

A G E N D A

NEWPORT-MESA UNIFIED SCHOOL DISTRICT

Regular Meeting of the Board of Education to
"Conduct the District's Business in Public"
Roderick H. MacMillian Board Meeting Room
District Education Center, 2985-A Bear Street, Costa Mesa

April 25, 2006

❖ **CLOSED SESSION 4:00 P.M.**

Education Center – Superintendent's Office Conference Room

1. Student Discipline

(Pursuant to Education Code §35146, §48918(c))

2. 7330 Complaint Appeal

(Pursuant to Board Policy No. 7330)

3. Conference With Labor Negotiator

N-MUSD Representative – Lorri McCune
Employee Organization – CSEA, N-MFT, N-MAA, Supervisors/Confidential
(Pursuant to Government Code §54957.6)

4. Conference with Legal Counsel - Anticipated Litigation

Significant exposure to litigation pursuant to Government Code §54956.9(b) –two potential cases

❖ **RECESS 5:30 P.M.**

Education Center – Superintendent's Office Conference Room

❖ **PRESENTATION 6:00 P.M.**

Education Center - Roderick H. MacMillian Board Meeting Room

Recognition of 2005 Academic Performance Index Improvement Schools

❖ **RECEPTION 6:30 P.M.**

Education Center

❖ **REGULAR MEETING 7:00 P.M.**

Education Center - Roderick H. MacMillian Board Meeting Room

Persons in the audience during the meeting of the Board of Education are asked not to talk during presentations or the meeting. If conversation with another person needs to take place, please do so outside the Board Room so as not to disrupt others or the meeting.

PRESENTATIONS AND PUBLIC COMMENTS. Any person wishing to speak on any item on the agenda will be granted three minutes at the time the item appears on the agenda, or in the case of a non-agenda item, may do so under Community Input or Audience Participation. Prior to addressing the Board, a card (located on the table at the rear entrance) must be completed and given to the Superintendent's executive assistant. Persons addressing the Board are asked to do so from the podium and microphone provided for that purpose in order to get the comments on the official video taped record.

- CALL TO ORDER.** The meeting was called to order by the presiding Chairperson, _____, at _____ p.m.

❖ **PRELIMINARY**

- OPENING CEREMONIES.** The meeting will open with a silent invocation, followed by a Pledge of Allegiance to the Flag.

- ROLL CALL:**

- _____ David Brooks, President
- _____ Linda Sneen, Vice-President
- _____ Judy Franco, Clerk
- _____ Dana Black, Member
- _____ Tom Egan, Member
- _____ Martha Fluor, Member
- _____ Serene Stokes, Member
- _____ Robert J. Barbot, Superintendent
- _____ Sarah Grabarsky, Co- Rep -Costa Mesa HS
- _____ Tu Nguyen, Co- Rep -Costa Mesa HS
- _____ Nicole Wall, Newport Harbor HS
- _____ Mark Morihiro, Alternate -Newport Harbor HS
- _____ Susan Moheimani, Corona Del Mar HS
- _____ Devon Metkovich, Estancia HS
- _____ Bridgette Gleason, Alternate -Estancia HS
- _____ Elizabeth Crosby, OC Middle College HS
- _____ Daniel DeArakal, Alternate -OC Middle College HS
- _____ Devin Meaders, Co-Rep -Back Bay/Monte Vista HS
- _____ Raven Villafana Co-Rep -Back Bay/Monte Vista HS

- ADOPTION OF AGENDA.** Recommendation is made that the agenda be adopted as submitted. ACTION
 Motion by _____ Seconded by _____ Vote _____

- ADOPTION OF MINUTES.** Recommendation is made that the minutes be adopted as submitted. ACTION
 - February 28, 2006 Regular Meeting
 - March 14, 2006 Regular Meeting
 - March 28, 2006 Regular Meeting
 - March 29, 2006 Special Meeting

Motion by _____ Seconded by _____ Vote _____

❖ **WRITTEN COMMUNICATIONS**

❖ **COMMUNITY INPUT**

Comment cards are requested to be completed prior to addressing the Board.

This is an opportunity for the public to address the Board. Depending upon the nature of the presentations, the Board President or Superintendent may respond or the President may call upon Board members for brief comments, questions of clarification, provide a reference to staff or other resources for factual information, or request the Superintendent to report back to the Board at a subsequent meeting concerning the matter.

However, in compliance with Board Policy and the Ralph M. Brown Act, the Board is not permitted to take action on non-agenda items. If appropriate, consistent with Board Policy, three or more members of the Board may direct the Superintendent to schedule an item for a future Board agenda.

REASONABLE ACCOMODATION FOR ANY INDIVIDUAL WITH A DISABILITY. Any individual with a disability who requires reasonable accommodation to participate in a Board meeting, may request assistance by contacting the Superintendent's Office at 2985-A Bear Street, Costa Mesa, Ca. 92626. Phone #: 714-424-5031 – Fax #: 714-424-5018.

When addressing the Board, please state your name and address for the record.

❖ **PRESENTATIONS**

- **Recognition of Harbor Council PTA (HCPTA) Annual Reflections Event Student Award Recipients.**
- **Recognition of National Board Certified Teachers:**
 - **Judy Taylor, Lincoln Elementary School**
 - **Linda King, College Park Elementary School**
- **Presentation by the California Retired Teachers Association (CRTA) Area X, Harbor Beach Division #77.**
- **Recognition of the HOPE School Readiness Program – Recipient of the 2006 Magna Award from the American School Board Journal.**

❖ **PARENT LIAISON REPORT**

❖ **STUDENT BOARD MEMBER REPORTS**

❖ **CONSENT CALENDAR**

All items listed under the Consent Calendar are considered by the Board to be routine and will be enacted by the Board in one motion. There will be no discussion of these items prior to the time the Board votes on the motion unless members of the Board, staff or the public request specific items to be discussed and/or removed from the Consent Calendar. Public requests of items to be discussed and/or removed should be submitted in writing prior to the Board's consideration of the Consent Calendar.

6. It is recommended that the Board of Education approve seven new individual contracts for a total Individual Education Cost (IEP) of \$166,880.23 through the 2006/07 school year, as established from the Individual Educational Program.

7. It is recommended that the Board of Education approve two parent reimbursement contracts for a total Individual Education Cost (IEP) of \$2,550.00 through the 2006/07 school year, as established from the Individual Educational Program.
8. It is recommended that the Board of Education approve one addendum to the Master Contract with Beacon Day School for the 2005/06 school year as established from the Individual Educational Program.
9. It is recommended that the Board of Education approve a Partial Settlement Agreement for the Office of Administrative Hearings (OAH) Case Nos. N2005110490 and N2005100758 in the amount of \$5,570.00 pursuant to the laws of the State of California.
10. It is recommended that the Board of Education approve submission of the *Professional Resources Improving Newport-Mesa Teachers and Students (PRINTS) Pilot Project* for the Teacher Recruitment and Student Support Program Grant in the amount of \$79,249.
11. It is recommended that the Board of Education approve the Agreement between the Newport-Mesa Unified School District and the Orange County Department of Education to provide AB75 Principal training.
12. It is recommended that the Board of Education approve the change order (Reading First Professional Development) for additional teachers in the amount of \$5,250.00 and to amend the contract with the Orange County Department of Education in the amount of \$35,250.00.
13. It is recommended that the Board of Education approve the Contract with Rancho Los Amigos National Rehabilitation Center for CPT 97110 Therapeutic procedures for one special education student in the amount of \$800.00 as established from the Individual Educational Program.
14. It is recommended that the Board of Education ratify the Field Study Program Contracts with the Ocean Institute of Dana Point Harbor for participation by Lincoln Elementary School students.
15. It is recommended that the Board of Education receive the Williams Quarterly Report for the period January 1, 2006 through March 31, 2006.
16. It is recommended that the Board of Education approve the Agreement between the Newport-Mesa Unified School District and Sun Maps to provide land surveying and mapping services at Eastbluff Elementary School in an amount not-to-exceed \$2,250.00.
17. It is recommended that the Board of Education approve the Agreement between the Newport-Mesa Unified School District and Sun Maps to provide land surveying and mapping services at Alternative Education Center for the Early College High School Program in an amount not-to-exceed \$7,000.00.
18. It is recommended that the Board of Education approve Amendment No. 15 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 \$7,500.00.
19. It is recommended that the Board of Education approve the Agreement between California School Management Group, Inc., and the Newport-Mesa Unified School District for the term of July 1, 2006 through June 30, 2008 in an amount not-to-exceed \$70,000.
20. It is recommended that the Board of Education approve the Agreement between Thomas Blurock Architects, Inc., and the Newport-Mesa Unified School District for design and site work for six relocatable buildings and related electrical and civil work associated with installing six relocatables at the Alternative Education Center for the Early College High School Program in an amount not-to-exceed \$28,000.

21. It is recommended that the Board of Education approve the Agreement between the Newport-Mesa Unified School District and ADvTech Environmental, Inc., to provide engineering technical support for a variety of activities for on-going remedial design project for underground storage tank areas to support the District addressing issues raised by the Orange County Health Care Agency's oversight program in an amount not-to-exceed \$15,000.
22. It is recommended that the Board of Education approve Settlement Authority for a Stipulation with Request for Award of \$2,400.00 with no future medical care for Claim No. 04-36197.
23. It is recommended that the Board of Education approve Settlement Authority to settle out future medical for Claim No. 01-25194, by a Compromise and Release of \$5,000.00.
24. It is recommended that the Board of Education approve Settlement Authority to settle Claim No. 02-28627 by a Compromise and Release of \$12,500.00.
25. It is recommended that the Board of Education approve Settlement Authority for a Stipulation with Request for Award of \$19,847.50 with a provision for future medical care for Claim No. 02-28908.
26. It is recommended that the Board of Education approve Settlement Authority to settle Claim Nos. 03-32923 and 05-38313 by a Compromise and Release of \$35,000.00.
27. Approval is recommended of the requests for Certificated Employment, Assignment Alternatives/Options for thirteen Certificated employees pursuant to Education Code 44258.7(b).
28. Approval is recommended of the request for a Credential waiver for Robert Trice pursuant to Education Codes 44252(b), 44265 and 44830(a).
29. Approval is recommended of Certificated Employees' Leave of Absence Register No. 15-06.
30. Approval is recommended of Certificated Employees' Resignation/Termination Register No. 15-06.
31. Approval is recommended of Certificated Employees' Appointment/Reassignment Register No. 15-06.
32. Approval is recommended of Classified Employees' Appointment/Reassignment Register No. 14-06.
33. Approval is recommended of Classified Employees' Resignation/Termination Register No. 15-06.
34. Approval is recommended of Classified Employees' Leave of Absence Register No. 11-06.
35. Approval is recommended of Gift Register No. 13-06.
36. Approval is recommended of Accounting Register No. 14-06.
37. Approval is recommended of Measure A Accounting Register No. 14-06.

38. Approval is recommended of Purchasing Report No. 14-06.
- a. Purchase Order Report covering period March 20, 2006 through April 16, 2006 in the amount of \$859,733.76.
 - b. Travel Approval Request Report covering period March 20, 2006 through April 16, 2006.
 - c. Transfer of Equipment Report covering period March 20, 2006 through April 16, 2006.
 - d. Ratify the award of Group A-Purchases to Silver Creek Industries, Inc., and reject bids for Group B-Leases of bid #114-06 – Purchase or Lease DSA approved relocatable modular buildings.
 - e. Grant permission to advertise various construction trade bids for Meyer Place Educational Support Center Bid and authorize the Superintendent or his designee to award each construction trade bid, each not to exceed \$100,000, for Meyer Place Educational Support Center to the lowest responsible, qualified bidder.
 - f. Approve the Notice of Completion and its filing for the playground installation project completed at Wilson Elementary School by Park Specialties under Bid #115-05 in the amount of \$32,093.05.
39. Approval is recommended of Measure A Operations Report No. 14-06.
- a. Approval of Change Order #1 – SMC Construction – Newport Elementary School in the amount of \$71,533.00.
 - b. Approval of Amendment #1 – GKK Architects –additional services – Meyer Place Educational Support Center.
 - c. Approval of Change Order #1 and #2 – G2000 Construction, Inc. – Lincoln Elementary School in the amount of \$59,592.27.
 - d. Approval of Change Order #2- SMC Construction – Corona del Mar High School in the amount of \$235,861.00.
 - e. Approval of Change Order #15 with Mackone Development for Newport Harbor High School in the amount of \$95,563.00.
40. Approval is recommended of Independent Contractors’ Register No. 15-06.

Motion by _____ Seconded by _____ Vote _____

❖ **DISCUSSION/ACTION**

- 41. MEASURE A PROGRAM INFORMATIONAL UPDATE.** **DISCUSSION**
 Staff will provide an informational update on current activities occurring within the Measure A Program. This is a continuous agenda item.

- 42. SELECTION OF MEMBERS FOR THE EQUITY COMMITTEE IN ACCORDANCE WITH THE PROVISIONS OF MEASURE F.** **DISCUSSION /ACTION**

It is recommended that the Board of Education direct the Superintendent to conduct the drawing for membership in the Equity Advisory Committee as specified in Board Resolution No. 12-10-05, and affirm those names as selected as constituting the committee.

Motion by _____ Seconded by _____ Vote _____

- 43. ADOPTION OF RESOLUTION NO. 29-04-06, TRANS 2006-07.** DISCUSSION
/ACTION
 It is recommended that the Board of Education adopt Resolution No. 29-04-06 authorizing the borrowing of funds for fiscal year 2006-07 and the issuance and sale of one or more series of 2006/07 Tax and Revenue Anticipation Note (TRANS) therefore in an amount not-to-exceed \$27,000,000 and Participation in the South Coast Local Educational Agencies Pooled Tax and Revenue Anticipation Note Program and requesting the Board of Supervisors to issue and sell said note.

Motion by _____ Seconded by _____

ROLL CALL VOTE:

_____ Mrs. Black	_____ Mrs. Franco, Clerk
_____ Mr. Egan	_____ Mrs. Sneen, Vice President
_____ Mrs. Fluor	_____ Mr. Brooks, President
_____ Mrs. Stokes	

- 44. ADOPTION OF RESOLUTION NO. 30-04-06, RECOGNIZING THE WEEK OF THE TEACHER, MAY 1-7, 2006 AND THE DAY OF THE TEACHER, MAY 10, 2006.** DISCUSSION
/ACTION

Adoption of Resolution No. 30-04-06 is recommended.

Motion by _____ Seconded by _____

ROLL CALL VOTE:

_____ Mrs. Black	_____ Mrs. Franco, Clerk
_____ Mr. Egan	_____ Mrs. Sneen, Vice President
_____ Mrs. Fluor	_____ Mr. Brooks, President
_____ Mrs. Stokes	

- 45. ADOPTION OF RESOLUTION NO. 31-04-06, RECOGNIZING CLASSIFIED SCHOOL EMPLOYEES WEEK, MAY 14-20, 2006.** DISCUSSION
/ACTION

Adoption of Resolution No. 31-04-06 is recommended.

Motion by _____ Seconded by _____

ROLL CALL VOTE:

_____ Mrs. Black	_____ Mrs. Franco, Clerk
_____ Mr. Egan	_____ Mrs. Sneen, Vice President
_____ Mrs. Fluor	_____ Mr. Brooks, President
_____ Mrs. Stokes	

- 46. APPROVAL OF LIST AUTHORIZING SIGNATURE AUTHORITY.** DISCUSSION
/ACTION

It is recommended that the Board of Education approve the list authorizing Signatures for the Newport-Mesa Unified School District ASB Accounts for Costa Mesa High School.

Motion by _____ Seconded by _____ Vote _____

- 47. CANCEL THE REGULAR BOARD MEETING OF MAY 9, 2006 AND MOVE TO MAY 16, 2006.** DISCUSSION /ACTION

It is recommended that the Board of Education cancel the regular board meeting of May 9, 2006 and move it to Tuesday, May 16, 2006 in accordance with the superintendent search timeline and negotiations.

Motion by _____ Seconded by _____ Vote _____

- 48. SUPERINTENDENT SEARCH PROCESS UPDATE.** DISCUSSION /ACTION
- It is recommended that the Board discuss and/or take action on items relative to the superintendent search process and timeline as deemed appropriate.

Motion by _____ Seconded by _____ Vote _____

❖ **INFORMATION TO THE BOARD**

Secondary Textbook 30-Day Display Notice

Foreign Language and Social Science textbooks being considered for approval by the Newport-Mesa Unified School District for grades 7-12 will be on display at the Sanborn Instructional Media Center from April 26, 2006 through May 26, 2006 for public review.

❖ **INFORMAL REPORTS**

- 49. Superintendent**
- 50. Assistant Superintendents**
- 51. Board Members**
- 52. Legislative Representative**
- 53. CROP Report**

❖ **AUDIENCE PARTICIPATION**

Comment cards are requested to be completed prior to addressing the Board. If no cards are received prior to audience participation, the Board Clerk will omit the reading of the Brown Act statement and the Board President will adjourn the meeting.

This is an opportunity for the public to address the Board. Depending upon the nature of the presentations, the Board President or Superintendent may respond or the President may call upon Board members for brief comments, questions of clarification, provide a reference to staff or other resources for factual information, or request the Superintendent to report back to the Board at a subsequent meeting concerning the matter. However, in compliance with Board Policy and the Ralph M. Brown Act, the Board is not permitted to take action on non-agenda items. If appropriate, consistent with Board Policy three or more members of the Board may direct the Superintendent to schedule an item for a future Board agenda.

When addressing the Board, please state your name and address for the record.

- 54. ADJOURNMENT, _____ p.m.** ACTION