

NEWPORT-MESA UNIFIED SCHOOL DISTRICT
Special/Regular Meeting of the Board of Education
District Education Center
Roderick H. MacMillian Board Meeting Room
2985-A Bear Street, Costa Mesa
January 24, 2006

Call to Order The special meeting of the Board of Education of the Newport-Mesa Unified School District was called to order by the President, David Brooks, at 3:00 p.m., on Tuesday, January 24, 2006, in the District Education Center, 2985-A Bear Street, Costa Mesa, California.

Closed Session At 3:05 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. President Brooks adjourned Closed Session adjourned at 3:45 p.m.

Reconvene/Call to At 3:49 p.m., President Brooks reconvened the open session with a silent invocation and Order/Roll Call Pledge of Allegiance led by Trustee Black.

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

Adoption of Mrs. Franco moved adoption of the agenda as presented. Mrs. Black seconded the Agenda motion, and it carried unanimously.

Adoption of Dr. Barbot provided a brief background of the Charter School submission process and Resolution No. timeline. He then deferred to Susan Astarita, Assistant Superintendent of Elementary 23-01-06, Education who presented a PowerPoint overview of the District’s analysis of the Charter Denying the School Proposal. The 29 page analysis, 16 page resolution and PowerPoint have been Charter for the incorporated as attachments to the official minutes of record. Orange County

Academy Charter Following Mrs. Astarita’s presentation, the following members of the audience addressed School Proposal the Board regarding the Charter School proposal:

- o Dennis Ashendorf, opposed to proposal.
- o Michele Graham, opposed to proposal.
- o Anne Younglove, opposed to proposal.
- o Allan Mansoor, in support of proposal.
- o Joseph Garcia, in support of proposal.

Additionally, the following members of the Orange County Academy Charter School Board addressed the Board in support of their proposal:

- o Todd Winkler, President
- o Joan Peace, Member
- o Russell Magnum, Member

Two additional audience members originally submitted cards and subsequently declined to speak when their names were called to the podium:

- o Kim Shettler and Michael Larsen.

Following the presentation and community input the Board took the following action:

Mrs. Fluor moved adoption of Resolution No. 23-01-06 Denying the Charter for the Orange County Academy Charter School. Mrs. Black 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. 23-01-06 was adopted by a unanimous 7/0 roll call vote.

Adoption of Resolution No. 24-01-06, Denying the Charter for the Orange County Science Academy Charter School Proposal

This item was pulled. Staff received correspondence prior to the Board meeting from the Orange County Science Academy representatives requesting to formally withdraw their Charter School application at this time. They have been working with District staff on the issues addressed in staff’s prepared analysis and will revisit a possible future submission. The 22 page staff analysis is incorporated as an attachment to the official minutes of record.

Adjournment of Special Meeting

At 4:45 p.m., President Brooks adjourned the special meeting and the Board took a brief recess before reconvening in the study session.

Call to Order/ Study Session

At 5:15 p.m., President Brooks called to order the study session for the purpose of a review of Measure F. Paul Reed, Deputy Superintendent of Business Services provided a PowerPoint review of the Measure F background, process to date, 10 categories, and future implementation structure including the Equity Committee. A copy of the PowerPoint is incorporated as an attachment to the official minutes of record.

Recess

At 6:20 p.m., the Board took a brief recess.

Reconvene/Call to Order

At 7:05 p.m., President Brooks opened the meeting with a silent invocation and pledge of allegiance led by Student Board Member Sarah Grabarsky.

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
Sarah Grabarsky, Student Representative- CMHS
Elizabeth Crosby, Student Representative – OCMCHS
Daniel DeArakal, Student Representative - 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. Sneen moved adoption of the agenda. Mrs. Franco seconded the motion, and it carried unanimously with a 7/0 vote.

Minutes of Regular Meeting

**ADOPTED MINUTES
January 24, 2006**

- Adoption of Minutes Mrs. Sneen moved adoption of the minutes of December 13, 2005, December 23, 2005 and January 10, 2006. Mrs. Franco seconded the motion, and it carried unanimously with a 7/0 vote.
- Community Input Audience member Sal Burciaga addressed the Board relative to the Joint Use Agreement with the City of Costa Mesa and the proposed elimination of fields available to adult leagues. He also expressed concern regarding the discontinuation of the DARE Program.
- Audience member Joshua Quiroz addressed the Board relative to the Joint Use Agreement with the City of Costa Mesa and the proposed elimination of fields available to adult leagues.
- Presentations Cheryl Galloway presented the 2006 Authors Festival Bookmark Contest student winners.
- Dave Brees and Sue Smith presented the 2006 Sister City Educator/Student Australian Exchange participants and provided a review of the program to date.
- Recess/Reception At 7:58 p.m., the Board took a brief recess to host a reception in honor of the evening’s recognitions and visitors.
- Parent Liaison Report HCPTA President, Michele Graham reported on various activities.
- Student Board Member Report Student Board members provided a report on activities and events occurring at their respective school sites.
- Consent Calendar *Mrs. Black moved approval of the Consent Calendar with a revision submitted for Item #35. Mrs. Franco seconded the motion, and it carried unanimously with a 7/0 vote.*
8. Approved sixteen new individual contracts for a total Individual Education Cost (IEP) of \$258,102.00 through the 2006/07 school year, as established from the Individual Educational Program.
 9. Approved two parent reimbursement contracts for a total Individual Education Cost (IEP) of \$2,688.75 through the 2006/07 school year, as established from the Individual Educational Program.
 10. Approved three new Master Contracts for 2005/06 with Autism Spectrum Therapies, California Institute of Behavior Analysis, Inc., and Grace Chao.
 11. Approved the Final Compromise and Release Agreement – Office of Administrative Hearings (OAH) Case Number N2005110115 in the amount of \$6,750.00 pursuant to the laws of the State of California.
 12. Approved the Final Compromise and Release Order by the California Special Education Hearing Office - (SEHO) Case Number SN05-00731 in the amount of \$11,355.00 pursuant to the laws of the State of California.
 13. Approved the contract with Ocean Institute at Dana Point Harbor for Andersen Elementary School for the 2005/06 school year.
 14. Approved the 2005/06 Single Plans for Student Achievement.
 15. Approved the Memorandum of Understanding between Families Costa Mesa Family Resource Center and the Newport-Mesa Unified School District to serve children and families in the LEAPS (Learning, Early Intervention, and Parent Support) Project at Pomona Elementary School.
 16. Approved a Waiver Request for modification of instructional minutes for Corona del Mar High School for second semester 2006.
 17. Approved a Waiver for Accommodation for use on the California High School Exit Exam (CAHSEE) for two special education students identified as CAHSEE2005-03 and CAHSEE2005-04 in compliance with Education Code 56101.
 18. Approved the Agreement with Media Barista, LLC., to program into the District’s Transportation Department existing routing system a driver rotation method to aid

and track the proper handling of allocation of extra work hours to drivers in an amount not-to-exceed \$2,400 for the period December 1, 2005 through June 30, 2006.

19. Approved an Agreement with other Orange County School Districts to provide student transportation services as needed and (2) authorize the Deputy Superintendent to execute any documents necessary for the District to enter into the agreement.
20. Approved Settlement Authority for Claim No. 02-27055 pending further negotiation pursuant to the options stated in the agenda item.
21. Rejected Claim No. 05-43063MH and referred the claim to the District's legal counsel.
22. Received the Williams Quarterly Report for the period October 1, 2005 through December 31, 2005.
23. Approved Certificated Employees' Leave of Absence Register No. 10-06.
24. Approved Certificated Employees' Resignation/Termination Register No. 10-06.
25. Approved Certificated Employees' Appointment/Reassignment Register No. 10-06.
26. Approved Classified Employees' Appointment/Reassignment Register No. 09-06.
27. Approved Classified Employees' Leave of Absence Register No. 08-06.
28. Approved Classified Employees' Resignation/Termination Register No. 10-06.
29. Approved Gift Register No. 08-06.
30. Approved Accounting Register No. 09-06.
31. Approved Measure A Accounting Register No. 09-06.
32. Approved Purchasing Report No. 09-06.
 - a. Approved Purchase Order Report covering period December 20, 2005 through January 16, 2006.
 - b. Approved Travel Approval Request Report covering period December 20, 2005 through January 16, 2006.
 - c. Approved Transfer of Equipment Report covering period December 20, 2005 through January 16, 2006.
 - d. Granted permission to advertise for the grading/excavation district-wide Bid #113-06 and authorize the Superintendent or his designee to award Bid #113-06 to the lowest qualified responsible bidder.
 - e. Ratified the Notice of Completion and its filing for the fumigation project completed at Kaiser Elementary School by Chem Free Exterminating in the amount of \$25,000.00.
33. Approved Measure A Purchasing Report No. 09-06A.
 - a. Directed that a Notice of Completion be filed for the Measure A modernization work through Contract #112-05 to Angeles Contractor at Paularino Elementary School in an amount not-to-exceed \$3,527,100.21.
34. Approved Measure A Operations Report No. 09-06.
 - a. Approved Change Orders #11 and #12 with Mackone Development for Newport Harbor High School in the amount of \$170,509.94.
 - b. Approved Change Order #6 with Cavecche Engineering and Construction Company, Inc., for TeWinkle Middle School in the amount of \$60,816.00.
 - c. Approved Amendment #13 to the Agreement with Ninyo and Moore to perform additional services in an amount not-to-exceed \$4,080.00.
35. Approved Independent Contractors' Register No. 10-06. (revised)

Following approval of the Consent Calendar, President Brooks commented on item #14- Single School Plans. He congratulated and thanked Bonnie Swann and her team for the tremendous work on putting together the plans.

Approval of Plan
for Expelled
Youth Between
NMUSD and

Robert Metz, Interim Assistant Superintendent of Secondary Education presented information on the Plan. He noted that the Plan is revised every three years and all districts in Orange County must submit to the Orange County Department of Education.

Minutes of Regular Meeting

**ADOPTED MINUTES
January 24, 2006**

OCDE for Providing Educational Services to Expelled Students	Audience member Mirna Burciaga addressed the Board and stated concerns regarding the Plan specifically with the process, volume of paperwork and information and understanding by parents. She requested that the District look at developing a summary of steps or checklist that parents can follow to ensure compliance with the expulsion process. Mrs. Franco moved approval of the Plan for Expelled Youth. Mrs. Stokes seconded the motion, and it carried unanimously with a 7/0 vote.
Superintendent Search Process Update and Action	The Board took the following actions relative to the Superintendent Search Process: The Board further reviewed the SSAC composition and made some additional modifications. Additionally, the Board approved the draft brochure for distribution. The Board also agreed to extend the timeline for submission of names to serve on the SSAC to February 27, 2006. The application process is online at www.nmusd.us . The Board is scheduled to formally appoint the individual 45 members to the council at their regular Board meeting of February 28, 2006.
Board Members Reports	Board members provided reports on their recent attendance at events and activities and shared information of interest to other Board members.
Legislative Report	Mrs. Franco noted that bills are currently being formed.
CROP Report	Mrs. Fluor noted that the CROP board member last week with the advisory and screening committee on the Superintendent Search process.
Recited Actions Taken in Closed Session	In a prior session, the Board of Education took disciplinary action in student case #05-28-77 to expel the student from the schools of the Newport-Mesa Unified School District for the period of 1/24/06 through 6/22/06. During the expulsion period the student will attend ACCESS and must maintain acceptable grades, attendance and citizenship. The student is to complete 50 hours of community service and complete at least eight counseling session for appropriate decision making as terms for the expulsion agreement. Motion by Mrs. Franco, seconded by Mrs. Stokes and carried unanimously with a 7/0 vote.
Adjournment	At 9:41p.m. President Brooks adjourned the meeting.

Robert J. Barbot, Secretary