

**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  
November 13, 2007

Study Session At 5:00 p.m., President Franco called to order the study session. Dr. Hubbard announced that the purpose of the study session was to celebrate collaboration with the Representatives from the Newport-Mesa Federation of Teachers and the California School Employees Association.

At 6:00 p.m., President Franco adjourned the study session.

Closed Session At 6:15 p.m., President Franco announced that the Board of Education would convene in Closed Session to address Student Discipline, Conference with Labor Negotiator and Public Employee Discipline/Dismissal/Release.

Reconvene/Call to Order/Roll Call At 7:02 p.m., President Franco called to order the Regular Board meeting with a silent invocation and Pledge of Allegiance led by Student Board Member Samantha Strodel.

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

Student Board Members

- Samantha Strodel, CMHS
- Casandra Menendez, EHS
- Raven Villafana, BBHS

Mr. Brooks moved adoption of the agenda as submitted. Mrs. Black seconded the motion, and it carried unanimously with a 7/0 vote.

Adoption of Minutes Mrs. Fluor moved adoption of the following minutes. Mrs. Black seconded the motion, and it carried unanimously with a 7/0 vote.

- September 11, 2007
- September 25, 2007
- October 1, 2007
- October 9, 2007
- October 15, 2007
- October 23, 2007

Student Board Member Reports Student Board members provided reports regarding events and activities occurring at their respective schools sites.

Parent Liaison Report Nadine Turner, President of Harbor Council PTA reported on various activities and events.

Community Input Audience member Harris Sherman spoke about the fire policy. He quoted Government Code 54950 regarding Brown Act Open Meeting Laws.

Audience member Anthony Pace brought forth his concerns regarding his special education son at Newport Coast and the cancellation of services.

Audience member Cheryl Conrad spoke about her Newport Coast special education son being denied services.

Audience member Caren Cope-Fahy voiced her concern regarding special education and the IEP process. She felt that the recommendation was not appropriate.

Audience member Julie Williford spoke about her two special education sons at Corona del Mar High School and the increasing negative activities and attitudes in special education.

Audience member Stacia Beckman spoke about her concerns of the low API scores at Adams Elementary.

Audience member Vicki Carney has an autistic child that is placed in a private school. She stated that movement back to the public school is not always in the best interest of the child.

Audience member Dan Carney stated that from 2000-2006 his special education student was happy and never needed lawyer involvement. He states that 2006 brought new tactics with the new administration.

Audience member Poita Cernius has four students (one Gate, one special education, and 2 regular) attending Newport-Mesa Unified School District and stated that she did not receive notification of the IEP process, special education administration could not produce a copy of the notice and that they don't know the students or their services.

Audience member Bill Cernius shared his concern that the administration attending an IEP had not reviewed his child's file.

Audience member William Murphy shared concerns about aggressive behavior of special education department.

Audience member Jerrine Murphy shared her concerns about the special education department.

Audience member Lisa Ackerman spoke about her special education son who is attending Paularino Elementary and doing very well there. She urged the Board to look at the IEP process.

Dr. Hubbard shared his thoughts on all three areas of parental concern.

Recess  
Reconvene  
Acceptance of  
Donation from the  
Irvine Company  
in the amount of  
\$250,000 for the  
Elementary  
Science Resource  
Teacher Program  
Consent Calendar

At 8:06 p.m., the Board took a recess.

At 8:13 p.m., the Board President reconvened the meeting.

*President Franco moved Agenda Item No. 38 ahead of the consent calendar.*

*Mrs. Black moved approval of the Acceptance of Donation from the Irvine Company, Mr. Davenport seconded the motion, and it carried unanimously with a 7/0 vote.*

*Mr. Davenport moved approval of the Consent Calendar as presented with the exception of #6 (Student #'s 07-14-72, 07-13-72), and item #10 which were pulled for separate action. Mr. Brooks seconded the motion and it carried unanimously.*

- 6. Approved the expulsions of students with the following I.D. #'s: 07-12-79, 07-15-65, 07-02-68, 07-10-78, 07-11-76, 07-17-77, and 07-19-79.
- 7. Approved nine new individual contracts through the 2007/08 school year as established from the Individual Educational Program in the amount of \$27,269.28.

8. Approved two parent reimbursement contracts through the 2007/08 school year as established from the Individual Educational Program in the amount of \$21,000.00.
9. Approved the State Approved Provider Income Agreement No. 32492 between Newport-Mesa Unified School District and the Orange County Superintendent of Schools to serve as the High Priority Schools Grant provider and monitor and support the process for Rea Elementary School at a cost of \$15,000 for the term of July 1, 2007 through June 30, 2008.
11. Approved the Income Agreement between Newport-Mesa Unified School District and the Orange County Superintendent of Schools to fully implement the lab improvements for the Digital Arts Computer Lab at Corona del Mar High School through two custom training technology sessions entitled "Infusion of Technology Across the Curriculum" in the amount of \$400.00, paid for by the CdMHS PTA.
12. Approved Settlement Authority for a Stipulation with Request for Award of \$10,175.00 with a provision for future medical care for Claim No. 1207-06-0031.
13. Authorized the Deputy Superintendent, Chief Business Official to enter into an Agreement with the Orange County Superintendent of Schools to provide enrollment for the District with School Services of California, Inc., as a member of the Coalition for Hourly Instructional Programs (CHIP) to mitigate the fiscal impact to school districts that are experiencing loss of revenue in operating supplemental instruction programs for the term of October 1, 2007 through September 30, 2008, at an agreement cost of \$535.71.
14. Approved the Agreement with Pacific Coachways Charter Services, Inc., to provide services as needed to the Newport-Mesa Unified School District Transportation Department for the period of July 1, 2007 to June 30, 2008, in an amount not-to-exceed \$50,000.00.
15. Approved an Agreement between Newport-Mesa Unified School District and AdVTech Environmental, Inc, to provide ongoing environmental consultation services and Agency required Work Plan per AdVTech FY'04 fee schedule and proposal dated September 30, 2007, for the period of November 13, 2007 through June 30, 2008 in an amount not-to-exceed \$16,500.00.
16. Approved Change Order #1 to the Agreement between R. Jensen Company, Inc. and the Newport-Mesa Unified School District for the TeWinkle Intermediate School Health Education Center in the amount not-to-exceed \$14,981.00.
17. Approved Amendment #6-R1 between LPA Architects and the Newport-Mesa Unified School District for an additional amount not-to-exceed \$63,650.00 for a total contract amount of \$1,821,686.00 for Newport Harbor High School.
18. Approved Amendment #7-R1 between LPA Architects and the Newport-Mesa Unified School District for an additional amount not-to-exceed \$7,490.00 for a total contract amount of \$1,829,176.00 for Newport Harbor High School.
19. Approved Amendment #8 between LPA Architects and the Newport-Mesa Unified School District for an additional amount not-to-exceed \$11,848.00 for a total contract amount of \$1,841,024.00 for Newport Harbor High School.
20. Approved agreement with Silver State Trailways to provide services as needed to the Newport-Mesa Unified School District Transportation Department, for the period of July 1, 2007 to June 30, 2008, in an amount not to exceed \$50,000.00.
21. Approved the pool complex project and contract with IBI Group, Inc., to perform architectural design services for renovation and expansion of the pool complex at Corona del Mar High School.
22. Approved Certificated Employees' Leave of Absence Register No. 07-08.
23. Approved Certificated Employees' Resignation/Termination Register No. 07-08.
24. Approved Certificated Employees' Appointment/Reassignment Register No. 07-08.
25. Approved Certificated Employees' Assignment Alternatives/Options for one Certificated employee pursuant to Education Code 44256(b).
26. Approved Certificated Employees' Assignment Alternatives/Options for twenty four Certificated employees pursuant to Education Code 44258.7(b) to cover one period a day for coaching a competitive sport.
27. Approved Classified Employees' Resignation/Termination Register No. 07-08.
28. Approved Classified Employees' Appointment/Reassignment Register No. 07-08.
29. Approved Classified Employees' Leave of Absence Register No. 07-08.
30. Approved Gift Register No. 05-08.

- 31. Approved Accounting Register No. 06-08.
- 32. Approved Measure A Accounting Register No. 06-08.
- 33. Approved Measure F Accounting Register No. 06-08.
- 34. Approved Purchasing Report No. 06-08.
- 35. Approved Purchasing Report A&F No. 06-08A/F.
- 36. Approved Independent Contractors Register No. 07-08.
- 37. Approved Student Trip Register No. 04-08.

*Mrs. Black moved approval of Item #10. Mr. Davenport seconded the motion and it carried with a 6/0 vote (Fluor abstained).*

- 10. Approved the Agreements with Telecommunications of Orange County/KOCE TV (TOC) and the Newport-Mesa Unified School District for participation by Mariners, Newport, Newport Heights, Rea and Wilson Elementary Schools in the subscription services for streaming video instructional materials provided through TOC for the period of September 1, 2007 through August 30, 2008 at a rate of \$1.03 per student for a total cost to the District of \$2,923.14.

*Mr. Davenport moved approval of Item #6 as amended. Mrs. Black seconded the motion and it carried with a 6/1 vote (Fluor opposed).*

- 6. Approved the expulsions of students with the following I.D. #'s: 07-14-72, 07-13-72.

Introduction of  
New Staff

Dr. Novack introduced Mrs. Gloria Duncan as the new Assistant Principal at Ensign Intermediate School.

Receipt of the  
Williams Annual  
Report for  
2006/07 and the  
First Quarter  
Report on  
textbook/  
instructional  
materials site  
review recap  
2007/08.

Mrs. Fluor moved to receive the Williams Annual Report for 2006/07 and the First Quarter Report on textbook/instructional materials site review recap for 2007/08. Mr. Brooks seconded the motion and it carried unanimously.

Approval of  
Overnight Field  
Trip Request for  
Newport Harbor  
High School  
Social Studies  
Class to Travel to  
Central Europe in  
the Spring, 2008.

*President Franco moved Agenda Item 44 ahead of Item 40 on Discussion/Action.*

Mrs. Black moved to approve the Overnight Field Trip request for Newport Harbor High School Social Studies class to travel to Central Europe in the spring, 2008. Mrs. Fluor seconded the motion, and it carried unanimously with a 7/0 vote.

Approval and  
Grant  
Authorization to  
Retain LPA, Inc.  
for the purpose of  
creation of  
Educational  
Specifications for  
Middle School  
Enclaves and  
Performing Arts  
Facilities at Costa

Mr. Davenport moved authorization to Retain LPA, Inc. for the purpose of performing architectural services related to the creation of educational specifications for middle school enclaves and performing arts facilities at Costa Mesa High School and Corona del Mar High School. Mrs. Black seconded the motion and it carried unanimously.

**Minutes of Regular Meeting**

**ADOPTED MINUTES  
November 13, 2007**

Mesa High School  
and Corona del  
Mar High School

Adoption of Resolution No. 14-11-08 Honoring Character Education Month, October 2007, and American Character and Education Week, November 11-17, 2007

Mrs. Black moved adoption of the Resolution No. 14-11-08 as presented. 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. 14-11-08 was adopted by a unanimous roll call vote.

Adoption of Resolution No. 15-11-08 In Opposition to the United States Department of Health and Human Services Rule CMS2287

Mrs. Black moved adoption of the Resolution 15-11-08 as presented. 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. 15-11-08 was adopted by a unanimous roll call vote.

Adoption of Resolution No. 16-11-08 Authorizing Signature Authority for the Newport-Mesa Unified School District for Orange County Business Bank

Mrs. Fluor moved adoption of the Resolution 16-11-08 as presented. 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. 16-11-08 was adopted by a unanimous roll call vote.

Approval of Quarterly Investment Report

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

First Reading – Revised Board Policy No. 4119.11 Sexual Harassment of Employees Change in Board Meeting Schedule

The First Reading of the Revised Board Policy No. 4119.11 Sexual Harassment of Employees has been pulled to the December 11, 2007 Board Meeting.

Mrs. Fluor moved approval to:

- Cancel Tuesday, November 27, 2007 Board meeting.
- Cancel Tuesday, December 25, 2007 Board meeting.
- Schedule a special board meeting on Monday, November 26, 2007 at 12:00 noon to take the place of the November 27 board meeting.

**Minutes of Regular Meeting**

**ADOPTED MINUTES  
November 13, 2007**

- Schedule a special board meeting on Wednesday, December 5, 2007 at 9:00 a.m. for a governance study session.
- Cancel Tuesday, November 27, 2007 Board meeting.

Mr. Brooks seconded the motion and it carried unanimously with a 7/0 vote.

Set the Board's Annual Organizational Meeting – December 11, 2007

Mrs. Black moved approval to set the Board's Annual Organizational Meeting to be held on December 11, 2007 at 7:00 p.m. in accordance with Education Code 35143 and 72000. Mr. Collier seconded the motion, and it carried unanimously with a 7/0 vote.

Information to the Board

Notice of 30-Day Textbook Display Period begins November 14, 2007 through December 11, 2007. "Principles of Economics" by N. Gregory Mankiw; Publisher is Thomson/Southwestern – AP Economics at Estancia High School.

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

No comments.

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 10:18 p.m. President Franco adjourned the meeting.

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Jeffrey C. Hubbard, Secretary