

MINUTES
REGULAR MEETING OF THE BOARD OF EDUCATION
MT. DIABLO UNIFIED SCHOOL DISTRICT
Monday, April 25, 2016 (5:30 p.m./7:00 p.m.)

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

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

CALL TO ORDER

President Hansen called the meeting to order at 5:30 p.m. and conducted Roll Call with all Board members present except Mr. Lawrence.

PUBLIC COMMENT

There was no Public Comment.

CLOSED SESSION AGENDA

3.1 (Item #1) Existing Litigation - Conference with Legal Counsel (Paragraph (1) of subdivision (d) of Government Code Section 54956.9): John Does v. Mt. Diablo Unified School District, Contra Costa County Superior Court Action No. C14-00262

3.2 (Item #2) Existing Litigation - Conference with Legal Counsel pursuant to Gov't. Code Section 54956.9 (d)(1) regarding the matter of Bay Area News Group (BANG) v. MDUSD, Case No. MSC N13-1551

Existing Litigation - Conference with Legal Counsel pursuant to Gov't. Code Section 54956.9 (d)(1) regarding the matter of Bay Area News Group (BANG) v. MDUSD, Case No. MSC N13-1551

3.3 (Item #3) Anticipated Litigation - Conference with Legal Counsel pursuant to Gov't. Code Sec. 54956.9(b), Significant Exposure to Litigation: Two Cases

3.4 (Item #4) Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957(b)(1))

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

3.5 (Item #5) Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957(b)(1))

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

3.6 (Item #6) Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957(b)(1)) - 10 Cases

Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957(b)(1)) - 10 Cases

3.7 (Item #7) Negotiations - The Board may discuss negotiations or provide direction to its representatives regarding represented employees, pursuant to EERA (Govt. Code Section 3549.1) Agency negotiator: Donald A. Velez and Deborah Cooksey; Agencies: MDEA, DMA, MDSPA, CSEA, CST Local 1 and Teamsters Local 856

3.8 (Item #8) Expulsion of Student #13-16 from all Regular Schools of the Mt. Diablo Unified School District

Expulsion of Student #13-16 from all regular schools of the Mt. Diablo Unified School District. Student Services will determine the school placement of Student #13-16.

3.9 (Item #9) Expulsion of Student #14-16 from all Regular Schools of the Mt. Diablo Unified School District

Expulsion of Student #14-16 from all regular schools of the Mt. Diablo Unified School District. Student Services will determine the school placement of Student #14-16.

3.10 (Item #10) Expulsion of Student #15-16 from all Regular Schools of the Mt. Diablo Unified School District

Expulsion of Student #15-16 from all regular schools of the Mt. Diablo Unified School District. Student Services will determine the school placement of Student #15-16.

3.11 (Item #11) Expulsion of Student #16-16 from all Regular Schools of the Mt. Diablo Unified School District

Expulsion of Student #16-16 from all regular schools of the Mt. Diablo Unified School District. Student Services will determine the school placement of Student #16-16.

ADJOURN TO CLOSED SESSION

The Board adjourned to Closed Session at 5:31 p.m.

Mr. Lawrence arrived during Closed Session.

RECONVENE OPEN SESSION

The Board reconvened Open Session at 7:26 p.m.

PRELIMINARY BUSINESS

President Hansen led the Pledge of Allegiance and conducted Roll Call with all Board members present. President Hansen introduced Student Representative Eilona Lyka Aguilar from Mt. Diablo High School.

REPORT OUT ACTION TAKEN IN CLOSED SESSION

7.1 (Item #1) Existing Litigation - Conference with Legal Counsel (Paragraph (1) of subdivision (d) of Government Code Section 54956.9): John Does v. Mt. Diablo Unified School District, Contra Costa County Superior Court Action No. C14-00262

The Board conferenced with legal counsel and gave direction.

7.2 (Item #2) Existing Litigation - Conference with Legal Counsel pursuant to Gov't. Code Section 54956.9 (d)(1) regarding the matter of Bay Area News Group (BANG) v. MDUSD, Case No. MSC N13-1551

The Board conferenced with legal counsel and gave direction.

7.3 (Item #3) Anticipated Litigation - Conference with Legal Counsel pursuant to Gov't. Code Sec. 54956.9(b), Significant Exposure to Litigation: 2 cases

The Board conferenced with legal counsel on one case of Anticipated Litigation.

7.4 (Item #4) Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957(b)(1))

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

The Board discussed this item.

7.5 (Item #5) Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957(b)(1))

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

The Board discussed this item.

7.6 (Item #6) Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957(b)(1)) - 10 Cases

Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957(b)(1)) - 10 Cases

The Board discussed seven cases.

7.7 (Item #7) Negotiations - The Board may discuss negotiations or provide direction to its representatives regarding represented employees, pursuant to EERA (Govt. Code Section 3549.1) Agency negotiator: Donald A. Velez and Deborah Cooksey; Agencies: MDEA, DMA, MDSPA, CSEA, CST Local 1 and Teamsters Local 856

The Board will discuss negotiations with negotiators during second Closed Session following the conclusion of Open Session.

7.8 (Item #8) Expulsion of Student #13-16 from all Regular Schools of the Mt. Diablo Unified School District

Expulsion of Student #13-16 from all regular schools of the Mt. Diablo Unified School District. Student Services will determine the school placement of Student #13-16.

Oaks moved, Mason seconded, and the Board voted 5-0-0 to approve the expulsion of Student #13-16 from all regular schools of the Mt. Diablo Unified School District and that Student #13-16 may apply for readmission after January 20, 2017. Further, I move to suspend the expulsion of Student #13-16 with student placement to be determined by Student Services. Also, student #13-16 should participate in individual counseling focusing on coping skills.

7.9 (Item #9) Expulsion of Student #14-16 from all Regular Schools of the Mt. Diablo Unified School District

Expulsion of Student #14-16 from all regular schools of the Mt. Diablo Unified School District. Student Services will determine the school placement of Student #14-16.

Mayo moved, Lawrence seconded, and the Board voted 5-0-0 to approve the expulsion of Student #14-16 from all regular schools of the Mt. Diablo Unified School District and that Student #14-16 may apply for readmission after January 20, 2017. It is required that Student #14-16 participates in 20 hours of individual counseling; serve 30 hours of community service; attend the COPS Program for assault; and show evidence of a successful school experience earning 30 credits or graduation completion prior to readmission.

7.10 (Item #10) Expulsion of Student #15-16 from all Regular Schools of the Mt. Diablo Unified School District

Expulsion of Student #15-16 from all regular schools of the Mt. Diablo Unified School District. Student Services will determine the school placement of Student #15-16.

Mason moved, Lawrence seconded, and the Board voted 5-0-0 to approve the expulsion of Student #15-16 from all regular schools of the Mt. Diablo Unified School District and that Student #15-16 may apply for readmission after January 20, 2017. It is required that Student #15-16 participates in 20 hours of counseling to address anger management; serve 30 hours of community service; attend the COPS Program; and show evidence of a successful school experience earning 60 credits.

7.11 (Item #11) Expulsion of Student #16-16 from all Regular Schools of the Mt. Diablo Unified School District

Expulsion of Student #16-16 from all regular schools of the Mt. Diablo Unified School District. Student Services will determine the school placement of Student #16-16.

Lawrence moved, Mayo seconded, and the Board voted 5-0-0 to approve the expulsion of Student #16-16 from all regular schools of the Mt. Diablo Unified School District and that Student #16-16 may apply for readmission after January 20, 2017. It is required that Student #16-16 participates in 20 hours of counseling to address anger management; serve 30 hours of community service; attend the COPS Program; attend the MDUSD Saturday Workshop; and show evidence of a successful school experience earning 60 credits.

****STUDENT REPRESENTATIVES**

****This item was moved up on the agenda.**

Student Representatives reported on activities at their high schools.

PUBLIC COMMENT

President Hansen announced that due to the large number of speaker cards submitted, each speaker will be limited to one minute.

Debbi LaDue encouraged the Board to accept the Mt. Diablo Education Association's (MDEA) contract proposal.

John Fox shared his personal story and spoke in favor of increasing teacher salaries.

Sandy Johnson Shaw asked for District support for the Medical & Biotech Academy at Mt. Diablo High School.

Colin Jones asked for District support for the Medical & Biotech Academy at Mt. Diablo High School and shared his concerns about the climate at that school site.

Sheldon Jones expressed his support for the Medical & Biotech Academy at Mt. Diablo High School.

Peggy McClanahan shared her personal story about overcoming barriers to education and expressed her support for the Medical & Biotech Academy at Mt. Diablo High School.

Anita Johnson encouraged the Board to accept the Mt. Diablo Education Association's (MDEA) contract proposal.

Dan Reynolds encouraged the Board to accept the Mt. Diablo Education Association's (MDEA) contract proposal and shared his concerns about the administration and the Academy model at Mt. Diablo High School.

Kathleen Byle asked the Board to reduce class sizes.

Linda Ortega and Kevin Taylor encouraged the Board to accept the Mt. Diablo Education Association's (MDEA) contract proposal.

Elizabeth Swanson shared her support for hiring and retaining passionate teachers.

Wendy Spencer encouraged the Board to accept the Mt. Diablo Education Association's (MDEA) contract proposal.

Eric Clifton asked the Board to support teachers because they impact children's lives.

Guy Moore asked the Board to keep the collaborative momentum going between the District and MDEA.

Students Mackenzie Chandler, Eilona Lyka Aguilar, Isaac Guadalupe Mercado-Ornelas, Mario Ramirez, Jabre Alelis, Christine Book, and Allyza Gutierrez shared their concerns about the Academy model at Mt. Diablo High School and advocated for an Open Academy option.

Kayla Haraguchi spoke in support of the Medical & Biotech Academy and advocated for an Open Academy option at Mt. Diablo High School.

Liseth Hernandez spoke in support of the Medical & Biotech Academy at Mt. Diablo High School.

George Fulmore spoke in support of traditional teaching methods.

RECOGNITIONS AND RESOLUTIONS

9.1 Resolution No. 15/16-40: California Day of the Teacher, May 11, 2016

The Mt. Diablo Unified School District Board of Education wishes to adopt a resolution acknowledging the lifelong influence that teachers can have on the lives of our children and to express its appreciation for the creativity, dedication, and talent of teachers in the Mt. Diablo Unified School District.

Oaks moved, Mayo seconded, and the Board voted 5-0-0 to approve to adopt Resolution No. 15/16-40, California Day of the Teacher, May 11, 2016.

9.2 Resolution No. 15/16-41: Classified Employees' Week, May 15-21, 2016

The Mt. Diablo Unified School District Board of Education wishes to adopt a resolution to recognize and honor the contribution of the classified school employee to quality education in the State of California and in the Mt. Diablo Unified School District and declare the week of May 17 – 23, 2015 as Classified School Employees' Week.

Mason moved, Oaks seconded, and the Board voted 5-0-0 to approve to adopt Resolution No. 15/16-41 declaring the week of May 15-21, 2016 as Classified School Employees' Week to recognize and honor the contribution of the classified school employee to quality education in the State of California and in the Mt. Diablo Unified School District.

9.3 Resolution No. 15/16-42 California High School Voter Education Weeks, April 18-29, 2016

The Mt. Diablo Unified School District Board of Education wishes to adopt a resolution intending to encourage voter registration and increased participation in all elections by all eligible voters enrolled in Mt. Diablo Unified School District High Schools.

Mayo moved, Lawrence seconded, and the Board voted 5-0-0 to approve to adopt Resolution No. 15/16-42 declaring April 18-29, 2016, California High School Voter Education Weeks.

PUBLIC EMPLOYEE APPOINTMENT

10.1 Classified Personnel: Appointment of Database Administrator

Interviews have been conducted and a candidate has been selected to fill the position of Database Administrator.

Dr. Meyer recommended Roland Birog for the position.

Mason moved, Lawrence seconded, and the Board voted 5-0-0 to approve the appointment of Roland Birog to the position of Database Administrator.

10.2 Classified Personnel: Appointment of Occupational Therapist

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

Dr. Meyer recommended Shannon Zuvella for the position.

Mayo moved, Lawrence seconded, and the Board voted 5-0-0 to approve the appointment of Shannon Zuvella to the position of Occupational Therapist.

BOARD MEMBER REPORTS

Ms. Mayo shared that she attended the Celebration of Life for Dr. Mary Louise Newling, which she noted was very moving and well attended. Ms. Mayo reported that she attended the celebration by the Mt Diablo Valley Assistance League in recognition of Operation School Bell. Ms. Mayo shared that since that program began, they have clothed 500,000 students in seven school districts in Contra Costa County. Ms. Mayo noted that the program provides clothing to students without judgement.

Ms. Oaks shared that she attended the College Park High School Art Show at Diablo Valley College.

Ms. Mason reported that she attended the Open House at Gateway Necessary Small High School, the Equity Committee meeting, the District English Learner Advisory Committee (DELAC) meeting, and a bike rodeo at Riverview Middle School. Ms. Mason shared that she went to Detroit to attend a state-wide meeting as a representative of the California Afterschool Network. Ms. Mason noted that this was the first time that there was a network for all 50 states, and shared information about notable speakers and sessions.

Ms. Hansen shared that she attended the Celebration of Life for Dr. Mary Louise Newling, and noted that Dr. Meyer did an excellent job of acknowledging personal moments. Ms. Hansen expressed that it was a great honor to know Dr. Newling and to have had her work for the District. Ms. Hansen reported that she attended the DELAC meeting and was impressed by the reports from parents who had attended the California Association for Bilingual Education (CABE) conference in San Francisco. Ms. Hansen shared that she had a meeting with four seniors from Mt. Diablo High School, and noted that the student's interest in trying to create the best education possible for the students coming behind them was very powerful.

SUPERINTENDENT'S REPORT

Dr. Meyer shared that she visited Valley View Middle School, Shore Acres Elementary School, Meadow Homes Elementary School, and Concord High School.

Dr. Meyer acknowledged the memorials held for Dr. Mary Louise Newling (Assistant Superintendent, Elementary Schools), Val Bostwick (Office Manager, Concord High School), and Jim Wright (Science Teacher, Northgate High School).

Dr. Meyer shared that a very informative presentation by an organization called "Above the Fray" was held at Valley View Middle School. Parents from around the District came to discuss cyber safety and the parent's role in monitoring their student's social media accounts. After the presentation, Jonathan Eagan and a lieutenant from the Pleasant Hill Police Department answered questions about District policy and legal issues surrounding cyber safety.

Dr. Meyer shared that she visited Shore Acres Elementary School's event to celebrate the reopening of their classrooms following a flood at the school. Dr. Meyer reported that it was a happy event and shared photos.

Dr. Meyer reported that Contra Costa County Superintendent of Schools Karen Sakata and Communications Director Terry Koehne visited Teacher of the Year finalist Shauna Hawes in her classroom and shared photos of that visit.

Dr. Meyer shared that she was invited to do a ride along with Meals on Wheels. The ride along was filmed by College Park High School videography students, who have filmed many things for the Meals on Wheels organization. Dr. Meyer shared that the meal recipients enjoyed the visit from the students.

Dr. Meyer reported that she attended at Student Voice meeting at Concord High School. Dr. Meyer shared that the students had many great ideas about how to improve the District, including: having an Army Junior Reserve Officer Training Corps (JROTC); offering more academy options; and renovating the sports fields. Dr. Meyer shared that Charles Lambert attended the meeting as part of Autism Awareness Week and shared his K-12 experience with his peers.

Dr. Meyer shared that Cambridge Elementary School held a walk-a-thon as part of the Mt. Diablo Moves fitness program.

Dr. Meyer shared that Superintendent of Public Instruction Tom Torlakson visited Meadow Homes Elementary School to spotlight the Turnaround Arts Program. Dr. Meyer shared a photo of the guest artist from the Oakland Museum of Art teaching students how to paint with watercolors.

Dr. Meyer introduced Ursula Leimbach, who will be working for the District on laying the foundation for communications outreach.

REPORTS/INFORMATION

14.1 Presentation on the Youth Ambassadors Exchange (YAE) Program at Foothill Middle School

Foothill principal, April Bush, will give a presentation on the Youth Ambassadors Exchange (YAE) Program.

April Bush and teacher Margaret Elliott gave a presentation.

CONSENT AGENDA

Oaks moved, Lawrence seconded, and the Board voted 5-0-0 to approve all Consent Agenda items, with the exception of Items #18, 20, 24, and 25 (which were pulled for discussion), thereby approving the following:

15.1 (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.

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15.2 (Item #2) Northgate High School's trip to Ashland, Oregon, May 27-30, 2016

Northgate High School is requesting permission to travel to Ashland, Oregon with 48 English Honors students and six chaperones May 27-30, 2016. They will travel by rented vans and be staying at the Best Western Bart's Inn in Ashland. They will see four Shakespeare productions, have a backstage tour, and a theater workshop.

15.3 (Item #3) Sunrise Elementary School's Annual Overnight Camping Trip to Mt. Diablo State Park, May 26-27, 2016

The fourth and fifth grade students at Sunrise Elementary are camping overnight at Mt. Diablo State Park May 26-27, 2016. Students will engage in a variety of camping and outdoor experiences, along with team building and social skills activities. Planned ratio of 1:2 adults (teachers, behavior specialist, SEA II and principal) to students.

15.4 (Item #4) Williams Quarterly Summary Report

The Williams legislation is a package of state laws resulting from the settlement of class action lawsuit filed in San Francisco County Superior Court in 2000, Eliezer Williams et al, vs. State of California.

The basis of the lawsuit was that agencies failed to provide public school students with equal access to instructional materials, safe and decent school facilities, and qualified teachers. The Contra Costa County Office of Education has requested quarterly reports on specific complaints designated in the Williams lawsuit settlement.

Quarterly Reports reflect complaints regarding textbooks and instructional materials, teacher vacancies or mis-assignments, facilities conditions and Valenzuela/CAHSEE support. This quarter's report includes the months of January through March, 2016.

15.5 (Item #5) First 5 Contra Costa School-Readiness Grant

Mt. Diablo Adult Education requests approval to enter into a contract renewal for funding from First 5 Contra Costa in the amount of \$106,080 to implement Family Literacy-based preschool programs at Meadow Homes, Cambridge, and Loma Vista from 7/1/16 – 6/30/17.

15.6 (Item #6) Carl D. Perkins Vocational and Applied Technology Education Act Funds for 2016-17

Mt. Diablo Unified School District Secondary and Adult Education programs seek Board approval to submit applications for 2016-17 funding through Carl D. Perkins Vocational and Applied Technology. Funds are supplemental for District-wide career technical education.

The secondary allocation will be approximately \$230,760 and Adult Education allocation will be approximately \$15,000 to \$30,000, based upon the Consortium Fiscal Agent (Martinez Adult Education, Martinez Unified School District) final allocation to Consortium members.

Mt. Diablo Adult Education is required to continue as part of a Consortium of Contra Costa and Alameda County adult schools since MDAE's allocation is less than \$50,000, and also requests Board approval to enter into a Memorandum of Understanding (MOU) and Assurances per the attached for this purpose.

15.7 (Item #7) Ratification of Submission by Mt. Diablo Adult Education of its Annual Application for Adult Education and Family Literacy Act (AEFLA): Workforce Innovation and Opportunity Act (WIOA), formerly Workforce Invest Act (WIA), Title II, Section 231 and the English Literacy and Civics Education (EL Civics) Grant supplemental funding for 2016 –17

This annual funding grant supports instruction of students by providing supplementary funding for the purchase of supplementary instructional materials and supplies, expanded support(s) for the scheduling and management of classes, field trip expenses, additional staff development, and childcare for the children of adults attending classes.

15.8 (Item #8) Independent Services Agreement between Mt. Diablo Unified School District - Concord High School and Events to the T

Concord High School is requesting approval of their Independent Service Contract with Events to the 'T' for their Prom on May 19, 2017, at the California Academy of Sciences.

15.9 (Item #9) Independent Service Agreement between Mt. Diablo Unified School District - Concord High School and the Walnut Creek Marriott

The attached contract with the Walnut Creek Marriott needs to be ratified. Concord High School's Senior Banquet was held at the Marriott on April 8, 2016.

15.10 (Item #10) Independent Service Agreement between Mt. Diablo Unified School District - Mt. Diablo High School and Walnut Creek Marriott

Mt. Diablo High School is requesting approval of the attached Independent Service Contract. This is for the JROTC dinner on April 30, 2016, at the Walnut Creek Marriott.

15.11 (Item 11) Contract between Mt. Diablo Unified School District Cambridge Elementary and Karen Junker

Karen Junker is performing classroom observations and providing consultation at Cambridge Elementary School April 13, 14, and 15. Mt. Diablo Unified School District has spent in excess of \$25,000 with Ms. Junker in the 2015-16 school year and therefore Board ratification is needed.

15.12 (Item 12) Contract Extension for Eagle Software Aeries Student Information System for 2016-17

Eagle Software is the company behind the Aeries student information system, which we use for attendance, grades, and transcripts.

On January 23, 2007, the Board of Education awarded a five-year contract for RFP #1449 to Eagle Software. The renewal rate for 2015-16 total is \$68,341.50. More information regarding Aeries can be found here <http://www.aeries.com/>.

15.13 (Item 13) To Increase the Contract Between Mt. Diablo Unified School District (MDUSD) and Speech Pathology Group for Speech and Language Services for the 2015-16 School Year

Mt. Diablo Unified School District utilizes Independent Service Contractors to provide services established through the Individualized Education Plan (IEP) process. Speech Pathology Group (SPG) provides speech and language pathologists (SLP) for vacant SLP positions in the district, independent speech evaluations, and speech services to Non-Public Schools. SPG also provides complimentary professional development and continuing education units as a service to the district.

The Personnel Services Department and Special Education have worked diligently to find District staff to cover these positions. Together, they have presented at job fairs at colleges and professional organization conferences for speech pathologists. These efforts led to multiple applications, interviews and offers of employment with the District.

The Special Education Department will work with Personnel Services to find ways to attract speech pathologists to MDUSD. pathologists (SLP) for vacant SLP positions in the district, independent speech evaluations, and speech services for Non Public Schools.

An increase of \$169, 995.50 is requested at this time, bringing the contract amount to \$469,995.50. The District has been able to review Non-Public Agency Contracts and has decreased under-utilized contracts in order to accommodate this increase.

15.14 (Item #14) Non-Public School Adjustments

Non-Public School (NPS) contracts are reviewed and updated several times during the fiscal year. Changes to contracts are required due to changes in residency, students entering and leaving placements, increase/decrease in intensity of services, and corrective actions/settlement agreements to assure a free and appropriate public education. The details for these changes as well as rationale for the changes can be found in the attached documentation.

15.15 (Item #15) Memorandum of Understanding between University of San Francisco and Mt. Diablo Unified School District

University of San Francisco is requesting to enter into an agreement with Mt. Diablo Unified School District to provide experience to their students enrolled in their teaching and counseling programs.

15.16 (Item #16) Fiscal Transactions for the Month of March 2016

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

15.17 (Item #17) Recommended Action for Certificated Personnel

Changes in status of the following certificated employees.

15.18 (Item #19) Recommended Action for Classified Personnel

Changes in status of the following classified personnel.

15.19 (Item #22) Procurement of District-wide Fire Alarm System Testing

As required by SB575 an annual complete testing of the fire alarm system is required. Through the California Multiple Award Schedule (CMAS) a proposal was received from Quality Sound to complete the fire alarm system annual inspection at all district sites. These inspections include, but are not limited to, all site duct detector, heat detector, smoke detector, strobe devices, fire alarm boxes, electromechanical releasing devices, and all fire detection devices. A complete site written report will be required.

The term of this agreement shall be for (1) one year plus (2) two, one year options to renew.

Staff is now requesting permission to purchase all necessary equipment, labor, and materials through the CMAS contract #3-12-84-023A.

15.20 (Item #23) Award of Bid for Bid #1745 Modernization Group II Restroom Renovations

Bid #1745 was called to provide Modernization Group II Restroom Renovations at Cambridge Elementary, El Dorado Middle School, El Monte Elementary, Fair Oaks Elementary, Meadow Homes Elementary, Wren Avenue Elementary, and Ygnacio Valley Elementary.

One bid was received from SW Allen Construction, Inc., which was responsible and responsive. The recommendation is to take Alternate #4, #6, & #9 with a portion of #7. (El Dorado Middle School will keep a higher tile height and the elementary sites revert back to a lower tile height) The total contract recommendation is \$1,654,370.

The scope of work includes selective demolition, plumbing, electrical and all finishes including tile, toilets, partitions, etc. per plans and specifications at the above mentioned sites.

15.21 (Item #26) Jones Hall for Bond and Disclosure Counsel Services, and Authorization to accept Proposal for Services

Dannis Woliver Kelley notified the District that it would be unable to continue as bond counsel. Jones Hall will replace Dannis Woliver Kelley to provide bond and disclosure counsel services in connection with the refinance of bonds issued in 2005 and 2006. This item corrects the description of this contract on the December 7, 2015 Board Meeting agenda.

15.22 (Item #27) Minutes for the Special Joint Meeting between the Mt. Diablo Unified School District Board of Education and the Concord City Council held on April 4, 2016

Minutes for the Special Joint Meeting between the Mt. Diablo Unified School District Board of Education and the Concord City Council held on April 4, 2016, are being brought forward for approval.

CONSENT ITEMS PULLED FOR DISCUSSION

16.1 (Item #18) Certificated Personnel: Request to Increase and Decrease Full Time Equivalent (FTE) for the 2015-16 School Year and 2016-17 School Year

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

Ms. Mason shared her concerns about the Western Association of Schools and Colleges (WASC) Coordinator position being funded out of supplemental funds. Dr. Meyer offered to bring back more information on that particular position and the funding source. Chris Holleran provided information about the WASC Coordinator position.

Mayo moved, Oaks seconded, and the Board voted 5-0-0 to approve the request to increase and decrease Full Time Equivalent (FTE) for the 2015-16 school year and 2016-17 school year.

16.2 (Item #20) Classified Personnel: Request to Increase/Decrease Full Time Equivalent (FTE) for the 2015-16 and 2016-17 School Year

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

Ms. Mason questioned if the outside agencies on the list are parent groups funding these positions. Dr. Meyer responded to Ms. Mason's question.

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

16.3 (Item #24) Interdistrict Attendance Agreement with School Districts within Contra Costa County for July 1, 2016-June 30, 2021

Staff requests approval of an Interdistrict Attendance Agreement between school districts within Contra Costa County.

AB 2444 allows the governing boards of two or more districts to enter into an agreement for a term not to exceed five school years for the interdistrict attendance of students who are residents. Education Code 46000 precludes a student enrolled in a school within the district for having to reapply for an interdistrict transfer and shall be allowed to continue to attend the school. Governing Boards of a school districts may enter into an Agreement that stipulates the terms and conditions under which an interdistrict attendance shall be permitted or denied and differs from the requirements established in AB 2444. The Interdistrict Attendance Agreement stipulates each school district's agreement pursuant to Education Code 4660. The agreement differs by stating the parent/guardian of a student must reapply annually pursuant to the policies and procedures of the school district of attendance, and revocation can be based on student's failure to demonstrate acceptable academic performance, attendance and/or behavior.

Ms. Mayo asked for clarification on transportation for special needs students who transfer into the District. Dr. Meyer and Felicia Stuckey-Smith responded to Ms. Mayo's questions. Dr. Stuckey-Smith corrected the dates on #9 to July 1, 2016 through June 30, 2021.

Mayo moved, Mason seconded, and the Board voted 5-0-0 to approve the Interdistrict Attendance Agreement commencing July 1, 2016, through June 30, 2021.

16.4 (Item #25) Amended Certificate of Signatures

With the addition of Interim Chief Business Officer, an amended Certificate of Signatures needs to be filed with the Contra Costa County Office of Education.

Ms. Mason pulled this item for clarification.

Mason moved, Mayo seconded, and the Board voted 5-0-0 to approve the amended Certificate of Signatures.

CONSENT ITEMS PULLED BY STAFF

17.1 (Item #21) PULLED BY STAFF: Classified Personnel: Resolution of Discontinuance of Classified Employees (Classified Layoff) Resolution No. 15/16-39

Under state law, school districts are required to provide not less than 60 days' notice to classified employees of a layoff. The notice includes the effective date of the layoff, and the displacement and reemployment rights of the noticed employees. Resolution No. 15/16-39 lists the classified positions that are ending due to a reorganization. With the adoption of Resolution No. 15/16-39, the Director of Personnel Services will be directed to send notices to affected classified employees informing them that their services will not be required for the 2016/17 school year. The resolution also adopts the criteria that Personnel Services will use to determine whether employees whose services are being eliminated have sufficient experience and qualifications to bump less senior employees. Finally, the resolution directs that layoff notices be sent to the appropriate classified employees in order to effectuate a reduction of the classified staff in an amount equal to the number of full-time equivalent positions listed on the resolution in accordance with Education Code.

DISTRICT ORGANIZATIONS

Carmen Terrones-Torres asked the District to increase salaries and benefits for the members of the Local 1/CST bargaining unit.

BUSINESS/ACTION ITEMS

19.1 Attendance Boundaries

In 2011, Clayton Valley High School converted to a charter school. This conversion left the feeder pattern without a designated District high school. This action clarifies the feeder pattern for our students, schools, and community. This will impact students who reside in the Diablo View and Pine Hollow Middle School attendance area.

On March 21, 2016, the staff presented to the Board considerations for designating a new attendance area for the current grey or choice area. Staff request the Board take formal action and approve a high school attendance area for students who reside in the Diablo View and Pine Hollow Middle School attendance boundaries.

Felicia Stuckey-Smith gave a presentation, and reported that the District has already received more requests for students in the Diablo View and Pine Hollow Middle School attendance areas to attend District high schools for the 2016-17 school year than for all of 2015-16.

Dr. Stuckey-Smith and Dr. Meyer responded to Board member questions about dividing the attendance area among multiple District high schools; capacity at Northgate High School; and the impact on choice transfer students and their siblings at Northgate High School. Chris Holleran responded to concerns about the impact on Northgate High School. President Hansen emphasized the need to attract students back to their neighborhood schools by offering attractive opportunities at all of the District high schools. Ms. Mayo shared that she will not be supporting this action due to her belief that more than one high school should have been offered.

Hansen moved, Lawrence seconded, and the Board voted 4-1-0 (with Mayo dissenting) to approve that the Board of Education designate the following feeder patterns for students who live in the Diablo View and Pine Hollow attendance areas: Ayers Elementary to Diablo View Middle School/Pine Hollow Middle School to Northgate High School; Silverwood Elementary to Pine Hollow Middle School to Northgate High School; Highlands Elementary to Pine Hollow Middle School/Foothill Middle School to Northgate High School; Mt. Diablo Elementary to Diablo View Middle School to Northgate High School.

****19.12 Meeting Extension**

**This item was moved up on the agenda.

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

Mayo moved, Mason seconded, and the Board voted 4-1-0 (with Lawrence dissenting) to approve to extend the meeting time to 12:30 a.m. on April 26, 2016.

19.2 Adoption of High School Math Materials

The High School Math Pilot Committee began meeting in spring 2015 and included representatives from all comprehensive high schools, the continuation school, and from several small necessary high schools. After reviewing materials from a variety of vendors, the Committee decided to pilot two textbook programs - Kendell Hunt and Big Ideas from Houghton Mifflin. Each set of materials was piloted for a Quarter (eight weeks), targeted professional development was provided, and survey information was collected from students, parents, and teachers. At the end of the pilot, the Committee met to review the data collected and to advocate for which set of materials they felt best fit the District's needs. The results of the final vote of the Pilot Committee were as follows: Kendell Hunt 28% and Big Ideas 72%. The Committee is recommending that the Big Ideas program (2015 edition) by Houghton Mifflin be approved as the new core textbook for Algebra, Geometry, Algebra 2, and Algebra 2/Trig. Copies of the textbook and comment cards are available at the Willow Creek Center for review.

This contract includes:

- 9,357 student textbooks (Algebra, Geometry, Algebra 2, and Algebra 2 Trig for middle and high school)
- 9,357 Student Journals (replaced for the next eight years)
- 9,357 online licenses to student textbook and assessment system for the next eight years
- 274 Teacher's Editions
- 247 Student Journals, Assessment Book, and Resources by Chapter book
- 247 online teacher licenses to textbook and assessment system for next eight years
- 14 days of training for teachers, coaches, administrators, and staff

Lawrence moved, Mason seconded, and the Board voted 5-0-0 to approve to adopt the High School math materials.

19.3 Adoption of Middle School Math Materials

The Middle School Math Pilot Committee began meeting in spring 2015 and included representatives from all the middle schools. After reviewing materials from a variety of vendors, the Committee decided to pilot three textbook programs – Houghton Mifflin Go Math, Pearson CMP3, and Pearson Digits. Targeted professional development was provided, and survey information was collected from students, parents, and teachers. At the end of the pilot, the Committee met to review the data collected and to advocate for which set of materials they felt best fit the District's needs. The results of the final vote of the Pilot Committee were as follows: The two finalists were CMP3 and Digits. Pearson's Digits won by a 2/3 vote. The Committee is recommending that the Digits program (2015 edition) by Pearson be approved as the new core textbook for grades 6-8. Additionally, Pearson is making CMP3 online resources available to teachers. Copies of the textbook and comment cards are available at the Willow Creek Center for review.

This contract includes:

- 7,052 student textbooks (Math 6, Math 7 and Math 8 for middle school)
- 7,052 Student Packages (Student Companion Write-In Worktext for 8-Years, and 8-Year Digital Access)
- 145 Teacher Resource Packages
- 145 Connected Mathematics 3 Eight-Year Digital Teacher Bundles
- 5,365 Student Homework Helpers
- Days of training for teachers, coaches, administrators, and staff to be determined

Lawrence moved, Mayo seconded, and the Board voted 5-0-0 to approve to adopt the Middle School math materials.

19.4 Independent Contract between Mt. Diablo Unified School District and Marzano Research Laboratory, LLC for the role of Technology in The Art and Science of Teaching

The purpose of this professional development series with Mt. Diablo Unified School District is to establish a District-wide model of research-based instructional practice using The Art and Science of Training instructional framework developed by Dr. Bob Marzano. Mt. Diablo Unified School District has spent in excess of \$25,000 with this vendor for the 2015-16 school year and therefore this contract requires Board approval.

Mason moved, Lawrence seconded, and the Board voted 5-0-0 to approve the contract between Mt. Diablo Unified School District and Marzano Research Laboratory.

19.5 Budget Transfer and/or Budget Increase/Decreases for February 1, 2016 through March 31, 2016

Some revisions are a result of prior Board actions, changes in grant awards, and changes in funding. Donations have been made to the District by private individuals and businesses. The appropriate revenues and expenditure budgets have already been increased by the amount of the donations.

The Board members had a brief discussion about the motion.

Mayo moved, Mason seconded, and the Board voted 5-0-0 to approve the budget transfers, increases and decreases, and acceptance of donations received and deposited February 1 through March 31, 2016.

19.6 New Job Description for Director of Educational Technology and Innovation

Staff has created a job description for the position of Director of Educational Technology and Innovation and is bringing this forward for information and discussion by the Board.

Dr. Meyer provided information on this position.

This item was for information only.

19.7 Contract extension for School Messenger (Reliance Communications) to Continue to Provide District Automated Parental Notification Services

On April 16, 2009, the District accepted proposals from ten (10) vendors for a new Automated Parental Notification System. Proposals were evaluated and vendors interviewed in accordance with the criteria specified in the RFP. Reliance Communications' School Messenger was deemed the most comprehensive parental notification system and as such staff recommended that Reliance Communications be awarded a contract of \$75,651.68 per year.

This contract price represents a savings of \$23,411.68 per year as compared to the original contract amount from 2009. The scope of work in this contract includes the provision of an automated communication system with the ability to deliver voice, e-mail, or text-based messages to telephones, smart phones, or any internet-enabled device. The system will support multiple languages, create reports and is compatible with the Aeries Student Information System. Staff would like to extend the current contract one more school year at the price of \$52,240.

Joe Estrada responded to Board member questions.

Mayo moved, Mason seconded, and the Board voted 5-0-0 to approve the contract extension for School Messenger (Reliance Communications) to continue to provide District automated parental notification services.

19.8 PULLED BY STAFF: Revision of Board Policy 6142.7 Physical Education

Revision of Board Policy 6142.7 Physical Education to provide exemptions from taking PE and alternative means to earn PE credit.

This item was pulled by staff.

19.9 Revision to 2016 Board Committee Assignments

The Mt. Diablo Unified School District wishes to add a representative to the Contra Costa County School Boards Association to their 2016 Board Committee Assignments.

President Hansen and Ms. Mayo provided background information and Ms. Mayo volunteered for this committee assignment.

Hansen moved, Lawrence seconded, and the Board voted 5-0-0 to approve the appointment of MDUSD Board member, Linda Mayo, to the Contra Costa County School Boards Association and approve the Board Committee assignments with the addition of the Contra Costa County Schools Boards Association.

19.10 Student Assessment & Data Warehouse

The District needs to purchase a replacement Student Data and Assessment System for a minimum of 51 school sites and various departments throughout the District.

A Request for Proposal #1733 was issued on January 15, 2016, seeking proposals from qualified contractors to provide a Student Data and Assessment System. The scope of work is to supply, install, configure, provide training, on-going support, and test the equipment required to implement the District's Student Data and Assessment System.

Staff received proposals from five (5) qualified contractors for this project. Adrylan Communications, Inc. was selected based high scores in the selection process and the weighted evaluation criteria as stated in the Request for Proposal. Adrylan Communications, Inc. software is EADMS: Educator's Assessment Data Management System.

Adrylan Communications, Inc. Software price proposal met all specifications and includes software support.

Therefore, staff recommends an award of a contract to Adrylan Communications, Inc., contingent upon the formation of a binding contract agreement between both parties.

Staff is recommending a three year contract to be invoiced annually.

First year cost is \$193,500 (10 days of Professional Development included)

Second year cost is \$186,025 (5 days of Professional Development included)

Third year is \$181,540 (2 days of Professional development included)

Total Cost for three (3) years is \$561,065.

Dr. Meyer, Shannon Orland, and Donald Velez responded to Board member questions.

Mayo moved, Lawrence seconded, and the Board voted 4-1-0 (with Mason dissenting) to approve to award a contract to Adrylan Communications, Inc., contingent upon the formation of a binding contract agreement between both parties.

19.11 Execution of Documents

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

FUTURE AGENDA ITEMS

Ms. Mason proposed an Expanded Learning Opportunities resolution.

CLOSED SESSION

The Board adjourned to second Closed Session at 10:46 p.m.

RECONVENE OPEN SESSION

The Board reconvened Open Session at 11:39 p.m.*

REPORT OUT ACTION TAKEN IN CLOSED SESSION

In Closed Session, the Board discussed negotiations with negotiators. The Board advised negotiators and received information.

ADJOURNMENT

The meeting was adjourned at 11:40 p.m.

*All times indicated are approximate.

DRAFT

Respectfully submitted,

Nellie Meyer, Ed.D.
Superintendent