

**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  
August 26, 2008

Study Session                    At 4:35 p.m., President Fluor announced that the Board of Education would convene a study session for a strategic review of educational specifications for facilities.

Mr. Paul Reed provided a review of the educational specifications for the district’s facilities. The Board discussed the benefits with an enclave configuration in relation to student social/emotional wellbeing and student achievement. Mr. Reed reviewed the bond language, provided an overview of the list of facility projects that are authorized projects through Measure F, and also reviewed the Bond Implementation Structure. The Superintendent and staff will continue to present facility project priorities to the Board for their consideration.

Closed Session                    At 5:45 p.m., President Fluor announced that the Board of Education would convene in Closed Session to address public employee discipline/dismissal/release, student discipline, and conference with legal counsel regarding anticipated litigation.

Reconvene/Call to Order/Roll Call                    At 7:05 p.m., President Fluor called to order the Regular Board meeting with a silent invocation and Pledge of Allegiance led by Mr. Brooks.

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

Adoption of Agenda                    Mrs. Franco moved adoption of the agenda. Mr. Brooks seconded the motion, and it carried unanimously with a 6/0 vote (Mrs. Black absent).

Adoption of Minutes                    Mr. Brooks moved adoption of the minutes of the July 8, 2008 special closed session, July 8, 2008 regular meeting, and August 12, 2008 special closed session as submitted. Mrs. Yelsey seconded the motion, and it carried unanimously with a 6/0 vote (Mrs. Black absent).

Presentations                    Kathe Adamiak recently received the Orange County School Nurse of the Year Award, Southern California School Nurse of the Year Award and has been nominated for the California School Nurse of the Year Award. The Board of Education thanked Ms. Adamiak for her service to the students and congratulated her on receiving the prestigious award.

Introduction of New Staff:                    The following introductions of new staff were made:  
*Anna Corral, Elementary Principal, Rae Elementary School*  
*Patricia Mulhaupt, Interim Elementary Principal, Davis School*  
*Aaron Peralta, Principal, Costa Mesa Middle School.*

Harbor Council PTA Parent Liaison Report                    Vicki Snell provided a report on behalf of the Harbor Council PTA. The group is encouraging parent advocacy and leadership at convention. They are working to continue to improve excellent lines of communication at the District level and provide time for discussions within PTA membership.

- District Update      Laura Boss, Director of District Communications, reported on upcoming district events. She reported that the revised school site websites are live and invited the community to attend the TeWinkle Gymnasium Grand Opening that is being held on Friday, September 5 at 9:30 a.m. She also congratulated the several Olympians that attended Newport-Mesa Unified School District who received medals at the Beijing Summer Olympics.
- 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      Mrs. Sandi Ames, resident of Costa Mesa, parent of a Newport Harbor High School student and representative (co-chair) of District Community Advisory Council (CAC) for Special Education, shared the 2008-2009 schedule of events for this CAC and reported on meeting with Mrs. Ann Huntington, Executive Director of Special Education.
- Mr. Gary Mathieson, employee of NMUSD, addressed concerns regarding SB 259 to the Board of Education. Dr. Hubbard assured Mr. Mathieson if an employee is called to active duty beyond the numbers of days authorized by the contract, the employee's request for an extension of paid leave will be presented to the Board for approval. He also thanked Mr. Mathieson for his service to our country.
- Consent Calendar      Mrs. Franco moved approval of the Consent Calendar as presented and discussed. Mr. Brooks seconded the motion and it carried unanimously with a 6/0 vote (Mrs. Black absent).
6. Approved ninety-eight new Individual Contracts for non- public schools and agencies for the 2007/08 school year in the amount of \$215.00 and the 2008/09 school year in the amount of \$853,473.00 (a total of \$853,688.00) as established from the Individual Education Program.
  7. Approved ten parent reimbursement contracts for non-public schools and agencies through the 2007/08 school year in the amount of \$1,065.90 and the 2008/09 school year in the amount of \$11,079.88 (a total of \$12,145.78) as established from the Individual Educational Program.
  8. Approved five Master Contracts for non-public schools and agencies for the 2008-09 school year as established from the Individual Education Program.
  9. Approved the Final Compromise and Release Agreement – Case No. 303011-80916, total expenditures in the amount of \$17,500.00 for the 2008-2009 school year.
  10. Approved the Final Compromise and Release Agreement – OAH Case No. N2008050512, total expenditures in the amount of \$6,000.00 for the 2008-2009 school year.
  11. Approved the request to destroy student special education records in accordance with California Code of Regulations, Title 5, Section 437.
  12. Approved the Memorandum of Understanding between Estancia High School, Newport-Mesa Unified School District, and Orange County Department of Education for Participation in the Small Learning Community (SLC), Orange County Collaborative Program.
  13. Approved the Service Contract between the Newport-Mesa Unified School District and TeleParent Educational Systems, LLC for use by the secondary school sites.
  14. Approved the Subscription Agreement between Newport-Mesa Unified School District and School Loop for Services for the period July 1, 2008 through June 30, 2011 and Statement of Work for Services between Newport-Mesa Unified School District and School Loop effective July 30, 2008.
  15. Approved the Student Teacher Agreement between the University of California, Irvine and Newport-Mesa Unified School District.
  16. Approved the Supervised Fieldwork Agreement between Loyola Marymount University and Newport-Mesa Unified School District.
  17. Approved annual membership with School Employers Association of California (SEAC).
  18. Approved the agreement with ARM Tech for Worker's Compensation Actuarial services.
  19. Approved the settlement authority Claim No. 1207-06-0127.

20. Approved the settlement authority Claim No. 1207-04-0057.
21. Ratified the determination that a vacancy existed in an administrative position due to circumstances beyond the control of the District and that the vacancy occurred on an emergency basis, and further ratify the submission of a STRS Post-Retirement Earns Limitation Exemption Request for Ms. Patricia Mulhaupt, Interim Principal at Davis Elementary School for the 2008-2009 school year.
22. Approved the agreement with CIGNA Healthcare for Dental HMO and PPO programs.
23. Approved the agreement with Metlife for Group Life Insurance.
24. Approved the agreement with Anthem/Blue Cross for Point of Service, Fee for Service, and Blue Card Plans.
25. Approved the agreement with US Behavioral Health for Employee Assistance Program (EAP).
26. Approved the agreement with Metlife for Long Term Disability, Critical Illness, and Auto and Home Insurance Program.
27. Approved the agreement with Anthem/Blue Cross for Section 125 Program.
28. Approved the agreement with Conexis for COBRA Administration Services.
29. Approved the agreement with SCAN Medicare Advantage Plan.
30. Approved the agreement with Aon Consulting for Retiree Drug Subsidy (RDS) Administration Services.
31. Approved the agreement with Paparelli and Partners LLP.
32. Approved the payment of 2008-2009 membership dues to the Newport Beach Chamber of Commerce in the amount of \$360.00.
33. Approved the Agreement with California School Board Association for Agenda Online Service.
34. Approved the Agreement with California School Board Association for Policy Services.
35. Ratified the School Readiness Initiative Grant from Children and Families Commission of Orange County (FCI-S4-20) to extend the grant period of the School Readiness Initiative Grant to 6/30/10 with an additional \$87,550.
36. Approved the Medi-Cal Administrative Activities (MAA) Services Agreement between Newport-Mesa Unified School District and Orange County Department of Education for the period of July 1, 2008 through June 30, 2009.
37. Approved the Memorandum of Understanding (MOU) between Newport-Mesa Unified School District HOPE Clinic and Dr. Riba's Health Club.
38. Approved the LEA Medi-Cal Services Agreement between Newport-Mesa Unified School District and Paradigm HealthCare Services.
39. Approved the Memorandum of Understanding (MOU) between Newport-Mesa Unified School District and the Assistance League of Newport-Mesa's Cheri Harris Children's Dental Health Center.
40. Ratified the first amendment to Agreement for Grant FCI-SN3-20 to extend the grant period of the School Nurse Expansion Grant to 6/30/11 with an additional \$255,000 to total \$765,000.
41. Ratified agreement with Tony Ferruzzo to provide furniture and equipment consulting for opening Robins Hall and Loats Theater at Newport-Harbor High School.
42. Ratified agreement with Rowe Technologies Inc. to provide software development not to exceed \$10,000.
43. Approved the report on Actual Pupil Attendance and Annual Report for All Regular Schools in the District.
44. Authorized the Deputy Superintendent to enter into an agreement between Central Orange Coast YMCA and the District at College Park Elementary.
45. Ratified CMAS Contracts #4-07-23-007C, #4-07-51-0019A, #4-07-78-0032A for the Eberhard Equipment, Inc., authorized by John Deere Company to represent their company, to purchase grounds equipment for grounds maintenance.
46. Ratified the agreement with Nadel Architects to provide architectural, engineering, and project oversight services for the gymnasium bleachers at Estancia High School, not to exceed \$29,955.
47. Ratified Amendment #10 between LPA Architects and the Newport-Mesa Unified

- School District for an additional amount not to exceed \$35,000 for a total contract amount of \$1,880,824.
48. Ratified the Agreement with Westberg + White, Inc. to perform professional architectural services related to the Construction phase of the Joint Use Community Building at Rea Elementary School for an amount not to exceed \$17,035.
  49. Ratified the Follett Software Destiny Resource Management Agreement in the amount of \$33,075.82.
  50. Approved an increase of \$2,400.00 to the contract between T. Mitchell Engineers & Associates, Inc. and Newport-Mesa Unified School District for compressed natural gas fueling station engineering design services at the Baker/Bear Facility to June 30, 2009.
  51. Ratified the agreement between GuardPower Security, Inc., and the Newport-Mesa Unified School District to provide security services for the period July 1, 2008 through June 30, 2009, for services not-to-exceed \$32,000.
  52. Approved Change Order #3, Bid #104-08, contract #104-08 with Bernard Bros. Inc. for the Newport Harbor High School Robins Hall and Loats Replacement in the amount of \$152,311.00.
  53. Authorized the Deputy Superintendent to enter into Change Order #1 of the Contract with McCarthy Building Companies, Inc. to provide project management services as authorized for the initial Measure F projects as authorized by the Measure F Equity Committee, not to exceed \$3,950,000.
  54. Approved Change Order #3 to the Agreement between R.C. Construction Services, Inc. and the Newport-Mesa Unified School District for the TeWinkle Intermediate School Health Education Center in the amount not to exceed \$87,850.
  55. Approved the list authorizing the signatures for various district accounts for the Newport-Mesa Unified School District.
  56. Authorized the Orange County Superintendent of Schools and a delegation of Chief Business Officials to negotiate an agreement on behalf of the Newport-Mesa Unified School District regarding the calculation of capital facilities fees due to the Orange County Sanitation District.
  57. Approved Certificated Employees' Appointment/Reassignment Register No. 02-09.
  58. Approved Certificated Employees' Leave of Absence Register No. 02-09.
  59. Approved Certificated Employees' Resignation/Termination Register No. 02-09.
  60. Approved Classified Employees' Appointment/Reassignment Register No. 02-09.
  61. Approved Classified Employees' Leave of Absence Register No. 02-09.
  62. Approved Classified Employees' Resignation/Termination Register No. 02-09.
  63. Approved Gift Register No. 02-09.
  64. Approved Accounting Register No. 02-09.
  65. Approved Measure F Accounting Register No. 02-09.
  66. Approved Purchasing Report No. 02-09.
  67. Approved Measures A & F Purchasing Report No. 02-09F.
  68. Approved Independent Contractors Agreement Register No. 02-09.
  69. Approved Secondary School Related Travel Register No. 02-09.

Resolution Consent    Mrs. Franco moved adoption of the following resolutions:  
Calendar

70. Resolution No. 03-08-08, Authorizing The Establishment And Maintenance Of Site Revolving Cash Funds.
71. Resolution No. 04-08-08, Levying Special Taxes For 2008-09 Within The Community Facilities District (CFD) 90-1.
72. Resolution No. 05-08-08, Support Of The Filing Of An Application For New Construction And Modernization Funding For Newport-Mesa Unified School District Eligible School Sites.
73. Resolution No. 06-08-08, Revising The Date Upon Which The Schools Of The District Close In Observance Of Holidays (Abraham Lincoln's Birthday).
74. Resolution No. 07-08-08, National Preparedness Month – September 2008.
75. Resolution No. 08-08-08, Local Agreement For Child Development Services (Contract Number CPKP-8044) With CDE For Pre-kindergarten And Family Literacy Program.
76. Resolution No. 09-08-08, Local Agreement For Child Development Services

(Contract Number CPKS-8055) With CDE For Pre-kindergarten And Family Literacy Program Interactive Literacy Activities.

- 77. Resolution No. 10-08-08, Local Agreement For Child Development Services (Contract Number CPRE-8239) With CDE For State Preschool Program.

Mr. Davenport seconded the motion.

Roll Call Vote

- Mr. Brooks – Yes
- Mr. Collier – Yes
- Mr. Davenport – Yes
- Mrs. Franco – Yes
- Mrs. Yelsey, Clerk – Yes
- Mrs. Black, Vice President – Absent
- Mrs. Fluor, President – Yes

Resolution Nos. 03-08-08, 04-08-08, 05-08-08, 06-08-08, 07-08-08, 08-08-08, 09-08-08 and 10-08-08 were adopted by a 6/0 roll call vote.

Adoption of Resolution No. 02-08-08, Adopting the District’s 2008-2009 All Funds Final Budget

Mr. Paul Reed provided an overview of the district’s All Funds Final Budget for 2008-2009.

It was moved by Mrs. Franco that the Board of Education adopt resolution 02-08-08 adopting the revision of the structure of the Equity Committee. Mr. Davenport seconded the motion.

Roll Call Vote

- Mr. Brooks – Yes
- Mr. Collier – Yes
- Mr. Davenport – Yes
- Mrs. Franco – Yes
- Mrs. Yelsey, Clerk – Yes
- Mrs. Black, Vice President – Absent
- Mrs. Fluor, President – Yes

Resolution No. 02-08-08 was adopted by a 6/0 roll call vote.

The Board of Education thanked staff for their hard work in developing the budget and keeping the District in a good financial position during these difficult budget years.

First Reading – Board Policy and Rules and Regulation 4205 – School Coordinated Wellness

Mr. Richard Greene provided an overview of the Coordinated School Wellness policy and rule and regulation. The Board of Education conducted a First Reading of Board Policy and Rule and Regulation 4205 – Coordinated School Wellness. The Board of Education thanked staff for their work in developing the policy and rules and regulations.

It was moved by Mrs. Franco that the Board of Education waive the second reading and adopt Board Policy and Rule and Regulation 4205 – School Coordinated Wellness. Mr. Davenport seconded the motion and it carried unanimously with a 6/0 vote (Mrs. Black absent).

Annual School Wellness Policy Review:

Mr. Richard Greene and members of his Nutrition Services staff provided an annual review of the local wellness policy and Nutrition Services program. Mr. Greene presented President Fluor with a California Senate Resolution. This resolution, authored by Senator Tom Torlakson, was presented to the Newport-Mesa Unified School District in recognition of the District’s commitment to improving the health of California’s youth through the implementation of the District’s exemplary Local School Wellness Policy.

Superintendent/ Assistant Superintendent’s Reports

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

- Legislative Representative Report Mr. Brooks provided an update on the status of budget discussions in Sacramento.
- Coastline Regional Occupational Program (CROP) Report Mrs. Fluor provided an update on the Coastline Regional Occupational Program (CROP). They are preparing for budget cuts in the future.
- 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 9:01 p.m. President Fluor adjourned the meeting.

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Jeffrey C. Hubbard, Ed.D.  
Secretary

JCH:nr