

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 26, 2006

❖ **CLOSED SESSION 5:30 P.M.**

Education Center – Superintendent's Office Conference Room

1. Conference With Labor Negotiator

N-MUSD Representative – Elizabeth Novack
Employee Organization – N-MFT
(Pursuant to Government Code §54957.6)

2. Conference with Legal Counsel - Anticipated Litigation

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

3. Conference with Legal Counsel - Existing Litigation

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

4. Public Employee Discipline/Dismissal/Release

(Pursuant to Government Code §54957)

5. Public Employment Contract

Title: Superintendent

(Pursuant to Government Code §54957)

❖ **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, it is requested that a card (located on the table at the rear entrance) 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 _____

❖ **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, it is requested that you state your name and address for the record.

❖ **PRESENTATION**

Presentation of Distinguished Service Award

❖ **PARENT LIAISON REPORT**

❖ **STUDENT BOARD MEMBERS 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.

5. It is recommended that the Board of Education approve sixteen new individual contracts for a total Individual Education Cost (IEP) of \$217,023.00 through the 2006/07 school year.
6. It is recommended that the Board of Education approve five parent reimbursement contracts for a total Individual Education Cost (IEP) of \$36,570.00 through the 2006/07 school year, as established from the Individual Educational Program.
7. It is recommended that the Board of Education approve one master contract with Center for Autism and Research, Evaluation and Services and one Addendum with Grace Education for the 2006/07 school year as established from the Individual Educational Program.
8. It is recommended that the Board of Education approve a Final Compromise and Release Agreement – Office of Administrative Hearings (OAH) Case Nos. N2005100636 and United States District Court, Central district of California Case No. 2:06-CV-03792 in the amount of \$46,888.00 through the 2006/07 school year pursuant to the laws of the State of California.
9. It is recommended that the Board of Education approve the Final Compromise and Release Agreement – Special Education Hearing Office (SEHO) Case No. SN-04-02299 and Office of Administrative Hearings (OAH) Case No. N2005080277 in the amount of \$12,000 pursuant to the laws of the State of California.
10. It is recommended that the Board of Education approve the Final Compromise and Release Agreement – Office of Administrative Hearings (OAH) Case No. N2006060376 in the amount of \$2,500.00 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. N2005070466 and Special Education Hearing Office (SEHO) Case No. SN05-01945 in the amount of \$27,961.77 pursuant to the laws of the State of California.
12. It is recommended that the Board of Education authorize Wilson Elementary School to convert from Comprehensive School Reform (CSR) to High Priority Schools Grant Program for receipt of funding in the amount of \$241,600.00.
13. It is recommended that the Board of Education authorize the Deputy Superintendent to enter into a software license agreement with Hyland Software, Inc., and contract with DocuSource, LLC., for the provision of document management software, hardware, training and consulting.
14. It is recommended that the Board of Education approve the amended renewal of the contract with American Fidelity, for the period of October 1, 2006 through September 30, 2007.

15. It is recommended that the Board of Education approve the agreement with Monjaras and Wismeyer Group, Inc., to provide workers compensation analysis services for the period May 30, 2006 through June 30, 2007 in an amount not-to-exceed \$5,000.
16. It is recommended that the Board of Education approve the agreement between GuardForce Security, Inc., and the Newport-Mesa Unified School District to provide security services for the period October 10, 2006 through June 30, 2007 in an amount not-to-exceed \$10,000.
17. It is recommended that the Board of Education approve the Settlement Authority for a Stipulation with Request for Award for 0% with a provision for no future medical care for Claim No. 1207-01-0043.
18. It is recommended that the Board of Education approve the Settlement Authority for a Stipulation with Request for Award of \$2,625.00 with a provision for future medical care for Claim No. 1207-98-0041.
19. It is recommended that the Board of Education approve the Settlement Authority for a Stipulation with Request for Award of \$5,940.00 with a provision for future medical care for Claim No. 1207-05-0080.
20. It is recommended that the Board of Education approve the Settlement Authority for a Stipulation with Request for Award of \$42,800.00 with a provision for future medical care for Claim No. 1207-04-0097.
21. It is recommended that the Board of Education approve the Settlement Authority for a Compromise and Release to buy out the future medical care in the amount of \$25,000 for Claim No. 1207-02-0032.
22. It is recommended that the Board of Education approve the Settlement Authority for a Stipulation with Request for Award of \$3,927.00 with a provision for future medical care for Claim No. 1207-05-0078.
23. It is recommended that the Board of Education approve the list authorizing the signatures for Newport-Mesa Unified School District ASB Bank Accounts for the schools of Ensign, Estancia, Newport Harbor and TeWinkle.
24. It is recommended that the Board of Education approve the agreement for software maintenance and independent contractor services between Newport-Mesa Unified School District and Datawise, Inc., (Measures Applied Plus Program) for the period July 26, 2006 through July 25, 2007 at a cost not-to-exceed \$36,657.00.
25. It is recommended that the Board of Education approve the Memorandum of Understanding between Newport-Mesa Unified School District and the Huntington Beach Union High School District (HBUHSD) to authorize Newport-Mesa USD to claim apportionment for the Adult Education class being offered within the HBUHSD attendance area.
26. It is recommended that the Board of Education approve the General and Specific Interagency Agreements between Newport-Mesa Unified School District and Coastline Regional Occupational Program.
27. It is recommended that the Board of Education receive the ASB Excess Carry Over Report.
28. It is recommended that the Board of Education approve the Student Teacher Agreement between Argosy University/Orange County and the Newport-Mesa Unified School District.
29. It is recommended that the Board of Education authorize the Director of Classified Personnel or his designee to execute the agreement between Newport-Mesa Unified School District and the Orange County Department of Education for the purpose of supporting and establishing career ladders for paraprofessionals which lead to teacher certification.

30. It is recommended that the Board of Education approve the request for a Certificated Employment Assignment Alternatives/Options pursuant to Education Code 44263 for one employee.
31. It is recommended that the Board of Education approve the request for a Certificated Employment Assignment Alternatives/Options pursuant to Education Code 44256(b) for one employee.
32. It is recommended that the Board of Education approve the request for a Certificated Employment Assignment Alternatives/Options pursuant to California Code of Regulations, Title 5, Section 80020.1 for one employee.
33. Approval is recommended of Certificated Employees' Leave of Absence Register No. 04-07.
34. Approval is recommended of Certificated Employees' Resignation/Termination Register No. 04-07.
35. Approval is recommended of Certificated Employees' Appointment/Reassignment Register No. 04-07.
36. Approval is recommended of Classified Employees' Leave of Absence Register No. 04-07.
37. Approval is recommended of Classified Employees' Resignation/Termination Register No. 04-07.
38. Approval is recommended of Classified Employees' Appointment/Reassignment Register No. 04-07.
39. Approval is recommended of Gift Register No. 03-07.
40. Approval is recommended of Accounting Register No. 03-07.
41. Approval is recommended of Measure A Accounting Register No. 03-07.
42. Approval is recommended of Purchasing Report No. 03-07.
43. Approval is recommended of Measure A Purchasing Report No. 03-07A.
44. Approval is recommended of Measure A Operations Report 03-07.
45. Approval is recommended of Measure F Operations Report No. 01-07.
46. Approval is recommended of Independent Contractors' Register No. 04-07.
47. Approval is recommended of Student Field Trip Register No. 02-07.

Motion by _____ Seconded by _____

Vote _____

❖ **RESOLUTION CONSENT CALENDAR**

As with the 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.

- 48. Adoption of Resolution No. 08-09-07 – Adopting the GANN Limit for 2006/07.
- 49. Adoption of Resolution No. 09-09-07 – In Recognition of Red Ribbon Week, October 23-27, 2006.

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	

❖ **DISCUSSION/ACTION**

- 50. ELEMENTARY SCIENCE RESOURCE TEACHER PROGRAM.** DISCUSSION
It is recommended that the Board of Education accept the proposed new donation from the Irvine Company in the amount of \$250,000 a year for ten years (\$2.5 million total) and direct the Superintendent to combine the funds with the interest from the Irvine Company Endowment to support an elementary science resource teacher program for implementation in 2006/07 and to execute any agreements reflecting the authorization. /ACTION

Motion by _____ Seconded by _____ Vote _____

- 51. ADOPTION OF REVISED RULE AND REGULATION NO. 7410 - USE OF SCHOOL FACILITIES UNDER THE CIVIC CENTER ACT REVISED FACILITIES USE PROCESS AND FEE SCHEDULE – SECOND READING.** DISCUSSION
It is recommended that the Board of Education adopt the second reading. /ACTION

Motion by _____ Seconded by _____ Vote _____

- 52. APPROVAL OF REVISED RULE AND REGULATION NO. 5227 - OUTSIDE EDUCATIONAL COURSES – SECOND READING.** DISCUSSION
It is recommended that the Board of Education adopt the second reading. /ACTION

Motion by _____ Seconded by _____ Vote _____

53. CALIFORNIA SCHOOL BOARDS ASSOCIATION (CSBA) - CALL FOR NOMINATIONS FOR DIRECTORS-AT-LARGE: CURRENT OPENINGS: ASIAN/PACIFIC ISLANDER AND HISPANIC.

DISCUSSION
/ACTION

It is recommended that the Board of Education make nominations as deemed appropriate.

Motion by _____ Seconded by _____

Vote _____

❖ **INFORMAL REPORTS**

- 54. Superintendent
- 55. Assistant Superintendents
- 56. Board Members
- 57. Legislative Representative
- 58. 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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59. ADJOURNMENT, _____ p.m.

ACTION