

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

September 13, 2005

❖ **CLOSED SESSION 4:30 P.M.**

Education Center – Superintendent's Office Conference Room

1. **Student Discipline**

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

2. **Conference with Legal Counsel - Anticipated Litigation**

Significant exposure to litigation pursuant to Government Code §54956.9(b) – one potential case.

3. **Conference with Legal Counsel – Existing Litigation**

Significant exposure to litigation pursuant to Government Code §54956.9(a)
(disclosure will jeopardize existing settlement negotiations)

❖ **STUDY SESSION 5:30 P.M.**

Education Center - Roderick H. MacMillian Board Meeting Room

- Student Achievement and Academic Grades

❖ **RECESS 6:30 P.M.**

Education Center – Superintendent's Office Conference Room

❖ **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 _____

5. **ADOPTION OF MINUTES.** Recommendation is made that the minutes be adopted as submitted. ACTION

- Regular Meeting Minutes of July 12, 2005
Motion by _____ Seconded by _____ Vote _____
- Special Meeting Minutes of July 22, 2005
Motion by _____ Seconded by _____ Vote _____
- Special Meeting Minutes of August 10, 2005
Motion by _____ Seconded by _____ Vote _____
- Regular Meeting Minutes of August 23, 2005
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 THE HOPE SCHOOL READINESS PROGRAM –
PETER A. HARTMAN AWARD FINALIST

❖ **STUDENT BOARD MEMBER REPORTS**

❖ **PARENT LIAISON REPORT**

❖ **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 sixteen new individual contracts for a total Individual Education Cost (IEP) of \$124,136.85 through the 2005/06 school year, as established from the Individual Educational Program.
7. It is recommended that the Board of Education approve fourteen parent reimbursement contracts for a total Individual Education Cost (IEP) of \$73,927.46 through the 2005/06 school year, as established from the Individual Educational Program.
8. It is recommended that the Board of Education approve one new special education master contract with Heritage Schools, Inc., and four addenda to existing Master Contracts with ACES Comprehensive Educational Services, Inc., Cornerstone Therapies, Speech Pathology Associates, and Wertheimer-Gale and Associates as established from the Individual Educational Program through the 2005/06 school year.
9. It is recommended that the Board of Education approve the Final Settlement Agreement SEHO Case No. SN04-01465 in the amount of \$180,200.00 pursuant to the laws of the State of California.
10. It is recommended that the Board of Education approve the Final Settlement Agreement SEHO Case No. SN-05-01515 in the amount of \$39,480.00 pursuant to the laws of the State of California.
11. It is recommended that the Board of Education approve the Final Settlement Agreement SEHO Case No. SN05-01344 in the amount of \$14,400.00 pursuant to the laws of the State of California.
12. It is recommended that the Board of Education approve the Final Settlement Agreement SEHO Case No. SN05-01681/01868 in the amount of \$17,500.00 pursuant to the laws of the State of California.
13. It is recommended that the Board of Education approve the Final Settlement Agreement SEHO Case No. SN04-02845/SN05-00415 in the amount of \$91,820.00 pursuant to the laws of the State of California
14. It is recommended that the Board of Education approve the Student Affiliation Agreement between the Newport-Mesa Unified School District and the University of Southern California (USC) on behalf of its Occupational Science and Occupational Therapy Department for the purpose of providing field experience for students enrolled in USC's Field Program for a term of one year commencing on September 1, 2005 through August 31, 2006.

15. It is recommended that the Board of Education approve the subcontract with Community and School Collaboration for the Sonora Elementary School Early Learning Center Pilot Project for the 2005/06 school year.
16. It is recommended that the Board of Education accept the Safe Schools Healthy Students Grant Award (Project ASK) from the Federal Departments of Education and Health and Human Services in the amount of \$2,744,545.00.
17. 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 #12 at the Orange County Fairgrounds to host the annual College Night on November 9, 2005 in an amount not-to-exceed \$3,296.00.
18. It is recommended that the Board of Education approve the Sponsor-Supported Notification Call Agreement between The School Broadcasting Company and Newport-Mesa Unified School District for communication services at Corona del Mar High School and Newport Harbor High School.
19. It is recommended that the Board of Education approve the Agreement between Docufide, Inc., and the Newport-Mesa Unified School District for Secure Transcript Services for the District's six high schools at a total cost of \$1500.00.
20. It is recommended that the Board of Education approve Agreement No. 29260 between the Orange County Department of Education and Newport-Mesa Unified School District to allocate funding in the amount of \$750 to provide a stipend for the TeWinkle Middle School site advisor for the Friday Night Live Program for the 2005/06 school year.
21. It is recommended that the Board of Education authorize 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 September 6, 2005 through June 23, 2005 at a cost not-to-exceed \$10,000.
22. It is recommended that the Board of Education approve the Agreement between The East Company and Newport-Mesa Unified School District to provide specialized safety training and consulting for the period August 1, 2005 through June 30, 2006 at a fee not-to-exceed \$3,000.
23. It is recommended that the Board of Education approve the Agreement between American Security Group, Inc., and Newport-Mesa Unified School District to provide security services for the period July 1, 2005 through June 30, 2006 for hourly services not-to-exceed \$13,000.00.
24. It is recommended that the Board of Education ratify the Agreement with Family Care Centers Medical Group, Inc., for the period July 1, 2005 through June 30, 2006 to provide pre and post employment medical services.
25. It is recommended that the Board of Education ratify the Agreement between Ash and Associates to provide a 1- ½ hour presentation regarding "Team Building – The Team Members Role" at the Transportation Department Start of School Kick off Event held on September 1, 2005 in an amount not-to-exceed \$277.50.
26. It is recommended that the Board of Education approve Settlement Authority for a Compromise and Release for a not-to-exceed amount of \$30,000 for Claim No. 86000558.
27. It is recommended that the Board of Education approve Settlement Authority for Claim No. 02-27055 pending further negotiation of options as outlined in the Board memo.
28. It is recommended that the Board of Education approve Settlement Authority for a Compromise and Release for a not-to-exceed amount of \$25,000 for Claim No. 01-25551.

29. It is recommended that the Board of Education approve Settlement Authority for a Stipulation with Award of \$12,880.00 plus future medical care for Claim No. 02-27216.
30. It is recommended that the Board of Education approve payment of the 2005/06 membership fee in the amount of \$2,486 for the School Employers Association of California (SEAC).
31. It is recommended that the Board of Education approve the request for participation in the Reduced Workload program for one Certificated employee per Education Codes 22724, 44922, 87483, and 89516.
32. It is recommended that the Board of Education approve the request for an Assignment Alternative/Option for one Certificated employee pursuant to Education Code 44258.7(b).
33. It is recommended that the Board of Education approve the request for an Assignment Alternative/Option for one Certificated employee pursuant to Education Code 44865.
34. It is recommended that the Board of Education approve the request for an Assignment Alternative/Option for one Certificated employee pursuant to Education Code 44258.2.
35. It is recommended that the Board of Education approve the request for an Assignment Alternative/Option for one Certificated employee pursuant to Education Code 44256(b).
36. It is recommended that the Board of Education approve the request for an Assignment Alternative/Option for one Certificated employee pursuant to Education Code 44263.
37. Approval is recommended of Certificated Employees' Resignation/Termination Register No. 03-06.
38. Approval is recommended of Certificated Employees' Leave of Absence Register No. 03-06.
39. Approval is recommended of Certificated Employees' Appointment/Reassignment Register No. 03-06.
40. Approval is recommended of Classified Employees' Appointment/Reassignment Register No. 03-06.
41. Approval is recommended of Classified Employees' Resignation/Termination Register No. 03-06.
42. Approval is recommended of Classified Employees' Leave of Absence Register No. 03-06.
43. Approval is recommended of Accounting Register No. 02-06.
44. Approval is recommended of Measure A Accounting Register No. 02-06.
45. Approval is recommended of Purchasing Report No. 02-06.
 - a. Approval of purchasing report no. 02-06 covering period August 15, 2005 through September 1, 2005 in the amount of \$3,301,787.27.
 - b. Approval of travel approval report covering period August 15, 2005 through September 1, 2005.
 - c. Approval of transfer of equipment report covering period August 15, 2005 through September 1, 2005.
 - d. Approval of renewal of contract #104-05- Charter Bus Service with Certified Transportation.
 - e. Approval of service and support agreement with Scottel Voice and Data, Inc.
 - f. Authorization for price decrease on Contract #104-04 Audio/Visual, TV/VCR Equipment and Furniture with California Western Visuals.
 - g. Award and Notice to Proceed #142-05 Shade Structures-Districtwide.
 - h. Grant permission to advertise for diesel fuel with dipetane additive Bid #103-06.

- i. Grant permission to advertise for fencing Districtwide-time and material Bid #106-06.
 - j. Grant permission to advertise for paving/asphalt Districtwide – time and material #105-06.
 - k. Grant permission to advertise for tree trimming Districtwide – time and material #104-06.
 - l. Grant permission to advertise for plastic trash can liners Districtwide Bid #107-06.
46. Approval is recommended of Measure A Purchasing Report No. 02-06A.
- a. Award and Notice to Proceed #123-05 to SMC Construction for modernization - Measure A at Corona del Mar High School in the amount of \$9,383,035.00.
 - b. Notice to Proceed to Giannelli Electric – Contract #105-05(7335-339) electrical work at Sonora Elementary School.
 - c. Notice to Proceed to Giannelli Electric – Contract #105-05(7335-340) electrical work at Corona del Mar High School.
 - d. Notice to Proceed to Giannelli Electric- Contract #105-05(7335-355) electrical work at College Park Elementary School.
 - e. Notice of Completion to San Marino Roofing and Long Beach Roofing – Contract #119-05 for repair/replacement work on Projects 1,2,3.
 - f. Notice of Completion to Best Electric Contract #127-05 Phase O electrical at Newport Elementary School.
 - g. Notice of Completion to Perfect Mobile Home Construction Limited Contract #7335-321 relocating portables at Killybrooke, Adams and College Park Elementary Schools.
 - h. Notice of Completion to Silver Creek Industries, inc., Limited Contract #7335-318 relocating portables at Wilson Elementary School.
 - i. Notice of Completion to R. Jensen Company Limited Contract #7335-319 relocating portables at Killybrooke and Adams Elementary Schools.
47. Approval is recommended of Measure A Operations Report No. 02-06.
- a. Approval of Change Orders #23 and #24 – Mackone Development – Modernization of Costa Mesa High School in the amount of \$121,688.00.
48. Approval is recommended of Independent Contractors’ Register No. 03-06.

Motion by _____ Seconded by _____ Vote _____

❖ **DISCUSSION/ACTION**

- 49. 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.
- 50. ADOPTION OF RESOLUTION NO. 08-09-06 – LEVYING SPECIAL TAXES WITHIN THE COMMUNITY FACILITIES DISTRICT 90-1.** DISCUSSION /ACTION
 Adoption of Resolution No. 08-09-06 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	_____

51. ADOPTION OF RESOLUTION NO. 09-09-06 – CERTIFYING THE BOARD OF EDUCATION’S APPROVAL OF CONTRACT NO. CPRM-4068 LOCAL AGREEMENT FOR CHILD CARE DEVELOPMENT SERVICES WITH THE CALIFORNIA DEPARTMENT OF EDUCATION FOR FACILITIES RENOVATION AND REPAIR OF THE WILSON PRE-SCHOOL FACILITY.

DISCUSSION
/ACTION

Adoption of Resolution No. 09-09-06 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	_____

❖ INFORMAL REPORTS

- 52. Superintendent**
- 53. Assistant Superintendents**
- 54. Board Members**
- 55. Legislative Representative**
- 56. 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.

57. ADJOURNMENT, _____ p.m.

ACTION