

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, June 26, 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 - Roderick H. MacMillian Board Meeting Room

Public Employee Evaluation

Title: Superintendent

(Pursuant to Government Code §54957)

5:30 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, CSEA, N-MAA, Supervisory/Confidential

(Pursuant to Government Code §54957.6)

Public Employee Discipline/Dismissal/Release

(Pursuant to Government Code §54957)

Public Employee Appointment

Title: Assistant Principal

(Pursuant to Government Code §54957)

6:30 P.M. - RECESS

Education Center – Superintendent's Office Conference Room

7:00 P.M. REGULAR MEETING
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

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. 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.

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.

PRESENTATION

Presentation by the Newport-Mesa Unified School District Australian Sister City 2006/07 and 2007/08 Traveling Delegates

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 the expulsions of student's with the following I.D. #'s: 06-48-72, 06-73-72, 06-78-79, and 06-80-39.
6. It is recommended that the Board of Education approve forty one new individual contracts through the 2007/08 school as established from the Individual Educational Program in the amount of \$658,718.41.
7. It is recommended that the Board of Education approve nine master contracts with Autism Spectrum Therapies, Children's Learning Connection, Inc., Children's Therapy Studio, Cornerstone Therapies, The Reading and Language Center, Speech Pathology Associates, Inc., Devereux Texas Treatment Network, The Prentice School, and the Winstone School and one addendum to an existing contract with PT for Kids through the 2007/08 school year as established from the Individual Educational Program.
8. It is recommended that the Board of Education approve six parent reimbursement contracts for a total Individual Education Cost (IEP) of \$25,518.00 through the 2007/08 school year, as established from the Individual Educational Program.
9. It is recommended that the Board of Education approve the Final Compromise and Release Agreement Office of Administrative Hearings (OAH) Case No. N2007040439 in the amount of \$3,500.00 pursuant to the laws of the State of California.
10. It is recommended that the Board of Education approve submission of Early Intervention for School Success (EISS) Professional Learning Community Implementation Grant for Harper Preschool.
11. It is recommended that the Board of Education approve acceptance of the Local School Readiness Initiative Grant from Children and Families Commission of Orange County for the grant period of 7/1/07-6/30/09 in the amount of \$175,100.00.
12. It is recommended that the Board of Education approve the Memorandum of Understanding with the Orange County United Way for Harper Preschool to participate in the United Way Success by Six Star-Quality Rating System Project as a Star-Quality partner.
13. It is recommended that the Board of Education approve the Agreement between Newport-Mesa Unified School District and the Orange County Department of Education for Medi-Cal

Administrative Activities for the period of July 1, 2007 through June 30, 2008.

14. It is recommended that the Board of Education approve the Agreement between Magdalena Enterprises, Inc., and the Newport-Mesa Unified School District to provide construction inspection services for portable classrooms as referenced in an amount not-to-exceed \$27,000.00.
15. It is recommended that the Board of Education approve participation in the California Energy Commission's Bright Schools Program. The District will look at all appropriate funding opportunities to take advantage of identified saving measures, provided they are economically feasible and fall within the District's economic criteria for selecting projects.
16. It is recommended that the Board of Education (a) find and determine that it is in the best interest of the Newport-Mesa Unified School District to approve the acquisition of network system components, network maintenance services, and that the Board of Education approve with a motion, an agreement with Sunesys to purchase high bandwidth services and with the Orange County Department of Education to provide Internet services. We recommend the Board of Education approve the selection of vendors to provide the designated products and services under the Federal E-Rate program as listed.
17. It is recommended that the Board of Education approve Amendment #1 between California School Management Group, Inc., and the Newport-Mesa Unified School District for the term July 1, 2006 through June 30, 2008 in an amount not-to-exceed \$87,000.
18. It is recommended that the Board of Education approve the renewal of the ground lease between the Newport-Mesa Unified School District and the Orange County Head Start, Inc. at Parsons School site and Rea Elementary School.
19. It is recommended that the Board of Education approve Amendment #3 to the lease agreements between Newport-Mesa Unified School District and the Child Development Centers at Newport Heights Elementary School and Woodland Elementary Schools.
20. It is recommended that the Board of Education approve the renewal of the ground lease agreement between the Newport-Mesa Unified School District and Ability First at Paularino Elementary School.
21. It is recommended that the Board of Education approve Amendment #6 to the ground lease agreement between Newport-Mesa Unified School District and the Orange County Department of Education at Costa Mesa High School for the period of July 1, 2007 through June 30, 2008.
22. It is recommended that the Board of Education approve Amendment #11 to the ground lease agreement between Newport-Mesa Unified School District and the Central Orange Coast YMCA at Harbor View Elementary School and Mariners Elementary School.
23. It is recommended that the Board of Education approve Amendment #5 to the lease agreement between Newport-Mesa Unified School District and the Boys and Girls Club at Rea Elementary School for the period of July 1, 2007 through June 30, 2008.
24. It is recommended that the Board of Education approve the restated and amended lease agreement between Newport-Mesa Unified School District and the Coastline Regional Occupational Program at Presidio for the period of July 1, 2007 through June 30, 2008.

25. It is recommended that the Board of Education approve Amendment #2 to the Orange County Teachers Federal Credit Union Master Automated Teller Machine Site License and Service Agreement.
26. It is recommended that the Board of Education approve the purchase of Excess Workers' Compensation Coverage from Arch Insurance Company through Wexford at an annual premium rate of \$.1659 per \$100 of payroll at \$234,081 for the period of July 1, 2007 through June 30, 2008.
27. It is recommended that the Board of Education authorize the Deputy Superintendent to enter into a contract with LPA, Inc., Architects for a feasibility study regarding the upgrading of athletic fields at three high schools.
28. It is recommended that the Board of Education approve the agreement between the Newport-Mesa Unified School District and Day Wireless Systems for radio tower site rental at Santiago Peak for the purpose of relocating the District's two way radio transmission equipment.
29. It is recommended that the Board of Education approve a consulting agreement between the Newport-Mesa Unified School District and American Homeland Solutions to facilitate district-wide, all-staff emergency preparedness and response trainings for the 2007/08 school year. Funding for these services will be provided through the federally funded ASK grant.
30. It is recommended that the Board of Education approve Amendment #2 between Newport-Mesa Unified School District and Loskot Consulting Services in an amount not-to-exceed an additional \$6,000. Total for this agreement will be \$33,000.
31. It is recommended that the Board of Education approve the agreement between Newport-Mesa Unified School District and Vavrinek, Trine, Day & Co., LLP., for the purposes of providing special accounting and consulting services related to Prop. 39 audit for Measure F at the hourly rates and terms set forth in the agreement in an amount not-to-exceed \$2,500.
32. It is recommended that the Board of Education approve the agreement between the Newport-Mesa Unified School District and the California School Board's Associate for the purpose of providing a two-day Board Governance Workshop in an amount not-to-exceed \$1,750.00 plus reasonable expenses for the contract period of March 15, 2007 through June 30, 2007.
33. It is recommended that the Board of Education approve the District/University/Internship/Field Placement Agreement between the Newport-Mesa Unified School District and Alliance International University per the terms of the contract.
34. It is recommended that the Board of Education approve the 2007/08 Declaration of Need for Fully Qualified Educators.
35. It is recommended that the Board of Education approve the Professional Growth Awards to participants in the classified employees bargaining unit in the amount \$35,881 for fiscal year 2006/07.
36. It is recommended that the Board of Education approve Professional Growth Awards to participants in the supervisory and confidential employee groups in the amount of \$4,475.75 for fiscal year 2006/07.

37. Approval is recommended of Certificated Employees' Leave of Absence Register No. 20-07.
38. Approval is recommended of Certificated Employees' Resignation/Termination Register No. 18-07.
39. Approval is recommended of Certificated Employees' Appointment/Reassignment Register No. 20-07.
40. Approval is recommended of Classified Employees' Resignation/Termination Register No. 19-07.
41. Approval is recommended of Classified Employees' Appointment/Reassignment Register No. 19-07.
42. Approval is recommended of Classified Employees' Leave of Absence Register No. 19-07.
43. Approval is recommended of Gift Register No. 19-07.
44. Approval is recommended of Accounting Register No. 19-07.
45. Approval is recommended of Measure A Accounting Register No. 19-07.
46. Approval is recommended of Purchasing Report No. 19-07.
47. Approval is recommended of Purchasing Report Measure A & F No. 19-07A/F.
48. Approval is recommended of Independent Contractors Register No. 20-07.
49. Approval is recommended of Student Trip Register No. 18-07.

Motion by _____ Seconded by _____ Vote _____

INTRODUCTION OF NEW ASSISTANT PRINCIPAL

DISCUSSION/ACTION CALENDAR

- | | |
|--|-------------------------------|
| <p>50. PUBLIC INPUT ON THE JOINT REOPENER PROPOSAL FOR THE COLLECTIVE BARGAINING AGREEMENT BETWEEN NEWPORT-MESA UNIFIED SCHOOL DISTRICT AND THE CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION, CHAPTER 18 FOR THE SCHOOL YEARS OF 2006/07 AND 2007/08.</p> <p>It is recommended that the Board of Education receive public comment on the Collective Bargaining Joint Reopener Proposals as referenced above.</p> | <p>DISCUSSION</p> |
| <p>51. APPROVAL OF 2007/08 CONSOLIDATED APPLICATION FOR FUNDING CATEGORICAL PROGRAMS, PART 1.</p> <p>It is recommended that the Board of Education authorize the Superintendent to accept funding under the Consolidated Application for Funding Categorical Programs/Part 1 for the school year 2007/08.</p> | <p>DISCUSSION
/ACTION</p> |

Motion by _____ Seconded by _____ Vote _____

52. **ADOPTION OF RESOLUTION NO. 32-06-07 OF THE BOARD OF EDUCATION OF THE NEWPORT-MESA UNIFIED SCHOOL DISTRICT DETERMINING TO PARTICIPATE JOINTLY WITH THE CITY OF COSTA MESA IN A MASTER PLAN FEASIBILITY STUDY FOR THE ATHLETIC FIELDS AT COSTA MESA HIGH SCHOOL, TEWINKLE INTERMEDIATE SCHOOL AND CALIFORNIA AND DAVIS ELEMENTARY SCHOOLS.** DISCUSSION /ACTION

Adoption of Resolution No. 32-06-07 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	

53. **DISCUSSION ITEM – NEWPORT-MESA UNIFIED SCHOOL DISTRICT FACILITIES USE FEES.** DISCUSSION

Due to recent concerns expressed to the Board pursuant submission of a Board Policy No. 1420 Agenda Request Form, staff will provide an overview of the current user and fee categories as established through the Board’s adopted facilities use policy.

54. **DISCUSSION ITEM – NEWPORT-MESA UNIFIED SCHOOL DISTRICT PROPOSED SOUND BLOCK WALL AT THE SOUTH END OF ESTANCIA HIGH SCHOOL IN ACCORDANCE WITH THE STADIUM PROJECT.** DISCUSSION

Due to recent concerns expressed to the Board pursuant submission of a Board Policy No. 1420 Agenda Request Form, staff will provide an overview of the District’s options regarding the addition of the sound block wall at Estancia High School pursuant to the negative declaration included in the Environmental Impact Report for the stadium project at Estancia High School.

55. **REALIGNMENT/REAPPORTIONMENT OF TRUSTEE AREAS.** DISCUSSION /ACTION

Trustee Fluor requested an opportunity to review existing trustee areas pursuant to submission of a Board Policy No. 1420 Agenda Request Form. Staff previously researched legal requirements for making changes and additional research was requested to provide a summary of current demographic and registered voters data relative to the Newport-Mesa Unified School District’s seven trustee areas. It is recommended that the Board of Education review the information submitted and provide further direction to staff as deemed appropriate.

Motion by _____ Seconded by _____ Vote _____

56. **ADOPTION OF RESOLUTION NO. 33-06-07, CERTIFYING BOARD OF EDUCATION APPROVAL OF CONTRACT #CPRE-7245 WITH THE CALIFORNIA DEPARTMENT OF EDUCATION FOR FISCAL YEAR 2007/08 FOR THE STATE PRESCHOOL PROGRAM.**

DISCUSSION
/ACTION

Adoption of Resolution No. 33-06-07 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	

57. **SET THE SUMMER BOARD MEETING SCHEDULE.**

DISCUSSION
/ACTION

It is recommended that the Board of Education modify their summer meeting schedule as follows:

- Proceed with the regularly scheduled meeting dates of July 10 and August 28, 2007.
- Cancel the regularly scheduled meetings of July 24 and August 14, 2007.
- Authorize the Board President to call additional special Board meetings, if needed.

Motion by _____ Seconded by _____ Vote _____

58. **AUTHORIZE DELEGATION OF AUTHORITY.**

DISCUSSION
/ACTION

It is recommended that the Board of Education approve the Delegation of Authority to the Superintendent, Deputy Superintendent, and Assistant Superintendent's for the period of July 11, 2007 through August 27, 2007.

Motion by _____ Seconded by _____ Vote _____

INFORMAL REPORTS

59. Superintendent

60. Assistant Superintendent's

61. Board Members

62. Legislative Representative

63. 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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64. ADJOURNMENT, _____ p.m.

ACTION