

## **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, March 11, 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.

#### **4:30 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.

#### **5:30 P.M. RECESS**

*Education Center – Superintendent's Office Conference Room*

**6:00 P.M. - CLOSED SESSION**

*Education Center – Superintendent’s Office Conference Room*

**Public Employee Evaluation**

**Title: Superintendent**

(Pursuant to Government Code §54957)

**Public Employee Complaint**

(Pursuant to Government Code §54957 and Board Policy/Rule and Regulation No. 7336)

**SPECIAL PRESENTATION – 6:30 P.M.**

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

**RECOGNITION OF 2007/ 2008 TEACHER OF THE YEAR RECIPIENTS**

❖ **2007/2008 NEWPORT-MESA UNIFIED SCHOOL DISTRICT  
TEACHERS OF THE YEAR**

*Niccole Bisceglia, Newport Heights Elementary School*

*Jacqueline Washington, TeWinkle Middle School*

❖ **2007/2008 SCHOOL SITE TEACHERS OF THE YEAR**

*Mercedes Pimentel, Adams Elementary School*

*Brian Hall, California Elementary School*

*Christina Otto, Estancia High School*

*Gladys Green, Killybrooke Elementary School*

*Lainie Villa, Killybrooke Elementary School*

*Julie Oblouk, Corona del Mar High School*

*Jerry Howell, Costa Mesa High School*

*James Christman, Paularino Elementary School*

*Noelle Milton, Sonora Elementary School*

*Jeff Qualey, Andersen Elementary School*

*Laura Mayberry, Corona del Mar High School*

*Julie Oblouk, Corona del Mar High School*

*Sara Nourse, Eastbluff Elementary School*

*Karin Selby, Eastbluff Elementary School*

*Joni Sommer, Newport Coast Elementary School*

*Christina Hill, Harbor View Elementary School*

*Christine Christopher, Back Bay High School*

*Shirley Kwan, Kaiser Elementary School*

*Joseph Fuschetti, Ensign Intermediate School*

*Rebecca Potter, Harper Preschool*

*Joan Duncan, Mariners Elementary School*

*Anthony Zeddies, Newport Harbor High School*

*Stephanie Baldikoski, Woodland Elementary School*

*Kathleen Stratton, Pomona Elementary School*

*Joy Anderson, Rea Elementary School*

**A RECEPTION HONORING THE AWARD RECIPIENTS WILL FOLLOW.**

**REGULAR MEETING – 7:00 P.M.**

*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
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
- February 12, 2008 Regular Meeting
  - February 26, 2008 Regular Meeting

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

### **STUDENT BOARD MEMBER REPORTS**

### **HARBOR COUNCIL PTA PARENT LIAISON REPORT**

#### **DISTRICT UPDATE**

Laura Boss, Director of District Communications

### **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: 07-46-79, 07-45-79, 07-43-77, 07-48-79, 07-49-72, and 07-41-79.
7. It is recommended that the Board of Education approve seven new individual contracts through the 2007/08 school year as established from the Individual Educational Program in the amount of \$51,357.70.
8. It is recommended that the Board of Education approve three parent reimbursement contracts through the 2007/08 school year as established from the Individual Educational Program in the amount of \$3,353.02.
9. It is recommended that the Board of Education approve the Final Compromise and Release Agreement Office of Administrative Hearings Case No. N2007100206, California Department of Education (CDE) Compliance Complaint Numbers S-0384-07/08 and S-0436-07/08, Title V Complaint, and United States District Court Cases SACV 07-01045-JVS (MLGx) and SACV 07-1072 CJC (AJWx) in the amount of \$0.00 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. N2008010114 in the amount of \$16,000.00 pursuant to the laws of the State of California.
11. It is recommended that the Board of Education approve one new Addendum to the Master Contract for E.C.E. 4Autism as established from the Individual Educational Program.
12. It is recommended that the Board of Education accept the School Readiness Health, Opportunities, Preparation and Education (HOPE) Resource Program Grant funding increase to \$322,906.00 from the Children and Families Commission of Orange County for the period of July 1, 2006 to June 30, 2008, and Second Amendment to Grant Agreement #FCI-CN2-20.
13. 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. 1207-07-0095.
14. It is recommended that the Board of Education approve the rental agreement between the Newport-Mesa Unified School District and the Orange County Fair and Exposition Center for a one-night usage of Building No. 12 at the Orange County Fairgrounds for College Night 2008.
15. It is recommended that the Board of Education approve the Agreement for Collection of School Facility Fees pursuant to Education Code Section 17620 between the City of Costa Mesa and the Newport-Mesa Unified School District.
16. It is recommended that the Board of Education enter into an agreement with Shalimar Tours and Charter 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.
17. It is recommended that the Board of Education approve Amendment No. 9 between LPA Architects and the Newport-Mesa Unified School District for an additional amount not-to-exceed \$4,800.00 for a total contract amount of \$1,845,824.00.
18. It is recommended that the Board of Education approve the list authorizing signatures for the Newport-Mesa Unified School District ASB Accounts for Costa Mesa High School located at Orange County Federal Teachers Credit Union.

19. It is recommended that the Board of Education authorize the Deputy Superintendent to pay additional expenses not included in the fixed fee agreement with Murdoch, Walrath and Holmes for consulting in regards to the State School Facilities Program in the amount not-to-exceed \$5,000.00.
20. It is recommended that the Board of Education authorize the Deputy Superintendent to enter into an agreement with McCarthy Building Companies and Newport-Mesa Unified School District in conjunction with the addition of teaching rooms for the proposed K-12 Reconfiguration on multiple campuses, restroom addition at Costa Mesa High School, Portable Building Modernization at Andersen Elementary and restroom upgrades at Rea Elementary, for the period of March 11, 2008 to October 31, 2008 in an amount not-to-exceed \$360,000.00, budgeted out of the Facilities Fund – Capital Improvement (Fund 40).
21. It is recommended that the Board of Education ratify the Deputy Superintendent's authorization to retain MTGL, Inc., for soils testing and inspecting on an as needed basis at Newport Harbor High School, for Robins/Loats and Field Restoration, and Estancia High School, Stadium Project, through December 2009 in the amount not-to-exceed \$375,000.00, budgeted out of Facilities Funds – Measure F.
22. It is recommended that the Board of Education ratify the Deputy Superintendent's authorization to retain MTGL, Inc., for soils testing on an as needed basis at TeWinkle Middle School, Gymnasium Project, through August 30, 2008 in the amount not-to-exceed \$60,620.00, budgeted out of Facilities Funds – Measure F.
23. It is recommended that the Board of Education authorize the Deputy Superintendent to retain MTGL, Inc., for soils testing and inspecting to close out the TeWinkle Middle School Gymnasium project in the amount not-to-exceed \$31,872.00, budgeted out of Capital Improvement – Measure F.
24. It is recommended that the Board of Education approve the request for a credential/CBEST waiver pursuant to Education Codes 44252(b), 44265, and 44830(a).
25. Approval is recommended of Certificated Employees' Leave of Absence Register No. 14-08.
26. Approval is recommended of Certificated Employees' Resignation/Termination Register No. 12-08.
27. Approval is recommended of Certificated Employees' Assignment Alternatives/Options for two Certificated employees pursuant to Education Code 44263.
28. Approval is recommended of Certificated Employees' Assignment Alternatives/Options for five Certificated employees pursuant to Education Code 44256(b).
29. Approval is recommended of Classified Employees' Resignation/Termination Register No. 13-08.
30. Approval is recommended of Classified Employees' Appointment/Reassignment Register No. 14-08.
31. Approval is recommended of Classified Employees' Leave of Absence Register No. 14-08.
32. Approval is recommended of Gift Register No. 12-08.

- 33. Approval is recommended of Accounting Register No. 13-08.
- 34. Approval is recommended of Measure F Accounting Register No. 13-08.
- 35. Approval is recommended of Purchasing Report No. 13-08.
- 36. Approval is recommended of Independent Contractors Register No. 14-08.
- 37. Approval is recommended of School Related Overnight Travel Register No. 06-08.
- 38. Approval is recommended of Student Trip Register No. 10-08.

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.

- 39. ADOPTION OF RESOLUTION NO. 24-03-08 EXCUSING THE ABSENCE OF BOARD MEMBER WALT DAVENPORT FROM THE REGULAR BOARD MEETING OF FEBRUARY 12, 2008, DUE TO ILLNESS.
- 40. ADOPTION OF RESOLUTION NO. 25-03-08 OPPOSING THE GOVERNOR’S 2008-09 BUDGET PROPOSAL.

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**

- 41. **NEWPORT-MESA UNIFIED SCHOOL DISTRICT TESTING STRUCTURES.** DISCUSSION  
Staff will present information on District Formative and Summative Assessments.
- 42. **UPDATE AND REPORT FROM THE AD HOC COMMITTEE ON THE NAMING OF THE ESTANCIA AND COSTA MESA HIGH SCHOOL STADIUM.** DISCUSSION /ACTION  
It is recommended that the Board of Education (a) direct district staff to review the current Policy and Rule and Regulation No. 7510 and make recommendations for revisions to establish clear and consistent criteria for current and future naming considerations, and (b) that the Board of Education extend the window of time for the process to continue with additional opportunities for public input, and (c) that the Board reconvenes the established Ad Hoc Committee at a later date and time for the purpose of continuing the process to name the EHS/CMHS stadium.

43. **APPROVAL OF ENGAGEMENT AGREEMENT FOR EMPLOYEE BENEFIT CONSULTING SERVICES WITH AON CONSULTING.** DISCUSSION /ACTION
- It is recommended that the Board of Education approve the Engagement Agreement for employee benefit consulting services with Aon Consulting for the period of March 12, 2008 through September 30, 2009 followed by two (2) one-year options for renewal (at the rate of \$125,000.00 annually) at the discretion of the district.
- Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_

44. **2007-08 SECOND PERIOD INTERIM REPORT.** DISCUSSION /ACTION
- It is recommended that the Board of Education approve the 2007/08 Second Period Interim Report and adopt a positive certification pursuant to Education Code Section 42131.
- 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.*

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.

49. **ADJOURNMENT, \_\_\_\_\_ p.m.** ACTION