

**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  
March 11, 2008

Closed Session At 4:30 p.m., President Fluor announced that the Board of Education would convene in Closed Session to address Student Discipline, Conference with Labor Negotiator, Public Employee Discipline/Dismissal/Release, Conference with Legal Counsel-Existing Litigation, Public Employee Evaluation Title: Superintendent, and Public Employee Complaint.

Recess At 6:00 p.m. the Board took a brief recess.

Special Presentation At 6:30 p.m., President Fluor reconvened the Board Meeting for the following presentation:

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

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

*Nicole 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  
Jerry Howell, Costa Mesa High School  
Tracey Olguin, 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*

Recess Following the presentations, the Board took a brief recess to honor the evenings' award recipients.

Reconvene/Call to Order/Roll Call At 7:12 p.m., President Fluor called to order the Regular Board meeting with a silent invocation and Pledge of Allegiance led by Student Board Member Cassandra Menendez.

Members Present

Martha Fluor, President  
Dana Black, Vice-President  
Karen Yelsey, Clerk  
Dave Brooks, Member  
Michael Collier, Member  
Walt Davenport, Member  
Judy Franco, Member  
Jeffrey Hubbard, Ed.D., Secretary

Student Board Members

Cassandra Menendez, EHS  
Jamie Lawson, CdMHS  
Antje Gabler, OCMCHS

- Adoption of Agenda      Mrs. Franco moved adoption of the agenda. Mrs. Black seconded the motion, and it carried unanimously.
  
- Adoption of Minutes      Mr. Davenport requested that the minutes be adopted in two separate actions.  
  
Mrs. Franco moved adoption of the minutes of February 12, 2008. Mrs. Black seconded the motion, and it carried unanimously with a 6/0 vote (Davenport abstained from voting due to absence from the February 12, 2008 Regular Meeting).  
  
Mr. Davenport moved adoption of the minutes of the February 26, 2008 Mrs. Yelsey seconded the motion, and it carried unanimously with a 7/0 vote.
  
- 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.
  
- District Update      Laura Boss, Director of District Communications, reported on upcoming district events.
  
- Board Members Reports      Board members provided reports on their recent attendance at events and activities and shared information of interest to other Board members.
  
- Community Input      Audience member Daniel Escamilla voiced concerns regarding a pending litigation item.
  
- Consent Calendar      *Mrs. Black moved approval of the Consent Calendar as presented. Mrs. Franco seconded the motion and it carried unanimously with a 7/0 vote.*
  - 6.      Approved 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.      Approved 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.      Approved 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.      Approved 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.     Approved 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. Approved one new Addendum to the Master Contract for E.C.E. 4Autism as established from the Individual Educational Program.
  12. Accepted 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. Approved 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. Approved 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. Approved 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. Entered 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. Approved 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. Approved 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. Authorized 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. Authorized 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. Ratified 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. Ratified 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. Authorized 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. Approved the request for a credential/CBEST waiver pursuant to Education Codes 44252(b), 44265, and 44830(a).
  25. Approved Certificated Employees' Leave of Absence Register No. 14-08.
  26. Approved Certificated Employees' Resignation/Termination Register No. 12-08.
  27. Approved Certificated Employees' Assignment Alternatives/Options for two Certificated employees pursuant to Education Code 44263.
  28. Approved Certificated Employees' Assignment Alternatives/Options for five

- Certificated employees pursuant to Education Code 44256(b).
- 29. Approved Classified Employees' Resignation/Termination Register No. 13-08.
- 30. Approved Classified Employees' Appointment/Reassignment Register No. 14-08.
- 31. Approved Classified Employees' Leave of Absence Register No. 14-08.
- 32. Approved Gift Register No. 12-08.
- 33. Approved Accounting Register No. 13-08.
- 34. Approved Measure F Accounting Register No. 13-08.
- 35. Approved Purchasing Report No. 13-08.
- 36. Approved Independent Contractors Register No. 14-08.
- 37. Approved School Related Overnight Travel Register No. 06-08.
- 38. Approved Student Trip Register No. 10-08.

Resolution Consent Calendar Mrs. Black moved adoption of the Resolution Consent Calendar as presented. Mrs. Yelsey seconded the motion.

- 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.

Roll Call Vote:  
Mrs. Fluor - yes  
Mrs. Black - yes  
Mrs. Yelsey - yes  
Mr. Brooks - yes  
Mr. Collier - yes  
Mr. Davenport – yes  
Mrs. Franco - yes

The Resolution Consent Calendar was adopted by a 7/0 roll call vote.

Newport-Mesa Unified School District Testing Structures. Dr. Charles Hinman presented information on District Formative and Summative Assessments.

Update and Report from the Ad Hoc Committee on the Naming of the Estancia and Costa Mesa High School Stadium. Mr. Brooks moved to:

- 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;
- b. Extend the window of time for the process to continue with additional opportunities for public input, and:
- c. Reconvene the established Ad Hoc Committee at a later date and time for the purpose of continuing the process to name the EHS/CMHS stadium.

Mrs. Yelsey seconded the motion and it carried unanimously with a 7/0 vote.

Approval of Engagement Agreement for Employee Benefit Consulting Services with AON Consulting. The following community members addressed the Board on this item: Frank Oppedisano, Bob Kelly, Dave Brees, Tony Zeddies, Hilary Brover, Jeff Qualey, Kimberly Claytor, Gail Routledge, and Phyllis Pipes urged the Board to table this item.

Mrs. Black moved to approve the Engagement Agreement for Employee Benefit Consulting Services with Aon Consulting, Mrs. Franco seconded the motion and it carried unanimously with a 7/0 vote.

Recess At 9:29 p.m., the Board took a recess.

Reconvene At 9:45 p.m., the Board President reconvened the meeting.

Please Post

**Minutes of Regular Meeting**

**ADOPTED MINUTES  
March 11, 2008**

- Superintendent/  
Assistant  
Superintendent's  
Reports      The Superintendent and Assistant Superintendents provided reports on various items of interest.
  
- 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 10:22 p.m. President Fluor adjourned the meeting.

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Jeffrey C. Hubbard, Secretary  
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