

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

May 10, 2005

❖ **STUDY SESSION 4:30 P.M.**

Education Center - Roderick H. MacMillian Board Meeting Room

Continued Review and Update of 2004/05 School Year Goals and Priorities and presentation of Major Highlights of the 2005/06 Goals and Priorities in alignment with the newly adopted Strategic Plan.

❖ **CLOSED SESSION 5:30 P.M.**

Education Center – Superintendent's Office Conference Room

1. Student Discipline

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

2. Conference With Labor Negotiator

N-MUSD Representative – Lorri McCune
Employee Organization – CSEA, N-MFT, N-MAA, Supervisors/Confidential
(Pursuant to Government Code §54957.6)

3. Personnel: Public Employee Release

(Pursuant to Government Code §54957 and Education Code §44954(b))

4. Conference with Legal Counsel – Existing Litigation

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

5. Conference with Legal Counsel - Anticipated Litigation

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

6. Public Employee Appointment

Title: Assistant Superintendent, Director and Principal
(Pursuant to Government Code §54957)

❖ **RECESS 6:30 P.M.**

Education Center – Superintendent's 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
- _____ Dana Cabico, Student Board Member, CMHS
- _____ Gwendolyne Martinez, Student Board Member, CMHS(alternate)
- _____ Heidi Schultheis, Student Board Member, NHHS
- _____ Elle Erpenbeck, Student Board Member, NHHS(alternate)
- _____ Samantha Price, Student Board Member, CdmHS
- _____ Dana Lujan, Student Board Member, CdmHS
- _____ Kathryn Kulczyk, Student Board Member, EHS
- _____ Vivian Sanchez, Student Board Member, BBHS
- _____ Jocelyn Holmes, Student Board Member, BBHS (alternate)
- _____ Brandon Ayou, Student Board Member, MCHS
- _____ Sandra Wilkinson, Student Board Member, MCHS

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 for the following meetings: ACTION
- April 12, 2005 Regular Meeting
 - April 26, 2005 Regular Meeting

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.

❖ **PRESENTATIONS**

1. Presentation – Donation from Wells Fargo Bank
2. Recognition of Corona del Mar Madrigals Program
3. Presentation of Pearl Harbor Honorary Flag by Costa Mesa High School
4. Presentation – American Cancer Society – Daffodil Day's Fundraiser
5. Recognition of Association of California School Administrators (ACSA) Award Recipients, Region 17, Orange County:
 - ★ Peggy Anatol, Central Office Administrator of the Year – Region 17 and State
 - ★ Dick Greene, Classified Manager of the Year
 - ★ Lorri McCune, Human Resources Administrator of the Year
 - ★ Robert Barbot, Superintendent of the Year

❖ **PARENT LIAISON REPORT**

❖ **STUDENT BOARD MEMBER REPORTS**

❖ **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 an Addendum to two Master Contracts, one with Cornerstone Therapies and one with Autism Behavior Consultants for the 2004/05 school year as established from the Individual Educational Program.
7. It is recommended that the Board of Education approve nine new individual contracts for a total Individual Education Cost (IEP) of \$96,893.83 through the 2005/06 school year, as established from the Individual Educational Program.
8. It is recommended that the Board of Education approve two parent reimbursement contracts for a total Individual Education Cost (IEP) of \$1,589.00 through the 2005/06 school year, as established from the Individual Educational Program.
9. It is recommended that the Board of Education approve the Special Education Final Settlement Agreement and Release Case No.SN04-01937 for a total Individual Education Cost (IEP) of \$47,076.00 through the 2005/06 school year, pursuant to the laws of the State of California.
10. It is recommended that the Board of Education approve the Special Education Final Settlement Agreement SEHO Case No. SN05-00712 pursuant to the laws of the State of California.
11. It is recommended that the Board of Education approve (1) the agreements between the National Council of Alcoholism and Drug Dependence of Orange County and Newport-Mesa Unified School District for the term March 2005 to June 2005 in the amount of \$25,200 and the term July 2005 to June 2006 in the amount of \$100,800 to provide the JADE and Second Chance Programs and; (2) Approval of the Addendum to Rule and Regulation No. 4210- General Student Conduct – Section 5.0, to continue the JADE and Second Chance Programs through the National Council on Alcoholism and Drug Dependence from April 2005 to June 2007.
12. It is recommended that the Board of Education approve the waiver of the successful passage of the mathematics section of the California High School Exit Exam (CAHSEE), in compliance with Education Code 60851(a), for student identified as CAHSEE-2005-01.
13. It is recommended that the Board of Education approve the service agreement with TelAdjust to perform auditing services of the District's telecommunication vendor bills.
14. It is recommended that the Board of Education authorize the Assistant Superintendent of Business Services to enter into an agreement with Vanir Construction Management, Inc., to inspect Estancia High School, Pomona Elementary, Rea Elementary, Whittier Elementary and Wilson Elementary Schools in accordance with requirements of the "Williams Settlement" (SB6) in the amount not-to-exceed \$35,000.00.
15. It is recommended that the Board of Education approve the Memorandum of Understanding and Agreement No. 28862 between the Orange County Department of Education and the Newport-Mesa Unified School District to provide AB466 Mathematics Training as required by the School Assistance and Intervention Team in the amount of \$18,750.00 for the period of March 1, 2005 through June 30, 2005.
16. It is recommended that the Board of Education approve the Agreement No. 28652 between the Orange County Department of Education (OCDE) and the Newport-Mesa Unified School District selecting OCDE as the School Assistance Intervention Team approved provider pursuant to state monitoring requirements.
17. It is recommended that the Board of Education approve the application for participation in the Community-Based English Tutoring (CBET) Program for school year 2005/06.

18. It is recommended that the Board of Education approve Change Order #3 with Michael Merino Architects in the amount of \$500.00 for the ball wall design at Harbor View and Woodland Elementary Schools.
19. It is recommended that the Board of Education reject Claim No. 05-02281 to protect the Statute of Limitations for further legal action by the claimant.
20. It is recommended that the Board of Education reject Claim No. 05-02282 to protect the Statute of Limitations for further legal action by the claimant.
21. It is recommended that the Board of Education approve Settlement Authority for a Stipulation with Award of \$10,050.00 plus future medical care for Claim No. 04-35949.
22. It is recommended that the Board of Education approve the request for a Credential Waiver in accordance with Education Codes 44252(b), 44265 and 44830(a) for one employee.
23. Approval is recommended of Certificated Employees' Appointment/Reassignment Register No. 15-05.
24. Approval is recommended of Classified Employees' Appointment/Reassignment Register No. 17-05.
25. Approval is recommended of Classified Employees' Resignation/Termination Register No. 17-05.
26. Approval is recommended of Classified Employees' Leave of Absence Register No. 15-05.
27. Approval is recommended of Gift Register No. 16-05.
28. Approval is recommended of Accounting Register No. 16-05.
29. Approval is recommended of Measure A Accounting Register No. 16-05.
30. Approval is recommended of Purchasing Report No. 16-05.
 - a. Purchase Order Report covering period April 18, 2005 through April 27, 2005 in the amount of \$531,586.19.
 - b. Travel Approval Request Report covering period April 18, 2005 through April 27, 2005.
 - c. Transfer of Equipment Report covering period April 18, 2005 through April 27, 2005.
 - d. Approve renewal of Contract #113-04 for custodial supplies and authorization for a price increase with Maintex.
 - e. Approve renewal of Contract #113-04 with Unisource Corp. and authorization for a price increase on custodial supplies.
 - f. Grant permission to advertise and award Bid #132-05 for construction of ball walls at Harbor View and Woodland Elementary Schools.
31. Approval is recommended of Purchasing Report – Measure A No. 16-05A.
 - a. Grant permission to advertise and award Bid #133-05 Measure A California Elementary School fire lane and parking lot.
 - b. Reject and re-bid Bid #128-05 at Davis Education Center – Contract B (windows replacement)
32. Approval is recommended of Independent Contractors' Register No. 17-05.

Motion by _____ Seconded by _____

Vote _____

❖ INTRODUCTION OF NEW STAFF

❖ DISCUSSION/ACTION

33. **QUARTERLY REPORT- MEASURE A CITIZENS' OVERSIGHT COMMITTEE.** DISCUSSION /ACTION

It is recommended that the Board of Education receive the Quarterly Report.

Motion by _____ Seconded by _____ Vote _____

34. **QUARTERLY INVESTMENT REPORT.** DISCUSSION /ACTION

It is recommended that the Board of Education receive the Quarterly Report.

Motion by _____ Seconded by _____ Vote _____

35. **ADOPTION OF RESOLUTION NO. 37-05-05, AUTHORIZING THE SUPERINTENDENT TO RENEW A CONTRACT WITH CALIFORNIA SCHOOL BOARDS ASSOCIATION (CSBA) PRACTI-CAL, INC., TO PROVIDE BILLING SERVICES UNDER THE LEA MED-CAL BILLING OPTION PROGRAM.** DISCUSSION /ACTION

Adoption of Resolution No. 37-05-05 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. **APPROVAL OF RENEWAL AGREEMENT BETWEEN NEWPORT-MESA UNIFIED SCHOOL DISTRICT AND CALIFORNIA SCHOOL BOARDS ASSOCIATION (CSBA) PRACTI-CAL, INC., FOR MEDI-CAL ADMINISTRATIVE ACTIVITIES (MAA).** DISCUSSION /ACTION

Approval of the renewal agreement is recommended.

Motion by _____ Seconded by _____ Vote _____

- 37. ADOPTION OF RESOLUTION NO. 38-05-05 OF THE NEWPORT-MESA UNIFIED SCHOOL DISTRICT OBSERVING “NATIONAL SCHOOL NURSE DAY” MAY 12, 2005 AND “NATIONAL SCHOOL NURSE WEEK” MAY 6-12, 2005.** DISCUSSION
/ACTION

Adoption of Resolution No. 38-05-05 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. APPROVAL OF NEW BOARD POLICY NO. 4205 - COORDINATED SCHOOL WELLNESS. (REPLACES EXISTING POLICY NO. 4205 ENTITLED “NUTRITION”).** DISCUSSION
/ACTION

Approval of the first reading of Board Policy No. 4205 – Coordinated School Wellness is recommended.

Motion by _____ Seconded by _____ Vote _____

- 39. REVIEW OF UNDERFUNDED STATE AND FEDERAL MANDATED PROGRAMS.** DISCUSSION

Staff will provide an informational update on underfunded State and Federal Mandated Programs. This is a continuous agenda item.

❖ **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.

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45. ADJOURNMENT, _____ p.m.

ACTION

❖ **CLOSED SESSION**

Education Center – Superintendent’s Office Conference Room

Public Employee Evaluation

Title: Superintendent

(Pursuant to Education Code §54957)

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

ACTION