

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

Tuesday, March 27, 2007

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.

4:30 P.M. - CLOSED SESSION

Education Center – Superintendent's Office Conference Room

Student Discipline

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

Conference with Legal Counsel - Existing Litigation

Pursuant to Government Code §54956.9(a)

Disclosure will jeopardize existing settlement negotiations.

Conference with Legal Counsel - Anticipated Litigation

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

Conference With Labor Negotiator

N-MUSD Representative – Elizabeth Novack

Employee Organization – N-MFT, CSEA, N-MAA, Supervisory/Confidential

(Pursuant to Government Code §54957.6)

Public Employee Discipline/Dismissal/Release

(Pursuant to Government Code 54957; Education Code 44951, 44929.21(b))

6:30 P.M. RECESS

Education Center – Superintendent's Office Conference Room

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:**

_____ Judy Franco, President
_____ Martha Fluor, Vice-President
_____ Dana Black, Clerk
_____ David Brooks, Member
_____ Michael Collier, Member
_____ Walt Davenport, 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 _____

WRITTEN COMMUNICATIONS

SPECIAL PRESENTATION

Recognition of Harbor Council PTA Reflections Program Award Recipients

COMMUNITY INPUT

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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 helpful if you 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.

5. It is recommended that the Board of Education approve seven new individual contracts for a total Individual Education Cost (IEP) of \$19,143.00 through the 2006/07 school year, as established from the Individual Educational Program.
6. It is recommended that the Board of Education approve eight parent reimbursement contract for a total Individual Education Cost (IEP) of \$38,212.50 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 for Office of Administrative Hearings (OAH) Case Nos. N2006120803,

N2006100720, N2006100348 and N2007020077 pursuant to the laws of the State of California.

8. It is recommended that the Board of Education approve the School Site Discretionary Block Grant Plans as submitted.
9. It is recommended that the Board of Education approve the retention of Michael Merino Architects for architectural and engineering services for the installation of nine ball walls.
10. It is recommended that the Board of Education approve an agreement between Newport-Mesa Unified School District and Environmental Resolutions, Inc., in an amount not-to-exceed \$55,000.00 per year, for a three year period, renewable annually, to provide continuing assistance to the District for compliance with OCHCA and SCAQMD requirements, perform operation and maintenance services for remediation equipment, lab analysis, quarterly reports and other items per RFQ proposal for the period of April 1, 2007 through March 31, 2010.
11. It is recommended that the Board of Education approve Change Order #7 with P.W. Construction for Estancia High School in the amount of \$110,291.00.
12. It is recommended that the Board of Education approve Change Order #8 with P.W. Construction for Estancia High School in the amount of (\$175,000.00).
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 \$125 per hour and \$65,000 total for fiscal year 2007/08.
14. It is recommended that the Board of Education ratify the contract between Sunesys LLC and Newport-Mesa Unified School District for building and maintaining a fiber optic wide area network for a five year period at a pre-discounted cost of \$71,112.21 per month. The District would begin to incur the monthly expense beginning approximately February 2008.
15. It is recommended that the Board of Education authorize the Deputy Superintendent, Chief Business Official to enter into a three year agreement with DecisionInsite, LLC, for the provision of demographic services for 2007/08.
16. It is recommended that the Board of Education authorize the Deputy Superintendent, Chief Business Official to enter into an agreement with Silver State Coach, Inc., to provide services as needed to the Newport-Mesa Unified School District Transportation Department for the period of January 1, 2007 to June 30, 2007 in an amount not-to-exceed \$50,000.
17. 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 Achieve Data Solutions for the period July 1, 2007 to July 9, 2009 with an annual cost not-to-exceed \$104,075.00.
18. It is recommended that the Board of Education reject Claim No. 07-52247DP.

19. It is recommended that the Board of Education certify that the temporary athletic coaches for the Newport-Mesa Unified School District meet certification requirements for the 2006/07 school year.
20. It is recommended that the Board of Education authorize the Deputy Superintendent, Chief Business Official, or his designee execute the agreement between Newport-Mesa Unified School District and the University of Phoenix for the purpose of authorizing student teaching opportunities for the time period specified in the agreement.
21. It is recommended that the Board of Education approve the request for the Certificated Employment Assignment Alternative/Option for one Certificated Employee pursuant to Education Code 44263.
22. Approval is recommended of Certificated Employees' Leave of Absence Register No. 15-07.
23. Approval is recommended of Certificated Employees' Appointment/Reassignment Register No. 15-07.
24. Approval is recommended of Certificated Employees' Resignation/Termination Register No. 13-07.
25. Approval is recommended of Classified Employees' Resignation/Termination Register No. 14-07.
26. Approval is recommended of Classified Employees' Appointment/Reassignment Register No. 14-07.
27. Approval is recommended of Classified Employees' Leave of Absence Register No. 14-07.
28. Approval is recommended of Gift Register No. 14-07.
29. Approval is recommended of Accounting Register No. 14-07.
30. Approval is recommended of Measure A Accounting Register No. 14-07.
31. Approval is recommended of Measure F Accounting Register No. 14-07.
32. Approval is recommended of Purchasing Report No. 14-07.
33. Approval is recommended of Independent Contractors Register No. 15-07.
34. Approval is recommended of Student Trip Register No. 13-07.

Motion by _____ Seconded by _____

Vote _____

DISCUSSION/ACTION ITEMS

35. **APPROVAL OF SUBMISSION OF THE QUALITY EDUCATION INVESTMENT ACT (QEIA) GRANT TO THE CALIFORNIA DEPARTMENT OF EDUCATION.** DISCUSSION
/ACTION

It is recommended that the Board of Education approve submission of the QEIA Grant to the California Department of Education for participation by Pomona, Rea and Wilson Elementary Schools.

Motion by _____ Seconded by _____ Vote _____

36. **NO CHILD LEFT BEHIND HEARING PANEL REPORTS - APPROVAL OF IMPLEMENTATION PLAN RECOMMENDATIONS.** DISCUSSION
/ACTION

It is recommended that the Board of Education approve the recommendations made in the Implementation Plan for Pomona Elementary, TeWinkle Middle, and Wilson Elementary Schools.

Motion by _____ Seconded by _____ Vote _____

37. **APPROVAL OF MATH TASK FORCE RECOMMENDATIONS.** DISCUSSION
/ACTION

It is recommended that the Board of Education approve the Math Task Force recommendations.

Motion by _____ Seconded by _____ Vote _____

38. **ADOPTION OF RESOLUTION NO. 22-03-07 OF THE NEWPORT-MESA UNIFIED SCHOOL DISTRICT AUTHORIZING THE BORROWING OF FUNDS FOR FISCAL YEAR 2007/08 AND THE ISSUANCE AND SALE OF ONE OF MORE SERIES OF 2007/08 TAX AND REVENUE ANTICIPATION NOTES (TRANS) THEREFORE IN AN AMOUNT NOT-TO-EXCEED \$15,000,000 AND PARTICIPATION IN THE SOUTH COAST LOCAL EDUCATION AGENCIES POOLED TAX AND REVENUE ANTICIPATION NOTE PROGRAM AND REQUESTING THE BOARD OF SUPERVISORS TO ISSUE AND SELL SAID NOTICE.** DISCUSSION
/ACTION

Adoption of Resolution No. 22-03-07 is recommended.

Motion by _____ Seconded by _____

ROLL CALL VOTE:

_____ Mr. Brooks	_____ Mrs. Black, Clerk
_____ Mr. Collier	_____ Mrs. Fluor, Vice President
_____ Mr. Davenport	_____ Mrs. Franco, President
_____ Mrs. Yelsey	

39. **APPOINTMENT OF AT-LARGE MEMBERS FOR THE MEASURE F CITIZENS' OVERSIGHT COMMITTEE.** DISCUSSION /ACTION

It is recommended that the Board of Education appoint a minimum of one representative from the senior citizen community and make other at-large appointments up to a maximum of four members as the Board of Education deems appropriate to the Measure F Citizens' Oversight Committee.

Motion by _____ Seconded by _____ Vote _____

40. **BOARD MEMBER REQUEST FOR BOARD DISCUSSION RELATIVE TO THE ISSUE OF LIMITING TERMS OF SERVICE FOR BOARD MEMBERS TO THREE CONSECUTIVE FOUR-YEAR TERMS FOR A MAXIMUM SERVICE OF 12 YEARS.** DISCUSSION /ACTION

Board member Yelsey submitted a Board Agenda Request Form Policy No. 1420 and requested a discussion be calendared for the Board to consider limiting terms of service for Board members to three consecutive four-year terms. Staff has provided background and research information relative to the request for the Board's discussion. No staff recommendation is being provided. Staff will await the outcome of the discussion and take direction from the Board as deemed appropriate.

Motion by _____ Seconded by _____ Vote _____

41. **CHANGE TO MAY, 2007 BOARD MEETING SCHEDULE.** DISCUSSION /ACTION

Due to conflicts in the May Board meeting schedule, staff would like to propose a change to the May Board meeting schedule of the following:

- Cancel the regular Board meeting of May 8, 2007 due to the conflict.
- In place of the cancelled May 8 meeting, schedule a new meeting date on May 1 and/or May 15. One date could be used for a study session, and the other could serve as the Board's regular business items agenda.
- Maintain the regular Board meeting of May 22, 2007.

Motion by _____ Seconded by _____ Vote _____

INFORMATION TO THE BOARD

○ *Notice of 30-Day Display of Elementary English Language Development (ELD) Supplementary Instructional Materials in the Sanborn Instructional Media Center (SIMC) beginning Wednesday, March 28, 2007 through Tuesday, May 15, 2007.*

○ *Notice of 30-Day Display of Elementary New History/Social Science Instructional Materials in the Sanborn Instructional Media Center (SIMC) beginning Monday, March 19, 2007 through Tuesday, May 15, 2007.*

INFORMAL REPORTS

- 42. Superintendent
- 43. Assistant Superintendent's
- 44. Board Members
- 45. Legislative Representative
- 46. 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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47. ADJOURNMENT, _____ p.m.

ACTION