

**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  
September 13, 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 4:40 p.m., on Tuesday, September 13, 2005 in the District Education Center, 2985-A Bear Street, Costa Mesa, California.
- Closed Session        At 4:40 p.m., President Stokes announced that the Board of Education would convene in Closed Session to address Student Discipline, Conference with Legal Counsel regarding Anticipated Litigation, Conference with Legal Counsel regarding Existing Litigation and an additional item added per an addendum regarding Public Employee Discipline/Dismissal/Release.
- Study Session         At 5:48 p.m., the Board convened in a study session in the Boardroom for an update on student achievement and academic grades from Karen Kendall. The Board reviewed data, proposed action and intervention plans and summative notes from the sites on the issues with D and F grade distribution. A follow up study session will be planned for sometime in November.
- Recess                 At 6:30 p.m., the Board took a brief recess.
- Recited Actions  
taken in Closed  
Session                At 7:03 p.m., President Stokes recited actions taken in Closed Session:  
  
In a prior session, the Board of Education took action in student appeal case no. 04-88-76 to refer the case to legal counsel prior to any further action by the Board.  
  
In a prior session, the Board of Education took action in student case no. 05-01-00 to rescind the second half of the expulsion order from Saddleback Valley Unified School District. The student is to enroll in Costa Mesa High School and attend the Second Chance/JADE Program. The student must maintain acceptable grades, attendance and citizenship. Motion by Mrs. Fluor, seconded by Mr. Franco and carried with a 6/0 vote (Sneen absent).
- Reconvene/Call to  
Order                 At 7:05 p.m., President Stokes opened the meeting with a silent invocation and pledge of allegiance led by Student Board Member Daniel DeArakal.
- 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

Mr. Brooks moved adoption of the agenda with the following revisions – added the addendum to closed session; pull item no. 18 from this agenda and a request to pull item #16 for a special presentation by staff. The Board also requested that the meeting be adjourned in memory of Dr. John Nicoll and Brian Kapko. Mrs. Sneen seconded the motion, and it carried unanimously with a 7/0 vote.

Adoption of Minutes

Mrs. Franco moved adoption of the following sets of minutes:  
July 12, 2005 regular meeting  
July 22, 2005 special meeting  
August 10, 2005 special meeting  
August 23, 2005 regular meeting  
Mrs. Fluor seconded the motion, and it carried unanimously with a 7/0 vote.

Community Input

No comments.

Presentations

Susan Astarita introduced Lorie Hoggard, Director of the Early Childhood Education Program and formerly recognized the HOPE School Readiness Program for their recent honor as a finalist for the Peter A. Hartman Award.

Student Board Member Report

Student Board member Daniel DeArakal provided a brief report on Middle College High School’s current events and activities.

Parent Liaison Report

HCPTA President Michele Graham provided a brief welcome back report.

Consent Calendar

*Prior to approval of the Consent Calendar, the Board requested that item no. 16 be pulled for a separate presentation. Jane Garland provided a PowerPoint presentation outlining the components of the District’s new Safe Schools Healthy Students Grant Award (Project Ask). The District is slated to receive \$2,744,545.00 each year, for the next three years.*

*Mrs. Sneen moved approval of the Consent Calendar with the exception of item #18 which was pulled from the agenda and item #16 which was pulled for separate discussion/action. Mrs. Fluor seconded the motion, and it carried unanimously with a 7/0 vote.*

- 6. Approved 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. Approved 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. Approved 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. Approved 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. Approved 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. Approved 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. Approved 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. Approved 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. Approved 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. Approved the subcontract with Community and School Collaboration for the Sonora Elementary School Early Learning Center Pilot Project for the 2005/06 school year.
  17. Approved 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. ~~Approved 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. (pulled from the agenda)~~
  19. Approved 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. Approved 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. Authorized 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. Approved 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. Approved 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. Ratified 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. Ratified 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. Approved Settlement Authority for a Compromise and Release for a not-to-exceed amount of \$30,000 for Claim No. 86000558.
27. Approved Settlement Authority for Claim No. 02-27055 pending further negotiation of options as outlined in the Board memo.
28. Approved Settlement Authority for a Compromise and Release for a not-to-exceed amount of \$25,000 for Claim No. 01-25551.
29. Approved Settlement Authority for a Stipulation with Awarded of \$12,880.00 plus future medical care for Claim No. 02-27216.
30. Approved payment of the 2005/06 membership fee in the amount of \$2,486 for the School Employers Association of California (SEAC).
31. Approved the request for participation in the Reduced Workload program for one Certificated employee per Education Codes 22724, 44922, 87483, and 89516.
32. Approved the request for an Assignment Alternative/Option for one Certificated employee pursuant to Education Code 44258.7(b).
33. Approved the request for an Assignment Alternative/Option for one Certificated employee pursuant to Education Code 44865.
34. Approved the request for an Assignment Alternative/Option for one Certificated employee pursuant to Education Code 44258.2.
35. Approved the request for an Assignment Alternative/Option for one Certificated employee pursuant to Education Code 44256(b).
36. Approved the request for an Assignment Alternative/Option for one Certificated employee pursuant to Education Code 44263.
37. Approved of Certificated Employees' Resignation/Termination Register No. 03-06.
38. Approved of Certificated Employees' Leave of Absence Register No. 03-06.
39. Approved of Certificated Employees' Appointment/Reassignment Register No. 03-06.
40. Approved of Classified Employees' Appointment/Reassignment Register No. 03-06.
41. Approved of Classified Employees' Resignation/Termination Register No. 03-06.
42. Approved of Classified Employees' Leave of Absence Register No. 03-06.
43. Approved of Accounting Register No. 02-06.
44. Approved of Measure A Accounting Register No. 02-06.
45. Approved of Purchasing Report No. 02-06.
  - a. Approved purchasing report no. 02-06 covering period August 15, 2005 through September 1, 2005 in the amount of \$3,301,787.27.
  - b. Approved travel approval report covering period August 15, 2005 through September 1, 2005.
  - c. Approved transfer of equipment report covering period August 15, 2005 through September 1, 2005.
  - d. Approved renewal of contract #104-05- Charter Bus Service with Certified Transportation.
  - e. Approved service and support agreement with Scottel Voice and Data, Inc.
  - f. Authorized price decrease on Contract #104-04 Audio/Visual, TV/VCR Equipment and Furniture with California Western Visuals.
  - g. Awarded and approved Notice to Proceed #142-05 Shade Structures-Districtwide.
  - h. Granted permission to advertise for diesel fuel with dipetane additive Bid #103-06.

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

*Mrs. Fluor moved approval of the following item that was pulled for separate discussion and action. Mr. Brooks seconded the motion, and it carried unanimously with a 7/0 vote.*

- 16. Accepted the Safe Schools Healthy Students Granted Awarded (Project ASK) from the Federal Departments of Education and Health and Human Services in the amount of \$2,744,545.00.

Measure A  
Informational  
Update

Paul Reed provided an informational update on the current activities occurring within the Measure A Program. He also provided a detailed report of the history of Measure A dating back to the development of the Facilities Master Plan, rationale for the groupings of schools and a review of the priorities.

**Minutes of Regular Meeting**

**ADOPTED MINUTES  
September 13, 2005**

- Adoption of Resolution No. 08-09-06 Levying Special Taxes within the Community Facilities District 90-1
- Mrs. Fluor moved adoption of Resolution No. 08-09-06 Levying special taxes within the Community Facilities District 90-1. Mrs. Black 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. 08-09-06 was adopted by a unanimous 7/0 roll call vote.
- 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
- Mrs. Fluor moved 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. 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. 09-09-06 was adopted by a unanimous 7/0 roll call vote.
- Informal Reports – Superintendent/ Assistant Superintendents/ Board Members
- Dr. Barbot, Cabinet and Board members each commented on the smooth opening of schools this year. Many members visited multiple school sites during the first week of school.
- Legislative Report
- Trustee Franco reported that the Legislature is currently in recess and that several bills have been sent to the Governor’s desk.
- CROP Report
- Trustee Fluor reported that CROP is gearing up to initiate the Superintendent’s search and is working with CSBA.
- Audience Participation
- No comments.
- Adjournment
- At 8:36 p.m. President Stokes adjourned the meeting in memory of Dr. John Nicoll and Brian Kapko.

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Robert J. Barbot, Secretary