

# 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

**October 25, 2005**

❖ **CLOSED SESSION 4:45 P.M.**

*Education Center – Superintendent's Office Conference Room*

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

Significant exposure to litigation pursuant to Government Code §54956.9(b) -one potential cases.

**2. Student Discipline**

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

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

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

**4. Personnel: Public Employee Discipline/Dismissal/Release**

(Pursuant to Government Code §54957)

❖ **RECESS 6:00 P.M.**

*Sanborn Instructional Media Center (SIMC) Library*

*Annual Dinner with Student Board Members*

❖ **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 Morihiro, 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 ACTION  
 adopted as submitted. Vote\_\_\_\_\_  
 Motion by\_\_\_\_\_ Seconded by\_\_\_\_\_

❖ **PRESENTATION**

Australian Student/Teacher Exchange Program Update and Presentation

❖ **PUBLIC HEARING**

In Compliance with Requirements of Education Code Sections 60119 and 60422(b) –  
 Sufficiency of Textbooks and Instructional Materials that are consistent with the Content and Cycles  
 of the Curriculum Framework for 2005/06

❖ **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 \$217,429.88 through the 2006/07 school year, as established from the Individual Educational Program.
6. It is recommended that the Board of Education approve three parent reimbursement contracts for a total Individual Education Cost (IEP) of \$1,178.75 through the 2006/07 school year, as established from the Individual Educational Program.
7. It is recommended that the Board of Education approve the Final Compromise and Release Agreement SEHO Case No. SN-05-000932 in the amount of \$45,000.00 pursuant to the laws of the State of California.
8. It is recommended that the Board of Education approve the Final Compromise and Release Agreement SEHO Case No. SN05-01127 and U.S. District Court Case #CV05-5960 MMM(RZx) in the amount of \$57,111.00 pursuant to the laws of the State of California.
9. It is recommended that the Board of Education approve the Special Education Final Compromise and Release Agreement Student Case No. 484121 in the amount of \$26,614.00 pursuant to the laws of the State of California.

10. It is recommended that the Board of Education approve the Special Education General Release and Compromise Agreement Student Case No. 811120 in the amount of \$25,000 pursuant to the laws of the State of California.
11. It is recommended that the Board of Education approve three Master Contracts for 2005/06 with Center for Learning Unlimited, PT for Kids and Therapeutic Education Center and two addenda to existing Master Contracts with Excelsior Youth Center and Speech and Language Connection.
12. It is recommended that the Board of Education approve the "Provider District" Memorandum of Understanding between Newport-Mesa Unified School District and the Orange County Superintendent of Schools pursuant to the authority established in Education Code Sections 56195, 56195.1, 56195.3 and 56195.5 that specifies that the Provider District may provide for the education of individual pupils in special education programs who reside in other districts or counties at a cost of \$46,588.00 for the term commencing July 1, 2005 through June 30, 2006.
13. It is recommended that the Board of Education accept the First Quarterly Report of the Williams Uniform Complaint (July 1 to September 30, 2005) as required by Education Code 35186 reflecting that no complaints were filed during this reporting period.
14. It is recommended that the Board of Education approve the General and Specific Interagency Agreement between Newport-Mesa Unified School District and Coastline Regional Occupational Program (CROP).
15. It is recommended that the Board of Education ratify the Agreement with California Healthcare Consulting, Inc., to assist the District in the preparation and monitoring of the information for the Medicare prescription drug plan subsidy for the period August 1, 2005 through December 31, 2005 in an amount not-to-exceed \$12,600.
16. It is recommended that the Board of Education approve Amendment #1 to the Agreement for consulting services with California Healthcare Consulting, Inc., to provide additional services to the scope of work as outlined in the Board memo.
17. It is recommended that the Board of Education approve the Internet Network Support Services Agreement between the Orange County Department of Education and Newport-Mesa Unified School District for the period July 1, 2005 through June 30, 2006 in an amount not-to-exceed \$8,000.
18. It is recommended that the Board of Education approve Change Order #1 with Michael Merino Architects to cover the additional costs of \$2,000 bringing the total contract price to \$28,125.00 for the period ending December 31, 2005.
19. It is recommended that the Board of Education approve the Personnel Reimbursement Agreement Contract #29437 between the Newport-Mesa Unified School District and the Orange County Superintendent of Schools for the 2005/06 school year for N-MUSD employee Pamela Tupy to provide professional services to the Orange County Superintendent of Schools as K-12 Program Coordinator for the California Reading and Literature Project.
20. Approval is recommended of Certificated Employees' Resignation/Termination Register No. 06-06.
21. Approval is recommended of Certificated Employees' Leave of Absence Register No. 06-06.
22. Approval is recommended of Certificated Employees' Appointment/Reassignment Register No. 06-06.
23. Approval is recommended of Classified Employees' Appointment/Reassignment Register No. 06-06.

24. Approval is recommended of Classified Employees' Resignation/Termination Register No. 06-06.
25. Approval is recommended of Gift Register No. 04-06.
26. Approval is recommended of Accounting Register No. 05-06.
27. Approval is recommended of Measure A Accounting Register No. 05-06.
28. Approval is recommended of Purchasing Report No. 05-06.
  - a. Approval of Purchase Order Report covering period October 1, 2005 through October 16, 2005 in the amount of \$702,033.44.
  - b. Approval of Travel Approval Request Report covering period October 1, 2005 through October 16, 2005.
  - c. Approval of Transfer of Equipment Report covering period October 1, 2005 through October 16, 2005.
  - d. Award and Notice to Proceed #103-06 diesel fuel with Dipetane to Southern Counties Oil Company/SC Fuels.
  - e. Approve copier multi-year lease at Back Bay High School using CMAS Contract #3-02-0044A.
  - f. Renewal of Contract #107-05 tabs, cut stock and carbonless paper with Spicers Paper.
  - g. Renewal of Contract #107-05 tabs, cut stock and carbonless paper with Unisource Worldwide.
  - h. Reject Bid #106-05- fencing district-wide, time and materials.
  - i. Permission to advertise for fencing, Bid #109-06 – fencing district-wide, time and materials.
29. Approval is recommended of Measure A Purchasing Report No. 05-06A.
  - a. Permission to advertise for Contract #108-06 – Lincoln School Measure A Modernization.
  - b. Ratify Notice to Proceed for Contract #105-05 to Giannelli Electric for electrical work at Andersen School.
  - c. Direct that a Notice of Completion be filed for the work through Contract #119-04 to Mitchell Glass at Kaiser Elementary School in an amount not-to-exceed \$297,543.00.
30. Approval is recommended of Measure A Operations Report No. 05-06.
  - a. Approval of Change Order #2 with Angeles Contractors for Paularino Elementary School in the amount of \$13,834.00.
  - b. Approval of Amendment #6 with LPA Architects for additional services at Lincoln Elementary School for the period January 25, 2002 through June 30, 2006.
  - c. Approval of Amendment #7 with HMC Architects for additional services at College Park Elementary School for the period January 25, 2002 through June 30, 2006.
  - d. Approval of Change Order #1 with P.W. Construction for Estancia High School in the amount of \$488,633.00.
  - e. Approval of Change Order #24 and #26 with Mackone Development for Costa Mesa High School in the amount of \$63,355.00.
31. Approval is recommended of Independent Contractors' Register No. 06-06.

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

Vote \_\_\_\_\_

❖ **DISCUSSION/ACTION**

**32. MEASURE A PROGRAM INFORMATIONAL UPDATE.**

**DISCUSSION**

Staff will provide an informational update on current activities occurring within the Measure A Program. Principal Ed Wong from Ensign Intermediate School will also provide a presentation on Ensign's successful Measure A project.

- 33. APPROVAL OF CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION (CSEA) REPRESENTATIVE TO THE PERSONNEL COMMISSION.** DISCUSSION /ACTION

It is recommended that the Board of Education approve the appointment of Jocelyn Katherine Infantino to the Personnel Commission serving as the CSEA representative for a three year term commencing December 1, 2005.

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_

- 34. ACCEPTANCE OF FUNDING FROM THE OFFICE OF SAFE AND DRUG FREE SCHOOLS FOR THE PURPOSE OF CONTINUING PROJECT SAFE CONNECTIONS ELEMENTARY SCHOOL COUNSELING DEMONSTRATION GRANT.** DISCUSSION /ACTION

It is recommended that the Board of Education accept federal funding in the amount of \$1,200,000 over three years from the Office of Safe and Drug Free Schools for the purpose of continuing Project Safe Connections through September 30, 2008.

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_

- 35. ACCEPTANCE OF GRANT FUNDING FROM THE U.S. DEPARTMENT OF EDUCATION FOR COSTA MESA HIGH SCHOOL IN THE AMOUNT OF \$552,679 AND NEWPORT HARBOR HIGH SCHOOL IN THE AMOUNT OF \$677,680 TO PARTICIPATE IN THE ORANGE COUNTY SMALLER LEARNING COMMUNITIES CONSORTIUM FROM OCTOBER 1, 2005 THROUGH SEPTEMBER, 2010.** DISCUSSION /ACTION

It is recommended that the Board of Education accept the federal grant funding from the U.S. Department of Education for the Smaller Learning Communities Consortium for Costa Mesa High School and Newport Harbor High School.

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_

- 36. STRATEGIC PLAN 2005-2010 UPDATE ON GOAL AREAS.** DISCUSSION

Staff will provide a brief overview of the newly developed format being utilized to track the progress of the established goal areas.

- 37. ADOPTION OF RESOLUTION NO. 15-10-06 – ENSURING COMPLIANCE WITH REQUIREMENTS OF EDUCATION CODE SECTIONS 60119 AND 60422(b) – SUFFICIENCY OF TEXTBOOKS OR INSTRUCTIONAL MATERIALS.** DISCUSSION /ACTION

Adoption of Resolution No. 15-10-06 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	

**38. ADOPTION OF RESOLUTION NO. 16-10-06 – PARTICIPATION IN THE CLASS SIZE REDUCTION PROGRAM AND CERTIFICATION 2005/06.**

DISCUSSION  
/ACTION

Adoption of Resolution No. 16-10-06 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	

**39. ADOPTION OF RESOLUTION NO. 17-10-06 – AUTHORIZING THE DISTRICT TO ENTER INTO A LEASE LINE OF CREDIT IN THE AMOUNT OF \$4 MILLION WITH BANC OF AMERICA LEASING & CAPITAL, LLC.**

DISCUSSION  
/ACTION

Adoption of Resolution No. 17-10-06 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**

**40. Superintendent**

**41. Assistant Superintendents**

**42. Board Members**

**43. Legislative Representative**

**44. 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.

**45. ADJOURNMENT, \_\_\_\_\_ p.m.**

**ACTION**