of Out-of-State Travel by the MDUSD Director of College and Career and Adult Education (Mt. Diablo Adult Education), November 13-18, 2023

Mt. Diablo Adult Education (MDAE) requests approval to travel to Atlanta, GA, by the MDUSD Director of College and Career and Adult Education (Mt. Diablo Adult Education) for the purpose of meeting annual compliance requirements of the Council on Occupational Education (COE) related to the national accreditation of Career Technical Education Center (CTEC) programs of MDAE. As the "Chief Administrator" of the "Institution" (MDAE) the Director of College and Career and Adult Education is responsible for the leadership and professional development of the CTEC Allied Health and Workforce Development Programs of MDAE, as a condition for maintaining accreditation. Participation at the COE Annual Meeting is one way for the Director of College and Career and Adult Education to ensure the "Institution" will be able to achieve its goals and objectives under the authority, leadership and responsibility of the "Chief Administrator" of the "Institution".

Recommendation: Move to approve Out-of-State travel by the MDUSD Director of College and Career and Adult Education (Mt. Diablo Adult Education), November 13-18, 2023.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve Out-of-State travel by the MDUSD Director of College and Career and Adult Education (Mt. Diablo Adult Education), November 13-18, 2023'. 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

15.6 Review and Potential Ratification of the Amendment to the Independent Service Contract Between My Other Brother and Mt. Diablo Unified School District on Behalf of Riverview Middle School.

Independent Service Contract and Certificate of Liability Insurance.

Riverview Middle School is requesting ratification to the amendment to their ISC with My Other Brother. Vendor has added Worker's Compensation to their contract and has provided a copy of Workers Compensation and Employer's Liability.

Recommendation: Move to ratify the amendment to the Riverview Middle School's ISC with My Other Brother.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to ratify the amendment to the Riverview Middle School's ISC with My Other Brother'. 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

15.7 Review and Potential Approval of the Proposal from Sierra School Equipment Co. Stations for Sequoia Middle School per San Bernardino County Superintendent of School's Bid #23/24-0005

To support the needs of Sequoia Middle School, staff is requesting the approval of the proposal with Sierra School Equipment Co. for their purchase of collaboratives desks which help support student-centered learning environment and the purchase of teacher stations in support of reorienting their classrooms while teaching.

Recommendation: Move to approve the proposal from Sierra School Equipment Co. for Sequoia Middle School via Piggyback contract of San Bernardino Contract #23/34-0005.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the proposal from Sierra School Equipment Co. for Sequoia Middle School via Piggyback contract of San Bernardino Contract #23/34-0005'. 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

15.8 Review and Potential Approval of an Out-of-State Conference for an Olympic High School teacher.

Olympic High School is requesting approval for one of their teachers to attend the out-of-state California Association of Directors of Activities Conference, CADA, and its expenses. The conference takes place March 6-9, 2024 in Reno, Nevada.

Recommendation: Move to approve the out-of-state CADA conference for Olympic High School's teacher.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the out-of-state CADA conference for Olympic High School's teacher'. 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

15.9 Review and Potential Approval to apply for the Renewal Emergency and Secondary School Emergency Relief (ESSER) III Summer Grant Program for After School Education and Safety (ASES) Grant Program Schools

The Renewal Emergency and Secondary School Emergency Relief (ESSER) III Summer Grant Program is available only to Round 1 Recipients After School Education and Safety (ASES) grantees to implement evidence-based summer enrichment programs responsive to students' academic, social, and emotional needs and address the disproportionate impact of the corona-virus on the student populations, students experiencing homelessness, and children and youth in foster care. The following 14 schools are ASES grantees and included in the grant application; Bel Air, Cambridge, Delta View, El Monte, Fair Oaks, Meadow Homes, Rio Vista, Shore Acres, Sun Terrace, Wren Avenue, and Ygnacio Valley Elementary schools, and El Dorado, Oak Grove, and Riverview Middle schools. Grant funds will be used to establish and/or enhance Summer Expanded Learning Programs during summer, vacation, and intersession time periods focused on educational, literacy, and enrichment elements. The ESSER III Summer Grant Program must be spent by September 30, 2024 and awards are ranked by free and reduced price meal percentages and based on school enrollment; up to 600 enrollment- \$60,000; and 601-899 enrollment- \$75,000. The total MDUSD grant award would be \$915,000.

Recommendation: Move to approve the Renewal Emergency and Secondary School Emergency Relief (ESSER) III Summer Grant Program for After School Education and Safety (ASES) grant program schools

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the Renewal Emergency and Secondary School Emergency Relief (ESSER) III Summer Grant Program for After School Education and Safety (ASES) grant program schools'. 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

15.10 Review and Potential Approval of Purchase of IXL Online Learning Platform Professional Development Contract

The district has purchased IXL licenses to be used in all middle school and high school Algebra I classes to support student achievement and mastery of the Algebra I

standards. The purchase of licenses included preliminary professional development. Staff is recommending approval of a contract for additional professional development sessions to support teachers further in the implementation of this program to support student achievement. The contract includes six in-person training workshops which include guided planning time for teachers.

Recommendation: Move to approve the purchase of IXL Online Learning Platform Professional Development Contract

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the purchase of IXL Online Learning Platform Professional Development Contract'. 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

15.11 Review and Approval of an Out-of-State Conference for a Northgate and an Olympic High School Teacher

NCSS Conference Information

Northgate and Olympic High Schools are requesting approval for one of their teachers from each site to attend the 103rd NCSS Annual Conference being held in Nashville, TN on 12/1-12/3/23.

Recommendation: Move to approve Northgate and Olympic High School's request for their teacher to attend the out-of-state conference in Nashville.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve Northgate and Olympic High School's request for their teacher to attend the out-of-state conference in Nashville'. 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) Fiscal

15.12 Review and Potential Approval of Budget Revisions for August 2023

Budget Revisions for August 2023 Balances as follows: General Fund 01: -\$

3,496,670 Food & Nutrition: \$ 0

Budget Revisions are a result of prior Board actions, changes in grant awards and changes in funding. Donations have also been received from private individuals and businesses. The appropriate revenue and expenditure budgets have been adjusted accordingly.

Recommendation: Move to approve the budget revisions for August 2023

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the budget revisions for August 2023'.

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

15.13 Review and Potential Approval of the Fiscal Transactions for the Month of October 2023

Detail Warrants October 2023 Warrant Cancellations October 2023

Payments have been made to meet District's obligations to improvements and other outgoing expenses.

Recommendation: Move to approve fiscal transactions for the month of October 2023

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve fiscal transactions for the month of October 2023'. 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) Food and Nutrition Services

15.14 Review and Potential Approval Request for Proposal (RFP) #1920 for 2023 Fresh Produce for Mt. Diablo Unified School District

RFP 1920 Response Summary RFP 1920 Bay Cities Response RFP 1920 Pacific Rim Response

Mt. Diablo Unified School District Request for Proposal (RFP) #1920 for 2023 Fresh Produce for Mt. Diablo Unified School District was Noticed on September, 29, 2023. The RFP scope is to provide fresh produce for all sites for the balance of the 2023/24 school year (November 27, 2023 to June 30, 2024), with 3 one-year options to extend through December 31, 2027. District staff received three responses to the RFP on October 26, 2023. The Responses were reviewed by staff and two were able to provide 100% of the requested produce. Both are found to be responsive and responsible. Staff is recommending a pool of vendors to meet their fresh produce needs, and is bringing forth Bay Cities Produce, Inc. and Pacific Rim Produce for the Board's review and possible approval.

Recommendation: Move to approve Award of RFP #1920 2023 Fresh Produce Contract to a pool of the following vendors, Bay Cities Produce, Inc. and Pacific Rim Produce for the District's fresh produce needs; with possible annual extensions through December 31, 2027

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve Award of RFP #1920 2023 Fresh Produce Contract to a pool of the following vendors, Bay Cities Produce, Inc. and Pacific Rim

Produce for the District's fresh produce needs; with possible annual extensions through December 31, 2027'. 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) Maintenance and Operations

15.15 Review and Potential Approval of the Door Installation at Concord High School, Administrative Offices.

Hung Construction - Concord High School

During a site assessment at Concord High School, it was determined and staff is recommending that a main entrance door could be added directly in to the main Administration Office at the site from outside of the main perimeter fencing. This will allow for a single point of entry, into the campus, during school hours, allowing for site staff to thoroughly monitor visitors, to ensure student safety.

Recommendation: Move to Approve Review the Door Installation at Concord High School, Administrative Offices.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to Approve Review the Door Installation at Concord High School, Administrative Offices'. 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

15.16 Review and Potential Approval of Amendment #1 to Master Agreement Contract with 19-6 Architects for the Architectural Services to Facilitate the Elementary School Modernization at Rio Vista Elementary, Meadow Homes Elementary & Mt. Diablo Elementary

19-6 Architect Agreement Elementary School Modernization Amendment 1 19-6 signed.pdf Mt Diablo Elementary Back Up Meadow Homes Elementary Back Up Rio Vista Elementary Back Up

At the June 14, 2023 meeting, the Board of Education took action to approve the Master Agreement Contract with 19-6 Architects for the Architectural Services to Facilitate the Elementary School Modernization at Rio Vista Elementary, Meadow Homes Elementary & Mt. Diablo Elementary. Staff is bringing forward Amendment #1 to this Master Contract to incorporate scope to include extended planning efforts including reconfiguration of specific buildings and spaces to meet the program needs of the campuses, Kitchen Ventilation Improvements, site specific HVAC scope (both replacement and/or major maintenance scope based on age and needs of equipment, lighting upgrade engineering fees, splitting the scope of work into two increments, with associated separate DSA packages and approvals, and phasing of

construction and Technology Infrastructure and Data systems upgrades based on the Assessment Report which is added scope from the original agreement.

Recommendation: Move to Approve Amendment #1 to Master Agreement Contract with 19-6 Architects for the Architectural Services to Facilitate the Elementary School Modernization at Rio Vista Elementary, Meadow Homes Elementary & Mt. Diablo Elementary

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to Approve Amendment #1 to Master Agreement Contract with 19-6 Architects for the Architectural Services to Facilitate the Elementary School Modernization at Rio Vista Elementary, Meadow Homes Elementary & Mt. Diablo Elementary'. 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

15.17 Review and Potential Approval of the Issuance of the Notice of Completion for Bid 1929/C1929 for the 2023 Summer Roofing Project, Package #2 at Clayton Valley Charter and Northgate High Schools

Bid 1929/C1929 - Completion Memo Bid 1929/C1929 - Notice of Completion
On March 22, 2023, the Board awarded Bid 1929 to Courtney, Inc., for 2023 Summer Roofing Project, Package #2 at Clayton Valley Charter and Northgate High Schools. The contractor has completed all work under Bid 1929/C1929 and the District is requesting approval of issuance of Notice of Completion to be filed with the County. Original Contract Value: \$4,429,323 (incl. \$200,00 potential allwnce) Collective savings: \$ 62,014 Final Contract Value: \$4,367,309

Recommendation: Move to approve the Issuance of the Notice of Completion for Bid 1929/C1929 for the 2023 Summer Roofing Project, Package #2 at Clayton Valley Charter and Northgate High Schools

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the Issuance of the Notice of Completion for Bid 1929/C1929 for the 2023 Summer Roofing Project, Package #2 at Clayton Valley Charter and Northgate High Schools'. 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) Purchasing

15.18 Review and Potential Approval Purchase Order Summary Report for October 2023

Purchase Order Summary Report for October 2023 Technology Purchase Order Summary Report for October 2023

District staff is bringing forward Purchase Order (PO) Summary Report for the month of October 2023. 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 October 2023. This total is included in the master Purchase Order Summary list.

Recommendation: Move to approve Purchase Orders for the month of October 2023

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve Purchase Orders for the month of October 2023'. 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

15.19 Use of Piggyback on San Bernardino County Superintendent of Schools Agreement with Sierra School Equipment Company for Furniture for District

SBCSS/Sierra School Equipment Co. Contract

District staff wish to piggyback on San Bernardino County Superintendent of School's (SBCSS) Bid #23/24-0005 - Furniture: System and Stand Alone with Sierra School Equipment Company, as allowed by California Public Contract Code, Section 20118, and approved for use by SBCSS. Piggybacking on this agreement will allow our Buyers to better support sites/departments in some of their furniture procurement needs. District staff propose the use of a piggyback on Bid #23/24-0005 agreement with Sierra School Equipment to fast-track some of our school furniture purchases for our schools that are in need of furniture to properly equipment our classrooms. SBCSS/Sierra School Equipment's Agreement is effective through June 30, 2024, with the option to extend for an additional two years (June 30, 2026). Staff believes this is the best fit for our current limited furniture purchases.

Recommendation: Move to Approve the piggyback agreement on San Bernardino County Superintendent of Schools contract with Sierra School Equipment Company through June 30, 2026.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to Approve the piggyback agreement on San Bernardino County Superintendent of Schools contract with Sierra School Equipment Company through June 30, 2026'. 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

15.20 Use of Piggyback on Downey Unified School District Contract for the Purchase of Needed Apple Products District-Wide

Piggyback Agreement with Apple/Downey USD

District staff wish to piggyback on Downey Unified School District's Bid #23/24-11 Apple Computer Products/Contract #1695400, as allowed by California Public Contract Code, Section 20118. Mt. Diablo Unified School District continue to be a HP computer/technology district. Occasionally special needs of our school programs are better served by Apple technology. Apple requires the District to be covered by a bided contract. District staff propose the use of a piggyback agreement that best fits the District's needs for their limited Apple purchases. We vetted three available piggyback agreements. We also solicited the reviews and opinions of other districts and the contracts they were using. Through this process we discovered Apple's awarded contract with Downey Unified School Contract #1695400. This contract is effective through June 30, 2024, with the option to extend for an additional two years (June 30, 2026). Staff believes this is the best fit for our limited Apple product purchases.

Recommendation: Move to Approve the piggyback agreement on Downey USD's contract with Apple through June 30, 2026.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to Approve the piggyback agreement on Downey USD's contract with Apple through June 30, 2026'. 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

15.21 Review and Potential Approval of Phase III of the Promethean Boards Procurement Through CDW-G

Promethean IFP Project Phase III Scope of Work - CDW-G - 10-25-23 CDW-G Quote NPRN851

At the April 12, 2023 and May 10, 2023 meetings, the Board of Education approved Phase I and Phase II respectively of the Promethean Boards Project. Staff is now bringing forward, for approval, the anticipated completion of this plan, Phase III of the Promethean Boards 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.

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

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve Phase III 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

15.22 Review and Potential Approval of Contract Extensions of CALNET State Contracts

-MDUSD CALNET Legacy Telecommunications Voice and Data Services, Cat.15-18 Agreement -CALNET Legacy Telecommunications Voice and Data Services, Cat.15-18 Extension -MDUSD CALNET Data Networks and Communications Services, Cat.20-30 Agreement -CALNET Data Networks and Communications Services, Cat.20-30 Extension

District Staff is looking to continue our use of AT&T Corporation's CALNET contracts awarded to multiple vendors for telecommunications services in 2008 through a State Request for Proposals (RFP). Since 2008, MDUSD has utilized the voice and Data provisions of the contracts which was awarded to AT&T. These contracts allow the school district to enjoy reduced pricing, and was recognized by the Schools and Libraries Program for additional E-rate discounts. The State has approved the CALNET agreements with AT&T with the following extensions: Categories 15.2.2 and 18.3.1.1 to June 30, 2024; Categories 15, 16, 17 and 18 to June 30, 2029; and Categories 20, 21, 22, 23, 24, 25, 27, 28, 29, and 30 to June 30, 2028. District staff is requesting the Board's approval of these extensions of the District's CALNET/AT&T agreements to align with the State's extensions.

Recommendation: Move to Approve the State's extensions of the CALNET Agreements with AT&T for Legacy Telecommunications Voice, Data Services, Data Networks and Communications Services (Categories 15-30)

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to Approve the State's extensions of the CALNET Agreements with AT&T for Legacy Telecommunications Voice, Data Services, Data Networks and Communications Services (Categories 15-30)'. 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

16.0 Consent Items Pulled for Discussion

17.0 Consent Items Pulled by Staff

18.0 Business/Action Items

18.1 Review and Potential Approval of Changes to Board Policies and Administrative Regulations per California School Board Association (CSBA) Recommendations - September 2023 Quarterly Update

BP 5131.9 Academic Honesty BP 6154 Homework/Makeup Work BP 6162.5 Student Assessment

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 for BP 5131.9, 6154 and 6162.5 were presented for Board review on October 25, 2023 and are being presented for approval at a future date. Work continues on the remaining policies.

Recommendation: Move to approve revisions to BP 5131.9, 6154 and 6162.5 as presented.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Erin McFerrin)** Seconded to approve the **ORIGINAL** motion 'Move to approve revisions to BP 5131.9, 6154 and 6162.5 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

18.2 Review and Potential Approval of the Side Letter with CST Regarding the Administering of Medication for the 2023-2024 School Year

Side letter, pending AB 1200

The District and CST worked collaboratively to come to an agreement for the administration of medications on school sites to students during the school day.

Recommendation: Move to approve the Side Letter between MDUSD and CST for Voluntary Administration of Medication for the 2023-2024 school year.

ORIGINAL - Motion

Member **(Debra Mason)** Moved, Member **(Erin McFerrin)** Seconded to approve the **ORIGINAL** motion 'Move to approve the Side Letter between MDUSD and CST for Voluntary Administration of Medication for the 2023-2024 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

18.3 Review Proposed Update to Administrative Regulation 5141.21

The District has recently acquired Naloxone to be available on our campuses to be used in the event of an opioid overdose. This administrative regulation clarifies that it may be administered by a qualified, trained volunteer and the process by which those volunteers will be selected, it also clarifies that while we encourage students to seek a staff member for assistance, those who carry naloxone on campus will not face disciplinary actions.

Recommendation: Receive information regarding naloxone on district campuses.

18.4 Review and Potential Approval of Land Acknowledgement Wording and Addition to the Agenda

A Land Acknowledgment is a formal statement that recognizes and respects Indigenous Peoples as traditional stewards of this land and the enduring relationship that exists

between Indigenous Peoples and their traditional territories. The Mt. Diablo Unified School District is considering the formalization of the land acknowledgement and placement on the agenda.

Recommendation: Review land acknowledgment and potentially move to approve acknowledgement and addition to the agenda.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Erin McFerrin)** Seconded to approve the **ORIGINAL** motion 'Review land acknowledgment and potentially move to approve acknowledgement and addition to 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

18.5 Review and Potential Approval of the 2024-2025 School Year Calendar

Draft of 2024-2025 School Year Calendar School Year Calendar Process Presentation
The attached draft of the 2024-2025 school year calendar has received input from all bargaining units and associations. A community survey was also conducted and provided feedback that was used to revise the calendar. The calendar does include a fall break, which will be in October.

Recommendation: Move to approve the 2024-2025 school year calendar as presented.

****Student Board Member Susana Barrios seconded the motion*****

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Keisha Nzewi)** Seconded to approve the **ORIGINAL** motion 'Move to approve the 2024-2025 school year calendar 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

18.6 Review and Potential Approval of the Visual and Performing Arts Strategic Plan: Arts Equity for All Students 2023-2028

In March of 2023, an Arts Planning Team was created bringing together a diverse team of constituents to envision the way forward for increased access and equity in arts education for all Mt. Diablo Unified School District students from TK-12th grade. The team met in person for three full days from March 2023 to June 2023 and included the Superintendent, Board Members, local artists, local business partners, parents, teachers and students representing a diversity of voices, perspectives and lived experiences. The meetings were facilitated by outside Consultant, Peggy Burt, from Mindfulness Strategies. Staff presented a Visual and Performing Arts (VAPA) Strategic Plan: Arts Equity for All Students 2023-2028 as an informational Study Session item on October 30, 2023. The plan is now being brought back for Board approval.

Recommendation: Move to approve Visual and Performing Arts Strategic Plan: Arts Equity for All Students 2023-2028

ORIGINAL - Motion

Member (**Debra Mason**) Moved, Member (**Cherise Khaund**) Seconded to approve the **ORIGINAL** motion 'Move to approve Visual and Performing Arts Strategic Plan: Arts Equity for All Students 2023-2028'. 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

19.0 Meeting Extension

20.0 Closed Session (Carry Over)

20.1 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.

21.0 Reconvene Open Session

21.1 Report Out Action Taken During Closed Session

Report out action taken during closed session.

Recommendation: Information.

22.0 Future Agenda Items

22.1 Future Agenda Items

Future agenda items may be discussed at this time.

Recommendation: Information.

23.0 Adjournment

The president adjourned the meeting at 7:53 pm

23.1 Adjourn Meeting

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

Recommendation: Adjourn the meeting.