

A G E N D A

NEWPORT-MESA UNIFIED SCHOOL DISTRICT
Annual Organizational 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

December 11, 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.

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 Organizations – N-MFT, CSEA,
Management, Confidential and Supervisors
(Pursuant to Government Code §54957.6)

Conference with Legal Counsel-Existing Litigation

(Pursuant to Government Code §54956.9)

Disclosure will jeopardize existing settlement negotiations.

Public Employee Discipline/Dismissal/Release

(Pursuant to Government Code §54957)

6:30 P.M. RECESS

Education Center – Superintendent's Office Conference Room

REGULAR MEETING – 7:00 P.M.

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

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 |
| Megan Gaal | Corona Del Mar HS |
| Jamie Lawson | 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 |

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

- November 13, 2007
- November 26, 2007

Motion by _____ Seconded by _____ Vote _____

ANNUAL ORGANIZATIONAL MEETING

6. ELECTION OF BOARD PRESIDENT, 2007/08. Nomination(s) for the President of the Board of Education, 2007/08, closing of nomination(s), and the casting of ballots to fill that office are recommended. ACTION
Nominated by _____ Seconded by _____ Vote _____
7. ELECTION OF BOARD VICE-PRESIDENT, 2007/08. Nomination(s) for the Vice-President of the Board of Education, 2007/08, closing of nomination(s), and the casting of ballots to fill that office, are recommended. ACTION
Nominated by _____ Seconded by _____ Vote _____
8. ELECTION OF BOARD CLERK, 2007/08. Nomination(s) for the Clerk of the Board of Education, 2007/08, closing of nomination(s), and the casting of ballots to fill that office, are recommended. ACTION
Nominated by _____ Seconded by _____ Vote _____
9. ELECTION OF REPRESENTATIVE, C.R.O.P., 2007/08. It is Recommended that two representatives be appointed to serve a two year term on the Coastline Regional Occupational Program Board, 2007/08. ACTION
Nominated by _____ Seconded by _____ Vote _____
10. ELECTION OF LEGISLATIVE REPRESENTATIVE, 2007/08. Election of a Board member to serve a one-year term as the Legislative Representative, 2007/08, is recommended. ACTION
Nominated by _____ Seconded by _____ Vote _____
11. ELECTION OF REPRESENTATIVE, NOMINATING COMMITTEE ON COUNTY SCHOOL DISTRICT ORGANIZATION, 2007/08 (Ed. Code 35023). It is recommended that in accordance with Education Code Section 35023 one representative and one alternate be elected for the 2007/08 year to the Nominating Committee on County School District Organization. ACTION
Nominated by _____ Seconded by _____ Vote _____
12. ELECTION OF POLITICAL ACTION REPRESENTATIVE, ORANGE COUNTY SCHOOL BOARDS ASSOCIATION, 2007/08. It is recommended that a Board member be elected as Political Action Representative to the Orange County School Boards Association, for a one-year term, 2007/08. ACTION
Nominated by _____ Seconded by _____ Vote _____
13. ELECTION OF REPRESENTATIVES, CALIFORNIA SCHOOL BOARDS ASSOCIATION, LEGISLATIVE NETWORK, 2007/08. It is recommended that Board representatives be elected to the California School Boards Association Legislative Network, for a one-year term, 2007/08. ACTION
Nominated by _____ Seconded by _____ Vote _____
14. ELECTION OF BOARD REPRESENTATIVE TO YOUTH COUNCIL, CITY OF COSTA MESA, 2007/08. It is recommended that a Board member be elected as representative to the City of Costa Mesa Youth Council, for a one-year term, 2007/08. ACTION
Nominated by _____ Seconded by _____ Vote _____
15. ELECTION OF BOARD REPRESENTATIVE TO YOUTH COUNCIL, CITY OF NEWPORT BEACH, 2007/08. It is recommended that a Board member ACTION

be elected as representative to the City of Newport Beach Youth Council, for a one-year term, 2007/08.

Nominated by _____ Seconded by _____ Vote _____

16. ELECTION OF LIAISON WITH COMMUNITY ADVISORY COMMITTEE (CAC), 2007/08. It is recommended that a Board member be elected as liaison to the Community Advisory Committee (CAC), 2007/08. ACTION

Nominated by _____ Seconded by _____ Vote _____

17. ELECTION OF LIAISON WITH CORONA DEL MAR CHAMBER OF COMMERCE, 2007/08. It is recommended that a Board member be elected as liaison to the Corona del Mar Chamber of Commerce, for a one-year term, 2007/08. ACTION

Nominated by _____ Seconded by _____ Vote _____

18. ELECTION OF LIAISON WITH COSTA MESA CHAMBER OF COMMERCE, 2007/08. It is recommended that a Board member be elected as liaison to the Costa Mesa Chamber of Commerce, for a one-year term, 2007/08. ACTION

Nominated by _____ Seconded by _____ Vote _____

19. ELECTION OF LIAISON WITH NEWPORT HARBOR CHAMBER OF COMMERCE, 2007/08. It is recommended that a Board member be elected as liaison to the Newport Harbor Chamber of Commerce, for a one-year term, 2007/08. ACTION

Nominated by _____ Seconded by _____ Vote _____

20. ELECTION OF LIAISON WITH NEWPORT-MESA SCHOOLS FOUNDATION, 2007/08. It is recommended that a Board member be elected as liaison to the Newport-Mesa Schools Foundation, for a one-year term, 2007/08. ACTION

Nominated by _____ Seconded by _____ Vote _____

21. ELECTION OF SCHOOL ATTENDANCE REVIEW BOARD REPRESENTATIVES, 2007/08. It is recommended that (3) Board members (2) representatives, and (1) alternate be elected to serve as liaisons to the School Attendance Review Board (SARB), for a one-year term, 2007/08. ACTION

Nominated by _____ Seconded by _____ Vote _____

22. ELECTION OF CIF (California Interscholastic Federation) BOARD LIAISON REPRESENTATIVES, 2007/08. It is recommended that (2) Board members (1) a representative, and (1) alternate be elected to serve as liaisons to the CIF Southern Section Council, for a one-year term, 2007/08. ACTION

Nominated by _____ Seconded by _____ Vote _____

23. ELECTION OF WELLNESS ADVISORY COMMITTEE REPRESENTATIVES, 2007/08. It is recommended that (2) Board members be elected to serve as liaisons and one alternate to the District's Wellness Advisory Committee, for a one-year term, 2007/08. ACTION

Nominated by _____ Seconded by _____ Vote _____

24. ELECTION OF VISUAL AND PERFORMING ARTS COMMITTEE REPRESENTATIVES, 2007/08. It is recommended that (2) Board members be elected to serve as liaisons and one alternate to the District's Visual and Performing Arts Committee, for a one-year term, 2007/08. ACTION

Nominated by _____ Seconded by _____ Vote _____

25. ELECTION OF PROFESSIONAL LEARNING COMMUNITY ADVISORY COMMITTEE REPRESENTATIVES, 2007/08. It is recommended that (2) Board members be elected to serve as liaisons and one alternate to the District's Professional ACTION

Nominated by _____ Seconded by _____ Vote _____

25. ELECTION OF PROFESSIONAL LEARNING COMMUNITY ADVISORY COMMITTEE REPRESENTATIVES, 2007/08. It is recommended that (2) Board members be elected to serve as liaisons and one alternate to the District's Professional

- Learning Community Advisory Committee, for a one-year term, 2007/08.
Nominated by _____ Seconded by _____ Vote _____
26. ELECTION OF PROJECT ASK (ADVOCATES SUPPORTING KIDS) ADVISORY COUNCIL COMMITTEE REPRESENTATIVE, 2007/08. ACTION
It is recommended that the (2) Board members be elected to serve as liaisons and (1) alternate to the District's Project ASK Advisory Committee, for a one-year term, 2007/08.
Nominated by _____ Seconded by _____ Vote _____
27. ELECTION OF DISTRICT ENGLISH LEARNERS ADVISORY COMMITTEE (DELAC) REPRESENTATIVE, 2007/08. It is recommended ACTION
that (2) Board members be elected to serve as liaisons and (1) alternate to the District's English Learners Advisory Committee (DELAC), for a one-year term, 2007/08.
Nominated by _____ Seconded by _____ Vote _____
28. STUDENT BOARD MEMBER LIAISON, 2007/08. It is recommended ACTION
that the Board's Immediate Past President be elected as the Student Board Member Liaison, for a one-year term, 2007/08.
Nominated by _____ Seconded by _____ Vote _____
29. APPOINTMENT OF SECRETARY, 2007/08. It is recommended ACTION
that Superintendent Jeffrey Hubbard be appointed as Secretary of the Board of Education, 2007/08.
Motion by _____ Seconded by _____ Vote _____
30. APPOINTMENT OF ASSISTANT SECRETARY, 2007/08. It is ACTION
recommended that Deputy Superintendent Paul Reed, Assistant Superintendents Susan Astarita, Chuck Hinman, and Elizabeth Novack be appointed to share the position of Assistant Secretary to the Board of Education, 2007/08.
Motion by _____ Seconded by _____ Vote _____
31. SCHEDULE OF BOARD MEETINGS. Establishment of dates, place, ACTION
and time for the regular meetings of the Board of Education for the 2007/08 year is recommended.
Motion by _____ Seconded by _____ Vote _____
32. RECOMMENDATION FOR CHIEF NEGOTIATOR, 2007/08. It is ACTION
recommended that Elizabeth Novack, Assistant Superintendent of Human Resources, serves as chief negotiator for certificated and classified personnel for the 2007/08 year, and that members of the negotiating teams be selected at a later date.
Motion by _____ Seconded by _____ Vote _____
33. DESIGNATION OF MANAGEMENT PERSONNEL, 2007/08. It is ACTION
recommended that management personnel, as referenced, be designated for 2007/08.
Motion by _____ Seconded by _____ Vote _____
34. ADJOURNMENT OF THE ANNUAL ORGANIZATIONAL MEETING, _____ p.m. ACTION

RECESS

The Board will take a brief recess to reorganize seating arrangements in accordance with the election of new officers and return to the regular meeting.

STUDENT BOARD MEMBER REPORTS

PARENT LIAISON REPORT

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.

REASONABLE ACCOMODATION FOR ANY INDIVIDUAL WITH A DISABILITY. 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, please 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.

35. It is recommended that the Board of Education approve the expulsions of students with the following I.D. #'s: 07-23-77 and 07-21-79.
36. It is recommended that the Board of Education approve ten new individual contracts for a total Individual Education Cost (IEP) of \$55,677.50 through the 2007/08 school year, as established from the Individual Educational Program.
37. It is recommended that the Board of Education approve two parent reimbursement contracts for a total Individual Education Cost (IEP) of \$720.00 through the 2007/08 school year, as established from the Individual Educational Program.
38. It is recommended that the Board of Education approve the Final Compromise and Release Agreement Office of Administrative Hearings Case No. N2007100786 in the amount of \$2,000.00 pursuant to the laws of the State of California.

39. It is recommended that the Board of Education approve the Final Compromise and Release Agreement Office of Administrative Hearings Case No. N2007110194 in the amount of \$1,750.00 pursuant to the laws of the State of California.
40. It is recommended that the Board of Education approve the Final Compromise and Release Agreement Office of Administrative Hearings Case No. N2007110249 in the amount of \$3,500.00 pursuant to the laws of the State of California.
41. It is recommended that the Board of Education approve the Final Compromise and Release Agreement Office of Administrative Hearings Case No. N2007100466 in the amount of \$62,500.00 pursuant to the laws of the State of California.
42. It is recommended that the Board of Education approve the Resolution Agreement with the California Department of Education, Special Education Division, Procedural Safeguards Referral Services (PSRS) Log Number 68666 in the amount of \$1,300.00, pursuant to the laws of the State of California.
43. It is recommended that the Board of Education approve one Master Contract with E.C.E. 4 Autism and one Addendum with Autism Spectrum Therapies as established from the Individual Educational Program.
44. It is recommended that the Board of Education approve the contract with Arrowhead Ranch for participation by students at Lincoln Elementary School for the 6th Grade Outdoor Science School for the 2007-2008 school year.
45. It is recommended that the Board of Education approve the Teacher Recruitment and Retention grant applications for the following eligible schools pursuant the grant qualifications: College Park, Pomona, Rea, Whittier and Wilson Elementary Schools and Monte Vista High School.
46. It is recommended that the Board of Education ratify the previously Board approved Agreement between the Newport-Mesa Unified School District and the University of California, Irvine, for the Team Up! Event utilized by the Project Success team in August 2007. Due to UCI modifying their contract requirements, the new form needs Board ratification.
47. It is recommended that the Board of Education approve the Memorandum of Understanding between the Newport-Mesa Unified School District and Saint John the Baptist School to provide Beginning Teacher Support and Assessment (BTSA)/Induction for qualified new teachers at Saint John the Baptist School at a cost to Saint John's in the amount of \$17,724.00.
48. It is recommended that the Board of Education approve the revised Site Discretionary Expenditure Plans for Andersen Elementary School and Costa Mesa High School.
49. It is recommended that the Board of Education grant authorization to retain KPFF Consulting Engineers and approve a Service Contract Agreement for structural engineering review at Costa Mesa High School and design remediation measures in an amount not-to-exceed \$40,000.00.
50. It is recommended that the Board of Education authorize the Deputy Superintendent of Newport-Mesa Unified School District to retain Haight Brown & Bonesteel, LLP for environmental legal matters as needed in the amount not-to-exceed \$25,000.00.
51. It is recommended that the Board of Education approve the retention of Michael Merino Architects for architectural and engineering services for the installation of one ball wall at Back Bay High School in the amount not-to-exceed \$7,500.00.

52. It is recommended that the Board of Education grant authorization to retain MTGL, Inc., for soils testing and inspecting on an as needed basis at various District sites in an amount not-to-exceed \$5,000.00.
53. It is recommended that the Board of Education approve the quad area and new shade structure project and contract with Dougherty & Dougherty Architects, LLP at Corona del Mar High School.
54. 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 classroom(s) in an amount not-to-exceed \$17,160.00 for a total contract amount of \$44,160.00.
55. It is recommended that the Board of Education approve the proposal from PENCO Engineering, Inc., to provide civil engineering services for the Costa Mesa High School swimming pool renovations in the amount of \$5,894.00.
56. It is recommended that the Board of Education approve the amendment to Service Contract SC 05-08 between ADvTECH Inc. and Newport-Mesa Unified School District to change the start date of the contract to August 1, 2007, for consulting services and work plan design (underground storage tanks at Baker/Bear service center).
57. It is recommended that the Board of Education approve Change Order No. 1 with R.C. Construction in the amount of \$26,602.00 for the Estancia High School Stadium.
58. It is recommended that the Board of Education approve the Agreement between the Newport-Mesa Unified School District and NEOGOV for the automated human resources system to provide assistance with recruitment, selection, applicant tracking, reporting, and analysis, reducing the overall selection time for classified personnel in the amount of \$15,450.00.
59. It is recommended that the Board of Education approve the Affiliation Agreement between Arizona State University and the Newport-Mesa Unified School District for Student Teacher opportunities effective January 1, 2008.
60. It is recommended that the Board of Education ratify the Addendum to the Intern Credential Program, Learning Activity Placement Agreement between California State University, Fullerton, and the Newport-Mesa Unified School District effective September 28, 2007.
61. Approval is recommended of Certificated Employees' Leave of Absence Register No. 09-08.
62. Approval is recommended of Certificated Employees' Appointment/Reassignment Register No. 09-08.
63. Approval is recommended of Certificated Employees' Assignment Alternatives/Options for one Certificated employee pursuant to Education Code 44256(b).
64. Approval is recommended of Classified Employees' Resignation/Termination Register No. 08-08.
65. Approval is recommended of Classified Employees' Appointment/Reassignment Register No. 09-08.
66. Approval is recommended of Classified Employees' Leave of Absence Register No. 09-08.
67. Approval is recommended of Gift Register No. 07-08.

- 68. Approval is recommended of Accounting Report No. 08-08.
- 69. Approval is recommended of Measure F Accounting Register No. 08-08.
- 70. Approval is recommended of Purchasing Report No. 08-08.
- 71. Approval is recommended of Purchasing Report Measure A & F No. 08-08AF.
- 72. Approval is recommended of Independent Contractors Register No. 09-08.
- 73. Approval is recommended of School Related Overnight Travel Register No. 01-08.
- 74. Approval is recommended of Student Trip Register No. 06-08.

Motion by _____ Seconded by _____ Vote _____

DISCUSSION/ACTION ITEMS

- 75. **2006/07 FINANCIAL AUDIT REPORT** DISCUSSION
 It is recommended that the Board of Education receive the 2006/07 /ACTION
 Financial Audit Report.

Motion by _____ Seconded by _____ Vote _____

- 76. **2007/08 FIRST PERIOD INTERIM REPORT.** DISCUSSION
 It is recommended that the Board of Education approve the 2007/08 First /ACTION
 Period Interim Report and adopt a positive certification pursuant to
 Education Code Section 42131.

Motion by _____ Seconded by _____ Vote _____

- 77. **REVISION OF BOARD POLICY AND RULE AND REGULATION, NO. 4119.11 SEXUAL HARASSMENT OF EMPLOYEES, FIRST READING** DISCUSSION
 It is recommended that the Board of Education approve the first reading of the revised /ACTION
 Board Policy and Rule and Regulation No. 4119.11, Sexual Harassment
 of Employees.

Motion by _____ Seconded by _____ Vote _____

INFORMAL REPORTS

- 78. Superintendent
- 79. Assistant Superintendent's
- 80. Board Members
- 81. Legislative Representative
- 82. 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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Phone #: 714-424-5031 – Fax #: 714-424-5018.

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83. ADJOURNMENT, _____ p.m.

ACTION