

NEWPORT-MESA UNIFIED SCHOOL DISTRICT
Regular Meeting of the Board of Education
District Education Center
Roderick H. MacMillian Board Meeting Room
2985-A Bear Street, Costa Mesa
March 27, 2007

- Closed Session At 4:31 p.m., President Franco announced that the Board of Education would convene in Closed Session to address Student Discipline, Conference with Legal Counsel – Existing Litigation and Anticipated Litigation, Conference with Labor Negotiator, and Public Employee Discipline/Dismissal/Release.
- Recess At 6:30 p.m., the Board took a recess.
- Reconvene/Call to Order/Roll Call At 7:07 p.m., President Franco called to order the Regular Board meeting with a silent invocation and Pledge of Allegiance led by student board member Sarah Grabarsky.

Members Present

- Judy Franco, President
- Martha Fluor, Vice-President
- Dana Black, Clerk
- Dave Brooks, Member
- Michael Collier, Member
- Walt Davenport, Member
- Karen Yelsey, Member
- Jeffrey Hubbard, Ed.D., Secretary
- Emily Insley, NHHS Student Board Member
- Alison Gruber, CdMHS Student Board Member
- Stacy Nguyen, OCMCHS Student Board Member
- Hannah Dean, OCMCHS Student Board Member
- Taylor McClanahan, EHS Student Board Member

- Adoption of Agenda Mrs. Fluor moved adoption of the agenda requesting an amendment that the student board member reports be heard prior to community input. Mrs. Black seconded the motion, and it carried unanimously with a 7/0 vote.
- Special Presentation Harbor Council PTA Reflections Chairperson Carol Gaetano presented highlights of the 2007 reflections program. Student winners were recognized and awarded certificates.
- Student Board Members Student Board members provided reports on activities and events occurring at their respective school sites.
- Community Input Prior to community input, Dr. Hubbard made a statement relative to the continuation of the Early College High School Program. Dr. Hubbard stated that the District recently had an issue with the availability of facilities to house the Early College High School Program for the 2007/08 school year. He noted that the District has concluded successful negotiations with Coastline Community College to move the ECHS program to the District’s Mesa Verde site. The program will continue as scheduled for the 2007/08 school year. The following audience members addressed the Board to following Dr. Hubbard’s comments to express support and thanks for the continuation of the ECHS program: Janet Krochman, Claudia Hermano and Natalie Sanchez.

The following audience members addressed the Board in support of the current salary negotiations with the Newport-Mesa Federation of Teachers and urged the Board to increase salaries. Cara Boyd, Erin Topping, Alexandria Gladstone, Pam Brusic, Edwin Bell, Brian Tulley, Tony Zeddies, Dan Granite, Gale Demmer, Kathy Hath, Tory LeVitre, Bill Leach, John Brazelton, Sharon Petersen, Paula Gibbons, Cathy Blue, Susan McVeigh, Paulette Montadon, Joe Fushcetti, Matt Lutton, Kristi Fredricksson, Patrick Devussev, Thomas Barr and Jim Rogers.

Following the comments, President Franco thanked the audience members for being present and expressing their remarks in a respectful manner. Dr. Hubbard concurred with her comments and acknowledged that the audience member's comments were heard. He stated that he remains proud of the relationship between the union and the District and that fundamentally he believes that there is a collective sharing and valuing of all staff members and that he honors and deeply admires those in the teaching profession. He acknowledged the collective work of the negotiations team and noted that he believes both sides are committed to working in good faith to bring all issues to resolution.

Recess At 8:57 p.m., the Board took a brief recess.

Reconvene At 9:13 p.m., President Franco reconvened the meeting.

Parent Liaison Report HCPTA President, Nadine Turner provided an update on current activities and events occurring with the PTA units.

Consent Calendar *Mr. Brooks moved approval of the Consent Calendar as presented. Mrs. Black seconded the motion, and it carried unanimously with a 7/0 vote.*

5. Approved 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. Approved eight parent reimbursement contracts 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. Approved 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. Approved the School Site Discretionary Block Grant Plans as submitted.
9. Approved the retention of Michael Merino Architects for architectural and engineering services for the installation of nine ball walls.
10. Approved 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. Approved Change Order #7 with P.W. Construction for Estancia High School in the amount of \$110,291.00.
12. Approved Change Order #8 with P.W. Construction for Estancia High School in the amount of (\$175,000.00).
13. Approved 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. Ratified 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. Authorized 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. Authorized 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. Approved 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. Rejected Claim No. 07-52247DP.

- 19. Certified that the temporary athletic coaches for the Newport-Mesa Unified School District meet certification requirements for the 2006/07 school year.
- 20. Authorized 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. Approved request for the Certificated Employment Assignment Alternative/Option for one Certificated Employee pursuant to Education Code 44263.
- 22. Approved Certificated Employees' Leave of Absence Register No. 15-07.
- 23. Approved Certificated Employees' Appointment/Reassignment Register No. 15-07.
- 24. Approved Certificated Employees' Resignation/Termination Register No. 13-07.
- 25. Approved Classified Employees' Resignation/Termination Register No. 14-07.
- 26. Approved Classified Employees' Appointment/Reassignment Register No. 14-07.
- 27. Approved Classified Employees' Leave of Absence Register No. 14-07.
- 28. Approved Gift Register No. 14-07.
- 29. Approved Accounting Register No. 14-07.
- 30. Approved Measure A Accounting Register No. 14-07.
- 31. Approved Measure F Accounting Register No. 14-07.
- 32. Approved Purchasing Report No. 14-07.
- 33. Approved Independent Contractors Register No. 15-07.
- 34. Approved Student Trip Register No. 13-07.

Approval of
Approval of
Submission of the
Quality Education
Investment Act
(QEIA) Grant to
the California
Department of
Education

Mrs. Fluor moved approval of submission of the QEIA (Quality Education Investment Act) Grant to the California Department of Education for the participation by Pomona, Rea and Wilson Elementary Schools. Mrs. Black seconded the motion, and it carried unanimously with a 7/0 vote.

Approval of No
Child Left Behind
Hearing Panel
Reports-Approval
of Implementation
Plan

Mr. Brooks moved approval of the recommendations made in the Implementation Plan for Pomona Elementary, TeWinkle Middle and Wilson Elementary Schools. Mrs. Black seconded the motion, and it carried unanimously with a 7/0 vote.

Approval of Math
Task Force
Recommendations

Mrs. Fluor moved approval of the Math Task Force recommendations with the additional request that staff further examine the feasibility or appropriateness of adding a three year requirement. Mrs. Black seconded the motion, and it carried unanimously with a 7/0 vote.

Adoption of
Resolution No.22-
03-07- TRANS

Mrs. Black moved 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. Mr. Davenport seconded the motion.

- Mrs. Franco - yes
- Mrs. Fluor - yes
- Mrs. Black - yes
- Mr. Brooks - yes
- Mr. Collier - yes
- Mr. Davenport – yes
- Mrs. Yelsey - yes

Resolution No. 20-02-07 was adopted by a unanimous roll call vote.

Minutes of Regular Meeting

**ADOPTED MINUTES
March 27, 2007**

Approval of Appointment of At-Large Members for the Measure F Citizens' Oversight Committee	Mr. Collier recommended the appointment of Carol Call as the Measure F senior citizen representative. Mrs. Black seconded the motion, and it carried unanimously with a 7/0 vote. Staff will make contact with Mrs. Call for interest and appointment to the Citizens' Oversight Committee.
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	Board member Karen Yelsey requested this Board discussion item as submitted pursuant to a Board Policy 1420 agenda request form. Staff provided a background report for the Board's information relative to timeline's and procedures if the Board deems it appropriate to pursue action on this item. The Board entertained a lengthy discussion. Mrs. Yelsey moved to put forth a resolution to place the issue of term limits on an election cycle for action by the public. The motion died for a lack of a second.
Approval of Change to May, 2007 Board Meeting Schedule	Mr. Brooks moved to cancel the May 8, 2007 Board meeting. Mr. Davenport seconded the motion, and it carried unanimously, with a 7/0 vote. Mrs. Fluor moved to add a special meeting on May 1, 2007. Mr. Collier seconded the motion, and it carried unanimously with a 7/0 vote.
Information to the Board	The Board received the following information: <ul style="list-style-type: none">➤ <i>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.</i>➤ <i>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.</i>
Superintendent/ Assistant Superintendent's Reports	The Superintendent and Assistant Superintendents provided reports on various items of interest.
Board Members Reports	Board members provided reports on their recent attendance at events and activities and shared information of interest to other Board members.
Legislative Report	No report.
CROP Report	No report.
Audience Participation	Jim Rogers addressed the Board and thanked Dr. Elizabeth Novack for inviting him to participate in the CSBA conference workshop presentation on the NCLB implementation plan. He also expressed his appreciation, honor and value for the work of the school board members.
Recited Actions Taken in Closed Session	The Board of Education took action in closed session to authorize the Superintendent to give notice of release to certain temporary certificated employees pursuant to Government Code 54957 and Education Code 44954(b) for the next succeeding school year. The action was taken by a 7/0 role call vote.

In a prior session, The Board of Education has taken discipline action in the student case #06 36 76.

The action taken was to expel the student from the schools of the Newport-Mesa Unified School District for the period of 3/27/07 through 3/7/08. The expulsion may be suspended from 9/4/07 through 3/7/08 if the parent agrees to regular drug testing for the student. The student must also complete community service and counseling. During the expulsion period the student will attend ACCESS or another appropriate setting and must maintain acceptable grades, attendance and citizenship. The student is also to complete 50 hours of community service and an additional 12 hours of drug and alcohol testing in addition to JADE/Second Chance.

It was moved by Martha Fluor and seconded by Dana Black. This action was taken by a 7-0 vote on 3/27/07.

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It was moved by Walt Davenport and seconded by Dana Black. This action was taken by a 7-0 vote on 3/27/07.

In a prior session, The Board of Education has taken discipline action in the student case #06 29 72.

The action taken was to expel the student from the schools of the Newport-Mesa Unified School District for the period of 3/27/07 through 3/1/08. During the expulsion period the student will attend ACCESS or another appropriate setting and must maintain acceptable grades, attendance and citizenship. The student is also to complete 25 hours of community service and at least 8 hours of counseling for anger management.

It was moved by Martha Fluor and seconded by Michael Collier. This action was taken by a 7-0 vote on 3/27/07.

In a prior session, The Board of Education has taken discipline action in the student case #06 35 72.

The action taken was to expel the student from the schools of the Newport-Mesa Unified School District for the period of 3/27/07 through 1/30/08. The expulsion may be suspended from 9/4/07 through 1/30/08 if the student completes the community service and counseling requirements. During the expulsion period the student will attend ACCESS or another appropriate setting and must maintain acceptable grades, attendance and citizenship. The student is also to complete 25 hours of community service and at least 8 counseling sessions for appropriate decision-making.

It was moved by Dana Black and seconded by David Brooks. This action was taken by a 7-0 vote on 3/27/07.

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It was moved by Martha Fluor and seconded by Walt Davenport. This action was taken by a 7-0 vote on 3/27/07.

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**ADOPTED MINUTES
March 27, 2007**

- Permanent Record A DVD of the Board meeting discussions is on file in the Superintendent's Office as a matter of the permanent record.
- Adjournment At 10:50 p.m. President Franco adjourned the meeting.

Jeffrey C. Hubbard, Secretary