

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 27, 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 27, 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 and Conference with Legal Counsel regarding Existing Litigation. No student appeal was held as originally placed on the agenda.
- Recess At 5:55 p.m., the Board took a brief recess.
- Presentation –
PRIDE At 6:15 p.m., the Board reconvened to recognize the top 6 PRIDE (Proudly Recognizing Individuals Demonstrating Excellence) recipients of the 2004/05 school year. The following individuals were honored:
★ Peggy Anatol
★ Judy Ayers
★ Tom Barr
★ Norma Crosby
★ Jennifer Edgerly
★ Phil Schinhofen
- Recess/Reception At 6:38 p.m., the Board took a brief recess to host a reception in honor of the PRIDE recipients.
- Reconvene/Call to
Order At 7:06 p.m., President Stokes opened the meeting with a silent invocation and pledge of allegiance led by Student Board Member Elizabeth Crosby.
- 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
Sarah Grabarsky, Student Board Co-Rep – CMHS
Susan Moheimani, Student Board Rep – CdMHS
Bridgette Gleason, Student Board Rep, Alternate – EHS
Elizabeth Crosby, Student Board Rep – OCMCHS
Daniel DeArakal, Student Board Rep, Alternate - OCMCHS

Administration
Robert Metz, Interim Assistant Superintendent, Secondary Education
Paul Reed, Assistant Superintendent, Business Services
Susan Astarita, Assistant Superintendent, Elementary Education

- Adoption of Agenda Mrs. Black moved adoption of the agenda noting an amended list was submitted for item no. 15. Mrs. Franco seconded the motion, and it carried unanimously with a 7/0 vote.
- Community Input The following individuals addressed the Board on various topics:
- Sandie and Shanel Ames addressed the Board regarding the District's Special Education Community Advisory Committee and thanked the Board for its continued support. Mrs. Ames presented Board member Linda Sneen with a special gift to thank her for attending and supporting the meetings.
- Steve Messenger, a teacher at Corona del Mar High School addressed the Board regarding the flaws with the No Child Left Behind Act. He shared that the NCLB act causes teachers to focus on the test and not the kids. He urged districts to move beyond the threats from the Federal Government and continue to focus on teaching kids and fostering passion, curiosity and the asking of important questions.
- Jim Rogers, President of the Newport-Mesa Federation of Teachers addressed the Board and announced that N-MFT recently passed a motion to support Measure F.
- 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 members provided their reports on activities and events occurring at their individual school sites.
- Parent Liaison Report HCPTA Vice-President Bernie Redding provided a brief update on HCPTA's current activities.
- Consent Calendar *Mrs. Fluor moved approval of the Consent Calendar with an amendment to the approved list submitted for item no. 15. Mrs. Black seconded the motion, and it carried unanimously with a 7/0 vote.*
5. Approved 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. Approved 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. Approved one addenda to existing Master Contract with Autism Behavior Consultants as established from the Individual Educational Program through the 2005/06 school year.
 8. Approved 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. Approved 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. Approved 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. Approved 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. Approved 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. Authorized the Deputy Superintendent to enter into an Agreement with McCarthy Building Companies for the provision of Project Management Services supplemental to Measure A.
14. Authorized 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. Adopted the (revised) 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. Accepted 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. Authorized Settlement Authority for a Compromise and Release in the amount of \$73,500 for Claim No. 04-33889.
18. Approved the requests for Certificated Assignment Alternatives/Options per Education Code 44865 for six employees.
19. Approved Certificated Employees' Resignation/Termination Register No. 04-06.
20. Approved Certificated Employees' Leave of Absence Register No. 04-06.
21. Approved Certificated Employees' Appointment/Reassignment Register No. 04-06.
22. Approved Classified Employees' Appointment/Reassignment Register No. 04-06.
23. Approved Classified Employees' Resignation/Termination Register No. 04-06.
24. Approved Gift Register No. 02-06.
25. Approved Accounting Register No. 03-06.
26. Approved Measure A Accounting Register No. 03-06.
27. Approved Purchasing Report No. 03-06.
 - a. Approved Purchase Order Report covering period September 2, 2005 through September 16, 2005 in the amount of \$1,194,558.79.
 - b. Approved Travel Approval Report covering period September 2, 2005 through September 16, 2005.
 - c. Approved Transfer of Equipment Report covering period September 2, 2005 through September 16, 2005.
28. Approved Measure A Purchasing Report No. 03-06A.
 - a. Directed 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. Approved Measure A Operations Report No. 03-06.
 - b. Approved Change Order #4 with Cavecche Engineering and Construction Co., Inc. for TeWinkle Middle School in the

amount of \$106,227.00.

- c. Approved Amendment #5 between LPA Architects and the Newport-Mesa Unified School District for the period January 25, 2002 through June 30, 2006.
- d. Approved 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. Approved Independent Contractors' Register No. 04-06.

Measure A
Informational
Update

Paul Reed provided an informational update on the current activities occurring within the Measure A Program. Harbor View Elementary School Principal Mellissia Christensen provided a PowerPoint presentation highlighting the successful completion of the Measure A program and its positive impacts on both the physical condition of the school site as well as the teaching and learning environment at Harbor View Elementary School.

Approval of
Recommendations
from the Corona
del Mar Zone
Demographics
Study

Susan Astarita provided an overview of the year long process of reviewing the demographics data relative to the Corona del Mar zone. Audience member and Lincoln parent Melissa Hicks addressed the Board regarding the study and noted that she had concerns with the final recommendations including the timeframe for the decision, demographic issues, possible anomalies, requested assurances that the k-8 plan was for study only and not action, and lastly the designation of neighborhoods as priority areas.

Mrs. Black moved approval of the recommendations from the Corona del Mar Zone Demographics Study as follows:

- Continue to monitor the demographic data for the Corona del Mar Zone using DecisionInsite information and technology.
- Maintain communication with interested parents and community members within the Corona del Mar Zone.
- Adjust the Newport Coast Elementary School attendance area by shifting the housing development at the corner of Newport Coast Drive and Pacific Coast Highway identified as the new communities of Crystal Cove (Tracts 16602, 16603, 16604, 16605, 15613, 16456, and 16457) to Harbor View Elementary School.
- Implement the intradistrict transfer policy annually and designate the neighborhoods adjacent to Jamboree Road (Harbor Cove, Big Canyon, One Ford Road, Newport North, and Bay View Heights/Santa Ana Heights) as priority attendance to Eastbluff Elementary School on a space available option. Students residing in the Corona del Mar Zone will also have priority in the intradistrict transfer process following students whom reside in the neighborhoods adjacent to Jamboree Road. Eastbluff will accept intradistrict transfer requests up to the capacity at each grade level K-3, up to 60 students, and each class grade 4-6 up to 32 students.

The following recommendations were made through the community input sessions and received significant support from the parent community that participated in the process.

- Develop a model science and technology program for Eastbluff Elementary School which will further encourage intradistrict transfers for those families most interested in a science and technology focus for their children.
- Study the instructional components of a K-8 program option for the Corona del Mar Zone. This would be an alternative to the grade 7 and 8 program at Corona del Mar Middle School. It would not replace the program at CdM.

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| | <p>Mrs. Franco seconded the motion, and it carried unanimously with a 7/0 vote.</p> |
| <p>Review of Summer 2005 Projects Completed by Maintenance and Operations</p> | <p>Tim Marsh reviewed an extensive list of projects completed by the Maintenance and Operations staff during the summer.</p> |
| <p>Approval of Request for Waiver of Instructional Minutes from Back Bay High School and Monte Vista High School for the 2005/06 school year</p> | <p>Mrs. Fluor moved approval of the request for waiver of instructional minutes for Back Bay High School and Monte Vista High School for the 2005/06 school year. Mrs. Franco seconded the motion, and it carried unanimously with a 7/0 vote.</p> |
| <p>Adoption of Resolution No. 10-09-06, Adopting the GANN Limit for 2005/06</p> | <p>Mrs. Fluor moved adoption of Resolution No. 10-09-06 Adopting the GANN Limit for 2005/06. 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. 10-09-06 was adopted by a unanimous 7/0 roll call vote.</p> |
| <p>Nominations for CSBA Directors at Large – (Black and American Indian).</p> | <p>The Board did not take action on this item.</p> |
| <p>Informal Reports – Superintendent/ Assistant Superintendents/ Board Members</p> | <p>Dr. Barbot, Cabinet and Board members provided brief reports on events and activities they had attended during the first two weeks of school.</p> <p>Additionally, Mrs. Fluor requested that her fellow Board members join her in placing two resolutions on a future board agenda opposing Proposition 74 and 76. Mr. Egan requested that the Board meet in a study session to discuss the propositions before the Board considers taking action. The Board advised they would consider the requests.</p> |
| <p>Legislative Report</p> | <p>Mrs. Black advised Board members that as of September 23, 2005, the Governor had vetoed 9 bills.</p> |
| <p>CROP Report</p> | <p>Mrs. Fluor noted CROP meets this week.</p> |
| <p>Audience Participation</p> | <p>No comments.</p> |
| <p>Recited Actions Taken in Closed Session/ Adjournment</p> | <p>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 Newport-Mesa Unified School District for the period of 8/23/05 through 1/31/06 , to suspend the expulsion and to transfer the student to another District school. During the expulsion period, the student must maintain</p> |

acceptable grades, attendance and citizenship. The student's record will be expunged as of 2/1/06 upon successful completion of the components of the expulsion order. Motion by Mrs. Fluor, seconded by Mr. Egan, and carried with a unanimous 6/0 vote (Black absent).

In a prior session, the Board of Education took disciplinary action in student case no. 05-03-60 to expel the student from the schools of the Newport-Mesa Unified School District for the period of 9/27/05 through 6/22/05. During the expulsion period the student will attend ACCESS and must maintain acceptable grades, attendance and citizenship. If the student successfully completes the JADE/Second Chance Program, the student will be allowed to return to Back Bay High School at the beginning of the trimester on a probationary status, providing a successful drug test is passed prior to re-admittance. The student is to complete 50 hours of community service. If student does not successfully complete the JADE/Second Chance Program, student is to complete at least eight counseling session for drug and alcohol abuse and will remain at ACCESS until 6/22/06. Motion by Mrs. Franco, seconded by Mrs. Brooks and carried with a unanimous 6/0 vote (Black absent).

In a prior session, the Board of Education took disciplinary action in student case no. 05-04-79 to expel the student from the schools of the Newport-Mesa Unified School District for the period of 9/27/05 through 6/22/06. The expulsion is to be suspended and student will be transferred to the AACE Program at Back Bay High School. The student 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. Fluor, seconded by Mrs. Sneen and carried unanimously with a 6/0 vote (Black absent).

At 9:15 p.m. President Stokes adjourned the meeting.

Robert J. Barbot, Secretary