

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 27, 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. **Student Retention Appeal**

(Pursuant to Education Code §35146)

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

Significant exposure to litigation pursuant to Government Code §54956.9(b) – three potential cases.

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

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

❖ **RECESS 5:30 P.M.**

Education Center – Superintendent's Office Conference Room

❖ **PRESENTATION 6:00 P.M.**

RECOGNITION OF THE PRIDE

(Proudly Recognizing Individuals Demonstrating Excellence)

EMPLOYEES OF THE YEAR

- ★ *Peggy Anatol*
- ★ *Judy Ayers*
- ★ *Tom Barr*
- ★ *Norma Crosby*
- ★ *Jennifer Edgerly*
- ★ *Phil Schinhofen*

❖ **RECEPTION 6:30 P.M.**

The Board will host a reception in the courtyard to honor the PRIDE recipients.

❖ **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
_____ Sarah Grabarsky, Co- Rep -Costa Mesa HS
_____ Tu Nguyen, Co- Rep -Costa Mesa HS
_____ Nicole Wall, Newport Harbor HS
_____ Mark Morihoro, Alternate -Newport Harbor HS
_____ Susan Moheimani, Corona Del Mar HS
_____ Devon Metkovich, Estancia HS
_____ Bridgette Gleason, Alternate -Estancia HS
_____ Elizabeth Crosby, OC Middle College HS
_____ Daniel DeArakal, Alternate -OC Middle College HS
_____ Devin Meaders, Co-Rep -Back Bay/Monte Vista HS
_____ Alyssa Vega, Co-Rep -Back Bay/Monte Vista HS
_____ Stephany Salza, Co-Rep- Back Bay/Monte Vista HS
_____ James Cochran, Co-Rep - Back Bay/Monte Vista HS

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.

❖ **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.

5. It is recommended that the Board of Education approve seventeen new individual contracts for a total Individual Education Cost (IEP) of \$112,507.50 through the 2005/06 school year, as established from the Individual Educational Program.
6. It is recommended that the Board of Education approve five parent reimbursement contracts for a total Individual Education Cost (IEP) of \$83,346.92 through the 2005/06 school year, as established from the Individual Educational Program.
7. It is recommended that the Board of Education approve one addenda to existing Master Contract with Autism Behavior Consultants as established from the Individual Educational Program through the 2005/06 school year.
8. It is recommended that the Board of Education approve the Final Settlement Agreement SEHO Case No. SN05-01815 in the amount of \$21,859.86 pursuant to the laws of the State of California.
9. It is recommended that the Board of Education approve the Final Settlement Agreement SEHO Case No. SN-05-01133 and CDE Compliance Investigation Case No. S-1008-04/05 in the amount of \$21,326.78 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. SN05-01650 and SN05-01013, OAH Case No. N2005-070043 and 2005-070760 in the amount of \$52,380.00 pursuant to the laws of the State of California.
11. It is recommended that the Board of Education approve the Resolution Settlement Agreement Case No. S-0957-04/05 in the amount of \$831.80 pursuant to the laws of the State of California.
12. It is recommended that the Board of Education approve the General and Specific Interagency Agreement between Coastline Regional Occupational Program and the Newport-Mesa Unified School District for the 2005/06 school year.
13. It is recommended that the Board of Education authorize the Deputy Superintendent to enter into an Agreement with McCarthy Building Companies for the provision of Project Management Services supplemental to Measure A.
14. It is recommended that the Board of Education authorize the Deputy Superintendent and Chief Business Official to amend the contract with Buck Consultants (formerly Mellon) to perform the attestations for the Medicare Subsidy Program and GASB 45 in a not-to-exceed amount of \$13,000.
15. It is recommended that the Board of Education adopt the approved Vendor List provided by Orange County Teachers Federal Credit Union and National Benefit Services, Inc., and any future modifications to the list based on vendors meeting program requirements including the submittal of a hold harmless agreement and registration with 403bCompare.com.
16. It is recommended that the Board of Education accept the donation of services from Architect David J. Prickett to provide preliminary designs for improvements and alterations to the Corona del Mar High School pool, shower, locker room and restroom facility adjacent to the pool.
17. It is recommended that the Board of Education authorize Settlement Authority for a Compromise and Release in the amount of \$73,500 for Claim No. 04-33889.
18. It is recommended that the Board of Education approve the requests for Certificated Assignment Alternatives/Options per Education Code 44865 for six employees.
19. Approval is recommended of Certificated Employees' Resignation/Termination Register No. 04-06.
20. Approval is recommended of Certificated Employees' Leave of Absence Register No. 04-06.
21. Approval is recommended of Certificated Employees' Appointment/Reassignment Register No. 04-06.
22. Approval is recommended of Classified Employees' Appointment/Reassignment Register No. 04-06.
23. Approval is recommended of Classified Employees' Resignation/Termination Register No. 04-06.
24. Approval is recommended of Gift Register No. 02-06.
25. Approval is recommended of Accounting Register No. 03-06.
26. Approval is recommended of Measure A Accounting Register No. 03-06.

- 27. Approval is recommended of Purchasing Report No. 03-06.
 - a. Approval of Purchase Order Report covering period September 2, 2005 through September 16, 2005 in the amount of \$1,194,558.79.
 - b. Approval of Travel Approval Report covering period September 2, 2005 through September 16, 2005.
 - c. Approval of Transfer of Equipment Report covering period September 2, 2005 through September 16, 2005.

- 28. Approval is recommended of Measure A Purchasing Report No. 03-06A.
 - a. Direct that a Notice of Completion be filed for the electrical work through Contract #105-05 (7335-2950 to Giannelli Electric at Estancia High School in an amount not-to-exceed \$183,000.00.

- 29. Approval is recommended of Measure A Operations Report No. 03-06.
 - b. Approval of Change Order #4 with Cavecche Engineering and Construction Co., Inc. for TeWinkle Middle School in the amount of \$106,227.00.
 - c. Approval of Amendment #5 between LPA Architects and the Newport-Mesa Unified School District for the period January 25, 2002 through June 30, 2006.
 - d. Approval of Amendment #7 for Estancia High School between HMC Architects and the Newport-Mesa Unified School District for the period January 25, 2002 through June 30, 2006.

- 30. Approval is recommended of Independent Contractors' Register No. 04-06.

Motion by _____ Seconded by _____ Vote _____

❖ **DISCUSSION/ACTION**

31. 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.

32. APPROVAL OF RECOMMENDATIONS FROM THE CORONA DEL MAR ZONE DEMOGRAPHICS STUDY. DISCUSSION
/ACTION
 It is recommended that the Board of Education approve the recommendations as outlined in the Board memo from the Corona del Mar Demographics study.

Motion by _____ Seconded by _____ Vote _____

33. REVIEW OF SUMMER 2005 PROJECTS COMPLETED BY MAINTENANCE AND OPERATIONS. DISCUSSION
 Staff will provide a review of the projects completed during the summer of 2005.

34. APPROVAL OF REQUEST FOR WAIVER OF INSTRUCTIONAL MINUTES FROM BACK BAY HIGH SCHOOL AND MONTE VISTA HIGH SCHOOL FOR THE 2005/06 SCHOOL YEAR. DISCUSSION
/ACTION
 Approval of the waiver request is recommended.

Motion by _____ Seconded by _____ Vote _____

35. ADOPTION OF RESOLUTION NO. 10-09-06 – ADOPTING THE GANN LIMIT FOR 2005/06.

DISCUSSION
/ACTION

Adoption of Resolution No. 10-09-06 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	

36. NOMINATION FOR CALIFORNIA SCHOOL BOARDS ASSOCIATION (CSBA) DIRECTORS –AT-LARGE (AMERICAN INDIAN AND BLACK).

DISCUSSION
/ACTION

It is recommended that the Board of Education make nominations as deemed appropriate.

❖ **INFORMAL REPORTS**

37. Superintendent

38. Assistant Superintendents

39. Board Members

40. Legislative Representative

41. 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.

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42. ADJOURNMENT, _____ p.m.

ACTION