

**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  
April 22, 2008

Closed Session At 5:30 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.

Recess At 6:30 p.m. the Board took a brief recess.

Reconvene/Call to Order/  
Roll Call At 7:00 p.m., President Fluor called to order the Regular Board meeting with a silent invocation and Pledge of Allegiance led by Student Board Member Harold Golson.

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

- Jamie Lawson, Corona del Mar High School
- Harold Golson, OC Middle College High School

Adoption of Agenda Mrs. Franco moved adoption of the agenda. Mrs. Yelsey seconded the motion, and it carried unanimously.

Adoption of Minutes Mr. Davenport moved adoption of the minutes of the March 11, 2008 meeting as submitted. Mrs. Franco seconded the motion, and it carried unanimously with a 7/0 vote.

Mr. Davenport moved adoption of the minutes of the March 25, 2008 meeting as submitted. Mrs. Franco seconded the motion, and the vote carried with a 6/0 vote (Mrs. Fluor abstained).

Public Hearing No Child Left Behind (NCLB) Support Review Committee Report-TeWinkle Middle School Dr. Elizabeth Novack provided background information on the No Child Left Behind Support Review Committee Report. Dr. Tom Antal, Chairman of the Committee shared the committee's review and findings.

President Fluor opened the public hearing. No comments were received and the hearing was closed.

Student Board Member Reports Student Board members provided reports regarding events and activities occurring at their respective schools sites.

Parent Liaison Report Kristi Kirsch, Executive Vice 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 The following members of the audience addressed the Board regarding the proposed changes to the District’s Deaf and Hard of Hearing Program at Kaiser Elementary School and Costa Mesa High School. The following parents and teachers addressed the Board: Tracy Desmond, Mr. and Mrs. Lovell, Wendy Fukushima, Angela Delgado, Dr. Carmel Collum Yeager, Dr. Jill Jacobs and Caryn Leingang all addressed the Board regarding the proposed changes to return non-Newport-Mesa USD residents to their home schools to be enrolled in programs within their own District. All speakers were supportive of Newport-Mesa’s program and concerned about having to move their children from the current program and back to their neighborhood District.

Audience member Dan Escamilla addressed the Board regarding a workers compensation complaint.

At the conclusion of community input, Dr. Hubbard responded to the speakers. Dr. Hubbard referred Mr. Escamilla to our third party administrators Keenan and Associates for resolution of the workers compensation legal issues. Dr. Hubbard expressed support for the teachers and parents concerns regarding the proposed changes to the DHH program and committed to review the proposed changes and communications with the other districts.

Recess The Board took a brief recess.

Reconvene President Fluor reconvened the meeting. She noted that Trustee Collier had to leave the meeting early to catch a flight.

Consent Calendar Mrs. Franco moved approval of the Consent Calendar as presented. Mr. Davenport seconded the motion and it carried unanimously with a 6/0 vote (Collier absent – left prior to Consent Calendar).

6. Approved the expulsions of students with the following I.D. #'s: 07-57-77 and 07-64-77.
7. Approved one new individual contract with Write Start Pediatrics through the 2007/08 school year as established from the Individual Educational Program in the amount of \$4,720.00.
8. Approved one parent reimbursement contract through the 2007/08 school year as established from the Individual Educational Program in the amount of \$5,500.00.
9. Approved the Final Compromise and Release Agreement Case No. 585831-806030 in the amount of \$9,000.00 pursuant to the laws of the State of California.
10. Approved the Final Compromise and Release Agreement Case No. 685831-806030 in the amount of \$9,000.00 pursuant to the laws of the State of California.
11. Approved the Final Compromise and Release Agreement Office of Administrative Hearings Decision Order in Case No’s. N2007070947 and N2007090686 in the amount of \$14,241.00 pursuant to the laws of the State of California.
12. Approved an Addendum to the Master Contract with the Center For Behavioral Sciences, Inc., which establishes contractual relationships and sets rates for service as established from the Individual Educational Program.
13. Approved the First Amendment to Agreement No. FC-SR2-20 with the Children and Families Commission of Orange County in the amount of \$518,893.00 to N-MUSD to expand early literacy efforts and increase school readiness nurse staff to address the increased need due to the implementation of AB172, pre-kindergarten expansion. This Amendment brings the total maximum payment obligation for the grant period 7/1/06 through 6/30/10 to \$2,555,285.00.
14. Approved the acceptance of the Childhood Immunization Promotion Mini-Grant #FLA-20-08 from the Children and Families Commission of Orange County to N-MUSD in the amount of \$5,000 to promote childhood immunizations, community health fair events and other health promotion follow up activities.
15. Approved the Second Amendment to Agreement No. F03-HC-06 with the Children

- and Families Commission of Orange County in the amount of \$85,000 to N-MUSD to support the ongoing Health, Opportunities, Preparation and Education (HOPE) Clinic. This Amendment brings the total maximum payment obligation for the grant period July 1, 2006 through June 30, 2009 to \$277,500.00.
16. Approved the Mobile Health Care Services Agreement between the Children's Hospital of Orange County (CHOC) and the Newport-Mesa Unified School District for the operation of the CHOC Mobile Clinic for the term of one year commencing April 1, 2008 and extended annually each year unless otherwise terminated by either party.
  17. Authorized the Deputy Superintendent, Chief Business Official to enter into an agreement with All City Management Services for the provision of crossing guard services for Newport Coast Elementary School for the period July 1, 2008 through June 30, 2009 at a cost not-to-exceed \$10,476.00.
  18. Approved the renewal of the ground lease – Amendment No. 4 between Newport-Mesa Unified School District and the Orange County Head Start, Inc., at Parsons Elementary School for the period ending respectively June 30, 2011.
  19. Approved the renewal of the ground lease –Amendment No.4 between Newport-Mesa Unified School District and the Orange County Head Start, Inc., at Rea Elementary School for the period ending respectively June 30, 2011.
  20. Approved the Agreement between Newport-Mesa Unified School District and Vavrinek, Trine, Day & Co., for the purposes of providing special accounting and consulting services related to Proposition 39 Audit for Measure F at the hourly rates and terms set forth in the agreement not-to-exceed \$5,500.00.
  21. Authorized the Deputy Superintendent to renew the professional services contract with Six Ten and Associates for mandate reimbursement claim preparation services in an amount not-to-exceed \$65,000 for fiscal year 2008/09.
  22. Approved an agreement between Newport-Mesa Unified School District and ADvTECH Environmental, Inc., in an amount not-to-exceed \$125,000.00 to provide services outlined in the Agency Approved Work Plan per ADvTECH proposal dated March 18, 2008 for the period April 23, 2008 through June 30, 2008. (OCHCA Case #97UT021 – Accelerated Remedial Technology (ART) Technology Groundwater Remediation Pilot Test)
  23. Approved year two of a five year renewable Service Contract #SC10-07 with Cintas Corporation for document destruction services for the period May 1, 2008 through April 30, 2009 in an amount not-to-exceed \$7,500.00.
  24. Approved a Lease Agreement (Amendment #3) between Child Development Inc., and Newport-Mesa Unified School District at Lindbergh Elementary School for the period July 1, 2008 through June 30, 2010 under the terms set forth in the agreement.
  25. Approved Amendment #1 for additional architectural services with Westberg + White, Inc., to perform architectural services related to the construction phase of the Estancia Stadium Project at a not-to-exceed cost of \$35,250.00 plus reimbursable items.
  26. Approved Amendment #2 with PENCO Engineering, Inc., for an additional \$372.00 for reimbursable items associated with the Costa Mesa High School swimming pool renovations civil design services.
  27. Approved the Intranet Network Support Services Agreement No. 329071 between the Orange County Department of Education and the Newport-Mesa Unified School District for the period July 1, 2008 through June 30, 2009 in an amount not-to-exceed \$8,500.00.
  28. Approved the revised Site Discretionary Plan for Paularino Elementary School and Newport-Mesa Adult Education.
  29. Entered into an Agreement with JFK Transportation Co., Inc., to provide services as needed to the Newport-Mesa Unified School District Transportation Department for the period of February 1, 2008 to June 30, 2008 in an amount not-to-exceed \$50,000.
  30. Authorized the Deputy Superintendent to enter into an agreement between IBI Group and Newport-Mesa Unified School District at a cost not-to-exceed \$178,000.00 to provide contract documents and construction administration for the twenty (20) new portable buildings on six different sites in the District.
  31. Approved Amendment #1 to the contract between Hennon Surveying & Mapping, Inc., and the Newport-Mesa Unified School District for topographic survey of the entire

- stadium site at Newport Harbor High School.
- 32. Approved the list authorizing signature authority for the Newport-Mesa Unified School District for the Bank of America effective until June 2008.
- 33. Approved the Williams Uniform Complaint Procedures Third Quarter Report covering the period of January 1 through March 31, 2008. No complaints have been received during this reporting period.
- 34. Approved the Settlement Authority for a Compromise and Release in the amount of \$55,000 for Claim # 1207-03-0145.
- 35. Approved the Settlement Authority for a Compromise and Release in the amount of \$20,000 for Claim # 1207-05-0164.
- 36. Approved Certificated Employees' Leave of Absence Register No. 16-08.
- 37. Approved Certificated Employees' Resignation/Termination Register No. 14-08.
- 38. Approved Certificated Employees' Appointment Register No. 15-08.
- 39. Approved Classified Employees' Resignation/Termination Register No. 15-08.
- 40. Approved Classified Employees' Appointment/Reassignment Register No. 16-08.
- 41. Approved Classified Employees' Leave of Absence Register No. 16-08.
- 42. Approved Gift Register No. 14-08.
- 43. Ratified the acceptance of gifts received in August 2007 as referenced in Gift Register No. 15-08.
- 44. Approved Accounting Register No. 15-08.
- 45. Approved Measure A Accounting Register No. 11-08.
- 46. Approved Measure F Accounting Register No. 15-08.
- 47. Approved Purchasing Report No. 15-08.
- 48. Approved Purchasing Report – Measure A & F #15-08F.
- 49. Approved Independent Contractors Register No. 16-08.
- 50. Approved School Related Overnight Travel Register No. 08-08.
- 51. Approved Student Trip Register No. 12-08.

Resolution  
Consent Calendar

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

- 52. ADOPTED RESOLUTION NO. 32-04-08 AUTHORIZING THE BORROWING OF FUNDS, ISSUANCE OF SALE OF A 2008/09 TAX AND REVENUE ANTICIPATION NOTE (TRANS), AND PARTICIPATION IN THE SOUTH COAST LOCAL EDUCATION AGENCIES POOLED TRANS FOR AN AMOUNT NOT-TO-EXCEED \$19,000,000.00.
- 53. ADOPTED RESOLUTION NO. 33-04-08 RECOGNIZING THE CALIFORNIA DAY OF THE TEACHER MAY 14, 2008, AND THE NATIONAL TEACHER APPRECIATION WEEK OF MAY 4-10, 2008.
- 54. ADOPTED RESOLUTION NO. 34-04-08 RECOGNIZING THE WEEK OF THE CLASSIFIED SCHOOL EMPLOYEE MAY 18-24, 2008.
- 55. ADOPTED RESOLUTION NO. 35-04-08 RECOGNIZING THE NATIONAL DAY OF THE SCHOOL NURSE, MAY 7, 2008, AND THE WEEK OF THE SCHOOL NURSE MAY 6-12, 2008.
- 56. ADOPTED RESOLUTION NO. 36-04-08 APPROVING THE THREE-YEAR TPP/T2 (TRANSITIONS PROGRAM) COOPERATIVE CONTRACT AGREEMENT BETWEEN THE NEWPORT-MESA UNIFIED SCHOOL DISTRICT AND THE STATE OF CALIFORNIA DEPARTMENT OF REHABILITATION FOR FISCAL YEARS 2008/09-2010/11 AND CERTIFYING SIGNATURE AUTHORITY

Roll Call Vote:

- Mrs. Fluor - yes
- Mrs. Black - yes
- Mrs. Yelsey - yes
- Mr. Brooks - yes
- Mr. Collier - absent

Mr. Davenport – yes  
Mrs. Franco - yes

The Resolution Consent Calendar was adopted by a 6/0 roll call vote.

Approval of Naming Proposal for the Estancia High School/Costa Mesa High School District Stadium

Mr. Brooks moved approval of the Naming Proposal for the Estancia High School/Costa Mesa High School District Stadium as “The Jim Scott Stadium.” Mrs. Black seconded the motion and it carried unanimously with a 7/0 vote. The Board requested that the record reflect a 7/0 vote despite the absence of Trustee Collier who had to leave the meeting early to catch a flight and specifically requested that his vote be included in support of naming the stadium the “Jim Scott Stadium.”

Approval of Additions to the High School Course of Study

Mrs. Franco moved the approval of additions to the high school course of study: *Spanish 7AB; Spanish 8CD; Latin 7AB; French 7AB; French 8CD; and American Sign Language (ASL) 3AB.* Mrs. Black seconded the motion, and it carried unanimously with a 6/0 vote.

Approval of Adult School Course Offerings

Mrs. Black moved the approval of the California Department of Education required course grouping list and the District list of Adult School course offerings. Mrs. Yelsey seconded the motion, and it carried unanimously with a 6/0 vote.

Revision to Board Policy and Rule and Regulation No. 7335 Uniform Complaint Procedure, Second Reading

Mrs. Black moved the approval of the second reading of the revised Board Policy and Rule and Regulation No. 7335, Uniform Complaint Procedures. Mr. Davenport seconded the motion, and it carried unanimously with a 6/0 vote.

Nomination of California School Boards Association (CSBA) Officer(s)

Mrs. Franco moved to nominate Martha Fluor to serve as Vice-President of the California School Boards Association (CSBA) with the recommendation that a letter of recommendation be written. Mr. Davenport seconded the motion, and it carried unanimously with a 6/0 vote.

Information to the Board- Notice of 30-Day Preliminary Display of Secondary Math and World Language Textbooks

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Superintendent/ Assistant Superintendent’s Reports

The Superintendent and Assistant Superintendents provided reports on various items of interest.

Legislative Report

No report.

CROP Report

Mrs. Fluor noted that the Coastline Regional Occupational Program (CROP) is undergoing a WASC review.

Please Post

**Minutes of Regular Meeting**

**ADOPTED MINUTES  
April 22, 2008**

- 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 9:21 p.m. President Fluor adjourned the meeting.

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Jeffrey C. Hubbard, Secretary