

# A G E N D A

**NEWPORT-MESA UNIFIED SCHOOL DISTRICT**  
Annual Organizational 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

**December 12, 2006**

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.

❖ **4:00 P.M. - CLOSED SESSION**

*Education Center – Superintendent's Office Conference Room*

**Student Discipline**

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

**Conference With Labor Negotiator**

N-MUSD Representative – Elizabeth Novack

Employee Organization – N-MFT

(Pursuant to Government Code §54957.6)

**Public Employee Discipline/Dismissal/Release**

(Pursuant to Government Code §54957)

❖ **5:30 P.M. RECESS**

*Education Center – Superintendent's Office Conference Room*

❖ **6:00 P.M. ADMINISTRATION OF OATH, WELCOME, AND SEATING, NEWLY ELECTED BOARD MEMBERS**

*Education Center - Roderick H. MacMillian Board Meeting Room*

MICHAEL COLLIER 2006-2010

WALT DAVENPORT 2006-2010

JUDY FRANCO 2006-2010

KAREN YELSEY 2006-2010

A Board hosted reception will be held immediately following the ceremony.

❖ **REGULAR MEETING – 7:00 P.M.**

*Education Center - Roderick H. MacMillian Board Meeting Room*

❖ **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
- \_\_\_\_\_ Judy Franco, Clerk
- \_\_\_\_\_ Dana Black, Member
- \_\_\_\_\_ Michael Collier, Member
- \_\_\_\_\_ Walt Davenport, Member
- \_\_\_\_\_ Martha Fluor, Member
- \_\_\_\_\_ Karen Yelsey, Member
- \_\_\_\_\_ Jeffrey Hubbard, Superintendent
- \_\_\_\_\_ Sarah Grabarsky, CMHS
- \_\_\_\_\_ Jenny Fletcher, CMHS
- \_\_\_\_\_ Liz Dang, CMHS
- \_\_\_\_\_ Harold Levy, NHHS
- \_\_\_\_\_ Emily Insley, NHHS
- \_\_\_\_\_ Alison Gruber, CdMHS
- \_\_\_\_\_ Tracy Patton, EHS
- \_\_\_\_\_ Avery Williams, EHS
- \_\_\_\_\_ Stacey Nguyen, OCMCHS
- \_\_\_\_\_ Hannah Dean, OCMCHS
- \_\_\_\_\_ Angela Coleman, BBHS
- \_\_\_\_\_ Tori Fry, BBHS
- \_\_\_\_\_ Julian Hernandez, BBHS

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 of the Regular Board meeting of November 14, 2006 be adopted. ACTION

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_

6. **ADOPTION OF MINUTES.** Recommendation is made that the Minutes of the Special Board meeting of November 28, 2006 be adopted. ACTION

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_

❖ **ANNUAL ORGANIZATIONAL MEETING**

7. **ELECTION OF BOARD PRESIDENT, 2006/07.** Nomination(s) ACTION

- for the President of the Board of Education, 2006/07, closing of nomination(s), and the casting of ballots to fill that office are recommended.  
Nominated by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_
8. ELECTION OF BOARD VICE-PRESIDENT, 2006/07. Nomination(s) for the Vice-President of the Board of Education, 2006/07, closing of nomination(s), and the casting of ballots to fill that office, are recommended.  
Nominated by \_\_\_\_\_ Seconded by \_\_\_\_\_ ACTION  
Vote \_\_\_\_\_
9. ELECTION OF BOARD CLERK, 2006/07. Nomination(s) for the Clerk of the Board of Education, 2006/07, closing of nomination(s), and the casting of ballots to fill that office, are recommended.  
Nominated by \_\_\_\_\_ Seconded by \_\_\_\_\_ ACTION  
Vote \_\_\_\_\_
10. ELECTION OF LEGISLATIVE REPRESENTATIVE, 2006/07. Election of a Board member to serve a one-year term as the Legislative Representative, 2006/07, is recommended.  
Nominated by \_\_\_\_\_ Seconded by \_\_\_\_\_ ACTION  
Vote \_\_\_\_\_
11. ELECTION OF REPRESENTATIVE, NOMINATING COMMITTEE ON COUNTY SCHOOL DISTRICT ORGANIZATION, 2006/07 (Ed. Code 35023). It is recommended that in accordance with Education Code Section 35023 one representative and one alternate be elected for the 2006/07 year to the Nominating Committee on County School District Organization.  
Nominated by \_\_\_\_\_ Seconded by \_\_\_\_\_ ACTION  
Vote \_\_\_\_\_
12. ELECTION OF POLITICAL ACTION REPRESENTATIVE, ORANGE COUNTY SCHOOL BOARDS ASSOCIATION, 2006/07. It is recommended that a Board member be elected as Political Action Representative to the Orange County School Boards Association, for a one-year term, 2006/07.  
Nominated by \_\_\_\_\_ Seconded by \_\_\_\_\_ ACTION  
Vote \_\_\_\_\_
13. ELECTION OF REPRESENTATIVES, CALIFORNIA SCHOOL BOARDS ASSOCIATION, LEGISLATIVE NETWORK, 2006/07. It is recommended that Board representatives be elected to the California School Boards Association Legislative Network, for a one-year term, 2006/07.  
Nominated by \_\_\_\_\_ Seconded by \_\_\_\_\_ ACTION  
Vote \_\_\_\_\_
14. ELECTION OF BOARD REPRESENTATIVE TO YOUTH COUNCIL, CITY OF COSTA MESA, 2006/07. It is recommended that a Board member be elected as representative to the City of Costa Mesa Youth Council, for a one-year term, 2006/07.  
Nominated by \_\_\_\_\_ Seconded by \_\_\_\_\_ ACTION  
Vote \_\_\_\_\_
15. ELECTION OF BOARD REPRESENTATIVE TO YOUTH COUNCIL, CITY OF NEWPORT BEACH, 2006/07. It is recommended that a Board member be elected as representative to the City of Newport Beach Youth Council, for a one-year term, 2006/07.  
Nominated by \_\_\_\_\_ Seconded by \_\_\_\_\_ ACTION  
Vote \_\_\_\_\_
16. ELECTION OF NEWPORT-MESA GANG TASK FORCE REPRESENTATIVE, 2006/07. It is recommended that a Board member be elected as a representative to the Newport-Mesa Gang Task Force, for a one-year term, 2006/07.  
Nominated by \_\_\_\_\_ Seconded by \_\_\_\_\_ ACTION  
Vote \_\_\_\_\_

17. ELECTION OF MEMBER (1) TO DISTRICT AUDIT COMMITTEE, ACTION  
 It is recommended that one (1) Board member be elected as a member to the District Audit Committee, for a two-year term, 2006/07.  
 Nominated by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_
18. ELECTION OF LIAISON WITH COMMUNITY ADVISORY COMMITTEE ACTION  
 (CAC), 2006/07. It is recommended that a Board member be elected as liaison to the Community Advisory Committee (CAC), 2006/07.  
 Nominated by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_
19. ELECTION OF LIAISON WITH CORONA DEL MAR CHAMBER OF ACTION  
 COMMERCE, 2006/07. It is recommended that a Board member be elected as liaison to the Corona del Mar Chamber of Commerce, for a one-year term, 2006/07.  
 Nominated by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_
20. ELECTION OF LIAISON WITH COSTA MESA CHAMBER OF ACTION  
 COMMERCE, 2006/07. It is recommended that a Board member be elected as liaison to the Costa Mesa Chamber of Commerce, for a one-year term, 2006/07.  
 Nominated by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_
21. ELECTION OF LIAISON WITH NEWPORT HARBOR CHAMBER OF ACTION  
 COMMERCE, 2006/07. It is recommended that a Board member be elected as liaison to the Newport Harbor Chamber of Commerce, for a one-year term, 2006/07.  
 Nominated by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_
22. ELECTION OF LIAISON WITH NEWPORT-MESA SCHOOLS ACTION  
 FOUNDATION, 2006/07. It is recommended that a Board member be elected as liaison to the Newport-Mesa Schools Foundation, for a one-year term, 2006/07.  
 Nominated by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_
23. ELECTION OF SCHOOL ATTENDANCE REVIEW BOARD ACTION  
 REPRESENTATIVES, 2006/07. It is recommended that (3) Board members (1) a representative, and (2) alternates be elected to serve as liaisons to the School Attendance Review Board (SARB), for a one-year term, 2006/07.  
 Nominated by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_
24. ELECTION OF CIF (California Interscholastic Federation) BOARD LIAISON ACTION  
 REPRESENTATIVES, 2006/07. It is recommended that (2) Board members (1) a representative, and (1) alternate be elected to serve as liaisons to the CIF Southern Section Council, for a one-year term, 2006/07.  
 Nominated by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_
25. ELECTION OF WELLNESS ADVISORY COMMITTEE REPRESENTATIVES, ACTION  
 2006/07. It is recommended that (2) Board members be elected to serve as liaisons and one alternate to the District's Wellness Advisory Committee, for a one-year term, 2006/07.  
 Nominated by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_
26. ELECTION OF HIGH SCHOOL REDESIGN COMMITTEE ACTION  
 REPRESENTATIVES, 2006/07. It is recommended that (2) Board members be elected to serve as liaisons and one alternate to the District's High School Redesign Committee, for a one-year term, 2006/07.  
 Nominated by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_

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| 27. | ELECTION OF VISUAL AND PERFORMING ARTS COMMITTEE REPRESENTATIVES, 2006/07. It is recommended that (2) Board members be elected to serve as liaisons and one alternate to the District's Visual and Performing Arts Committee, for a one-year term, 2006/07.<br>Nominated by _____ Seconded by _____  | ACTION<br><br>Vote _____ |
| 28. | STUDENT BOARD MEMBER LIAISON, 2006/07. It is recommended that the Board's Immediate Past President be elected as the Student Board Member Liaison, for a one-year term, 2006/07.<br>Nominated by _____ Seconded by _____   | ACTION<br><br>Vote _____ |
| 29. | APPOINTMENT OF SECRETARY, 2006/07. It is recommended that Superintendent Jeffrey Hubbard be appointed as Secretary of the Board of Education, 2006/07.<br>Motion by _____ Seconded by _____  | ACTION<br><br>Vote _____ |
| 30. | APPOINTMENT OF ASSISTANT SECRETARY, 2006/07. It is recommended that Deputy Superintendent Paul Reed, Assistant Superintendents Susan Astarita, Chuck Hinman, and Elizabeth Novack be appointed to share the position of Assistant Secretary to the Board of Education, 2006/07.<br>Motion by _____ Seconded by _____                       | ACTION<br><br>Vote _____ |
| 31. | SCHEDULE OF BOARD MEETINGS. Establishment of dates, place, and time for the regular meetings of the Board of Education for the 2006/07 year is recommended.<br>Motion by _____ Seconded by _____   | ACTION<br><br>Vote _____ |
| 32. | RECOMMENDATION FOR CHIEF NEGOTIATOR, 2006/07. It is recommended that Elizabeth Novack, Assistant Superintendent of Human Resources, serves as chief negotiator for certificated and classified personnel for the 2006/07 year, and that members of the negotiating teams be selected at a later date.<br>Motion by _____ Seconded by _____ | ACTION<br><br>Vote _____ |
| 33. | DESIGNATION OF MANAGEMENT PERSONNEL, 2006/07. It is recommended that management personnel, as referenced, be designated for 2006/07.<br>Motion by _____ Seconded by _____  | ACTION<br><br>Vote _____ |
| 34. | ADJOURNMENT OF THE ANNUAL ORGANIZATIONAL MEETING, _____ p.m.   | ACTION                   |

❖ **RECESS**

*The Board will take a brief recess to reorganize seating arrangements in accordance with the election of new officers and return to the regular meeting.*

❖ **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. Any Board member or member of the public may request that a matter within the jurisdiction of the Board be placed on the agenda of a regular meeting. When a request is made during a public meeting, the Board President will restate the request and ask the Superintendent for input relative to the request, including an estimate of when staff would have a report ready for a Board meeting. All verbal requests must be followed with a submission of Bylaw 1420 Agenda Request Form to the Superintendent. The Board shall take no action on such items at the meeting at which they are presented.

**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

❖ **STUDENT BOARD MEMBER REPORTS**

❖ **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.

35. It is recommended that the Board of Education approve eight five individual contracts for a total Individual Education Cost (IEP) of \$68,016.00 through the 2006/07 school year, as established from the Individual Educational Program.
36. It is recommended that the Board of Education approve five parent reimbursement contracts for a total Individual Education Cost (IEP) of \$3,317.78 through the 2006/07 school year, as established from the Individual Educational Program.
37. It is recommended that the Board of Education approve the Final Compromise and Release Agreement OAH Case No. N2006050652 in the amount of \$7,000.00 pursuant to the laws of the State of California.
38. It is recommended that the Board of Education approve one Addendum to an existing Master Contract with Autism Interventions and Resources as established from the Individual Educational Program.
39. It is recommended that the Board of Education approve the Memorandum of Understanding between the Newport-Mesa Unified School District and the Children and Families Commission

- of Orange County for participation through the HOPE School Readiness Program in the School Link Data Project for the period January 1, 2007 through June 30, 2010.
40. It is recommended that the Board of Education approve the Service Agreement between the Newport-Mesa Unified School District and TeleParent Educational Systems, LLC (home to school communication system) for use by Newport Harbor High School
  41. It is recommended that the Board of Education approve the Subcontract between the Newport-Mesa Unified School District and California State University, Fullerton Auxiliary Services Corporation for the Community Learning and Literary Center Outreach Tutoring Program for the period of January 1, 2007 through June 30, 2007.
  42. It is recommended that the Board of Education approve Amendment #21 between LPA Architects and the Newport-Mesa Unified School District in the amount of \$296,211.00 for additional services at Newport Harbor High School for design revision to construction documents relative to Robins/Loats Hall.
  43. It is recommended that the Board of Education approve Change Order #5 with SMC Construction for Corona del Mar High School for the amount of \$28,165.36.
  44. It is recommended that the Board of Education approve Change Order #9 with Cavecche Engineering and Construction Co., Inc. for TeWinkle Middle School in the amount of \$46,670.00.
  45. It is recommended that the Board of Education approve Amendment #7 for TeWinkle Middle School between GKK Architects and the Newport-Mesa Unified School District in the amount of \$22,175.00 for construction administration of the TeWinkle Gym project.
  46. It is recommended that the Board of Education approve Settlement Authority for a Stipulation with Request for Award of \$14,050.00 with a provision for future medical care for Claim No. 1207-05-0030.
  47. It is recommended that the Board of Education approve Settlement Authority for a Stipulation with Request for Award of \$0.00 with a provision for future medical care for Claim No. 1207-06-0040.
  48. It is recommended that the Board of Education reject Claim No. 06-50034MH to protect the Statute of Limitations for further legal action by the claimant.
  49. Approval is recommended of the request for a credential waiver for one Certificated employee pursuant to Education Codes 44252(b), 44265 and 44830(a).
  50. Approval is recommended of the request for a STRS Post-Retirement Earning Limitation Exemption Request for Patricia Stephen at Harper School effective September 5, 2006 through June 21, 2007.
  51. Approval is recommended of Certificated Employees' Leave of Absence Register No. 09-07.
  52. Approval is recommended of Certificated Employees' Appointment/Reassignment Register No. 09-07.
  53. Approval is recommended of Certificated Employees' Resignation/Termination Register No. 08-07.
  54. Approval is recommended of Classified Employees' Resignation/Termination Register No. 08-07.

- 55. Approval is recommended of Classified Employees' Appointment/Reassignment Register No. 08-07.
- 56. Approval is recommended of Classified Employees' Leave of Absence Register No. 08-07.
- 57. Approval is recommended of Gift Register No. 08-07.
- 58. Approval is recommended of Accounting Report No. 08-07.
- 59. Approval is recommended of Measure A Accounting Register No. 08-07.
- 60. Approval is recommended of Purchasing Report No. 08-07.
- 61. Approval is recommended of Purchasing Report Measure A No. 08-07A.
- 62. Approval is recommended of Independent Contractors Register No. 09-07.
- 63. Approval is recommended of Student Trip Register No. 07-07.

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_

❖ **DISCUSSION/ACTION ITEMS**

- 64. **2006/07 FIRST PERIOD INTERIM REPORT.** DISCUSSION  
/ACTION  
It is recommended that the Board of Education approve the 2006/07 First Period Interim Report and adopt a positive certification pursuant to Education Code 42131.  
  
Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_
- 65. **SECONDARY TEXTBOOK APPROVAL.** DISCUSSION  
/ACTION  
It is recommended that the Board of Education adopt "A History of the United States" for use by Corona del Mar High School Honors U.S. History Class. The book has been on public display since November 14, 2006.  
  
Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_
- 66. **ADDITIONS TO HIGH SCHOOL COURSE OF STUDY.** DISCUSSION  
/ACTION  
It is recommended that the Board of Education approve the proposed additions to the High School Course of Study: Algebra I Support; Health 1A and Honors U.S. History A/B.  
  
Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_
- 67. **ADOPTION OF REVISIONS TO BOARD POLICY 5220 – HIGH SCHOOL GRADUATION REQUIREMENTS –FIRST READING.** DISCUSSION  
/ACTION  
It is recommended that the Board of Education adopt revised Board Policy 5220 – High School Graduation Requirements –First Reading.
- 68. **ADOPTION OF RESOLUTION NO. 19-12-07, APPROVING NEWPORT-MESA'S CONFLICT OF INTEREST CODE, AS AMENDED, AND GRANTING AUTHORIZATION TO SUBMIT TO THE ORANGE COUNTY BOARD OF SUPERVISORS, AS THE CODE REVIEWING** DISCUSSION  
/ACTION



**BODY FOR ORANGE COUNTY GOVERNMENT AGENCIES.**

Adoption of Resolution No. 19-12-07 is recommended.

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_

- 69. **NOMINATIONS - 2007 CSBA DELEGATE ASSEMBLY.** DISCUSSION  
 Nominations for candidates to the 2007 California School Boards Association /ACTION  
 Delegate Assembly are being accepted. It is recommended that the Board of  
 Education nominate Board members as deemed appropriate.

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_

❖ **INFORMAL REPORTS**

- 70. Superintendent
- 71. Assistant Superintendent's
- 72. Board Members
- 73. Legislative Representative
- 74. Coastline Regional Occupational Program (C.R.O.P.) Representative

❖ **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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- 75. **ADJOURNMENT, \_\_\_\_\_ p.m.** ACTION