

**NEWPORT-MESA UNIFIED SCHOOL DISTRICT**  
Regular Meeting of the Board of Education  
District Education Center  
Roderick H. MacMillian Board Meeting Room  
2985-A Bear Street, Costa Mesa  
January 10, 2006

Call to Order       The regular meeting of the Board of Education of the Newport-Mesa Unified School District was called to order by the President, David Brooks, at 4:45 p.m., on Tuesday, January 10, 2006, in the District Education Center, 2985-A Bear Street, Costa Mesa, California.

Closed Session     At 4:45 p.m., President Brooks announced that the Board of Education would convene in Closed Session to address Student Discipline, Public Employee Discipline/Dismissal/Release, Conference with Legal Counsel regarding Existing Litigation, and Conference with Legal Counsel regarding Anticipated Litigation.

Recess             At 5:45 p.m., the Board took a recess.

Reconvene         At 6:15 p.m., President Brooks reconvened the meeting.

Public Hearing     At 6:16 p.m., President Brooks announced that the Board of Education would convene the Public Hearing, pursuant to Education Code 47605, for the purpose of hearing public input on the Orange Science Academy Charter School Proposal. Mr. Brooks presented a brief overview of the hearing process to those in attendance and called the speakers to the podium for their comments.

The following affiliated individuals presented information and support on behalf of the Orange Science Academy Charter School Proposal:  
Ertan Salik, Saken Sherkhonov, Ali Gurel, Adnan Doyuran, and Sasha Camacho.

Following the Academy's formal presentation, the following audience members addressed the Board in support of the Orange Science Academy Charter School Proposal:  
Robert Beaver and Joseph Garcia.

President Brooks thanked the audience for their participation and closed the public hearing at 6:47 p.m.

Recess             At 6:47 p.m. the Board took a brief recess.

Reconvene/Call to Order     At 7:02 p.m., President Brooks opened the meeting with a silent invocation and pledge of allegiance led by Student Board Member Daniel DeArakal.

Roll Call           Members Present  
Dave Brooks, President  
Linda Sneen, Vice-President  
Judy Franco, Clerk  
Dana Black, Member  
Tom Egan, Member  
Martha Fluor, Member  
Serene Stokes, Member  
Robert J. Barbot, Secretary  
Daniel DeArakal, Student Board Co-Rep –OCMCHS

Administration  
Paul Reed, Deputy Superintendent, Business Services  
Susan Astarita, Assistant Superintendent, Elementary Education

Lorri McCune, Assistant Superintendent, Human Resources  
Robert Metz, Interim Assistant Superintendent, Secondary Education

- Adoption of Agenda Mrs. Franco moved adoption of the agenda. Mrs. Sneen seconded the motion, and it carried unanimously with a 7/0 vote.
- Community Input Audience member Daniel Adelseck addressed the Board and encouraged the Board to make a decision in favor of approving a previously submitted Charter School Proposal on behalf of the Orange County Academy.
- Presentation Mrs. Astarita, Assistant Superintendent of Elementary Education, introduced Gina Cataldo, Principal of Harper Pre-School, and announced that the California School Boards Association (CSBA) had awarded the 2005 Golden Bell Award to the Harper Pre-School Inclusion Program. Mrs. Astarita and President Brooks presented Ms. Cataldo with a Certificate of Recognition from the Board of Education and offered their congratulations to the well deserving program.
- Parent Liaison Report HCPTA President, Michele Graham, and Co-President, Bernie Redding reported that the nomination forms for the Honorary Service Awards were distributed to the school sites and they encouraged submissions.
- Student Board Member Report Student Board member, Daniel DeArakal, provided the report on activities and events occurring at Orange Coast Middle College High School. He announced that for the first time Orange Coast Middle College High School's students had no failing grades this past semester.
- Consent Calendar Mrs. Fluor commented that Jane Garland was being made a Director of the new Outreach and Advocacy Program on tonight's Consent Calendar.

*Mrs. Sneen moved approval of the Consent Calendar as presented.. Mrs. Black seconded the motion, and it carried unanimously with a 7/0 vote.*

5. Approved eleven new individual contracts for a total Individual Education Cost (IEP) of \$68,286.42 through the 2006/07 school year, as established from the Individual Educational Program.
6. Approved three parent reimbursement contracts for a total Individual Education Cost (IEP) of \$21,690.00 through the 2006/07 school year, as established from the Individual Educational Program.
7. Approved one new Master Contract for 2005/06 with Pediatric Therapy Network and one Addendum to an existing Master Contract with Autism Behavior Consultants.
8. Approved the Contract with Rancho Los Amigos National Rehabilitation Center, CART Evaluation for one Special Education Student in the amount of \$800.00.
9. Approved an Addendum to Agreement No. T6053 for the Inside the Outdoors School Program with the Orange County Department of Education for participation by TeWinkle Intermediate School students for the 2005/06 school year.
10. Approved an Addendum to Agreement No. T6080 for the Inside the Outdoors School Program with the Orange County Department of Education for participation by TeWinkle Intermediate and Woodland Elementary School students for the 2005/06 school year.
11. Approved the Reading First Collaborative Support Contract No. 29784 with the Orange County Department of Education for the period of October 1, 2005 through June 30, 2006.
12. Approved the Intern Candidate Directed Field Experience Agreement between the University of California, Irvine and the Newport-Mesa Unified School District for the period commencing January 10, 2006.
13. Approved the Multiple and Single Subject or Special Education Specialist, Mild/Moderate –Level 1 Teacher Internship Programs Agreement between

- University of La Verne and the Newport-Mesa Unified School District commencing January 10, 2006.
14. Approved the District/University Internship Agreement (Single Subject) between the University of California, Irvine and the Newport-Mesa Unified School District commencing January 10, 2006.
  15. Approved the Student Placement Agreement between the California State University Long Beach and the Newport-Mesa Unified School District commencing January 10, 2006.
  16. Approved the Internship Credential Program Agreement between National University and the Newport-Mesa Unified School District commencing January 10, 2006.
  17. Approved a Stipulation with Award in the amount of \$55,062.50 with a provision for future medical care for Claim No. 99-20611.
  18. Approved a five-year Service Contract Agreement with Cintas Corporation for document shredding services, renewable annually, for the period of 1/11/06 through 1/10/11. The initial year includes January 11, 2006 through January 10, 2007 in an amount not-to-exceed \$3,600.00.
  19. Ratified an Agreement with Anaheim City School District to provide services as needed to the Newport-Mesa Unified School District Transportation Department for the period July 1, 2005 through June 30, 2006 in an amount not-to-exceed \$5,000.
  20. Approved Service Contract Agreement SC11-06 between Newport-Mesa Unified School District and GKK Works for existing restroom modernization, architectural and engineering services in an amount not-to-exceed \$20,000.
  21. Approved an amendment to the Agreement between All American Inspection and the Newport-Mesa Unified School District to provide inspection services for relocatable buildings to be placed at California Elementary School and Rea Elementary School in an amount not-to-exceed \$2,000.
  22. Approved Certificated Employees' Leave of Absence Register No. 09-06.
  23. Approved Certificated Employees' Resignation/Termination Register No. 09-06.
  24. Approved Certificated Employees' Appointment/Reassignment Register No. 09-06.
  25. Approved Classified Employees' Appointment/Reassignment Register No. 08-06.
  26. Approved Classified Employees' Leave of Absence Register No. 07-06.
  27. Approved Classified Employees' Resignation/Termination Register No. 09-06.
  28. Approved Gift Register No. 06-06.
  29. Approved Accounting Register No. 08-06.
  30. Approved Measure A Accounting Register No. 08-06.
  31. Approved Purchasing Report No. 08-06.
    - a. Approved Purchase Order Report covering period December 5, 2005 through December 19, 2005 in the amount of \$1,528,311.19.
    - b. Approved Travel Approval Request Report covering period December 5, 2005 through December 19, 2005.
    - c. Approved Transfer of Equipment Report covering period December 5, 2005 through December 19, 2005.
    - d. Directed that a Notice of Completion be filed for the HVAC work through Contract #109-04 to F.M. Thomas Air Conditioning, Inc., at Andersen Elementary School in an amount not-to-exceed \$233,014.97.
    - e. Directed that a Notice of Completion be filed for the electrical work through Contract #105-05 to Giannelli Electric, Inc., at the Transportation Department in an amount not-to-exceed \$24,771.00.
  32. Approved Measure A Purchasing Report No. 08-06A.
    - a. Ratified the Award and Notice to Proceed of Bid #108-06 Lincoln School Measure A Modernization to G-2000 Construction, Inc., in the amount of \$2,299,000.00.
    - b. Approved Change Order #1 with Giannelli Electric, Inc., for Andersen Elementary School Interim Housing in the amount of \$12,872.01.
    - c. Ratified the Notice to Proceed for Contract #105-05 (7335-417) to

- Giannelli Electric, Inc., for electrical work – Lincoln Elementary School Interim Housing.
  - d. Directed that a Notice of Completion be filed for the Measure A electrical work through Contract #105-05 (7335-372) to Giannelli Electric, Inc., at Andersen Elementary School Interim Housing in an amount not-to-exceed \$74,700.00.
  - e. Directed that a Notice of Completion be filed for the work through Contract #105-05 (7335-340) to Giannelli Electric, Inc., at Corona del Mar High School in an amount not-to-exceed \$176,244.00.
  - f. Directed that a Notice of Completion be filed for the electrical work through Contract #105-05 (7335-339) to Giannelli Electric, Inc., at Sonora Elementary School Interim Housing Increment 2 in an amount not-to-exceed \$193,500.00.
  - g. Directed that a Notice of Completion be filed for the irrigation system work through Contract #100-06 to Haynes Landscaping at College Park Elementary School in an amount not-to-exceed \$40,680.00.
  - h. Ratified the Notice of Completion and its filing for Bid #134-05 College Park Elementary School Interim Housing Increment 2 by Mel Smith Electric in the amount of \$633,127.00.
33. Approved Measure A Operations Report No. 08-06.
- a. Approved Change Order #5 – SMC Construction for Adams Elementary School in the amount of \$27,251.86.
  - b. Approved Change Orders #9 and #10 with Mackone Development for Newport Harbor High School in the amount of \$174,387.10.
  - c. Approved Change Order #1 with Mel Smith Electric for College Park Elementary School in the amount of (\$873.00).
34. Approved Independent Contractors’ Register No. 09-06.

Measure A Program – Informational Update

Paul Reed, Deputy Superintendent and Chief Business Official, provided a brief summary of the status of the Measure A Program.

Approval of School To Home Broadcast Communication System

Bob Metz, Interim Assistant Superintendent of Secondary Education, provided a brief summary of the MessageBroadcast.com system that would provide autodialing telephone messaging for the secondary schools. The Board expressed appreciation to Mr. Metz for providing the detailed background comparing the various providers of this type of service. Mrs. Fluor moved approval of the School to Home Broadcast Communication System. Mrs. Stokes seconded the motion, and it carried unanimously with a 7/0 vote

Adoption of Resolution No. 22-01-06, Authorizing the Establishment and Maintenance of Site Revolving Cash Funds.

Mrs. Franco moved adoption of Resolution No. 22-01-06 authorizing the establishment and maintenance of site revolving cash funds. Mrs. Sneen seconded the motion.  
Mrs. Black - yes  
Mr. Egan - yes  
Mrs. Fluor - yes  
Mrs. Stokes - yes  
Mrs. Franco - yes  
Mrs. Sneen - yes  
Mr. Brooks – yes

Resolution No. 22-01-06 was adopted by a unanimous 7/0 roll call vote.

Approval of List Authorizing Signature Authority for Various Newport-Mesa Unified

Paul Reed, Deputy Superintendent and Chief Business Official, reported that the Credit Union cannot by law conduct business banking so the ASB Account for the Alternative Education Center must be moved to Downey Savings. Mrs. Fluor moved approval. Mrs. Black seconded the motion, and it carried unanimously with a 7/0 vote.

School District  
Accounts

Superintendent  
Search Process  
Update

Dr. Barbot gave a brief overview of the process to date noting a change in the upcoming schedule. The originally targeted date of January 16, 2006 for preparation of the superintendent search brochure is recommended to the Board for review at the regular board meeting of January 24, 2006. Mr. Egan requested that two additional dates be added to the published timeline to include: February 7, 2006 as the deadline to submit letters of interest in serving on the Superintendent Selection Advisory Council and February 14, 2006 as the Board’s appointment of the Council. It was noted that student board members who wish to participate on the committee would need to obtain parent permission as with all normal protocols. It is the responsibility of parents to ensure that participation would not cause an academic hardship for their student. The student’s absence from school to attend a required council meeting would be excused. Mrs. Black moved approval of the amended timeline. Mrs. Sneen seconded the motion, and it carried unanimously with a 7/0 vote.

Review of  
Measure F  
Citizen’s  
Oversight  
Committee  
Membership  
Appointment  
Process and  
Appointment of  
Members as  
Appropriate

Paul Reed, Deputy Superintendent and Chief Business Official, provided a brief overview of the Measure F Citizens’ Oversight Committee Membership Appointment Process. Following a discussion, the Board reached a consensus that the seven legally required members of this committee should have alternate members appointed to ensure that a quorum could always be established to move forward the business of the committee in a timely manner. The following modifications were made to the selection process and voted on separately:  
Section 6, Item XV: The Oasis and Costa Mesa Senior Centers will be approached first to submit two representatives and alternates. Mrs. Black moved approval of the motion. Mrs. Franco seconded the motion and it carried unanimously with a 7/0 vote.  
Section 6, Item XVI: The four “at-large” representatives will be selected one from each of the four high school attendance zones. Mrs. Black moved approval of the motion. Mrs. Franco seconded the motion and it carried with a 6/1 vote (Fluor, no)

Superintendent/  
Assistant  
Superintendent’s  
Report

Superintendent Barbot reminded the Board of the January 17 and 18 study sessions.  
Mr. Metz reported that he had met with the Lacrosse parents and the process is moving forward.  
Dr. McCune reported that Kristin Viena is visiting the school sites and that the Human Resources Department is preparing for the credentials audit.  
Mrs. Astarita reported that the Lindbergh site is a staff location for Jane Garland and the Project ASK team and that the staff’s primary work with students will occur at the various school sites. Mrs. Astarita has met with local residents about the occupancy of the ASK Project at Lindbergh and they were pleased that there will be District Administrative presence at the Lindbergh site.

Mr. Reed shared some brief highlights of the state budget. Additionally, he noted that the District nurses currently occupying the Pathways Building at the District Education Center will eventually be housed at the REA Elementary School site at which time the Pathways relocatable building will be moved to allow for much needed additional parking spaces at the Education Center.

Board Members  
Reports

Board members provided reports on their recent attendance at events and activities and shared information of interest to other Board members.  
Mr. Egan reported that he had toured a school site garden back in 2002 and he would like to see more gardens at the schools. He suggested the Western Growers Association as a possible grant source for funding to create more gardens. Mrs. Astarita will investigate that option.

Mrs. Brooks reported that the Estancia High School large gym was recently dedicated in the name of the late Dr. Robert Francy. Dr. Francy's family was at the dedication and was honored to share in the renaming of the gym.

Legislative Report Mrs. Franco reported that the state budget is just beginning. We will look to the May Revise to see what changes may occur and impact education.

CROP Report Mrs. Fluor reported that the search is currently in process to find a replacement for Paul Snyder, who is retiring from his position as Superintendent at Coastline ROP. She also reported that Tom Antal and Mike Murphy are also sitting on the superintendent search committee as well.

Recited Actions Taken in Closed Session In a prior session, the Board of Education took disciplinary action in student case no. 05-22-79 to expel the student from the schools of the Newport-Mesa Unified School District for the period of 1/10/06 through 6/22/06, to suspend the expulsion and to place the student at another District School. During the expulsion period the student must maintain acceptable grades, attendance and citizenship. The student is to complete 50 hours of community service and complete at least 8 counseling sessions for appropriate decision making as terms for the expulsion agreement. Motion by Mrs. Fluor, seconded by Mrs. Stokes and carried with a unanimous 6/0 vote (Egan absent).

In a prior session, the Board of Education took disciplinary action in student case no. 05-25-76, to expel the student from the schools of the Newport-Mesa Unified School District for the period of 1/10/06 through 6/22/06. During the expulsion period, the student will attend ACCESS or another appropriate setting and must maintain acceptable grades, attendance and citizenship. The student is to complete 25 hours of community service and complete at least 8 counseling sessions for drug and alcohol abuse as terms for the expulsion agreement. Motion by Mrs. Black, seconded by Mrs. Sneen, and carried with a unanimous 6/0 vote (Egan absent).

In a prior session, the Board of Education took disciplinary action in student case no. 05-23-79 to expel the student from the schools of the Newport-Mesa Unified School District for the period of 1/10/06 through 6/22/06. The expulsion is to be suspended and student will be transferred to another District school. During the expulsion period the student must maintain acceptable grades, attendance and citizenship. The student is to complete 50 hours of community service and complete at least eight counseling sessions for appropriate decision making as terms for the expulsion agreement. Motion by Mrs. Fluor, seconded by Mrs. Stokes and carried unanimously with a 6/0 vote (Egan absent).

In a prior session, the Board of Education took disciplinary action in student case no. 05-21-79 to expel the student from the schools of the Newport-Mesa Unified School District for the period of 1/10/06 through 6/22/06. The expulsion is to be suspended and the student will be transferred to another District school. During the expulsion period, the student must maintain acceptable grades, attendance and citizenship. The student is to complete 50 hours of community service and complete at least eight counseling sessions for appropriate decision making as terms for the expulsion agreement. Motion by Mrs. Fluor, seconded by Mrs. Stokes and carried unanimously with a 6/0 vote (Egan absent).

In a prior session, the Board of Education took disciplinary action in student case no. 05-20-79 to expel the student from the schools of the Newport-Mesa Unified School District for the period of 1/10/06 through 6/22/06. The expulsion is to be suspended and the student will be transferred to another District school. During the expulsion period, the student must maintain acceptable grades, attendance and citizenship. The student is to complete 50 hours of community service and complete at least eight counseling sessions for appropriate decision making as terms for the expulsion agreement. Motion by Mrs. Black, seconded by Mrs. Franco and carried unanimously with a 7/0 vote.

In a prior session, the Board of Education took action in Closed Session to approve a

**Minutes of Regular Meeting**

**ADOPTED MINUTES  
January 10, 2006**

Settlement and Release Agreement with a Classified Employee. The motion carried with a 7/0 vote.

Adjournment      At 8:35 p.m. President Brooks adjourned the meeting.

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Robert J. Barbot, Secretary