

**ORANGE UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION • REGULAR MEETING  
District Education Center • Board Room  
1401 North Handy Street • Orange, California**

**Thursday • February 23, 2006**

**6:30 P.M. • Closed Session  
7:30 P.M. • Regular Session**

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**MINUTES**

*An audio tape of this meeting is on file in the Superintendent's Office  
for three years after the meeting date.*

**CALL MEETING TO ORDER**

The Orange Unified School District Board of Education met in Regular Session on Thursday, February 23, 2006 in the Board Room of the Education Center, 1401 North Handy Street, Orange, California. Board President, Kimberlee Nichols, called the meeting to order at 6:30 p.m.

**ESTABLISH QUORUM**

A quorum was established with the following Board members: Mr. Ledesma, Mrs. Nichols, Mrs. Moffat, Mr. Ortega, Mr. Poutsma and Mrs. Smith. Mr. Rocco was not present for closed session. All Board members were present for the regular open meeting.

**PUBLIC COMMENT ON CLOSED SESSION AGENDA ITEMS**

**Speakers**

Maureen Richardson, 6635, E. Canyon Hills Rd., Anaheim, spoke to the Public Employee Discipline/Dismissal/Release item referring to the manner in which the dismissal of a coach was handled at Canyon High School. She questioned the process currently in place for dismissals.

Heather Delaney, 823 S. Shanada Court, Anaheim, added her comments to the same topic. She asked that policies and safeguards be put in place for staff to ensure that the District does not lose "solid professionals."

Mr. Kisse responded to the speakers by explaining the different categories of employees as well as the different classes within those categories. Further, Mr. Kisse explained the differences among these employees and the different protections afforded to them, within the law. He noted the different types of releases for employees adding that due diligence is exercised whenever someone is released. Administrators are trained in these items and the District provides support for the site administrators in these areas.

**ADJOURN TO CLOSED SESSION**

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The meeting adjourned to closed session at 6:46 p.m. to discuss the following items:

- A. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE  
Government Code 54957
- B. CONFERENCE WITH LABOR NEGOTIATORS  
Government Code 54957.6  
Agency Negotiators: Ed Kissee; Jamie Brown; Spencer Covert, Parker & Covert  
Employee Organizations: a) Orange Unified Education Association  
b) California School Employees Association

#### **CALL TO ORDER – REGULAR SESSION**

Mrs. Nichols called the meeting to order at 7:45 p.m.

#### **PLEDGE OF ALLEGIANCE**

Mrs. Nichols invited the audience and staff to join the Board in reciting the Pledge of Allegiance.

#### **REPORT OF CLOSED SESSION DECISIONS AS REQUIRED BY THE BROWN ACT**

No report from closed session.

#### **ADOPTION OF AGENDA**

##### **Motion No. 90**

It was moved by Mr. Ortega, seconded by Mrs. Smith and carried by a vote of 7-0 to adopt the agenda as presented.

#### **ANNOUNCEMENTS AND ACKNOWLEDGMENTS**

##### **Item 9.A. Superintendent's Report**

Dr. Godley commented on the survey results of District staff which was issued to determine staff's perceptions on the level of service that departments, divisions, sites and the District office are providing. Over two-thirds of the employees responded. The overall response was positive. Additional information regarding the survey results will be discussed at a future board meeting.

##### **Item 9.B. Board President's Report**

No report.

##### **Item 9.C. Board Recognition of Students, Staff and Community**

Mrs. Moffat commended all the contributors of articles to the **School News** newspaper and added that this publication provides an excellent opportunity for the community to learn more about the District.

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Mrs. Nichols remarked on the Second Annual State of Education presentation given by the Orange County Department of Education Superintendent, William Habermehl on February 22, 2006.

**Item 9.D. State of the School Report – Richland High School**

Melissa Brown, SACBE representative from Richland High School was not present to give her state of the school report

**Item 9.E. Proclamation Declaring the Week of March 6-10, 2006 as the Week of the School Administrator**

The Board adopted a resolution proclaiming and honoring Orange Unified School District administrators for their leadership of the educational process and contributions they make to insure successful student achievement, citing the first week of March as "Week of the School Administrator." Mrs. Nichols presented the proclamation to Larry Hausner, Principal at Cambridge Elementary School and President of Leadership Team Orange who accepted the proclamation on behalf of all District administrators.

**APPROVAL OF MINUTES**

**Motion No. 91**

It was moved by Mr. Ortega , seconded by Mr. Poutsma and carried by a vote of 6-1 (Rocco, no) to approve the minutes of the January 19, 2006 regular meeting.

**COMMUNICATIONS TO THE BOARD**

**Speakers**

There were no speakers.

**ACTION ITEMS**

**Item 12.A. Second and Final Reading of Resolution and Ordinance No. 35-05-06 Levying Special Taxes within Community Facilities District No. 2005-2 (Del Rio School Facilities) of the Orange Unified School District**

On February 9, 2006, following a public hearing, the Board of Education approved the first reading of Resolution and Ordinance No. 35-05-06 authorizing the levy of a special tax within CFD No. 2005-2 (Del Rio School Facilities). This is the second and final reading of the Ordinance. There is no financial impact to the District. All costs of issuance and other expenses related to CFD No. 2005-2 will be funded by the proceeds of the bond sale. Resolution and Ordinance No. 35-05-06 is a procedural step required under the statutory proceedings relating to community facilities districts in order to levy the special taxes authorized by the election.

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**Motion No. 92**

It was moved by Mrs. Smith, seconded by Mr. Ortega and carried by a vote of 7-0 to waive reading of the entire text of the ordinance.

Mr. Poutsma read the full title of the Ordinance:

“Resolution and Ordinance of the Board of Education of the Orange Unified School District State of California acting ex officio as the legislative body of Community Facilities District No. 2005-2 (Del Rio School Facilities) of the Orange Unified School District authorizing the levy of a special tax within Community Facilities District No. 2005-2 (Del Rio School Facilities) of the Orange Unified School District.”

**Motion No. 93**

It was moved by Mrs. Smith, seconded by Mr. Poutsma carried 6-1 (Rocco, No) to approve the second and final reading of the Resolution and Ordinance authorizing the levy of a special tax within Community Facilities District No. 2005-2 (Del Rio School Facilities).

**Item 12.B. Budget Criteria and Assumptions – First Reading**

The Board is required to approve a budget on or before July 1, 2006 in order to be able to spend any monies next year. Once the final state budget has been approved, the District has 45 days to adjust any significant differences that the state may have in their budget. The numbers that are included in these assumptions are the latest numbers based on the release of the Governor’s budget. Once the May Revise comes out, then some of these numbers may changes. As further information becomes known, it will be presented to the Board as second and possibly even third readings.

**Motion No. 94**

It was moved by Mrs. Smith, seconded by Mr. Ortega and carried by a vote of 6-1 (Rocco – abstain) to approve the Budget Criteria & Assumptions for the 2006-07 fiscal year as presented for a first reading.

**Item 12.C. Student Calendars 2006-07, 2007-08, 2008-09**

The student calendars of the 2006-07 school year and the tentative calendars for two years following. These calendars were presented to the Board on January 19 and February 9 for information.

**Motion No. 95**

It was moved by Mrs. Smith, seconded by Mr. Poutsma and carried by a vote of 6-1 (Rocco, abstain) to approve the attached recommended calendar for the 2006/2007 school year and tentatively approve the attached proposed student calendars for 2007/2008 and 2008/2009 as presented.

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**Discussion**

Mrs. Nichols noted that as the student calendars are approved, the District will bring forward the 2007-08 school year calendar for approval.

*(Mr. Ortega left the meeting at 8:30 p.m.)*

**Item 12.D. Resolution Regarding Layoff of Certificated Employees Due to a Discontinuance of Particular Kinds of Services**

On February 24, 2005, the Board of Education authorized the discontinuance of the elementary itinerant music program at the conclusion of the 2005-06 school year. The Education Code permits the layoff of employees serving in programs that are being discontinued or reduced. The Education Code also authorizes the reassignment of such employees into programs that are not being reduced or discontinued, subject to certain requirements, including the employee's seniority and credential authorization. The attached resolution is required in order to layoff those music teachers who are not otherwise credentialed or do not have the necessary seniority to continue serving in other programs after the 2005-06 school year.

Mr. Kisse explained further that whenever a school district is contemplating a reduction of services, the district, based on the Education Code, must begin the process by adopting a resolution of a layoff. This resolution in and of itself does not lay off any employees, but rather starts a timeline that is not concluded until very late in the spring. This type of a process is done based on prescribed law. Therefore, in order to allow the District to have the options and to provide due diligence to ensure that the District is operating in a fiscally sound manner, that it is recommended that the Board adopt Resolution 39-05-06.

**Speakers**

The following speakers spoke in opposition to eliminating the elementary music program:

1. Cathy Warner, Anaheim
2. Angel LaMarca, Anaheim *(The Music Matters Committee has contracted a professional consultant, Dr. John Benham, to report on the benefits of retaining an elementary music program in the school district. Mrs. LaMarca requested that upon completion of this report, a copy could be provided to the Board for their review. Further, Mrs. LaMarca requested that an action item be placed on a future board agenda for the purpose of reinstating the music program taught by specialized music teachers prioritizing music with general fund money from the 2006-07 budget.)*
3. Kimberly DeSantis
4. Susan De Santis
5. Angela Settens
6. Brian Cannaday
7. Nancy Jenkins

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8. Sasha Safarzadeh
  9. Tyler Settle
  10. Patricia Karaffa
  11. Josh Whittington
  12. Rick Munzano
  - 13.

**Motion No. 96**

It was moved by Mrs. Smith, seconded by Mr. Poutsma and carried by a vote of 6-1 (Ortega, absent) to extend the time for Communications to the Board.

The following speakers spoke in opposition to eliminating the elementary music program:

1. Ione Velasco, 2816 E. Vine Avenue, Orange
2. Derick Tywoniuk, 2690 N. Whitehall Street, Orange
3. Ian Costello, 719 Wycliffe, Irvine
4. Devon Peck, 10332 Randall Street, Orange
5. Brandon Gephardt, no address given
6. Melinda Derloshon, 3515 E. Copper Kettle Way, Orange
7. Jamie Finnsson, 12351 Anzio Street, Garden Grove

**DISCUSSION**

The Board members responded to the community speakers' concerns regarding the music program. The speakers were thanked for voicing their concerns and presenting their views to the Board.

**Motion No. 97**

It was moved by Mrs. Nichols and seconded by Mr. Poutsma to adopt Resolution No. 39-05-06, Layoff of Certificated Employees Due to a Discontinuance of Particular Kinds of Services. (See attached.)

Mr. Ledesma requested a roll call vote. The vote was as follows:

Ayes:	Moffat, Nichols, Poutsma, Smith
Noes:	Ledesma, Rocco
Absent:	Ortega

**Motion No. 97** carried by a vote of 5-2-1 to adopt Resolution 39-05-06.

**12.E. School Board Policy Proposed Revision - The 3000 Series, Business and Non-Instructional Operations – Second Reading**

Parker & Covert submitted its recommendations for the 3000 series in conjunction with appropriate staff members' input for Board consideration. Further revisions were recommended at the February 9, 2006 meeting.

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**Motion No. 98**

It was moved by Mrs. Smith, seconded by Mr. Poutsma and carried by a vote of 4-2-1 (Ledesma, Rocco – no; Ortega – absent) to accept the proposed Board Policy revisions for the 3000 series for a second and final reading.

**Item 12.F. California School Boards Association – 2006 Delegate Assembly Election**

California School Boards Association (CSBA), Region 15 (Orange County), is holding elections for the 2006 Delegate Assembly. The Board as a whole votes, submits one ballot and may vote for up to the number of vacancies in the region. Region 15 has eight vacancies.

**Motion No. 99**

It was moved by Mrs. Moffat, seconded by Mrs. Nichols and carried by a vote of 5-1-1 (Rocco, no; Ortega, absent) to nominate the following to the 2006 CSBA Region 15 Delegate Assembly:

- Shirley Carey, Huntington Beach City School District
- Megal Çutuli, Los Alamitos Unified School District
- Judith Franco, Newport-Mesa Unified School District
- Sharon Wallin, Irvine Unified School District

**Item 12.G. California School Boards Association – Appointment to the Delegate Assembly**

The District has reached or surpassed 30,000 ADA and, according to CSBA's Bylaws and Standing Rules, is therefore eligible to appoint one member from the Board of Education to serve as a Delegate. The two-year term for the appointed Delegate will begin upon notification by the District and run through March 31, 2008. After March 31, 2008, the appointed Delegate may be reappointed for another two-year term or another Board member may be selected.

**Motion No. 100**

It was moved by Mrs. Nichols, seconded by Mrs. Smith and carried by a vote of 5-1-1 (Rocco, no; Ortega, absent) to appoint Kathy Moffat to serve as a CSBA Delegate.

**INFORMATION/DISCUSSION ITEMS**

**Item 13.A. Earthquake Emergency Operations Plan (EEOP)**

Frank Boehler, Director of Child Welfare & Attendance, presented a video overview of the District's Earthquake Emergency Operations Plan.

**Item 13.B. Orange Unified School District Legislative Coalition – 2006 Platform**

Dr. Godley noted that the Legislative Coalition is a committee of the Board for the purpose of promoting legislation that will improve learning for students. The proposed platform is being presented for this current legislative year.

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Larry Cohn, chairperson of Legislative Coalition, reviewed the process of how the committee developed what they felt were key planks important to the District. The Board received the proposed Legislative Coalition Platform for a first reading.

Mrs. Moffat suggested an amendment to Priority Item No. 3 by proposing the following revision:

3. Encouraging legislation that would make it easier for school districts to proceed with capital improvement projects, including allowing unused monies which have been set aside for new construction to be used for modernization. ~~and ensuring that all districts receive equal shares of money set aside for capital improvement in schools.~~

## CONSENT ITEMS

### **Motion No. 101**

It was moved by Mr. Poutsma, seconded by Mrs. Moffat and carried by a vote of 5-1-1 (Rocco – No; Ortega, absent) to adopt the February 23, 2006 consent agenda.

### **Item 14.A. Purchase Orders List**

The Board approved the Purchase Order List dated January 30, 2006 through February 12, 2006 in the amount of \$733,748.53. See attached Purchase Orders List.

### **Item 14.B. Warrants List**

The Board accepted the Warrants List dated January 30 through February 12, 2006 in the amount of \$3,814,434.49. See attached Warrants List.

### **Item 14.C. Gifts**

The Board accepted the attached list of cash donations and recommended that a letter of appreciation be forwarded to each benefactor.

### **Item 14.D. Acceptance of Completed Contract(s) and Filing of Notice(s) of Completion**

The Board accepted the contract(s) listed below as complete, authorized staff to file appropriate notice(s) of completion and released the retention payment(s) to the contractor(s).

#### **HVAC / LIGHTING SYSTEM UPGRADE**

Project(s):	El Rancho Middle School
Original Board Approval:	July 14, 2005
Original Purchase Order:	601653
Completion Date:	February 9, 2006
Contractor:	Chevron Energy Solutions Co.
Original Project Amount:	\$1,069,720
Change Order(s) Amount:	\$ 41,113 (Duct cleaning)
Total Project Amount:	\$1,110,833



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Fund(s): Special Reserves (40)

**Item 14.E. Request for Allowance of Attendance because of Emergency Conditions**

The Board approved and authorized staff to file Form J-13A, "Request for Allowance of Attendance Because of Emergency Conditions" which will prevent the loss of attendance apportionment revenue as a result of the canyon fire which resulted in the closure of Anaheim Hills and Canyon Rim Elementary Schools for one day.

**Item 14.F. Resolution No. 38-05-06: Approval to Utilize the Price Agreement between the Anaheim Union High School District and Modtech Holdings Inc. for the Lease of DOH/SA Approved Relocatable Buildings**

The Board approved District utilization of the Anaheim Union High School District Bid 2003-30-DOH/DSA to lease DOH/DSA approved relocatable buildings from Modtech Holdings Inc./Class Leasing, Inc..

**Item 14.G. Approval to Procure a Replacement Nutrition Services Refrigerated Truck**

The Board approved the procurement of a refrigerated commercial truck vehicle from Victor GMC Truck, Inc.

**Item 14.H. Personnel Report**

The Board approved the Personnel Report as presented

**Item 14.I. Student Teacher Assignments/Agreements**

The Board approved the attached student teaching assignment lists.

**Item 14.J. Teacher Assignment/Consent – Variable or Short-Term Waiver**

The Board approved the variable term waiver as presented.

**Item 14.L. Out-of-State Conference Attendance**

The Board approved the out-of-state travel for the individuals as indicated below.

**Morga, Rachelle / Elementary Education**

**Boston, MA**

*California Math Advisory Group*

March 2-3, 2006

No conference expenses

**Roney, Frances / Secondary Education**

**San Antonio, TX**

*Reach'em, Teach'em, Keep'em Conference*

March 5-7, 2006

Conference expenses: \$1,137.50

**Bailey, Brent / El Modena High School**

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**San Antonio, TX**  
*Reach'em, Teach'em, Keep'em Conference*  
March 5-7, 2006  
Conference expenses: \$1,137.50

**Johnson, S.K. / Orange High School**  
**Kissimmee, FL**  
*2006 Model School Conference (Amendment to 2/9/06 for additional nights)*  
June 23-28, 2006  
Conference expenses: \$1,775

**Item 14.L. Contract Services Report – Educational Services**

The Board approved the Contract Services Report - Educational Services as presented.

**TERRY BREWER**

Cerro Villa Middle School would like to present two motivational programs on March 9, 2006 and June 5, 2006 to 7<sup>th</sup> and 8<sup>th</sup> grade students who were "caught doing something right." This program is a component of Cerro Villa's continuing implementation of their Character Education Program. On March 9<sup>th</sup> they would like to have Terry Brewer, a motivational speaker, who will share concepts of integrity, respect and responsibility while inspiring student to make good choices. The Cerro Villa Character Education budget will fund this program.

Professional Services. . . .not to exceed. . . . . \$800

**MOTIVATIONAL MEDIA**

Cerro Villa Middle School would like to present Motivational Media's "Heart of the Champion" on June 5, 2006. This program addresses integrity, respect and responsibility by using modern culture to pique student interests. The Cerro Villa Character Education budget will fund the program.

Professional Services. . . .not to exceed . . . . . \$695

**MITCH FENNEL**

Mitch Fennell, Music Director at California State University, Fullerton, will conduct rehearsal and one concert for high school students of Orange Unified School District. The District Honor Band/Orchestra Concert will be held on March 13, 2006 at Chapman University.

Professional Services. . . . not to exceed . . . . . \$300

**MARK LAYCOCK**

Mark Laycock, Music Director at Chapman University will conduct rehearsal and one concert for Orange Unified School District students. The District Honor Band Orchestra Concert will be held on March 13, 2006 at Chapman University.

Professional Services. . . . not to exceed . . . . . \$300

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**SANTIAGO CANYON COLLEGE**

The Santiago Canyon College new SAT preparation workshop will assist up to ten students in their preparation for taking the new SAT test. The students will receive a review in all subsections (math, reading and writing) of the new SAT test, and other test taking strategies. This is being offered to students in the Title VII Native American Program who are preparing to apply for college and need assistance in preparing for the SAT. The cost of \$99 per student will be funded by the Title VII Native American Program.

Professional Services. . . . . not to exceed . . . . . \$990

**SPECIAL EDUCATION STUDENT #324060**

As a result of a mediated agreement for a special education student, the District has agreed to reimburse the parents for educational related expenses obtained for their child beginning September 2005 and continuing through June 2007. Reimbursement will be based on invoices & proof of payment submitted to the District.

Special Education . . . . . not-to-exceed . . . . . \$6,500

**DR. CHRIS DAVIDSON**

The services of Dr. Chris Davidson, Licensed Educational Psychologist, are required to conduct an independent educational evaluation of a special education student during the 2005-06 school year.

Special Education . . . . . not-to-exceed. . . . . \$3,000

**Item 14.M. Study Trips**

The Board approved the following study trips.

Orange High School – Spanish Class – Big Bear Lake, CA – March 24, 25, 26, 2006

Orange High School Spanish class, under the direction of teachers Tracey Peters and Elsa Arellano, would like to travel to Big Bear Lake to participate in the Foreign Language Camp (Spanish). The students will experience a weekend of full immersion in the target language and an opportunity to extend their own foreign language skills to activities not available in a regular classroom setting. The three students will be accompanied by two female adult chaperones. They will travel by chartered bus and the camp will be housed at the Presbyterian Conference Center in Big Bear. The cost per student is \$130 and the funding will be covered by Orange High School Immediate Intervention funds. The students will not miss any school days and no substitute will be required.

Orange High School – Honor Choir Students – Sacramento, CA – March 9, 10, 11, 2006

Orange High School Honor Choir students, under the direction of their choral director Mike Short, would like to participate in the California Music Education Convention. The students will have the opportunity to participate in the All-State Honor Choir for 2006, as well as work with some of the "top" choral directors and honor choir students from across the state. The two male students will be accompanied by one male adult chaperone. The students will be housed at the Red Lion in Sacramento. Mr. Short will drive the students and he will have an approved Orange

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Unified School District Driver Certificate completed and approved prior to this trip. The cost per student is \$345 and scholarships are available. The cost for the director is being funded by Orange High School Teacher Quality. The students will miss two school days and a substitute will also be needed for the two days. The cost of the substitute will be funded by the school.

Canyon High School Wrestling Team – Bakersfield, CA – March 2, 3, 4, 2006

Canyon High School Wrestling Team under the direction of their coach Scott Lawson would like to travel to Bakersfield to compete in the CIF State Wrestling Meet. The student/athletes will be competing with the best athletes from across the state. The four male students will be accompanied by one male adult chaperone. Coach Scott Lawson will drive the students and he has been cleared by OUSD Risk Management to transport students in a personal vehicle. The students will be housed at the Sheraton Hotel. There is no cost to the student. The students will miss one and one half school days and there will be no substitute required.

Modena High School Thespian Society – Ontario, CA March 9-11, 2006

El Modena's National Thespian Society would like to attend the California State Thespian Conference in Ontario. Students will take part in scholarship competition and performance showcase with over 1,000 theatre students from all over California. Students and adults have the opportunity to learn from professional performers and outstanding theatre educators. El Modena has attended this same event in venues all over the state for more than 20 years. The ten female and two male students will be accompanied by two female adult chaperones. Transportation will be provided by District bus and will be reimbursed by department funds. Students and adults will be staying at the Countryside Suites by Ayres. Students will miss two school days and a substitute will be required. The cost of the substitute will be funded from the department funds. The cost per student is \$150 per person, and scholarships are available. The transportation cost and the cost of two day substitute coverage will be charged to the El Modena High School Drama Department funds.

Cambridge Elementary School 5<sup>th</sup> Grade Classes – Dana Point Marina, March 8-9, 2006

Cambridge Elementary's 5<sup>th</sup> grade class, under the supervision of Nicole Wyckoff, Patty Raburn, Michelle Berner and Kristen Guzman, would like to travel to the Dana Point Marina via District bus on March 8 and 9, 2006. Students will stay overnight aboard the Pilgrim tall ship at the Ocean Institute and participate in "Carry on Mr. Bowditch." The program covers 5<sup>th</sup> grade social studies and reading standards. The cost of the trip is \$57 per student and is being covered by Cambridge Elementary field trip funds. Application for grants and scholarships through the Ocean Institute to cover either complete or partial cost of the trip has been submitted.

**Item 14.O. Special Education Non-Public Schools & Designated Instructional Services-2005-06**

The Board of Education authorized non-public school/agency placement for the student identification numbers listed on the attached report, as presented. See attached 2005-06 list.

**Item 14.P. Expulsion of Student: Case No. 05-06-21**

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identification numbers listed on the attached report, as presented. See attached 2005-06 list.

**Item 14.P. Expulsion of Student: Case No. 05-06-21**

The Board upheld the recommendation of the Administrative Hearing Panel.

**COMMUNICATIONS TO THE BOARD**

No speakers.

**OTHER BUSINESS**

**Board/Staff Conference and Comments**

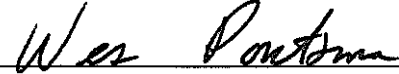
Mrs. Moffat referred to literature from the organization, Board & Administrator for School Board Members. She read from it a section entitled "Commit to Five Board Rules in 2006."

Mrs. Nichols commented on the issues discussed during the meeting and encouraged all Board members to be respectful to all individuals.

Mrs. Smith suggested drafting a resolution to send to the Governor showing the District's support of the music program.

**ADJOURNMENT**

By call of the Chair, the regular Board meeting of February 23, 2006 adjourned at 10:44 p.m.

  
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Wes Poutsma  
Clerk of the Board