

NEWPORT-MESA UNIFIED SCHOOL DISTRICT
Regular Meeting of the Board of Education
District Education Center
Roderick H. MacMillian Board Meeting Room
2985-A Bear Street, Costa Mesa
August 23, 2005

- Call to Order The regular meeting of the Board of Education of the Newport-Mesa Unified School District was called to order by the President Serene Stokes, at 5:05 p.m., on Tuesday, August 23, 2005 in the District Education Center, 2985-A Bear Street, Costa Mesa, California.
- Closed Session At 5:06 p.m., President Stokes announced that the Board of Education would convene in Closed Session to address Student Discipline.
- Study Session At 5:39 p.m., the Board convened in a study session in the Boardroom for an update on the Family Friendly Schools Program. Cheryl Galloway provided an overview of the Family Friendly Schools Program for the 2005/06 school year. Additionally, each 7-12 principal presented their areas of focus for the 2005/06 school year.
- Recess At 6:50 p.m., the Board took a brief recess.
- Reconvene/Call to Order At 7:34 p.m., President Stokes opened the meeting with a silent invocation and pledge of allegiance led by Board Member Dave Brooks.
- Roll Call Members Present
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, Secretary
- Administration
Lorri McCune, Assistant Superintendent, Human Resources
Robert Metz, Interim Assistant Superintendent, Secondary Education
Paul Reed, Assistant Superintendent, Business Services
Susan Astarita, Assistant Superintendent, Elementary Education
- Adoption of Agenda Mrs. Fluor moved adoption of the agenda as submitted. Mrs. Black seconded the motion, and it carried unanimously with a 7/0 vote.
- Community Input Community member Ellen Wright addressed the Board regarding the No Child Left Behind Act and specifically the new requirements relative to military recruiter's access to students contact information. Dr. Barbot responded and noted that the District does have a process in place and that he will pursue with secondary education to make sure the District is in compliance and communicating with parents about their rights under the law.
- Presentations Fay Bosler of the Newport Beach Sunrise Rotary Club Foundation presented information about the Rotary's honorary anniversary contribution to Back Bay High School in the amount of \$10,000.

Parent Liaison Report No report.

Consent Calendar

Mrs. Fluor moved Approved the Consent Calendar as presented. Mrs. Franco seconded the motion, and it carried unanimously with a 7/0 vote.

5. Approved 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. Approved 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. Approved 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. Approved 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. Approved 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. Approved 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. Approved 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. Granted 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. Ratified submission of the English Language Acquisition Program (ELAP) Application for the 2005/06 school year.
14. Approved the contract for staff development to support the Reading First Program with the Orange County Department of Education.
15. Awarded Campus Catering's Paper and Supplies Bid #04-06 to P&R Paper.
16. Approved 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. Approved 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. Approved 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. Approved 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. Approved 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. Approved 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. Authorized 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. Ratified 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. Ratified 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. Ratified 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. Ratified 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. Ratified the Agreement between the Sailhouse Community Association and the Newport-Mesa Unified School District for the benefit of Harbor View Elementary School.
 28. Authorized 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. Approved the renewal of the contract with CIGNA HealthCare (HMO) for the period October 1, 2005 through September 30, 2006.
 30. Approved the renewal of the contract with CIGNA Dental Plan (PPO) for the period October 1, 2005 through September 30, 2006.
 31. Approved the renewal of the contracts with Blue Cross of California for the period October 1, 2005 through September 30, 2006.
 32. Approved Settlement Authority for Stipulation with Awarded of \$19,933.75 plus future medical care of Claim No. 03-30846.
 33. Authorized 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. Approved the request for a credential waiver for one certificated employee pursuant to Education Codes 44252 (b) 44265, and 44830.
 35. Approved 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. Approved the request for one Certificated Assignment Alternative/Option pursuant to Education Code 44263.
 37. Approved Certificated Employees' Resignation/Termination Register No. 02-06.
 38. Approved Certificated Employees' Leave of Absence Register

- No. 02-06.
39. Approved Certificated Employees' Appointment/Reassignment Register No. 02-06.
 40. Approved Classified Employees' Appointment/Reassignment Register No. 02-06.
 41. Approved Classified Employees' Resignation/Termination Register No. 02-06.
 42. Approved Classified Employees' Leave of Absence Register No. 02-06.
 43. Approved Gift Register No. 01-06.
 44. Approved Accounting Register No. 01-06.
 45. Approved Measure A Accounting Register No. 01-06.
 46. Approved Purchasing Report No. 01-06.
 - a. Approved Purchase Order Report covering period July 1, 2005 through August 14, 2005 in the amount of \$45,219,444.53.
 - b. Approved Travel Approval Request Report covering period July 1, 2005 through August 14, 2005.
 - c. Approved Transfer of Equipment Report covering period July 1, 2005 through August 14, 2005.
 - d. Approved piggyback Contract #05/06-0007 Chaffey Joint Union High School for cut paper stock.
 - e. Ratified use of ARC International Corporation for recycling of equipment.
 - f. Ratified Awarded and Notice to Proceed #144-05 roof replacement at Dodge Hall (NHHS) to Best Roofing.
 - g. Ratified Awarded #141-05 Sale of surplus portable buildings to Ability First.
 - h. Authorize equipment replacement (new Kyocera Mita copier) at Tewinkle Intermediate School.
 - i. Ratified Notice of Completion #132-05 to Arya Construction for ball walls at Woodland and Harbor View Elementary Schools.
 - j. Granted permission to advertise and Awarded Bid #101-06 electrical supplies and lamps.
 47. Approved Measure A Purchasing Report No. 01-06A.
 - a. Granted permission to advertise and Awarded #102-06 Andersen Elementary School Measure A Modernization.
 - b. Awarded and Ratified Notice to Proceed #135-05 Wilson Elementary School Interim Housing Increment 2 to Silver Creek Industries, Inc.
 - c. Rejected all bids #137-05 Sonora Interim Housing, Increment 2.
 - d. Ratified Notice to Proceed to Issacs Plumbing on Bid #117-05(7335-332) Time and Materials at Sonora Elementary School.
 - e. Ratified Notice of Completion for Bid #110-04 to S. Parker Engineering for excavation, curbs and drywells for playground structures district-wide.
 - f. Directed that a Notice of Completion be filed for Bid #112-03 to Allied e Corporation for modernization at Davis Education Center.
 48. Approved Measure A Operations Report No. 01-06.
 - a. Approved Amendment #3 for Newport Elementary School – Dougherty and Dougherty.
 - b. Approved Amendment #16 for Newport Harbor High School - LPA Architects.
 - c. Approved Amendment #7 for Corona del Mar High

- School – LPA Architects.
- d. Approved Amendment #6 for Estancia High School – HMC Architects.
- e. Ratified Change Orders #2 and #3 with Cavecche Engineering and Construction Co., Inc., for TeWinkle Middle School in the amount of \$307,172.00.
- f. Approved Change Order #5 with Mackone Development for Newport Harbor High School in the amount of \$83,623.70.

49. Approved Independent Contractors’ Register No. 02-06.

Introduction of New Staff

Dr. McCune introduced Cheryl Beck, the new Assistant Principal at Davis Education Center and Karen Herbst, a new Special Education Coordinator.

Presentation and Update on the Alternative Chance and Education (ACE) Program

Mike Murphy, Cheryl Galloway and Sharon Ellis provided an update on the ACE pilot program. The program focuses on 9th grade students who have poor grades, credit deficiencies, discipline issues, and attendance problems. The program provides options to recover credits and targets students who are in danger of dropping out. During the pilot year, 43 students participated and 38 completed the school year. Staff reviewed charts of the 38 student’s progress and achievement of credits during the 2004/05 school year. Staff noted that the program is generating individual results for a group of students that would have otherwise slipped through the cracks of the regular education system. In planning for 2005/06, 106 students have been identified as having between 5 and 7 (F’s). Parent letters have been sent to these students and an informational night has been scheduled. A status report will come back to the Board mid year on the program.

Quarterly Investment Report

Mrs. Fluor moved to receive the Quarterly Investment Report. Mrs. Franco seconded the motion, and it carried unanimously.

Measure A Program Informational Update

Paul Reed provided a brief review of the Measure A Program current activities. Rea is underway and their campus plans include a change to the entry of the campus; NHHS –three computer rooms will not be ready for the start of school due to the staff’s request to delay their move out of the rooms prior to summer; some of the relocatable’s are beginning to go away and move to other campuses for interim housing; CDMHS – electrical work is finished; relocatable moves are occurring; bids came in and are highly competitive; Tewinkle – administration will be back into their office by the first of the year; Adams – kindergarten building is looking good; California- regrading work underway for the County ACCESS program and to meet ADA requirements; Pomona underway; districtwide- have touched and/or moved over 75 relocatables this summer. Measure A continues to be on time and on budget.

Report on Actual Pupil Attendance and Annual Report

Mrs. Fluor moved to receive the Actual Pupil Attendance and Annual Report for all regular schools in the district. Mrs. Franco seconded the motion, and it carried unanimously.

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

Mrs. Franco moved 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. Mrs. Black seconded the motion.
Mr. Brooks - yes
Mr. Egan - yes
Mrs. Franco - yes
Mrs. Sneen - yes
Mrs. Stokes - yes
Mrs. Black - yes

- Services Mrs. Fluor – yes
Resolution No. 04-08-06 was adopted by a unanimous 7/0 roll call vote.
- Adoption of Resolution No. 05-08-06 Authorizing the Establishment and Maintenance of Site Revolving Cash Funds. Mrs. Sneen moved adoption of Resolution No. 05-08-06 Authorizing the Establishment and Maintenance of Site Revolving Cash Funds. Mr. Brooks seconded the motion.
Mr. Brooks - yes
Mr. Egan - yes
Mrs. Franco - yes
Mrs. Sneen - yes
Mrs. Stokes - yes
Mrs. Black - yes
Mrs. Fluor – yes
Resolution No. 05-08-06 was adopted by a unanimous 7/0 roll call vote.
- Adoption of Resolution No. 06-08-06 Levying Special Taxes within CFD90-1 for 2005/06 Mr. Brooks moved adoption of Resolution No. 06-08-06 Levying Special Taxes within CFD90-1 for 2005/06. Mrs. Sneen seconded the motion.
Mr. Brooks - yes
Mr. Egan - yes
Mrs. Franco - yes
Mrs. Sneen - yes
Mrs. Stokes - yes
Mrs. Black - yes
Mrs. Fluor – yes
Resolution No. 06-08-06 was adopted by a unanimous 7/0 roll call vote.
- Approval of List Authorizing Signature Authority for Various District Accounts Mrs. Franco moved approval of the list authorizing signatures for various district accounts. Mrs. Fluor seconded the motion, and it carried unanimously.
- Approval of Revision to Rule and Regulation No. 7335a – Williams Legislation Changes Mrs. Fluor moved approval of 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. Mrs. Black seconded the motion, and it carried unanimously with a 7/0 vote.
- Informal Reports – Superintendent/ Assistant Superintendents/ Board Members Dr. Barbot reminded the Board that the New teacher induction trainings begin tomorrow.
Board members reported on various activities and events they had attended during the past two weeks and shared informational items of interest.
- Legislative Report No report.
- CROP Report No report.
- Audience Participation No comments.
- Recited Actions taken in Closed Session President Stokes recited the following actions taken previously in Closed Session:
In a prior session, the Board of Education took disciplinary action in Student Case No. 04-88-76 to expel the student from the schools of the

District for the period of 8/23/05 through 1/31/06 and to suspend the expulsion and to transfer the student to another District school. During the expulsion period, the student must maintain acceptable grades, attendance and citizenship. The student is to complete 25 hours of community service and complete at least eight counseling sessions for appropriate decision making as terms for the expulsion agreement. Motion by Mrs. Franco, seconded by Mrs. Fluor, and carried with a 6/0 vote (Black absent).

In a prior session, the Board of Education took disciplinary action in student case no. 04-80-78 to expel the student from the schools of the Newport-Mesa Unified School District for the period of 8/23/05 through 1/31/06. During the expulsion period. The student will attend ACCESS and must maintain acceptable grades, attendance and citizenship. The student is to complete 50 hours of community service and complete at least eight counseling sessions for appropriate decision making as terms for the expulsion agreement. Motion by Mrs. Franco, seconded by Mr. Brooks, and carried with a 6/0 vote (Black absent).

In a prior session, the Board of Education has taken disciplinary action in student case no. 04-67-78 to expel the student from the schools of the Newport-Mesa Unified School District for the period of 8/23/05 through 1/31/06. During the expulsion period the student will attend ACCESS and must maintain acceptable grades, attendance and citizenship. The student is to complete 50 hours of community service and complete at least eight counseling sessions for appropriate decision making as terms for the expulsion agreement. Motion by Mrs. Franco, seconded by Mr. Brooks and carried with a 6/0 vote (Black absent).

Adjournment/
Closed Session At 9:36 p.m., President Stokes adjourned the meeting and noted that the Board would recess into Closed Session for the purpose of: Public Employee Evaluation: Title: Superintendent.

Adjournment At 10:15 p.m. President Stokes adjourned the meeting.

Robert J. Barbot, Secretary