

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
August 28, 2007

- Closed Session At 4:30 p.m., President Franco announced that the Board of Education would convene in Closed Session to address Public Employee Evaluation: Title-Superintendent, Student Discipline, Conference with Labor Negotiator, Public Employee Discipline/Dismissal/Release and Public Employee Appointment: Title – Principal and Assistant Principal.
- Recess At 6:30 p.m., the Board took a brief recess.
- Reconvene/Call to Order/Roll Call At 7:04 p.m., President Franco called to order the Regular Board meeting with a silent invocation and Pledge of Allegiance led by Trustee Karen Yelsey.

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

- Adoption of Agenda Mr. Brooks moved adoption of the agenda as amended. Mrs. Fluor pulled Adoption of the Minutes, Discussion Action Item #59 Wellness Policy Review and #35 of the Consent Calendar. Mr. Davenport seconded the motion, and it carried unanimously with a 7/0 vote.
- Adoption of Minutes The minutes were pulled to a future meeting.
- Community Input No comments.
- Parent Liaison Report Kristi Kirsch, Executive VP of Harbor Council PTA reported that their next meeting is September 10th. Mrs. Kirsch shared that College Night will be October 24th at OC Fairgrounds and they have heard from 80 colleges who will be participating. Mrs. Kirsch also reported that she enjoyed attending the Transportation Department Event.
- Consent Calendar Mrs. Fluor moved approval of the consent calendar as amended pulling item #35 and removing student discipline ID #06-70-76 from item #6. Mr. Davenport seconded the motion, and it carried unanimously with a 7/0 vote.
 - 6. Approved the expulsion of student #: 06-81-78.
 - 7. Approved 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. Approved 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. Approved 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. Approved 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. Approved 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. Approved 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. Approved 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. Approved 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. Accepted 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. Approved the award of Campus Catering Frozen Food Bid #04-08 to US Foodservice and Sysco Food Services, Inc.
 17. Approved the award of the Campus Catering Bread Contract Bid #02-08 to Upper Crust.
 18. Approved 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. Approved 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. Approved 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. Approved 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. Approved the Service Contract between N-MUSD and TeleParent Educational Systems (telephone communication system) for use by the secondary schools.
 23. Approved 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. Approved 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. Entered 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. Entered 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. Ratified 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. Accepted the Report on Actual Pupil Attendance and Annual Report for all regular schools in the District.
 29. Ratified the service contract between Inland Inspections and Consulting and N-MUSD for DSA In-Plant Inspection of relocatable buildings at the Silvercreek Plant.
 30. Approved Change Order #2 with R. Jensen Co., at Newport Harbor High School in the amount of \$25,448.00.
 31. Ratified 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. Approved 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. Approved 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. Approved 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.
 - 36. Approved the Agreement between N-MUSD and Kleinfelder, Inc., to perform hazardous materials abatement services in an amount not-to-exceed \$37,500.00.
 - 37. Approved the list authorizing signatures for N-MUSD ASB Accounts located at Ensign, Costa Mesa High School and TeWinkle.
 - 38. Approved the Agreement between IBI Group and N-MUSD o 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. Approved payment of the 2007/08 membership fee for the School Employers Association of California (SEAC) in the amount of \$2,486.00.
 - 40. Approved the Intern Candidate Directed Field Experience Agreement between the University of California, Irvine and N-MUSD for the time period specified.
 - 41. Approved the Student Nurse Agreement between the California State University, Fullerton and N-MUSD for the time period specified.
 - 42. Approved 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. Approved the request for a Certificated Employment Assignment Alternative/Option per Education Code 44256(b) for one employee.
 - 44. Approved Certificated Employees' Leave of Absence Register No. 02-08.
 - 45. Approved Certificated Employees' Resignation/Termination Register No. 02-08.
 - 46. Approved Certificated Employees' Appointment/Reassignment Register No. 02-08.
 - 47. Approved Classified Employees' Resignation/Termination Register No. 02-08.
 - 48. Approved Classified Employees' Appointment/Reassignment Register No. 02-08.
 - 49. Approved Classified Employees' Leave of Absence Register No. 02-08.
 - 50. Approved Gift Register No. 21-07.
 - 51. Approved Accounting Register No. 21-07.
 - 52. Approved Accounting Register No. 01-08.
 - 53. Approved Measure A Accounting Register No. 01-08.
 - 54. Approved Measure F Accounting Register No. 01-08.
 - 55. Approved Purchasing Report No. 01-08.
 - 56. Approved Purchasing Report Measure A & F No. 01-08A/F.
 - 57. Approved Independent Contractors Register No. 02-08.

Introduction of
New Staff

The Board welcomed three new staff members. Assistant Principal of the Credit Recovery Center, Lissett Lovett, Principal of Ensign Intermediate, Steve McLaughlin and Jim Lamond, Director of Facilities Planning and Design.

Approval of
Presentation of
District English
Learner Advisory
Committee
(DELAC) Annual
Report

Mrs. Astarita pulled this item. It will be rescheduled to the September 11, 2007 agenda.

Approval of
Annual Local
Wellness Policy
Review

Mrs. Fluor pulled this item to a future meeting.

Minutes of Regular Meeting

**ADOPTED MINUTES
August 28, 2007**

Approval of Additions to the High School Course of Study Mrs. Fluor moved approval of the Additions to the High School Course of Study. Mrs. Black seconded the motion, and it carried unanimously with a 7/0 vote.

Adoption of Resolution No. 02-08-08, Adopting the District's 2007/08 All Funds Final Budget Mrs. Black moved to adopt Resolution No. 02-08-08, Adopting the District's 2007-08 All Funds Final Budget. Mrs. Fluor 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. 02-08-08 was adopted by a unanimous roll call vote.

Adoption of Resolution No. 03-08-08, Authorizing the Establishment and Maintenance of Site Revolving Cash Funds Mr. Brooks moved to adopt Resolution No. 03-08-08, Authorizing the Establishment and Maintenance of Site Revolving Cash Funds. 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. 03-08-08 was adopted by a unanimous roll call vote.

Approval of Adoption of Resolution No. 04-08-08, Levying Special Taxes for 2007/08 within the Community Facilities District (CED) 90-1 Mrs. Fluor moved to adopt Resolution No. 04-08-08, Levying Special Taxes for 2007/08 within the Community Facilities District (CED) 90-1. Mrs. Yelsey 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. 04-08-08 was adopted by a unanimous roll call vote.

Approval of Quarterly Investment Report Mrs. Black moved approval of the Quarterly Investment Report. Mr. Davenport seconded the motion, and it carried unanimously with a 7/0 vote.

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 Mr. Brooks reported that the budget is still in process and in the hands of the state legislature.

Please Post

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**ADOPTED MINUTES
August 28, 2007**

- CROP Report Mrs. Fluor reported that the next CROP meeting would be September 6, 2007.
- Audience
Participation Mr. Jim Rogers, NMFT President, thanked the Board and staff for the N-MFT Contract meeting last week and he looks forward to a good year ahead – his 38th with the District.
- Mrs. Cindy Means, CSEA President, thanked the Board and staff for the salary increases and shared that the employees are very happy. Mrs. Means specifically thanked Paul Reed and his department and she greatly appreciates the work they do for the district. Mrs. Means shared additional information regarding the broad background of the new Director of Facilities Planning and Design, Jim Lamond, and said the District is extremely lucky to have him in this position.
- 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 9:05 p.m. President Franco adjourned the meeting in memory of Jodie Adkins, Laura Boss’ grandmother.

Jeffrey C. Hubbard, Secretary