

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

August 23, 2005

❖ **CLOSED SESSION 5:00 P.M.**

Education Center – Superintendent's Office Conference Room

1. **Student Discipline**

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

❖ **STUDY SESSION 5:30 P.M.**

Education Center - Roderick H. MacMillian Board Meeting Room

- Update on Family Friendly Schools Program

❖ **RECESS 6:30 P.M.**

Education Center – Courtyard

❖ **REGULAR MEETING 7:00 P.M.**

Education Center - Roderick H. MacMillian Board Meeting Room

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.

1. **CALL TO ORDER.** The meeting was called to order by the presiding Chairperson, _____, at _____ p.m.

❖ **PRELIMINARY**

2. **OPENING CEREMONIES.** The meeting will open with a silent invocation, followed by a Pledge of Allegiance to the Flag.

3. ROLL CALL:

- _____ Serene Stokes, President
- _____ Dave Brooks, Vice-President
- _____ Linda Sneen, Clerk
- _____ Dana Black, Member
- _____ Tom Egan, Member
- _____ Martha Fluor, Member
- _____ Judy Franco, Member
- _____ Robert J. Barbot, Superintendent

4. ADOPTION OF AGENDA. Recommendation is made that the agenda be adopted as submitted. ACTION
 Motion by _____ Seconded by _____ Vote _____

❖ **WRITTEN COMMUNICATIONS**

❖ **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. If appropriate, consistent with Board Policy, three or more members of the Board may direct the Superintendent to schedule an item for a future Board agenda.

REASONABLE ACCOMODATION FOR ANY INDIVIDUAL WITH A DISABILITY. 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, please state your name and address for the record.

❖ **PRESENTATION**

Recognition of \$10,000 Contribution to Back Bay High School from the
Newport Beach Sunrise Rotary Club Foundation

REPORT

❖ **PARENT LIAISON**

❖ **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.

5. It is recommended that the Board of Education approve thirty eight new individual contracts for a total Individual Education Cost (IEP) of \$649,333.36 through the 2005/06 school year, as established from the Individual Educational Program.
6. It is recommended that the Board of Education approve nineteen parent reimbursement contracts for a total Individual Education Cost (IEP) of \$189,062.00 through the 2005/06 school year, as established from the Individual Educational Program.
7. It is recommended that the Board of Education approve seven new special education master contracts and two addenda to Master Contracts as established from the Individual Educational Program for the 2005/06 school year.
8. It is recommended that the Board of Education approve the Final Settlement Agreement SEHO Case No. SN05-01167 in the amount of \$25,500.00 pursuant to the laws of the State of California.
9. It is recommended that the Board of Education approve the Final Settlement Agreement OAH Case No. N 2005 07 0108/N 2005 07 0110 in the amount of \$68,800.00 pursuant to the laws of the State of California.
10. It is recommended that the Board of Education approve the Mediated Settlement Agreement SEHO Case No. SN05-00567 and SN05-00498 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 ratification of the total amount of reimbursement previously submitted, for expenses authorized by the agreement in the amount of \$40,000 and made payable on or before August 19, 2005 for SEHO Case No. SN05-00161.
12. It is recommended that the Board of Education grant authorization to destroy nine boxes of special education records for students born 1974 to 1979 pursuant to The California Code of Regulations, Title 5, Section 437.
13. It is recommended that the Board of Education ratify submission of the English Language Acquisition Program (ELAP) Application for the 2005/06 school year.
14. It is recommended that the Board of Education approve the contract for staff development to support the Reading First Program with the Orange County Department of Education.
15. It is recommended that the Board of Education award Campus Catering's Paper and Supplies Bid #04-06 to P&R Paper.
16. It is recommended that the Board of Education approve the Agreement #T6080 between the Orange County Department of Education and Newport-Mesa Unified School District for participation in the Inside the Outdoors Field Program for the 2005/06 school year.
17. It is recommended that the Board of Education approve the Agreement #T6053 between the Orange County Department of Education and Newport-Mesa Unified School District for participation in the Inside the Outdoors School Program for the 2005/06 school year.

18. It is recommended that the Board of Education approve the Agreement #T6121 between the Orange County Department of Education and Newport-Mesa Unified School District for participation in the Inside the Resident Outdoor Science Camp for the 2005/06 school year.
19. It is recommended that the Board of Education approve the Memorandum of Understanding with the Children and Families Commission to host two VISTA (Volunteers in Service to America) members for the 2005/06 school year for the School Readiness Program.
20. It is recommended that the Board of Education approve the Software Licensing/Purchase Agreement between Newport-Mesa Unified School District and Datawise, Inc., for the MEASURES Aligned Program in the amount of \$37,598.75.
21. It is recommended that the Board of Education approve the Cooperative Agreement No. 05-Puente-HS-09 between the Newport-Mesa Unified School District and The Regents of the University of California on behalf of the Puente Project at Estancia High School for school year 2005/06.
22. It is recommended that the Board of Education authorize the Deputy Superintendent and Chief Business Official to enter into an agreement with GKK Corporation in a not-to-exceed amount of \$85,000 for architectural and engineering services for an Adult Education Center.
23. It is recommended that the Board of Education ratify the renewal of Year Two for service contract SC06-05 with Certified Document Destruction, Inc., for services for the period July 1, 2005 through June 30, 2006 in an amount not-to-exceed \$3,000.00.
24. It is recommended that the Board of Education ratify the renewal of Year Three for service contract SC05-05 with Eagle Aerial Imaging for services for the period July 1, 2005 through June 30, 2006 in an amount not-to-exceed \$5,600.00.
25. It is recommended that the Board of Education ratify the Agreement between Newport-Mesa Unified School District and Loskot Consulting Services in an amount not-to-exceed \$20,000 for the period July 1, 2005 through June 30, 2006.
26. It is recommended that the Board of Education ratify an Agreement with Liberty Charter, Inc., to provide services as needed to the Newport-Mesa Unified School District Transportation Department for the period July 1, 2005 through June 30, 2006 in an amount not-to-exceed \$5,000.00.
27. It is recommended that the Board of Education ratify the Agreement between the Sailhouse Community Association and the Newport-Mesa Unified School District for the benefit of Harbor View Elementary School.
28. It is recommended that the Board of Education authorize the Deputy Superintendent, Chief Business Official, to enter into agreements with the American Fidelity Assurance Company for the provision of optional insurance programs as recommended by the Insurance Committee contingent upon completion of the negotiation price.
29. It is recommended that the Board of Education approve the renewal of the contract with CIGNA HealthCare (HMO) for the period October 1, 2005 through September 30, 2006.
30. It is recommended that the Board of Education approve the renewal of the contract with CIGNA Dental Plan (PPO) for the period October 1, 2005 through September 30, 2006.
31. It is recommended that the Board of Education approve the renewal of the contracts with Blue Cross of California for the period October 1, 2005 through September 30, 2006.
32. It is recommended that the Board of Education approve Settlement Authority for Stipulation with Award of \$19,933.75 plus future medical care of Claim No. 03-30846.

33. It is recommended that the Board of Education authorize the District legal counsel of Parker and Covert, L.L.P., to notify counsel for Travelers, Watt, Tieder, Hoffar and Fitzgerald, L.L.P., that the claim for \$532,896.61 in regards to the Woodland and Whittier Measure A projects is rejected.
34. It is recommended that the Board of Education approve the request for a credential waiver for one certificated employee pursuant to Education Codes 44252 (b) 44265, and 44830.
35. It is recommended that the Board of Education approve the STRS Post-Retirement Earning Limitation Exemption Request for Richard Hancock at Corona del Mar High School effective August 31, 2005 through June 30, 2006.
36. It is recommended that the Board of Education approve the request for one Certificated Assignment Alternative/Option pursuant to Education Code 44263.
37. Approval is recommended of Certificated Employees' Resignation/Termination Register No. 02-06.
38. Approval is recommended of Certificated Employees' Leave of Absence Register No. 02-06.
39. Approval is recommended of Certificated Employees' Appointment/Reassignment Register No. 02-06.
40. Approval is recommended of Classified Employees' Appointment/Reassignment Register No. 02-06.
41. Approval is recommended of Classified Employees' Resignation/Termination Register No. 02-06.
42. Approval is recommended of Classified Employees' Leave of Absence Register No. 02-06.
43. Approval is recommended of Gift Register No. 01-06.
44. Approval is recommended of Accounting Register No. 01-06.
45. Approval is recommended of Measure A Accounting Register No. 01-06.
46. Approval is recommended of Purchasing Report No. 01-06.
 - a. Approval of Purchase Order Report covering period July 1, 2005 through August 14, 2005 in the amount of \$45,219,444.53.
 - b. Approval of Travel Approval Request Report covering period July 1, 2005 through August 14, 2005.
 - c. Approval of Transfer of Equipment Report covering period July 1, 2005 through August 14, 2005.
 - d. Approval of piggyback Contract #05/06-0007 Chaffey Joint Union High School for cut paper stock.
 - e. Ratify use of ARC International Corporation for recycling of equipment.
 - f. Ratify Award and Notice to Proceed #144-05 roof replacement at Dodge Hall (NHHS) to Best Roofing.
 - g. Ratify Award #141-05 Sale of surplus portable buildings to Ability First.
 - h. Authorize equipment replacement (new Kyocera Mita copier) at Tewinkle Intermediate School.
 - i. Ratify Notice of Completion #132-05 to Arya Construction for ball walls at Woodland and Harbor View Elementary Schools.
 - j. Grant permission to advertise and award Bid #101-06 electrical supplies and lamps.

47. Approval is recommended of Measure A Purchasing Report No. 01-06A.
- a. Grant permission to advertise and award #102-06 Andersen Elementary School Measure A Modernization.
 - b. Award and ratify Notice to Proceed #135-05 Wilson Elementary School Interim Housing Increment 2 to Silver Creek Industries, Inc.
 - c. Reject all bids #137-05 Sonora Interim Housing, Increment 2.
 - d. Ratify Notice to Proceed to Issacs Plumbing on Bid #117-05(7335-332) Time and Materials at Sonora Elementary School.
 - e. Ratify Notice of Completion for Bid #110-04 to S. Parker Engineering for excavation, curbs and drywells for playground structures district-wide.
 - f. Direct that a Notice of Completion be filed for Bid #112-03 to Allied e Corporation for modernization at Davis Education Center.

48. Approval is recommended of Measure A Operations Report No. 01-06.
- a. Approve Amendment #3 for Newport Elementary School – Dougherty and Dougherty.
 - b. Approve Amendment #16 for Newport Harbor High School - LPA Architects.
 - c. Approve Amendment #7 for Corona del Mar High School – LPA Architects.
 - d. Approve Amendment #6 for Estancia High School – HMC Architects.
 - e. Ratify Change Orders #2 and #3 with Cavecche Engineering and Construction Co., Inc., for TeWinkle Middle School in the amount of \$307,172.00.
 - f. Approve Change Order #5 with Mackone Development for Newport Harbor High School in the amount of \$83,623.70.

49. Approval is recommended of Independent Contractors’ Register No. 02-06.

Motion by _____ Seconded by _____ Vote _____

❖ **INTRODUCTION OF NEW STAFF**

❖ **DISCUSSION/ACTION**

50. PRESENTATION AND UPDATE ON THE ALTERNATIVE CHANCE AT EDUCATION (AAE) PROGRAM. DISCUSSION
 Staff will provide a report on the progress of the AAE pilot program.

51. QUARTERLY INVESTMENT REPORT. DISCUSSION
 It is recommended that the Board of Education receive the Quarterly Report. /ACTION
 Motion by _____ Seconded by _____ Vote _____

52. MEASURE A PROGRAM INFORMATIONAL UPDATE. DISCUSSION
 Staff will provide an informational update on current activities occurring within the Measure A Program. This is a continuous agenda item.

53. REPORT ON ACTUAL PUPIL ATTENDANCE AND ANNUAL REPORT FOR ALL REGULAR SCHOOLS IN THE DISTRICT. DISCUSSION
 It is recommended that the Board of Education receive the Report. /ACTION
 Motion by _____ Seconded by _____ Vote _____

54. ADOPTION OF RESOLUTION NO. 04-08-06 AUTHORIZING THE DESIGNATION OF A PORTION OF THE DISTRICT REVOLVING CASH FUND TO BE USED AS A CHANGE FUND FOR NUTRITION SERVICES.

DISCUSSION
/ACTION

Adoption of Resolution No. 04-08-06 is recommended.

Motion by _____ Seconded by _____

ROLL CALL VOTE:

_____ Mrs. Black	_____ Mrs. Sneen, Clerk
_____ Mr. Egan	_____ Mr. Brooks, Vice President
_____ Mrs. Fluor	_____ Mrs. Stokes, President
_____ Mrs. Franco	_____

55. ADOPTION OF RESOLUTION NO. 05-08-06 AUTHORIZING THE ESTABLISHMENT AND MAINTENANCE OF SITE REVOLVING CASH FUNDS.

DISCUSSION
/ACTION

Adoption of Resolution No. 05-08-06 is recommended.

Motion by _____ Seconded by _____

ROLL CALL VOTE:

_____ Mrs. Black	_____ Mrs. Sneen, Clerk
_____ Mr. Egan	_____ Mr. Brooks, Vice President
_____ Mrs. Fluor	_____ Mrs. Stokes, President
_____ Mrs. Franco	_____

56. ADOPTION OF RESOLUTION NO. 06-08-06 LEVYING SPECIAL TAXES WITHIN THE COMMUNITY FACILITIES DISTRICT NO. 90-1 FOR 2005/06.

DISCUSSION
/ACTION

Adoption of Resolution No. 06-08-06 is recommended.

Motion by _____ Seconded by _____

ROLL CALL VOTE:

_____ Mrs. Black	_____ Mrs. Sneen, Clerk
_____ Mr. Egan	_____ Mr. Brooks, Vice President
_____ Mrs. Fluor	_____ Mrs. Stokes, President
_____ Mrs. Franco	_____

57. APPROVAL OF LIST AUTHORIZING SIGNATURE AUTHORITY FOR VARIOUS DISTRICT ACCOUNTS.

DISCUSSION
/ACTION

It is recommended that the Board of Education approve the list authorizing signatures for various District accounts.

Motion by _____ Seconded by _____

Vote _____

**58. APPROVAL OF REVISION TO RULE AND REGULATION NO. 7335a
IN ACCORDANCE WITH WILLIAMS LEGISLATION CHANGES.**

DISCUSSION
/ACTION

It is recommended that the Board of Education approve the revisions to the Board Rule and Regulation No. 7335a, specific to the required notice to parents, in one reading, in order to meet posting requirements prior to the first day of school.

Motion by _____ Seconded by _____

Vote _____

❖ **INFORMATION TO THE BOARD**

ASB EXCESS CARRY OVER REPORT

❖ **INFORMAL REPORTS**

59. Superintendent

60. Assistant Superintendents

61. Board Members

62. Legislative Representative

63. CROP Report

❖ **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. If appropriate, consistent with Board Policy three or more members of the Board may direct the Superintendent to schedule an item for a future Board agenda.

When addressing the Board, please state your name and address for the record.

64. ADJOURNMENT, _____ p.m.

ACTION

❖ **CLOSED SESSION**

Education Center – Superintendent’s Office Conference Room

Public Employee Evaluation

Title: Superintendent

(Pursuant to Education Code §54957)

65. ADJOURNMENT OF CLOSED SESSION, _____ p.m.

ACTION