

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
February 14, 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 4:05 p.m., on Tuesday, February 14, 2006, in the District Education Center, 2985-A Bear Street, Costa Mesa, California.

Closed Session At 4:06 p.m., President Brooks announced that the Board of Education would convene in Closed Session to address Student Discipline, Conference with Legal Counsel regarding Anticipated Litigation, Public Employee Complaint Appeal and Public Employment: Title- Superintendent.

Superintendent At 6:08 p.m., President Brooks called to order the study session.

Search Process:
Defining Roles
and
Responsibilities
of Superintendent
Selection
Advisory Council
(SSAC)

Dick Loveall, Advisor with California Schools Board Association reviewed the Superintendent Search process to date and the purpose of today's study session to define the roles and responsibilities of the SSAC.

The Board came to consensus with the following recommendations:

Following the Board's confirmation of member appointments to the SSAC on February 28, 2006, the SSAC members will need to be available on the following dates:

- 1 to 2 evening meetings between February 28, 2006 and April 21, 2006 (firm dates to be determined) to meet with the CSBA Advisor to organize the SSAC and develop the interview questions.
- Attend the full day interviews scheduled for Friday, April 21 and Saturday, April 22, 2006.
- At the conclusion of Saturday's interviews, the members will submit written feedback to the Board on each candidate on a pre-determined and formatted form and their service on the Council will be concluded.

Between Sunday, April 23 and Tuesday, April 25, 2006, the Board will review the written feedback from the SSAC and make a determination of the top candidates to be called back for a second level interview with the Board which will include a written and oral presentation by the candidates. The Board will conduct second level interviews on Thursday, April 27, 2006. The search process timeline has been adjusted to reflect the date changes and extension of the process.

Additionally, the Board requested that since the time commitment required by community members to participate on the SSAC has been changed and now only requires participation on Friday and Saturday that the application deadline for members interested in serving on the SSAC be extended to Monday, February 27, 2006 to encourage additional participation by community members that were originally discouraged by the possible Sunday time commitment.

Recess At 6:59 p.m., the Board took a brief recess.

Minutes of Regular Meeting

**ADOPTED MINUTES
February 14, 2006**

Reconvene/Call to Order/Roll Call At 7:31p.m., President Brooks reconvened the open session with a silent invocation and Pledge of Allegiance led by Student Board member Raven Villafana.

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
Susan Moheimani, Student Representative – CdMHS
Bridgette Gleason, Student Representative – EHS
Elizabeth Crosby, Student Representative – OCMCHS
Daniel DeArakal, Student Representative – OCMCHS
Raven Villafana, Student Representative – BBHS/MVHS

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

Community Input The following audience members addressed the Board:

Sharon Peterson, Teacher at CMHS, addressed the Board and announced that CMHS Academic Decathlon participants will be receiving awards on Wednesday evening at Orange Coast College event.

Randall and Kendall Kunert and Mary and Andrew Barnes addressed the Board and thanked the District for taking swift action to find a solution to the Estancia pool issue

Parent Liaison Report HCPTA Co-President Bernie Redding reported on current events and activities occurring within the District.

Student Board Member Report Student Board members reported on activities and events occurring at their respective school sites.

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

5. Approved sixteen new individual contracts for a total Individual Education Cost (IEP) of \$152,783.30 through the 2006/07 school year, as established from the Individual Educational Program.
6. Approved nine parent reimbursement contracts for a total Individual Education Cost (IEP) of \$175,228.75 through the 2006/07 school year, as established from the Individual Educational Program.
7. Approved one new Master Contract with Keystone Schools one Addendum to an existing Master Contract with Winston School for the 2005/06 school year.
8. Approved the Final Compromise and Release Agreement OAH Case Number N2005-100222 in the amount of \$17,788.00 pursuant to the laws of the State of California.
9. Approved the List of State Approved Published Supplementary Intervention Program Materials for use in guiding departments in the selection of researched based programs.
10. Authorized the Superintendent to accept funding under the Consolidated Application for Funding Categorical Programs Part II for the school year 2005/06.
11. The Board of Education (a) found and determined that it is in the best interest of the Newport-Mesa Unified School District to approve the acquisition of wire and

cable planning, service and installation, network system components, LAN and WAN system components, and that the Board of Education approved with a motion, an agreement with the State of California and Pacific Bell Telephone Company and SBC, Inc., to purchase quantities at unit prices quoted sufficient to meet the needs of the Newport-Mesa Unified School District and (b) approved the selection of vendors to provide the designated products and services under the Federal E-Rate Program.

12. Approved the Agreement between the Newport-Mesa Unified School District and Michael Merino Architects to provide architectural service at the Baker/Bear Facility in an amount not-to-exceed \$12,700.
13. Approved the settlement authority for a Stipulations with Request for Award of \$12,800.00 with a provision for future medical care for Claim No. 02-29606.
14. Approved the settlement authority for a Stipulations with Request for Award of 0% with a provision for future medical care for Claim Nos. 03-33506 and 03-31575.
15. Approved the settlement authority for a Stipulations with Request for Award of \$5,355.00 with a provision for future medical care for Claim No. 02-27167.
16. Approved the Student Nurse Agreement between California State University, Fullerton and the Newport-Mesa Unified School District.
17. Approved the Student Nurse Agreement between the University of California, Irvine and the Newport-Mesa Unified School District.
18. Approved the requests for Certificated Employment Assignment Alternatives/Options for three certificated employees pursuant to Education Code 44263.
19. Approved Certificated Employees change of status from temporary to probationary status.
20. Approved Certificated Employees' Leave of Absence Register No. 11-06.
21. Approved Certificated Employees' Resignation/Termination Register No. 11-06.
22. Approved Certificated Employees' Appointment/Reassignment Register No. 11-06.
23. Approved Classified Employees' Appointment/Reassignment Register No. 09-06.
24. Approved Classified Employees' Leave of Absence Register No. 09-06.
25. Approved Classified Employees' Resignation/Termination Register No. 11-06.
26. Approved Gift Register No. 09-06.
27. Approved Accounting Register No. 10-06.
28. Approved Measure A Accounting Register No. 10-06.
29. Approved Purchasing Report No. 10-06.
 - a. Approved Purchase Order Report covering period January 17 through February 6, 2006 in the amount of \$1,598,759.08.
 - b. Approved Travel Approval Request Report covering period January 17 through February 6, 2006.
 - c. Approved Transfer of Equipment Report covering period January 17 through February 6, 2006.
 - d. Awarded and issued a Notice to Proceed for Bid/Contract #113-06 Grading/Excavation, Districtwide to Les Farrow.
 - e. Approved Agreement between Newport-Mesa Unified School District and NCS Pearson, at the compensation rates described in the agreement, for annual license and support of SASIxp Software for the period of February 10, 2006 through February 9, 2007 at the price not to exceed \$72,721.19.
 - f. Approved Change Order #1 for Best Roofing to replace roof sheeting at Newport Harbor High School Dodge Hall (Bldg B) of Bid #144-05 at a cost of \$14,607.50.
 - g. Authorized permission to advertise for Bid #114-06 Purchase or Lease DSA Approved Relocatable Modular Buildings, and authorized the Deputy Superintendent and Chief Business Official to sign a contract on behalf of the Board of Education under the terms and conditions of the bid, and authorized the Deputy Superintendent and Chief Business

- Official to issue a Notice to Proceed to the lowest qualified responsible bidder.
- h. Ratified Notice of Completion and its filing for the parking lot project completed at Corona del Mar High School under Paving/Asphalt, Districtwide, time and materials Bid #105-06 by Beach Paving in the amount of \$49,200.
- i. Ratified Notice of Completion and its filing for the fumigation project completed at Paularino and Pomona Elementary Schools by Chem Free Exterminating in the amount \$28,000.00.
- j. Ratified Notice of Completion and its filing for the irrigation project completed at Davis Education Center under Irrigation Systems, Districtwide, time and materials Bid #100-06 by Haynes Landscaping in the amount of \$18,200.
- 30. Approved Measure A Purchasing Report No. 10-06A.
 - a. Ratified Notice to Proceed for Contract #139-05 Limited Contract #7335-430 to Meadows Construction for relocation of two portable buildings at California School at a cost not-to-exceed \$16,460.00.
 - b. Ratified Notice to Proceed for Contract #105-05 (7335-427) to Giannelli Electric, Inc., for electrical work at California School electrical connections and services at California School at a cost not-to-exceed \$93,410.93.
 - c. Ratified Notice to Proceed for Contract #139-05 Limited Contract #7335-436 to Meadows Construction for relocation of twenty-two portable buildings at the Adult Education Center at a cost not-to-exceed \$153,700.00.
 - d. Directed that a Notice of Completion be filed for the Interim Housing Increment 2 work through Contract #136-05 to Pacific General Contractors at Killybrooke School in an amount not-to-exceed \$942,602.84.
- 31. Approved Measure A Operations Report No. 10-06.
 - a. Approved Change Order #13 with Mackone Development for Newport Harbor High School in the amount of \$86,601.68.
 - b. Approved Change Order #2 with P.W. Construction for Estancia High School in the amount of \$54,825.00.
 - c. Approved Change Order #1 with SMC Construction for Corona del Mar High School in the amount of \$166,214.50.
 - d. Approved Change Order #1 with Pacific General Contractor for the interim housing Increment 2 work at Killybrooke Elementary School in the amount of \$22,793.84.
 - e. Approved Amendment #19 to the Agreement between LPA Architects and the Newport-Mesa Unified School District for the period January 25, 2002 through June 30, 2006.
 - f. Approved Amendment #14 to the Agreement between Newport-Mesa Unified School District and Ninyo and Moore to perform the services as outlined in an amount not-to-exceed \$3,900.00.
- 32. Approved Independent Contractors' Register No. 11-06.

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. He responded briefly to the concerns about the Estancia pool and noted that this particular project has taken longer than expected because the District has completed three times the amount of work than what was originally planned for. All other projects continue to be on time and on budget.

Approval of Joint
Use Agreement
Between the
Newport-Mesa
Unified School

Paul Reed, Deputy Superintendent and Chief Business Official, provided a brief summary of the changes proposed to the JUA Agreement. He noted that the City of Costa Mesa has already approved the agreement. The following audience members addressed the Board relative to the JUA: Byron DeArakal, City Parks and Recreation Commission thanked the District for the partnership. Dan Oliver, parent addressed the Board and offered thanks and appreciation for the JUA and noted

Minutes of Regular Meeting

**ADOPTED MINUTES
February 14, 2006**

District and the City of Costa Mesa that the city has a need for additional lit fields and he hopes the discussions and plans will continue to be researched.

Following a discussion among Board members, Mrs. Black moved approval of the Joint Use Agreement. Mrs. Sneen seconded the motion, and it carried unanimously with a 7/0 vote.

Adoption of Resolution No. 25-02-06, Declaring the Results of the School Bond Election Held November 8, 2005 Mrs. Franco moved adoption of Resolution No. 25-02-06, Declaring the Results of the School Bond Election held November 8, 2005. Mrs. Stokes 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. 25-02-06 was adopted by a unanimous 7/0 roll call vote.

Adoption of Resolution No. 26-02-06, An Amendment to Resolution No. 33-03-00 Regarding the Limitation of the Number of Terms an Individual Member May Serve on the Measure A Citizens Oversight Committee and Authorizing Necessary Actions Therewith. Mrs. Franco 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. 26-02-06 was adopted by a unanimous 7/0 roll call vote.

Approval of 2006 Summer School Sites and Calendars Mrs. Sneen moved approval of the 2006 Summer School site at Costa Mesa High School and the summer school calendars for the high school and middle school programs. Staff noted that the program is moving to a 4-day a week program to curb Friday absences. Mrs. Fluor seconded the motion, and it carried unanimously with a 7/0 vote.

Quarterly Investment Report Mrs. Sneen moved to receive the Quarterly Investment Report. Mrs. Black seconded the motion, and it carried unanimously with a 7/0 vote.

Adoption of Resolution No. 27-02-06, Certifying the Approval of Contract #CIMS-5393 With the CDE to Provide the State Pre-School Program with \$3,690.00 for Mrs. Stokes moved adoption of Resolution No. 27-02-06, Certifying the Approval of Contract #CIMS-5393 With the CDE to Provide the State Pre-School Program with \$3,690.00 for
Mrs. Black - yes
Mr. Egan - yes
Mrs. Fluor - yes
Mrs. Stokes - yes
Mrs. Franco - yes
Mrs. Sneen - yes
Mr. Brooks – yes

Purchase of Instructional Materials	Resolution No. 27-02-06 was adopted by a unanimous 7/0 roll call vote.
Superintendent Search Process Update	<p>President Brooks reviewed the discussion and consensus reached in the earlier study session:</p> <p>Following the Board's confirmation of member appointments to the SSAC on February 28, 2006, the SSAC members will need to be available on the following dates:</p> <ul style="list-style-type: none">▪ 1 to 2 evening meetings between February 28, 2006 and April 21, 2006 (firm dates to be determined) to meet with the CSBA Advisor to organize the SSAC and develop the interview questions.▪ Attend the full day interviews scheduled for Friday, April 21 and Saturday, April 22, 2006.▪ At the conclusion of Saturday's interviews, the members will submit written feedback to the Board on each candidate on a pre-determined and formatted form and their service on the Council will be concluded. <p>Between Sunday, April 23 and Tuesday, April 25, 2006, the Board will review the written feedback from the SSAC and make a determination of the top candidates to be called back for a second level interview with the Board which will include a written and oral presentation by the candidates. The Board will conduct second level interviews on Thursday, April 27, 2006. The search process timeline has been adjusted to reflect the date changes and extension of the process.</p> <p>Additionally, the Board requested that since the time commitment required by community members to participate on the SSAC has been changed and now only requires participation on Friday and Saturday that the application deadline for members interested in serving on the SSAC be extended to Monday, February 27, 2006 to encourage additional participation by community members that were originally discouraged by the possible Sunday time commitment.</p> <p>The Board also agreed to meet in Closed Session on March 14, 2006 to confirm the interview questions.</p>
Superintendent/ Assistant Superintendent's Report	No reports.
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	No report.
CROP Report	Mrs. Fluor announced that Paul Snyder suffered a bike accident this past weekend and is in the hospital.
Recited Actions Taken in Closed Session	In a prior session, the Board of Education took disciplinary action in student case no. 05-29-79 to expel the student from the schools of the Newport-Mesa Unified School District for the period of 2/14/06 through 12/21/06. If student shows proof of excellent attendance, behavior and citizenship, completes the rehabilitation plan and makes restitution by May 15, the expulsion may be suspended. Student will not re-enroll in N-MUSD. During the expulsion period the student will attend ACCESS. 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. Franco, seconded by Mrs. Sneen and carried with a unanimous 7/0 vote.

In a prior session, the Board of Education took disciplinary action in student case no. 05-30-79, to expel the student from the schools of the Newport-Mesa Unified School District for the period of 2/14/05 through 12/21/06. If student shows proof of excellent attendance, behavior and citizenship, completes the rehabilitation plan and makes restitution by June 1, the expulsion will be suspended for the second semester. During the expulsion period the student will attend ACCESS. 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. Franco, seconded by Mrs. Sneen, and carried with a unanimous 7/0 vote.

In a prior session, the Board of Education took disciplinary action in student case no. 05-31-79, to expel the student from the schools of the Newport-Mesa Unified School District for the period of 2/14/05 through 12/21/06. If student shows proof of excellent attendance, behavior and citizenship, completes the rehabilitation plan and makes restitution by June 1, the expulsion will be suspended for the second semester. During the expulsion period the student will attend ACCESS. 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. Franco, seconded by Mrs. Sneen, and carried with a unanimous 7/0 vote.

In a prior session, the Board of Education took disciplinary action in student case no. 05-33-79 to expel the student from the schools of the Newport-Mesa Unified School District for the period of 2/14/06 through 6/22/06. During the expulsion period, the student is to attend ACCESS or another appropriate setting and 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 drug and alcohol abuse as terms for the expulsion agreement. Motion by Mrs. Fluor, seconded by Mrs. Stokes and carried unanimously with a 7/0 vote.

Adjournment At 9:17 p.m. President Brooks adjourned the meeting.

Robert J. Barbot, Secretary