

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

May 23, 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. Conference With Labor Negotiator

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

3. Personnel: Public Employee Discipline/Dismissal/Release

(Pursuant to Government Code §54957 and Education Code §44954(a))

4. Conference with Legal Counsel - Anticipated Litigation

Significant exposure to litigation pursuant to Government Code §54956.9(b) –one potential case

5. 7330 Complaint Appeal

(Pursuant to Board Policy No. 7330)

6. Public Employment Contract

Title: Superintendent
(Pursuant to Government Code §54957)

❖ **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 Employee Recipients of the “Super Star Awards”

❖ **RECEPTION 6:30 P.M.**

Education Center- Courtyard

The Board will host a reception in honor of the Super Star Award recipients.

❖ **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.

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

❖ **PRELIMINARY**

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

3. **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

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

5. **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
 - April 25, 2006 Regular 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**

- **Presentation of Newport Beach Centennial Coloring Books for all K-6 Students in Newport-Mesa Unified School District and Recognition of Centennial Poster Student Winners.**
- **Recognition of California School Employees Association Scholarship Recipients.**
- **Recognition of Superintendent Selection Advisory Council (SSAC) Members.**

❖ **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 twelve new individual contracts for a total Individual Education Cost (IEP) of \$35,138.75 through the 2006/07 school year, as established from the Individual Educational Program.
7. It is recommended that the Board of Education approve thirteen parent reimbursement contracts for a total Individual Education Cost (IEP) of \$45,025.21 through the 2006/07 school year, as established from the Individual Educational Program.
8. It is recommended that the Board of Education approve one Master Contract with Center for Behavioral Sciences, Inc., for the 2005/06 school year as established from the Individual Educational Program.
9. It is recommended that the Board of Education approve a Stipulated Agreement for the Office of Administrative Hearings (OAH) Case Nos. N2006020329 and N200620610 in the amount of \$20,000.00 pursuant to the laws of the State of California.
10. It is recommended that the Board of Education approve a Stipulated Agreement for the California Department of Education Compliance Complaint Resolution Agreement Case No. S-0872-05/06 in the amount of \$7,000.00 pursuant to the laws of the State of California.
11. It is recommended that the Board of Education approve an Addendum to Agreement for Employment of Superintendent between the Board of Education of the Newport-Mesa Unified School District and Dr. Robert Barbot.
12. It is recommended that the Board of Education approve the Settlement Authority for a Compromise and Release in the amount of \$161,000 for Claim No. 03-310334.
13. It is recommended that the Board of Education approve the Professional Services Contract with Six Ten and Associates for mandate reimbursement claim preparation services in an amount not-to-exceed \$65,000 for fiscal year 2006/07.
14. It is recommended that the Board of Education approve submission of the Application Form for the Community-Based English Tutoring (CBET) Program for fiscal year 2006/07.
15. It is recommended that the Board of Education approve designation of CIF Representatives to the league for the 2006/07 school year.
16. Approval is recommended of the requests for Certificated Employment, Assignment Alternatives/Options for two Certificated employees pursuant to Education Code 44256(b).
17. Approval is recommended of Certificated Employees' Leave of Absence Register No. 17-06.
18. Approval is recommended of Certificated Employees' Resignation/Termination Register No. 17-06.
19. Approval is recommended of Certificated Employees' Appointment/Reassignment Register No. 17-06.

20. Approval is recommended of Gift Register No. 15-06.
21. Approval is recommended of Accounting Register No. 16-06.
22. Approval is recommended of Measure A Accounting Register No. 16-06.
23. Approval is recommended of Purchasing Report No. 16-06.
 - a. Purchase Order Report covering period May 8, 2006 through May 15, 2006 in the amount of \$737,676.49.
 - b. Travel Approval Request Report covering period May 8, 2006 through May 15, 2006.
 - c. Transfer of Equipment Report covering period May 8, 2006 through May 15, 2006.
 - d. Award and Notice to Proceed – Bid #122-06 Resurfacing Gym Floors at Newport Elementary School and Corona del Mar High School.
 - e. Renewal of Contract #131-04 Professional Asbestos Abatement Services- Time and Material – Districtwide.
24. Approval is recommended of Purchasing Report No. 16-06A – Measure A.
 - a. Ratify the award and Notice to Proceed of Bid #123-06 –College Park ADA Restroom Upgrade to AG Construction in the amount of \$52,834.00.
 - b. Ratify the award and Notice to Proceed of Bid #119-06 – Victoria Measure A Modernization to Cavecche Engineering in the amount of \$1,370,199.00.
25. Approval is recommended of Measure A Operations Report No. 16-06.
 - a. Approval of Change Order #4 – P.W. Construction for Estancia High School in the amount of \$63,814.00.
26. Approval is recommended of Independent Contractors’ Register No. 16-06.

Motion by _____ Seconded by _____ Vote _____

❖ **DISCUSSION/ACTION**

27. MEASURE A/MEASURE F PROGRAM INFORMATIONAL UPDATE. DISCUSSION
 Staff will provide an informational update on current activities occurring within the Measure A and Measure F Facilities Programs. This is a continuous agenda item.

28. STUDY PLAN –ELEMENTARY SCHOOL GRADE LEVEL CONFIGURATION PLAN – COSTA MESA ZONE. DISCUSSION /ACTION
 Staff will provide a brief review of current considerations for the Costa Mesa Zone and request that the Board set a special meeting/study session on Tuesday, May 30, 2006 at 4:30 p.m. to discuss the study recommendations.

Motion by _____ Seconded by _____ Vote _____

29. QUARTERLY INVESTMENT REPORT. DISCUSSION /ACTION
 It is recommended that the Board of Education receive the Quarterly Investment Report.

Motion by _____ Seconded by _____ Vote _____

30. 2006/07 BUDGET DEVELOPMENT. DISCUSSION
Staff will provide a brief overview of the May Revised State Budget Proposal.

31. FIRST READING – ADOPTION OF RULE AND REGULATION NO. 4205 - COORDINATED SCHOOL WELLNESS. DISCUSSION /ACTION
It is recommended that the Board of Education adopt the first reading of Rule and Regulation No. 4205- Coordinated School Wellness.

Motion by _____ Seconded by _____ Vote _____

32. PRESENTATION OF PEER ASSISTANCE AND REVIEW (PAR) ANNUAL REPORT. DISCUSSION /ACTION
It is recommended that the Board of Education accept the Annual Report.

Motion by _____ Seconded by _____ Vote _____

33. ADOPTION OF RESOLUTION NO. 32-05-06 – CERTIFYING THE APPROVAL OF THE BOARD OF EDUCATION OF CONTRACT NO. CPKR-5417 WITH THE CALIFORNIA DEPARTMENT OF EDUCATION FOR RECEIPT OF AN ADDITIONAL \$11,152 FOR THE 2005/06 SCHOOL YEAR FOR PURCHASE OF PREKINDERGARTEN INSTRUCTIONAL MATERIALS FOR THE STATE PRESCHOOL PROGRAM. DISCUSSION /ACTION
Adoption of Resolution No. 32-05-06 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	

❖ INFORMAL REPORTS

34. Superintendent

35. Assistant Superintendents

36. Board Members

37. Legislative Representative

38. 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.

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39. ADJOURNMENT, _____ p.m.

ACTION