

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, August 28, 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

Public Employee Evaluation

Title: Superintendent

(Pursuant to Government Code §54957)

5:15 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: Principal and 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 _____

5. **ADOPTION OF MINUTES.** Recommendation is made that the minutes be adopted as submitted. ACTION

- July 10, 2007 regular meeting

Motion by _____ Seconded by _____ Vote _____

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.

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.

6. It is recommended that the Board of Education approve the expulsions of student's with the following I.D. #'s: 06-81-78 and 06-70-76.
7. It is recommended that the Board of Education approve fifty three new individual contracts through the 2007/08 school as established from the Individual Educational Program in the amount of \$705,963.14.
8. It is recommended that the Board of Education approve five master contracts with California Institute of Behavior Analysis, Inc., Center for Behavioral Sciences, Inc., Coyne and Associates Education Corporation, Function Junction and SeaStar –The School for Neuroeducation and three addenda to master contracts with Autism Solutions, Believe Ability and The Winston School through the 2007/08 school year as established from the Individual Educational Program.

9. It is recommended that the Board of Education approve eleven parent reimbursements contracts through the 2007/8 school year as established from the Individual Educational Program in the amount of \$28,607.82.
10. It is recommended that the Board of Education approve the Final Compromise and Release Agreement – Office of Administrative Hearings (OAH) Case No. N2007031017 in the amount of \$8,750.00 pursuant to the laws of California.
11. It is recommended that the Board of Education approve the Final Compromise and Release Agreement – Office of Administrative Hearings (OAH) Case Nos. N2006060404, N2007010480, and N2007050702 in the amount of \$38,260.00 pursuant to the laws of California.
12. It is recommended that the Board of Education approve the Final Compromise and Release Agreement – Office of Administrative Hearings (OAH) Case No. N20061000054 in the amount of \$70,000.00 pursuant to the laws of California.
13. It is recommended that the Board of Education approve the Final Compromise and Release Agreement – Office of Administrative Hearings (OAH) Case Nos. N2007040115 and N2007040432 in the amount of \$2,500.00 pursuant to the laws of California.
14. It is recommended that the Board of Education approve the Final Compromise and Release Agreement – California Department of Education (CDE) Case No. S-1142-06/07 in the amount of \$15,000.00 pursuant to the laws of California.
15. It is recommended that the Board of Education accept receipt of additional grant funds in the amount of \$212,438 pursuant to Agreement #FCI-SNE-20 between the Children and Families Commission of Orange County and N-MUSD for the period of July 1, 2006 through June 30, 2008 for the School Readiness Program to enhance the nursing services component of the HOPE Program.
16. It is recommended that the Board of Education approve the award of Campus Catering Frozen Food Bid #04-08 to US Foodservice and Sysco Food Services, Inc.
17. It is recommended that the Board of Education approve the award of the Campus Catering Bread Contract Bid #02-08 to Upper Crust.
18. It is recommended that the Board of Education approve the award of the Campus Catering Paper and Supplies Bid #05-08 to P&R Paper, Hammett Packaging, Inc., ASR, Platinum Packaging Group, and Danick Packaging.
19. It is recommended that the Board of Education approve Agreement No. 8104 between the Orange County Department of Education and N-MUSD for participation in the Resident Outdoor Science Camp for the 2007/08 school year.
20. It is recommended that the Board of Education approve Agreement No. 8082 between the Orange County Department of Education and N-MUSD for participation in the Inside the Outdoors Field Program for the 2007/08 school year.
21. It is recommended that the Board of Education approve Agreement No. 8096 between the Orange County Department of Education and N-MUSD for participation in the Inside the Outdoors School Program for the 2007/08 school year.

22. It is recommended that the Board of Education approve the Service Contract between N-MUSD and TeleParent Educational Systems (telephone communication system) for use by the secondary schools.
23. It is recommended that the Board of Education approve 1) the Agreement between the Boys and Girls Club of Tustin and N-MUSD to provide the Juvenile Alcohol and Drug Education (JADE) evening program and the Second Chance day program for the period July 1, 2007 through June 30, 2008; and 2) the Addendum to Rule and Regulation No. 4210 General Student Conduct Section 5.0 to continue the JADE and Second Chance programs through the Boys and Girls Club of Tustin for the period of July 1, 2007 through June 30, 2008.
24. It is recommended that the Board of Education approve the Agreement for student transportation services between the Orange County School Districts to provide student transportation services as needed, for the period of July 1, 2007 through June 30, 2012, in an amount not-to-exceed \$50,000.
25. It is recommended that the Board of Education enter into an Agreement with H&L Charter Co., Inc. to provide services as needed to the N-MUSD Transportation Department for the period of July 1, 2007 through June 30, 2008, in an amount not-to-exceed \$50,000.
26. It is recommended that the Board of Education enter into an Agreement with Transportation Charter Services, Inc., to provide services as needed to the N-MUSD Transportation Department for the period of July 1, 2007 through June 30, 2008, in an amount not-to-exceed \$50,000.
27. It is recommended that the Board of Education ratify Amendment #4 between LPA Architects and N-MUSD for an additional amount not-to-exceed \$42,925.00 for a total contract amount of \$1,758,036.00.
28. It is recommended that the Board of Education accept the Report on Actual Pupil Attendance and Annual Report for all regular schools in the District.
29. It is recommended that the Board of Education ratify the service contract between Inland Inspections and Consulting and N-MUSD for DSA In-Plant Inspection of relocatable buildings at the Silvercreek Plant.
30. It is recommended that the Board of Education approve Change Order #2 with R. Jensen Co., at Newport Harbor High School in the amount of \$25,448.00.
31. It is recommended that the Board of Education ratify the Agreement between American Wrecking, Inc., and N-MUSD to complete the project known as Newport Harbor High School Robins/Loats Demolition and Abatement.
32. It is recommended that the Board of Education approve the Agreement between N-MUSD and ADvTECH Environmental, Inc., in an amount not-to-exceed \$90,000 to provide continuing assistance to the District for compliance with OCHCA requirements, perform quarterly ground water well testing and free product removal for the period of July 1, 2007 through June 30, 2008.

33. It is recommended that the Board of Education approve the renewal of Year Three for Service Contract SC09-06 with United Site Services Portable Toilet Rental and Servicing for terms as outlined for the period of November 23, 2007 through November 22, 2008 in an amount not-to-exceed \$19,000.
34. It is recommended that the Board of Education approve the renewal of Year Five for service contract SC 05-05 with Eagle Aerial Imaging for services as outlined for the period of October 14, 2007 through October 13, 2008 in an amount not-to-exceed \$6,200.000 including tax and freight.
35. It is recommended that the Board of Education approve the Contract between American Homeland Solutions and N-MUSD for Emergency Response Training District-wide.
36. It is recommended that the Board of Education approve the Agreement between N-MUSD and Kleinfelder, Inc., to perform hazardous materials abatement services in an amount not-to-exceed \$37,500.00.
37. It is recommended that the Board of Education approve the list authorizing signatures for N-MUSD ASB Accounts located at Ensign, Costa Mesa High School and TeWinkle.
38. It is recommended that the Board of Education approve the Agreement between IBI Group and N-MUSD to provide contract documents and construction administration for the elementary classroom portable additions and or renovations for implementation of elementary science programs at a cost not-to-exceed \$224,000.00.
39. It is recommended that the Board of Education approve payment of the 2007/08 membership fee for the School Employers Association of California (SEAC) in the amount of \$2,486.00.
40. It is recommended that the Board of Education approve the Intern Candidate Directed Field Experience Agreement between the University of California, Irvine and N-MUSD for the time period specified.
41. It is recommended that the Board of Education approve the Student Nurse Agreement between the California State University, Fullerton and N-MUSD for the time period specified.
42. It is recommended that the Board of Education approve the Second Addendum to the Agreement between the Board of Education and Superintendent Jeffrey C. Hubbard, Ed.D., dated May 16, 2006, and authorize the Board President to execute it on the Board's behalf.
43. It is recommended that the Board of Education approve the request for a Certificated Employment Assignment Alternative/Option per Education Code 44256(b) for one employee.
44. Approval is recommended of Certificated Employees' Leave of Absence Register No. 02-08.
45. Approval is recommended of Certificated Employees' Resignation/Termination Register No. 02-08.
46. Approval is recommended of Certificated Employees' Appointment/Reassignment Register No. 02-08.

- 47. Approval is recommended of Classified Employees' Resignation/Termination Register No. 02-08.
- 48. Approval is recommended of Classified Employees' Appointment/Reassignment Register No. 02-08.
- 49. Approval is recommended of Classified Employees' Leave of Absence Register No. 02-08.
- 50. Approval is recommended of Gift Register No. 21-07.
- 51. Approval is recommended of Accounting Register No. 21-07.
- 52. Approval is recommended of Accounting Register No. 01-08.
- 53. Approval is recommended of Measure A Accounting Register No. 01-08.
- 54. Approval is recommended of Measure F Accounting Register No. 01-08.
- 55. Approval is recommended of Purchasing Report No. 01-08.
- 56. Approval is recommended of Purchasing Report Measure A & F No. 01-08A/F.
- 57. Approval is recommended of Independent Contractors Register No. 02-08.

Motion by _____ Seconded by _____ Vote _____

INTRODUCTION OF NEW STAFF

DISCUSSION/ACTION CALENDAR

- 58. **PRESENTATION OF DISTRICT ENGLISH LEARNER ADVISORY COMMITTEE (DELAC) ANNUAL REPORT.** DISCUSSION /ACTION

It is recommended that the Board of Education receive the annual report.

Motion by _____ Seconded by _____ Vote _____

- 59. **ANNUAL LOCALWELLNESS POLICY REVIEW.** DISCUSSION
- Staff will provide the annual review of the local wellness policy and Nutrition Services program.

- 60. **APPROVAL OF ADDITIONS TO THE HIGH SCHOOL COURSE OF STUDY.** DISCUSSION /ACTION

It is recommended that the Board of Education approve the additions to the High School course of study: Algebra Readiness, Math Intervention and Multicultural Literature with Glossary.

Motion by _____ Seconded by _____ Vote _____

61. **ADOPTION OF RESOLUTION NO. 02-08-08, ADOPTING THE DISTRICT'S 2007/08 ALL FUNDS FINAL BUDGET.**

DISCUSSION
/ACTION

Adoption of Resolution No. 02-08-08 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	

62. **ADOPTION OF RESOLUTION NO. 03-08-08, AUTHORIZING THE ESTABLISHMENT AND MAINTENANCE OF SITE REVOLVING CASH FUNDS.**

DISCUSSION
/ACTION

Adoption of Resolution No. 03-08-08 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	

63. **ADOPTION OF RESOLUTION NO. 04-08-08, LEVYING SPECIAL TAXES FOR 2007/08 WITHIN THE COMMUNITY FACILITIES DISTRICT (CFD) 90-1.**

DISCUSSION
/ACTION

Adoption of Resolution No. 04-08-08 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	

64. **QUARTERLY INVESTMENT REPORT.**

DISCUSSION
/ACTION

It is recommended that the Board of Education receive the Quarterly Investment Report.

Motion by _____ Seconded by _____

Vote _____

INFORMAL REPORTS

- 65. Superintendent
- 66. Assistant Superintendent's
- 67. Board Members
- 68. Legislative Representative
- 69. 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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70. ADJOURNMENT, _____ p.m.

ACTION