

# **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, October 23, 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.

### **3:30 P.M. STUDY SESSION**

*Education Center – Roderick H. MacMillian Board Meeting Room*

### **District-wide Emergency Preparedness Training Update - and - Policy Makers Workshop**

### **5:00 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)

### **6:00 P.M. – ANNUAL DINNER WITH STUDENT BOARD MEMBERS**

*Education Center - SIMC Library*

### **7:00 P.M. REGULAR MEETING**

*Education Center - Roderick H. MacMillian Board Meeting Room*

**PRELIMINARY**

1. **CALL TO ORDER.** The meeting was called to order by the presiding Chairperson, \_\_\_\_\_, at \_\_\_\_\_ p.m.

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

**2007/08 Student Board Members:**

- |       |                    |                             |
|-------|--------------------|-----------------------------|
| _____ | Samantha Strodel   | Costa Mesa HS               |
| _____ | Elliott Sneen      | Costa Mesa HS               |
| _____ | Ethan Simonoff     | Costa Mesa HS               |
| _____ | Alex Shaw          | Newport Harbor HS           |
| _____ | Peter Jackson      | Newport Harbor HS           |
| _____ | Kayla Donohue      | Early College HS (semester) |
| _____ | Olivia Coleman     | Early College HS (semester) |
| _____ | Sheri Siegler      | Early College HS (semester) |
| _____ | Ethan Flores       | Early College HS (semester) |
| _____ | Dillon Hood        | Early College HS (semester) |
| _____ | Bryan Ruiz         | Early College HS (semester) |
| _____ | Kyle Tomlin        | Corona Del Mar HS           |
| _____ | Olivia Schow       | Estancia HS                 |
| _____ | Cassandra Menendez | Estancia HS                 |
| _____ | Harold Golson      | OC Middle College HS        |
| _____ | Antje Gabler       | OC Middle College HS        |
| _____ | Ian Loungway       | Back Bay HS                 |
| _____ | Raven Villafana    | Back Bay HS                 |
| _____ | Jordan Vison       | Back Bay HS                 |
| _____ | Esmeralda Zaragoza | Back Bay HS                 |

4. **ADOPTION OF AGENDA.** Recommendation is made that the agenda be adopted as submitted. ACTION

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

Vote \_\_\_\_\_

## **PRESENTATIONS**

### **1. Presentation of Employee Super-Star Awards - Revised**

- ★ *Robert Abel, Jr.*
- ★ *Jose Barron-Villasenor*
- ★ *Pam Bertsch*
- ★ *Rebecca Bishai*
- ★ *Rachel de los Santos*
- ★ *Patty Dreher*
- ★ *June Elsten*
- ★ *Esther Fernandez*
- ★ *Susan Fish*
- ★ *Scott Fitzpatrick*
- ★ *Karl Gierke*
- ★ *Jose Gutierrez*
- ★ *Barbara Haack*
- ★ *Gloria Hardy*
- ★ *Monica Hurst*
- ★ *Pam Johnson*
- ★ *Kristen Karlin*
- ★ *Jackie Land*
- ★ *Danny Lesser*
- ★ *Marla Loffelmacher*
- ★ *Brooke Overfelt*
- ★ *Carol Perkins*
- ★ *Kim Rapp*
- ★ *Scott Smith*

### **2. Presentation of United Way 2007/08 Campaign**

## **STUDENT BOARD MEMBER REPORTS**

### **PARENT LIAISON REPORT**

### **PUBLIC HEARINGS**

- 1. In Compliance with Requirements of Education Code Sections 60119 and 60422(b) – Sufficiency of Textbooks or Instructional Materials that are Consistent with the Content and Cycles of the Curriculum Framework for 2007/08.**
- 2. Recommendation to Re-Appoint Personnel Commissioner Kenneth Wayman for a three-year term commencing December 1, 2007 to serve as the Board of Education’s appointee.**

## **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.

## **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 students with the following I.D. #'s: 07-06-60,07-04-79 and 07-07-76.
6. It is recommended that the Board of Education approve ten new individual contracts through the 2007/08 school year as established from the Individual Educational Program in the amount of \$127,757.30.
7. It is recommended that the Board of Education approve two parent reimbursement contracts through the 2007/08 school year as established from the Individual Educational Program in the amount of \$1,775.26.
8. It is recommended that the Board of Education approve the Memorandum of Understanding between the Orange County Superintendent of Schools and the Newport-Mesa Unified School District for special education services and programs operated through the Orange County Department of Education's Special Schools Program for the period of July 1, 2007 through June 30, 2008 at an estimated annual bill back per pupil cost of \$37,507.00.

9. It is recommended that the Board of Education approve the School Readiness Health, Opportunities, Preparation and Education (HOPE) Resource Program grant funding increase and First Amendment to Grant #F03-HC-06 in the amount of \$17,500 for a total of \$192,500 from the Children and Families Commission of Orange County for the period July 1, 2007 to June 30, 2008.
10. It is recommended that the Board of Education approve the Sub-Contract Agreement between CSU Fullerton Auxiliary Services Corporation and the Newport-Mesa Unified School District to provide tutoring services through the Provisions of Child Abuse Prevention and Intervention Services (Literacy Project) to Newport-Mesa students residing in group homes and foster care.
11. It is recommended that the Board of Education authorize the Deputy Superintendent, Chief Business Official to enter into an agreement with Hyland Software, Inc., for the provision of database backup validation and storage services.
12. It is recommended that the Board of Education ratify the Agreement between American Wrecking, Inc., and the Newport-Mesa Unified School District to complete the project known as Newport-Harbor High School Robins/Loats Demolition and Abatement.
13. It is recommended that the Board of Education authorize the Deputy Superintendent to enter in an agreement between LPA Architects and the Newport-Mesa Unified School District for an amount not-to-exceed \$10,000.00.
14. It is recommended that the Board of Education approve Change Order #1 with Fire Master in the amount of \$2,500 for year three of a five year service contract agreement for the period July 1, 2007 through June 30, 2008 for a total amount not-to-exceed \$21,500.00.
15. It is recommended that the Board of Education approve Architect Contract AC-01-08 MF between Newport-Mesa Unified School District and Westberg and White Inc, for design services of the Estancia High School block wall project in an amount not-to-exceed \$24,000.00.
16. It is recommended that the Board of Education approve and adopt the Addendum to: Estancia High School Athletic Stadium Complex Mitigated Negative Declaration/Initial Study.
17. It is recommended that the Board of Education reject in whole, Claim No. 025422-0001.
18. It is recommended that the Board of Education approve the 2007/08 Williams Uniform Complaints First Quarterly Report covering the period of July 1 to September 28, 2007. No complaints have been received during this reporting period.
19. Approval is recommended of Certificated Employees' Leave of Absence Register No. 06-08.
20. Approval is recommended of Certificated Employees' Resignation/Termination Register No. 06-08.
21. Approval is recommended of Certificated Employees' Appointment/Reassignment Register No. 06-08.
22. Approval is recommended of Classified Employees' Resignation/Termination Register No. 06-08.

23. Approval is recommended of Classified Employees' Appointment/Reassignment Register No. 06-08.
24. Approval is recommended of Classified Employees' Leave of Absence Register No. 06-08.
25. Approval is recommended of Gift Register No. 04-08.
26. Approval is recommended of Accounting Register No. 05-08.
27. Approval is recommended of Measure A Accounting Register No. 05-08.
28. Approval is recommended of Measure F Accounting Register No. 05-08.
29. Approval is recommended of Purchasing Report No. 05-08.
30. Approval is recommended of Purchasing Report A&F No. 05-08A/F.
31. Approval is recommended of Independent Contractors Register No. 06-08.
32. Approval is recommended of Student Trip Register No. 03-08.

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_

**RESOLUTION CONSENT CALENDAR**

As with the Consent Calendar, all items listed under the Resolution Consent Calendar are considered by the Board to be routine and will be enacted by the Board in one roll call vote and will be deemed the same vote for each of the items.

33. ADOPTION OF RESOLUTION NO. 09-10-08 – In Support of the 2007/08 United Way Campaign.
34. ADOPTION OF RESOLUTION NO. 10-10-08 –In Compliance with Requirements of Education Code Sections 60119 and 60422(b) – Sufficiency of Textbooks or Instructional Materials.
35. ADOPTION OF RESOLUTION NO. 11-10-08 – Certifying approval of the Agreement between the State of California, Department of Rehabilitation and the Newport-Mesa Unified School District for the Bridges to Youth Self Sufficiency Program for the 2007/08 school year and authorizing representative signatures.
36. ADOPTION OF RESOLUTION NO. 12-10-08 – Authorizing signatures for the Newport-Mesa Unified School District Flexible Spending Account established with Wells Fargo Bank.
37. ADOPTION OF RESOLUTION NO. 13-10-08 – Authorizing participation in the Class Size Reduction Program and Certification for 2007/08 pursuant to Education Code Section 52150 et seq.

**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	

**DISCUSSION/ACTION CALENDAR**

38. **APPOINTMENT OF PERSONNEL COMMISSIONER.** DISCUSSION  
It is recommended that the Board of Education approve the re-appointment of Mr. Kenneth Wayman to the Personnel Commission for a three-year term as the Board of Education's appointee for the term commencing December 1, 2007. /ACTION

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_

39. **SECOND READING – NEW BOARD POLICY/RULE AND REGULATION NO. 7336 COMPLAINTS CONCERNING SCHOOL PERSONNEL.** DISCUSSION  
It is recommended that the Board of Education approve the second reading of new Board Policy and Rule and Regulation No. 7336. /ACTION

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_

40. **SECOND READING –REVISED RULE AND REGULATION NO. 7330 - QUESTIONING INSTRUCTIONAL PROGRAMS AND SUPPORTING OPERATIONS (PROGRAM/INDIVIDUAL).** DISCUSSION  
It is recommended that the Board of Education approve the second reading of revised Rule and Regulation No. 7330. /ACTION

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_

41. **SECOND READING – REVISED BOARD POLICY/RULE AND REGULATION NO. 3150 BOARD OF EDUCATION/ADMINISTRATORS/ CONFIDENTIAL WORKING RELATIONS AND ELIMINATION OF BOARD POLICY AND RULE AND REGULATION NO. 3160 BOARD OF EDUCATION/CONFIDENTIAL EMPLOYEES WORKING RELATIONS.** DISCUSSION  
It is recommended that the Board of Education approve the second reading of revised Board Policy and Rule and Regulation No. 3150 adding Confidential Employees and, as a result, elimination of Board Policy and Rule and Regulation No. 3160. /ACTION

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_

42. **SECOND READING – REVISED BOARD RULE AND REGULATION NO. 3155 BOARD OF EDUCATION/SUPERVISORS WORKING RELATIONS.** DISCUSSION  
It is recommended that the Board of Education approve the second reading of revised Rule and Regulation No. 3155. /ACTION

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_

**INFORMAL REPORTS**

- 43. Superintendent
- 44. Assistant Superintendent's
- 45. Board Members
- 46. Legislative Representative
- 47. 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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48. ADJOURNMENT, \_\_\_\_\_ p.m.

ACTION