

## **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, February 12, 2008**

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.

#### **5:00 P.M. - CLOSED SESSION**

*Education Center – Superintendent's Office Conference Room*

##### **Student Discipline**

(Pursuant to Education Code §35146, §48918(c))

##### **Public Employee Discipline/Dismissal/Release**

(Pursuant to Government Code §54957)

##### **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.

#### **6:30 P.M. RECESS**

*Education Center – Superintendent's Office Conference Room*

**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:**

- \_\_\_\_\_ Martha Fluor, President
- \_\_\_\_\_ Dana Black, Vice-President
- \_\_\_\_\_ Karen Yelsey, Clerk
- \_\_\_\_\_ David Brooks, Member
- \_\_\_\_\_ Michael Collier, Member
- \_\_\_\_\_ Walt Davenport, Member
- \_\_\_\_\_ Judy Franco, 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                 |
| Tara Patton        | 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

- January 8, 2008 Regular Meeting
- January 15 & 16, 2008 Special Meeting
- January 22, 2008 Regular Meeting

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

Vote \_\_\_\_\_

### **PRESENTATION**

**Measure F Update**

### **PUBLIC HEARINGS**

**Special Education Annual Service Delivery Plan and the Annual Budget Plan for the Newport-Mesa Unified School District/Special Education Local Plan Area (SELPA) Pursuant to Education Code 53205.**

**Joint Re-Opener Proposal for the Collective Bargaining Agreement Between Newport-Mesa Federation of Teachers and the Newport-Mesa Unified School.**

### **STUDENT BOARD MEMBER REPORTS**

#### **PARENT LIAISON REPORT**

#### **BOARD MEMBER REPORTS**

#### **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.

6. It is recommended that the Board of Education approve the expulsions of students with the following I.D. #'s: 07-39-68.
7. It is recommended that the Board of Education approve nine new individual contracts through the 2007/08 school year as established from the Individual Educational Program in the amount of \$19,018.00.
8. It is recommended that the Board of Education approve five parent reimbursement contracts through the 2007/08 school year as established from the Individual Educational Program in the amount of \$6,046.00.
9. It is recommended that the Board of Education approve the Final Compromise and Release Agreement Office of Administrative Hearings Case No. N2007070057 and United States District Court for the Central District of California Case No. SACV 07-1243CJC (ANx) in the amount of \$6,500.00 pursuant to the laws of the State of California.
10. It is recommended that the Board of Education approve the Final Compromise and Release Agreement Office of Administrative Hearings Case No. N2007070061 in the amount of \$6,500.00 pursuant to the laws of the State of California.
11. It is recommended that the Board of Education approve the Resolution Agreement, Office of Administrative Hearings Case No. N2007090575 in the amount of \$8,500.00 pursuant to the laws of the State of California.
12. It is recommended that the Board of Education approve one new Master Contract for Center for Autism Research, Evaluation and Services (CARES) as established from the Individual Educational Program.
13. It is recommended that the Board of Education approve the contracts with Ocean Institute Field Study Program for participation by students at Kaiser Elementary School for the 2007-2008 school year.
14. It is recommended that the Board of Education approve the SMART Technologies ULC Showcase School Loan Agreement with the Newport-Mesa Unified School District on behalf of Newport Heights Elementary.

15. It is recommended that the Board of Education approve Settlement Authority for a Stipulation with Request for Award of \$0.00 with a provision for future medical care for Claim No. 1207-07-0070.
16. It is recommended that the Board of Education approve Settlement Authority for a Stipulation with Request for Award of \$19,050.00 with a provision for future medical care for Claim No. 1207-04-0135 and 1207-05-0178. It is further recommended that Settlement Authority be granted for a Stipulation with Request for Award of \$0.00 with no future medical care for Claim No. 1207-06-0178.
17. Approval is recommended of Certificated Employees' Conversion from Temporary to Probationary status for four (4) Certificated employees pursuant to Education Code 44920.
18. It is recommended that the Board of Education ratify the Agreement for Special Services with School Services of California, Inc., effective for the period of October 1, 2007, through September 30, 2008, at a rate of \$500.00 per month, plus \$185.00 per hour, plus expenses, for services in excess of four (4) hours per month.
19. It is recommended that the Board of Education approve Change Order #2 with RC Construction for the Estancia High School Stadium in the amount of \$239,702.00.
20. It is recommended that the Board of Education approve an amendment for Penco, Inc., to provide civil engineering services for an additional amount of \$1,158.00 for the Costa Mesa High School Swimming Pool Renovations.
21. Approval is recommended of Certificated Employees' Leave of Absence Register No. 12-08.
22. Approval is recommended of Certificated Employees' Resignation/Termination Register No. 10-08.
23. Approval is recommended of Certificated Employees' Appointment/Reassignment Register No. 12-08.
24. Approval is recommended of Classified Employees' Resignation/Termination Register No. 11-08.
25. Approval is recommended of Classified Employees' Appointment/Reassignment Register No. 12-08.
26. Approval is recommended of Classified Employees' Leave of Absence Register No. 12-08.
27. Approval is recommended of Gift Register No. 10-08.
28. Approval is recommended of Accounting Register No. 11-08.
29. Approval is recommended of Measure A Accounting Register No. 09-08.
30. Approval is recommended of Measure F Accounting Register No. 11-08.

- 31. Approval is recommended of Purchasing Report No. 11-08.
- 32. Approval is recommended of Purchasing Report Measure A & F No. 11-08AF.
- 33. Approval is recommended of Independent Contractors Register No. 12-08.
- 34. Approval is recommended of School Related Overnight Travel Register No. 04-08.
- 35. Approval is recommended of Student Trip Register No. 09-08.

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.

- 36. ADOPTION OF RESOLUTION NO. 19-02-08 GRANTING OF EASEMENT TO THE CITY OF COSTA MESA FOR POMONA ELEMENTARY SCHOOL’S NEW DRIVE ACCESS PURSUANT TO EDUCATION CODE SECTION 17556.
- 37. ADOPTION OF RESOLUTION NO. 20-02-08 GRANTING PROPERTY RIGHTS IN SEWER PIPELINE AND ASSIGNMENT OF ACCOMPANYING EASEMENT RIGHTS FROM ORANGE COUNTY SANITATION DISTRICT TO THE NEWPORT-MESA UNIFIED SCHOOL DISTRICT.
- 38. ADOPTION OF RESOLUTION NO. 21-02-08 AUTHORIZING SIGNATURE AUTHORITY FOR THE NEWPORT-MESA UNIFIED SCHOOL DISTRICT ACCOUNTS ASSOCIATED WITH ORANGE COUNTY BUSINESS BANK.
- 39. ADOPTION OF RESOLUTION NO. 22-02-08 RECOGNITION OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) AND ADOPTING THE NIMS PRINCIPLES AND POLICIES INTO THE EMERGENCY MANAGEMENT IS RECOMMENDED.

**Motion By** \_\_\_\_\_ **Seconded By** \_\_\_\_\_

**ROLL CALL VOTE:**

_____ Mr. Brooks	_____ Mrs. Yelsey, Clerk
_____ Mr. Collier	_____ Mrs. Black, Vice President
_____ Mr. Davenport	_____ Mrs. Fluor, President
_____ Mrs. Franco	

**DISCUSSION/ACTION CALENDAR**

40. **AUTHORIZING THE IMPLEMENTATION OF A UNIFORM K-6 GRADE LEVEL CONFIGURATION IN ELEMENTARY SCHOOLS.** DISCUSSION /ACTION  
It is recommended that the Board of Education authorize the implementation of a uniform K-6 grade level configuration in elementary schools as described, effect the necessary attendance area changes, direct the Superintendent to create a priority Transition Plan, including pre-registration of all affected students for 2008-09, and authorize the Deputy Superintendent to expand classroom facilities as required.  
Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_
41. **APPROVAL OF 2008 SUMMER SCHOOL PROGRAM SITE AND CALENDARS.** DISCUSSION /ACTION  
It is recommended that the Board of Education approve the 2008 summer school sites at Estancia High School and the attached summer school calendars for the high school and middle school programs.  
Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_
42. **APPROVAL OF 2007-2008 CONSOLIDATED APPLICATION FOR FUNDING CATEGORICAL PROGRAMS PART II.** DISCUSSION /ACTION  
It is recommended that the Board of Education approve the 2007-2008 Consolidated Application for Funding Categorical Programs Part II.  
Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_
43. **APPROVAL OF THE 2007-2008 SINGLE PLANS FOR STUDENT ACHIEVEMENT.** DISCUSSION /ACTION  
It is recommended that the Board of Education approve the 2007-2008 Single Plans for Student Achievement.  
Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_
44. **QUARTERLY INVESTMENT REPORT** DISCUSSION /ACTION  
It is recommended that the Board of Education receives the Quarterly Investment Report.  
Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_

**INFORMAL REPORTS**

45. Superintendent
46. Assistant Superintendent's
47. Legislative Representative
48. 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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49. ADJOURNMENT, \_\_\_\_\_ p.m.

ACTION