

**NEWPORT-MESA UNIFIED SCHOOL DISTRICT**  
Regular/Annual Organizational Meeting of the Board of Education  
District Education Center  
Roderick H. MacMillian Board Meeting Room  
2985-A Bear Street, Costa Mesa  
December 11, 2007

Call to Order        The Regular Meeting of the Board of Education of the Newport-Mesa Unified School District was called to order by President Judy Franco at 5:35 p.m., on Tuesday, December 11, 2007 in the District Education Center, 2985-A Bear Street, Costa Mesa, California.

Mrs. Franco announced that Closed Session agenda items would address Conference with Labor Negotiator and Public Employee Discipline/Dismissal/Release. Two student disciplines will be held.

Closed Session     The Board recessed into Closed Session at 5:40 p.m.

Recess              At 6:30 p.m., the Board recessed Closed Session.

Opening/Call to Order     At 7:04 p.m., President Franco called to order the Regular Board meeting with a silent invocation and Pledge of Allegiance led by Student Board Member Jordan Vison.

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

Alex Shaw, NHHS  
Megan Gaal, CDMHS  
Cassandra Menendez, EHS  
Antje Gabler, OCMCHS  
Jordan Vison, BBHS

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

Adoption of Minutes     Mr. Davenport moved adoption of the following minutes. Mrs. Black seconded the motion, and it carried unanimously with a 7/0 vote.  
November 13, 2007  
November 26, 2007

Annual Organizational Meeting     President Franco recessed the regular board meeting at 7:06 p.m.  
  
President Franco requested that Dr. Hubbard, acting as the Board's secretary, preside over the Annual Organizational Meeting of the Board of Education. Dr. Hubbard called to order the Annual Organizational Meeting at 7:06 p.m.

6. ELECTION OF BOARD PRESIDENT, 2007/2008.  
Mrs. Franco nominated Mrs. Fluor to serve as President. Mrs. Black seconded the motion. Mr. Brooks moved to close the nominations, Mrs. Black seconded the motion and the nominations were closed; it carried unanimously.

7. ELECTION OF BOARD VICE-PRESIDENT, 2007/2008.  
Mr. Davenport nominated Mrs. Black to serve as Vice-President. Mrs. Fluor seconded the motion, and it carried unanimously.
8. ELECTION OF BOARD CLERK, 2007/2008.  
Mrs. Black nominated Mrs. Yelsey to serve as Board Clerk. Mrs. Fluor seconded the motion. Mrs. Franco nominated Mr. Collier to serve as Board Clerk, Mr. Brooks seconded the motion. A roll call vote was taken, resulting in Mrs. Yelsey as Board Clerk.  
  
Mrs. Franco - abstain  
Mrs. Fluor - yes  
Mrs. Black - yes  
Mr. Brooks - no  
Mr. Collier - no  
Mr. Davenport – yes  
Mrs. Yelsey – yes
9. ELECTION OF C.R.O.P. REPRESENTATIVE, 2007/2008.  
Mrs. Franco nominated Mrs. Fluor to serve as the Board's Coastline Regional Occupational Program's representative, and Mrs. Black and Mr. Brooks as alternates. Mrs. Fluor seconded the motion, and it carried unanimously.
10. ELECTION OF LEGISLATIVE REPRESENTATIVE, 2007/2008.  
Mrs. Black nominated Mr. Brooks to serve as the Board's legislative representative. Mrs. Fluor seconded the motion, and it carried unanimously.
11. ELECTION OF REPRESENTATIVE, NOMINATING COMMITTEE ON COUNTY SCHOOL DISTRICT ORGANIZATION, 2007/2008. (Ed. Code 35023).  
Mrs. Black nominated Mr. Collier to serve as representative for the Nominating Committee on County School District Organization, 2007/2008 and Mr. Davenport as the alternate. Mr. Brooks seconded the motion, and it carried unanimously.
12. ELECTION OF POLITICAL ACTION REPRESENTATIVE, ORANGE COUNTY SCHOOL BOARDS ASSOCIATION, 2007/2008.  
Mrs. Fluor nominated Mr. Davenport to serve as Political Action Representative - Orange County School Boards Association, 2007/2008, and Mr. Collier as alternate. Mrs. Yelsey seconded the motion, and it carried unanimously.
13. ELECTION OF REPRESENTATIVES, CALIFORNIA SCHOOL BOARDS ASSOCIATION, LEGISLATIVE NETWORK, 2007/2008.  
Mrs. Franco nominated all Board members to serve as representatives, California School Boards Association, Legislative Network, 2007/2008. Mrs. Black seconded the motion, and it carried unanimously.
14. ELECTION OF BOARD REPRESENTATIVE TO YOUTH COUNCIL, CITY OF COSTA MESA, 2007/2008.  
Mrs. Black nominated Mr. Collier as Board Representative to the City of Costa Mesa Youth Council 2007/2008, and Mr. Brooks as an alternate. Mrs. Franco seconded the motion, and it carried unanimously.
15. ELECTION OF BOARD REPRESENTATIVE TO YOUTH COUNCIL, CITY OF NEWPORT BEACH, 2007/2008.  
Mrs. Fluor nominated Mrs. Yelsey to serve as representative to the City of Newport Beach Youth Council, 2007/2008, with Mrs. Franco as an alternate. Mr. Davenport seconded the motion, and it carried unanimously.

16. ELECTION OF LIAISON WITH COMMUNITY ADVISORY COMMITTEE (CAC), 2007/2008.  
Mrs. Fluor nominated Mrs. Black and Mr. Collier to serve as liaison and Mrs. Franco as the alternate with the Community Advisory Committee. Mr. Brooks seconded the motion, and it carried unanimously.
17. ELECTION OF LIAISON WITH CORONA DEL MAR CHAMBER OF COMMERCE, 2007/2008.  
Mrs. Fluor nominated Mrs. Franco to serve as liaison with the CDM Chamber of Commerce. Mrs. Black seconded the motion, and it carried unanimously.
18. ELECTION OF LIAISON WITH COSTA MESA CHAMBER OF COMMERCE, 2007/2008.  
Mrs. Franco nominated Mr. Brooks, Mr. Collier and Mr. Davenport to serve as liaisons with the Costa Mesa Chamber of Commerce with Mrs. Black as an alternate. Mrs. Yelsey seconded the motion, and it carried unanimously.
19. ELECTION OF LIAISON WITH NEWPORT HARBOR CHAMBER OF COMMERCE, 2007/2008.  
Mrs. Fluor nominated Mrs. Black and Mrs. Yelsey to serve as liaisons with the Newport Harbor Chamber of Commerce. Mrs. Franco seconded the motion, and it carried unanimously.
20. ELECTION OF LIAISON WITH NEWPORT-MESA SCHOOLS FOUNDATION, 2007/2008.  
Mrs. Black nominated Mr. Brooks, Mr. Collier and Mrs. Yelsey to serve as liaisons with the Newport-Mesa Schools Foundation. Mrs. Franco seconded the motion, and it carried unanimously.
21. ELECTION OF SCHOOL ATTENDANCE REVIEW BOARD REPRESENTATIVES, 2007/2008.  
Mrs. Franco nominated Mr. Brooks and Mrs. Fluor to serve as SARB representatives, Mrs. Fluor nominated Mrs. Franco as alternate. Mrs. Black seconded the motion, and it carried unanimously.
22. ELECTION OF CIF BOARD LIAISON REPRESENTATIVE, 2007/2008.  
Mrs. Black nominated Mr. Brooks and Mrs. Franco to serve as liaison to the CIF Board, and Mr. Collier as alternate. Mrs. Yelsey seconded the motion, and it carried unanimously.
23. ELECTION OF WELLNESS ADVISORY COMMITTEE LIAISON REPRESENTATIVE, 2007/2008.  
Mrs. Black nominated Mr. Davenport and Mrs. Yelsey to serve as liaisons to the NMUSD Wellness Advisory Committee with Mrs. Fluor as an alternate. Mrs. Franco seconded the motion, and it carried unanimously.
24. VISUAL AND PERFORMING ARTS COMMITTEE REPRESENTATIVE 2007/2008.  
Mr. Davenport nominated Mr. Collier and Mrs. Fluor to serve as liaisons to the NMUSD Visual and Performing Arts Committee. Mrs. Black seconded the motion, and it carried unanimously.
25. PROFESSIONAL LEARNING COMMUNITY ADVISORY COMMITTEE REPRESENTATIVE, 2007/2008.  
Mrs. Fluor nominated two sub-committees with Mr. Collier, Mr. Brooks, and Mrs. Yelsey on one sub-committee; and Mr. Davenport, Mrs. Fluor and Mrs. Black on another sub-committee with Mrs. Franco as an alternate to both. Mrs. Black seconded the motion, and it carried unanimously.

26. PROJECT ASK (ADVOCATES SUPPORTING KIDS) ADVISORY COUNCIL COMMITTEE REPRESENTATIVE, 2007/2008.  
Mrs. Franco nominated Mrs. Fluor to serve as liaison to the Project Ask Advisory Council, and Mrs. Black as the alternate. Mr. Davenport seconded the motion, and it carried unanimously.
27. DISTRICT ENGLISH LEARNERS ADVISORY COMMITTEE (DELAC) REPRESENTATIVE, 2007/2008.  
Mrs. Fluor nominated Mr. Collier to serve as liaison to the District English Learners Advisory Committee. Mrs. Black seconded the motion, and it carried unanimously.
28. STUDENT BOARD MEMBER LIAISON, 2007/2008.  
Mrs. Fluor nominated Mrs. Franco to serve as student board member liaison, and Mrs. Black and Mr. Collier as alternates. Mr. Brooks seconded the motion, and it carried unanimously.
29. APPOINTMENT OF SECRETARY, 2007/2008.  
Mrs. Black nominated Dr. Hubbard to serve as the Board's Secretary for 2006/07. Mrs. Franco seconded the motion, and it carried unanimously.
30. APPOINTMENT OF ASSISTANT SECRETARY, 2007/2008.  
Mrs. Black nominated Paul Reed, Susan Astarita, Chuck Hinman and Elizabeth Novack to serve as Assistant Secretary's to the Board of Education for 2007/2008. Mrs. Franco seconded the motion, and it carried unanimously.
31. SCHEDULE OF BOARD MEETINGS.  
Mrs. Black moved approval of the Board's 2008 regular meeting schedule. Regular meetings will be held on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday's with public input and consent calendar items beginning at 7:00 p.m. at the District Education Center, Board Room, with regular meetings cancelled due to holidays/breaks: April 8, July 22, August 12 and December 23. Mr. Davenport seconded the motion, and it carried unanimously.
32. RECOMMENDATION FOR CHIEF NEGOTIATOR(S), 2007/2008.  
Mrs. Black moved approval of the appointment of Elizabeth Novack as Chief Negotiator for certificated and classified personnel. Mrs. Franco seconded the motion, and it carried unanimously.
33. DESIGNATION OF MANAGEMENT PERSONNEL, 2007/2008.  
Mrs. Fluor moved approval of the Designation of Management Personnel as presented. Mrs. Franco seconded the motion, and it carried unanimously.

Prior to the organizational meeting before turning over his gavel, President Franco thanked everyone for their hard work and dedication during her year as Board President.

Trustee Fluor presented gifts and accolades on behalf of the Board to Trustee Franco as outgoing President.

Adjournment/  
Recess At 7:23 p.m., President Franco adjourned the Annual Organizational Meeting of the Board of Education.

The Board took a brief recess to change seats on the dais.

Reconvene/Call to  
Order At 7:41 p.m. President Fluor called to order the Regular Meeting of the Board of Education.

Community Input No comments.

Student Board  
Member Reports Student Board members reported on various activities occurring at their individual sites.

Parent Liaison Report HCPTA President Nadine Turner reported on various activities occurring with HCPTA.

Consent Calendar *Mrs. Franco moved approval of the Consent Calendar, Mr. Davenport seconded the motion, and it carried with a 7/0 vote.*

35. Approved the expulsions of students with the following I.D. #'s: 07-23-77 and 07-21-79.
36. Approved 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. Approved 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. Approved 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. Approved 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. Approved 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. Approved 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. Approved 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. Approved one Master Contract with E.C.E. 4 Autism and one Addendum with Autism Spectrum Therapies as established from the Individual Educational Program.
44. Approved the contract with Arrowhead Ranch for participation by students at Lincoln Elementary School for the 6<sup>th</sup> Grade Outdoor Science School for the 2007-2008 school year.
45. Approved 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. Ratified 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. Approved 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. Approved the revised Site Discretionary Expenditure Plans for Andersen Elementary School and Costa Mesa High School.

49. Authorized the retention of KPFF Consulting Engineers and approved 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. Authorized 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. Authorized 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. Authorized the retention of 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. Approved the quad area and new shade structure project and contract with Dougherty & Dougherty Architects, LLP at Corona del Mar High School.
54. Approved 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. Approved 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. Approved 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. Approved Change Order No. 1 with R.C. Construction in the amount of \$26,602.00 for the Estancia High School Stadium.
58. Approved 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. Approved the Affiliation Agreement between Arizona State University and the Newport-Mesa Unified School District for Student Teacher opportunities effective January 1, 2008.
60. Ratified 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. Approved Certificated Employees' Leave of Absence Register No. 09-08.
62. Approved Certificated Employees' Appointment/Reassignment Register No. 09-08.
63. Approved Certificated Employees' Assignment Alternatives/Options for one Certificated employee pursuant to Education Code 44256(b).
64. Approved Classified Employees' Resignation/Termination Register No. 08-08.
65. Approved Classified Employees' Appointment/Reassignment Register No. 09-08.
66. Approved Classified Employees' Leave of Absence Register No. 09-08.
67. Approved Gift Register No. 07-08.
68. Approved Accounting Report No. 08-08.
69. Approved Measure F Accounting Register No. 08-08.

70. Approved Purchasing Report No. 08-08.
71. Approved Purchasing Report Measure A & F No. 08-08AF.
72. Approved Independent Contractors Register No. 09-08.
73. Approved School Related Overnight Travel Register No. 01-08.
74. Approved Student Trip Register No. 06-08.

2006/07 Financial Audit Report	Mrs. Black moved to receive the 2006/07 Financial Audit Report, Mrs. Yelsey seconded the motion and it carried unanimously with a 7/0 vote.
2007/08 First Period Interim Report	Mrs. Franco moved approval of the 2007/08 First Period Interim Report and adopted a positive certification pursuant to Education Code 42131. Mr. Davenport seconded the motion and it carried unanimously with a 7/0 vote.
Revision of Board Policy and Rule and Regulation, No. 4119.11 Sexual Harrassment of Employees, First Reading	Mr. Davenport moved approval of the first reading of the revised Board Policy and Rule and Regulation No. 4119.11, Sexual Harassment of Employees. Mrs. Yelsey seconded the motion and it carried unanimously with a 7/0 vote.
Superintendent/ Assistant Superintendent's Reports	<p>The Superintendent and Assistant Superintendents provided reports on various items of interest.</p> <p>Dr. Hubbard commented on the incident at Ensign Intermediate today regarding a student safety issue and how well all the staff implemented the new safety procedures. He gave compliments to Mrs. Astarita, the police department, Dr. Hinman and the staff at Ensign. Dr. Hubbard also acknowledged the recent CSBA conference in San Diego. He thanked Mrs. Fluor for a wonderful holiday luncheon, complimented Mr. Reed and thanked him publicly for his work in the Fiscal Department. Dr. Hubbard expressed his thanks to outgoing president, Judy Franco. He noted her diligence and hard work over the past year. He then congratulated Mrs. Fluor on becoming the Board President for the coming year.</p>
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 on several items of legislation.
CROP Report	Mrs. Fluor reported the Coastline Regional Occupational Program's reorganization meeting will be December 12, 2007, at 8:00a.m.
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 9:10 p.m., President Fluor adjourned the meeting.