

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

Thursday • January 5, 2006

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

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, January 5, 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: 38 p.m.

ESTABLISH QUORUM

A quorum was established with the following Board members: Mrs. Moffat, Mrs. Nichols, 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

There was no public comment.

ADJOURN TO CLOSED SESSION

The meeting adjourned to closed session at 6: 38 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 Kisse; 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: 34 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

Nothing to report

Staff requested that Information Item 13.A. follow Announcements and Acknowledgments.

ADOPTION OF AGENDA

Motion No. 70

It was moved by Mrs. Smith, seconded by Mrs. Moffat and carried by a vote of 6-1 (Rocco - absent) to adopt the agenda as presented.

ANNOUNCEMENTS AND ACKNOWLEDGMENTS

Item 9.A. Superintendent's Report

On behalf of LT-O!, Leadership Team Orange, Dr. Godley announced the recipients of the Administrator of the Year award for 2005-06: Frank Boehler, Bobbie Lansman, and Victoria Webber.

Item 9.B. Board President's Report

Mrs. Nichols commented on a report she received from the District Attorney's office with regard to a Brown Action violation case. The report was to provide information about the outcome of a particular case so that all municipalities could take advantage of the case law.

Mrs. Nichols asked if the SACBE reps wanted to continue the pre-Board meetings to review items on the agenda. She suggested meeting on an "as need" basis. Mrs. Moffat suggested the possibility of reviewing items by telephone. Mrs. Roney will follow up with the SACBE's response.

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

Pam McDonald, Director of Transportation, presented a Certificate of Recognition to Erika Mullen of Canyon Rim Elementary School who won the California Association of School Transportation Officials *School Bus Safety Poster Contest*. Erika will receive a \$50 check from CASTO.

Mrs. Moffat congratulated Fran Roney for her efforts to improve secondary education and, in particular, her work on the 9th grade initiative. Further, Mrs. Moffat acknowledged Lynn Matassarini, Principal at Lampson Elementary School, for her efforts in pursuing business partnerships to secure funding for math, English and music for the benefit of the students at Lampson.

Mr. Ortega thanked Karen Hanson, Coordinator for Health Services, for assisting and providing him with information regarding the California Health Program in Obesity. Mr. Ortega noted that

he was selected to serve on the California Health Leadership Program on Obesity.

Item 9.D. State of the School Report – El Modena High School

On behalf of Emily Haase, SACBE representative from El Modena High School, who was not present at the meeting, Adam Gentry presented the state of the school report highlighting academics, social activities and athletics.

APPROVAL OF MINUTES

None to approve.

COMMUNICATIONS TO THE BOARD

No speakers.

Item 13.A. Report on AVID (Advancement Via Individual Determination)

Granger Ward, AVID California State Director, Sally Arellanes, OCDE AVID Coordinator and OUSD AVID students presented an overview of the District's AVID program, which is currently in place at Orange, Canyon, Villa Park and El Modena High Schools as well as Cerro Villa, Yorba, Portola and Santiago Charter Middle Schools. AVID speakers from the various high schools commented on their positive experience with the AVID program.

ACTION ITEMS

**Item 12.A. (1) RESOLUTION OF INTENTION (I) TO ESTABLISH CFD NO. 2005-2 (DEL RIO SCHOOL DISTRICT), (II) TO LEVY A SPECIAL TAX AND (III) TO ISSUE BONDS
(2) RESOLUTION OF INTENTION TO INCUR BONDED INDEBTEDNESS OF THE PROPOSED CFD (2005-2 DEL RIO SCHOOL DISTRICT)**

Mr. Archibald commented on the change to one of the exhibits, noting that there were changes in the configuration of the types of homes planned and the square footage.

On November 18, 2004, the Board of Education approved a School Impact Mitigation Agreement with North Orange Del Rio, LLC, ("Company") whereby the School District would be the lead agency for a Community Facilities District encompassing approximately 73 acres of property proposed for construction of approximately 716 mixed residential units. It is proposed that the CFD be formed for the acquisition and construction of school facilities. The Landowner has submitted a petition requesting the School District undertake proceedings relating to the formation of the CFD at his time.

The principal, interest and other periodic costs of issuance for up to \$9,000,000 of the bonds proposed in the CFD will be issued in one series to finance the acquisition, design, construction, lease, improvement and/or equipping of school facilities directly or indirectly impacted by the Project. In order to fund the costs of the purposes outline above and the costs of issuance and other related costs of the proposed CFD the Landowner further requests the Board of Education of the School District to levy an annual special tax in accordance with the procedures required in

the Mello-Roos Facilities Act of 1982, as amended, commencing with Section 53311 of the California Government Code.

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. The Resolutions initiate the process for formation of CFD No. 2005-2 and call a public hearing for February 9, 2006, at which the Board will consider formation of CFD No. 2005-2, the proposed levy of the special tax within CFD No. 2005-2 and the necessity to incur bonded indebtedness. Attached to the Resolution of Intention to Establish the CFD are exhibits which include a map showing the proposed boundaries of the CFD, a description of the authorized facilities and the proposed Rate and Method of Apportionment of the Special Tax.

Motion No. 71

It was moved by Mr. Ortega and seconded by Mr. Poutsma to approve each Resolution (attached) and call for the public hearing on February 9, 2006.

In response to Mrs. Moffat's question regarding the changes, Mr. Archibald explained that the majority of the changes were in the table on page 19 of the Board agenda. The table shows the building square footage and the assigned annual special tax. Additionally, there are a few changes in the acreage numbers.

Motion No. 71 passed by a vote of 6-1 (Rocco, no).

12.B. School Board Policy Proposed Revision - The 2000 Series, Administration – First Reading

Parker & Covert has submitted its recommendations in conjunction with appropriate staff members' input for Board consideration of the Board Policies for the 2000 Series.

Dr. Godley recommended a change to Board Policy 2300, Conflict of Interest Code: Designated Personnel, page 42 of the Board agenda, second sentence to read:

"These positions are designated pursuant to Board action and to Board Bylaw 9270, Conflict of Interest Code."

The Conflict of Interest Code will be brought back annually, and if there is any change in the positions, they would be presented at that time.

Mrs. Nichols pointed out that Board Policy 2220 is very similar to Board Policy 2110. She suggested that they be combined as they contain similar information.

Motion No. 72

It was moved by Mr. Ortega, seconded by Mrs. Smith and carried by a vote of 6-1 (Rocco - no) to accept the proposed Board Policy revisions for the 2000 series for a first reading.

INFORMATION/DISCUSSION ITEMS

Item 13. B. Board of Education Self-Evaluation

In accordance with Board Bylaw 9400, the Board of Education shall conduct an annual self-evaluation to demonstrate accountability to the community and to ensure that District governance supports student achievement and the attainment of the District's goals. At the December 8, 2005 Board meeting, the Board Self-Evaluation Instrument was distributed to all Board members, as required. The instrument was completed and returned to the Superintendent's Office.

As Board President during 2005, Mrs. Moffat tallied the results as a whole and presented her findings to the Board members. The Board discussed strategies for strengthening Board performance and establishing District goals and objectives.

It was suggested that the document be made available to the community to minimize the time frame for discussion and to allow input from the community.

CONSENT ITEMS

Motion No. 73

It was moved by Nichols, seconded by Ortega and carried by a vote of 6-0-1(Rocco – No) to adopt the January 5, 2006 consent agenda.

Item 14.A. Purchase Orders List

The Board of Education approved the Purchase Order List dated November 28 through December 11, 2005 in the amount of \$1,124,476.16. See attached Purchase Orders List.

Item 14.B. Warrants List

The Board of Education accepted the Warrants List dated November 28, 2005 through December 11, 2005 in the amount of \$6,906,464.06. See attached Warrants List.

Item 14.C. Gifts

The Board accepted the following gifts of cash, equipment, and/or instructional materials and that a letter of appreciation be forwarded to each benefactor.

- Contract services of mathematics magician, Prof. Arthur Benjamin (\$650), to the OUSD Curriculum Dept., donated by Linda Stoterau

Item 14.D. Contract Services Report – Business Services

The Board approved the Contract Services Report – Business Services as presented.

EMPIRE ECONOMICS, INC.

On October 13, 2005, the Board of Education approved a list of consultants to work with staff to

create and form Community Facilities District 2005-2 (Del Rio School Facilities). An additional consultant, Empire Economics, is needed to perform a price point analysis and absorption study to assure bond purchasers of the security of the investments. All costs will be reimbursed from the bond sale proceeds.

Special Reserve Fund.....not to exceed.....\$15,000

NYBERG ARCHITECTS

The new shade structure with integrated PV system at El Rancho Charter School will require the services of a qualified Division of the State Architect (DSA) to prepare architectural drawings, structural drawings, electrical drawings, specifications and obtain DSA approval. Nyberg Architects can provide these services for the District.

General Fund (El Rancho Charter MS).....\$22,000

Item 14.E. 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).

EMERGENCY RESOLUTION 16-04-05 – ROOFING – GYMNASIUM

Project(s): El Modena High School
Original Board Approval: November 18, 2004
Original Purchase Order: 505577
Completion Date: November 11, 2005
Contractor: Danny Letner, Inc.
Original Project Amount: \$82,948
Change Order(s) Amount: \$ -0-
Total Project Amount: \$82,948
Fund(s): Deferred Maintenance (14)

EMERGENCY RESOLUTION 16-04-05 – INSTALL WOOD CURBS, INSTALL RAISE PLATFORMS & NEW DRAIN PANS – GYMNASIUM

Project(s): El Modena High School
Original Board Approval: November 18, 2004
Original Purchase Order: 507542
Completion Date: November 11, 2005
Contractor: Danny Letner, Inc.
Original Project Amount: \$38,101
Change Order(s) Amount: \$ -0-
Total Project Amount: \$38,101
Fund(s): Deferred Maintenance (14)

BID 564 – REFINISH GYM FLOOR

Project(s): Canyon High School
Original Board Approval: July 14, 2005
Original Purchase Order: 601233
Completion Date: October 11, 2005

Contractor: Geary Floors
Original Project Amount: \$27,333
Change Order(s) Amount: \$ 2,700 (*Additional floor board repair*)
Total Project Amount: \$30,033
Fund(s): General Fund (01)

ANAHEIM HILLS ELEMENTARY SCHOOL – PLAYFIELDS
Project(s): Anaheim Hills ES
Original Board Approval: May 23, 2000
Completion Date: October 27, 2005
Contractor: SunCal Companies

Item 14.F. Approval of Agreement between Orange Unified School District and other Orange County School Districts for Transportation Services

The Board authorized participation in a county-wide transportation services agreement with other Orange County school districts.

Item 14.G. Personnel Report

The Board of Education approved the Personnel Report. See attached report.

Item 14.H. Student Teacher Assignments/Agreements

The Board of Education approved the student teaching assignments as presented. See attached list.

Item 14.I. Out-of-State Conference Attendance

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

Haberer, Kathy/Pupil Services
Sopris West 2005 National Conference
Savannah, GA
January 12-16, 2006
Conference expense: \$1,175

Item 14.J. Student Teaching Agreement – University of La Verne

The Board approved the Student Teaching Agreement with the University of La Verne.

Item 14.K. Teaching Assignment/Consent – Provisional Internship Permit

The Board approved the attached Provisional Internship Permits as presented.

Item 14.L. Contract Services Report – Educational Services

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

SPECIAL EDUCATION STUDENT ID # 309544

As the result of a settlement agreement, the District has agreed to reimburse the parents for

educational related expenses during the 2005/06 school year. Reimbursement will be based upon receipt of invoices and verification of payment made.

Special Education not-to-exceed \$15,600

LAW OFFICES OF DANIELLE AUGUSTIN

As the result of a settlement agreement in SEHO Case No. SN05-01455, the District has agreed to pay reasonable and compensable attorney fees. Payment shall be made based on itemized billing statements submitted to the District.

Special Education not-to-exceed \$5,500

Item 15.P. Study Trips

The Board of Education approved the study trip as presented.

El Modena High School – Speech and Debate Team Union City, CA - January 13-15, 2006

El Modena High School’s Speech and Debate team under the direction of their coach Molly Chertock would like to travel to James Logan High School for the Martin Luther King Invitational Speech Tournament. Students will be able to test speech skills against Northern California Schools in order to adapt speaking style for the State Tournament to be held in Northern California in April. Additionally, this is a pre-qualifying tournament for National Forensics League. The three (3) male and two (2) female students will be accompanied by one (1) adult female chaperone. Students and teacher will be staying at the Courtyard by Marriott in Newark, CA. Transportation will be provided by Katella High School Bus, who will share transportation. Cost is \$90 per student and scholarships will be available. The students will miss one school day and a substitute will also be required for one day. The cost will be funded by the Speech Team.

Canyon High School Girls’ Varsity Softball Team – Bullhead City, AZ – March 9, 10, 11, 2006

Canyon High School Girls Varsity Softball Team under the direction of their coach Lance Eddy would like to travel to Bullhead City, AZ to compete in the Tournament of Champions Invitational Softball Tournament. This is a great opportunity for the team to compete against teams from across the U.S. as well as gain exposure to college scouts. The fifteen (15) female student/athletes will be accompanied by six (6) female and three (3) male adult chaperones. The students will be lodged at the Flamingo Hilton in Laughlin, Nevada and transportation will be provided parents. Any parent providing transportation to a student other than their own will have an approved Orange Unified School District Driver Certificate form completed and approved prior to this trip. The cost per student is \$75.00 is all inclusive and scholarships are available. The students will miss one full day and one partial day of school. No substitute will be required.

El Modena High School Pep Squad – Orlando, Florida – February 3, 4, 5, 6, 7, 2006

El Modena High School Pep Squad, under the direction of their coach Clay Stiles would like to travel to Orlando, Florida to compete in the Universal Dance Association National Competition. The Varsity Cheerleaders qualified to compete based on their superior performance at the UDA

Summer Camp. The student/athletes participation will encourage team building, leadership skills, and sportsmanship. The ten (10) female students/athletes will be accompanied by three (3) female and two (2) male adult chaperones. They will travel by air via Southwest Airlines from LAX to Orlando. They will be housed at Disney Caribbean Beach Resort and the cost per student will be \$1300.00 with scholarships available. The transportation to and from the airport will be provided by the parents with parents driving only their own child. A substitute will be required for three days and the expense will be funded by the El Modena High Cheer Boosters. The students will miss three days of school.

Canyon High School Wrestling Team – Lancaster, CA – January 20, 21, 2006

Canyon High School Wrestling Team under the direction of their Coach Scott Lawson would like to participate in the Challenge Varsity Tournament to be held at Antelope Valley High School. The student/athletes will have the opportunity to compete against other athletes from across the state as well as gain exposure to college recruiters. The fourteen (14) male students will be accompanied by two (2) male adult chaperones. Transportation will be provided by the parents and the coaches. Any person driving a student other than their own will have an approved Orange Unified School District driver certificate form completed and approved prior to this trip. The students will be housed at the Holiday Inn Express in Lancaster and there is no cost to the students. The students will miss a partial day and no substitute will be required.

Item 14.N. Course Approvals: Advanced Annual (Formerly Annual IV), Advanced Journalism (Formerly Journalism IV), Annual I, Journalism I, Language Arts

The Board approved the above-described courses presented by the District's Curriculum Council for use in the Orange Unified School District.

Item 14.O. IMMEX Grant – Serrano Elementary School

The Board approved the grant to participate in the IMMEX pilot program on behalf of Serrano Elementary School.

Item 14.P. Joint Powers Agreement between Orange Unified School District and other Orange County Public Educational Agencies

The Board authorized the District to enter into the Joint Powers Agreement designated as the Orange County Special Education Legal Alliance.

Item 14.Q. Textbook Adoptions – 30-Day Review by Public

The Board placed the attached list of textbooks on display for the 30-day review period and be considered for adoption at the February 9th Board Meeting.

Item 14.R. 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.S. Expulsion of Student: Case No. 05-06-08

The Board upheld the recommendation of the Administrative Hearing Panel.

Item 14.T. Expulsion of Student: Case No. 05-06-09

The Board upheld the recommendation of the Administrative Hearing Panel.

Item 14.U. Expulsion of Student: Case No. 05-06-10

The Board upheld the recommendation of the Administrative Hearing Panel.

Item 14.V. Expulsion of Student: Case No. 05-06-11

The Board upheld the recommendation of the Administrative Hearing Panel.

Item 14.W. Expulsion of Student: Case No. 05-06-12

The Board upheld the recommendation of the Administrative Hearing Panel.

Item 14.X. Expulsion of Student: Case No. 05-06-13

The Board upheld the recommendation of the Administrative Hearing Panel.

COMMUNICATIONS TO THE BOARD

By consensus of the Board, speakers will be allowed to speak at this time in this meeting and at future meetings.

Speakers

Martha Monteleone, 1414 Lael Drive, Orange, requested Board assistance with regard to a special education settlement agreement.

OTHER BUSINESS

Board/Staff Conference and Comments


Mr. Rocco commented on various matters.

Mrs. Nichols commented on AB 1234 and an upcoming two-hour ethics training conference.

Mrs. Moffat encouraged Board members to take advantage of governance training.

ADJOURNMENT

By call of the Chair, the regular Board meeting of January 5, 2006 adjourned at 9:50 p.m.


Wes Poutsma
Clerk of the Board