

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

September 12, 2006

❖ **CLOSED SESSION 5:30 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 – John Caldecott
Employee Organization – N-MFT
(Pursuant to Government Code §54957.6)

3. Conference with Legal Counsel - Anticipated Litigation

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

4. Conference with Legal Counsel - Existing Litigation

Pursuant to Government Code §54956.9(a) –disclosure will jeopardize existing settlement negotiations.

❖ **RECESS 6:30 P.M.**

Education Center – Superintendent's Office Conference Room

❖ **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
- _____ Dr. Jeffrey Hubbard, Superintendent

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

- *June 13, 2006 Regular Meeting*
- *June 20, 2006 Special Meeting*
- *June 27, 2006 Regular Meeting*
- *July 11, 2006 Regular Meeting*
- *August 21, 2006 Special Meeting*
- *August 22, 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.

❖ **PARENT LIAISON REPORT**

❖ **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 twenty-five new individual contracts for a total Individual Education Cost (IEP) of \$360,191.55 through the 2006/07 school year.
7. It is recommended that the Board of Education approve three parent reimbursement contracts for a total Individual Education Cost (IEP) of \$5,200.00 through the 2006/07 school year, as established from the Individual Educational Program.
8. It is recommended that the Board of Education approve two master contracts with Center for Learning and Behavioral Solutions for the 2006/07 school year as established from the Individual Educational Program.
9. It is recommended that the Board of Education approve a Final Compromise and Release Agreement – Office of Administrative Hearings (OAH) Case Nos. N20051205447/N2006050090 (Consolidated Cases) and OAH Case No. N200608172 in the amount of \$75,000 through the 2006/07 school year pursuant to the laws of the State of California.
10. It is recommended that the Board of Education approve a Final Compromise and Release Agreement – Office of Administrative Hearings (OAH) Case No. N2006060320 and Federal Case No. SACV-06-0243 DOC (RNC) in the amount of \$240,000 through the 2006/07 school year pursuant to the laws of the State of California.

11. It is recommended that the Board of Education approve the Final Compromise and Release Agreement – Office of Administrative Hearings (OAH) Case No. N2006070633 in the amount of \$51,000.
12. It is recommended that the Board of Education approve the Agreement with the Orange County Department of Education to provide AB430 Principal Training (formerly AB75).
13. It is recommended that the Board of Education approve the Cooperative Agreement No. 06-Puente-HS-09 between Newport-Mesa Unified School District and The Regents of the University of California on behalf of the Puente Project at Estancia High School for school year 2006/07.
14. It is recommended that the Board of Education approve the Rental Agreement between Newport-Mesa Unified School District and the Orange County Fair and Exposition Center for a one-night usage of Building #12 at the Orange County Fairgrounds for College Night scheduled for November 15, 2006.
15. It is recommended that the Board of Education approve Amendment #1 to the agreement with Michael Merino Architects to extend the term of the agreement through December 31, 2006 and increase the total not-to-exceed amount to \$20,000 for work at the Baker/Bear facility.
16. It is recommended that the Board of Education approve the Amendment to Service Contract SC07-06 with IBI Group (formerly Thomas Blurock Architects) for the design site work for one relocatable at Eastbluff Elementary School for a science lab.
17. It is recommended that the Board of Education approve Amendment #2 with IBI Group (formerly Thomas Blurock Architects) for the architectural services relative to the Early College High School Program.
18. It is recommended that the Board of Education approve the renewal of the Ground Lease between Newport-Mesa Unified School District and the Orange County Head Start, Inc. at Parsons School site and Rea Elementary School as outlined in the terms of the agreement.
19. It is recommended that the Board of Education approve Amendment #2 to the lease agreements between Newport-Mesa Unified School District and the Child Development Centers at Newport Heights Elementary School and Woodland Elementary School as outlined in the terms of the agreement.
20. It is recommended that the Board of Education approve the renewal of the Ground Lease Agreement between Ability First and Newport-Mesa Unified School District at Paularino Elementary School as outlined in the terms of the agreement.
21. It is recommended that the Board of Education approve the renewal of the Lease Agreement between Child Development Inc., and the Newport-Mesa Unified School District at the Lindbergh site for the period July 1, 2006 through June 30, 2008.
22. It is recommended that the Board of Education approve Amendment #6 to the Ground Lease Agreement at Costa Mesa High School with the Orange County Department of Education for the period of July 1, 2006 through June 30, 2007.
23. It is recommended that the Board of Education approve Amendment #1 to the Ground Lease Agreement at California Elementary School with the Orange County Department of Education for the period of July 1, 2006 through June 30, 2007.
24. It is recommended that the Board of Education approve Amendment #10 to the Ground Lease Agreement with Central Orange Coast YMCA at Harbor View Elementary School and Mariners Elementary School.

25. It is recommended that the Board of Education approve Amendment #4 to the Lease Agreement between the Boys' and Girls' Club at Rea Elementary School for the period July 1, 2006 through June 30, 2007.
26. It is recommended that the Board of Education approve the Student Nurse Agreement between the California State University, Fresno and the Newport-Mesa Unified School District as outlined in the terms of the agreement.
27. It is recommended that the Board of Education approve the request for a Credential Waiver for a Certificated Employee in accordance with Education Codes 4252(b) 44265 and 44830(a).
28. Approval is recommended of Certificated Employees' Leave of Absence Register No. 03-07.
29. Approval is recommended of Certificated Employees' Resignation/Termination Register No. 03-07.
30. Approval is recommended of Certificated Employees' Appointment/Reassignment Register No. 03-07.
31. Approval is recommended of Classified Employees' Leave of Absence Register No. 03-07.
32. Approval is recommended of Classified Employees' Resignation/Termination Register No. 03-07.
33. Approval is recommended of Classified Employees' Appointment/Reassignment Register No. 03-07.
34. Approval is recommended of Gift Register No. 02-07.
35. Approval is recommended of Accounting Register No. 02-07.
36. Approval is recommended of Measure A Accounting Register No. 02-07.
37. Approval is recommended of Purchasing Report No. 02-07.
38. Approval is recommended of Measure A Purchasing Report No. 02-07A.
39. Approval is recommended of Measure A Report 02-07.
 - a. Amendment #7 –GKK Architects –additional services- Rea Elementary
 - b. Change Order #1 – Clement Brothers Glass – window replacement project –Davis Elementary
 - c. Change Order #4 – Macerich Construction Company – Andersen Elementary
40. Approval is recommended of Independent Contractors' Register No. 03-07.
41. Approval is recommended of Student Field Trip Register No. 01-07.

Motion by_____ Seconded by_____

Vote_____

❖ RESOLUTION CONSENT CALENDAR

All items listed under the Resolution Consent Calendar are considered by the Board to be routine and will be enacted by the Board in one roll call vote and will be deemed the same vote for each of the items. 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 Resolution 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.

- 42. Adoption of Resolution No. 05-09-07 – Authorizing the Establishment and Maintenance of Site Revolving Cash Funds.
- 43. Adoption of Resolution No. 06-09-07 – Authorizing Signatures for the Orange County Teachers Federal Credit Union.
- 44. Adoption of Resolution No. 07-09-07 – Layoff of a Classified Employee (One teacher assistant position at 33 hours per week/9 months per year).

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	

❖ INTRODUCTION OF NEW STAFF

❖ DISCUSSION/ACTION

- 45. **ADOPTION OF REVISED RULE AND REGULATION NO. 7410 - USE OF SCHOOL FACILITIES UNDER THE CIVIC CENTER ACT REVIED FACILITIES USE PROCESS AND FEE SCHEDULE -FIRST READING.** DISCUSSION /ACTION

It is recommended that the Board of Education adopt the first reading.

Motion by _____ Seconded by _____ Vote _____

- 46. **ADOPTION OF REVISED RULE AND REGULATION NO. 5227 - OUTSIDE EDUCATIONAL COURSES – FIRST READING.** DISCUSSION /ACTION

It is recommended that the Board of Education adopt the first reading.

Motion by _____ Seconded by _____ Vote _____

47. **(A) AGREEMENT BETWEEN NMUSD AND BOYS AND GIRLS CLUB OF TUSTIN TO PROVIDE THE JUVENILE ALCOHOL AND DRUG EDUCATION (JADE) AND SECOND CHANCE PROGRAMS FOR THE PERIOD JULY 1, 2006 THROUGH JUNE 30, 2007 AND (B) APPROVAL OF ADDENDUM TO RULE AND REGULATION NO. 4210 GENERAL STUDENT CONDUCT FOR CONTINUATION OF THE JADE AND SECOND CHANCE PROGRAMS FOR THE PERIOD JULY 1, 2006 THROUGH JUNE 30, 2007.** DISCUSSION /ACTION
- It is recommended that the Board of Education approve (A) the agreement and (B) the Addendum to Rule and Regulation No. 4210 as proposed.

Motion by _____ Seconded by _____ Vote _____

48. **REVIEW OF BOARD POLICY NO. 1420 – AGENDA CONSTRUCTION AND DISTRIBUTION.** DISCUSSION
- Staff and the District’s Legal Counsel will provide a general review of the Board Policy as requested by Trustee Egan.

❖ **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