



Mt. Diablo Unified School District Governing Board

Votes are notated by #yes-#no-
#abstain. The record of emailed
public comments is [here](#)

Draft Board Meeting Minutes

REGULAR MEETING OF THE BOARD OF EDUCATION MT DIABLO UNIFIED SCHOOL DISTRICT Wednesday, January 18, 2023 (6:00 PM)

ROLL CALL

Debra Mason
Linda Mayo
Cherise Khaund
Erin McFerrin
Keisha Nzewi

1.0 Call to Order

President Nzewi called the meeting to order at 4:32pm

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

Trustee Mayo was not in attendance at the beginning of Closed Session but arrived at 4:45pm .

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. Lisa Gonzales, Dr. Wendi Aghily, Jennifer Sachs, Dr. Dan Scudero, 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 Public Employee Performance Evaluation - Superintendent. Pursuant to Government Code §54957

Recommendation: Information.

3.4 Conference with Legal Counsel – Anticipated Litigation, Potential exposure to litigation pursuant to Government Code 54956.9 (b): Title IX Claim, College Park High School

Conference with Legal Counsel – Anticipated Litigation, Potential exposure to litigation pursuant to Government Code 54956.9 (b): Title IX Claim, College Park High School

Recommendation: Info/Action

3.5 Existing Litigation - Conference with Legal Counsel (Government Code 54956): Jane Doe v. Mt. Diablo Unified School District, Contra Costa County Superior Court Action No. C14-00262

Existing Litigation - Conference with Legal Counsel (Government Code 54956): Jane Doe v. Mt. Diablo Unified School District, Contra Costa County Superior Court Action No. C14-00262

Recommendation: Info/Action

3.6 Expulsion of Student #07-23 from the Mt. Diablo Unified School District

Expulsion of student #07-23 from regular schools in the Mt. Diablo Unified School District

Recommendation: A move to approve of the expulsion of Student #07-23 from the Mt. Diablo Unified School District

ORIGINAL - Motion

4.0 Adjourn to Closed Session

The meeting was adjourned to closed session at 4:33pm

4.1 Adjourn to Closed Session

The Board President will adjourn the meeting to closed session.

Recommendation: Adjourn to closed session.

5.0 Reconvene Open Session

Open session reconvened at 6:00pm

5.1 Reconvene Open Session

The Board of Education will reconvene Open Session.

Recommendation: Reconvene Open Session.

6.0 Preliminary Business

The Board President led the pledge of allegiance

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 December 14, 2022

Draft minutes from the December 14, 2022 board meeting have been compiled and are being presented for approval.

Recommendation: Move to approve the minutes for the December 14, 2022 Regular Board Meeting

ORIGINAL - Motion

Member **(Linda Mayo)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the minutes for the December 14, 2022 Regular Board Meeting'. 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.

ORIGINAL - Motion

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

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

7.0 Report Out 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. Lisa Gonzales, Dr. Wendi Aghily, Jennifer Sachs, Dr. Dan Scudero, and legal counsel; Agencies: MDEA, DMA, MDSPA, CSEA, CST Local 1 and Teamsters Local 856

Recommendation: Information

The Governing Board heard information.

7.6 Expulsion of Student #07-23 from the Mt. Diablo Unified School District

Expulsion of Student #07-23 from regular schools in the Mt. Diablo Unified School District

Recommendation: A move to approve the expulsion of Student #07-23 from the Mt. Diablo Unified School District

AMENDED - Motion

Member **(Debra Mason)** Moved, Member **(Cherise Khaund)** Seconded to approve the **AMENDED** motion 'Move to approve the Expulsion for Student #07-23. Prior to readmission, Student #07-23 is required to meet the following conditions: Participate in twenty (20) hours of counseling and address anger management, social emotional learning and trauma, 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. The expulsion will be through the end of the semester '. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **1**. The motion **Carried. 4 - 1**

Debra Mason Yes
Linda Mayo Yes
Cherise Khaund Yes
Erin McFerrin Yes
Keisha Nzewi No

8.0 Public Comment

8.1 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 22/23-35 for Personnel With Variable Term Waivers

Board Resolution 22/23-35 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 22-23 (#35) for Personnel with Variable Term Waivers.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve Resolution 22-23 (#35) 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 22/23-36 in Recognition of Reverend Dr. Martin Luther King, Jr. Day

Resolution 22/23-36 in Recognition of Reverend Dr. Martin Luther King, Jr. Day

The MDUSD Governing Board will adopt a resolution in recognition of January 16, 2023 as Reverend Dr. Martin Luther King, Jr. Day.

Recommendation: Move to approve Resolution 22/23-36 in Recognition of Reverend Dr. Martin Luther King, Jr. Day.

*Student Board Member Anahi Nava Flores seconded the motion.

ORIGINAL - Motion

Member **(Erin McFerrin)** Moved, Member **(Keisha Nzewi)** Seconded to approve the **ORIGINAL** motion 'Move to approve Resolution 22/23-36 in Recognition of Reverend Dr. Martin Luther King, Jr. Day'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Erin McFerrin Yes

Keisha Nzewi Yes

10.3 Review and Potential Adoption of Resolution 22/23-37 in Recognition of January as National Slavery and Human Trafficking Month

Resolution 22/23-37 in Recognition of Human Trafficking Awareness Month

The MDUSD Governing Board will adopt Resolution 22/23-37 in Recognition of National Slavery and Human Trafficking Month

Recommendation: Move to approve Resolution 22/23-37 in Recognition of National Slavery and Human Trafficking Month

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve Resolution 22/23-37 in Recognition of National Slavery and Human Trafficking 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

10.4 Review and Potential Approval of Resolution 22/23-38 in Recognition of February as Black and African American History Month

Resolution 22/23-38 in Recognition of February as Black and African American History Month

The MDUSD Governing Board will adopt Resolution 22/23-38 in Recognition of February as Black and African American History Month

Recommendation: Move to approve Resolution 22/23-38 in Recognition of February as Black and African American History Month

*Student Board Member Anahi Nava Flores made the motion.

ORIGINAL - Motion

Member **(Keisha Nzewi)** Moved, Member **(Cherise Khaund)** Seconded to approve the **ORIGINAL** motion 'Move to approve Resolution 22/23-38 in Recognition of February as Black and African American History 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 Personnel Appointment: Administrator, Expanded Learning Programs

Interviews were conducted and a candidate has been selected to fill the position of Administrator, Expanded Learning Programs for the 2022-2023 school year.

Recommendation: Move to approve the appointment of Administrator, Expanded Learning Programs.

AMENDED - Motion

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **AMENDED** motion 'Move to approve the appointment of Robert Humphrey as Administrator, Expanded Learning Programs'. 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

11.2 Review and Potential Approval of Personnel Appointment: Vice Principal, Concord High School

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

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

AMENDED - Motion

Member **(Erin McFerrin)** Moved, Member **(Debra Mason)** Seconded to approve the **AMENDED** motion 'Move to approve the appointment of Ryan Hughes as Vice Principal at Concord 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

11.3 Review and Potential Approval of Classified Personnel Appointment: Executive Director of Fiscal Services

Interviews were conducted and a candidate has been selected to fill the position of Executive Director of Fiscal Services for the 2022-2023 school year.

Recommendation: Move to approve the appointment of Executive Director of Fiscal Services.

AMENDED - Motion

Member **(Linda Mayo)** Moved, Member **(Cherise Khaund)** Seconded to approve the **AMENDED** motion 'Move to approve the appointment of Nancy Chen as Executive Director of Fiscal Services'. 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

11.4 Review and Potential Approval of Personnel Appointment: Educational Technology Coordinator

Interviews were conducted and a candidate has been selected to fill the position of Educational Technology Coordinator for the 2022-2023 school year.

Recommendation: Move to approve the appointment of Educational Technology Coordinator.

AMENDED - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **AMENDED** motion 'Move to approve the appointment of Erin Vallejo as Educational Technology Coordinator'. 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 Charter Schools Audit Reports

Eagle Peak Montessori Audit Report 2022 Rocketship Final Report and Financial Statements
Rocketship Supplemental Information

The 2021-22 Audit Reports for Eagle Peak and Rocketship were provided to District by the external auditors for both entities after approval by their boards, respectively.

Recommendation: Item presented for information only

12.2 Staff Report on California Accountability Dashboard 2022

Staff will present California Accountability Dashboard 2022 data for Mt. Diablo Unified.

Recommendation: Staff report

12.3 Review and Acceptance of Mt. Diablo Unified School District Independent Audit Report for the Fiscal Year Ended June 30, 2022 submitted by Crowe, LLP

Mt Diablo Unified Independent Audit Report

Education Code Section 21020 requires that the District conduct an annual financial audit. The Audit Report for the fiscal year ending June 30, 2022 was conducted by Crowe, LLP. The Audit Report is submitted to the Board for review and acceptance. These reports are filed with the County Superintendent, State Department of Education and the State Controller's Office.

Recommendation: Move to accept of the Independent Audit Report for the fiscal year ended June 30, 2022

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to accept of the Independent Audit Report for the fiscal year ended June 30, 2022'. 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

12.4 Review and Acceptance of 2010 Measure C Audit Report for Fiscal Year Ending June 30, 2022

Measure C General Obligation Bonds Financial Statements Measure C General Obligation Bonds Performance Audit

Education Code Section 21020 requires that the District conduct an annual performance audit and financial audit of the 2010 Measure C Bond program. The Audit Report for the fiscal year ending June 30, 2022 was conducted by Crowe, LLP. The Audit Report is submitted to the Board for acceptance.

Recommendation: Move to accept of 2010 Measure C Audit Report for Fiscal Year Ending June 30, 2022

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to accept of 2010 Measure C Audit Report for Fiscal Year Ending June 30, 2022'. 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

12.5 Review and Acceptance of 2018 Measure J Audit Report for Fiscal Year Ending June 30, 2022

Measure J General Obligation Bonds Financial Statements Measure J General Obligation Bonds Performance Audit

Education Code Section 21020 requires that the District conduct an annual performance audit and financial audit of the 2018 Measure J Bond program. The Audit Report for the fiscal year ending June 30, 2022 was conducted by Crowe, LLP. The Audit Report is submitted to the Board for acceptance.

Recommendation: Move to accept of 2018 Measure J Audit Report for Fiscal Year Ending June 30, 2022

ORIGINAL - Motion

Member **(Linda Mayo)** Moved, Member **(Cherise Khaund)** Seconded to approve the **ORIGINAL** motion 'Move to accept of 2018 Measure J Audit Report for Fiscal Year Ending June 30, 2022'. 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

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, leaves of absence, resignations, and retirements.

See attached for a detailed list of certificated hires, leaves of absence, 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 Recommended Action for Classified Personnel

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

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

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

ORIGINAL - Motion

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

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

15.4 Review and Potential Approval of an Overnight Field Trip for Mt. Diablo High School Cheer Team

Mt. Diablo High School is requesting permission for 13 students on the cheer team and 1 chaperone travel to Las Vegas to participate in the "Jamz School Nationals". The students and chaperone will travel to Las Vegas, NV on January 26-29, 2023 and stay at a local hotel.

Recommendation: Move to approve the overnight trip.

ORIGINAL - Motion

Member (**Cherise Khaund**) Moved, Member (**Debra Mason**) Seconded to approve the **ORIGINAL** motion 'Move to approve the overnight trip'. 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 for an Overnight Field Trip for Ygnacio Valley High School Robotics Students

Ygnacio Valley High School is requesting permission for 28 students and 4 chaperones to travel to Costa Mesa, CA on March 9-13, 2023. The students will participate in the "Orange County Regional Robotics Competition". The students and chaperones will travel by bus and stay at a local hotel.

Recommendation: Move to approve the overnight trip to Costa Mesa, CA.

ORIGINAL - Motion

Member (**Cherise Khaund**) Moved, Member (**Debra Mason**) Seconded to approve the **ORIGINAL** motion 'Move to approve the overnight trip to Costa Mesa, CA'. 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 Approval of a Partnership Agreement between Mt. Diablo Unified, Contra Costa County and California Emerging Technology Fund

This Neighborhood Transformation Partnership Agreement is between Contra Costa County, Mt. Diablo Unified School District, and the California Emerging Technology Fund with the purpose of working together to improve the lives of the residents in the neighborhoods surrounding Oak Grove Middle School. The entities will work together adding resources and support, including the assignment of a "Family Navigator," to connect students and families to integrated services including social services, public health, mental health, alcohol and other drug abuse prevention services, housing, workforce development and/or training services, recreation services, and/or academic interventions.

Recommendation: Move to approve the Partnership Agreement between Mt. Diablo Unified, Contra Costa County and California Emerging Technology Fund

ORIGINAL - Motion

Member (**Cherise Khaund**) Moved, Member (**Debra Mason**) Seconded to approve the **ORIGINAL** motion 'Move to approve the Partnership Agreement between Mt. Diablo Unified, Contra Costa County

and California Emerging Technology Fund'. 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 2022-2023 Contract Amendment #2 between Mt. Diablo Unified School District and TNTP

TNTP has been continuing to partner with Mt. Diablo Unified School District to build knowledge and capacity around high quality instructional planning through monthly learning sessions with the goal of accelerated learning. The Independent Service Contract between TNTP and MDUSD was approved at the June 8, 2022 board meeting and amended at October 12, 2022 board meeting. The second amendment extends additional training and planning session by TNTP with staff and site leaders at Meadow Homes Elementary.

Recommendation: Move to approve the contract increase of \$2,966 between Mt. Diablo Unified School District and TNTP for Meadow Homes Elementary training.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the contract increase of \$2,966 between Mt. Diablo Unified School District and TNTP for Meadow Homes Elementary training'. 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 2023 Letter of Engagement with Dannis, Wolver and Kelly (DWK) Attorneys at Law

Legal Agreement with DWK, and MDUSD Professional Services Agreement, Billing Standards, and Engagement Letter.

The District continues to work to keep our legal costs to the lowest possible level while also ensuring we have multiple legal resources for multiple legal areas. This firm, which was a firm used often in the past by the District, allows us to have an additional resource available to HR if needed. We do not currently anticipate needing the firm to a high degree at this time but do recommend approval to have them again be an available legal resource as needed for MDUSD.

Recommendation: Move to ratify agreement of Legal Services Contract with DWK, Attorneys at Law.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to ratify agreement of Legal Services Contract with DWK, 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

15.9 Review and Potential Approval of Movement of Employees to New Hourly Wage, and New Classified Salary Schedule Revision, Reflecting 2023 Minimum Wage Increase

The Board will review and approve the movement of any employees making less than the new California minimum wage for January 2023. Based on other agreements increasing wages for employees within CSEA and Teamsters, there are now only 21 elementary noon supervisors who will

need to be moved from \$15.48 per hour to \$16.25 in order to meet the January 2023 minimum wage requirement.

Recommendation: Move to approve the movement of employees to new hourly wage, and new classified salary schedule revision, reflecting 2023 minimum wage increase.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the movement of employees to new hourly wage, and new classified salary schedule revision, reflecting 2023 minimum wage increase'. 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 Contract Amendment #1 to Contract Between Mt. Diablo Unified School District (MDUSD) and Yvonne Slattengren for the 2022-2023 School Year

Original contract and amendment

Staff is recommending an extension to our contract with retiree Yvonne Slattengren in order to complete additional benefit staff training as needed, and possibly some additional audit checking of our records (as needed).

Recommendation: Move to approve contract amendment #1 to contract between Mt. Diablo Unified School District (MDUSD) and Yvonne Slattengren for the 2022-2023 school year.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve contract amendment #1 to contract between Mt. Diablo Unified School District (MDUSD) and Yvonne Slattengren for the 2022-2023 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

15.11 Review and Potential Approval of Independent Service Contract between Mt. Diablo Unified School District (MDUSD) and Active Education for Services at Sunrise Elementary

Sunrise Elementary School is seeking approval of an ISC with Active Education to provide a twenty week structured activity program which encompasses fun and healthy activities with an emphasis on social and emotional learning with PBIS best practices. This contract brings the cumulative total for this vendor to over \$25,000 for the 2022-2023 school year and therefore requires Board approval

Recommendation: Move to approve the Independent Service Contract between MDUSD and Active Education for services at Sunrise Elementary School.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the Independent Service Contract between MDUSD and Active Education for services at Sunrise Elementary School'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

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

15.12 Review and Potential Approval of Out of State Travel for Teachers at El Dorado Middle School

El Dorado Middle School is requesting the approval for four teachers to travel to Santa Fe, NM, on March 3-4, 2023. The teachers will attend the "2023 MidSchoolMath National Conference".

Recommendation: Move to approve the out of state travel for four teachers at El Dorado Middle School.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the out of state travel for four teachers at El Dorado Middle 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

15.13 Review and Potential Approval of the Williams Quarterly Report for January 31, 2023.

The Williams legislation is a package of state laws resulting from the settlement of a 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 misassignments, and facilities conditions. This quarter's report includes the months of October through December, 2022.

Recommendation: Move to Approve ratification of the Williams Quarterly Summery Report, January 31, 2023.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to Approve ratification of the Williams Quarterly Summery Report, January 31, 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

15.14 Review and Potential Approval of an Overnight Trip for College Park High School Drama Students

College High School is requesting permission for 31 drama students and six chaperones to attend the "Lenaea High School Theatre Festival" in Folsom, CA on Feb. 2-5, 2023. They will carpool to the location and stay at a local hotel.

Recommendation: Move to approve College High School's request for this overnight trip to Folsom, CA on Feb. 3-5, 2023.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve College High School's request for this overnight trip to Folsom, CA on Feb. 3-5, 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

A) Fiscal

15.15 Review and Potential Approval of the Fiscal Transaction for the Month of December 2022

AP Detail Warrant Register, December, 2022 AP Warrant Cancellations for December, 2022 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 December 2022

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve fiscal transactions for the month of December 2022'. 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

15.16 Review and Potential Approval for Navel Oranges from Sparks Ranch, Winters, CA in Yolo County for the 2022-2023 School Year

Food and Nutrition Services is seeking approval for the purchase of "Local" Navel Oranges from Sparks Ranch in Yolo County in the 2022-2023 school year. The price quote for the "Local" Navel Oranges is \$1.60 per pound.

Recommendation: Move to approve Purchase Requisition # R131694 for the purchase of "Local" Navel Oranges from Sparks Ranch in Yolo County in the 2022-2023 school year.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve Purchase Requisition # R131694 for the purchase of "Local" Navel Oranges from Sparks Ranch in Yolo County in the 2022-2023 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

15.17 Review and Potential Approval for Increase to Purchase Order #230519, with Vendor, Ital Foods, in the 2022-2023 School Year

Purchase Order #230519 for vendor, Ital Foods, is for Food Supplies in the 2022-2023 school year and was originally for \$24,000. Food & Nutrition Services staff is requesting an increase of \$120,350 for a total dollar amount of \$144,350 for Purchase Order #230519 in the 2022-2023 school year. The vendor will help reduce supply chain issues which still continue in the 2022-2023 school year.

Recommendation: Move to approve the \$120,350 increase to Purchase Order #230519 for a total dollar amount of \$144,350 with vendor, Ital Foods, for Food Supplies in the 2022-2023 school year.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the \$120,350 increase to Purchase Order #230519 for a total dollar amount of \$144,350 with vendor, Ital Foods, for Food Supplies in the 2022-2023 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

15.18 Review and Potential Approval of Increase to Purchase Order #231910, with Vendor, Rumiano Cheese in 2022-2023 school year.

Purchase Order #231910 for vendor, Rumiano Cheese is for Organic Grassfed Pasteurized Milk Cheese in many different cuts, Purchase Order#231910 was originally for \$24,000. Food & Nutrition Services staff is requesting an increase of \$188,000 for the 2022-2023 school year. The total dollar amount for Purchase Order #231910 is \$212,000. The cheese is part of the district partnership with the Eat Real Program and meeting New Food & Nutrition Services Standard for higher quality food being served to students.

Recommendation: Move to approve the \$188,000 increase for Purchase Order #231910 with vendor, Rumiano Cheese, for Organic Grassfed Pasteurized Milk Cheese Products in the 2022-2023 school year. The total dollar amount for Purchase Order #231910 is \$212,000.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the \$188,000 increase for Purchase Order #231910 with vendor, Rumiano Cheese, for Organic Grassfed Pasteurized Milk Cheese Products in the 2022-2023 school year. The total dollar amount for Purchase Order #231910 is \$212,000'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

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

C) Maintenance and Operations

15.19 Review and Potential Ratification of the Emergency Replacement of the Intercom (clock/speaker) Telecenter at Walnut Acres Elementary per California Public Contract Code § 20113 to Quality Sound

Quality Sound Proposal - Walnut Acres

To support the emergency replacement of the intercom telecom system (the main head component) with a new Rauland Telecenter, the district required the support from an outside vendor. California Public Contract Code § 20113, allows (a) In an emergency when any repairs, alterations, work, or improvement is necessary to any facility of public schools to permit the continuance of existing school classes, or to avoid danger to life or property, the board may, by unanimous vote, with the approval of the county superintendent of schools, do either of the following: (1) Make a contract in writing or otherwise on behalf of the district for the performance of labor and furnishing of materials or supplies for the purpose without advertising for or inviting bids.

Recommendation: Move to approve the ratification of the emergency replacement of the intercom (clock/speaker) telecenter at Walnut Acres Elementary per California Public Contract Code § 20113 to Quality Sound

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the ratification of the emergency replacement of the intercom (clock/speaker) telecenter at Walnut Acres Elementary per California Public Contract Code § 20113 to Quality Sound'. 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

15.20 Review and Potential Approval of the Issuance of the Notice of Completion for Bid 1902/C1902 for Security Fencing at Rio Vista Elementary School

Bid 1902/C1902 - Completion Memo Bid 1902/C1902 - Notice of Completion

On April 27, 2022, the Board awarded Bid #1902 to Golden Bay Fence Plus Iron Works, Inc., for Security Fencing at Rio Vista Elementary School. The contractor has completed all work under Bid 1902/C1902 and the District is requesting approval of issuance of Notice of Completion to be filed with the County. Original Contract Value: \$895,321 (which included a potential allowance of \$50,000) Final Contract Value: \$845,321

Recommendation: Move to approve the issuance of the Notice of Completion for bid 1902/C1902 for security fencing at Rio Vista Elementary School.

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 1902/C1902 for security fencing at Rio Vista Elementary School'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Erin McFerrin Yes

Keisha Nzewi Yes

15.21 Review and Potential Ratification of Tree Removal Services for El Monte Elementary School per California Public Contract Code § 20113 to Atlas Tree Service, Inc.

Atlas Tree Service Proposal 1.5.2023

To support the emergency tree removal services to remove (14) Eucalyptus Trees at El Monte Elementary, the district required the support from an outside vendor. California Public Contract Code § 20113, allows (a) In an emergency when any repairs, alterations, work, or improvement is necessary to any facility of public schools to permit the continuance of existing school classes, or to avoid danger to life or property, the board may, by unanimous vote, with the approval of the county superintendent of schools, do either of the following: (1) Make a contract in writing or otherwise on behalf of the district for the performance of labor and furnishing of materials or supplies for the purpose without advertising for or inviting bids.

Recommendation: Move to approve the ratification of tree removal services for El Monte Elementary School per California Public Contract Code § 20113 to Atlas Tree Service, Inc.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the ratification of tree removal services for El Monte Elementary School per California Public Contract Code § 20113 to Atlas Tree Service, Inc.'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes

Linda Mayo Yes

Cherise Khaund Yes

Erin McFerrin Yes

Keisha Nzewi Yes

15.22 Review and Potential Ratification of Water Line Repair for College Park High School per California Public Contract Code § 20113 to Roto-Rooter.

Roto Rooter Proposal - College Park.pdf

To support the emergency repair of the main water line at College Park High School, the district required the support from an outside vendor. California Public Contract Code § 20113, allows (a) In an emergency when any repairs, alterations, work, or improvement is necessary to any facility of public schools to permit the continuance of existing school classes, or to avoid danger to life or property, the board may, by unanimous vote, with the approval of the county superintendent of schools, do either of the following: (1) Make a contract in writing or otherwise on behalf of the

district for the performance of labor and furnishing of materials or supplies for the purpose without advertising for or inviting bids.

Recommendation: Move to approve the Ratification of Water Line Repair for College Park High School per California Public Contract Code § 20113 to Roto-Rooter.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the Ratification of Water Line Repair for College Park High School per California Public Contract Code § 20113 to Roto-Rooter'. 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

15.23 Review and Potential Ratification of Sewer Line Repair for Shadelands Preschool per California Public Contract Code § 20113 to Roto-Rooter.

Roto Rooter Proposal - Shadelands Preschool 11.12.2022.pdf

To support the emergency repair of the Sewer Line at Shadelands Preschool the district required the support from an outside vendor. California Public Contract Code § 20113, allows (a) In an emergency when any repairs, alterations, work, or improvement is necessary to any facility of public schools to permit the continuance of existing school classes, or to avoid danger to life or property, the board may, by unanimous vote, with the approval of the county superintendent of schools, do either of the following: (1) Make a contract in writing or otherwise on behalf of the district for the performance of labor and furnishing of materials or supplies for the purpose without advertising for or inviting bids.

Recommendation: Move to approve the ratification of sewer line repair for Shadelands Preschool per California Public Contract Code § 20113 to Roto-Rooter.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the ratification of sewer line repair for Shadelands Preschool per California Public Contract Code § 20113 to Roto-Rooter'. 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

15.24 Review and Potential Approval of Turf Replacement at College Park High School and Ygnacio Valley High School

AstroTurf Proposal - College Park HS AstroTurf Proposal - Ygnacio Valley HS

In June of 2015, the District contracted with a AstroTurf Authorized Distributor for the installation of a new AstroTurf Synthetic Turf at both College Park High School and Ygnacio Valley High School. For the last several years, M&O Landscape Staff and the quality compliance team at AstroTurf have been working together to monitor, maintain and identify the reason for the unexpected pace of deterioration of the synthetic fibers. As the existing turf approaches the life expectancy, staff worked with AstroTurf on a replacement proposal. The attached proposals are for replacing the existing synthetic turfs with a new synthetic turf system, including all associated work, at a highly discounted rate. The new system comes with a NEW 10-year warranty and 10-year Rhino Maintenance Package.

Recommendation: Move to approve the Turf Replacement at College Park High School and Ygnacio Valley High School

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the Turf Replacement at College Park High School and

Ygnacio Valley 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

15.25 Review and Potential Ratification of Gas Line Repair for Valley View Middle School per California Public Contract Code § 20113 to Roto-Rooter

Roto Rooter Proposal - Valley View Middle School 1.5.2023

To support the emergency repair of the Gas Line at Valley View Middle School, the district required the support from an outside vendor. California Public Contract Code § 20113, allows (a) In an emergency when any repairs, alterations, work, or improvement is necessary to any facility of public schools to permit the continuance of existing school classes, or to avoid danger to life or property, the board may, by unanimous vote, with the approval of the county superintendent of schools, do either of the following: (1) Make a contract in writing or otherwise on behalf of the district for the performance of labor and furnishing of materials or supplies for the purpose without advertising for or inviting bids.

Recommendation: Move to approve the ratification of gas line repair for Valley View Middle School per California Public Contract Code § 20113 to Roto-Rooter.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the ratification of gas line repair for Valley View Middle School per California Public Contract Code § 20113 to Roto-Rooter'. 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

15.26 Review and Potential Approval of Proposal for the Installation of Replacement HVAC Outdoor Unit and Branch Control for Foothill Middle School to Bel Air Mechanical

Bel Air Mechanical - Foothill MS Proposal

Foothill Middle School experienced an equipment failure of HVAC equipment that is affecting 3 classroom spaces and has been identified that an immediate equipment replacement is required. Maintenance staff received a proposal from an approved Maintenance HVAC vendor to complete the scope of work.

Recommendation: Move to approve the proposal for the installation of replacement HVAC Outdoor Unit and Branch Control for Foothill Middle School to Bel Air Mechanical.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the proposal for the installation of replacement HVAC Outdoor Unit and Branch Control for Foothill Middle School to Bel Air Mechanical'. 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

15.27 Review and Potential Approval Purchase Order Summary Report for December 2022

Purchase Order Summary Report for December 2022 Technology Purchase Order Summary Report for December 2022

District staff is bringing forward Purchase Order (PO) Summary Report for the month of December 2022. 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 purchases for December 2022. This total is included in the master Purchase Order Summary list.

Recommendation: Move to approve Purchase Orders for the month of December 2022.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve Purchase Orders for the month of December 2022'. 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) Special Education

15.28 Review and Potential Approval of Master Contract between Mt. Diablo Unified School District (MDUSD) and Executive Functions, Inc. for the 2022/23 School Year

Executive Functions is a local provider of Educational Therapy services that are provided as compensatory education for special education students at the request of the district. Funds in the amount of \$85,000.00 are requested at this time to cover anticipated costs for the 2022/23 school year.

Recommendation: Move to approve master contract between MDUSD and Executive Functions, Inc for the 2022/23 school year as presented.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve master contract between MDUSD and Executive Functions, Inc for the 2022/23 school year as presented'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

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

15.29 Review and Potential Approval of Increase to Master Contract with Invo Healthcare Associates for the 2022/23 School Year

Invo Healthcare Associates is a California certified non-public agency provider of special education related services. Requested funds are to cover anticipated costs for behavioral services for the remainder of the 2022/23 school year. The district utilizes non-public agency staff to cover existing vacancies at the position of Special Education Assistant. Services are provided according to the terms of an Individual Education Program (IEP) and an individual service agreement.

Recommendation: Move to approve increase to master contract with Invo Healthcare Associates for the 2022/23 school year as presented.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve increase to master contract with Invo Healthcare Associates for the 2022/23 school year as presented'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

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

15.30 Review and Potential Approval of Increase to Master Contract with Bayhill High School for the 2022/23 School Year

Bayhill High School is a California certified non-public school located in Berkeley, CA. Requested funds are to cover two additional student placements for the 2022/23 school year and to cover rate increases for the educational program and services that are included in the 2022/23 master contract.

Recommendation: Move to approve increase to master contract with Bayhill High School for the 2022/23 school year as presented.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve increase to master contract with Bayhill High School for the 2022/23 school year as presented'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

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

15.31 Review and Potential Approval of the Amendment to the Independent Service Agreement with Stages Publishing Inc. and Mt. Diablo Unified School District

On September 14, 2022, the Board of Education approved an Independent Service Contract with Stages Publishing Inc. in the amount of \$43,663.06. The ISC Amendment No. 1, includes office hours, onsite trainings and an extensive program review. Stages Publishing Inc, will provide the professional development training needed for the Language Builder curriculum that was approved on June 22, 2022, (15.33). This professional development works with our educators and offers an advanced analysis of each situation as well as offers follow up training to support this curriculum.

Recommendation: Move to approve the Amendment No. 1 for the ISC between Stages Publishing Inc. and Mt. Diablo Unified School District.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the Amendment No. 1 for the ISC between Stages Publishing Inc. and Mt. Diablo Unified School District'. 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

15.32 Review and Potential Approval of Independent Service Contract with CORE Education Academy for the 2022/23 School Year

CORE Education Academy provides an educational program for students in the Mt. Diablo Unified School District that have been placed through the Individual Education Program (IEP) or Alternative Dispute Resolution (ADR) process.

Recommendation: Move to approve the Independent Service Contract with CORE Education Academy for the 2022/23 school year as presented.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the Independent Service Contract with CORE Education Academy for the 2022/23 school year as presented'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

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

16.0 Consent Items Pulled for Discussion

16.1 (Original 15.6) Review and Potential Approval of an Independent Service Agreement between Luxe Cruises and Mt. Diablo Unified School District on Behalf of Ygnacio Valley High School

ISC - Luxe Cruises & Insurance

Ygnacio Valley High School is requesting the approval of the Independent Service Agreement between Luxe Cruises and Events LLC, for Prom on May 4, 2023 at Commodore Cruises and Events, Alameda, CA.

Recommendation: Move to approve the Independent Service Agreement between Luxe Cruises and Events LLC and Mt. Diablo Unified School District on behalf of Ygnacio Valley High School.

ORIGINAL - Motion

Member **(Linda Mayo)** Moved, Member **(Erin McFerrin)** Seconded to approve the **ORIGINAL** motion 'Move to approve the Independent Service Agreement between Luxe Cruises and Events LLC and Mt. Diablo Unified School District on behalf of Ygnacio Valley High School'. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **1**. The motion (). **4 - 1**

Debra Mason No
Linda Mayo Yes
Cherise Khaund Yes
Erin McFerrin Yes
Keisha Nzewi Yes

16.2 (Original 15.8) Review and Potential Approval of Purchase of ELLevation Software to Manage and Share English Learner's Data

Mt. Diablo Platform Quote ELLevation Implementation & Rollout Plan for Mt. Diablo PD ELLevation The English Learner and Dual Language Services Department is requesting approval for the purchase of ELLevation Software. The use of this software will provide the district with a platform to store all English Learner student's data in one place rather than having it in different systems and will streamline the department's work. Individual sites will also have access to the use of this platform. Furthermore, users will be able to produce reports without having to merge multiple spread sheets to produce one. Additionally, we will be able to streamline state's mandated processes like creating initial and annual parent's letter, reclassification and monitoring of English Learners.

Recommendation: Move to approve the purchase of ELLevation software to manage and share English Learner's data.

ORIGINAL - Motion

Member **(Linda Mayo)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the purchase of ELLevation software to manage and share English Learner's data'. 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

17.0 Consent Items Pulled by Staff

18.0 Business/Action Items

18.1 Review and Potential Approval of the Tentative Agreement Between California School Employees Association (CSEA) and Mt. Diablo Unified School District (MDUSD) for the 2022-2025 Collective Bargaining Agreement.

CSEA/MDUSD Tentative Agreement AB 1200 2022-2023 Salary Schedule 2023-2024 Salary Schedule 2024-2025 Salary Schedule

The California Schools Employee Association (CSEA) and the Mt. Diablo Unified School District (MDUSD) reached a tentative agreement on December 6, 2022. Agreements were reached on all open articles and this is a closed 3 year contract.

Recommendation: Move to approve the Tentative Agreement Between California School Employees Association (CSEA) and Mt. Diablo Unified School District (MDUSD) reaching agreement for the 2022-2025 Collective Bargaining Agreement.

ORIGINAL - Motion

Member **(Debra Mason)** Moved, Member **(Cherise Khaund)** Seconded to approve the **ORIGINAL** motion 'Move to approve the Tentative Agreement Between California School Employees Association (CSEA) and Mt. Diablo Unified School District (MDUSD) reaching agreement for the 2022-2025 Collective Bargaining Agreement'. 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 Teamsters regarding Food & Nutrition Services Job Descriptions (Food & Nutrition Assistant, and Food & Nutrition Services Cook), Salary Schedule Changes, and Abolish the positions of FSA I, FSA II, and FSA III after all affected employees have been moved into the new job title positions.

1. Side Letter Agreement With Teamsters re Food Service Salary Study and Reorganization. 2. AB 1200 Document.

This salary study was conducted as a result of the March 16, 2022 Side Letter regarding a Salary Schedule Review for Members Working in the Food Services Department, which also resulted in this Food Services Department Reorganization. Subsequently a plan was developed to move Food Service Assistant I and Food Service Assistant II employees into a new job description of Food & Nutrition Service Assistant, and Food Service Assistant III employees into a new job description of Food & Nutrition Service Cook/Baker. After multiple meetings between the District and Teamsters with Koff & Associates, consultants hired to lead the salary study, it was agreed that the three Food Service Assistant positions and job descriptions would be changed to reflect additional duties and more appropriate job titles with concurrent salary increases that would help ensure improved Food Services to the MDUSD community.

Recommendation: Move to Approve the Side Letter with Teamsters regarding Food & Nutrition Services Job Descriptions (Food & Nutrition Assistant, and Food & Nutrition Services Cook), Salary Schedule Changes, and Abolish the positions of FSA I, FSA II, and FSA III after all affected employees have been moved into the new job title positions.

ORIGINAL - Motion

Member **(Cherise Khaund)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to Approve the Side Letter with Teamsters regarding Food & Nutrition Services Job Descriptions (Food & Nutrition Assistant, and Food & Nutrition Services Cook), Salary Schedule Changes, and Abolish the positions of FSA I, FSA II, and FSA III after all affected employees have

been moved into the new job title positions'. 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 and Potential Approval of Restructuring of Diablo Managers Association (DMA) Salary Schedules Principal, Management and Confidential Unit

In order to restructure and reset our salary schedules to be more competitive in both retaining and hiring our MDUSD managers, administrators, and confidential employees, staff is recommending the attached restructuring of both the DMA and DMA confidential salary schedules.

Recommendation: Move to approval the restructuring of Diablo Managers Association (DMA) Salary Schedules Principal, Management and Confidential Unit.

ORIGINAL - Motion

Member (**Debra Mason**) Moved, Member (**Linda Mayo**) Seconded to approve the **ORIGINAL** motion 'Move to approval the restructuring of Diablo Managers Association (DMA) Salary Schedules Principal, Management and Confidential Unit'. 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

18.4 Review and Potential Approval of Contract with Finalsite for a District Website Content Management System (CMS) for a Period of Five (5) Years

Presentation - Website CMS Selection Process Finalsite Quote - 5 Year Term

A team of MDUSD stakeholders has engaged in a collaborative process to recommend the selection of a new website content management system (CMS) to house the MDUSD District website for a period of five (5) years beginning July 1, 2023. The recommended vendor, Finalsite, offers a comprehensive and easy-to-navigate solution that will be used by all schools and departments in creating visually-appealing, ADA (Americans with Disabilities Act) compliant website and accompanying mobile app to provide timely information to our families, students, and community.

Recommendation: Move to approve contract with Finalsite for a District Website Content Management System (CMS) for a period of five (5) Years

ORIGINAL - Motion

Member (**Cherise Khaund**) Moved, Member (**Linda Mayo**) Seconded to approve the **ORIGINAL** motion 'Move to approve contract with Finalsite for a District Website Content Management System (CMS) for a period of five (5) Years'. 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 2023 Summer School One Time Compensation Rate

2023 Summer School One Time Compensation Rate

Staff seeks to revise the 2023 Summer School Compensation Rate, only for the summer of 2023, in order to support our students by significantly increasing the number of available staff for summer academic learning. Summer school is planned for June 7, 2023 through June 30, 2023 with summer skills camps planned for the month of July. Compensation for work not in direct support of Summer School classes will not receive the higher rate. Any other positions not attached or in addition to the

normally contracted summer positions, may be paid at the attached higher compensation rate only if they directly support Summer School AND from school site funds.

Recommendation: Move to approve the 2023 Summer School one time compensation rate.

ORIGINAL - Motion

Member **(Erin McFerrin)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the 2023 Summer School one time compensation rate'. 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 School Plans for Student Achievement (SPSA)

The School Plan for Student Achievement (SPSA) identifies and addresses the instructional needs of students and specifies how state and federal categorical funds will be used to accomplish the goals outlined in the plan. In addition, the SPSA template includes additional components for our Title 1 Schools with schoolwide programs, as well as our schools in comprehensive support and improvement and targeted support and improvement. School sites include their allocated Local Control Funding Formula (LCFF) Targeted Supplemental and, optionally, their allocated LCFF Base Funds in their SPSA's. State regulations require that the School Site Council (SSC) be the group responsible for developing and revising the SPSA in collaboration with the site instructional leadership team. Attached are examples of the revised site plans. Copies of all revised School Plans can be found here: https://drive.google.com/drive/folders/1pE-Es_xiVxHcXHpPF2u8FNLiiThZ5Vj7?usp=share_link

Recommendation: Move to approve the 2022-23 School Plans for Student Achievement as presented.

ORIGINAL - Motion

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve the 2022-23 School Plans for Student Achievement 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

18.7 Review and Potential Approval of Updates to Board Policies and Administrative Regulations (0000s, 2000s and 5000s)

Board Policies and Administrative Regulations for the following categories: 0000 - Philosophy, Goals, Objectives and Comprehensive Plans 2000 - Administration 5000 - Students
Staff has partnered with California School Board Association (CSBA) to review all Board Policy (BP) and Administrative Regulations (AR). This policy review was done with the intention of bringing the policies and regulations to an updated legal baseline, understanding there may be further adjustments to be made. Five categories were brought forward and approval May 11, 2022 and three of the remaining categories were presented at the October 26, 2022 meeting. Board policies and regulations that have been board approved after January 1, 2020 will be included in the completed packets and are attached.

Recommendation: Move to approve updated policies and regulations for the categories 0000 - Philosophy, Goals, Objectives and Comprehensive Plans, 2000 - Administration, and 5000 - Students bringing these to updated legal baseline per CSBA.

ORIGINAL - Motion

Member **(Debra Mason)** Moved, Member **(Erin McFerrin)** Seconded to approve the **ORIGINAL** motion 'Move to approve updated policies and regulations for the categories 0000 - Philosophy, Goals, Objectives and Comprehensive Plans, 2000 - Administration, and 5000 - Students bringing these to updated legal baseline per CSBA'. 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

18.8 Establish Board of Education Committee Assignments for 2023

Each year, Board members are assigned to serve on several types of committees: Board Policy, Management, and Representation and Liaison Committees. Depending upon the type of committee, these assignments allow Board members the opportunity to provide direction, to contribute advice and Board perspective, or to provide representation with other organizations and agencies.

Recommendation: Move to establish the 2023 Board Committee assignments.

AMENDED - Motion

Member **(Debra Mason)** Moved, Member **(Cherise Khaund)** Seconded to approve the **AMENDED** motion 'Move to approve the 2023 Board Committee assignments 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

19.0 Closed Session (Carry Over)

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

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

Recommendation: Reconvene a second closed session as needed.

20.0 Reconvene Open Session

20.1 Report Out Action Taken During Closed Session

Report out action taken during closed session.

Recommendation: Information.

21.0 Future Agenda Items

21.1 Future Agenda Items

Future agenda items may be discussed at this time.

Recommendation: Information.

22.0 Adjournment

The president adjourned the meeting at 9:37 pm

22.1 Adjourn Meeting

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

Recommendation: Adjourn the meeting.