

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

June 13, 2006

❖ **CLOSED SESSION 4:00 P.M.**

Education Center – Superintendent's Office Conference Room

1. Conference With Labor Negotiator

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

2. Personnel: Public Employee Discipline/Dismissal/Release

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

3. Conference with Legal Counsel - Anticipated Litigation

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

4. 7330 Complaint Appeal

Pursuant to Board Policy No. 7330

❖ **2005/06 RETIREES RECEPTION AND PRESENTATIONS 5:30 P.M.**

Education Center – Courtyard

❖ **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 2005/06 Scholarship Awards:**
 - ★ **Norman Stillwell 8th Grade Awards**
 - ★ **John W. Nicoll Future Teachers Scholarship**
 - ★ **Robert C. Francy Science Major Scholarship**
 - ★ **Linda Mook Memorial English/Journalism Scholarship**
 - ★ **Norman Loats Scholarship**
 - ★ **Robert Wynn Scholarship**

- **Recognition of 2006 California Distinguished Schools:**
 - ★ **California Elementary School**
 - ★ **Lincoln Elementary School**
 - ★ **Mariners Elementary School**
 - ★ **Victoria Elementary School**

❖ **PARENT LIAISON REPORT**

❖ **STUDENT BOARD MEMBER REPORTS**

Recognition of 2005/06 Student Board Members for their service.

❖ 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 one parent reimbursement contract for a total Individual Education Cost (IEP) of \$21,877.24 through the 2006/07 school year, as established from the Individual Educational Program.
7. It is recommended that the Board of Education approve a Final Compromise and Release Agreement - Office of Administrative Hearings (OAH) Case Nos. N2006010803 and N2006040003 in the amount of \$33,825.00 pursuant to the laws of the State of California.
8. It is recommended that the Board of Education approve a Final Compromise and Release Agreement - Special Education Hearing Office SEHO Case No. SN05-00624 in the amount of \$15,913.88 pursuant to the laws of the State of California.
9. It is recommended that the Board of Education approve acceptance of an additional allocation of \$25,000 from the Children and Families Commission of Orange County for implementation of the (LEAPs) Learning, Early Intervention, and Parent Support Project Summer Institute and services to children and families in July 2006.
10. It is recommended that the Board of Education approve acceptance of an additional allocation of \$2,472 from Migrant Education for implementation of a Saturday program for preschool children and families in June 2006 (LEAPs Project).
11. It is recommended that the Board of Education approve acceptance of a Childhood Immunization Promotion mini-grant in the amount of \$5,000 from the Children and Families Commission of Orange County for promotion of the Community Health Fair Event and health related education for families.
12. It is recommended that the Board of Education approve the award of Food and Supplies Contract #01-07A, 01-07B, 01-07C and 01-07D to Newport Farms, US Foodservice – Joseph Webb, A&R Wholesale Distributors, Inc., and Sysco Food Services, Inc.
13. It is recommended that the Board of Education ratify submission of the High Priority Schools Grant Program applications for Rea Elementary School and Monte Vista High School.
14. It is recommended that the Board of Education approve the waiver of successful passage of the mathematics section of the California High School Exit Exam (CAHSEE), in compliance with Education Code 60851(a) for three students: CAHSEE #'s: 2006-01, 2006-02, 2006-03.
15. It is recommended that the Board of Education authorize the Deputy Superintendent to enter into an agreement with the McCarthy Building Companies, Inc., to provide project management services as authorized for supplementary construction projects.
16. It is recommended that the Board of Education authorize the Deputy Superintendent to enter into an agreement for legal services with the firm of Bergman and Dacey, Inc., in an amount not-to-exceed \$50,000 for the period July 1, 2006 through June 30, 2007.

17. It is recommended that the Board of Education authorize the Deputy Superintendent to enter into an agreement with Murdoch, Walrath and Holmes for consulting in regards to the State School Facilities Program in a not-to-exceed amount of \$65,000.
18. It is recommended that the Board of Education authorize the Deputy Superintendent to enter into an agreement with Blattner and Associates for state regulatory, budgetary and legislative consulting at a not-to-exceed amount of \$28,000.
19. It is recommended that the Board of Education authorize the Deputy Superintendent to enter into an agreement with Keenan and Associates as third party administrator for the District's Workers' Compensation Program.
20. It is recommended that the Board of Education approve the BiTech System Support Implementation and Software Support Service Agreement between the Orange County Department of Education and the Newport-Mesa Unified School District for the period July 1, 2006 through June 30, 2007 for an amount not-to-exceed \$93,079.00.
21. It is recommended that the Board of Education approve the Agreement between the Orange County Department of Education and the Newport-Mesa Unified School District for the period July 1, 2006 through June 30, 2007 for an amount not-to-exceed \$52,531.
22. It is recommended that the Board of Education approve the Agreement related to the payroll time and attendance module between the Orange County Department of Education and the Newport-Mesa Unified School District for the period of July 1, 2006 through June 30, 2007 for an amount not-to-exceed \$50,214.
23. It is recommended that the Board of Education approve Amendment #2 to the Agreement between Buck Consultants and the Newport-Mesa Unified School District to perform the attestation for the Medicare Subsidy Program in a not-to-exceed amount of \$3,000.00.
24. It is recommended that the Board of Education approve the Agreement between Newport-Mesa Unified School District and ADvTECH Environmental, Inc. in an amount not-to-exceed \$90,000.00 for the period July 1, 2006 through June 30, 2007.
25. It is recommended that the Board of Education approve Amendment #1 to the Agreement between Conexis and Newport-Mesa Unified School District to provide third party administration of benefit services in an amount not-to-exceed \$48,205.30.
26. It is recommended that the Board of Education approve the Grant Agreement between the Newport-Mesa Unified School District and the City of Newport Beach to participate in the funding for the proposed Estancia High School Stadium and the Costa Mesa High School Aquatics Center in the amount of \$225,000 over three years for project funding.
27. It is recommended that the Board of Education approve the settlement authority for a Stipulations with Request for Award of \$23,800 with a provision for future medical care for Claim No. 00-21212.
28. Approval is recommended of the request for Certificated Employment, Assignment Alternatives/Options for one Certificated employee pursuant to California Code of Regulations, Title 5, Section 80020.1.
29. Approval is recommended of the request for Certificated Employment, Assignment Alternatives/Options for one Certificated employee pursuant to Education Code §44256(b).
30. It is recommended that the Board of Education approve the 2006/07 Declaration of Need for Fully Qualified Educators.

31. Approval is recommended of Certificated Employees' Leave of Absence Register No. 18-06.
32. Approval is recommended of Certificated Employees' Resignation/Termination Register No. 18-06.
33. Approval is recommended of Certificated Employees' Appointment/Reassignment Register No. 18-06.
34. Approval is recommended of Classified Employees' Leave of Absence Register No. 13-06.
35. Approval is recommended of Classified Employees' Resignation/Termination Register No. 17-06.
36. Approval is recommended of Classified Employees' Appointment/Reassignment Register No. 16-06.
37. Approval is recommended of Gift Register No. 16-06.
38. Approval is recommended of Accounting Register No. 17-06.
39. Approval is recommended of Measure A Accounting Register No. 17-06.
40. Approval is recommended of Purchasing Report No. 17-06.
 - a. Purchase Order Report covering period May 16, 2006 through June 4, 2006 in the amount of \$873,752.38.
 - b. Travel Approval Request Report covering period May 16, 2006 through June 4, 2006.
 - c. Transfer of Equipment Report covering period May 16, 2006 through June 4, 2006.
 - d. #121-06 Award Roofing Repair/Replacement Project #1 to Coast Roofing and Project #2 to Long Beach Roofing.
 - e. #126-06 Award Trash Collection and Disposal Service to Ware Disposal.
 - f. #139-05 Renewal with Meadows Construction – Relocation of Portable Buildings for the 2006/07 school year.
 - g. #135-04 Renewal with Barrett Robinson, Inc., for Window Coverings districtwide.
 - h. #102-02 Renewal of reproduction and document management services to Internet Blueprint for the 2006/07 school year.
 - i. #113-04 Renewal with Unisource Corp., for custodial supplies for the 2006/07 school year.
 - j. #105-06 Notice to Proceed to Beach Paving for work at Lindbergh School.
 - k. #105-06 Notice of Completion to Beach Paving for work at Lindbergh School.
41. Approval is recommended of Purchasing Report No. 17-06A – Measure A.
 - a. #124-06 Award and Notice to Proceed – NHHS Home Arts Heating System to Allison Mechanical, Inc.
 - b. #125-06 Award and Notice to Proceed – Meyer Place Fire, Water, Sewer and Utilities to So Cal Pacific Construction Corp.
 - c. #127-06 Award and Notice to Proceed – Meyer Place Misc. Site concrete to S. Parker Engineering.
 - d. #105-05 (7335-440) Approval of Change Order #1 with Giannelli Electric, Inc., - Adams Elementary School.
 - e. #111-06 (7335-490) Notice to Proceed to S. Parker Engineering for concrete work at Rea Elementary School.
 - f. #139-04- Notice of Completion to Mackone Development for NHHS Measure A Modernization.
 - g. #105-06 (7335-472) – Notice of Completion to Beach Paving, Inc., for paving/asphalt work at Meyer Place.

- h. #1111-06 (7335-464) – Notice of Completion to S. Parker Engineering for concrete work at California Elementary School Increment 2.
 - i. #117-05 (7335-451) – Notice of Completion to Isaacs Plumbing for plumbing work at Adams School Increment 2.
42. Approval is recommended of Measure A Operations Report No. 17-06.
- a. Approval of Amendment #8 – LPA, Inc. – Lincoln Elementary School – additional services.
 - b. Approval of Amendment #2- GKK Architects – Victoria Elementary School – additional services.
 - c. Approval of Change Order #3 – Cavecche Engineering and Construction – Rea Elementary School.
 - d. Approval of Change Order #8- Cavecche Engineering Construction – TeWinkle Intermediate School.
 - e. Approval of Change Order #2 – SMC Construction – Newport Elementary School.
43. Approval is recommended of Independent Contractors’ Register No. 17-06.

Motion by _____ Seconded by _____ Vote _____

❖ **DISCUSSION/ACTION**

- 44. ADOPTION OF RESOLUTION NO. 33-06-06 – ESTABLISHING THE TAX RATE FOR THE REPAYMENT OF GENERAL OBLIGATION BONDS FOR 2006/07 IN ACCORDANCE WITH THE COVENANTS OF MEASURE F.** DISCUSSION /ACTION

Adoption of Resolution No. 33-06-06 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. APPROVAL OF ADDITIONS TO HIGH SCHOOL COURSE OF STUDY.** DISCUSSION /ACTION

It is recommended that the Board of Education approve the additions to the high school course of study: American Sign Language (ASL) 1AB, Spanish 3AB Honors and Advanced Placement Psychology.

Motion by _____ Seconded by _____ Vote _____

- 46. APPROVAL OF SECONDARY TEXTBOOKS.** DISCUSSION /ACTION

It is recommended that the Board of Education adopt the secondary textbooks as presented. The textbooks have been on public display from April 26, 2006 through June 13, 2006.

Motion by _____ Seconded by _____ Vote _____

- 47. FIRST READING – NEW POLICY AND RULE AND REGULATION NO. 7700 – CHARTER SCHOOLS.** DISCUSSION /ACTION
- It is recommended that the Board of Education adopt the first reading of New Board Policy and Rule and Regulation No. 7700 – Charter Schools.
- Motion by _____ Seconded by _____ Vote _____
- 48. ADOPTION OF RESOLUTION NO. 34-06-06, AND ORDER OF THE BIENNIAL TRUSTEE ELECTION AND SPECIFICATIONS OF THE ELECTION ORDER (REGULAR ELECTION).** DISCUSSION /ACTION
- Adoption of Resolution No. 34-06-06 is recommended, ordering the superintendent of the Orange County Department of Education to call the election on November 7, 2006, for the purpose of filling the offices of Newport-Mesa’s trustees whose terms expire on December 1, 2006, and further ordering the county superintendent to consolidate the election.
- Motion by _____ Seconded by _____ Vote _____
- 49. SET PUBLIC HEARING FOR THE 2006/07 ALL FUNDS TENTATIVE BUDGET.** DISCUSSION /ACTION
- It is recommended that the Board of Education set a public hearing for the 2006/07 All Funds Tentative Budget on Tuesday, June 27, 2006 at 7:05 p.m. in the District Education Center, Boardroom.
- Motion by _____ Seconded by _____ Vote _____
- 50. SET PUBLIC HEARING FOR THE SELPA-WIDE ANNUAL SERVICE DELIVERY PLAN AND THE SELPA-WIDE ANNUAL BUDGET PLAN FOR 2006/07.** DISCUSSION /ACTION
- It is recommended that the Board of Education set a public hearing for the SELPA-wide Annual Service Delivery Plan and the SELPA-wide Annual Budget Plan for 2006/07 on Tuesday, June 27, 2006 at 7:06 p.m. in the District Education Center, Boardroom.
- Motion by _____ Seconded by _____ Vote _____
- 51. SET PUBLIC HEARING FOR GRANT OF DRAINAGE EASEMENT TO THE CITY OF COSTA MESA (KAISER ELEMENTARY SCHOOL).** DISCUSSION /ACTION
- It is recommended that the Board of Education set a public hearing for the purpose of public input relative to the District’s intent to grant a drainage easement at Kaiser Elementary School to the City of Costa Mesa on Tuesday, June 27, 2006 at 7:07 p.m. in the District Education Center, Boardroom.
- Motion by _____ Seconded by _____ Vote _____

52. APPROVAL OF TENTATIVE AGREEMENT BETWEEN CSEA CHAPTER 18 AND THE NEWPORT-MESA UNIFIED SCHOOL DISTRICT FOR THE 2006/07 AND 2007/08 SCHOOL YEARS. DISCUSSION /ACTION

It is recommended that the Board of Education approve the tentative agreement.

Motion by _____ Seconded by _____ Vote _____

53. APPROVAL OF COMPENSATION SALARY PACKAGE FOR THE SUPERVISORY/CONFIDENTIAL EMPLOYEES FOR THE 2006/07 AND 2007/08 SCHOOL YEARS. DISCUSSION /ACTION

It is recommended that the Board of Education approve the compensation salary package as presented.

Motion by _____ Seconded by _____ Vote _____

54. APPROVAL OF COMPENSATION SALARY PACKAGE FOR THE CERTIFICATED/CLASSIFIED MANAGEMENT EMPLOYEES AND DEPUTY/ASSISTANT SUPERINTENDENTS FOR THE 2006/07 AND 2007/08 SCHOOL YEARS. DISCUSSION /ACTION

It is recommended that the Board of Education approve the compensation salary package as presented.

Motion by _____ Seconded by _____ Vote _____

55. SET THE SUMMER BOARD MEETING SCHEDULE. DISCUSSION /ACTION

It is recommended that the Board of Education modify their summer meeting schedule as follows:

- Proceed with the regularly scheduled meeting dates of July 11 and August 22, 2006.
- Cancel the regularly scheduled meetings of July 25 and August 8, 2006.
- Add a special meeting on Tuesday, September 5, 2006.
- Authorize the Board President to call additional special Board meetings, if needed.

Motion by _____ Seconded by _____ Vote _____

❖ INFORMATION TO THE BOARD

Secondary Textbook 30-Day Display – 10th grade selection for Social Science
*The public display begins June 14, 2006 and continues through July 11, 2006 in the office of
The Director of Secondary Curriculum and Instruction in the Sanborn Instructional Media Center.*

❖ INFORMAL REPORTS

56. Superintendent

57. Assistant Superintendents

58. Board Members

59. Legislative Representative

60. 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.

61. ADJOURNMENT, _____ p.m.

ACTION